

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON JULY 15, 2015 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 3:16 p.m.

The following were present: Commissioners Sowden, Madsen (via telecom), Petillo, Dietz, Cocula, Meyer and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Spannon, Counsel Giacobbe, Special Counsel Prol, and Recording Secretary Kronski

Absent: Wastewater Superintendent Nugent

Public present: Freeholder Graham; Freeholder Crabb; Solid Waste Engineer Consultant Mark Swyka

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. Freeholder Director Phil Crabb addressed the Board and noted that the Resolution for the Solid Waste Enforcement Agreement will be on the Agenda for the next Freeholder Meeting. He thanked the Board and Staff for taking it on and offered any help necessary in the transition. Mr. Crabb indicated that the County has hired a new engineering firm, the Vanguard Group to explore potential sites for solar installation. He asked the Commissioners for their permission for the Vanguard Group to access the SCMUA properties (i.e. wastewater plants; pump stations and the solid waste facilities) to assess potential sites for solar installation. A list of sites will be forwarded for consideration. Chairman Petillo responded that the NJDEP may, in the future, revise requirements regarding wastewater processes/treatments, which could cause issues if land or areas are not available for use or change. Mr. Petillo also explained that the current landfill expansion project at the solid waste facilities makes it tough to provide land for viable use for solar with the changing regulatory requirements of the NJDEP. He asked Freeholder Crabb to have Vanguard Group send over the list of sites, and the Authority Staff will review and advise of any issues. Mr. Crabb thanked the Board. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Commissioner Drake moved the approval of the Agenda, seconded by Commissioner Meyer. Mr. Hatzelis noted changes for the Wastewater Program, Chief Engineer's report on a Hardship Agreement to be tabled for the next meeting, and be replaced with Sewer Line repair in Sparta Township. Also, he suggested moving Executive Session to the back of the meeting, and indicated motions are anticipated after Executive Session. On voice vote: Ayes (7); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

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

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the June 17, 2015 Pending Action Summary Sheet (PASS), which was emailed to the Clerk of the Freeholder Board on June 18, 2015.

PASS Report for 6-17-15 to Freeholder Board						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ	x		x			
ANDREA COCULA		x	x			
KARL MEYER			x			
JOHN DRAKE			x			

Motion passed.

Chairman Petillo asked for a motion to approve the Open & Closed Minutes from the June 3, 2015 Authority Meeting.

Open and Closed Minutes for 6-3-15 Authority Meeting						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ		X	x			
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE	X		x			

Motion passed.

Chairman Petillo noted the Open and Closed Minutes for the June 17, 2015 Authority Meeting have been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session (moved to the end of the Agenda)

b. Wastewater Program

Chief Engineer's Report

Mr. Varro reported on a sewer line leak at the Sparta Force Main. A small wet spot on West Mountain Road was observed and SCMUA Wastewater staff responded to investigate. Wastewater staff then coordinated with Ferraro Construction to perform a dig and repair. Septicare, Wilson and All County hauled the wastewater that had to be drained and diverted. The Sparta Township Engineer was made aware of SCMUA activities, and Sparta Police Department assisted with road traffic control after dark. Chief Engineer Varro reported the leak was at a joint at two sections of pipe, the pipe itself is in good condition and repair was successful. Pictures of the pipe repair were distributed for review.

Administrator's Report

Mr. Hatzelis reported on the Septage, Sludge and Hauled Sewage Volumes and Revenues. He provided a data sheet comparing actual and projections for revenues. Actual connection fees are over projections for the year to date, a chart was provided showing the municipalities that have recent connection fees. Discussions continued regarding connections to the Wallkill System including status of pending commercial hookups.

Mr. Madsen temporarily left the meeting at 3:25 p.m.

c. Solid Waste Program

Superintendent's Report

Mr. Sparnon reported on the official termination of the Highlands Workshop Program for providing Staffing for the Solid Waste Facilities. He noted correspondence was received from their head office notifying the last day as June 30th. The current staff is absorbing the extra work, and staffing options will be discussed further during Executive Session.

Mr. Sparnon reviewed equipment repair needs including the wheel replacement for back up Compactor and 973 Track Loader is requiring track replacement. He will complete his evaluation of the equipment and provide a formal recommendation at the next Authority Meeting.

Chief Engineer's Report

Mr. Varro reported on a meeting held with various branches of the NJDEP on the Landfill Extension Project, and noted discussion included wetlands and transition area issues in relation to the minor modification to the existing permit. Procedure to be followed will be an application submitted for minor modification. Mr. Varro also reviewed complications of the proposed wildlife mitigation area land swap and noted that the West side berm will now be a revised design by Cornerstone. Mr. Mark Swyka reviewed the wetlands area and the proposed modification, which will be submitted to the NJDEP as a minor revision. He noted the changed boundary lines that will exclude the deeded wildlife mitigation area and also reviewed the stages to completion. Six stages were reviewed and discussed what would be affected by modification with the end result in an expected landfill life extension of 42 years; the current revised submittal will provide an additional 5 years of landfill life. Mr. Varro reported on the funding eligibility with the New Jersey Environmental Infrastructure Trust program. Tom presented a resolution to obtain authorization to submit application to NJEIT for project financing eligibility for the landfill life extension project and the leachate pump station project, which designates himself and John Hatzelis as the contact persons and authorizes them to pursue financing for the projects.

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Commissioner Madsen rejoined the meeting at 3:45 pm

Res # 15-113 - NJEIT application for landfill extension						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	X		x			
KARL MEYER			x			
JOHN DRAKE		X	x			

Motion passed.

#15-113 RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY PARTICIPATION IN THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST PROGRAM

Administrator's Report

Mr. Hatzelis distributed and reviewed recent tonnage data which shows a continued downward trend in overall total tonnage is 5.6% compared to same time period for 2014 (December 1, 2014 – June 30, 2015). Bagged Waste at the Residents' Convenience Center is up at 0.3%, Bulky Waste is down 23% and Construction Debris is down 43%.

Mr. Hatzelis reported on the Solid Waste Enforcement Shared Services Agreement, and the agreement terms of the flow control program to be transferred to the SCMUA. He reviewed program costs and program focus on flow control. The Agreement has been reviewed by both parties and counsels and is agreeable for execution. He presented a resolution for execution thereof by the SCMUA Chairman and Secretary.

Res # 15-114 – Shared Services Agreement with County of Sussex for Establishment of Solid Waste Enforcement Program						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN		x	x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ	x		x			
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE			x			

Motion passed.

#15-114 RESOLUTION RE: AUTHORIZING THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) CHAIRMAN AND SECRETARY TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE COUNTY OF SUSSEX FOR THE ESTABLISHMENT OF A SCMUA SOLID WASTE ENFORCEMENT PROGRAM

e. Personnel Matters

Wastewater Superintendent's Report

Mr. Hatzelis reported on behalf of Wastewater Superintendent Nugent, he presented a resolution for the replacement of a Wastewater Plant Attendant who recently retired. Mr. Nicholas Ruberto was selected out of 60 applicants and has the qualifications required to fill position.

Res # 15-115 – Hire of N. Ruberto as WW Plant Attendant						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	X		x			
KARL MEYER		x	x			
JOHN DRAKE			x			

Motion passed.

#15-115 RESOLUTION RE: APPOINTMENT OF WASTEWATER PLANT ATTENDANT, NICHOLAS RUBERTO

8. Payment of Bills

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

Res: #15-116 - Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN	X		x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE		X	x			

Motion passed.

#15-116 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

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

Chairman Petillo called a meeting recess at 3:51 p.m.

The meeting resumed at 4:03 p.m.

a. Executive Session (moved from beginning of Agenda)

At 4:11 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Drake. On voice vote: (7) Ayes, (0) Nays, the motion carried.

#15-117 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

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At 4:27 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Drake. On voice vote, Ayes (7); Nays (0), the motion passed.

Chairman Petillo indicated that in Closed Executive Session items discussed as specifically set forth in the resolution were personnel items and negotiations and/or litigations re: Landfill Gas to Energy Agreement and Personnel Items (no discussions re: Solid Waste Enforcement). When the need for confidentiality of these matters no longer exists they will be opened to the public.

e. Personnel Matters (cont.)

Solid Waste Superintendent

Superintendent Sparnon presented two resolutions as discussed in Executive Session regarding reassignment of Part time employees to Full time employees to cover staffing needs.

#15-118 Joseph Crabb /#15-119 - Kevin Bannon PT to FT						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN		x	x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

Motion passed.

#15-118 RESOLUTION RE: REASSIGNMENT OF JOSEPH CRABB TO FULL-TIME SOLID WASTE SITE ATTENDANT

#15-119 RESOLUTION RE: REASSIGNMENT OF KEVIN BANNON TO FULL-TIME SOLID WASTE SITE ATTENDANT

Superintendent Sparnon also presented a resolution for a Request for an Official Leave of Absence for personal reason, as discussed in Executive Session.

#15-120 M. Sheppard – LOA for medical reason						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ		x	x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

#15-120 RESOLUTION RE: AUTHORIZING OFFICIAL LEAVE OF ABSENCE FOR PERSONAL REASONS FOR MICHAEL SHEPPARD

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioner Meyer open discussions for regulations and/or restrictions on solar panel disposal, and if/how the Solid Waste Facility will handle them. Counsel Prol reviewed law on hazardous waste, noting that the Facility is restricted from taking this type of waste. He reported that SCMUA is a Subtitle D landfill under the Resource Consideration and Recovery Act, and hazardous waste is not permitted to be disposed of in our Solid Waste Facility. Hazardous waste is only permitted to be disposed of in a Subtitle C landfill or as otherwise allowed by law.

11. ADJOURN

Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Meyer. On voice vote: Ayes (7), the motion passed. The meeting was adjourned at 4:31 p.m.

Respectfully submitted,

Andrea Cocula, Secretary