



UNION COUNTY UTILITIES AUTHORITY

1499 Routes 1 & 9, North, Rahway, New Jersey 07065

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Union County Utilities Authority December 15, 2010 Regular Public Meeting

Chairman Kulish called the meeting to order at 6:34 p.m., in the meeting room of the Union County Utilities Authority, 1499 Routes 1 & 9 North, Rahway, New Jersey.

Notice of Compliance with the Open Public Meetings Act was read by Joseph C. Bodek, Clerk of the Authority.

A roll call of the Commissioners showed the following present: Chairman Kulish, Vice-Chairman Jackus, Treasurer People, Secretary Rachlin, Commissioners Badri, Erdos, Kahn and Kennedy. Also present were alternate Commissioner Lombardo.

Commissioners Absent: Commissioner Huff and alternate Commissioner Jorn.

Others Present: Dr. Sunil Garg, Thomas Brennan, and Jeff Hummel of the Authority's staff; Ed Trainia of CME; Jonathon Williams of DeCotiis, Fitzpatrick, and Cole; Kraig Dowd of Weber Dowd Law; Dennis Enright of NW Financial; Richard Bauch of Bauch, Zucker and Hatfield; Deputy Clerk Lisa Miskiewicz and Clerk Joseph C. Bodek.

Chairman Kulish led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

Chairman Kulish designed Alternate Commissioner Lombardo to act for Commissioner Huff.

Commissioner Erdos moved the resolution approving the regular session and executive session minutes of the regular meeting of November 10, 2010. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Communications

There were no communications.

Report of Officers

There were no reports from the Officers.

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Report of Committees, Staff & Counsel – Public Session I

Finance and Budget

Commissioner Jackus reported that the Finance and Budget Committee had met and recommended approval of the payment of the bills. Commissioner Jackus moved the following resolutions: 1) Approving Operating and Resource Recovery Facility vouchers for processing and payment; 2) Approving Consulting and Legal vouchers for processing and payment; and 3) Authorizing the adoption of the annual budget for the fiscal year January 1, 2011 to December 31, 2011. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Personnel/Procurement/Insurance

There was no report.

Operations:

Mr. Hummel reported on the field operations and investigations for the month of November. He noted that there were 351 Solid Waste investigations (322 Type 13 and 29 Type 10) during the month of November. He noted that a majority of the cases instituted during the month of November are presently active and still undergoing the inspectional process.

Solid Waste and Recycling

There was no report.

New Business

There was no new business.

Public Comment

Mr. Bodek read the rules under which public comment would be allowed.

Eddie B. Smith, 1280 Clark St., Rahway. He noted that he was a neighbor of this facility, and the reason for that distinction. He noted that last year, he had attended three to four meetings of the Authority. During each of those meetings, the host community agreement, with the City of Rahway was to be discussed in executive session. He spoke about the importance of that agreement for the citizens of Rahway. He also spoke about how the sighting of this facility tore the Rahway community apart, and a brief history of that event. Mr. Smith asked if it was the appropriate time for the information, discussed during those executive sessions, to become

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public. Commissioner Kennedy responded that there was nothing new to be made public. Mr. Smith responded that the items being discussed must be very difficult. He again stressed the importance, of this issue, to the citizens of Rahway. Commissioner Kennedy stated that the discussions were about the current contract and not a renegotiation of the contract. Mr. Smith also asked if the Rahway representatives, to this Authority, are excluded from those discussions. Commissioner Kennedy noted the reasons, by law, for going into executive session. Mr. Smith concluded by asking, how he would know, when those discussions were made public. Commissioner Kennedy spoke on the issue and provided a brief history of the host community agreement. Mr. Williams also commented on the ongoing discussions.

Reports of Committees, Staff & Counsel – Executive Session

Whereas, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits the exclusion of the public from a public body meeting in certain circumstances; and

Whereas, the Union County Utilities Authority Board of Commissioners is of the opinion that such circumstances presently exist; and

Whereas, the Board of Commissioners wishes to discuss the following issues:

- 1) Contracts: Covanta Project Team Updates.*
- 2) Personnel: Collective Bargaining.*

Whereas, minutes will be kept of the executive session and once the matter above no longer require confidentiality, the minutes, or appropriate portions thereof, of the executive session will be made available to the public; and

Now therefore be it resolved by the Union County Utilities Authority Board of Commissioners that the public be excluded from this meeting.

Commissioner Jackus moved the resolution for executive session. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:50 p.m.

Commissioner Badri moved to return to public session. The motion was seconded by Commissioner Erdos and was ordered approved by a roll call vote. The Authority returned to public session at 7:27 p.m.

Report of Committees Staff & Counsel – Public Session II

There were no reports.

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Unfinished Business

There was no unfinished business.

Public Comments by Commissioners/Freeholder Liaison Daniel Sullivan

There being no further business to come before the Authority, Commissioner Erdos moved to adjourn the meeting. The motion was seconded by Commissioner Jackus and was unanimously ordered approved by a voice vote. The meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Joseph C. Bodek
Clerk

John Kulish
Chairman

Robert Rachlin
Secretary