

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 21, 2018 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: Chairman Madsen, Vice Chairman Drake, Commissioners Perez, Cocula (via telecom), and Petillo, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Angelo Baron, General Counsel Napolitano (via telecom), Special Counsel Prol and Recording Secretary Kronski.

Absent: Commissioner Meyer and 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

No public comment.

4. AGENDA APPROVAL

Chairman Madsen asked for a motion to approve the Agenda. Commissioner Drake moved the Agenda, seconded by Commissioner Perez. Administrator Hatzelis recommended amending the Agenda to include only essential discussions in order to shorten the meeting due to the current worsening snow conditions. Mr. Hatzelis read the following discussions to consider being tabled: Executive Session, Solid Waste Tonnages and Revenues, Cover Material, and GASB Report. Commissioner Perez revised the motion to table said items but to include Mt. Creek Bankruptcy discussions in Executive Session, seconded by Commissioner Drake. On voice vote: Ayes (5); Nays (0). The Motion carried.

6. MINUTES

Chairman Madsen requested a motion to approve/acknowledge the distribution of the February 21, 2018 Pending Action Summary Sheet (PASS) to the County Freeholder Board. Commissioner Perez motioned to approve, seconded by Commissioner Drake. On roll call vote: Ayes (5) Commissioners Perez, Drake, Madsen, Cocula, Petillo. The motion carried.

Chairman Madsen asked for a motion to approve the Open and Closed Meeting Minutes for the February 7, 2018 Annual Reorganization Meeting. Commissioner Drake moved the minutes for approval, seconded by Commissioner Perez. On voice vote: Ayes (5), Nays (0). The motion carried.

The Open & Closed Meeting Minutes for the February 21, 2018 Authority Meeting have been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:06 p.m. Commissioner Drake moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Perez. On voice vote: (5) Ayes, (0) Nays, the motion carried. Chairman Madsen noted the Closed Session should be approximately 15-20 minutes and discussions to include: Mt. Creek Bankruptcy.

#18-048 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:20 p.m. Commissioner Perez moved to adjourn the Closed Session, seconded by Commissioner Drake. On voice vote: Ayes (5); Nays (0). The motion passed.

Chairman Madsen confirmed items discussed as specifically set forth in the resolution authorizing Closed Executive Session included: Mt. Creek Bankruptcy. When the need for confidentiality of these matters no longer exists they will be opened to the public

b. Wastewater Program

**Wastewater Superintendent's Report**

Mr. Baron reported on wastewater operations during the recent winter storm, most notable were the two pipeline breaks in the Sussex Borough Force main. Sussex Borough DPW was notified and both holes were repaired, these latest breaks bring the total to 24 repairs needed for the Sussex Force Main Pipeline. Mr. Baron indicated there was a significant loss of power due to the storm at the Homestead Plant and in Branchville. Generators were up and running, as needed, otherwise there were no major problems; all facilities are back to normal operations at this point.

Mr. Baron gave an update on the issues with the Microfilter, Contract #454. The latest issue is the discovery that the lamination has come off the wheels that hold the main structure. New wheels were installed and the manufacturer, NOVA, is investigating why this delaminating occurred. The parts for the bearing replacement are expected to be received and installed on Monday. The unit is still loud and noisy, but it is still in operation.

Short discussion held on the recent high flow totals from Sussex Borough.

**Chief Engineer's Report**

Mr. Varro reported on bid results for Contract #18-12 for the Construction, Operation and Maintenance of a wireless communication facility. One bid was submitted from Cellco Partnership d/b/a/Verizon Wireless. He noted that the bid was along the specification requirements, including \$3000 minimum/month lease and 50% for any subleases. The Bid has been reviewed by Staff and General Counsel and has been forwarded to the Authority's Risk Management/Insurance Provider for further review of bid exceptions. Mr. Varro will prepare a resolution for award at the next Authority Meeting if all is in order after final review.

c. Solid Waste Program

**Solid Waste Superintendent's Report**

Mr. Sparnon reported on the bid results for Contract #18-01 and #19-01 for the Household Hazardous Waste Events, noting that Maumee Express, Inc. was the lone bid at \$.89/lb. Mr. Sparnon stated that the bid package was reviewed by staff and legal counsel and was deemed to be responsible (vendor) and responsive (bid). Resolution has been prepared to award Contract to Maumee Express, Inc.

Res# 18-049: Contract award for #18-01 & #19-01 Household Hazardous Waste Events						
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			

#18-049 RESOLUTION RE: AUTHORIZING AWARD FOR SCMUA CONTRACT 18-01 HOUSEHOLD HAZARDOUS WASTE DISPOSAL EVENT(S) TO MAUMEE EXPRESS, INC.

**Chief Engineer's Report**

Mr. Varro presented a "Forward Thinking" Award received from the Association of Environmental Authorities to the Authority for the MSE Berm Project. Atlantic County Utilities Authority nominated the SCMUA's landfill expansion project and The "Forward Thinking" Award was presented to the Authority at the AEA Spring Conference. Mr. Varro and Chairman Madsen accepted on behalf of the SCMUA.

**Administrator's Report**

Mr. Hatzelis presented a resolution prepared by Bond Counsel for the Leachate Pump Station/Force Main Project. He reported that the County Freeholders approved the Bond Resolution for \$8.3 million for financing through the New Jersey Infrastructure Environmental Trust Program. This resolution secures bonds or project notes for the project.

Res# 18-050: Supplemental Bond Resolution to secure \$8.3 Million to finance Solis Waste FM/PS Project						
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			

#18-050 RESOLUTION RE: SUPPLEMENTAL RESOLUTION OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE ISSUANCE OF THE AUTHORITY'S NOT TO EXCEED \$8,300,000 COUNTY-SECURED SOLID WASTE REVENUE BONDS OR PROJECT NOTES (LEACHATE PUMP STATION AND FORCE MAIN PROJECT)

d. General Authority Business

**Administrator's Report**

Mr. Hatzelis reported that the 2018 Professional Services Appointees have returned their signed contracts, and resolutions were prepared to Authorize execution of these contracts by Chairman Madsen.

Motion to Execute the 2018 Professional Services Contracts						
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			

#18-051 RESOLUTION RE: 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 7, 2018 TO FEBRUARY 6, 2019

#18-052 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 7, 2018 TO FEBRUARY 6, 2019

#18-053 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 7, 2018 TO FEBRUARY 6, 2019

#18-054 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN CANTALUPO OF ARCHER & GREINER, P.C. FOR THE FURNISHING OF BOND COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 7, 2018 TO FEBRUARY 6, 2019

#18-055 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 2018

#18-056 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PHOENIX ADVISORS FOR FINANCIAL ADVISORY SERVICES

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#18-057 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD FOR GENERAL WASTEWATER CONSULTING ENGINEERING SERVICES

#18-058 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER FOR SPECIALIZED WASTEWATER CONSULTING ENGINEERING SERVICES

#18-059 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 2018

#18-060 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 2018

#18-061 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GABEL ASSOCIATES FOR SPECIALIZED ENERGY CONSULTING - 2018

Mr. Varro reported that the following Professional Services Firms currently have contracts with the SCMUA that allow for extensions for 2018. Cornerstone Environmental, Sterns, Conrad and Schmidt (SCS), French & Parrello, Monitoring Control and Compliance and Amy S. Greene. Resolutions have been prepared to execute contracts for 2018.

Motion to Execute Professional Services Contracts for one year extension for 2018						
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			

#18-062 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH AMY S. GREENE ENVIRONMENTAL SERVICES, INC. FOR SPECIALIZED ENVIRONMENTAL SERVICES - 2018

#18-063 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FRENCH & PARRELLO, INC. FOR LICENSED SITE REMEDIATION PROFESSIONAL AND ENVIRONMENTAL SERVICES – 2018

#18-064 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH CORNERSTONE ENVIRONMENTAL GROUP FOR GENERAL SOLID WASTE CONSULTING ENGINEERING SERVICES-2018

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#18-065 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT INC. (SCS) FOR SPECIALIZED SOLID WASTE CONSULTING ENGINEERING SERVICES-2018

#18-066 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MONITORING CONTROL AND COMPLIANCE, INC. (MCC) FOR SPECIALIZED SOLID WASTE LANDFILL GAS FIELD SERVICES - 2018

#18-067 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PAULUS, SOKOLOWSKI AND SARTOR, LLC (PS&S) FOR WASTEWATER CONSULTING ENGINEERING SERVICES - 2018

8. Payment of Bills

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

Res: #18-068 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			

#18-068 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioner Meyer and Commissioner Dietz an excused absence, seconded by Commissioner Drake. On voice vote: Ayes (5), the motion passed.

Commissioner Perez inquired about the OPRA requested Executive Session minutes discussed at the previous meeting. Administrator Hatzelis advised that SCMUA Counsel John Napolitano's office reviewed and redacted the Executive Session minutes which were subsequently provided to the OPRA requestor. Commissioner Perez requested that Commissioners be provided more time to review Executive Session Minutes before they are scheduled to be released.

11. ADJOURN

Commissioner Drake moved to adjourn the meeting, seconded by Commissioner Perez. On voice vote: Ayes (5), the motion passed. The meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Andrea Cocula, Secretary