

Union County Utilities Authority
January 18, 2006

Regular Public Meeting

Chairman Kahn called the meeting to order at 6:45 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: Vice-Chairman Kulish, Secretary Wolf, Treasurer People, Commissioners Badri, Jackus, and Lapolla. Also present were Alternate Commissioners Huff.

Commissioners Absent: Chairman Kahn, Commissioners Kennedy and Vollero. Also absent was Alternate Commissioner Jorn.

Vice-Chairman Kulish designated Alternate Commissioner Huff to act for Commissioner Kennedy.

Others Present: Dr. Spatola, Mr. Brennan, Mr. Hummel, Mr. Neasfey, and Mr. Crane of the Authority's staff; Neil Cohen, General Counsel; Ed Traina of CME; Kraig Dowd of Brownstein Booth and Associates; Alan Roth, Esq.; Gina Bilangi of Decotiis, Fitzpatrick, Cole and Wisler; Isabella Schroder of Malcolm Pirnie; Freeholder Liaison Chester Holmes; Deputy Clerk Lisa Miskiewicz and Clerk Joseph Bodek.

Vice-Chairman Kulish led the Pledge of Alliance.

Mr. Bodek provided proof of notice of the meeting.

Approval of Minutes

Commissioner Jackus moved the resolution approving the minutes of the regular public meeting of December 15, 2005, the minutes of the Annual Public Meeting of December 15, 2005 and the executive session minutes of December 15, 2005. Commissioner Lapolla noted that a correction to the minutes, of the regular public meeting. Commissioner Badri seconded the motion, and it was unanimously approved by a roll call vote.

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Communications

There were no communications

Report of Officers

There were no reports from the Officers.

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 listed resolutions. Commissioner Jackus then 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; and 3) Authorizing the adoption of the annual budget for the fiscal year January 1, 2006 to December 31, 2006. The motion was seconded by Commissioner People and approved unanimously by a roll call vote.

Personnel/Procurement/Insurance

There was no report for public session.

Operations

Dr. Spatola reported on the Covanta Coordination meeting. Covanta issued total tonnage figures for 2005. The document provided a quick comparison to prior years. Additional waste was received at the facility. He noted the amount of waste that the Authority delivered. Also discussed at the meeting were items that were coming up on the environmental side. Stack testing will begin in February. A mini outage will begin today and last for 36 hours. Covanta will be, at the request of Chairman Kahn, providing a list of their employees and addressees.

Mr. Crane provided the Commissioner with an update on the enforcement program. He detailed the number and types of enforcement actions during the month of December.

Solid Waste and Recycling

Dr. Spatola reported that the rate case had been submitted to the DEP. Commissioner Campbell has approved a higher rate for type 10 non-contract waste to \$94.00 per ton. Letters have been sent to all concerned.

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Dr. Spatola noted that D-Wood is an applicant for inclusion in the Union County Solid Waste Plan. They are currently operating under limited DEP approval and are looking for full approval. The facility collects source separated waste wood. The application has been sent to the Authority's engineer and attorney, for review.

New Business

There was no new business.

Public Comment

Mr. Bodek read a statement setting the conditions under which public comment would be allowed.

The first member of the public to speak was Gerry Infantino, of Infantino Brothers. Mr. Infantino informed the Commissioners that receiving the notice from the Authority, increasing disposal rates, three weeks in advance of the price changing is not sufficient time for the haulers to notify their customers and implement a price increase. As a result, the haulers are forced to lay out funds to pay the increased disposal cost that they will never recoup. Mr. Cohen inquired as to what would be an adequate amount of time for the haulers. Mr. Infantino responded sixty (60) days.

Next to speak was Anthony Galluzzo, of Galluzzo Brothers Carting. Mr. Galluzzo spoke about how he is complying with the various regulations for roll-off containers and the cost of doing so. He noted that his yard is full of containers that are not being used, as contractors are coming in, knocking down a house, and hire a trailer to haul the demolition debris away. This circumvents the whole waste flow system. He noted the cost to the contractors, who do this, is substantially less then to those who follow the regulations. He asked for a better system to track the disposal of this material, so that contractors would be forced to follow the rules. Mr. Galluzzo made a few suggestions along those lines, and provided details about how other companies are avoiding Union County waste flow regulations. He also requested sixty (60) day notice to implement price increases. Commissioner Lapolla suggested that Mr. Galluzzo meet with the Authority's enforcement staff to help resolve these issues. Mr. Cohen asked questions regarding the process to obtain a permit for demolition of a house. A lengthy discussion, with numerous questions, followed between the Commissioners, staff and the haulers present, regarding these matters.

Fabio, of A & S Sanitation Services, was next to speak. He began by congratulating Commissioner Wolf and his wife on their 65 years of marriage. Fabio spoke about contacting the enforcement staff regarding alleged violations of Union County waste flow regulations. He then asked how many transfer stations have been approved to accept Type 10 & 13 trash. Dr. Spatola responded that there are seven (7). He noted that some of the issues that the haulers are facing also effect the Authority's bottom line. Fabio, also asked questions regarding the operation of

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MRF's. He spoke about the importance of getting sixty days notice to implement price changes. He noted that he never received a copy of the letter regarding the price increase. He also asked questions regarding transfer stations and if they were bringing residual back to the county.

Next up, to speak, was Peter Furino of R.N.D. Disposal. Mr. Furino complained about disposal companies that are allowed to operate their own MRF transfer stations, and inform the Authority as to the amount of waste they took in. He found this unfair, especially to the small haulers. Dr. Spatola noted that the requirement to use MRF transfer stations to promote recycling is a DEP requirement, and not something that the Authority devised on its own. Mr. Furino spoke about the Midco company and its facilities. Mr. Furino claimed that Midco is dumping Type 10 waste and taking it apart. Dr. Spatola disputed that information. He noted that their facility is handling Types 13, 23, 27 and non-processable 10. Mr. Furino and some of the other haulers disputed this. A discussion between the haulers and Authority staff took place over what the haulers believed was occurring at these facilities.

There were no other members of the public wishing to speak. Vice-Chairman Kulish thanked all of the individuals for their comments, and noted that he learned a lot this evening, and would work with staff to investigate the information provided this evening.

Commissioner Badri moved to go into executive session to discuss those matters pertaining to contracts, litigation, and/or personnel. The motion was seconded by Commissioner People, and approved unanimously by a roll call vote. The Authority convened into executive session at 7:40 pm.

Upon motion of Commissioner Lapolla, seconded by Commissioner Badri, and approved unanimously by a roll call vote, the Authority reconvened into public session at 8:53 pm.

Reports of Committees, Staff & Counsel - Public Session II

There were no reports from Committees, Staff & Counsel

Unfinished Business

There were no items of unfinished business.

Public Comments by Commissioners/Freeholder Liaison Chester Holmes

Commissioner Wolf thanked all for the presentation that was made to him and his wife, prior to the beginning of the meeting, honoring their being together for 65 years.

There being no further business to come before the Authority, Commissioner Lapolla 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 8:58 pm.

Respectfully submitted,

Joseph C. Bodek
Clerk

Edward Kahn
Chairman

William Wolf
Secretary