

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MAY 2, 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, Dietz, Cocula, Meyer and Petillo, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Angelo Baron, General Counsel Giacobbe, Special Counsel Prol and Recording Secretary Kronski.

Also in attendance: John Scheri and Maria Bausch from Mott Mac Donald

Absent: General Counsel J. Napolitano

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 Dietz moved the Agenda, seconded by Commissioner Drake. On voice vote: Ayes (7); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Drake moved the approval of the Consent Agenda, seconded by Commissioner Dietz. No discussions requested. On voice vote: Ayes (7), Nays (0). The motion carried.

6. MINUTES

Chairman Madsen requested a motion to approve/acknowledge the distribution of the April 18, 2018 Pending Action Summary Sheet (PASS) to the County Freeholder Board. Commissioner Perez motioned to approve, seconded by Commissioner Meyer. On roll call vote: Ayes (6) Commissioners Perez, Drake, Madsen, Dietz, Cocula and Meyer; Abstain (1) Commissioner Petillo. The motion carried.

Chairman Madsen asked for a motion to approve the Open and Closed Meeting Minutes for the April 4, 2018 Regular Authority Meeting. Commissioner Drake moved the minutes for approval, seconded by Commissioner Meyer. On roll call vote: Ayes (6) Commissioners Perez, Drake, Madsen, Petillo, Cocula, Meyer; Abstain (1) Commissioners Dietz. The motion carried.

The Open & Closed Meeting Minutes for the April 18, 2018 Authority Meeting has been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:02 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Dietz. On voice vote: Ayes (7), Nays (0), the motion carried. Chairman Madsen noted the Closed Session should be approximately 20-25 minutes and discussions shall include: Access Agreement with County of Sussex, Mt. Creek Bankruptcy, and Contract #454 Microfilter.

#18-075 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:07 p.m. Commissioner Perez moved to adjourn the Closed Session, seconded by Commissioner Cocula. On voice vote: Ayes (7); Nays (0). The motion passed.

Chairman Madsen confirmed items discussed as specifically set forth in the resolution authorizing Closed Executive Session included: Access Agreement with County of Sussex, Mt. Creek Bankruptcy, and Contract #454 Microfilter. When the need for confidentiality of these matters no longer exists they will be opened to the public

b. Wastewater Program

Attorney’s Report

A motion was made by Commissioner Drake and seconded by Commissioner Perez to authorize Special Counsel Prol to submit an Amicus brief in the Mountain Creek Bankruptcy matter regarding MUA Law and specifically lien claims against real property arising under “service charges”. The Amicus is to be submitted as a “friend of the court” to inform and explain certain Statutes and regulations concerning Sewer Service Agreements, sewer utilities, etc. and the history of the Sussex County Deficiency Agreement and other matters counsel deems relevant.

Motion: Authorize Special Counsel Prol to submit an Amicus Brief to Bankruptcy Court						
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.

Wastewater Superintendent’s Report

Mr. Baron requested authorization for the SCMUA Wastewater Facility to host a NJWEA Seminar for local wastewater and water operators. He noted this allows for operators to obtain needed credits for licenses and shall be held on June 19, 2018. Commissioner Cocula moved the authorization to hold the seminar, seconded by Commissioner Dietz. On voice vote: Ayes (7), Nays (0). The motion carried.

Administrator’s Report

Mr. Hatzelis gave an update on Septage, Sludge and Hauled Sewage Revenues and indicated that we are 20-25% ahead of projections from December 1 – April 30. However, Connection Fees are behind projections at \$46,110 most are funds from previous year Hardship Agreement Payments.

c. Solid Waste Program

Superintendent’s Report

Mr. Sparnon reported on the Earth-Energy Day Event held at the Solid Waste/Recycling Facilities on April 26th. He noted over 300 students from schools throughout the County attended to take part in 9 presentations given in 15 minute increments from vendors. Mr. Sparnon commended the Walkill River Watershed Group and Solid Waste Staff for the well run event with no issues or interruptions in operations for the day.

Mr. Sparnon also reported that the Solid Waste Facility is in need of a new Roll-off Chassis Truck. The current one is 24 years old and is used every day at the Solid Waste Facility. Mr. Sparnon requested authorization to prepare specifications and advertise for new Roll-off Chassis Truck. Commissioner Cocula moved authorization to advertise, seconded by Commissioner Drake. On voice vote: Ayes (7), Nays (0). The motion carried.

Chief Engineer’s Report

Mr. Varro reported on the Agenda/discussions of the Construction Review Committee Meeting held before today’s Authority Meeting. Highlights included review of Proposal from Cornerstone Environmental for Well Replacement Project, and scope of work from Mott MacDonald for Leachate Pump Station/Force Main project. Discussions held regarding using existing structures at SW Facilities and the design and use of generators for back up power for Leachate Pump Station Project. Mr. Varro presented a resolution for authorization to execute a Professional Services Agreement with Mott MacDonald for the investigation, design, funding and bid support, as well as authorization for Mott MacDonald to initiate performance of these services.

Res#18-076: Auth. Execution of Agrmt with Mott MacDonald Leachate Pumping Station Pumping Station and Force Main						
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			

#18-076 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD RELATIVE TO THE SCMUA LEACHATE PUMPING STATION AND FORCE MAIN PROJECT

Consulting Engineer John Scheri reviewed the Leachate Pump Station Force Main project timeline and summarized tasks in scope of work.

Administrator’s Report

Administrator Hatzelis reported on tonnages and revenues from December 1 – April 30 and compared to the same time period over the past 8 years, tonnage is up 1%. Solid Waste Enforcement is directly associated with the consistent rise in tonnage data.

8. Payment of Bills

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

Res: #18-077 Financial Consent Agenda						
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			

#18-077 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

None.

10. COMMISSIONERS’ COMMENTS/REQUEST

Commissioner Perez commended the WRWVG and SCMUA Solid Waste Staff on their outstanding job with the SCMUA celebration of Earth-Energy Day, Commissioners agreed and noted the students get valuable and interesting information at each station. Great job by all!

11. ADJOURN

Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (7), the motion passed. The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Andrea Cocula, Secretary