

Union County Utilities Authority
January 17, 2007
Regular Public Meeting

Treasurer People called the meeting to order at 7:15 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 Bodek, Clerk of the Authority.

A roll call of the Commissioners showed the following present: Treasurer People, Secretary Wolf, Commissioners Badri, Jackus, and Lapolla. Also present were Alternate Commissioners Huff and Jorn.

Commissioners Absent: Chairman Kennedy, Vice-Chairman Kulish, Commissioners Kahn and Vollero.

Treasurer People appointed Alternate Commissioner Huff to act for Commissioner Vollero and Alternate Commissioner Jorn to act for Commissioner Kulish.

Others Present: Dr. Garg, Mr. Brennan, Mr. Neafsey, and Mr. Crane of the Authority's staff; Neil Cohen, General Counsel; Kraig Dowd of Brownstein Booth and Associates; Ed Traina of CME Associates; Isabella Schroder of Malcolm Pirnie; Gina Bilangi and Jonathon Williams of DeCotiis, Fitzpatrick; Deputy Clerk Lisa Miskiewicz and Clerk Joseph Bodek.

Treasurer People led the Pledge of Alliance.

Mr. Bodek provided proof of notice of the meeting.

Approval of Minutes

Commissioner Badri moved the resolution approving the regular session and executive session minutes of the December 20, 2006 regular meeting and the regular session minutes of the December 20, 2006 Annual Public meeting. The motion was seconded by Commissioner Wolf and approved by a voice vote, with all voting in favor except Commissioner Jackus, who abstained.

Communications

There were no Communications.

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Reg. Mtg. 1/17/07

Report of Officers

There were no reports from the officers.

Reports 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 bill list. Commissioner Jackus moved the following resolutions: 1) Approving consulting and legal vouchers for processing and payment; 2) Approving operating and resource recovery facility vouchers for processing and payment. The motion was seconded by Commissioner Badri and approved unanimously by a roll call vote.

Personnel/Procurement/Insurance

Treasurer People announced that the Authority would be honoring Commissioner Lapolla's ten years of dedicated service to the Authority. He presented the Commissioner with a plaque on behalf of the Authority and the people of Union County.

Commissioner Badri then moved the resolution commending the dedicated public service of Commissioner Richmond Lapolla. The motion was seconded by Commissioner Jorn and approved unanimously by a roll call vote.

Operations

Dr. Garg reported on the Covanta Coordination meeting that was held the day before. He noted that for the full year last year the facility had a better year than the year before, operating at 92.6 utilization rate. He reviewed the amounts of waste processed.

Dr. Garg informed the Commissioners on the Route 1&9 realignment. The Authority has a final and signed order from the Judge. The Authority was compensated \$675,000.00 for the taking action. Payment in full should be within 60 days of the order.

Mr. Crane reported that during the month of December there were 400 solid waste flow inspections (299 type 13, 101 type 10). The total amount of settlements for December amounted to \$62,250.00.

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Solid Waste & Recycling

Dr. Garg noted that there is one item to discuss in executive session.

New Business

Mr. Bodek reported that a review of Authority records indicated that there were certain records that no longer had to be kept, under the retention schedule of the New Jersey Division of Archives and Records Management. Permission had been received from the Division and from the Authority's auditors to destroy these records. Commissioner Badri moved the resolution authorizing the disposal of certain archived Authority files. The motion was seconded by Commissioner Wolf and approved unanimously by a roll call vote.

Dr. Garg reported that there was a resolution on the agenda that should be discussed now. The resolution was a recommendation from the Authority to the Freeholder Board for the inclusion of an inter-modal container facility, operated by All-State Power-Vac, Inc, in Rahway into the Union County District Solid Waste Management Plan. Dr. Garg noted that there were representatives of the Company here this evening to answer any questions. There were no objections or questions.

Commissioner Badri moved the resolution recommending an amendment to the Union County District Solid Waste Management Plan to include All-State Power-Vac, Inc., Block 343, Lots 1 and 2, in the City of Rahway, New Jersey into the Union County District Solid Waste Management Plan as an inter-modal container facility. The motion was seconded by Commissioner Wolf and approved unanimously by a roll call vote.

Public Comment

Mr. Bodek read the conditions under which public comment would be allowed. There were no members of the public wishing to speak.

Report of Committees, Staff & Counsel - Executive Session

Commissioner Badri moved to go into executive session. The motion was seconded by Commissioner Huff. Mr. Bodek read the following statement as to why the Authority was entering into executive sessions: In accordance with the Open Public Meetings Act, The Authority is entering into executive session to discuss items concerning contracts, litigation and/or personnel. The Authority may take official action on any item discussed in executive session, once the Authority returns to public session. The motion was approved unanimously by a roll call vote.

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The Authority entered into executive session at 7:27 p.m.

Upon motion of Commissioner Badri, seconded by Commissioner Wolf, and approved unanimously by a roll call vote the Authority reconvened into public session at 7:37 p.m.

Report of Committees, Staff & Counsel - Public Session II

Commissioner Badri moved the resolution authorizing the hiring of certain secretarial staff. The motion was seconded by Commissioner Huff, and approved unanimously by a roll call vote.

Commissioner Lapolla then moved the resolution concerning the Solid Waste and Recycling Enforcement Director. The motion was seconded by Commissioner Badri and approved unanimously by a roll call vote.

Mr. Williams recommend two amendments to the next resolution. Commissioner Lapolla moved the following amendments to the next resolution: (1) Under the section Now, Therefore, be it resolved, Item 2, at the end of the last sentence adding the language "with an appropriate contract of employment for that term". (2) Under the same section Item 3 adding the language at the end of the section "contingent upon appropriate resignation documents being executed with the County of Union". The motion was seconded by Commissioner Huff and approved unanimously by a roll call vote.

Commissioner Lapolla the moved the resolution, as amended, authorizing the hiring of a Solid Waste and Recycling Enforcement Director. The motion was seconded by Commissioner Badri and approved unanimously by a roll call vote.

Unfinished Business

There were no items of unfinished business.

Public Comments by Commissioners/Freeholder Liaison Chester Holmes

Mr. Williams spoke about the pleasure of working with Commissioner Lapolla. He praised the Commissioner for the outstanding job he did during his term on the Authority.

There being no further business to come before the Authority, Commissioner Wolf moved to adjourn the meeting. The motion was seconded by Commissioner Badri and approved unanimously by a roll call vote. The meeting was adjourned at 7:40 p.m.

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Respectfully submitted,

Joseph C. Bodek
Clerk

James Kennedy
Chairman

William Wolf
Secretary