

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON DECEMBER 16, 2020 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

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

The Teleconference Meeting was called to order at 3:00 p.m.

The following were present: Chairman Drake, Commissioners Petillo, Madsen* Finkeldie*, Cocula, Dietz*, Perez*, Finkelide*, Dabinett*, Executive Director/Chief Engineer Varro, Comptroller Timothy Day, Senior Project Engineer Sesto, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Phillips, General Counsel Napolitano*, Special Counsel Prol*, and Recording Secretary Tara Kronski

*Attended the meeting remotely due to State Executive Orders regarding COVID-19.

Absent: Vice Chairman Meyer

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. (Call-in information was noticed prior on website for public participation.)

3. OPEN TO PUBLIC COMMENT

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

4. AGENDA APPROVAL

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

5. APPROVAL OF CONSENT AGENDA

Commissioner Finkeldie moved the approval of the Consent Agenda, seconded by Commissioner Madsen. 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 December 2, 2020 Pending Action Summary Sheets (PASS) to the County Freeholder Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Perez motioned to approve, seconded by Commissioner Dietz. On Roll Call: Ayes (7); Commissioner Petillo, Madsen, Cocula, Dietz, Drake, Perez, Dabinett; Nays (0); Abstain (1) Commissioner Finkeldie. The motion carried.

Commissioner Madsen moved the approval of the Open and Closed Minutes of the October 21, 2020 and November 4, 2020 Authority Meeting. Motion seconded by Commissioner Dietz, on voice vote: Ayes (8); Nays (0). The motion carried.

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 seconded by Commissioner Dietz. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Drake noted the Closed Session should be approximately 40 minutes and discussions shall include: Verizon Cell Tower Lease, UW Sludge Hauling Contract, Landfill Expansion/Infrastructure Relocation Funding, Sussex Borough Sewer Service Agreement, and Personnel Matters.

#21-005 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:40 p.m. Commissioner Finkeldie moved to adjourn the Closed Session, seconded by Commissioner Cocula. 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: Verizon Cell Tower Lease, UW Sludge Hauling Contract, Landfill Expansion/Infrastructure Relocation Funding, Sussex Borough Sewer Service Agreement, and Personnel Matters.

b. Wastewater Program

Superintendent's Report

Mr. Phillips reported that the roof repairs to the Maintenance and Administration buildings have been completed. The new above ground fuel tanks have been installed by Petro Mechanics, the underground tanks have yet to be removed. All wastewater plants are operating with no issues.

Senior Project Engineer's Report

Mr. Sesto referred to Executive Session discussions concerning the current Liquid Waste Hauling Contract. He noted in order to keep up with the Authority's hauling needs with the Paulinskill, Homestead, and Hampton Commons facilities, RFPS were requested from haulers. Russell Reid and Septicare submitted proposals for one year with a not-to-exceed amount of \$44,000. Commissioner Cocula moved the Septicare contract authorization, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#21-006 RESOLUTION RE: AWARD OF CONTRACT NO. 21-09 FOR LIQUID WASTE HAULING AND DISPOSAL – SEPTICARE

Mr. Sesto also prepared the resolution for authorization for Russell Reid contract award. Commissioner Madsen moved the resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#21-007 RESOLUTION RE: AWARD OF CONTRACT NO. 21-09 FOR LIQUID WASTE HAULING AND DISPOSAL – RUSSELL REID

Mr. Sesto reported on the emergency need to haul liquid sludge from the Paulinskill, Homestead, and Hampton Commons facilities to the Passaic Valley Regional Sewerage Authority. Commissioner Cocula moved the emergency resolution for authorization for a contract agreement between SCMUA and Passaic Valley Sewerage Commission, seconded by Commissioner Dietz. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#21-008 RESOLUTION RE: AUTHORIZING THE EMERGENCY AWARD OF A CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND PASSAIC VALLEY SEWERAGE COMMISSION FOR LIQUID SLUDGE DISPOSAL FOR UPPER WALLKILL FACILITY

Mr. Sesto noted that Wastewater Superintendent previously reported on the Underground Storage Tanks/Aboveground Storage Tanks project.

Comptroller's Report

Mr. Day reported that the actual annual wastewater sewer user charges for FY2020 have been prepared and resolutions authorizing the Authority's Chairman to sign and issue certificates to system users. Commissioner Cocula moved the resolutions for Upper Wallkill and Paulinskill Participants, seconded by Commissioner Dietz. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolutions passed.

#21-009 RESOLUTION RE: APPROVAL AND ADOPTION OF CALCULATION OF ACTUAL ANNUAL CHARGES FOR SEWER SERVICE FOR FISCAL YEAR 2020 – UPPER WALLKILL SYSTEM

#21-010 RESOLUTION RE: APPROVAL AND ADOPTION OF CALCULATION OF ACTUAL ANNUAL CHARGES FOR SEWER SERVICE FOR FISCAL YEAR 2020 – PAULINSKILL BASIN WATER RECLAMATION SYSTEM

c. Solid Waste Program

Superintendent's Report

Mr. Morris reported that the Authority was awarded a grant from Statewide Insurance Fund for 2020. The grant is for a total of \$4,381.96 for both solid waste and wastewater. Grant shall be used for safety equipment and further training.

Mr. Morris noted that the Solid Waste Facility has a yearly Christmas Tree Amnesty Program for the free disposal of one free Christmas Tree, per vehicle. Commissioner Dietz moved to authorize the Amnesty Program, seconded by Commissioner Dabinett. On voice vote: Ayes (8); Nays (0); Abstain(0). The motion passed.

Executive Director/Chief Engineer's Report

Mr. Varro summarized the discussions in Executive Session regarding funding for the Landfill Life Extension/Infrastructure Relocation Project. Mr. Varro requested authorization to make application, for a total project not to exceed amount of \$39 million, to the Local Finance Board to request funding for the Landfill Expansion Project, including NJ I-Bank eligible and ineligible project costs. Commissioner Finkeldie moved authorizing resolution to submit funding application to the LFB, seconded

by Commissioner Cocula. On roll call: Ayes (7) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Perez. The resolution passed.

#21-011 RESOLUTION RE: THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6 AND CERTAIN OTHER MATTERS IN CONNECTION WITH ISSUANCE OF NOT EXCEEDING \$39,000,000 SOLID WASTE REVENUE BONDS OR PROJECT NOTES (LANDFILL EXPANSION PROJECT) TO THE NEW JERSEY INFRASTRUCTURE BANK OR BY PUBLIC SALE

Senior Project Engineer's Report

Senior Project Engineer Sesto reported that at the recent progress meeting for the North Berm Project, the contractor noted they are on schedule to meet the project deadline. The NJDEP will need to inspect and certify the final documents/project.

Mr. Sesto indicated that the recent heavy rains revealed additional oil slicks at the SXLE spill site, and they will be expanding their original excavation perimeter. Nine additional samples were taken and results are pending. The project will conclude after approval by SCMUA LSRP consultant.

d. General Authority Business

Executive Director/Chief Engineer's Report

Mr. Varro reviewed the RFPs for 2021 Professional Services which were posted to the SCMUA website and were received on December 15th. Staff will review and provide breakdown of the firms that submitted RFPs. Recommendations to be made for consideration at the 2021 Reorganization Meeting.

Comptroller's Report

Mr. Day reported on the auction for SCMUA Upper Wallkill Equipment, in which the low bidder did not submit payment. It was reposted and the second low bidder received the equipment at a lower price than originally bid.

e. Personal Matters

Solid Waste Superintendent

Mr. Morris read a Declaration of Appreciation for SCMUA Employee Russell Teague for his 30 years of service and counting to the Authority. Commissioner Dabinett moved resolution, seconded by Commissioner Cocula. On voice vote: Ayes (8), Nays (0), Abstain (0). The resolution passed.

#21-012 RESOLUTION RE: DECLARATION OF APPRECIATION TO RUSSELL TEAGUE FOR 30 YEARS OF SERVICE

Mr. Morris referred to a resolution as discussed in Executive Session for a request for an extension for a leave of absence for Solid Waste Employee for personal medical reasons. Commissioner Diez moved the resolution, seconded by Commissioner Madsen. On voice vote: Ayes (8), Nays (0), Abstain (0). The resolution passed.

#21-013 RESOLUTION RE: AUTHORIZATION TO GRANT A 90 DAY "OFFICIAL LEAVE OF ABSENCE FOR A PERSONAL ILLNESS" FOR RF7982

Executive Director/Chief Engineer's Report

Mr. Varro reported on a resolution that was prepared for Authority supervisors' salary adjustments for 2021. Discussions were held in Executive Session. Commissioner Dietz moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolutions passed.

#21-014 RESOLUTION RE: FY2021 SALARY ADJUSTMENTS AND PERSONNEL ACTIONS FOR SCMUA EMPLOYEES

Mr. Varro presented a resolution prepared to adopt the 2021 employee personnel policy manual, including salary guide, organizational structure, job descriptions, etc. Commissioner Dietz moved the resolution, seconded by Commissioner Finkeldie. On voice vote: Ayes (8), Nays (0), Abstain (0). The resolution passed.

#21-015 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, 2021)

Mr. Varro reported that authorization has been received from the State of NJ Records Management Services/Division of Archives and Records Management to dispose of certain SCMUA records that are in conformance with retention schedules. Commissioner Madsen moved the resolution, seconded by Commissioner Dietz. On voice vote: Ayes (8), Nays (0), Abstain (0). The resolution passed.

#21-016 RESOLUTION RE: AUTHORIZING DISPOSAL OF VARIOUS SCMUA RECORDS

8. Financial Transactions

a. Payment of Bills

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

| Res #21-017 Financial Consent Agenda | | | | | | |
|--------------------------------------|-----|-----|-----|-----|---------|--------|
| Commissioner | 1st | 2nd | Yea | Nay | Abstain | Absent |
| PETILLO | | | x | | | |
| MADSEN | | | x | | | |
| COCULA | x | | x | | | |
| DIETZ | | | x | | | |
| DRAKE | | | x | | | |
| MEYER | | | | | | x |
| PEREZ | | | x | | | |
| FINKELDIE | | x | x | | | |
| DABINETT | | | x | | | |

#21-017 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

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

Commissioners wished all a Merry Christmas and Happy Holidays and to stay safe in the continuing pandemic. Also, Commissioners wished Commissioner Meyer a speedy recovery.

11. ADJOURN

At 4:10 p.m. Commissioner Finkeldie moved to adjourn the meeting, seconded by Commissioner Dabinett. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary