

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON SEPTEMBER 7, 2016 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: Commissioners Perez, Petillo, Dietz, Cocula, Meyer and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparron, Wastewater Superintendent John Nugent, Assistant Wastewater Superintendent Angelo Baron, General Counsel Napolitano, Special Counsel Prol and Recording Secretary Kronski.

Absent: Commissioner Madsen

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Petillo 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 Petillo opened the meeting to public comment. No public comment. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda with the recommendation that Executive Session be moved to the back of the Agenda, with pending action may be taken. Commissioner Drake moved the approval of the Agenda as revised, seconded by Commissioner Cocula. On voice vote: Ayes (6); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

The Chairman requested a motion for approval of the Consent Agenda. Commissioner Dietz moved the approval of the Consent Agenda, seconded by Commissioner Drake. No discussions necessary. On voice vote: Ayes (6); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the distribution of the August 3, 2016 Pending Action Summary Sheet (PASS), which was emailed to the Freeholder Board on August 5, 2016.

PASS Report for 8-3-16 transmittal to the Freeholder Board						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ	x		x			
ANDREA COCULA		x	x			
KARL MEYER					x	
JOHN DRAKE			x			

The motion passed.

Chairman Petillo stated that there are no minutes up for approval at this meeting.

Chairman Petillo noted that the Open and Closed Minutes for the July 20, 2016 and August 3, 2016 Authority Meetings have been emailed to the Commissioners for their review.

7. BUSINESS

- a. Executive Session (moved to after #9 Public Comment section of the Agenda)
- b. Wastewater Program

Superintendent’s Report

Mr. Nugent reported on the bid results for Contract #454 for the Upper Wallkill Microscreen Replacement Project. The bids were opened on August 25, 2016 and the lowest responsive and responsible bid was provided by JEV Construction for a price of \$742,000, which was below the Engineer’s Estimate. Staff and Professionals have reviewed the bid documents and have prepared a resolution for award to JEV construction.

Res#16-108: Contract #454 Microscreen Replacement						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#16-108 AWARD OF CONTRACT NO 454 TO JEV CONSTRUCTION, LLC, OF CLINTON, NJ FOR UPPER WALLKILL POLLUTION CONTROL FACILITY MICROSCREEN REPLACEMENT PROJECT

Chief Engineer’s Report

Mr. Varro reported on the history and the status of the Vernon Township VFW Connection Fee. He noted that recently Vernon Township MUA had reclassified the VFW’s EDU classification. The kitchen facility is not used and instead of it being classified as a banquet hall it was now considered an assembly hall. This designation changes the EDU count from 4.5 EDUs to 1.0 EDU. Mr. Varro introduced Vernon VFW representative Robert Constantine who addressed the Board and offered data on VFW Hall use and activities. Commissioners discussed further and made determination to charge 1 EDU connection fee (\$6,068.00) to the Vernon VFW.

Motion to charge Vernon VFW 1 EDU connection fee for WW						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ	x		x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE		x	x			

Motion Passed

Administrator’s Report

Mr. Hatzelis reported documents have been prepared by the Authority’s Bond Counsel for the September 20th USDA loan closing for the Paulinskill Project. The documents have been signed by Authority officials and will be sent back to Bond Counsel tomorrow morning. Mr. Hatzelis presented a resolution prepared by Bond Counsel confirming the Commissioners acknowledgement of the review and positive findings of the Local Finance Board’s resolutions of January 14, 2015 in connection with the project notes/revenue bonds.

Res# 16-109: Acknowledge of LFB findings and review of resolution for Paulinskill Financing						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#16-109 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 RESOLUTIONS DATED JANUARY 14, 2015 IN CONNECTION WITH THE AUTHORITY’S ISSUANCE OF NOT EXCEEDING \$11,273,000 PAULINS KILL BASIN WATER RECLAMATION SYSTEM PROJECT NOTES/REVENUE BONDS AND THE ENTERING INTO OF A SERVICE AGREEMENT IN CONNECTION THEREWITH

c. Solid Waste Program

Superintendent’s Report

Mr. Sparnon presented a resolution authorizing the filing of a spending plan for the 2015 recycling enhancement act tax fund entitlement. A total of \$143,320.00 was received and the prepared plan shall be submitted to the Solid and Hazardous Waste Management Program.

Res#16-110: Auth. To submit spending plan for REA tax fund entitlement						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ		x	x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

#16-110 ENABLING RESOLUTION AUTHORIZING THE FILING OF A SPENDING PLAN FOR A 2015 RECYCLING ENHANCEMENT ACT TAX FUND ENTITLEMENT PURSUANT TO P.L. 2007 C.113 ET SEQ. HEREINAFTER, THE ACT

Mr. Sparnon reported on the truck scale replacement of scale #4 (outbound scale), which was the oldest of the SCMUA scales. Mr. Sparnon reported the scale was delivered and installed and certified by Vendor on September 1st and will be followed up by Weights and Measures for inspection and all SCMUA scales are currently in operation. Mr. Sparnon noted the entire process went very well with no operations issues, total cost was \$45,440.00. Discussions continued regarding age and life of other SCMUA scales; installation of an additional outbound scale and customer volume.

Mr. Sparnon reviewed the Styrofoam Pilot Program and noted that the program is ready to commence and asked the Commissioners for approval to authorize preparation of an agreement between SCMUA and Foamcycle for Styrofoam recycling and marketing.

Motion to approve agreement between SCMUA and Foamcycle						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ		x	x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

The Motion passed.

Chief Engineer’s Report

Chief Engineer Varro reported on a recent proposed NJDEP regulation regarding a change in monitoring of Landfill Emissions of Hydrogen Sulfide. Mr. Varro indicated that this proposal is for all landfills in the State and the NJDEP did an economic analysis for these additional monitoring requirements could be up to \$75,000 to \$500,000 including equipment and monitoring costs. Commissioner and staff are concerned with additional costs and Mr. Varro noted that the New Jersey Chapter of SWANA and the AEA shall pool their resources and try to coordinate to discuss and object to these restrictive and costly monitoring requirements. Commentary shall be provided by SCMUA staff and legal counsel and are due back to the NJDEP by October 12th. Mr. Varro will keep the Commissioners informed of any developments.

Administrator’s Report

Mr. Hatzelis reviewed tonnage data for the period of December 1st – August 31st and indicated that total tonnage is up 5.5% compared to the same time period for 2015. Mr. Hatzelis specifically noted tonnage for ID10 household waste which increased 12.5% since last month, which seems to be directly related to Enforcement Program focus on ID10 packer trucks.

d. General Authority Business

Administrator’s Report

Mr. Hatzelis reported that the SCMUA Staff have been working on the FY2017 Operating and Capital Budgets and shall be distributed to the Commissioners before the next Authority Meeting for review. Discussion ensued to schedule a Budget Committee Meeting to review budgets in detail before the next Authority Meeting at 1:00, meeting was confirmed by Commissioners Drake and Meyer who will notify Budget Committee Chairman Madsen.

Mr. Hatzelis referenced a letter from the Sussex County Safety Training Academy requesting if the Authority had surplus/unusable vehicles to be donated to them for training purposes. Mr. Hatzelis indicated the Solid Waste Facility does have four vehicles that are unserviceable for the Authority and a resolution has been prepared to transfer ownership of four vehicles.

Res# 16-111: donation of unserviceable vehicles						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#16-111 RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY DECLARING CERTAIN PROPERTY AS NO LONGER SERVICEABLE FOR SCMUA USE

8. Payment of Bills

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

Res: #16-112: FCA						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#16-112 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

Mr. Sparnon recommended the removal of PO#74968 for Val-Tek for further investigation of work performed and the final bill shall be revised on the Solid Waste Operating Budget.

Motion: To remove PO#74968 for Val-Tek from the Bill Paying List						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

The motion passed.

9. PUBLIC COMMENT

Chairman Petillo opened the meeting to Public Comment, no comments, Chairman Petillo closed the meeting to Public Comment.

Chairman Petillo called for a meeting break at 3:40 pm Meeting resumed at 3:50 and Chairman asked for a motion to go into Closed Executive Session and noted session should last for approximately 30 -45 minutes with possible actions in Open Session after discussions.

a. Executive Session

At 3:50 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session. Motion seconded by Commissioner Dietz. On voice vote: (6) Ayes, (0) Nays, the motion carried.

#16-113 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:55 p.m. Commissioner Drake moved to adjourn the Closed Session, seconded by Commissioner Cocula. On voice vote: Ayes (6); Nays (0). The motion passed.

Chairman Petillo indicated items discussed as specifically set forth in the resolution authorizing Closed Executive Session were included: Contract PRC-101 Worth & Company; Solid Waste Enforcement Program; RFP/RFQ RE&I Contract Award for Landfill Expansion Project and Personnel Items. When the need for confidentiality of these matters no longer exists they will be opened to the public.

General Business Cont.

After discussions in Executive Session, a resolution was presented appointing Marguerite Nemeth as Administrative Assistant.

Res# 16-113: Appt of M. Nemeth to Admin. Asst.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#16-114 RESOLUTION RE: APPOINTMENT OF ADMINISTRATIVE ASSISTANT, MARGUERITE NEMETH

Mr. Hatzelis also presented a resolution to hire Nicholas Giordano as Solid Waste Site Attendant and to be cross training to cover other positions, as well.

Res# 16-113: Hire of Nicholas Giordano as solid waste attendant						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#16-115 APPOINTMENT OF NICHOLAS GIORDANO AS SOLID WASTE SITE ATTENDANT

Mr. Hatzelis reviewed additional resolution that shall be drafted to be an authorization resolution which shall be memorialized at the next meeting to amend SCMUA personnel policy to reinstate dependent medical benefits for current and new SCMUA employees.

Motion: Authorize resolution to be prepared to amend SCMUA personnel policy to reinstate dependent medical benefits						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

The motion passed.

Mr. Varro requested approval to prepare a RE&I Agreement with Authorize preparation of an RE&I Agreement with Cornerstone, as required by NJEIT; and obtain 3 quotes for Third Party CQA per NJDEP requirements.

Motion to award Cornerstone RE&I Services for Landfill Expansion Project, and to receive quotes for necessary Third Party CQA Services.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
TOM MADSEN						x
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

The Motion Passed.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioner Madsen an excused absence, seconded by Commissioner Meyer. On voice vote: Ayes (6), Nays (0), Abstain (0). The motion passed.

11. ADJOURN

Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Dietz. On voice vote: Ayes (6), the motion passed. The meeting was adjourned at 5:00 p.m.

Respectfully submitted,

Andrea Cocula, Secretary