



UNION COUNTY UTILITIES AUTHORITY

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

(732) 382-9400

FAX (732) 382-5862

Union County Utilities Authority November 12, 2008 Regular Public Meeting

Chairman Kahn called the meeting to order at 6:38 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 Lisa Miskiewicz, Deputy Clerk of the Authority.

A roll call of the Commissioners showed the following present: Chairman Kahn, Vice-Chairman Kulish, Treasurer People, Secretary Wolf, Commissioners Badri, Erdos, Huff, and Jackus. Also present were Alternate Commissioners Jorn and Lombardo.

Commissioners Absent: Commissioner Kennedy.

Others Present: Dr. Garg, Tom Brennan, Bill Neafsey, Jeff Hummel and Ms. Santiago of the Authority's staff; Ed Trainia of CME; Kraig Dowd of Weber Dowd Law; Gina Bilangi of DeCotiis Fitzpatrick, Cole and Wisler and Deputy Clerk Lisa Miskiewicz;

Chairman Kahn led the Pledge of Allegiance.

Ms. Miskiewicz provided proof of notice of the meeting.

Chairman Kahn appointed Alternate Commissioner Jorn to act for Commissioner Kennedy.

Minutes

Commissioner Erdos moved the resolution approving the regular session and executive session minutes of the regular public meeting of October 15, 2008. The motion was seconded by Commissioner Badri and approved by a roll call vote, with all voting in favor, except Commissioner Huff, Commissioner Kulish and Commissioner Jorn, who abstained.

Communications

Ms. Miskiewicz noted that there was a notice informing everyone that former Commissioner Vollero had passed away.

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Report of Officers

There were no reports from the officers.

Report of Committees, Staff & Counsel – Public Session I

Finance and Budget

Commissioner Kulish reported that the Finance and Budget Committee had met and recommended approval of the bill list. Commissioner Badri then moved the following resolutions: 1) Approving operating and resource recovery facility vouchers for processing and payment; and 2) Approving consulting and legal vouchers for processing and payment. The motion was seconded by Commissioner Jorn and approved unanimously by a roll call vote.

Mr. Brennan reviewed the 2009 budget for the Commissioners. He noted that the budget anticipated a decrease in revenue due to a decrease in the amount of waste being received. Dr. Garg noted that the budget does not call for a rate increase. Mr. Brennan explained that there would be a CPI increase for the contract towns. Commissioner Badri moved the resolution authorizing the consideration of the annual budget for the fiscal year January 1, 2009 to December 31, 2009.

Personnel/Procurement/Insurance

There was no report from the Committee.

Operations:

Mr. Hummel advised the Commissioners that there were 325 solid waste flow inspections/investigations conducted during the month of October, 2008 (281 Type 13, 44 Type 10). He noted that the compliance staff had taken the following enforcement actions:

- 1) An NOVPA was issued against Mercer Group International for several waste flow violations.
- 2) An NOVPA was issued against IWS Transfer Systems of New Jersey for several waste flow violations.
- 3) An NOVPA was issued against Nini Disposal LLC for a waste flow violation
- 4) An NOVPA was issued against Horizon Disposal for a waste flow violation.
- 5) Correspondence was sent to Horwith Trucks requesting documentation to determine the tonnage of Union County waste transported out of New Jersey.
- 6) The NJDEP was requested to provide copies of all Solid Waste Monthly Disposal Records filed by Horwith Trucks, so that it can be compared to data submitted by Horwith Trucks.

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Ms. Santiago informed the Commissioners that 14 haulers attended the October 29th 2008 Waste Flow Settlement Conference. Settlement Agreement and Releases are in the process of being executed between seven haulers who agreed to the terms of the settlements. This process resulted in an approximately \$10,000 in penalties assessed. There are ongoing discussions between enforcement counsel and haulers relative to pending violations. The County of Union forwarded a check from the Environment Quality Enforcement Fund in the amount of \$17,000.00 as reimbursement for the UCUA enforcement program.

Solid Waste & Recycling

There were no reports from the Committee.

New Business

There were no items of new business.

Public Comment

There were no members of the Public present.

Report of Committees, Staff & Counsel – Executive Session

Commissioner Erdos moved to go into executive session. The motion was seconded by Commissioner Badri. The motion to go into executive session was unanimously approved by a roll call vote. The Authority convened into executive session at 6:50 pm.

Ms. Miskiewicz read the following statement:

In accordance with the Open Public Meeting Act, in the State of New Jersey, the Authority is entering into executive session to discuss items concerning contracts, litigation and/or personnel. The Authority may take official action on items discussed in executive session once the Authority returns to public session.

Upon motion of Commissioner Badri, seconded by Commissioner Kulish, and approved unanimously by a roll call vote, with Commissioner Jackus absent from the room. The Authority returned to public session at 7:15 p.m.

Report of Committees Staff & Counsel – Public Session II

Commissioner Erdos moved the resolution approving the terms of and authorizing the execution of an amendment to the contract with the Delaware and Hudson Railway Company, Inc., D/B/A Canadian Pacific Railway for the provision of disposal services for solid waste types

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13, 13C, 23 and 27 and further authorizing the issuance of a notice to proceed for the commencement of such services. The motion was seconded by Commissioner Badri and approved by a roll call vote, with all voting in favor, except Chairman Kahn, who abstained.

Unfinished Business

There were no items of unfinished business.

Commissioners/Freeholder Liaison Chester Holmes

There were no comments.

There being no further business to come before the Authority, Commissioner Badri moved to adjourn the meeting. The motion was seconded by Commissioner Huff, and unanimously ordered approved by a roll call vote. The meeting was adjourned at 7:18 p.m.

Respectfully submitted

Joseph C. Bodek
Clerk

Edward J. Kahn
Chairman

William Wolf
Secretary