

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON AUGUST 21, 2019 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 Drake, Vice Chairman Meyer, Commissioners Madsen, Cocula, Dietz, Perez, Finkeldie, and Dabinett, Administrator John Hatzelis, Executive Director/Chief Engineer Varro, Comptroller Timothy Day, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Angelo Baron, General Counsel Napolitano, Special Counsel Prol, and Recording Secretary Tara Kronski

Absent: Commissioner Petillo

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Drake 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 Drake opened the meeting to public comment. No public present.

4. AGENDA APPROVAL

Chairman Drake asked for a motion to approve the Agenda. Commissioner Perez requested to rename the resolution title re: Special Environmental Counsel from "Non-fair and Open" language to "Alternative Procurement Method Contract". Commissioner Madsen moved Agenda as revised, seconded by Commissioner Dietz. On voice vote: Ayes (8); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

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

6. MINUTES

Chairman Drake requested a motion to approve/acknowledge the email distribution of the August 7, 2019 Pending Action Summary Sheets (PASS) to the County Freeholder Board. Commissioner Perez motioned to approve, seconded by Commissioner Dietz. On voice vote: Ayes (8); Nays (0); Abstain (0); Absent (1) Commissioner Petillo. The motion carried.

Commissioner Cocula moved the approval of the Open and Closed Minutes for the July 17, 2019 Authority Meeting, seconded by Commissioner Finkeldie. On roll call vote: On roll call vote: Ayes (7) Commissioners Madsen, Cocula, Drake, Meyer, Perez, Finkeldie; Nays (0); Abstain (2) Dietz and Dabinett; Absent (1) Petillo. The motion carried.

There were no minutes distributed for this meeting.

7. BUSINESS

a. Executive Session

At 3:04 p.m. Commissioner Dabinett moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Meyer. On voice vote: (8) Ayes, (0) Nays. The motion carried. Chairman Drake noted the Closed Session should be approximately 35 minutes and discussions shall include: Solid Waste Facilities' Security Report, Hardyston Recycling Agreement, Mountain Creek Bankruptcy and Personnel Items.

#19-123 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:00 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Meyer. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Drake confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session included: Solid Waste Facilities' Security Report, Hardyston Recycling Agreement, Mountain Creek Bankruptcy and Personnel Items. 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. Baron reported that the Inflow & Infiltration (I&I) Study of the SCMUA's interceptor in Franklin Borough is complete and there were no unusual findings or issues. Mr. Varro and Mr. Baron will prepare and review the report with Franklin Borough Engineer (M. Vreeland) and shall also consult with him regarding data presentation to Franklin Borough.

Comptroller's Report

Comptroller Tim Day reported on the Septage, Sludge, Hauled Sewage and Connection Fees for the Wastewater Facilities. The report was from December 1st through July 31st and indicated that sludge is currently at 80% of projections for the year; septage is at 79%. Hauled sewage is at 102% of anticipated revenue for the year, and there are 3 more months in 2019 Fiscal Year. Mr. Day also reported that Connection Fees are on point with projections and noted that the Staff Department Heads have been working on the Capital Budgets and a Budget Committee Meeting has been scheduled for September 11th at 1:00 p.m.

c. Solid Waste Program

Executive Director/ Chief Engineer's Report

Mr. Varro reported on the receipt of the Annual Topographic Survey and Report, which was prepared by SCS Engineers. The report measures the ultimate capacity of the landfill, and in-turn the remaining available space. Mr. Varro reviewed the chart he provided to the Commissioners which shows that there is approximately 5.3 years remaining on the active landfill face from the date of survey, December 2018. In order to not disrupt operations/acceptance of waste, the next phase of the landfill should be completed and certified prior to March 2024. He reviewed the timeline to accomplish full certification and, in order to discuss this topic further, a Construction Review Committee is scheduled for September 9th.

d. General Authority Business

Executive Director/Chief Engineer's Report

Mr. Varro referred to Closed Executive session discussions regarding Special Counsel Prol's contract with the Authority for Environmental Counsel Services. A resolution was presented for consideration to Commissioners to authorize an "Alternative Procurement Method" (APM) contract to continue Special Counsel Services with Thomas Prol, who is with a new law firm. Commissioner Cocula moved the authorizing resolution, seconded by Commissioner Perez. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0); Absent (1) Petillo.

#19-124 AUTHORIZING THE AWARD OF AN ALTERNATIVE PROCUREMENT METHOD CONTRACT FOR ENVIRONMENTAL SPECIAL COUNSEL

e. Personnel

Solid Waste Superintendent's Report

Mr. Morris referred to discussions re: resignation of Robert Wagner in Executive Session, and acceptance should be considered in Open Session. Commissioners Cocula moved to accept Mr. Wagner's verbal resignation, seconded by Commissioner Madsen. On voice vote: Ayes (8); Nays (0). The motion carried.

Mr. Morris indicated that a job vacancy was open due to a recent resignation and it was determined after completing an interview and equipment test, applicant Donald Havens is qualified and is hereby recommended to be hired as a Solid Waste Heavy Equipment Operator I. Commissioner Madsen moved the hire resolution for Mr. Havens, seconded by Commissioner Dabinett. On voice vote: Ayes (8); Nays (0); Abstain (0).

#19-125 RESOLUTION RE: APPOINTMENT OF SOLID WASTE HEAVY EQUIPMENT OPERATOR I, DONALD HAVENS

A resolution was prepared to memorialize appointment of Thomas Zappulla from Part-time to Full-time employee by motion at the August 7, 2019 Authority Meeting. The request was imperative to fill the position of a Solid Waste Attendant for staffing needs. Commissioner Cocula moved the resolution for the appointment of Thomas Zappulla, seconded by Commissioner Finkeldie. On voice vote: Ayes (8); Nays (0); Abstain (0).

#19-126 RESOLUTION RE: APPOINTMENT OF FULL TIME SOLID WASTE ATTENDANT, THOMAS ZAPPULLA

8. Payment of Bills

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

| Res #19-127: Financial Consent Agenda | | | | | | |
|---------------------------------------|-----|-----|-----|-----|---------|--------|
| Commissioner | 1st | 2nd | Yea | Nay | Abstain | Absent |
| PETILLO | | | | | | x |
| MADSEN | | | x | | | |
| COCULA | x | | x | | | |
| DIETZ | | | x | | | |
| DRAKE | | | x | | | |
| MEYER | | x | x | | | |
| PEREZ | | | x | | | |
| FINKELDIE | | | x | | | |
| DABINETT | | | x | | | |

#19-127 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Madsen complemented the Staff on the *Waste Advantage Magazine* article and Mr. Varro is in the process of obtaining a proposal to obtain a commemorative plaque for display. Short discussion was held on whether to form a Committee for Security, however the IT committee is handling the video and Department Heads are working with Security Enforcement Officer Lyon. At this point, Commissioners are commenting/suggesting recommendations, if any. Commissioners thanked Recording Secretary Kronski for coming in to attend the meeting during her vacation week.

Commissioner Cocula moved to give Commissioner Petillo an excused absence, seconded by Commissioner Madsen. On voice vote: Ayes (8), Nays (0). The motion carried.

11. ADJOURN

At 4:15 p.m. Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Dabinett. On voice vote: Ayes (8), Nays (0). The motion carried.

Respectfully submitted,

Andrea Cocula, Secretary