

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 18, 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, Attorney John Napolitano, 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 Dietz. Mr. Hatzelis noted that Personnel Item will need to be added to the Closed Executive Session Agenda. 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 Drake 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 4, 2015 Pending Action Summary Sheet (PASS), which was emailed to the Clerk of the Freeholder Board on March 5, 2015. Commissioner Drake moved the PASS Report, seconded by Commissioner Cocula. On roll call: Ayes (6); Nays (0); Abstain (1) Sowden due to absence at that meeting. The motion carried.

Chairman Madsen asked for a motion to approve the Open & Closed Minutes from the February 18, 2015 Authority Meeting. Commissioner Meyer moved to approve the minutes, seconded by Commissioner Drake. On voice vote: Ayes (7); Nays (0); Abstain (0). The motion carried.

Chairman Madsen noted the Open & Closed Minutes for the March 4, 2015 Authority Meeting has been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:05 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.

#15-069 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:18 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 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; Title V Permit; and Personnel Item. When the need for confidentiality of these matters no longer exists they will be opened to the public.

b. Wastewater Program

**Attorney's Report**

Attorney Giacobbe reported on the status of the property Acquisitions for the Paulinskill Project which were submitted to the USDA and should be complete next week. He reviewed the necessary requirements for the subdivision and Mr. Afieri from his office is in the process of completing them. A preconstruction meeting is scheduled for tomorrow.

**Superintendent's Report**

Mr. Nugent reported that the two year chemical bids are due to expire and asked for Commissioners authorization to prepare new bid specifications and advertise for the Wastewater Treatment Chemicals for 2015 and 2016. Commissioner Drake moved the authorization for advertisement of Wastewater Treatment Chemicals, seconded by Commissioner Meyer. On voice vote: Ayes (7); Nays (0); Abstain (0). The motion passed.

Mr. Nugent gave a report regarding the recent Sussex Borough Force Main repairs. Hardyston Township DPW notified Mr. Nugent and subsequently made the repairs. Discussion ensued on the multiple repairs needed since 1996 and condition of the sewage pipes, as well as and increase in flows for Sussex Borough during recent snow melt and rain events.

MARCH 18, 2015

**Chief Engineer's Report**

Mr. Varro reported that the property acquisition necessary for the Paulinskill Project which requires a subdivision for the construction of a pump station. He presented a resolution authorizing to submit an application to the Branchville Planning Board for the subdivision.

Res: #15-070 application submittal for Paulinskill Proj. subdivision						
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			

#15-070 RESOLUTION RE: AUTHORIZATION TO SUBMIT APPLICATION TO BRANCHVILLE PLANNING BOARD FOR SUBDIVISION OF BLOCK 705, LOT 22

**Administrator's Report**

Mr. Hatzelis reviewed the first quarter revenues for the Upper Walkkill which were above budget projections.

- c. Solid Waste Program

**Superintendent's Report**

Mr. Sparnon reminded the Commissioners that the first of four E-Waste Events is scheduled for this Saturday, March 21<sup>st</sup> from 7am – 2pm.

**Chief Engineer's Report**

Mr. Varro reported on the recent Solid Waste Advisory Council meeting that was held on March 10<sup>th</sup>. Points of discussion were regarding the proposed Grinnell Solid Waste Management Plan Amendment for the acceptance of ID13 Bulky Waste. The SCMUA prepared a position statement opposing the Amendment. The application was subsequently tabled by County Planning Director Eric Snyder in order for County Counsel to review further information and whether the Amendment will be processed at an Administrative Action or as a standard Plan Amendment with required Public Hearing. Discussions continued regarding potential loss of SCMUA Solid Waste Revenues, which would create a rise in tip fees, reductions in free/subsidized services for Sussex County Residents, and impact to payments on taxpayer backed bond payments. Further discussions re: SWAC's understanding of the Grinnell proposal and associated consequences to the Authority's wasteflow.

**Administrator's Report**

Administrator Hatzelis reported on the Landfill Closure/Post Closure Care Audit. He discussed a draft copy of the Audit prepared by Ferraioli, Wielkotz, Cerullo and Cuva and detailed the many past events that contributed to the underfunded account. He explained that the proposed Landfill Expansion will help in reducing the deficit, as well as, an effective Solid Waste Enforcement Program.

d. General Authority Business

**Administrator's Report**

Mr. Hatzelis reported that Professionals were appointed at the Authority's Annual Reorganization Meeting. He presented the following resolutions authorizing the execution of the Professional Services Agreements which have been signed and returned to the Authority.

Res: #15-071 General Legal Counsel Contract Execution						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN		x	x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

#15-071 RESOLUTION RE: AUTHORIZATION 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 4, 2015 TO FEBRUARY 3, 2015

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Res: #15-072 Special Legal Counsel Contract Execution						
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			

#15-072 RESOLUTION RE: 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 4, 2015 to FEBRUARY 3, 2016

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Res: #15-073 Special Legal Counsel re: SW & WW & WMP Contract Execution						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER	x		x			
JOHN DRAKE		x	x			

#15-073 RESOLUTION RE: 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 4, 2015 TO FEBRUARY 3, 2016

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Res: #15-074 Auditing Services Contract Execution						
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			

#15-074 RESOLUTION RE: 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 2015

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Res: #15-075 Financial Advisor Services Contract Execution						
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			

#15-075 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PHOENIX ADVISORS FOR FINANCIAL ADVISORY SERVICES

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Res: #15-076 Specialized Wastewater Consulting Serv. Contract Execution						
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			

#15-076 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER FOR SPECIALIZED WASTEWATER CONSULTING ENGINEERING SERVICES

MARCH 18, 2015

Res: #15-077 Specialized Wastewater Consulting Serv. Contract Execution						
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			

#15-077 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PAULUS, SOKOLOWSKI AND SARTOR (PS&S) FOR SPECIALIZED WASTEWATER CONSULTING ENGINEERING SERVICES

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Res: #15-078 General Solid Waste Consulting Engineering Serv. Contract Execution						
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			

#15-078 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH CORNERSTONE ENVIRONMENTAL GROUP FOR GENERAL SOLID WASTE CONSULTING ENGINEERING SERVICES

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Res: #15-079 Specialized Solid Waste Consulting Engineering Serv. Contract Execution						
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			

#15-079 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT INC. (SCS) FOR SPECIALIZED SOLID WASTE CONSULTING ENGINEERING SERVICES

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MARCH 18, 2015

Res: #15-080 Energy Consulting Services Contract Execution						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN		x	x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

#15-080 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GABEL ASSOCIATES FOR SPECIALIZED ENERGY CONSULTING

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Res: #15-081 Prof. Surveying Services Contract Execution						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER		x	x			
JOHN DRAKE	x		x			

#15-081 RESOLUTION RE: 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 2015

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Res: #15-082 LSRP & Environmental Services Contract Execution						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER		x	x			
JOHN DRAKE	x		x			

#15-082 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH NORCON CONSERVATION COMPANY, INC. FOR LICENSED SITE REMEDIATION PROFESSIONAL AND ENVIRONMENTAL SERVICES

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e. Personnel Matters

**Solid Waste Superintendent's Report**

Mr. Sparnon presented two resolutions for new hires as Heavy Equipment Operators I, as discussed in Executive Session.

Res: #15-083 New Hire Roger Wagner Heavy Equipment Operator I						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN		x	x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

#15-083 RESOLUTION RE: APPOINTMENT OF SOLID WASTE HEAVY EQUIPMENT OPERATOR I, ROGER WAGNER

Res: #15-084 New Hire Wayne Devantoy Heavy Equipment Operator I						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER		x	x			
JOHN DRAKE	x		x			

#15-084 RESOLUTION RE: APPOINTMENT OF SOLID WASTE HEAVY EQUIPMENT OPERATOR I, WAYNE DEVANTOY

8. Payment of Bills

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

Res: #15-085 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER		x	x			
JOHN DRAKE	x		x			

#15-085 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

Ms. Linda Masson stated that the Sussex Borough Council has the infiltration and inflow issue as one of the items for completion for 2015.



MARCH 18, 2015

10. COMMISSIONERS' COMMENTS/REQUEST

No Comments.

11. ADJOURN

Commissioner Sowden moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (7), the motion passed. The meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Andrea Cocula, Secretary