

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON DECEMBER 15, 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 3:00 p.m.

The following were present: Chairman Meyer, Vice Chairman Drake, Commissioner Petillo, Madsen, Cocula, Dietz, Finkeldie, Dabinett, Executive Director Thomas Varro, Chief Engineer Joseph Sesto, Comptroller Timothy Day, Solid Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips and Recording Secretary Tara Kronski

Remote attendance: Commissioner Wesley, General Counsel John Napolitano, Special Counsel Thomas Prol

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 comment. Chairman Meyer closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Meyer asked for a motion to approve the Final Agenda.. Commissioner Madsen moved the revised Agenda, seconded by Commissioner Dietz. On voice vote: Ayes (9); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Cocula moved the approval of the Consent Agenda, seconded by Commissioner Drake. No discussions requested. On voice vote: Ayes (9); Nays (0). The motion carried.

6. MINUTES

Chairman Meyer requested a motion to approve/acknowledge the email distribution of the November 24, 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 Dietz. On roll call: Ayes (7) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Dabinett; Nays (0); Abstain (2) Commissioner Wesley and Finkeldie. The motion passed.

Commissioner Dabinett moved the approval of the Open and Closed Meeting Minutes for the October 20, 2021 Authority Meeting, seconded by Commissioner Drake. On voice vote: Ayes (9); Nays (0). The motion carried.

Commissioner Drake moved the approval of the Open and Closed Meeting Minutes for the November 3, 2021 Authority Meeting, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Meyer, Wesley, Finkeldie, Drake, Dabinett; Nays (0); Abstain (1) Commissioner Dietz. The motion passed.

The Open and Closed Minutes for the November 24, 2021 Authority Meeting were emailed to the Commissioners for their review.

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 was seconded by Commissioner Cocula. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Meyer noted the Closed Session should be approximately 30 minutes and discussions shall include: Upper Wallkill NJPDES Permit Litigation and Personnel Matters.

**#22-001** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:23 p.m. Commissioner Madsen moved to adjourn the Closed Session, seconded by Commissioner Drake. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Meyer confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Upper Wallkill NJPDES Permit Litigation and Personnel Matters. 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. Phillips gave a status report on the Hamburg Pump Station Upgrade Project. He reviewed construction done to date and indicated that currently the slide gates are being replaced. Contractor is doing well on project.

**Comptroller's Report**

Mr. Day reported on Upper Wallkill final volumes for Fiscal Year 2021. Septage volumes totaled 120%, which is over the projected budget for FY2021. Sludge was at 104% of projected volumes and revenues, and Hauled Sewage was under projections at 67%. Connection fees were significantly over projected revenues for the fiscal year.

Comptroller Day indicated resolutions were prepared for approval and adoption of the actual annual sewer user charges for Upper Wallkill and Paulinskill wastewater participants for FY2021. A certificate of the charges will be forwarded to participant. Commissioner Cocula moved both resolutions, Commissioner Drake seconded the motion. On roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett. The resolutions passed.

**#22-002** RESOLUTION RE: APPROVAL AND ADOPTION OF CALCULATION OF ACTUAL ANNUAL CHARGES FOR SEWER SERVICE FOR FISCAL YEAR 2021 – UPPER WALLKILL SYSTEM

**#22-003** RESOLUTION RE: APPROVAL AND ADOPTION OF CALCULATION OF ACTUAL ANNUAL CHARGES FOR SEWER SERVICE FOR FISCAL YEAR 2021 – PAULINS KILL BASIN WATER RECLAMATION SYSTEM

c. Solid Waste Program

**Superintendent's Report**

Superintendent Morris reported on an incident at the Recycling Center involved a woman that fell and hit her face on the concrete. She refused medical attention, however she did go for treatment at the hospital. Videotape of the incident was reviewed by Staff, and a resident previously put a carpet roll on the ground, which turned into a trip hazard. Mr. Morris confirmed that the item was not there long timewise for employees to see and move out of the way.

Mr. Morris reported that he received a Notice of Violation from the NJDEP for a previous potential hazardous waste disposal incident, which was subsequently deemed by the SC Health Department and NJDEP as non-hazardous. After Mr. Morris questioned the NOV to the inspector and department head, they agreed the disposal was deemed non-hazardous and rescinded the NOV. A letter was received confirming the NOV was issued in error. Discussions ensued regarding how to discover the hazardous waste before it hits the ground. Staff will follow up on NJDEP clarification on how to find the HHW before discovery.

Mr. Morris prepared a resolution extending Contract #21-01 for services for Household Hazardous Waste Events for 2022. The current contract with MXI allows for a one year extension for #22-01 while retaining the bid price of \$1.39 per pound for HHW disposal. Commissioner Drake moved authorizing resolution, seconded by Commissioner Madsen. On roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#22-004** RESOLUTION RE: AUTHORIZING AWARD FOR SCMUA CONTRACT #22-01 HOUSEHOLD HAZARDOUS WASTE DISPOSAL EVENT(S) TO MAUMEE EXPRESS, INC.

Mr. Morris reported regarding the non-profit organization of Final Salute, which is an honor color guard based in Newton. They assist the SCMUA with flag recycling program. He proposed in lieu of a donation, the SCMUA offer a clothing bin box for collection of funds. There are other non-profits that have been designated clothing bins at the recycling center and are paid \$2,000.00 per year for material collected. Commissioner Dabinett moved that the SCMUA issue one of their clothing bins to the Final Salute Honor Color Guard, based out of Newton, seconded by Commissioner Drake. On roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett. The motion passed.

Mr. Morris reviewed the Christmas Tree Amnesty Program that the Commissioners consider each year for the allowance of one free Christmas Tree per vehicle for disposal. Commissioner Dietz moved to allow one free Christmas tree per vehicle, Commissioner Madsen seconded motion. On roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett. The motion passed.

**Chief Engineer's Report**

Chief Engineer Sesto updated the Commissioners on the construction of the Leachate PS/FM Project (Contract #446). He highlighted milestones in the project timeline, including the tank installation/work, hydro test, electrical and mechanical work in the chemical building. He noted the chemical building work needs to be complete before the hydraulic testing. Weekly meetings continue. Discussions ensued regarding evolving punch-list items and when the start-up can occur.

Mr. Sesto reviewed the status of the Stage 2 Landfill Expansion Project. He reviewed discussions and approvals from NJDEP for the use of aggregate instead of drainage sand on certain slopes to avoid washouts. He noted the necessary weather conditions that are needed/ideal for liner installation, especially the sand layer. No moisture can be present. UV layer also needs to be installed to date. The contractor is beginning to work on the new convenience center and recycling center. ARM engineers will begin to submit a portion of the cell 6b information to the NJDEP to expedite the review time for certification of cell.

### **Comptroller's Report**

Mr. Day reviewed final Solid Waste Revenues and Tonnages for FY2021. He reported that compared to last year, tonnages are up 2.6%, and revenues also were up \$121,000. Strong revenue showing for 2021, although landfill space is also depleting.

#### d. General Authority Business

### **Comptroller's Report**

Mr. Day reported that only a few of SCMUA employees receive a paper paycheck, and in order to reduce payroll costs, and increase productivity, he prepared a resolution to mandate direct deposit. Commissioner Drake moved the authorizing resolution, seconded by Commissioner Madsen. On roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#22-005** RESOLUTION RE: AUTHORIZING SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S MANDATORY DIRECT DEPOSIT PER N.J.S.A.52:14-15(F)(2)(B)

#### e. Personnel

### **Solid Waste Superintendent's Report**

Mr. Morris prepared a resolution for a request for a leave of absence for a Solid Waste Employee, as reported in Executive Closed Session. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Meyer, Drake, Wesley, Finkeldie, Dabinett; Nays (0). The resolution passed.

**#22-006** RESOLUTION RE: REQUEST FOR OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR MEDICAL REASONS FOR A 2 MONTH PERIOD FOR KR8867

### **Executive Director's Report**

Mr. Varro referred to Executive Closes Session discussions regarding a resolution for a request for a leave of absence for an Administrative employee. Commissioner Cocula moved the resolution, seconded by Commissioner Dabinett. On roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Meyer, Drake, Wesley, Finkeldie, Dabinett; Nays (0). The resolution passed.

**#22-007** RESOLUTION RE: REQUEST FOR OFFICIAL LEAVE OF ABSENCE WITH PAY FOR FAMILY MEMBERS ILLNESS FOR A PERIOD OF 3 MONTHS FOR KD3671

Mr. Varro presented a resolution prepared to adopt the 2022 employee personnel policy manual, including salary guide, organizational structure, job descriptions, holiday calendar, etc. He reviewed updates in Executive Session. Commissioner Drake moved the resolution, seconded by Commissioner Cocula. On voice vote: Ayes (9), Nays (0), Abstain (0). The resolution passed.

**#22-008** RESOLUTION RE: ADOPTION OF AMENDED SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY ORGANIZATIONAL STRUCTURE, STAFF POSITION DESCRIPTION, SALARY STRUCTURE AND PERSONNEL AND EMPLOYEE POLICIES (EFFECTIVE JANUARY 1, 2022)

Mr. Varro reviewed a resolution that was prepared for Authority supervisors' salary adjustments for 2022. Discussions were held in Executive Session regarding same. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Perez, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#22-009** RESOLUTION RE: FY2022 SALARY ADJUSTMENTS AND PERSONNEL ACTIONS FOR SCMUA EMPLOYEES – DEPARTMENT HEADS

Mr. Varro prepared a resolution for SCMUA Employee salary adjustments for 2022. Discussions were held in Executive Session regarding same. Commissioner Dietz moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Perez, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#22-010** RESOLUTION RE: FY2022 SALARY ADJUSTMENTS AND PERSONNEL ACTIONS FOR SCMUA EMPLOYEES

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 #22-211 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			X			
MADSEN	X		X			
COCULA			X			
DIETZ		X	X			
DRAKE			X			
MEYER			X			
WESLEY			X			
FINKELDIE			X			
DABINETT			X			

**#22-011** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners wished everyone a Merry Christmas, and Happy Holidays! They thanked SCMUA Staff for working on two large projects this past year. It was a very productive year.

11. ADJOURN

At 4:00 p.m. Commissioner Finkeldie moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary