

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON AUGUST 18, 2021 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 3:03 p.m.

The following were present: Chairman Meyer, Vice Chairman Drake, Commissioners Petillo, Madsen, Cocula, Dietz, Finkeldie, Dabinett, Executive Director Thomas Varro, Chief Engineer Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Morris, Wastewater Superintendent Timothy Phillips, General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: Commissioner Wesley

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Meyer 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 Meyer opened the meeting to public comment. No public in attendance. Chairman Meyer closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Meyer asked for a motion to approve the Final Agenda. Commissioner Drake moved the Agenda, seconded by Commissioner Cocula. On voice vote: Ayes (8); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Madsen moved the approval of the Consent Agenda, seconded by Commissioner Dietz. No discussions requested. On voice vote: Ayes (8); Nays (0). The motion carried.

6. MINUTES

Chairman Meyer requested a motion to approve/acknowledge the email distribution of the August 4, 2021 Pending Action Summary Sheets (PASS) to the Sussex County Commissioners Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Drake motioned to approve, seconded by Commissioner Madsen. On roll call: Ayes (7) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Dabinett; Nays (0); Abstain (1) Commissioner Finkeldie The motion passed.

There are no meeting minutes up for approval at this meeting.

The Open and Closed meeting minutes for the July 7, 2021 Authority Meeting have been distributed for Commissioners' review.

7. BUSINESS

a. Executive Session

At 3:05 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion was seconded by Commissioner Drake. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Meyer noted the Closed Session should be approximately 30 minutes and discussions shall include: Vernon Township/VTMUA Litigation, Stage 2 Landfill Expansion Project #551 and Leachate Pump Station/Force Main Project #446, and Personnel Matters.

#21-161 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:40 p.m. Commissioner Drake moved to adjourn the Closed Session, seconded by Commissioner Finkeldie. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Meyer confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Vernon Township/VTMUA Litigation, Stage 2 Landfill Expansion Project #551 and Leachate Pump Station/Force Main Project #446, and Personnel Matters. When the need for confidentiality of these matters no longer exists, they will be opened to the public.

b. Wastewater Program

Chief Engineer’s Report

Mr. Sesto reported on proposals received through the New Jersey Co-ops for necessary upgrades to the Upper Walkkill Plant including stormwater and Septage Receiving Area improvements, lighting, electrical, and pump upgrades, etc. The lowest qualified proposal was from Municipal Maintenance Co. for a total amount of \$250,448.00. Commissioner Madsen moved resolution to award contract to Municipal Maintenance Co., seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Dabinett. The resolution passed.

#21-162 RESOLUTION RE: AUTHORIZING THE AWARD OF CONTRACT AGREEMENT #458 BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND MUNICIPAL MAINTENANCE CO., FOR THE UPPER WALLKILL SEPTAGE RECEIVING AND STORMWATER IMPROVEMENTS

Mr. Sesto reported on the emergency need for utility pole replacement at the Upper Walkkill Facility, due to a recent lightning strike and the overall declining condition of the existing poles. Five of the poles in the worst condition were chosen for replacement this year, with a schedule to be developed for future years for pole replacements. Proposals were requested, and High Point Electric was determined to be the most cost effective for the Authority’s needs. Commissioner Cocula moved to award contract to High Point Electric for necessary emergency repairs for a total of \$29,970.00, Commissioner Dietz seconded. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Dabinett. The resolution passed.

#21-163 RESOLUTION RE: AUTHORIZING THE EMERGENCY AWARD OF A CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND HIGH POINT ELECTRIC INC. FOR REPLACEMENT OF FIVE (5) UTILITY POLES AND REPLACEMENT OF THREE (3) LIGHTNING ARRESTERS AT THE UPPER WALLKILL WATER RECLAMATION FACILITY

Comptroller's Report

Mr. Day reported that Sludge, Septage and Hauled Sewage revenues are up 72% overall for all three categories from December 2020 through July 2021, compared to the same time period from last year. Connection fees continue to come in and are at \$363,494.00, which are significantly over estimates for FY2021.

c. Solid Waste Program

Superintendent's Report

Mr. Morris reported on correspondence received from the NJDEP regarding the SCMUA's hazardous waste collection tonnage. The NJDEP indicated the SCMUA can no longer accept Household Hazardous Waste from Municipalities and Schools. They instructed that they will be able to participate only if they obtain an A901 license or register as a small quantity generator. Mr. Morris is coordinating with Recycling Coordinator Dawn Latincics to contact the schools and municipalities and make them aware of the updated requirements.

Executive Director's Report

Mr. Varro reported on the recent Bond Closing for the Landfill Expansion Project. \$5,963,653.50 wired from RBC to US Bank for utilization for funding for Project. As part of the funding process, a resolution was prepared by Bond Counsel to confirm acknowledgement of the positive findings from the Local Finance Board resolution from February 10, 2021. Commissioner Drake moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Dabinett. The resolution passed and signed by all members in attendance.

#21-164 RESOLUTION RE: THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY ("THE AUTHORITY"), IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, ACKNOWLEDGING THE REVIEW AND POSITIVE FINDINGS CONTAINED IN THE LOCAL FINANCE BOARD RESOLUTION DATED FEBRUARY 10, 2021 IN CONNECTION WITH THE AUTHORITY'S ISSUANCE OF NOT EXCEEDING \$39,000,000 SOLID WASTE REVENUE BONDS (LANDFILL EXPANSION PROJECT)

Chief Engineer's Report

Chief Engineer Sesto reported that in conjunction with the Leachate Force Main Project a chemical building shall be installed, including an emergency wash area. Mr. Sesto indicated that a propane tank is required at this site, and Suburban Propane submitted a quote of \$486.75 to install/startup the tank, with an additional rental fee of \$5.00 per month. Commissioner Cocula moved the resolution to authorize the execution of the contract with Suburban Propane, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Dabinett. The resolution passed.

#21-165 RESOLUTION RE: AUTHORIZATION TO EXECUTE CONTRACT AND RELATED DOCUMENTS WITH SUBURBAN PROPANE

Mr. Sesto reviewed the resolution to approve Change Orders to Contract #446 for the Leachate Pump Station/Force Main Project, which have been reviewed/approved by SCMUA staff and Construction Review Committee as necessary and reasonable for project completion. The Treasurer has certified the available project funds, and the total contract price increased from \$5,929,539.83, to \$6,487,474.30. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Dabinett; Nays (0). The resolution passed.

#21-166 RESOLUTION RE: AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE CHANGE ORDERS TO SCMUA CONTRACT NO. 446, TOMCO CONSTRUCTION INC.

Mr. Sesto reviewed a resolution to approve Change Orders for the Stage 2 Landfill Project, including road millings, compost area modifications, and temporary road plate installation. The SCMUA Staff, Consulting Engineer, and Construction Review Committee approve them to be necessary and price to be reasonable. The total for these Change Orders is \$68,390.25. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Dabinett; Nays (0). The resolution passed.

#21-167 RESOLUTION RE: AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE CHANGE ORDERS TO SCMUA CONTRACT NO. 551, TOMCO CONSTRUCTION INC.

Mr. Sesto reported on the Leachate Pump Station/Force Main Project (#446) and Route 94 work is complete. He also indicated that the sandblasting of the concrete tank is almost complete, work is being done on the easement at the back of the landfill. Blasting permits are complete and the process will begin Tuesday.

Mr. Sesto reported on the progress of the Stage 2 Landfill Expansion Project (#551). Continued excavation and processing of material for cell 6B, and 12 hour work days have begun, and have advanced the compost area. Currently working to stabilize the side slopes of the compost area.

d. General Authority Business

Executive Director's Report

Executive Director Varro presented a Declaration of Appreciation, in conjunction with the Authority's 50th Anniversary, to recognize Peter F. Cerenzio. Mr. Cerenzio was the first Executive Director of the Authority and was an integral part in establishing and overseeing the design, construction and operation of the Upper Walkkill Facility, Hampton Commons and Paulinskill Sewer Service Area. He also, along with the SCMUA, assumed the responsibilities of Countywide Solid Waste Management, which included the construction of the County's Solid Waste Sanitary Landfill, Recycling Facilities, etc. The declaration thanks Mr. Peter F. Cerenzio for his decades of service to the SCMUA and to the citizens of Sussex County.

Commissioner Dabinett moved the resolution, seconded by Commissioner Cocula. On voice vote: Ayes (8); Nays (0); Abstain (0). The resolution passed.

#21-168 RESOLUTION RE: DECLARATION OF APPRECIATION TO PETER F. CERENZIO

Comptroller’s Report

Mr. Day reported on the necessary budget line item transfers for the U.W. Facility’s FY2021 Budget, including the Franklin pump station upgrades/utility pole installation. A resolution was prepared for Commissioners to approve the budgetary reallocations, the total overall budget amount does not change. Commissioner Drake moved the budget amendment resolution, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Dabinett. The resolution passed.

#21-169 RESOLUTION RE: AMENDING THE SCMUA’S FY2021 UPPER WALLKILL FACILITIES BUDGET

Mr. Day reported on the necessary budget line items transfers for the Solid Waste Facility’s FY2021 Budget due to revised project priorities. A resolution was prepared for Commissioners to approve the budgetary reallocations, the total overall budget amount does not change. Commissioner Dabinett moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Dabinett. The resolution passed.

#21-170 RESOLUTION RE: AMENDING THE SCMUA’S FY2021 UPPER WALLKILL FACILITIES BUDGET

e. Personnel Matters

Solid Waste Superintendent’s Report

Resolution prepared for personnel action was tabled until further information received.

Executive Director’s Report

Mr. Varro presented a resolution as discussed in Closed Executive Session regarding a salary adjustment for Human Resources Director Marguerite Nemeth. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Dabinett. The resolution passed.

#21-171 RESOLUTION RE: SALARY ADJUSTMENT FOR MARGUERITE NEMETH, DIRECTOR OF HUMAN RESOURCES

8. Financial Transactions
 a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Meyer asked for a motion to approve the Financial Consent Agenda (FCA). On roll call:

Res #21-172 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN	X		x			
COCULA			x			
DIETZ			x			
MEYER			x			
DRAKE		x	x			
WESLEY						x
FINKELDIE			x			
DABINETT			x			

#21-172 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Dietz thanked the Board for their formation of Committee to expedite certain decisions regarding the litigation with Vernon Township. Helped to accomplish much in short time period.

Commissioner Cocula moved to give Commissioner Wesley an excused absence, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion passed.

11. ADJOURN

At 4:03 p.m. Commissioner Drake moved to adjourn the meeting, seconded by Commissioner Madsen. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary