

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON APRIL 18, 2012 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

1. CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

The Chairman called the meeting to order at 3:03 p.m.

The following were present: Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, Attorneys Giacobbe and Prol, Wastewater Engineer John Vena and Recording Secretary Kronski

2. PUBLIC STATEMENT

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

4. AGENDA APPROVAL

Chairman Petillo requested a motion for approval of the Agenda. Commissioner O'Halloran moved the approval of the Agenda. Vice Chairman Sowden seconded. On voice vote (7) Ayes, (0) Nays, 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 O'Halloran. No discussion necessary. On voice vote (7) Ayes, (0) Nays, the motion carried.

6. MINUTES

Chairman requested a motion to approve the distribution of the April 4, 2012 Pending Action Summary Sheet which was submitted to the Freeholder Board on April 5, 2012. Commissioner Dietz moved to approve the April 4, 2012 Pending Action Summary Sheet, seconded by Commissioner Cocula. On roll call the vote was as follows: Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, and O'Halloran, Nays (0), Abstain (1) Commissioner Meyer due to absence at that meeting. The motion carried.

Chairman Petillo asked for a motion to approve the Regular & Closed Meeting Minutes of March 7, 2012. Commissioner Dietz motion to approve the minutes, seconded by Vice Chairman Sowden. No

Following resolution authorizing a Closed Executive Session seconded by Commissioner Madsen. On voice vote (7) Ayes, (0) Nays, the motion carried.

#12-074 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:03 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Vice Chairman Sowden. On voice vote, the motion passed. Chairman Petillo called a short recess.

The Open Session was reconvened at 4:15 p.m. Chairman Petillo indicated that in Closed Executive Session items discussed as specifically set forth in the resolution were negotiations and/or litigations re: Grinnell Family of Companies; Frankford-Branchville Wastewater Project/Value Engineering RFPs; Landfill Air Permit/Common Control; Solid Waste Enforcement Matter and Personnel Item. When the need for confidentiality of these matters no longer exists they will be opened to the public.

b. Wastewater Program

Superintendent's Report

Mr. Nugent reported on the NJWEA Training Seminar which was requested to be sponsored by the SCMUA Wastewater Facility. He reported that the seminar is scheduled to be held at the Public Safety Academy in Frankford Township for water and wastewater operators to log in mandatory training hours. Commissioner Cocula moved to authorize the Authority to sponsor this event, seconded by Commissioner O'Halloran. On voice vote Ayes (7), Nays (0), the motion passed.

Mr. Nugent indicated that the Primary Clarifier and the Gravity Thickener need to be repaired/painted. Mr. Vena reported on his inspection of the tanks and stated he would like to do a cost comparison on the longevity of sandblasting/repainting vs. replacing all the metals with fiberglass. Also, Birdsall will provide a construction cost estimate to do all metals on all tanks under one contract. Birdsall is authorized to perform a cost analysis and to prepare a construction cost estimate to replace all metals with the fiberglass at a cost of \$3,500, this information will help the Commissioners make decision moving forward.

Chief Engineer's Report

Mr. Varro reported that he has a draft resolution to award the Paulinskill Project Value Engineering Study to Omni Environmental for an amount not-to-exceed \$72,000 contingent upon an acceptable Professional Services Agreement by SCMUA Staff and Counsel. Commissioner Meyer moved the draft resolution, seconded by Commissioner Cocula. On roll call the vote was as follows: Ayes (6) Commissioners Madsen, Sowden, Petillo, Cocula, Meyer and O'Halloran, Nays (1) Commissioner Dietz. (0) Abstain. The Resolution passed.

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12-075 RESOLUTION RE: AWARDING SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY PAULINSKILL PROJECT VALUE ENGINEERING STUDY TO OMNI ENVIRONMENTAL CORPORATION

Administrator's Report

Mr. Hatzelis gave an update on the refunding of the Wastewater Series F and Series G Bonds which has been approved by the Local Finance Board. He presented a resolution for Commissioners consideration that would allow the estoppels period to start and the refunding process moving. When the ideal market conditions occur, SCMUA Professionals will move toward with the refunding. Commissioner Cocula moved the resolution as presented, seconded by Commissioner O'Halloran. On roll call the vote was as follows: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Nays (0) Abstain (0). The Resolution passed.

#12-076 RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE ISSUANCE OF WASTEWATER FACILITIES REVENUE REFUNDING BONDS, SERIES 2012

c. Solid Waste Program

Superintendent's Report

Mr. Sparnon reported on Contract #11-02 for the Deliver and Furnish of Cover Material with Eastern Concrete. He stated that the Solid Waste Facility is still in need of the material, and Eastern Concrete has agreed to hold the price of \$3.99/ton. Commissioner Cocula moved to extend the original contract for an additional 20% for a not to exceed amount of \$24,000. Commissioner Dietz seconded. On roll call the vote was as follows: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Nays (0) Abstain (0). The motion passed.

Mr. Sparnon reported that he has received requests from Hampton Township; Sandyston Township; and Andover Borough to enter into a Shared Services Agreement for Certified Recycling Professional Services with the Authority. He indicated he has received agreements and resolutions from each Township. He presented 3 resolutions for each agreement and Vice Chairman Sowden moved the 3 resolutions to execute Shared Services Agreements for CRP Services. Commissioner Cocula seconded. On roll call the vote was as follows: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Nays (0), Abstain (0). The resolutions were approved.

#12-077 SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH HAMPTON TOWNSHIP FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE

Mr. Sparnon reported on the Replacement of a Landfill Dozer and Loader for the Solid Waste Facility. He indicated that both pieces of equipment have over 20,000 hours and the new dozer can be used post landfill closure. He indicated that the Construction Review Committee suggested at a previous meeting downsizing the dozer and bidding both pieces together as a package bid to perhaps get a discount from vendors. Commissioners discussed the pricing of downsizing the dozer and how to develop specifications. All agree to have bid package prepared with equal or better specifications for both pieces of equipment. Vice Chairman Sowden motioned to prepare bid specifications and advertise for bids for both the Dozer and Loader, seconded by Commissioner Cocula. On voice vote (7) Ayes, (0) Nays, the motion carried.

Mr. Sparnon reminded the Commissioners that the Solid Waste Facility will be celebrating Earth/Energy Day tomorrow, April 19th from 10a – 2p. Local schools will be attending and was organized by the WRWMG and Ms. Casapulla, Recycling Coordinator.

Chief Engineer's Report

Mr. Varro indicated that he has a resolution, as discussed in Executive Session, to award Contract 443B, including Options #1 & #2 to Ferraro Construction Corp. Commissioner Cocula moved the resolution to award to Ferraro Construction Corp., seconded by Commissioner Dietz. On roll call the vote was as follows: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Nays (0), Abstain (0). The resolution was approved.

#12-080 RESOLUTION RE: AWARDING SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY CONTRACT NO. 443B FOR CONSTRUCTION OF THE LANDFILL GAS SYSTEM PHASE 3A TO FERRARO CONSTRUCTION CORP. (INCLUDING OPTIONS #1 & #2)

d. General Authority Business

Administrator's Report

Mr. Hatzelis reported that the 2011 Audit was emailed to the Commissioners. He indicated that Mr. Paul Cuva will attend a meeting in the near future to review and answer any questions. There were no issues or recommendations, the Closure/Post Closure Care Fund shortfall is concern, but a plan is in place to replenish this reserve.

Administrator Hatzelis reported on the appointment of a Risk Manager, in which the only RFP was received by The Morville Agency. He presented a resolution to appoint the Morville Agency as the Authority's Risk Management Consultant for 2012 as required by the Statewide Insurance Fund. The Resolution also authorized execution of agreement thereof. Commissioner Cocula moved the resolution, seconded by Commissioner O'Halloran. On roll call the vote was as follows: Ayes (7) Commissioners

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Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Nays (0), Abstain (0). The resolution was approved.

#12-081 RESOLUTION RE: APPOINTING RISK MANAGEMENT CONSULTANT – 2012

e. Personnel Matters

Superintendent's Report

Mr. Sparnon asked for a motion to hire 4 Summer Seasonal Employees, as discussed in Executive Session. Vice Chairman Sowden moved the hiring of those recommended by Mr. Sparnon, Commissioner Dietz seconded. On roll call the Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Nays (0), Abstain (0). The motion was approved.

Administrator's Report

Mr. Hatzelis provided a notice of award to Wastewater Superintendent John Nugent from the New Jersey Water Environmental Association and the Water Environmental Federation for his achievements and efforts in the wastewater industry. Mr. Nugent was nominated by the New Jersey Chapter to receive the WEF William D. Hatfield Award, which is a National Award.

8. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Resolution and Supplement for payment to The Hays Group, minus the PO# 66307 under Solid Waste Item E. Commissioner Cocula moved the approval of bill paying resolution and supplement, seconded by Commissioner Dietz. No discussions or comments. On roll call, the vote was as follows: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Nays (0), Abstain (0). The resolution passed.

#12-082 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA AND SUPPLEMENT AS AMENDED

Chairman requested a motion to approve Solid Waste Operating Fund Section E, PO#66307 for overtime portion of payroll. Commissioner Dietz, seconded by Commissioner Madsen. On roll call the Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Meyer and O'Halloran, Nay (1) Commissioner Cocula, Abstain (0). The motion was approved.

9. OPEN TO PUBLIC COMMENT

The Chairman opened the meeting to Public Comment, no public comment. The Chairman closed the meeting to public comment.

Respectfully submitted,

Andrea Cocula, Secretary