

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 4, 2015 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 Madsen, Petillo, Dietz (via telecom), Cocula, Meyer, and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, Attorney John Napolitano, Special Environmental Counsel Thomas Prol, and Recording Secretary Kronski

Absent: General Counsel Matthew Giacobbe, Commissioner Sowden

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

The Chairman opened the meeting to public comment. Freeholder Graham thanked Administrator Hatzelis for the recent report regarding solid waste tonnage data and requested a meeting to go review the data in more detail and offered his assistance to help regarding Solid Waste Enforcement. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Commissioner Drake moved the approval of the Agenda, seconded by Commissioner Dietz. Chairman Petillo moved the Executive Session to the end of the Agenda after Financial Transactions. 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 Madsen moved the approval of the Consent Agenda, seconded by Commissioner Drake. No discussions. On voice vote: Ayes (6); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the February 18, 2015 Pending Action Summary Sheet (PASS), which was emailed to the Clerk of the Freeholder Board on February 19, 2015. Commissioner Cocula moved the PASS Report, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0); Abstain (0). The motion carried.

Chairman Petillo asked for a motion to approve the Open & Closed Minutes from the January 21, 2015 Authority Meeting. Commissioner Cocula moved to approve the minutes, seconded by Commissioner Madsen. On voice vote: Ayes (6); Nays (0); Abstain (0). The motion carried.

Chairman Petillo asked for a motion to approve the Open & Closed Minutes from the February 4, 2015 Authority Meeting. Commissioner

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Cocula moved to approve the minutes, seconded by Commissioner Madsen. On voice vote: Ayes (6); Nays (0); Abstain (0). The motion carried.

Chairman Petillo noted the Open & Closed Minutes for the February 18, 2015 Authority Meeting has been emailed to the Commissioners for their review.

7. **BUSINESS**

- a. Executive Session (moved to after 9. Public Comment portion)
- b. Wastewater Program

Attorney's Report

Attorney John Napolitano reported on behalf of Attorney Giacobbe and reported on all three Property Acquisitions, which are near completion and should be ready for transfer by the end of next week. No issues to cause any delay in project schedule.

Chief Engineer's Report

Mr. Varro reported that the Paulinskill Preconstruction Meeting scheduled for tomorrow March 5th has been rescheduled due to the pending bad weather. Meeting will be rescheduled as soon as possible.

- c. Solid Waste Program

Chief Engineer's Report

Mr. Varro reported that he received a response from NJDEP regarding the Landfill Extension Permit requesting to schedule a meeting to include New Jersey Fish & Wildlife and USFWL services to inspect habitat area.

Administrator's Report

Administrator Hatzelis reported on the Authority's response to the Grinnell proposed Solid Waste Management Plan Amendment to accept ID13 (bulky waste) for presentation to the County's Solid Waste Advisory Council (SWAC). He reviewed the history of the Grinnell MRF and the many reasons the Authority is opposed to this Amendment, which could potentially affect tonnage and revenues negatively for the solid waste facilities, which was intended to be a self supporting system. Discussions were held regarding solid waste enforcement, in and out of county residuals, Cell Closure Account deficiencies, as well as mandatory Bondholder payments. Commissioners recommend forwarding position letter to SWAC, the Sussex County Freeholders and the 24 municipalities.

Mr. Hatzelis reported on the first quarter Solid Waste Tonnage Data for FY2015 which continuously shows a decrease in ID10 Household Waste. Overall tonnage is down 1.2% compared to the same time from 2014.

d. General Authority Business

Administrator's Report

Mr. Hatzelis reminded the Commissioners of the April 30th due date for the filing of Financial Disclosure Statements, more information will be forwarded as soon as it is received.

8. Payment of Bills

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

Res: #15-066 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						x
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ	x		x			
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#15-066 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

Freeholder George Graham commented that he has been in contact with some Mayors and towns regarding the recent SWMP Amendments being considered by SWAC representatives and indicated some municipalities have more at stake than others depending on their local budgets that include solid waste. He recommended emphasizing effects on tipping fees, bond payments and post closure accounts, which will affect the entire County. Discussion held regarding extending invite for a tour of the Solid Waste Facility to SWAC members. Chairman Petillo closed the meeting to Public Comment.

Chairman Petillo called for a short meeting break at 3:48 pm.

The Meeting reconvened at 3:58 p.m.

a. Executive Session (moved from beginning of Business Agenda)

At 3:58 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Meyer. On voice vote: (6) Ayes, (0) Nays, the motion carried. Chairman Petillo noted the approximate time of Executive Session to be approximately 20-25 minutes.

#15-067 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:30 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Madsen. On voice vote, Ayes (6); Nays (0), the motion passed.

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Chairman Petillo 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; Solid Waste Enforcement Program and Personnel Matter. When the need for confidentiality of these matters no longer exists they will be opened to the public.

e. Personnel Matters

Solid Waste Superintendent's Report

Mr. Sparnon presented a resolution for consideration for an official leave of absence for a Solid Waste Employee as discussed in Executive Session.

Res: #15-068 Leave of Absence						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						x
TOM MADSEN	X		x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER		X	x			
JOHN DRAKE			x			

#15-068 RESOLUTION RE: REQUEST FOR OFFICAL LEAVE OF ABSENCE WITHOUT PAY FOR PERSONAL MEDICAL REASONS FOR A 60-DAY PERIOD

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners asked for status on the hires for solid waste facility and Personnel Committee recommends hiring 2 new employees if possible out of the pool of candidates. Short discussion held regarding status of the leachate pipe line and recent NJ Herald Article.

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 4:35 p.m.

Respectfully submitted,

Andrea Cocula, Secretary