

Union County Utilities Authority
April 20, 2005

Regular Public Meeting

Chairman Kahn called the meeting to order at 6:43 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 Commissioners showed the following present: Chairman Kahn, Vice-Chairman Kulish, Secretary Wolf, Treasurer People, Commissioners Badri, Kennedy, Lapolla & Vollero.

Commissioners Absent: Commissioner Jackus. Alternate Commissioners Huff and Jorn.

Others Present: Dr. Spatola, Mr. Brennan, Mr. Hummel, and Mr. Crane of the Authority staff; Neil Cohen, General Counsel; Ed Traina of CME; Kraig Dowd of Brownstein Booth and Associates; Alan Roth, Esq.; Jonathan Williams of DeCotiis, Fitzpatrick, Cole & Wisler, Joseph Krupa of Malcolm Pirnie; Freeholder Liaison Chester Holmes; Deputy Clerk Lisa Miskiewicz and Clerk Joseph C. Bodek.

Chairman Kahn led the Pledge of Allegiance.

Mr. Bodek provided proof of notice of the meeting.

Approval of Minutes

Commissioner Kulish moved the resolution approving the minutes of the regular public meeting of March 16, 2005 and the executive session minutes of March 16, 2005. Commissioner Vollero seconded the motion. All voted in favor, except Commissioners Badri and Kennedy who abstained.

Communications

There were no communications.

Report of Officers

There were no reports from the Officers.

Report of Committees, Staff and Counsel - Public Session I

Finance and Budget

Commissioner Kulish reported that the Finance and Budget Committee had met and recommended approval of the payment of bills resolutions. Commissioner Kulish 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. The motion was seconded by Commissioner Wolf 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. Items discussed included: 1) The amount of waste being delivered to the facility by the Authority. He noted that tonnage for the month of March had increased significantly, however a seasonal increase usually occurs at this time of year; 2) An outage was occurring this month and will continue into next month to allow for facility maintenance; 3) Covanta has informed the Authority that their take over of the American Re-Fuel facilities should occur around the end of May. Dr. Spatola noted that the Department of Justice has given a green light to the take-over; 4) Covanta has replaced the Vice-President of Operations for this facility. The new person is Steve Bassatti. He is from Long Island. Chairman Kahn asked about the comments made by the Department of Justice. Dr. Spatola informed him that all areas of concern raised by the UCUA had been discussed by a conference call with the Department and Jonathan Williams and Joseph Spatola.

Mr. Crane provided an update on the enforcement activities of the Authority. A chart detailing the breakdowns had been sent to the Commissioners.

Dr. Spatola informed the Commissioners that the annual Right-To-Know survey would be taking place. CME would be conducting the survey and submitting the report to the New Jersey Department of Health and Senior Services, in order to meet the July deadline.

Solid Waste and Recycling

There was no report.

New Business:

Chairman Kahn welcomed Commissioner Kennedy back to the Authority.

Public Comment:

Mr. Bodek advised the public as to the rules under which public comment would be permitted.

Fabio, from A&S Transportation addressed the Commissioner. He identified himself as a local hauler in Union County. He stated his support of the concept of waste flow, as it was originally written. He then spoke about how it was decimated over the years. Fabio, then started to ask questions about waste flow violations and his company. Mr. Cohen informed him that this time was allotted for public comment. Specific questions, about a company, should be addressed to the Authority in another format. Fabio then made a statement regarding the importation of garbage from outside of the County to the facility and how much was being charged for it. He concluded with a statement regarding the fines levied against one hauler in the County and how they should become the basis for the fines against all haulers, and why. Commissioner Kennedy asked if the quote amount was for spot waste; Fabio indicated it was.

Chairman Kahn asked for information regarding some of the issues raised by Fabio in his statement. He also suggested that Fabio arrange for a meeting with the staff of the Authority so they could provide him with historical information on how the Authority arrived at the current arraignments system for waste flow disposal. Mr. Cohen asked if Fabio had a problem setting up a meeting with the Executive Director, the enforcement staff, and the Authority's counsel. Fabio indicated that had been done before. Mr. Cohen urged him to try it.

There being no other members of the public wishing to speak, Commissioner Badri made a motion to go into executive session to discuss those items pertaining to litigation, contracts and/or personnel. The motion was seconded by Commissioner Kennedy and approved unanimously by a roll call vote. The Authority convened into executive session at 7:00 p.m.

Upon motion of Commissioner Badri, seconded by Commissioner Kennedy, and approved unanimously by a roll call vote, the Authority reconvened into public session at 8:00 p.m.

Report of Committees, Staff, & Counsel - Public Session II

Commissioner Kulish moved the resolution authorizing the adoption of the Employee Handbook. The motion was seconded by Commissioner Badri and approved unanimously by a roll call vote.

Commissioner Lapolla moved a resolution, from the floor, approving the establishment of a long and short-term disability plan for the full-time employees of the Authority, and authorizing the executive director to execute the necessary documents. The motion was seconded by Commissioner Badri and approved unanimously by a roll call vote.

Public Comments by Commissioners/Freeholder Liaison Chester Holmes

No Comments were made.

There being no further business to come before the Authority, Commissioner Kulish moved to adjourn the meeting. The motion was seconded by Commissioner Badri and approved unanimously by a voice vote. The meeting was adjourned at 8:03 pm.

Respectfully submitted,

Joseph C. Bodek
Clerk

Edward Kahn
Chairman

William Wolf
Secretary