HUDSON COUNTY IMPROVEMENT AUTHORITY

IN THE MATTER OF : TRANSCRIPT OF

THE SPECIAL BOARD MEETING : PROCEEDINGS

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TUESDAY, JULY 1, 2014
830 BERGEN AVENUE, 8TH FLOOR
JERSEY CITY, NEW JERSEY 07306
COMMENCING AT 3:20 P.M.

BOARD MEMBERS:

JOHN L. SHINNICK, CHAIRMAN
FRANK PESTANA, VICE CHAIRMAN
STEPHEN J. GALLO, TREASURER
FRANK LORENZO, SECRETARY (VIA TELEPHONE)
MARTIN T. MARTINETTI, COMMISSIONER (ABSENT)
FRED M. BADO, COMMISSIONER (ABSENT)
OREN K. DABNEY, COMMISSIONER (ABSENT)
JOHN PENEDA, COMMISSIONER
JAMES DORAN, COMMISSIONER (ABSENT)

APPEARANCES:

NORMAN M. GUERRA, CHIEF EXECUTIVE OFFICER
KURT CHERRY, EXECUTIVE DIRECTOR/CFO
WILLIAM J. NETCHERT, ESQ.
GENERAL COUNSEL TO THE BOARD

CARMEN LOZANO, EXECUTIVE ASSISTANT/ASSISTANT
SECRETARY TO THE BOARD

SHARON PALMER
CERTIFIED SHORTHAND REPORTER
R.J. O'CONNELL ASSOCIATES,
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CHAIRMAN SHINNICK: We will call the meeting to order.

Please stand for the Pledge of Allegiance.

(AAt this time all present recite the Pledge of Allegiance.)

CHAIRMAN SHINNICK: Carmen, call the roll please.

MS. LOZANO: Commissioner Bado. Not present.

Commissioner Dabney. Not present

Commissioner Doran. Not present

Commissioner Gallo.

COMMISSIONER GALLO: Here.

MS. LOZANO: Commissioner Lorenzo.

COMMISSIONER LORENZO: Here.

MS. LOZANO: Commissioner Martinetti. Not present.

Commissioner Peneda.

COMMISSIONER PENEDA: Here.

MS. LOZANO: Commissioner Pestana.

COMMISSIONER PESTANA: Here.

MS. LOZANO: Chairman Shinnick.

CHAIRMAN SHINNICK: Here.

MS. LOZANO: We have a quorum with five board members present, four not present.

CHAIRMAN SHINNICK: Mr. Netchert.

MR. NETCHERT: Yes, Mr. Chairman. This is a Special Meeting of the board of commissioners of this Authority. Notice of this Special Meeting and the agenda to be dealt with was forwarded to the Jersey Journal and the Star-Ledger for publication in their respective papers on - I don’t have it. It was on Friday.

MS. LOZANO: The 25th.

MR. NETCHERT: The 25th of July.

Notice was also forwarded to the Clerk of the Board of Freeholders, Clerk of the County of Hudson, and posted on the bulletin board outside of this hearing room.

All of these notices are in compliance with the requirements of the Open Public Meetings Act and the Special Meeting Requirements.

CHAIRMAN SHINNICK: Thank you, Mr. Netchert.

At this time we'll have comments from the public.

Hearing none.

Resolution three.

MR. GUERRA: 7-2014-3 Special Board Meeting of the Hudson County Improvement Authority authorizing an extension of the current contract with Advanced Enterprises Recycling, Inc. for the provisions of solid waste disposal services.

If you recall, it was late November we had awarded the new contract to Advance Enterprises, Inc. for disposal of the 400,000 tons of Type 10 waste we generate here in Hudson County.

At that time or shortly thereafter we were required — And first of all, the contract expires actually July 1st, 2014, so we did it early enough, however, shortly thereafter we did prepare the required plan amendment for submission to the freeholders.

The plan amendment requires two public hearings and it requires the Clerk of the Freeholders Office to notify the papers and actually issues two separate notices. This is a requirement of the DEP prior to when a freeholder acts on this and prior to submission after the freeholders act to the New Jersey DEP.

However, there was concern, it came to our attention, that they only may have advertised once. They did hold two public hearings, but there might have been only one advertisement.

After we got through all of that we did send it down that way to the DEP. We're hoping that they accept it. We have not heard anything back. They will either approve it like that or disapprove it. If they should disapprove it then we're going to have to go back to the freeholders, have them advertise again, do the public hearings again, but hopefully the DEP will accept it.

In the interim, the contract actually expired yesterday. So by your action today it extends it until that matter is resolved. So the purpose of doing this today is to give the company a comfort level.

CHAIRMAN SHINNICK: Okay.

Are there any questions?

Hearing none.

Is there a motion?

COMMISSIONER GALLO: Moved.

CHAIRMAN SHINNICK: Motion by Commissioner Gallo.

COMMISSIONER PENEDA: Second.

CHAIRMAN SHINNICK: Seconded by Commissioner Peneda.

MS. LOZANO: Commissioner Gallic.
COMMISSIONER GALLO: Yes.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.
MS. LOZANO: Commissioner Peneda.
COMMISSIONER PENEDA: Yes.
MS. LOZANO: Commissioner Pestana.
COMMISSIONER PESTANA: Yes.
MS. LOZANO: Chairman Shinnick.
CHAIRMAN SHINNICK: Yes.
MS. LOZANO: Resolution 7-2014-3 SBM passes in the affirmative by five board members voting yes, four not present.
CHAIRMAN SHINNICK: There is no need for a closed session or litigation?
MR. NETCHERT: No.
MR. GUERRA: No.
MR. NETCHERT: Nothing. There is nothing further on the agenda.
CHAIRMAN SHINNICK: In that case is there a motion to adjourn?
MR. PENEDA? Motion.
CHAIRMAN SHINNICK: By Commissioner Peneda.
COMMISSIONER PESTANA: Second.
CHAIRMAN SHINNICK: And seconded by Commissioner Pestana.

Commissioner Pestana.
All in favor?
COMMISSIONER GALLO: Aye.
COMMISSIONER LORENZO: Aye.
COMMISSIONER PENEDA: Aye.
COMMISSIONER PESTANA: Aye.
CHAIRMAN SHINNICK: Aye.
Thank you everybody.

(Whereupon the meeting is concluded.)

CERTIFICATION

I, Sharon Palmer, C.S.R., License Number X100796, a Certified Court Reporter of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of the within proceedings to the best of my knowledge and ability.

Sharon Palmer, C.C.R.

Dated: July 2, 2014