

Union County Utilities Authority
January 19, 2005
Regular Public Meeting

Chairman Kahn called the meeting to order at 6:57 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, Treasurer People, Commissioners Jackus, Jones, and Lapolla. Also present was Alternate Commissioner Jorn.

Commissioners Absent: Treasurer Wolf, Commissioners Badri, and Vollero. Also absent was Alternate Commissioner Huff.

Others Present: Mr. Brennan, Mr. Hummel, Mr. Neasfey, and Mr. Crane of the Authority staff; Neil Cohen, General Counsel; Ed Traina of CME; Kraig Dowd of Brownstein Booth and Associates; Freeholder Liason Chester Holmes; Alan Roth, Esq.; Gina Bilangi of DeCotiis, Fitzpatrick, Cole & Wisler, Deputy Clerk Lisa Miskiewicz and Clerk Joseph Bodek.

Chairman Kahn led the Pledge of Allegiance.

Mr. Bodek provided proof of notice of the meeting.

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

Approval of Minutes

Commissioner Kulish moved the resolution approving the minutes of the regular meeting of December 15, 2004, the Annual Public Meeting of December 15, 2004 and the executive session minutes of December 15, 2004. The motion was seconded by Commissioner People. All voted in favor except Alternate Commissioners Jorn, who abstained.

Communications

Mr. Bodek read a thank you note from Dr. Spatola for the get well basket the Commissioners and staff sent him.

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; 3) Increasing the caps for Malcolm Pirnie, Inc., and Garrubbo, Romanko & Capece in their existing professional services contracts; and 4) Authorizing the adoption of the Annual Budget for the Fiscal Year January 1, 2005 to December 31, 2005. The motion was seconded by Commissioner Lapolla and approved unanimously by a roll call vote.

Operations

Mr. Brennan reported that no Covanta Coordination meeting was held, as Alan Harleston was on vacation. He noted that Covanta had notified the Authority that Rich Laza, Vice-President of Operations for the east coast, had been dismissed. Mr. Brennan reported that the 258 thousand tons of contract waste had been delivered. He also noted that a letter had been sent to municipalities, under contract, that the rate was increasing from \$57.02 per ton to \$58.73 per ton. He informed the Commissioners that there had been a problem with a sprinkler head in the Authority's offices. Between Covanta's staff and that of the Authority the problem was repaired quickly. Finally he noted that Waste Management facilities were picked by the Teamsters. The Authority took no position on the pick-it line. There were some minor distributions, but on the whole it went smoothly.

Solid Waste and Recycling

Mr. Crane distributed the year end solid waste report to the Commissioners. Fines for waste flow violations and non waste flow violations amounted to \$629,413.78. Compliance is having a large effect on bringing and keeping waste in the system. Mr. Hummel specified the details of the report.

Public Comment

No public Comment

Report of Committees, Staff & Counsel Executive Session.

Commissioner Kulish made a motion to go into executive session, to discuss matters pertaining to contracts, litigation and/or personnel. The motion was seconded by Commissioner Lapolla, with all voting in favor. The Authority convened into executive session at 7:05 p.m.

Commissioner People, moved to reconvene into public session The motioned was seconded by Commissioner Jorn, with all voting yes. The Authority reconvened into public session at 7:15 p.m.

New Business

There were no items of new business.

Report of Committees, Staff and Counsel - Public Session II

Commissioner Kulish moved the resolutions the following resolutions (1) Authorizing the release of monies being held in escrow and authorizing the payment of said funds to Covanta Union, Inc. (2) Approving and authorizing the execution of professional services contract with the law offices of Daniel McCarthy. (3) Approving merit increases for certain members of the Authorities executive staff. The motion was seconded by Commissioner Lapolla and approved unanimously by a roll call vote.

Unfinished Business

No unfinished business reported

Public Comments by Commissioners/Freeholder Liaison Chester Holmes

Commissioner Jones made a statement regarding discussions to possibly add a fourth burner to the resource recovery facility. He believed it his responsibility to bring this matter to the attention of his constituents. He did so during the public comment session of the Rahway City Council. He did not, as alleged, make side comments to members of the Concern Citizens. Mr. Cohen noted that there has been no plan or decision regarding a fourth burner. He went on to state that a comment only, regarding a fourth burner, was made once in executive session, and the question becomes, no matter who's constituents are involved, what information can be disclosed. No discussion or decision was considered, and no action had been taken on this matter. Mr. Cohen stated that no discussion held in executive session should be disclosed in any other venue. Commissioner Jones noted the comments he made were not based on information he heard in executive

session, but from comments he had heard from un-named individuals. Chairman Kahn noted that there is no plan, to build a fourth burner. Commissioner Jones responded that he would share that information with his constituents. Freeholder Holmes added his concerns regarding this matter.

There being no further business to come before the Authority, Commissioner Lapolla moved to adjourn the meeting. The motion was seconded by Commissioner People and approved unanimously by a voice vote. The meeting was adjourned at 7:23 p.m.

Respectfully submitted,

Joseph C. Bodek
Clerk

Edward Kahn
Chairman

William Wolf
Secretary