

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 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, Dietz (via telecom), Cocula, and Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Angelo Baron, General Counsel Napolitano, Special Counsel Prol and Recording Secretary Kronski

Absent: Commissioners Petillo and Meyer

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 present. 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 Perez. Administrator Hatzelis requested to add to the Wastewater Program discussions regarding a request from TK Design Associates to lease property from the SCMUA to construct a cell phone tower and under General Authority Business to add Gabel Associates to the list of Professional Service Agreements being considered for execution for Energy Consulting Services for 2017. On voice vote: Ayes (5); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Chairman Madsen requested a motion for approval of the Consent Agenda. Commissioner Drake moved the approval of the Consent Agenda, seconded by Commissioner Dietz. No discussions requested. On voice vote: Ayes (5); Nays (0). The motion carried.

6. MINUTES

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

PASS Report for 3-1-17 Authority Meeting to the Freeholder Board						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ	x		x			
JOHN DRAKE		x	x			
TOM MADSEN					x	
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER						x
RONALD PETILLO						x

The motion passed.

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Chairman Madsen noted that the Open and Closed Minutes for both the February 1st and February 15th Authority Meetings 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. Motion seconded by Commissioner Drake. On voice vote: (5) Ayes, (0) Nays, the motion carried. Chairman Madsen noted Closed Session approximate time should be for 5-10 minutes and discussions include Paulinskill Project – Contract PRC-101 with Worth & Co. and Personnel. Actions may be taken after Executive Session.

#17-062 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:15 p.m. Commissioner Perez moved to adjourn the Closed Session, seconded by Commissioner Drake. On voice vote, Ayes (5); Nays (0); Abstain (0). The motion passed.

Chairman Madsen indicated items discussed as specifically set forth in the resolution authorizing Closed Executive Session included: Paulinskill Project – Contract PRC-101 with Worth & Co. and Personnel. When the need for confidentiality of these matters no longer exists they will be opened to the public.

b. Wastewater Program

Superintendent's Report

Superintendent Baron reported on correspondence received by the NJDEP regarding a Stay of Conditions for the 2013 Discharge to Surface Water Final Permit nitrate limits imposed on the Hampton Commons Collection System. NJDEP indicated that review of certain testing criteria concerning the Stay requests have been met, they recognized that there is no need to revise the nitrate limits in the Permit. The Stay of Permit Conditions will be in effect through June 2018. Mr. Varro reviewed wastewater process resulting in Nitrate and it was also noted that the receiving waterways are not a water supply source.

Mr. Baron reported on conversations he had with Branchville's Construction Official regarding the number of sewer hookups to the Paulinskill Reclamation System. There have been 162 connections to date, and many more are pending review of Construction Office. Discussions ensued regarding mandatory hookup statute and resident notification thereof, which is responsibility of local entity.

Chief Engineer's Report

Mr. Varro reported on a request from TK Design Associates who are consultants to Verizon to install a cell tower on Upper Walkkill Facility property in Hamburg. TK Design Associates are merely seeking an initial interest by SCMUA to allow for study. A lease agreement could be prepared after an open bid which is required, due to public entity status of the property. If the cell tower is feasible, a proposal would likely be for a 5 year lease at up to \$2,500 per month with renewal options. Discussions continued regarding cell tower bid proposal process and item being a late addition to Agenda. No actions need to be taken at this time regarding

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cell tower proposal, Staff will report back to the Board with additional information as it becomes available.

Administrator's Report

Mr. Hatzelis welcomed Watershed Director Nathaniel Sajdak and the Watershed Management Group Staff including Eric Vanbenschoten, Kristine Rogers, and Watershed Ambassador Amanda Hayes. Mr. Sajdak gave an overview of recent projects of the WRWWMG Program, specifically, he introduced and showed a short film. The film was produced by the Open Space Institute with funding from the William Penn Foundation, it shares a story about the watershed restoration and stewardship work that is being accomplished in the Upper Paulins Kill Watershed. Most importantly, the film represents just how powerful partnership collaboration, sharing and leveraging of resources, and local community buy-in and support can be when it comes to restoring and protecting our watersheds and associated water resources. Nathaniel explained the primary goal of the film is to share an inspirational watershed success story, however, this film represents the much bigger story of how the SCMUA-WRWWMG, as the local watershed group, is bringing together a tremendous group of partners to collectively work on identifying project opportunities, finding unique ways to combine and leverage resources, sharing technical knowledge and skills, organizing stakeholders, community members, and landowners, and ultimately implementing restoration projects and conservation initiatives. The Commissioners had all positive remarks for the film and complemented the WRWWMG on their efforts and very successful projects. It was recommended that the film be put on the SCMUA/WRWWMG websites.

Mr. Hatzelis reported on Septage, Sludge and Hauled Sewage Volumes and Revenues for the first quarter of the fiscal year, in which actual has exceeded anticipated revenue by almost \$50,000.

c. Solid Waste Program

Superintendent's Report

Mr. Sparnon reviewed his memorandum prepared for the Commissioners regarding the installation of an additional outbound scale. Mr. Sparnon noted that funds have been included in the Capital FY2017 Operating Budget Capital Improvements, and the budgeted amount is for \$75,000, estimates from Fairbanks Scale and Gerhardt Scale for purchase and installation, respectively total \$63,000. Discussions ensued regarding option to put project out for public bid, it was noted individual quotes from vendors are under the bid threshold. Legal Counsel suggested Proprietary Specifications resolution if the Board decides to pursue bids, due to the Solid Waste Facility currently owning 4 other scales that are similar and are serviced with Gerhardt. Further discussions continued on potential higher cost, additional training and technical problems with different equipment and varying servicing companies. Mr. Sparnon indicated that the Authority received quotes for the same scale in 2016, and Fairbanks and Gerhardt were the lowest. In order to make most fiscally responsible decision, direction is to request 3 quotes for the scale.

Mr. Sparnon reported on the Shared Services Agreements with the Authority and certain local Municipalities that request Certified Recycling Professional Services from the Authority. He explained that the yearly Recycling Reports that are submitted by municipalities to the NJDEP must be certified by a Certified Recycling Professional. Certification is provided at the cost of \$250, by SCMUA Recycling Coordinator, Reenee Casapulla. A resolution was presented to enter into requested Shared Services Agreements.

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Res: #17-062: Shared Services Agreement for CRP Services with requesting Municipalities						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ		x	x			
JOHN DRAKE			x			
TOM MADSEN			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER						x
RONALD PETILLO						x

#17-063 SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT(S) WITH VARIOUS SUSSEX COUNTY MUNICIPALITIES FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2016 RECYCLING TONNAGE REPORT TO NJDEP

Chief Engineer’s Report

Mr. Varro gave an update on the Landfill Life Extension Project. A construction meeting was held on March 9th. Discussions included certain contract items that need to be completed by Contractor and SCMUA as required by the New Jersey Environmental Infrastructure Trust funding, including 10% work to minority firms and submission of quarterly reports. Notice to Proceed was issued and contract clock starts on Monday, March 13th. Construction meetings shall take place every two weeks and minutes shall be provided to Commissioners. Next meeting shall be March 23rd at 10:00.

d. General Authority Business

Administrator’s Report

Mr. Hatzelis presented resolutions for authorization to execute certain Professional Services Agreements. These appointments were made at the 2017 Reorganization Meeting and the agreements are ready for execution. Mr. Hatzelis reviewed appointments for General Legal Counsel, Special Counsels, Bond Counsel, Auditing Services and Financial Advisor Services. Commissioner Cocula moved these resolutions, seconded by Commissioner Drake, roll call:

Motion to authorize Execution of Professional Services Agreements. Resol: #17-064 General Legal Counsel (Giacobbe); #17-065 Special Legal Counsel (Prol); #17-066 Special Legal Counsel (Hall); #17-067 Bond Counsel (Cantalupo); #17-068 Auditor Services (Cuva); #17-068 Financial Advisor Services (Phoenix)						
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

#17-064 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MATTHEW J. GIACOBBE, ESQ. OF CLEARY GIACOBBE ALFIERI JACOBS, LLC FOR THE FURNISHING OF GENERAL LEGAL COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 1, 2017 TO FEBRUARY 7, 2018

#17-065 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THOMAS PROL, ESQ. OF LADDEY, CLARK AND RYAN, LLC FOR THE FURNISHING OF SPECIAL ENVIRONMENTAL LEGAL COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 1, 2017 to FEBRUARY 7, 2018

#17-066 AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN HALL, ESQ. OF HALL AND ASSOCIATES FOR THE FURNISHING OF CERTAIN LEGAL SERVICES IN REGARD TO WASTEWATER AND SOLID WASTE FACILITIES NJPDES PERMITS, WATERSHED MANAGEMENT PLANNING AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 1, 2017 TO FEBRUARY 7, 2018

#17-067 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN CANTALUPO OF ARCHER & GREINER, P.C. FOR THE FURNISHING OF BOND COUNSEL SERVICES FOR THE SUSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 1, 2017 TO FEBRUARY 7, 2018

#17-068 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE CONTRACT WITH PAUL CUVA, C.P.A. OF THE FIRM FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A. FOR AUDITING SERVICES IN PERFORMING THE ANNUAL AUDIT OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY’S FISCAL YEAR 2017

#17-069 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PHOENIX ADVISORS FOR FINANCIAL ADVISORY SERVICES

Mr. Varro reported on the Engineering Services Agreements, and noted the firms that were appointed at the 2017 Reorganizational Meeting through the Fair and Open Process and others that were contract extensions from 2016. Commissioner Cocula moved all the resolutions to authorize execution, seconded by Commissioner Drake. On roll call.

Motion to approve resolutions to authorize Contract Execution for noted Professional Services Agreements for 2017						
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

#17-070 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HATCH MOTT MACDONALD FOR GENERAL WASTEWATER CONSULTING ENGINEERING SERVICES

#17-071 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER FOR SPECIALIZED WASTEWATER CONSULTING ENGINEERING SERVICES

#17-072 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH CORNERSTONE ENVIRONMENTAL GROUP FOR GENERAL SOLID WASTE CONSULTING ENGINEERING SERVICES 2017

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- #17-073 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT INC. (SCS) FOR SPECIALIZED SOLID WASTE CONSULTING ENGINEERING SERVICES 2017
- #17-074 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH LOUIS J. WEBER AND ASSOCIATES (WEBER) FOR PROFESSIONAL SURVEYING SERVICES IN REGARD TO THE SOLID WASTE AND WASTEWATER FACILITIES AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY FOR FISCAL YEAR 2017
- #17-075 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GARDELL LAND SURVEYING SERVICES, INC. (GARDELL) FOR PROFESSIONAL SURVEYING SERVICES IN REGARD TO THE SOLID WASTE AND WASTEWATER FACILITIES AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY FOR FISCAL YEAR 2017
- #17-076 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FRENCH & PARRELLO, INC. FOR LICENSED SITE REMEDIATION PROFESSIONAL AND ENVIRONMENTAL SERVICES - 2017
- #17-077 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PAULUS, SOKOLOWSKI AND SARTOR, LLC (PS&S) FOR WASTEWATER CONSULTING ENGINEERING SERVICES
- #17-078 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH AMY S. GREENE ENVIRONMENTAL SERVICES, INC. FOR SPECIALIZED ENVIRONMENTAL SERVICES - 2017
- #17-079 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MONITORING CONTROL AND COMPLIANCE, INC. (MCC) FOR SPECIALIZED SOLID WASTE LANDFILL GAS FIELD SERVICES - 2017
- #17-080 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GABEL ASSOCIATES FOR SPECIALIZED ENERGY CONSULTING - 2017

e. Personnel Matters

Solid Waste Superintendent's Report

Mr. Sparnon presented a resolution as discussed in Executive Session regarding authorization to appoint John Mericle to a vacant position as a Solid Waste Heavy Equipment Operator I.

Res #17-081: Authorize hire of John Mericle as Heavy Equipment Operator I						
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

- #17-081 APPOINTMENT OF SOLID WASTE HEAVY EQUIPMENT OPERATOR I, JOHN MERICLE

Administrator’s Report

The presentation shall be tabled for the next Authority Meeting.

8. Payment of Bills

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

Res: #17-082: Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ		x	x			
JOHN DRAKE	x		x			
TOM MADSEN			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER						x
RONALD PETILLO						x

#17-082 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

Chairman Madsen opened the meeting to public comment, no public present, he closed the meeting to public comment.

10. COMMISSIONERS’ COMMENTS/REQUEST

Commissioners congratulated the Walkkill River Watershed Group on the film and their many successful projects through Sussex County. Also, noted the continued support the Group receives from the Authority Staff.

Commissioner Cocula moved to give excused absences to Commissioners Meyer and Petillo, seconded by Commissioner Drake. On voice vote: Ayes (5); Nays (0); Abstain (0).

11. ADJOURN

Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Perez. On voice vote: Ayes (5), the motion passed. The meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Andrea Cocula, Secretary