

Union County Utilities Authority
February 21, 2007
Special Public Meeting
Re-Organization

General Counsel Neil Cohen called the meeting to order at 6:50 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: Commissioners Badri, Erdos, Jackus, People, Wolf and Kennedy. Commissioner Kahn arrived at 7:10 pm.

Commissioners Absent: Commissioners Huff, and Kulish. Also absent was alternate Commissioner Jorn.

Others Present: Dr. Garg, Mr. Neasfey, Mr. Crane and Denise Santiago of the Authority's staff; Neil Cohen, General Counsel; Kraig Dowd of Brownstein Booth and Associates; Ed Trainia of CME Associates; Gina Bilangi and Jonathon Williams of DeCotiis, Fitzpatrick; Deputy Clerk Lisa Miskiewicz and Clerk Joseph Bodek.

Mr. Cohen led the Pledge of Alliance.

Mr. Bodek provided proof of notice of the meeting.

Election of Officers of the Authority

Mr. Cohen asked for nominations for the Office of Chairman of the Authority for 2007-2008. Commissioner Wolf nominated Commissioner Kennedy to be Chairman. The nomination was seconded by Commissioner Badri. There being no further nominations Commissioner Jackus moved to close nominations. The motion was seconded by Commissioner Wolf and approved unanimously by a voice vote. Commissioner Kennedy was then elected Chairman, unanimously by a roll call vote.

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Mr. Cohen asked for nominations for the Office of Vice-Chairman of the Authority for 2007-2008. Commissioner Badri nominated Commissioner Kulish to be Vice-Chairman. The nomination was seconded by Commissioner Wolf. There being no further nominations Commissioner Jackus moved to close nominations. The motion was seconded by Commissioner Badri and approved unanimously by a voice vote. Commissioner Kulish was then elected Vice-Chairman, unanimously by a roll call vote.

Mr. Cohen asked for nominations for the Office of Treasurer of the Authority for 2007-2008. Commissioner Badri nominated Commissioner People to be Treasurer. The nomination was seconded by Commissioner Wolf. There being no further nominations, Commissioner Badri moved to close nominations. The motion was seconded by Commissioner Wolf and approved unanimously by a voice vote. Commissioner People was then elected Treasurer, unanimously by a roll call vote.

Mr. Cohen asked for nominations for the Office of Secretary of the Authority for 2007-2008. Commissioner Badri nominated Commissioner Wolf to be Secretary. The nomination was seconded by Commissioner Kennedy. There being no further nominations Commissioner Kennedy moved to close nominations. The motion was seconded by Commissioner Badri and approved unanimously by a voice vote. Commissioner Wolf was then elected Secretary, unanimously by a roll call vote.

Appointment of Committees

Chairman Kennedy assumed the chair, and thanked the Commissioners for their support. He passed out the Committee assignments for 2007-2008, and explained how he arrived at the assignments. Commissioner Badri then moved the resolution confirming the committee appointments made by the Chairperson of the Authority for 2007-2008. The motion was seconded by Commissioner Wolf and approved unanimously by a roll call vote.

Approval of Minutes

Commissioner Wolf moved the resolution approving the regular session and executive session minutes of the January 17, 2007 meeting. The motion was seconded by Commissioner Badri and approved by a roll call vote, with all voting in favor, except Commissioner Erdos who abstained.

Communications

There were no Communications.

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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 and the following resolutions. Commissioner Wolf moved the following resolutions: 1) Approving operating and resource recovery facility vouchers for processing and payment; 2) Approving consulting and legal vouchers for processing and payment; and 3) Designating certain Financial Institutions as official Depositories for the monies of the Authority in accordance with N.J.S.A. 40A:5-14. The motion was seconded by Commissioner Badri and approved unanimously by a roll call vote.

Personnel/Procurement/Insurance

Commissioner People moved the resolution providing for the appointment of General Counsel and approving for an agreement for same and authorizing execution thereof. The motion was seconded by Commissioner Jackus and approved unanimously by a roll call vote.

Commissioner Wolf moved the resolution adopting a list of firms qualified to perform various services to the Authority pursuant to a request for qualifications process. The motion was seconded by Commissioner Wolf and approved unanimously by a roll call vote.

Commissioner Wolf moved the resolution reappointing certain professionals and consultants to the Authority. The motion was seconded by Commissioner Erdos. Dr. Garg noted some changes in the list of professionals. The resolution was then approved unanimously by a roll call vote.

Commissioner Wolf moved the resolution reappointing Thomas Brennan as the Affirmative Action and Public Agency Compliance Officer for the Authority. The motion was seconded by Commissioner People and approved unanimously by a roll call vote.

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Public Information

Chairman Kennedy asked for the pleasure of the Authority in adopting the annual meeting schedule. Dr. Garg noted that there was a typo on the list of dates, and that on the last two dates on the list, the year should be changed to 2008. Commissioner People moved the resolution of the Authority establishing a meeting schedule for the period March 2007 through the Authority's reorganization meeting in February 2008, with the corrections previously noted. The motion was seconded by Commissioner Badri and approved unanimously by a roll call vote.

Commissioner Wolf moved the resolution designating the official newspaper for the Authority as the Star Ledger and Authorizing the use of the Home News Tribune, The News Record, Worrall Publications, and La Voz as supplemental newspapers. The motion was seconded by Commissioner Wolf and approved unanimously by a roll call vote.

Policy, Ethics, & By-laws

Commissioner Wolf moved the resolution authorizing the re-adoption of the bylaws of the Authority. The motion was seconded Commissioner Badri. Dr. Garg noted that there were no changes in the bylaws from last year. The resolution was approved unanimously by a roll call vote.

Commissioner Badri moved the resolution approving an increase to the fee for solid waste plan amendment applications and establishing a fee for administrative actions. The motion was seconded by Commissioner Wolf. Dr. Garg explained to the Commissioners the reasons for these increases. He noted that applicants do not come close to covering the Authority's cost for review of plan amendments. He noted that there would be no fees for governmental applications. He also discussed the need for the Authority to recover the cost, in addition to the above fees, of the plan amendment review for other applicants. The resolution was approved unanimously by a roll call vote.

Commissioner Wolf moved the resolution authorizing payment to Joseph A. Spatola for accumulated unused sick and vacation time. The motion was seconded by Commissioner Erdos and approved unanimously by a roll call vote. The motion was approved unanimously by a roll call vote.

Chairman Kennedy noted that the last resolution was honoring Commissioner Al Vollero for his service to the Authority. He noted that there also was a plaque for the Commissioner, honoring his service. Commissioner Badri then moved the resolution commending the dedicated public service of Commissioner Alfonso Vollero. The motion was seconded by Commissioner People and approved unanimously by a voice vote.

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Operations

Dr. Garg informed the Commissioners that there had not been a Covanta Coordination meeting this month. He noted that everything was moving along fine.

Mr. Crane informed the Commissioners that for the month of January there had been a total of 466 solid waste inspections. 365 of them were for type 13 and 101 of them were type 10. The total amount of settlements for January was \$6,750.00.

Solid Waste & Recycling

Dr. Garg noted that there were no topics for discussion.

New Business

There were no items of new business, except the resolution honoring Commissioner Vollero, which had already been approved.

Public Comment

Chairman Kennedy noted that there was no one from the public present.

Report of Committees, Staff & Counsel - Executive Session

Commissioner Badri moved to go into executive session. The motion was seconded by Commissioner Wolf. 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.

The Authority entered into executive session at 7:12 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 7:38 p.m.

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Report of Committees, Staff & Counsel - Public Session II

There was no reports.

Unfinished Business

There were no items of unfinished business.

Public Comments by Commissioners/Freeholder Liaison Chester Holmes

There were no public comments.

There being no further business to come before the Authority, Commissioner Badri moved to adjourn the meeting. The motion was seconded by Commissioner Wolf and approved unanimously by a voice vote.

The meeting was adjourned at 7:40 pm.

Respectfully submitted,

Joseph C. Bodek
Clerk

James Kennedy
Chairman

William Wolf
Secretary