



# UNION COUNTY UTILITIES AUTHORITY

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## Union County Utilities Authority February 17, 2010 Regular Public Meeting

General Counsel Kraig Dowd called the meeting to order at 6:40 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 C. Bodek, Clerk of the Authority.

A roll call of the Commissioners showed the following present: Commissioners Badri, Erdos, Huff, Jackus, People, Rachlin, and Kulish. Also present was alternate Commissioner Lombardo.

Commissioners Absent: Commissioner Kennedy and Kahn. Also absent was alternate Commissioner Jorn.

Others Present: Sunil Garg; Jeff Hummel; William Neafsey; and Denise Santiago of the Authority's staff; Ed Trainia of CME; Jonathon Williams and Gina Bilangi of DeCotiis, Fitzpatrick and Cole; Kraig Dowd of Weber Dowd Law; Freeholder Liaison Daniel Sullivan; Deputy Clerk Lisa Miskiewicz and Clerk Joseph C. Bodek.

Mr. Dowd led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

Mr. Dowd appointed Alternate Commissioner Lombardo to act for Commissioner Kahn.

### Election of Officers

Mr. Dowd opened the floor for nominations for the office of Chairperson of the Authority. Commissioner Badri nominated Commissioner Kulish for Chairperson. The motion was seconded by Commissioner Erdos. Commissioner Kulish was unanimously elected Chairperson by a roll call vote. Chairman Kulish thanked the Commissioners for their support and stated that he looked forward to working with everyone for the coming year. Commissioner Kulish assumed the Chair.

Chairman Kulish called for nominations for the office of Vice-Chairperson of the Authority. He then nominated Commissioner Jackus. The motion was seconded by Commissioner Badri. Commissioner Jackus was unanimously elected Vice-Chairperson by a roll call vote. Commissioner Jackus thanked the Commissioners.

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Chairman Kulish called for nominations for the office of Treasurer of the Authority. He then nominated Commissioner People. The motion was seconded by Commissioner Badri.

Commissioner People was unanimously elected Treasurer by a roll call vote. Commissioner People thanked the Commissioners for their vote of confidence.

Chairman Kulish called for nominations for the office of Secretary of the Authority. He then nominated Commissioner Rachlin. The motion was seconded by Commissioner Erdos. Commissioner Rachlin was unanimously elected Secretary by a roll call vote. Commissioner Rachlin thanked the Commissioners.

#### Appointment of Committees

Chairman Kulish passed out Committee assignments for the upcoming year. Chairman Kulish read the list of Committee assignments. Commissioner Badri moved the resolution confirming the Committee appointments made by the Chairperson of the Authority for 2010-2011. The motion was seconded by Commissioner Rachlin and was unanimously ordered approved by a roll call vote.

#### Minutes

Commissioner Badri moved the resolution approving the regular session and executive session minutes of the regular meeting of January 20, 2010. The motion was seconded by Commissioner Jackus and was unanimously ordered approved by a roll call vote.

#### 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 payment of the bills. Commissioner Jackus moved the following resolutions: 1) Approving Operating and Resource Recovery Facility vouchers for Processing and payment; and 2) Approving consulting and legal vouchers for processing and payment; The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote.

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Commissioner Jackus further reported that the Committee had recommended designating certain financial institutions as depositories for the Authority. Commissioner Jackus moved the resolution designating certain financial institutions as official depositories for the monies of the Authority in accordance with N.J.S.A. 40A:5-14 for the year 2010. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

#### Personnel/Procurement/Insurance

Commissioner Erdos noted that the Personnel/Procurement/Insurance Committee had met and recommended the approval of a resolution qualifying certain firms to provide various services to the Authority pursuant to a request for Qualifications process. Commissioner Erdos then 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 Badri and was unanimously ordered approved by a roll call vote.

Commissioner Erdos further reported that the Committee recommended the appointment of Kraig M. Dowd, Esq., as general counsel to the Authority. She then moved the resolution appointing Kraig M. Dowd, Esq., of the firm Weber Dowd Law, LLC as General Counsel. The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote.

Commissioner Erdos reported on the appointment and reappointment of certain professionals and consultants to the Authority. She then moved the resolution appointing and reappointing certain professionals and consultants to the Authority. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Lastly, Commissioner Erdos reported that the Committee recommended the appointment of Thomas Brennan as the affirmative action and public agency compliance officer. She then moved the resolution reappointing Thomas Brennan as the affirmative action and public agency compliance officer. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

#### Public Information

Commissioner Erdos moved the resolution establishing a meeting schedule for the period March 2010 through the Authority's reorganization meeting in February 2011. The motion was seconded by Commissioner Rachlin and was unanimously ordered approved by a roll call vote.

Commissioner Badri moved the resolution designating the official newspaper for the Authority as the Union County Local Source and authorizing the use of the Home News Tribune, the Star Ledger and LaVoz as supplemental newspapers. The motion was seconded by Commissioner Rachlin and was unanimously ordered approved by a roll call vote.

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### Policy, Ethics & Bylaws

Commissioner Badri moved the resolution authorizing the readoption of the bylaws of the Authority. The motion was seconded by Commissioner Rachlin and was unanimously ordered approved by a roll call vote.

### Operations:

Mr. Hummel reported that there were 372 solid waste flow inspections/investigations during the month of January 2010 (302 type 13 and 70 type 10). He noted that a majority of the cases instituted during the month of December are presently active and still undergoing the inspectional process.

### Solid Waste and Recycling

There was no report.

### New Business

Chairman Kulish asked the Commissioner to hold the resolution recognizing the service of Edward Kahn, to the Authority, until Commissioner Kahn was present. Commissioner Badri moved to table resolution 17-2010. The motion was seconded by Commissioner Lombardo and was approved by a voice vote.

Chairman Kulish introduced his wife, Theo, and thanked her for being here.

### Public Comment

There was no public comment.

### Report of Committees, Staff & Counsel – Executive Session I

*WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits the exclusion of the public from a public body meeting in certain circumstances; and*

*WHEREAS, the Union County Utilities Authority Board of Commissioners is of the opinion that such circumstances presently exist; and*

*WHEREAS, the Board of Commissioners wishes to discuss the following issues:*

- 1) *Contracts – Covanta project team update.*

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*WHEREAS, minutes will be kept of the executive session and once the matter above no longer requires confidentiality, the minutes, or appropriate portions thereof, of the executive session will be made available to the public; and*

*Now therefore be it resolved by the Union County Utilities Authority Board of Commissioners that the public be excluded from this meeting.*

Commissioner Badri moved the above resolution. The motion was seconded by Commissioner Erdos and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 7:00 p.m.

Upon motion of Commissioner Badri, seconded by Commissioner Lombardo, and unanimously ordered approved by a roll call vote, the Authority reconvened into public session at 7:10 p.m.

Report of Committees Staff & Counsel – Public Session II

Unfinished Business

Chairman Kulish noted that the treasurer was not a member of the Finance and Budget Committee. Commissioner Badri moved to appoint Treasurer People to sit on the Finance and Budget Committee. The motion was seconded by Commissioner Rachlin and was unanimously ordered approved by a roll call vote.

Public Comments by Commissioners/Freeholder Liaison Daniel Sullivan

Freeholder Sullivan spoke about the importance to the Authority and the Freeholder Board of the upcoming year.

There being no further business to come before the Authority, Commissioner Badri moved to adjourn the meeting. The motion was seconded by Commissioner Huff and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Joseph C. Bodek  
Clerk

John Kulish  
Chairman

Robert Rachlin  
Secretary