

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 15, 2017 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

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

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

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

Also Present: Mark Swyka, Cornerstone Environmental Services

Absent: Commissioner Dietz

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 public comment. 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 Petillo. On voice vote: Ayes (6); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

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

6. MINUTES

Chairman Madsen requested a motion to approve/acknowledge the distribution of the February 1, 2017 Pending Action Summary Sheet (PASS), which was emailed to the Freeholder Board on February 2, 2017.

PASS Report for 2-1-17 Reorg Mtg. transmittal to the Freeholder Board						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE		x	x			
TOM MADSEN						
WAYNE DIETZ						x
ANDREA COCULA	x		x			
KARL MEYER			x			
RONALD PETILLO			x			

The motion passed.

Chairman Madsen asked for a motion to approve the January 4 ,2017 Open and Closed Meeting Minutes. Commissioner Cocula moved the minutes, seconded by Commissioner Drake. On voice vote: (6) Ayes, (0) Nays, the motion carried.

Chairman Madsen noted that the Open and Closed Meeting Minutes for January 18, 2017 have been distributed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:02 p.m. 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. Chairman Madsen noted Closed Session approximate time should be for 20-30 minutes.

#17-053 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:30 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.

Chairman Madsen indicated items discussed as specifically set forth in the resolution authorizing Closed Executive Session included: SCMUA Contract #444 Landfill Life Extension Bid Review and Personnel Item. When the need for confidentiality of these matters no longer exists they will be opened to the public.

b. Wastewater Program

Acting Superintendent's Report

Wastewater Superintendent Angelo Baron reported on a recent force main leak in the Hampton Commons Collection System on Saturday February 11th. A small leak was discovered 8 feet down and a Ferraro Construction fixed the cracked coupling and flow was resumed. NJDEP was notified and Mr. Baron reported that the flow loss was minimal. The Hampton Commons Homeowners' Association owns the collection system and is responsible to pay for the repairs. Mr. Baron reminded the Commissioners that there is a posted 24/7 hour emergency number at the facility for the homeowners' association to call in case of emergencies. Discussions continued regarding high repair costs due to Saturday rates and delays due to gas company being called to stake out gas lines.

c. Solid Waste Program

Chief Engineer's Report

Mr. Varro reviewed a resolution outlining the points of contract award for Contract #444 – Landfill Life Extension Project – Stage 1 Construction. Mr. Varro reported on the Attorney and Staff review of the two low bids. Montana Construction omitted a Statement of Ownership, which is a fatal bid defect error and could not be cured. The bid submitted by Tomco included an material defect regarding the Mobilization line item maximum of \$175,000, as indicated in the Bid Specifications per NJEIT requirements. Mr. Varro explained the NJEIT has specific conditions for project financing and it was noted that Tomco would have an unfair

advantage over the other bidders if allowed to resubmit Mobilization line item. Therefore, the bid recommendation is for the most responsive/responsible bid from A. Servidone/B.Anthony Construction/Barbella Construction Joint Venture for a total bid of \$6,634,000, contingent upon NJDEP/NJEIT review and approval of said bid.

Res #17-054: Contract Award SCMUA #444 for Landfill Life Expansion Proj.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE	x		x			
TOM MADSEN			x			
WAYNE DIETZ						x
ANDREA COCULA		x	x			
KARL MEYER			x			
RONALD PETILLO			x			

#17-054 RESOLUTION RE: AWARDING STAGE 1 LANDFILL LIFE EXTENSION PROJECT FOR CONTRACT #444 TO A. SERVIDONE/B. ANTHONY/BARBELLA JOINT VENTURE

Administrator’s Report

Mr. Hatzelis reviewed the tonnage information for December 1st – January 31st, compared to the same time period of last year. He highlighted ID13 Bulky Waste which has increased 45%, and ID13C&D has also increased 20.5%. ID10 Household Waste has declined slightly down 1.9%, and overall, tonnage is up 1.6%.

d. General Authority Business

Administrator’s Report

Mr. Hatzelis reported on an Award presented to the Authority by Statewide Insurance for all lines claims. The Authority has very little insurance claims and little damages and Statewide recognizes this. Commissioners congratulated Mr. Hatzelis and Staff on their vigilance and management practices to avoid such claims/accidents on the job.

e. Personnel Matters

Mr. Hatzelis noted that the 2017 Committee Appointments have been distributed to the Commissioners.

Mr. Hatzelis presented a resolution as discussed in Executive Session regarding authorization of a requested leave of absence without pay for three months for Solid Waste Employee George Hall.

Res #17-055: Leave of Absence for George Hall						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE			x			
TOM MADSEN			x			
WAYNE DIETZ						x
ANDREA COCULA	x		x			
KARL MEYER			x			
RONALD PETILLO		x	x			

#17-055 AUTHORIZATION TO GRANT A 3 MONTH “OFFICIAL LEAVE OF ABSENCE WITHOUT PAY” FOR GEORGE HALL

8. Payment of Bills

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

Res: #17-056: Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE	x		x			
TOM MADSEN			x			
WAYNE DIETZ						x
ANDREA COCULA			x			
KARL MEYER			x			
RONALD PETILLO		x	x			

#17-056 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

Chairman Madsen opened the meeting to Public Comment. Mr. James Leach represents Tomco Construction and spoke to the Board regarding the award of Contract #444 to A.Servidone/ B.Anthony/ Barbella. He stated that the Mobilization requirement for the Tomco Bid should not be a fatal defect and the award to the 3rd lowest bid is not in the best interest of the taxpayers of the State of New Jersey. Chairman Madsen closed the meeting to Public Comment.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners congratulated Mr. Hatzelis and Staff on the Statewide Insurance Award.

Commissioner Cocula moved to give an excused absence to Commissioner Dietz, seconded by Commissioner Meyer. On voice vote: Ayes (6); Nays (0); Abstain (0).

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 3:43 p.m.

Respectfully submitted,

Andrea Cocula, Secretary