

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON DECEMBER 19, 2018 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 Madsen, Vice Chairman Drake, Commissioners Perez, Dietz, Cocula, Meyer, and Petillo, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Angelo Baron, General Counsel Napolitano, Special Counsel Prol and Recording Secretary Tara Kronski.

Also in attendance: Nicole Tracy, Esq. from Laddey, Clark & Ryan, LLP (observing the meeting only – with Special Counsel Prol)

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Madsen 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 Madsen opened the meeting to public comment. No comments.

4. AGENDA APPROVAL

Chairman Madsen asked for a motion to approve the Final Agenda. Administrator Hatzelis requested to table Administrator's Report for Wastewater regarding resolution for approval/adoption of Actual Annual Sewer User Charges until the next Authority Meeting. Commissioner Cocula moved the revised Agenda, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Drake moved the approval of the Consent Agenda, seconded by Commissioner Meyer. No discussions requested. On voice vote: Ayes (7); Nays (0). The motion carried.

6. MINUTES

Chairman Madsen requested a motion to approve/acknowledge the email distribution of the December 5, 2018 Pending Action Summary Sheets (PASS) to the County Freeholder Board. Commissioner Perez motioned to approve, seconded by Commissioner Drake. On voice vote: Ayes (6), Nays (0), Abstain (1) Chairman Madsen due to absence at that meeting.

No minutes up for approval or distribution for this meeting.

7. BUSINESS

a. Executive Session

At 3:04 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Meyer. On voice vote: (7) Ayes, (0) Nays, the motion carried. Discussions shall include: Sparta Stop and Shop Sewer Connection Fee, Sussex Shoprite Sewer Connection Fee, Paulinskill Facility Well Repair and Personnel Items.

#19-009 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:44 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Dietz. On voice vote: Ayes (7), Nays (0), Abstain (0). The motion carried.

Chairman Madsen confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session included: Stop and Shop Sewer Connection Fee, Sussex Shoprite Sewer Connection Fee, Paulinskill Facility Well Repair 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 there was another break in the Sussex Borough Force Main in front of Kuiken Lumber on Route 23. He spoke with the Sussex Borough Administrator and DPW to discuss and they made the repairs. Mr. Baron noted this was the 27th recorded break in that Force Main since it was put into service.

Mr. Baron reported that the repairs at the Homestead Sewage Treatment Plant have been completed and anticipates being back on line soon with no issues.

Chief Engineer's Report

Mr. Varro reported on the Construction Review Committee Meeting held before the Authority Meeting and discussions included Mott MacDonald reviewing and interpreting the data received from the NOVA Filter simulation test at the Upper Walkkill Plant, in which only a portion of the data did not meet the bid specifications. Discussions included the O&M for the NOVA Unit, which does not address how often cleaning is recommended. Mott MacDonald will finalize their summary report, which may include a plan of action from NOVA regarding frequent maintenance issues. The Leachate Pump Station Force Main project was discussed which included contact with property owners, and one was unwilling to allow access to the right-of-way through his property. Hatch Mott will go around this property in order to obtain needed boring samples. Mr. Varro reviewed latest on the MSE Berm Channel and indicated that the NJEIT will not cover the cost of this project. Mr. Varro indicated SCMUA staff will initially install some of the grates, and will procure the remainder under a contract to be bid, the road grading will be completed at a later date. Mr. Varro updated the Commissioners on Solid Waste Equipment needs including a few rebuilds and repairs, and additionally the tarp-o-matic will have to be replaced. Also discussed was the future build-out of the Solid Waste Facilities and the option to possibly obtain firms via RFP/RFQ that specialize in future planning strategies.

Mr. Varro reviewed correspondence received on December 14th from CP Engineers notifying the Authority that they will be diverting flow from the Sparta Plaza Plant to the Upper Walkkill Plant by the end of the month. Mr. Varro and Mr. Hatzelis noted this was the first time they were hearing of this "connection" and they have not received the required Treatment Works Approval application for review/endorsement. The connection is an estimated 12,000gpd and the Authority's sewer contract is with Sparta Township. Connection fees shall be assessed with EDU calculations based upon estimates of the diverted flow from the date of connection according to Statute. Discussions continued regarding bypass of Authority notification and direction is to contact Sparta Township Engineer and Town Manager, if no response, forward information to the NJDEP.

Administrator’s Report

Administrator Hatzelis reported that a check was received from Vernon Township for 4th Quarter Sewer User Charges for 2018. At this point, there is \$6,900 in finance charges. Mr. Hatzelis referred to a NJ Herald article and will continue to monitor and report on the Mt. Creek bankruptcy matter.

c. Solid Waste Program

Superintendent’s Report

Mr. Sparnon updated the Commissioners on the Compactor repairs, which have been ongoing. He is using other machinery for operations on the landfill face. Compactor is expected to be back in operation after Jan. 1st.

Mr. Sparnon notified the Commissioners that the Skid Steer Loader was delivered including all components and has been inspected and ready for winter months.

Chief Engineer’s Report

Chief Engineer Varro reported on a recent meeting with Lafayette Township officials and the owner of The Shoppes at Lafayette to address recent odor complaints. Mr. Varro gave them a presentation on the Authority’s process of gas collection and the current gas wells being installed. He reported a record amount of gas collection which means less gas escaping, which should help limit the migration of odors.

d. General Authority Business

Administrator’s Report

Mr. Hatzelis reported that he has received Request for Proposals/Request for Qualifications (RFP/RFQ) in response to the website posting for Auditing Services, General Counsel Services, Special Counsel for Environmental Matters, Financial Advisor/Continuing Disclosure Agent Services and Bond Counsel Services, as well as, Solid Waste Consulting Engineer Services. All are under Staff review and will award at the Reorganization Meeting based on recommendations.

Mr. Hatzelis prepared a resolution based on RFQ/RFP submitted by The Mitchell Agency for Risk Management Services for 2019. An appointment for Risk Management Services is required to be made before January 1st, according to our 3-party agreement with Statewide Insurance.

Res #19-010: Appointment of Risk Management Consultant – 2019						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE		x	x			
TOM MADSEN			x			
WAYNE DIETZ					x	
ANDREA COCULA	x		x			
KARL MEYER			x			
RONALD PETILLO			x			

#19-010 RESOLUTION RE: APPOINTING RISK MANAGEMENT CONSULTANT - 2019

Mr. Hatzelis updated the Commissioners on the progress of the IT Committee. Phone equipment has been ordered and is in the process of being programmed. Mr. Zappa has continued installation of email system and software, as well as, reviewing a strategy for migration of old emails into new system.

e. Personnel Matters

Wastewater Superintendent’s Report

Mr. Baron presented a resolution for consideration, as discussed in Executive Session regarding a Leave of Absence for Dwayne Storey.

Res #19-011: LOA for Dwayne Storey						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE		x	x			
TOM MADSEN			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
RONALD PETILLO			x			

#19-011 RESOLUTION RE: AUTHORIZATION TO EXTEND “OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR A PERSONAL ILLNESS, FOR AN ADDITIONAL 60-DAY PERIOD” FOR DWAYNE STOREY, ASSISTANT MAINTENANCE FOREMAN

Motion: To accept resignation of Mr. Dwayne Storey – March 1, 2019						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE			x			
TOM MADSEN			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER		x	x			
RONALD PETILLO			x			

The Motion passed.

Mr. Hatzelis read aloud a proclamation for Solid Waste Superintendent James Sparnon for his 25 years of dedicated service to the Authority and the Board wished him well on his upcoming retirement on December 28, 2018.

Mr. Hatzelis presented a resolution to approve and adopt the 2019 Personnel Policy manual.

Res #19-012: Adoption of personnel and employee policy manual						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE		x	x			
TOM MADSEN			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
RONALD PETILLO			x			

#19-012 RESOLUTION RE: ADOPTION OF AMENDED SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY ORGANIZATIONAL STRUCTURE, STAFF POSITION AND EMPLOYEE POLICIES (EFFECITVE JANUARY 1, 2019)

Mr. Hatzelis prepared a resolution for the FY2019 salary adjustments, including various promotions for certain SCMUA employees.

Res #19-013: FY2019 Salary Adjustments – Personnel Actions						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE	x		x			
TOM MADSEN			x			
WAYNE DIETZ			x			
ANDREA COCULA		x	x			
KARL MEYER			x			
RONALD PETILLO			x			

#19-013 RESOLUTION RE: FY2019 SALARY ADJUSTMENTS AND PERSONNEL ACTIONS FOR SCMUA EMPLOYEES

A resolution was prepared for the hire of a laboratory assistant, Ms. Christine Mlynaryk to be appointed to the Upper Wallkill Wastewater Facility.

Res #19-014: Appointment of Wastewater Lab Assistant						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE		x	x			
TOM MADSEN			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
RONALD PETILLO			x			

#19-014 RESOLUTION RE: APPOINTMENT OF LABORATORY ASSISTANT FOR THE UPPER WALLKILL WASTEWATER FACILITY, CHRISTINE MLYNARYK

8. Payment of Bills

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

Res #19-015: Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE	x		x			
TOM MADSEN			X			
WAYNE DIETZ		x	x			
ANDREA COCULA			x			
KARL MEYER			x			
RONALD PETILLO			x			

#19-015 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners congratulated Mr. Sparnon on his retirement and thanked him for his service to the Authority. Commissioners wished all a Merry Christmas and Happy Holidays, as well as Happy Birthday to all the December birthdays.

11. ADJOURN

Commissioner Perez moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (7), the motion passed. The meeting was adjourned at 4:33 p.m.

Respectfully submitted,

Andrea Cocula, Secretary