

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON APRIL 1, 2015 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

1. CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

Vice Chairman Madsen chaired the meeting, due to Chairman Petillo's attending the meeting via telecom.

The Meeting was called to order at 3:00 p.m.

The following were present: Commissioners Sowden, Madsen, Petillo (via telecom), Dietz (via telecom), Cocula, Meyer, and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, General Counsel Giacobbe, Special Environmental Counsel Thomas Prol, and Recording Secretary Kronski

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Madsen stated that the meeting has been duly advertised, and notice given thereof, as required by P.L. 1975, Chapter 231.

3. OPEN TO PUBLIC COMMENT

Chairman Madsen opened the meeting to public comment. No comments. Chairman Madsen closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Madsen asked for a motion to approve the Agenda, Commissioner Drake moved the approval of the Agenda, seconded by Commissioner Cocula. On voice vote: Ayes (7); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

The Chairman requested a motion for approval of the Consent Agenda. Commissioner Sowden moved the approval of the Consent Agenda, seconded by Commissioner Meyer. No discussions. On voice vote: Ayes (7); Nays (0). The motion carried.

6. MINUTES

Chairman Madsen requested a motion to approve the distribution of the March 18, 2015 Pending Action Summary Sheet (PASS), which was emailed to the Clerk of the Freeholder Board on March 19, 2015. Commissioner Drake moved the PASS Report, seconded by Commissioner Meyer. On voice vote: Ayes (7); Nays (0); Abstain (0). The motion carried.

Chairman Madsen asked for a motion to approve the Open & Closed Minutes from the March 4, 2015 Authority Meeting. Commissioner Drake moved to approve the minutes, seconded by Commissioner Meyer. On roll call: Ayes (6) Commissioners Madsen, Petillo, Dietz, Cocula, Meyer and Drake; Nays (0); Abstain (1) Commissioner Sowden due to absence at that meeting. The motion carried.

Chairman Madsen noted the Open & Closed Minutes for the March 18, 2015 Authority Meeting have been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:03 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Drake. On voice vote: (7) Ayes, (0) Nays, the motion carried.

#15-086 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:50 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Drake. On voice vote, Ayes (7); Nays (0), the motion passed.

Chairman Madsen called for a short meeting break at 3:50 p.m

Meeting reconvened in Open Session at 3:58 p.m.

Chairman Madsen indicated that in Closed Executive Session items discussed as specifically set forth in the resolution were personnel items and negotiations and/or litigations re: Landfill Gas to Energy Contract; FMI Property Usage; Solid Waste Enforcement Program Agreement and Personnel Item. When the need for confidentiality of these matters no longer exists they will be opened to the public.

b. Wastewater Program

Superintendent's Report

Mr. Nugent reported the Draft NJPDES Permit for the Upper Walkkill Plant discharge to groundwater facility was received and has been reviewed by staff and there are no changes. There is a 30 day comment period, and a Final Permit should be received shortly thereafter.

Mr. Nugent gave a report regarding the recent pipe leak in the SCMUA effluent return recharged water force main flow to Vernon Disposal Beds. This water is treated and he reviewed where and what caused the pipe leak, which was due to the freezing weather and ice movement. John reported a meeting with Ferraro Construction and railroad reps. is scheduled to discuss a course of action for repairs. He will report back at a future meeting.

Chief Engineer's Report

Mr. Varro indicated he has received two additional executed Professional Services Agreements from Hatch Mott MacDonald for General Wastewater Consulting and from Gardell Surveying Services for 2015. He reported that the resolutions are to authorize SCMUA execution thereof.

Res: #15-087 HMM Prof. Serv. Agreement						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

APRIL 1, 2015

#15-087 RESOLUTION RE: AUTHORIZING EXECUTION OF PROFESSIONAL SERVICES AGREEMENT WITH HATCH MOTT MACDONALD (HMM) FOR GENERAL WASTEWATER CONSULTING ENGINEERING SERVICES

Res: #15-088 Gardell Prof. Serv. Agreement						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#15-088 RESOLUTION RE: AUTHORIZING EXECUTION OF PROFESSIONAL SERVICES AGREEMENT WITH GARDELL LAND SURVEYING, INC. (GARDELL) FOR PROFESSIONAL SURVEYING SERVICES IN REGARD TO THE SOLID WASTE AND WASTEWATER FACILITIES AND RELATED MATTERS FOR SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY FOR FISCAL YEAR 2015

c. Solid Waste Program

Superintendent's Report

Mr. Sparnon reported on the wear and tear on a Solid Waste Truck Tractor, which is used for hauling recyclables to market and leachate disposal. This truck is the oldest in the Solid Waste fleet. He discussed the inability for the truck to pass the new emissions testing to renew inspection. There are funds reserved on the R&R account for the purchase of a new truck. Mr. Sparnon asked for authorization to prepare specifications and advertise to replace the Truck Tractor. Commissioner Meyer moved to prepare specifications and advertise, Commissioner Drake seconded. On voice vote: Ayes (7); Nays (0); Abstain (0). The motion passed.

Mr. Sparnon reported on the 2014 Recycling Enhancement Act Grant and spending plan that was forwarded to the NJDEP. He indicated that Sussex County will receive \$114,000 in grant funds. Discussion ensued regarding details on how the NJDEP determines return, which it was explained is by a guaranteed minimum of the State grant monies.

Mr. Sparnon reported on the recent E-waste Event held on March 21st. He indicated that the Event ran smoothly with 2 large tractor trailers full of E-waste. Over 600 customers were handled by contracted vendor, Vintage Tech, and SCMUA staff.

Administrator's Report

Administrator Hatzelis reported on the Landfill Closure/Post Closure Care Audit Liability. John noted that Cornerstone's projection of a \$19,401,500 deficit is to the year 2021 which is projected to be the current landfill reaches maximum capacity. The 2014 Audit projection prepared by Ferraioli, Wielkotz, Cerullo and Cuva indicates \$10,899,294 is the current deficit as of November 30th. This deficit for the Landfill Closure/Post Closure Care is anticipated to be reduced with the future revenue expected by the expansion of the solid waste landfill. Discussions continued on status of expansion permit approvals.

APRIL 1, 2015

Mr. Hatzelis reviewed the status of the proposed Grinnell/Cavalier Solid Waste Management Plan Amendment to accept ID13 Bulky Waste at the MRF located in Sparta Township. The SCMUA submitted a response to the Solid Waste Advisory Council opposing the Amendment and a few Sussex County Municipalities have passed resolutions in support of the SCMUA's position. He indicated that the proposed Amendment equates to approximately \$2.4 million annually in potential revenue loss to the Authority, which could be passed on to Sussex County taxpayers/ratepayers. Mr. Hatzelis reviewed Cavalier's In-County tonnage for construction debris which increased 400% since Cavalier took over operation in October 2014. He noted that this data equates to reduced tonnage for the Authority. Discussions continued regarding SCMUA current operations in regard to continued source separation of Bulky Waste for recycling purposes, which generates further revenue for the Authority. This recycling revenue stream will also be negatively affected with the potential reduction of Bulky Waste entering the Solid Waste Facility. The next SWAC meeting is scheduled for April 14th.

d. General Authority Business

Administrator's Report

Mr. Hatzelis reminded the Commissioners that the filing of Financial Disclosure Statements are to be submitted by April 30th.

Mr. Hatzelis notified the Commissioners that SCMUA Auditor Paul Cuva will be at the next Authority Meeting to review Audit for 2014 which was distributed to the Commissioners earlier in the week. The post closure care deficit will be discussed as well as the landfill extension permit.

e. Personnel Matters

Solid Waste Superintendent's Report

Mr. Sparnon presented a resolution as discussed in Executive Session for official leave of absence of solid waste employee.

Res: #15-089 Leave of absence without pay for S.W. Employee						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#15-089 RESOLUTION RE: AUTHORIZATION TO GRANT A 90 DAY "OFFICIAL LEAVE OF ABSENCE, WITHOUT PAY, FOR PERSONAL ILLNESS" TO RUN CONCURRENTLY WITH THE FEDERAL FAMILY LEAVE ACT FOR CLIFFORD MORGAN, SW OPERATOR II

8. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Madsen asked for a motion to approve the Financial Consent Agenda (FCA).

Res: #15-090 - Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER		x	x			
JOHN DRAKE			x			

#15-090 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

Ms. Linda Masson inquired about further details regarding the Recycling Enhancement Act Grant funding. A general comment was made that each municipality prepares their own recycling tonnage report regarding the grant funds based on certified tonnage. Also, it was further stated that the County Deficiency Agreement is available regarding bond payment/deficit shortfalls after reserves are drained; however it was acknowledged that this agreement has not been called on to date.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners wished all a Happy Easter.

11. ADJOURN

Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (7), the motion passed. The meeting was adjourned at 4:32 p.m.

Respectfully submitted,

Andrea Cocula, Secretary