



# **UNION COUNTY UTILITIES AUTHORITY**

1499 Routes 1 & 9, North, Rahway, New Jersey 07065

(732) 382-9400

FAX (732) 382-5862

RESOLUTION NO.: -2008

DATED: June 18, 2008

## **RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY APPROVING THE REGULAR SESSION & EXECUTIVE SESSION MINUTES**

APPROVED AS TO FORM:

Joseph C. Bodek  
Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS

YES  NO  NONE REQUIRED  
UNION COUNTY UTILITIES AUTHORITY

By: \_\_\_\_\_

By: \_\_\_\_\_

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<i>Badri</i>							
<i>ErDOS</i>							
<i>Huff</i>							
<i>Jackus</i>							
<i>Kennedy</i>							
<i>People</i>							
<i>Wolf</i>							
<i>Kulish</i>							
<i>Kahn</i>							
<i>Jorn*</i>							
<i>Lombardo**</i>							

\* Alternate No. 1

\*\*Alternate No. 2

RESOLUTION NO.:                     -2008                    

DATED:     May 21, 2008    

**RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY  
APPROVING THE REGULAR & EXECUTIVE SESSION MINUTES**

**WHEREAS**, the County of Union, New Jersey has previously developed the Union County District Solid Waste Management Plan in accordance with the New Jersey Solid Waste Management Act for the purpose of managing the disposal and/or recycling of solid waste generated in Union County; and

**WHEREAS**, the Union County Board of Chosen Freeholders has designated the Union County Utilities Authority (the “Authority”), in accordance with the Solid Waste Management Act, as the implementing agency for its Solid Waste Management Plan; and

**WHEREAS**, pursuant to the opening Public Meetings Act, N.J.S.A. 10:4-6, et seq. the Authority is permitted to exclude the public from that portion of its regular monthly meetings and/or special meetings in order to discuss matters pertaining to contracts, anticipated or pending litigation and personnel issues; and

**WHEREAS**, the Clerk of the Authority separately maintains minutes of those portions of the meetings during which the public is excluded to memorialize the discussions that take place during these executive sessions from the discussions during the portions of the meetings open to the public; and

**WHEREAS**, the minutes for the public portion and the executive session portion of for the Authority’s regular meeting held on May 21, 2008 and the executive session minutes of April 16 & May 21, 2008, have been reviewed by the Commissioners of the Authority for approval.

**NOW, THEREFORE, BE IT RESOLVED**, by the Union County Utilities Authority as follows:

**Section 1.** The governing body of the Union County Utilities Authority has reviewed and hereby approves the Regular Session Minutes of May 21, 2008 and the Executive Session Minutes dated April 16, 2008 and May 21, 2008.

**Section 2.** This resolution shall take effect immediately.



# ***UNION COUNTY UTILITIES AUTHORITY***

1499 Routes 1 & 9, North, Rahway, New Jersey 07065

(732) 382-9400

FAX (732) 382-5862

## **Union County Utilities Authority May 21, 2008 Regular Public Meeting**

Treasurer People 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: Treasurer People, Secretary Wolf, Commissioners Badri, Erdos, Huff, and Kennedy. Also present were Alternate Commissioner Lombardo.

Commissioners Absent: Chairman Kahn, Vice-Chairman Kulish, Commissioner Jackus, and Alternate Commissioner Jorn.

Others Present: Dr. Garg, Bill Neafsey, Tom Brennan, Jeff Hummel, and Ms. Santiago of the Authority's staff; General Counsel Neil Cohen; Kraig Dowd of G. Weber Law; Ed Trainia of CME; Gina Bilangi of DeCotiis Fitzpatrick; Deputy Clerk Lisa Miskiewicz; and Clerk Joseph C. Bodek.

Treasurer People led the Pledge of Allegiance.

Mr. Bodek provided proof of notice of the meeting.

Treasurer People appointed Alternate Commissioner Lombardo to act for Commissioner Kahn.

### Minutes

Commissioner Erdos moved the resolution approving the regular session and executive session minutes of the regular public meeting of April 16, 2008. The motion was seconded by Commissioner Badri and approved unanimously by a voice 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 Kennedy reported that the Finance and Budget Committee had met and recommended approval of the bill list. Commissioner Kennedy then 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 Badri and approved unanimously by a roll call vote.

### Personnel/Procurement/Insurance

Commissioner Kennedy reported that the Personnel/Procurement/Insurance Committee had met. The Committee recommended changing the title of Tom Brennan to that of Deputy Executive Director. Commissioner Wolf then moved the resolution appointing Thomas Brennan as Deputy Executive Director. The motion was seconded by Commissioner Erdos and approved unanimously by a roll call vote. Mr. Brennan thanked the Commissioners, Dr. Garg, and Mr. Cohen for this additional title. He noted that this past Saturday marked his fifteenth anniversary at the Authority. He again thanked everyone for the honor.

### Operations:

Mr. Hummel advised the Commissioners that there were 371 solid waste flow inspections/investigations conducted during the month of April, 2008 (296 type 13, 75 type 10).

### Solid Waste & Recycling

Dr. Garg informed the Commissioners that the Authority had received, from the DEP, the certification for the new plan amendment for Type 10/25 Waste. He reminded the Commissioners that a procurement was done for disposal of this type of waste, and the contract was awarded to Covanta. The contract term will begin on July 21, 2008. He noted the terms of the contract, for the five years. The non-contract tipping rate will not be reduced when this contract begins.

Dr. Garg reported on the litigation with Waste Management over the bid for disposal of Type 13 and bulky waste. The Appellant Division had overruled the decision reached in Superior Court. The case was remanded to Superior Court. Waste Management had sought an injunction. The Judge denied it. The Judge has asked for the Authority to resubmit all documentation in this matter.

Commissioner Erdos then moved the resolution commending Sunil K. Garg for being honored as a 2008 recipient of the Outstanding 50 Asian Americans in Business. The motion was seconded

by Commissioner Badri and approved unanimously by a roll call vote. Treasurer People then read the resolution into the record:

**WHEREAS**, Dr. Sunil Garg has been chosen to be honored at the Seventh Annual Outstanding 50 Asian Americans in Business Award dinner to be held at the Waldorf Astoria Hotel in New York City on May 28, 2008; and

**WHEREAS**, This event is hailed as the Asian American Business Community's most distinguished award program in the nation; and

**WHEREAS**, Dr. Sunil Garg's educational achievements include holding a PhD in Physical Chemistry from Stevens Institute of Technology and a law degree from Rutgers Law School; and

**WHEREAS**, His professional credentials includes participation as a member in organizations such as the Federal Regulatory Roundtable of the Chemical Manufacturers Association, and serving on the Board of the Chemical Industry Council of New Jersey. He has also served as a Governor of the Synthetic Organic Environmental Chemical Manufacturers Association, Director of the Environmental Law Section of the New Jersey State Bar Association, and is a Master of the Justice Stewart Pollack Environmental American Inn of Court; and

**WHEREAS**, Dr. Garg is the founder, president, and chief executive officer of The EcoShelf Group, Inc., and had also previously served as a partner in the technology, environmental, corporate, litigation and intellectual property law firm of Eder Garg Law Group, LLC; and

**WHEREAS**, Dr. Garg has also served on Governor-elect Corzine's Policy Transition Team, and was appointed in 2008 as a member of the Board of Trustees of the Asian American Study Foundation by Governor Corzine; and

**WHEREAS**: Dr. Garg is currently employed by the Union County Utilities Authority as its Executive Director.

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners and Staff of the Union County Utilities Authority do hereby commend Dr. Sunil Garg for the honor that is being bestowed upon him in recognition of his outstanding leadership, vision and accomplishments; and

**BE IT FURTHER RESOLVED**, That a framed copy of this resolution be presented to him and that it be spread upon the minutes of the Authority.

Dr. Garg thanked the Board for their action tonight. He noted that he does very much enjoy his work at the Authority. He noted that he also enjoys working with the team that has been assembled here.

Mr. Cohen asked, with permission of the Chair, for a motion to rescind approval of the minutes of the executive session of the meeting of April 16, 2008, pending a legal review of them. The motion was made by Commissioner Wolf, seconded by Commissioner Badri, and approved unanimously by a roll call vote.

#### Public Comment

Commissioner Kennedy reported that he and Dr. Garg had attended the Covanta Partners convention in Washington D.C. The two days were spent lobbying New Jersey's two senators. He also stated that they had met with members of the Congressional delegation. He spoke about the presentation he and Dr. Garg made to these individuals. Dr. Garg commented on the need for this trip and what had been accomplished.

Dr. Garg reported to the Commissioners that the Authority is on track with the financial plan that had been presented in February, and he expects a budget surplus by December. He noted that, Standards and Poor's raised the Authority's bond rating from triple b, which is just above investment grade, to A. A write up on the reasons for the change in the bond rating had been included in the Commissioners packets.

Dr. Garg noted that he had made a presentation before the Freeholder Board last week. It went very, very well. Treasurer People noted that the Board appreciates the efforts of Commissioner Kennedy and Dr. Garg.

Treasure People noted that there was no need for the Authority to go into executive session this evening.

#### Unfinished Business

There was no unfinished business.

#### Public Comment by Commissioners/Freeholder Liaison Chester Holmes

There were no comments

There being no further business to come before the Authority, Commissioner Erdos 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 7:00 pm.

Respectfully submitted

Joseph C. Bodek  
Clerk

Edward J. Kahn  
Chairman

William Wolf  
Secretary



# **UNION COUNTY UTILITIES AUTHORITY**

1499 Routes 1 & 9, North, Rahway, New Jersey 07065

(732) 382-9400

FAX (732) 382-5862

Union County Utilities Authority  
May 21, 2008  
Executive Session

There was no executive session held during this meeting.

Respectfully submitted,

Joseph C. Bodek  
Clerk

Edward Kahn  
Chairman

William Wolf  
Secretary