

RESOLUTION NO. 19-2011

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
APPROVING A FIRST AMENDMENT TO THE
MUNICIPAL WASTE DISPOSAL AGREEMENT BETWEEN
THE AUTHORITY AND THE UNION COUNTY UTILITIES AUTHORITY

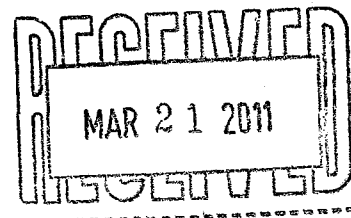
WHEREAS, the Union County Utilities Authority ("UCUA") and the Plainfield Municipal Utilities Authority ("PMUA") are parties to a Municipal Waste Disposal Agreement dated as of July 15, 1998 (the "Local Waste Agreement") which provides for the long-term disposal of solid waste collected by or on behalf of the PMUA at the Union County Resource Recovery Facility (the "Facility"), located in Rahway, New Jersey and which is owned by the UCUA; and

WHEREAS, the Facility is leased to, and is operated by, Covanta Union, Inc. ("Covanta"), formerly known as Ogden Martin Systems of Union, Inc. ("Ogden Martin"), and the UCUA and Covanta are parties to a series of interconnecting agreements which among other things, provide for the lease and long-term operation of the Facility by Covanta; and

WHEREAS, the UCUA and Covanta have recently negotiated and agreed to certain modifications to these various agreements which provide for an extension of the term of their contractual arrangement and which will result in certain financial and other benefits relative to the continued operation of the Facility and disposal rates for solid waste generated within the County; and

WHEREAS, the UCUA has offered the PMUA an opportunity, to share in these benefits, most significantly of which includes an immediate decrease in the rate for the disposal of solid waste collected by or on behalf of the PMUA by a minimum reduction of \$12.00 per ton; and

WHEREAS, it is necessary for the PMUA to approve and execute an amendment to the Local Waste Agreement (the "First Amendment") in order to memorialize the benefits to be realized by the PMUA, make various conforming and other minor amendments and to reaffirm the PMUA's commitment to utilize the Facility and the guaranteed delivery of solid waste at least at current levels, recognizing that it is anticipated that such limits may be subsequently increased by, and at the discretion of, the PMUA in writing at certain designated intervals; and



WHEREAS, it is the desire of the PMUA to approve the First Amendment in substantially similar form as attached hereto.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY that the First Amendment in substantially similar form as attached hereto is approved and the Board of Commissioners be and hereby are authorized and directed to execute same; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	X				
Rev. Tracey Brown	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Eugene Dudley (#2)	X				

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, March 15, 2011.



CAROL ANN BROKAW, SECRETARY

