

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON APRIL 20, 2016 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 3:03 p.m.

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

Absent: Commissioner Meyer

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Petillo 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 Petillo opened the meeting to public comment. No public comment. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Commissioner Cocula moved the approval of the Agenda, seconded by Commissioner Drake. Chairman Petillo moved the Executive Session to after Item #9 Public Comment on the Agenda and noted actions may be taken related to personnel after Closed Session. 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 Madsen 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

Chairman Petillo requested a motion to approve/acknowledge the distribution of the April 6, 2016 Pending Action Summary Sheet (PASS), which was emailed to the Freeholder Board on April 7, 2016.

PASS Report for 4-6-16 transmittal to the Freeholder Board						
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.

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Chairman Petillo requested a motion to approve the Open and Closed Minutes for the March 2, 2016 Authority Meeting.

Minutes approval for 3-2-16 Authority Meeting						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ		x	x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER						x
JOHN DRAKE	x		x			

The motion passed.

Chairman Petillo requested a motion to approve the Open and Closed Minutes for the March 16, 2016 Authority Meeting.

Minutes approval for -17-16 Authority Meeting						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN	x		x			
RON PETILLO			x			
WAYNE DIETZ					x	
ANDREA COCULA			x			
KARL MEYER						x
JOHN DRAKE		x	x			

The motion passed.

There were no minutes for distribution for this meeting.

## 7. BUSINESS

- a. Executive Session (moved to after section 9. Public Comments)
- b. Wastewater Program

### **Administrator's Report**

Administrator Hatzelis reviewed Hauled Wastewater Volumes and Revenues from December 1<sup>st</sup> to March 31<sup>st</sup> 2016, which have exceeded projections for this time period by 33%; connection fees are on target with projections.

Mr. Hatzelis reported on his meeting with Vernon Representatives to discuss Service Contract; connection fees; rate stabilization fund and Vernon Additional Debt. He also conducted a tour of the Upper Walkkill Facility. [Special Counsel Prol left the meeting room at 3:06 pm.] He reviewed discussions and Vernon Township Project history and refunding/savings regarding the Vernon Additional Debt. Discussions re: Rate Stabilization Fund is 60% funded by the Vernon Connection Fees. Commissioner Drake and Madsen, who attended agreed that the meeting was very informative and necessary to new Vernon council members and Mayor.

Mr. Hatzelis reviewed the previous request from Sparta Township to consider a Connection Fee Hardship Program. A resolution was prepared to establish a SCMUA payment plan with certain prerequisites and conditions including previous approval by Sparta Township for their Hardship Plan.

Res#: 16-078 Sparta Township Hardship Payment Plan						
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			

#16-078 RESOLUTION RE: ESTABLISHING A POLICY FOR A CONNECTION FEE HARDSHIP PAYMENT PLAN FOR THE SCMUA UPPER WALLKILL SYSTEM – SPARTA TOWNSHIP COLLECTION SYSTEM USERS

Special Counsel Tom Prol reentered the meeting room at 3:14 pm

c. Solid Waste Program

**Superintendent’s Report**

Superintendent Sparnon reminded the Commissioners that there will be a celebration for Earth-Energy Day on Thursday, April 21, 2016 from 10 am – 2 pm. Multiple county schools will be attending, as well as vendors and professionals to give interactive educational presentations throughout the day.

Superintendent Sparnon gave an update on the E-Waste Program and noted that the Vendor has agreed to begin picking up stockpiled E-waste from the Authority. Mr. Sparnon stated that he has been in contact with the municipalities that have collected/stockpiled E-Waste. Discussions continued on how to help the municipalities with disposal and the need to separate and sort the E-Waste for recycling. Commissioner Cocula moved to allow the municipalities to drop off their E-Waste, free of charge for a limited time, as long as they provide labor assistance in sorting.

Motion: E-Waste amnesty for a limited time for SC Municipalities to provide labor assistance for sorting/separating						
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
JOHN DRAKE			x			

The motion passed.

**Chief Engineer’s Report**

Mr. Varro reported on the recent Solid Waste Advisory Committee (SWAC) Meeting and indicated the points of discussion including a permit transfer from Grinnell to Cavalier and indicated that the application for ID13 Bulky Waste acceptance at the Cavalier MRF has not been pursued by Cavalier at the moment. Under new business, the Maggio site in Wantage was discussed, which is currently under a temporary permit and may need to be included in the Solid Waste Management Plan if a

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permanent permit is applied for. Mr. Varro reported on the increase in solid waste tonnage to the SWAC members at the SCMUA facility, Reenee Casapulla gave a report on the boat shrink wrap program. Commissioner Perez attended the SWAC meeting and noted the Authority Staff was well prepared and the meeting was very informative.

**Administrator’s Report**

Mr. Hatzelis gave a status reported on the Solid Waste Enforcement Program, and indicated he is still waiting for the NJDEP to certify the Shared Services Agreement between SCMUA and the County. A meeting was held with County Counsel and County Health Department to discuss certain procedures re: how to handle violations and he also reviewed pending incidents. A memorandum of understanding shall be established for counsel representation and reimbursements for special counsel’s time re: indictments of NOVs. Mr. Hatzelis stated he will contact the State Attorney General for a status on the Shared Services Agreement.

Mr. Hatzelis reported on the Cavalier Material Recovery Facility’s tonnage for 2016 and 52% of their waste was reported to be from Sussex County or 2000 tons.

d. General Authority Business

**Administrator’s Report**

Mr. Hatzelis reminded the Commissioners to file their Financial Disclosure Form online by April 30<sup>th</sup>.

Chairman Petillo requested Staff to further look into the use of landfill daily cover material and provide analysis for discussions. Also Chairman Petillo would like to have a project balance for the USDA funding for the Paulinskill Project including contingency and additional changes to project. Discussions continued regarding an update on the Leachate Force Main and how to keep the County on board with the pending retirement of County Engineer. Commissioner Perez inquired about completion of the Branchville Sewer Project. Chief Engineer Varro and Wastewater Superintendent Nugent reported that the Substantial Date of Completion is scheduled for mid-June, testing of equipment and startup hopefully end of August. Further discussion re: Paulinskill Project and possible financial issues with timeline overages.

8. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Agenda (FCA). The Commissioners requested further information on PO#74244.

FCA for 4-20-16 as revised (minus PO# 74244)						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ		x	x			
ANDREA COCULA			x			
KARL MEYER						x
JOHN DRAKE	x		x			

#16-079 RESOLUTION RE: CONSENT AGENDA (AS REVISED) – BILL PAYING LIST

9. PUBLIC COMMENT

Ms. Linda Masson asked to elaborate on the Vernon Rate Stabilization Fund. Chairman Petillo and Administrator Hatzelis reviewed the Fund as established within the Vernon Sewer Service Agreement, which is that 60% of the first 1,060 EDUs connection fees paid from Vernon are to be deposited in a Vernon Rate Stabilization Fund.

Freeholder Graham spoke to the board and notice them that the County Engineer Walter Cramp will be retiring and Bill Kopenaal will be acting engineer for the county. He hopes the Authority and the County can continue to work closely on the Leachate Force Main including hook up of the County Technical School.

Mr. Petillo closed the meeting to public comment and called for a short meeting break at 3:50 pm

Meeting reconvened at 4:05 pm

At 4:05 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session. Motion seconded by Commissioner Madsen. On voice vote: (6) Ayes, (0) Nays, the motion carried. Chairman noted Closed Session to be approximately 20 minutes.

#16-080 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:18 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0). The motion passed.

Chairman Petillo indicated items discussed as specifically set forth in the resolution authorizing Closed Executive Session included: Personnel Items. When the need for confidentiality of these matters no longer exists they will be opened to the public.

7e. Personnel Matters (moved to after Executive Session of Agenda)

Superintendent Spannon presented two resolutions to hire two Part-time Solid Waste Employees, Martin Swiss and Michael Gould. Commissioner Cocula moved both resolutions.

#16-081 PT attendant Martin Swiss #16-082 PT attendant Michael Gould						
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			

#16-081 RESOLUTION RE: APPOINTMENT OF MARTIN A. SWISS AS SOLID WASTE PARTY-TIME SITE ATTENDANT

#16-082 RESOLUTION RE: APPOINTMENT OF MICHAEL GOULD AS SOLID WASTE PART-TIME SITE ATTENDANT

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After further discussion in Executive Session, Superintendent Sparnon will work with Patricia Frey to begin rehiring of Summer employees.

After further personnel discussions in Executive Session regarding future employment needs of both Wastewater and Solid Waste Facilities.

Motion to advertise/post for the following positions: Asst. Manager/Trainee Operator for Wastewater Facilities; Asst. Weighmaster for Solid Waste Facilities; Heavy Equipment Operator.						
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			

The Motion passed.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioner Cocula made a motion to give Commissioner Meyer an excused absence, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0). The motion carried.

11. ADJOURN

Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (6), the motion passed. The meeting was adjourned at 4:21 p.m.

Respectfully submitted,

Andrea Cocula, Secretary