

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 17, 2016 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, Petillo, Dietz, Cocula, Meyer and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparron, Wastewater Superintendent Nugent, General Counsel John Napolitano, Special Counsel Prol and Recording Secretary Kronski

Absent: Commissioner Madsen

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

Chairman Petillo opened the meeting to public comment. No public comment. 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 Cocula. 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 Drake moved the approval of the Consent Agenda, seconded by Commissioner Meyer. No discussions necessary. On voice vote: Ayes (6); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the distribution of the February 3, 2016 Pending Action Summary Sheet (PASS), which was emailed to the Freeholder Board on February 4, 2016.

PASS Report for 2-3-16 transmittal to the Clerk of the Freeholder Board						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER		x	x			
JOHN DRAKE			x			

Motion passed.

Chairman Petillo stated there are no meeting minutes up for approval at this meeting.

Chairman Petillo noted that the Open and Closed Minutes for both the January 20, 2016 and February 3, 2016 Authority Meetings have 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 Drake. On voice vote: (6) Ayes, (0) Nays, the motion carried. Chairman noted Closed Session to be approximately 15-20 minutes.

#16-047 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:40 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0). The motion passed.

Chairman Petillo called for a meeting break at 3:41 p.m.

Meeting reconvened at 3:46 p.m.

Chairman Petillo indicated items discussed as specifically set forth in the resolution authorizing Closed Executive Session were included: re: RFQ/RFP for Solid Waste Consulting Engineers; Hydrogen Sulfide Permit Limit Negotiations; Solid Waste Enforcement Agreement; and Pollution Legal Liability Coverage. 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 Nugent reported on the latest force main break in the Sussex Borough sewer pipe. He indicated that Sussex Borough Clerk Mark Zschack notified the SCMUA in order to haul sewage during construction repair until 1:00 AM. Ferraro Construction replace approximately 100 feet of pipe, it was indicated that Sussex Borough does not get directly billed for staffing of plant during these OT hours. Mr. Nugent also reported on the high flows from Sussex Borough during two recent rain event up to 604,000 (3x the regular flows). Since 1996, there have been 20 breaks in the Sussex Borough sewer line along Route 23.

#### **Administrator's Report**

Administrator Hatzelis reviewed a resolution prepared for application to the Local Finance Board for refunding of the 2008 Series Wastewater Bonds. Details were discussed at a previous meeting, and this resolution authorizes SCMUA Professionals and Staff to submit application in order to refund bonds when the market is favorable; Mr.Hatzelis reviewed the necessary approvals and timeline and noted Freeholders must also approve refunding.

Submit application LFB for wastewater bonds 2008 series refunding						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

**#16-048** RESOLUTION OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A.40A:5A-6 FOR REFUNDING THE WASTEWATER SERIES 2008 BONDS

c. Solid Waste Program

**Superintendent's Report**

Superintendent Sparnon reviewed the details of the E-Waste Market situation. He reported on the recent introduction of a law that is being considered in the State Legislature re: the recycling of Electronic Waste and making the manufacturer responsible for the recycling. He noted that the quotes which were received from the E-Waste Vendors are excessive in cost to the Authority. Discussion continued regarding the E-Waste Market and volumes stockpiled, as well as what other municipalities and landfill are considering. Commissioners agree to postpone the E-Waste events until after a meeting with our local state representatives and perhaps submit a concurrent comment letter in solidarity with Cape May County Authority's correspondence to the NJDEP.

**Chief Engineer's Report**

Chief Engineer Varro reported the January Solid Waste Advisory Council meeting was cancelled, and noted that only four meetings have been held over the past 12 months. Meetings are typically held on a monthly basis. Cavalier Environmental Services emailed a request to SWAC to consider rescheduling, but no response has been received to date.

Mr. Varro thanked the Commissioners on their support for his mentorship with the Montague Middle School for their Future City Program. Tom reported on his experience in helping the students' display their ideas for future waste disposal. He displayed an appreciation letter/photo from the teacher and the five students.

**Administrator's Report**

Mr. Hatzelis reported on a bankruptcy settlement check received from an ex-hauler, Northern Sanitation. They left a past balance with the Solid Waste Authority of \$42,000, the check was for \$3,204.84.

d. General Authority Business

**Administrator's Report**

Mr. Hatzelis reported that the Authority has received authorization from the State of New Jersey Records Management Services to dispose of various SCMUA files/records, including purchase orders, misc. personnel files, invoices and banking statements.

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Disposal of certain SCMUA records as approved by NJ Dept of Records Mgmt.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#16-049 RESOLUTION RE: AUTHORIZING DISPOSAL OF VARIOUS SCMUA RECORDS

Mr. Hatzelis also reported that the Authority received permission to dispose of meeting tapes from January 2010 to December 2014 according to Statute.

Disposal of meeting tapes as approved by NJ Dept of Records Mgmt.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#16-050 RESOLUTION RE: AUTHORIZE DISPOSAL OF MEETING AUDIO TAPES

Chairman Petillo reviewed the 2016 Committees.

Administrator Hatzelis notified the Commissioners of two awards presented to the Authority from Statewide Insurance Fund for safety records. Commissioners congratulated the staff on both the Loss Control Award and Safety Excellence Award. Mr. Hatzelis noted the diligence of the departmental staff regarding safety.

**Wastewater Superintendent's Report**

Mr. Nugent reported on a notice of resignation from Wastewater Employee Nicholas Roberto. Mr. Nugent asked for the acceptance of Mr. Roberto's resignation and to post for the position in house.

Motion to accept resignation of Mr. Roberto and to begin process of filling the position.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA		x	x			
KARL MEYER			x			
JOHN DRAKE	x		x			

The motion passed.

**Solid Waste Superintendent's Report**

Mr. Sparnon reported on two retirement notifications that have been received from Solid Waste Employees. Mr. Robert Caton shall retire on June 1, 2016 after 27 years with the Authority. Mr. Stanley Spsychalski shall retire on December 31, 2016 after 28 years employment.

Motion to accept resignations for both employees and to wish them well in retirement.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER		x	x			
JOHN DRAKE			x			

The motion passed.

8. Payment of Bills

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

FCA for 2-17-16						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER		x	x			
JOHN DRAKE	x		x			

#16-051 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

Chairman Petillo opened the meeting to public comment. No Comments. Mr. Petillo closed the meeting to public comment.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners congratulated the Authority on the Safety Awards.

Commissioner Cocula moved the give Commissioner Madsen an excused absence, seconded by Commissioner Drake. On voice vote: Ayes (6), the motion passed.

11. ADJOURN

Commissioner Dietz moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (6), the motion passed. The meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Andrea Cocula, Secretary