

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON OCTOBER 7, 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 3:05 p.m.

The following were present: Commissioners Madsen, Petillo, Dietz, Cocula, Meyer, and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, General Counsel Giacobbe, Special Counsel Prol, and Recording Secretary Kronski

Absent: 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

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 Madsen moved the approval of the Agenda, seconded by Commissioner Drake. Chief Engineer Varro recommended moving the NJDEP Meeting re: Cavalier acquisition of Grinnell MRF to Executive Session due to possible contract negotiations. 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. On voice vote: Ayes (6); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the September 16, 2015 Pending Action Summary Sheet (PASS), which was emailed to the Clerk of the Freeholder Board on September 17, 2015.

PASS Report for 9-16-15 to Freeholder Board						
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			
JOHN DRAKE		x	x			

Motion passed.

Chairman Petillo asked for a motion to approve the Open & Closed Minutes from the August 19, 2015 Authority Meeting.

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Approval of Open & Closed Minutes for 8-19-15 Authority Meeting						
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			

Motion passed.

Chairman Petillo noted the Open and Closed Minutes for the September 2, 2015 and the September 16, 2015 Authority Meeting have been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:08 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 20 minutes.

#15-148 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:41 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open 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 3:50 p.m.

Chairman Petillo indicated items discussed as specifically set forth in the resolution authorizing Closed Execution Session were negotiations and/or litigations re: Personnel Items and NJDEP Meeting re: Cavalier acquisition of Grinnell MRF.

b. Wastewater Program

Superintendent's Report

Mr. Nugent reviewed engineering services, materials, manpower and incidental repairs costs to the Hampton Commons Facility, totaling \$68,760.00. This amount was submitted to the Authority's Insurance Adjuster and Mr. Nugent noted he is currently waiting for final report/response from the Adjuster. Discussions continued regarding repairs and materials, as well as timeline. Commissioners move to authorize to purchase materials and for Ferraro Construction to begin repairs.

Motion to authorize Ferraro Construction to make repairs to HC Facility						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						x
TOM MADSEN		x	x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

The motion passed.

Chief Engineer’s Report

Mr. Varro reported on the proposals for inspection of the barn on the SCMUA’s acquired property for the Paulinskill Project. The barn is intended to be used for on-site storage. A proposal for structural inspection was previously received from SCMUA Engineer Paulus, Sokolowski and Sartor, and another was requested from Kleinfelder/Omni for price comparison. Mr. Varro reviewed the scope of services/reports provided for each proposal, and the Commissioners accepted Kleinfelder/Omni’s proposal for a not to exceed price of \$6,000. Commissioners motion to accept.

Motion to accept proposal for structural engineering inspection of Barn.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						x
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ		x	x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

The motion passed.

Mr. Varro continued to report on the progress of the Paulinskill Projects. PRC-101 Wastewater Plant with Worth & Company is approximately 32% completed and there was an issue with JCP&L and a change (reduction) in electrical service after their analysis of the facilities, which will require a service disconnect switch. Discussion continued on the cost of lowering the amperage service and requested further information/itemized work order from Engineer or JCP&L. PRC-102 Recharge Beds with Coppolla Services are about 25% completed. PRC-103 Pump Station with Montana Construction is approximately 28% complete.

Administrator’s Report

Mr. Hatzelis reviewed a cost sharing agreements with both William Systema of Windy Dairy Farm and Anthony Lentini for the implementation of best management practices for \$789.08 and \$289.25, respectfully. He noted the grant funds will be contingent upon certification by the USDA-NRCE at completion of the projects. Commissioner Cocula moved both resolutions.

Res: #15-149 Execution of Agreement for Cost Sharing with Windy Flats #15-150 Execution of Agreement for Cost Sharing with Lentini Farms						
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			

#15-149 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH H. WILLIAM SYTSEMA, OWNER/OPERATOR OF WINDY FLATS DIARY FARM IN WANTAGE TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABORATION WITH A USDA-NRCS FARM BILL FUNDING PROGRAM (EQIP)

#15-150 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT HIGHLANDS FARMS, LLC – ANTHONY LENTINI OF HAMPTON TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABORATION WITH A USDA-NRCS FARM BILL FUNDING PROGRAM (EQIP)

c. Solid Waste Program

Superintendent’s Report

Mr. Sparnon reported on the bid results for Contract #15-10 Track Loader which were opened on September 10th and noted the Authority’s Legal Counsel has reviewed the terms and language of the Lease and recommends award to Foley, Inc. of Piscataway. Discussions continued regarding trade-ins.

Res: #15-151 Contract #15-10 award for Track Loader						
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			

#15-151 RESOLUTION RE: AWARDING BID FOR SCMUA CONTRACT #15-10 LEASE PURCHASE OF ONE (1) NEW WASTE DISPOSAL ARRANGEMENT TRACK LOADER – CATERPILLAR 973D OR EQUAL TO FOLEY INC.

Mr. Sparnon reviewed the details of a NJDEP Recycling Bonus Grant, which would help the Authority with costs associated with scrap tire recycling. He presented a resolution authorizing submittal to the NJDEP for a grant amount of \$25,000.

Res: #15-152 Recycling Bonus Grant submittal						
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			

#15-152 RESOLUTION RE: ENABLING RESOLUTION AUTHORIZING THE FILING OF THE 2015 NJDEP RECYCLING BONUS GRANT FOR TIRE MANAGEMENT, UNDER THE RECYCLING ENHANCEMENT ACT TAX FUND PURSUANT TO P.L. 2007 C.113 ET SEQ. HEREINAFTER, THE ACT

Chief Engineer’s Report

Mr. Varro reported on a seminar that he and Administrator Hatzelis attended regarding information and requirements when applying for funding from the New Jersey Environmental Infrastructure Trust. They attended in order to get more information on funding eligibility for the Landfill Expansion/Leachate Pump Station Projects. He reviewed the program requirements and gave update on funds available. Discussions

ensued regarding authorization to submit letter of intent and planning documents (to be submitted this week) to the NJEIT for review and consideration. Discussion continued regarding leachate pipeline along Route 94 to the Upper Walkkill Plant and the possibility of the Sussex County Technical School connecting to the pipeline in order to decommission their wastewater plant (meeting to be held).

Administrator’s Report

Mr. Hatzelis distributed information on the latest tonnages and revenues comparing the same time period from December 1st – September 30th for 2014 and 2015. The tonnage data shows a drop in 5471 tons total, with the majority dropping in Construction & Demolition and Bulky Waste. This drop in tonnage is approximately equal to \$442,000 in revenues. Mr. Hatzelis reviewed the chart month to month and noted that the Residents’ Convenience Center ID13 has been steady, however the Commercial waste is slowly disappearing and is most likely going someplace else.

Mr. Hatzelis reported on a resolution that has been prepared regarding the early financing stages of the Landfill Expansion and Leachate Pump Station Force Main. He noted until such time as permanent financing for these projected is secured through Notes, Bonds or NJEIT Loans, the SCMUA must utilize other available funds. The resolution authorizes the Authority to borrow from the Landfill Cell Closure Account, and reimburse after permanent financing is received.

Res: #15-153 Utilization of LCCE for beginning of landfill exp. and PS project						
Commissioner	1 st	2 nd	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			

#15-153 RESOLUTION RE: AUTHORIZING THE UTILIZATION OF LANDFILL CELL CLOSURE ESCROW ACCOUNT FUNDS FOR THE PLANNING, DESIGN AND PERMITTING OF THE LANDFILL EXPANSION AND LEACHATE PUMP STATION FORCE MAIN PROJECTS (“THE PROJECT”)

Administrator Hatzelis noted the Enforcement Program will be reported on under Personnel Actions.

d. General Authority Business

Mr. Hatzelis reported that the FY2016 Rate Hearing will need to be advertised in two papers, and would need authorization from the Board to advertise for the Rate Hearing to take place on November 4, 2015 at 4:00pm in the Commissioners’ Meeting Room.

Motion to authorize advertisement of date, time and place for FY2016 Rate Hearing						
Commissioner	1 st	2 nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						x
TOM MADSEN		x	x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	X		x			
KARL MEYER			x			

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JOHN DRAKE			x			
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The motion passed.

e. Personnel Matters

Solid Waste Superintendent's Report

Solid Waste Superintendent Sparnon as reported in Executive Session, two letters of resignation were received from Mr. Clifford Morgan and Ms. Patricia McGuire. Commissioner Dietz accepted both resignations, with regret, seconded by Commissioner Cocula. On Voice Vote: Ayes (6); Nays (0); Abstain (0). The motion passed.

Mr. Sparnon presented two resolutions for extended leave of absences, as reported on Executive Session.

Res: #15-154 Ext. Official Leave of Absence w/o pay for Kenneth Lambert						
Commissioner	1 st	2 nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						x
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ		x	x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

#15-154 RESOLUTION RE: AUTHORIZATION TO EXTEND "OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR PERSONAL ILLNESS, FOR ADDITIONAL 90-DAY PERIOD" FOR KENNETH LAMBERT, SW OPERATOR I

Res: #15-155 Ext. Official Leave of Absence w/o pay for Michael Sheppard						
Commissioner	1 st	2 nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						x
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ	x		x			
ANDREA COCULA		x	x			
KARL MEYER			x			
JOHN DRAKE			x			

#15-155 RESOLUTION RE: AUTHORIZATION TO EXTEND "OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR PERSONAL ILLNESS, FOR ADDITIONAL 90-DAY PERIOD" FOR MICHAEL SHEPPARD, SOLID WASTE SITE ATTENDANT

Administrator's Report

Mr. Hatzelis reported that the Personnel Committee has recommended applicant Edward Lyon for appointment to the Solid Waste Enforcement Officer position. His employment is pending passing physical and no pension issues. Discussions were held in Executive Session.

Res: #15-156 Hiring of Ed Lyon to the Position of SW Enforcement Officer						
Commissioner	1 st	2 nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						x
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ	x		x			
ANDREA COCULA		x	x			
KARL MEYER			x			
JOHN DRAKE			x			

#15-156 RESOLUTION RE: APPOINTMENT OF SOLID WASTE ENFORCEMENT OFFICER, EDWARD A. LYON

8. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Agenda (FCA). Commissioner Madsen inquired about the vehicle purchase on the FCA, it was noted that the vehicle will be used for the SW Enforcement Program.

Res: #15-157 - Financial Consent Agenda						
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			

#15-157 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

Chairman Petillo opened the meeting to public comment, being no public, he closed the meeting to public comment.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioner Cocula moved to give John Sowden an excused absence, seconded by Commissioner Drake. On voice vote, Ayes (6); Nays (0), the motion passed.

Commissioner Dietz asked Mr. Sparnon if he has any issues with staffing with the leave of absences and he noted that he is getting by and a new operator will be starting next week. Commissioner Madsen thanked the Personnel Committee for their work with hiring the Enforcement Officer and all were glad to finally see the Enforcement Program started.

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 5:00 p.m.

Respectfully submitted,

Andrea Cocula, Secretary