

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON JANUARY 6, 2021 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, Vice Chairman Meyer\*, Commissioners Petillo, Madsen\*, Cocula, Dietz\*, Perez\*, Finkeldie\*, Dabinett\*, Executive Director Varro, Comptroller Timothy Day, Chief 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.

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. Executive Director Varro requested to add under Closed Session Special Counsel Report update on Care Environmental. Commissioner Dietz, moved the Final Agenda, seconded by Commissioner Finkeldie. On voice vote: Ayes (9); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

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

6. MINUTES

Chairman Drake requested a motion to approve/acknowledge the email distribution of the December 16, 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 (8); Commissioner Petillo, Madsen, Cocula, Dietz, Drake, Perez, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Meyer. The motion carried.

Commissioner Cocula moved the approval of the Open and Closed Minutes of the November 25, 2020 Authority Meeting, seconded by Commissioner Dietz, on voice vote: Ayes (9); Nays (0). The motion carried.

There were no minutes distributed at this meeting for review.

7. BUSINESS

a. Executive Session

At 3:06 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Dabinett. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Drake noted the Closed Session should be approximately 40 minutes and discussions shall include: PFAS Litigation; Care Environmental Update, SXLE Contract Update, Sussex Borough Sewer Service Agreement, and Personnel Matters.

**#21-018** 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 (9), Nays (0). The motion carried.

Chairman Drake confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: PFAS Litigation; Care Environmental Update, SXLE Contract Update, Sussex Borough Sewer Service Agreement, and Personnel Matters.

b. Wastewater Program

**Superintendent's Report**

Mr. Phillips reported on the wet weather on Christmas Eve/Christmas Day and three new Sussex Borough Force Main Pipe Breaks. Two of the breaks occurred by the Public Storage property at the end of the UW driveway on Route 94, within 50 feet of each other. The third was by Dow Tire on Route 23. Sussex Borough began hauling during repairs to keep up with the flows. Mr. Phillips reported that Sussex Borough and Montana Construction made repairs to breaks and replaced 70 feet of force main by Dow Tire and also replaced 130 feet of pipe by the Wantage Town Center. OT was required at the UW Plant to accept loads, there were 217 truckloads for a total of 823,000 gallons from December 24-29.

**Chief Engineer's Report**

Mr. Sesto reviewed the recent emergency hauling that was required due to the approved contractor not being able to provide enough trucking to haul Upper Wallkill liquid sludge since October. The SCMUA subsequently awarded an emergency contract to haul to Russell Reid. On December 23, a letter was sent to current contractor regarding termination for convenience of the hauling contract, with the assistance of General Counsel. Mr. Sesto noted the Authority will need to go out to bid for a new Liquid Sludge Hauling Contract. Commissioner Dabinett moved the authorization to advertise to solicit bidders for the hauling of Liquid Sludge from the Upper Wallkill Facility, seconded by Commissioner Cocula. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The motion passed.

Mr. Sesto gave a status report on the Paulinskill Plant which is running flawlessly with the previous upgrades that were made over the Summer. A minor modification was made to the vacuum pumps, and all is going well for operations. Discussion requested re: reimbursement to the Authority for repairs/modifications made to improve plant operation. Staff and Counsel will prepare a report for Executive Session at a future meeting.

c. Solid Waste Program

**Superintendent's Report**

Mr. Morris reported on positive customer feedback regarding assistance at the Recycling Center. Mr. Morris noted that the seasonal help and recent hires were recognized as being helpful and pleasant to customers.

**Executive Director/Chief Engineer's Report**

Mr. Varro gave status report on the Landfill Life Extension/Infrastructure Relocation Project and indicated that the project is ready for advertisement. Mr. Varro reviewed the project award timeline, with bid award contemplated for the SCMUA Commissioners' Meeting of 2/17/21. Meetings with Authority's financial advisor, auditor and staff have been making progress with application to the Local Finance Board. Project authorization from the County is \$39 million, with \$33 million from I-Bank and \$6 million from LFB. Commissioner Petillo moved to authorize advertisement, seconded by Commissioner Meyer. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Perez. The motion passed.

**Chief Engineer's Report**

Senior Project Engineer Sesto gave a status report on North Berm Project, which is almost complete. During a recent rain event, there was a leak in the secondary liner and Tomco's subcontractor has been making investigations and repairs. Mr. Sesto will report back on this issue.

Mr. Sesto reported that the Bulky Waste Building is in need of repair. RFP were requested from the Authority's contracted engineers, and PS&S submitted a proposal for \$4,700 for bid services and specification preparation. Mr. Sesto requested authorization to advertise for the project, Commissioner Cocula moved to authorize advertisement, seconded by Commissioner Madsen. On voice vote: Ayes (9); Nays (0); Abstain (0). The motion passed.

Commissioner Meyer moved the resolution to award bidding services contract for the Bulky Waste Building Roof Repairs to PS&S for a total of \$4,700. Commissioner Finkeldie seconded motion. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#21-019** RESOLUTION RE: CONTRACT AWARD TO PAULUS, SOKOLOWSKI AND SARTOR (PS&S) FOR BID PHASE SERVICES FOR SCMUA CONTRACT NO. 229 FOR BULKY WASTE / RECYCLING BUILDING ROOF REPAIRS

**Comptroller's Report**

Comptroller Day reported on the Solid Waste Tonnages and Revenues for the first month of the 2021 fiscal year. Compared to December 2020, there is an increase in overall tonnage of 969 tons, equaling an increase in revenue of \$87,000.

e. Personal Matters

**Solid Waste Superintendent’s Report**

Mr. Morris referred to Executive Session discussions regarding a request for an extension of an official leave of absence for WH2486. Commissioner Dietz moved to approve the resolution to grant the extension, seconded by Commissioner Cocula. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#21-020** RESOLUTION RE: AUTHORIZATION TO GRANT AN “ADDITIONAL 30-DAY OFFICIAL LEAVE OF ABSENCE WITHOUT PAY” FOR WH2486

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 #21-021 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN	x		x			
COCULA			x			
DIETZ			x			
DRAKE			x			
MEYER			x			
PEREZ			x			
FINKELDIE		x	x			
DABINETT			x			

**#21-021** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners wished all a Happy New Year and noted appreciation to the SCMUA employees that have worked throughout this troublesome year. Also, Commissioner Meyer thanked all who reached out to him with well wishes.

11. ADJOURN

At 4:15 p.m. Commissioner Dietz moved to adjourn the meeting, seconded by Commissioner Finkeldie. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary