

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON DECEMBER 21, 2016 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

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

Vice Chairman Madsen called the meeting to order at 3:00 p.m. (Chairman Petillo was absent; Vice Chairman Madsen chaired the meeting).

The following were present: Commissioners Perez, Madsen, Dietz, Cocula, Meyer and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Acting Wastewater Superintendent Angelo Baron, General Counsel Napolitano, Special Counsel Prol and Recording Secretary Kronski

Absent: Chairman Petillo

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Vice 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

Vice Chairman Madsen opened the meeting to public comment. Mr. George Graham commented on the success of the Solid Waste Enforcement Program and thanked the SCMUA Board for their support for economic development for the County. The Board thanked Mr. Graham for his kind words. Vice Chairman Madsen closed the meeting to public comment.

4. AGENDA APPROVAL

Vice Chairman Madsen asked for a motion to approve the Agenda. Commissioner Drake moved the approval of the Agenda, seconded by Commissioner Meyer. On voice vote: Ayes (6); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

The Vice Chairman requested a motion for approval of the Consent Agenda. Commissioner Dietz moved the approval of the Consent Agenda, seconded by Commissioner Drake. No discussions necessary. On voice vote: Ayes (6); Nays (0). The motion carried.

6. MINUTES

Vice Chairman Madsen requested a motion to approve/acknowledge the distribution of the December 7, 2016 Pending Action Summary Sheet (PASS), which was emailed to the Freeholder Board on December 8, 2016.

PASS Report for 12-7-16 transmittal to the Freeholder Board						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ		x	x			
TOM MADSEN					x	
RON PETILLO						x
WAYNE DIETZ	x		x			
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE			x			

The motion passed.

Vice Chairman Madsen noted there were no minutes for approval for this meeting and the Open & Closed Minutes for the November 23, 2016 Authority Meeting have been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

Commissioner Perez moved to amend the Agenda to have Executive Session towards the end of the Agenda, seconded by Commissioner Drake. On voice vote: (6) Ayes, (0) Nays, the motion carried. Vice Chairman Madsen continued with the Agenda starting with Wastewater Superintendent's Report.

b. Wastewater Program

Acting Superintendent's Report

Acting Wastewater Superintendent Angelo Baron updated the Commissioners on the Paulinskill Water Reclamation Plant continued operations for startup. He reviewed flow data and noted that as flows increase effluent quality will improve. Commissioners requested a percentage of hookups to date for Branchville/Frankford.

Administrator's Report

Mr. Hatzelis reported on the 2016 issuance of Actual Annual Charges for the Upper Wallkill Participants. He provided a handout and specifically addressed Hardyston Township MUAs rates which have not been subject to an increase in Actual Sewer Billing rates for the past 5 years. A resolution was prepared to issue all certificates.

Res# 17-007: Issuance of Actual Annual Charges for 2016 – U.W. System						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN			x			
RON PETILLO						x
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER		x	x			
JOHN DRAKE			x			

#17-007 RESOLUTION RE: APPROVAL AND ADOPTION OF CALCULATION OF ACTUAL ANNUAL CHARGES FOR SEWER SERVICE FOR FISCAL YEAR 2016 – UPPER WALLKILL SYSTEM

Administrator Hatzelis indicated Branchville Borough officials have requested a meeting with SCMUA and Frankford Township to discuss Paulinskill Project and Sewer Service Agreements. Commissioners discussed reason for request and Commissioners Madsen and Perez volunteered to attend meeting of December 29th along with Mr. Varro and Mr. Hatzelis.

Mr. Hatzelis reported on a resolution prepared by the Wallkill River Watershed Group Director Nathaniel Sajdak for approval to execute a grant agreement between the WRWMG/The Nature Conservancy and NJDEP to continue the ongoing restoration work associated with the Paulinskill Floodplains.

Res #17-008: Grant Agreement Sub-award for WRWMG/TNC						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ		x	x			
TOM MADSEN			x			
RON PETILLO						x
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER		x	x			
JOHN DRAKE			x			

#17-008 RESOLUTION RE: AUTHORIZING EXECUTION OF A GRANT AGREEMENT SUBAWARD BETWEEN SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY/WALLKILL RIVER WATERSHED MANAGEMENT GROUP AND THE NATURE CONSERVANCY FOR WORK ASSOCIATED WITH THE ONGOING IMPLEMENTATION OF THE PAULINS KILL FLOODPLAIN RESTORATION PROJECT

c. Solid Waste Program

Superintendent's Report

Solid Waste Superintendent Sparnon reported on the past Electronic Waste events for 2016 and indicated that the 2016 Agreement with ERI, Inc. allows for a one year extension for 2017. The renewal Agreement shall have no changes in pricing for 4 events for 2017. The dates have yet to be confirmed with ERI.

Motion: To Authorize and execute one year extension to Letter Of Agreement with ERI for Electronic Disposal Services.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN			x			
RON PETILLO						x
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

The motion passed.

Mr. Sparnon reported on a Safety Grant which was awarded to the Solid Waste Facility from Statewide Insurance Fund, these grant funds shall be used to purchase equipment for confined spaces training.

Commissioners mentioned the positive feedback that has been received on the Styrofoam Recycling Pilot Program.

Chief Engineer’s Report

Mr. Varro updated the Commissioners on the Leachate Pump Station/ Force Main Project, in which he reported on his recent on-site walk of the Railroad Right-of-Way with Engineer Scrimgeour from Mott MacDonald. Mr. Scrimgeour is scheduled to report on the project status at the next Authority Meeting on January 4th. Commissioners request information on Mr. Scrimgeour’s report before Authority Meeting in order to review beforehand.

Administrator’s Report

Mr. Hatzelis informed the Commissioners of a request from Sparwick Contracting to purchase a lot located next to their property that is owned by the Authority. Sparwick Contractors are landlocked by the Solid Waste Facility and they are in need of more room for their equipment. Commissioners and Staff discuss options and issues that may arise from public entity selling land, but would like to help local business. Commissioners table further discussions until the next meeting after further information received on requirements for transfer of land, taxes, wildlife mitigation issues, etc.

d. General Authority Business

Administrator’s Report

Mr. Hatzelis introduced a resolution for amending the SCMUA Bylaws, specifically the taping of Executive Session. Commissioner Perez reviewed reasons for a motion to discontinue the recordings of Executive Session, which included potential discussions of sensitive personnel matters, attorney-client privileged discussions, contract negotiations, etc. and conformity with many other Public Entities. It was noted that for the past few meetings, while still recording, Mrs. Kronski has prepared the Executive Session Minutes by using her notes only, without the aid of the recording, and the minutes were reasonably comprehensive.

Res #17-009: SCMUA Bylaws – Amended December 21, 2016						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ	x		x			
TOM MADSEN			x			
RON PETILLO						x
WAYNE DIETZ		x	x			
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE			x			

#17-009 SCMUA BYLAWS – REVISED DECEMBER 21, 2016

e. Personnel Matters

Wastewater Superintendent’s Report

Mr. Baron reported that they are still actively searching for a Chief Operator and Plant Operator for the Wastewater Facilities. Positions have been posted in various trade magazines and old applications are being reviewed for those who may have turned down job offers from the Authority before family health benefits were available.

Administrator’s Report

Mr. Hatzelis reviewed a Proclamation of Appreciation for Solid Waste Employee Stanley Spychalski who will be retiring on December 31st after over 28 years with the Authority. Commissioners wished him health and happiness in his retirement years.

Res #17-010: Declaration of Appreciation for Stanley Spychalski						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN			x			
RON PETILLO						x
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#17-010 DECLARATION OF APPRECIATION FOR STANLEY SPYCHALSKI

Vice Chairman Madsen called for a meeting break at 3:39pm.

Meeting resumed at 3:53 and Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session. Motion seconded by Commissioner Drake. On voice vote: (6) Ayes, (0) Nays, the motion carried. Vice Chairman Madsen noted Closed Session should last for approximately 15-20 minutes.

#17-011 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 5:04 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Drake. On voice vote, Ayes (6); Nays (0); Abstain (0). The motion passed.

Vice Chairman Madsen indicated items discussed as specifically set forth in the resolution authorizing Closed Executive Session included: Contract PRC-101; Professional Services Agreements for 2017, Personnel Matters. When the need for confidentiality of these matters no longer exists they will be opened to the public.

Administrator Hatzelis presented a resolution to amend the 2017 Personnel Policy as discussed in Executive Session.

Res: #17-012: Adoption/Amendment to the 2017 SCMUA Personnel Policy						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN			x			
RON PETILLO						x
WAYNE DIETZ		x	x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

#17-012 RESOLUTION RE: ADOPTION OF AMENDED SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY ORGANIZATIONAL STRUCTURE, STAFF POSITION DESCRIPTION, SALARY STRUCTURE AND PERSONNEL AND EMPLOYEE POLICIES (EFFECTIVE JANUARY 1, 2017)

Administrator Hatzelis reviewed a resolution discussed in Executive Session for Employee Salary adjustments as recommended by the Department Heads and Personnel Committee for 2017.

Res: #17-013: 2017 SCMUA Employee Salary Adjustments						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN			x			
RON PETILLO						x
WAYNE DIETZ		x	x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

#17-013 RESOLUTION RE: FY2017 SALARY ADJUSTMENTS AND PERSONNEL ACTIONS FOR SCMUA EMPLOYEES

8. Payment of Bills

FINANCIAL CONSENT AGENDA – Vice Chairman Madsen asked for a motion to approve the Financial Consent Agenda, motion to include supplemental FCA for Worth & Co. (Payment #21).

Res: #17-014: FCA 12-21-16						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						
RON PETILLO						x
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#17-014 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

Vice Chairman Madsen opened the meeting to Public Comment, no public present, Vice Chairman Madsen closed the meeting to Public Comment.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioner Petillo and excused absence, seconded by Commissioner Drake. On voice vote: Ayes (6), the motion passed.

Commissioners wished all a very Merry Christmas and Happy New Year and a Happy Birthday to Commissioners Meyer and Perez and also to Messrs. Sparnon and Prol.

11. ADJOURN

Commissioner Drake moved to adjourn the meeting, seconded by Commissioner Meyer. On voice vote: Ayes (6), the motion passed. The meeting was adjourned at 5:05 p.m.

Respectfully submitted,

Andrea Cocula, Secretary