



UNION COUNTY UTILITIES AUTHORITY

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Union County Utilities Authority July 28, 2011 Special Meeting

Chairman Kulish called the meeting to order at 6:33 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, Secretary Kennedy, Treasurer People, and Commissioner Huff. Also present was alternate Commissioner Lombardo.

Commissioners Absent: Commissioners Erdos, Eastman, and Kahn. Also absent was alternate Commissioner Jorn.

Others Present: Denise Santiago of the Authority's staff; Jonathan Williams of DeCotiis, Fitzpatrick, and Cole; Kraig Dowd of Weber Dowd Law; Dennis Enright of NW Financial; Deputy Clerk Lisa M. Miskiewicz and Clerk Joseph C. Bodek.

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

Chairman Kulish led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

Public Comment

There was no public comment.

Report 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

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

- 1) Covanta Project Team Update – Negotiations/Attorney Client Privilege*
- 2) Matters pertaining to refinancing of the Authority's Debt. – Negotiations*

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

Whereas, the public is now being informed that the Authority may take official action at the conclusion of the executive session.

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

Commissioner Kennedy moved the resolution for executive session. The motion was seconded by Commissioner Lombardo and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:35 p.m.

Commissioner Kennedy moved to return to public session. The motion was seconded by Commissioner Lombardo and was ordered approved by a roll call vote. The Authority returned to public session at 6:38 p.m.

Report of Committees Staff & Counsel – Public Session II

Commissioner Kennedy moved the resolution approving and authorizing the execution and submission of an amendment to the verified petition previously filed with the New Jersey Department of Environmental Protection and the Division of Local Government Services within the Department of Community Affairs, on January 25, 2011, pursuant to the McEnroe Act, N.J.S.A. 13: E-136, et seq. The motion was seconded by Commissioner Jackus and unanimously ordered approved by a roll call vote.

Commissioner Kennedy moved the resolution approving making an application to the Local Finance Board pursuant to N.J.S.A. 40A:5A-6. The motion was seconded by Commissioner Huff and was unanimously ordered approved by a roll call vote.

Public Comments by Commissioners/Freeholder Liaison Daniel Sullivan

There were no comments.

There being no further business to come before the Authority, Commissioner Kennedy moved to adjourn the meeting. The motion was seconded by Commissioner Huff and was unanimously ordered approved by a voice vote. The meeting was adjourned at 6:39 p.m.

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Respectfully submitted,

Joseph C. Bodek
Clerk

John G. Kulish
Chairman

James Kennedy
Secretary