

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON JULY 7, 2021 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 Meyer, Vice Chairman Drake, Commissioners Petillo, Madsen, Cocula, Dietz, Wesley, Dabinett, Executive Director Thomas Varro, Chief Engineer Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Morris, Wastewater Superintendent Timothy Phillips, General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: Commissioner Finkeldie

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Meyer 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 Meyer opened the meeting to public comment. No public in attendance. Chairman Meyer closed the meeting to public comment.

4. AGENDA APPROVAL

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

5. APPROVAL OF CONSENT AGENDA

Commissioner Drake moved the approval of the Consent Agenda, seconded by Commissioner Dietz. No discussions requested. On voice vote: Ayes (8); Nays (0). The motion carried.

6. MINUTES

Chairman Meyer requested a motion to approve/acknowledge the email distribution of the June 16, 2021 Pending Action Summary Sheets (PASS) to the Sussex County Commissioners Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Dabinett motioned to approve, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion carried.

Commissioner Wesley moved the Open and Closed Meeting Minutes for both the May 5, 2021 and the May 16, 2021, seconded by Commissioner Dietz. On voice vote: Ayes (8); Nays (0). The motion carried.

No minutes were distributed at 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 was seconded by Commissioner Dietz. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Meyer noted the Closed Session should be approximately 45 minutes and discussions shall include: Vernon Township/VTMUA Litigation, St. Clare's/Prime Lease Agreement.

**#21-146** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:25 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Drake. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Meyer confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Vernon Township/VTMUA Litigation, and St. Clare's/Prime Lease Agreement.

b. Wastewater Program

**Superintendent's Report**

Mr. Tim Phillips reported that a clarifier weir broke off at the County Homestead Plant, and was repaired by SCMUA staff. The County Division of Facility Management was notified of this recent issue. The SCMUA did reach out to schedule a meeting with the County to further discuss the future of the plant. The County owns the plant, and the SCMUA is the operator. The SCMUA is waiting for a decision from the County on what their Engineer recommends for the aging plant and pump station. Short discussion ensued regarding keeping records on notification timeline to the County of the past and current condition of the plant/pump stations.

**Executive Director's Report**

Mr. Varro reviewed past discussions concerning wastewater loads that contain high levels of grease, oil, and textiles. The Commissioners agreed to hold a public hearing to amend the SCMUA's FY2021 Rate Schedule to address this issue. Mr. Varro reported that a Public Hearing was advertised in The NJ Herald on June 25, 2021 and The Daily Record on June 29, 2021 and scheduled for 2:15 p.m. on July 21, 2021 at the Administration Building. A copy of Amendment #1 was sent to all 24 Sussex County Municipalities and Wastewater Account Holders. No other rate changes have been proposed.

c. Solid Waste Program

**Superintendent's Report**

Mr. Morris reviewed and presented a resolution, as discussed in Executive Session, to authorize execution of a revised Lease Agreement with St. Clare's / Prime Health Care. The date of the lease is retroactive to begin on July 1, 2021 and is for 5 years, the property is located at the SW Facility for EMT use. Commissioner Dietz moved the authorizing resolution, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#21-147** RESOLUTION RE: AUTHORIZING THE CHAIRMAN TO EXECUTE AN EXTENSION OF A LEASE AGREEMENT WITH PRIME HEALTHCARE SERVICES – SAINT CLARE’S LLC

Mr. Morris reported on a customer incident at the Brush Area concerning a mixed load of brush and leave/grass. SCMUA staff advised/instructed the customer that leaves and grass clippings are required to go into a separate area from the brush. It was reported that this particular customer has been notified multiple times regarding separation of leaves/grass from brush. SCMUA staff offered to assist with our equipment to load the leaves/grass back onto his trailer to separate, he refused and left the facility. Discussions ensued regarding operations and situation, and agree to send a letter assessing a fee for Improper Disposal Charge.

**Chief Engineer’s Report**

Chief Engineer Sesto gave status report on the Stage 2 Landfill Expansion Project and noted that Tomco has been expediting Cell 6B and has completed the privacy berm. Discussions continued regarding finding suitable fill for the MSE Berm whether on-site or for purchase, also Commissioners and Staff discussed concern of project schedule. Documentation of communication of concerns regarding the lagging project progression to the Contractor and Engineers have been meticulously recorded.

Mr. Sesto reported on the progression of the Leachate Force Main Project, and indicated that 2300 linear feet of pipeline has been installed. Undocumented rock formations have caused delays and is being addressed. The leachate tank has been emptied and cleaned out. Discussions ensued regarding boring sample frequency.

**Comptroller’s Report**

Mr. Day reported on Tonnages and Revenues from December 1 – June 30, and compared to the same time period from last year, tonnages are up 3.3%, and revenues up approximately \$62,000.

Mr. Day gave an update report on the financing of the Landfill Expansion Project and indicated that \$33 million through the I-Bank, with and additional \$6 million in bonds. Rates are favorable at this time on interest.

Mr. Day reported that the Authority has submitted \$3.04 million in reimbursement requests to the NJDEP. The review/approval process is timely, however the issuance/transfer of funds is lagging by about a month. Short discussion held on getting clarification on date for issuance of the revenue bond from Bond Counsel.

d. General Authority Business

**Executive Director’s Report**

Mr. Varro indicated that registration for the New Jersey League of Municipalities 2021 Conference opens on August 1, 2021, and to please advise Recording Secretary Kronski if any Commissioners would like to attend. A website link shall be provided to the Commissioners for more information on the Conference.

8. Financial Transactions

a. Payment of Bills

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

Res #21-145 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN			x			
COCULA			x			
DIETZ	x		x			
MEYER			x			
DRAKE		x	x			
WESLEY			x			
FINKELDIE						x
DABINETT			x			

**#21-148** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioner Finkeldie an excused absence, seconded by Commissioner Madsen. On voice vote: Ayes (8); Nays (0). The motion passed. Committee Chairman Dietz thanked the Vernon Litigation Ad-Hoc committee for their time today, very informative session.

11. ADJOURN

At 4:05 p.m. Commissioner Madsen moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary