

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 2, 2022 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 Petillo, Vice Chairman Drake, Commissioners Meyer, Madsen, Cocula, Dietz\*, Wesley, Finkeldie, Dabinett, Executive Director Thomas Varro, Chief Engineer Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, General Counsel Napolitano, Special Counsel Prol\*, and Recording Secretary Tara Kronski

\*Attended the meeting remotely.

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 in attendance. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked if there are any changes to the Agenda, Executive Director Varro requested to add Special Counsel Report regarding NJPDES Nitrate Limitation Litigation in Closed Session. Commissioner Cocula moved the revised Final Agenda, seconded by Commissioner Drake. On voice vote: Ayes (9); 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 (9); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the email distribution of the February 16, 2022 Pending Action Summary Sheets (PASS) to the County Commissioners Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Drake motioned to approve, seconded by Commissioner Dabinett. On voice vote: Ayes (9); Nays (0). The motion carried.

There are no minutes for approval or distribution at this meeting.

7. BUSINESS

a. Executive Session

At 3:03 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session. Motion was seconded by Commissioner Madsen. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 60 minutes and discussions shall include: Upper Wallkill Nitrate Permit Limitations Litigation, Sparta Township-White Deer Plaza Connection, Landfill Expansion Project (#551), and Personnel Items.

**#22-083** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:30 p.m. Commissioner Madsen moved to adjourn the Closed Session, seconded by Commissioner Dabinett. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Petillo confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Upper Wallkill Nitrate Permit Limitations Litigation, Sparta Township-White Deer Plaza Connection, Landfill Expansion Project (#551), and Personnel Items

b. Wastewater Program

### **Superintendent's Report**

Superintendent Phillips reported that the electrical and mechanical work is complete on the Hamburg Pump Station Upgrade, and start up is expected on March 14<sup>th</sup>. Mr. Phillips confirmed the contractor did a good job and was a pleasure to work with.

### **Executive Director's Report**

Executive Director Varro reviewed a resolution for the Wallkill River Watershed Management Group for Commissioners to authorize the execution of a partnership agreement with Newton Board of Education for the construction of a porous pavement stormwater management project. Commissioner Dabinett moved the resolution, seconded by Commissioner Meyer. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#22-084** RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PARTNERSHIP AGREEMENT WITH NEWTON HIGH SCHOOL / NEWTON BOARD OF EDUCATION TO ASSIST WITH THE IMPLEMENTATION OF A POROUS PAVER PROJECT IN THE SCHOOL'S COURTYARD AREA

Mr. Varro presented a resolution, as discussed in Executive Session regarding the endorsement of the Treatment Works Approval Application for the White Deer Plaza in Sparta Township to hookup to the Upper Wallkill WWTP. Commissioner Cocula moved the approval resolution, seconded by Commissioner Madsen. On roll call: Ayes (7) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Wesley, Dabinett; Nays (0); Abstain (2) Commissioners Drake, Finkeldie. The resolution passed.

**#22-085** RESOLUTION RE: APPROVAL/ENDORSEMENT OF TWA APPLICATION FOR THE CONSTRUCTION OF WHITE DEER PLAZA WASTEWATER TREATMENT FACILITY CONVERSION AND FORCE MAIN IN SPARTA TOWNSHIP, NEW JERSEY

### **Chief Engineer's Report**

Chief Engineer Sesto reported on the County Homestead Wastewater Treatment Plant, and after reviewing inflow and outflow data with the County. He reported that the County's meter readings were not accurate, and the County will be installing a new meter. Mr. Sesto requested that the County notify him when the installation will take place, in order to observe.

Mr. Sesto reported on an TWA received for SCMUA endorsement for an amendment to the county water quality management plan for a proposed development in Franklin Borough known as Millie's Court for JCM Investors 1012, LLC. He noted the resolution approval is contingent up the public comment period completion which will end on March 8, 2022. Commissioner Drake moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0) Commissioners Drake, Finkeldie. The resolution passed.

**#22-086** RESOLUTION RE: SCMUA CONSENTS TO THE PROPOSED SUSSEX COUNTY WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT FOR JCM INVESTORS 1012 LLC, MUNSONHURST ROAD, BOROUGH OF FRANKLIN

### **Comptroller's Report**

Mr. Day reported on Septage, Sludge and Hauled Sewage data, and through February 28, 2022, Sludge is at 23% under projections, Septage 16% under projections as well. However, Hauled Sewage is 33% above projections, for an overall total of 17%. Connection fees totaled \$152,980.00, which is 76% of anticipated budget.

#### c. Solid Waste Program

### **Superintendent's Report**

Mr. Morris reviewed a resolution for Commissioners' consideration to authorize the submittal of a spending plan to the NJDEP for a 2021 recycling enhancement act tax fund grant. Mr. Morris noted the total grant amount is for \$162,000.00 for implementation of various recycling programs. Commissioner Madsen moved the authorizing resolution, seconded by Commissioner Cocula. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0) Commissioners Drake, Finkeldie. The resolution passed.

**#22-087** RESOLUTION RE: ENABLING RESOLUTION AUTHORIZING THE FILING OF A SPENDING PLAN FOR A 2021 RECYCLING ENHANCEMENT ACT TAX FUND GRANT PURSUANT TO P.L. 2007 C.113 ET SEQ. HEREINAFTER, THE ACT

### **Executive Director's Report**

Mr. Varro reported that the Sussex County Commissioner Board had approved the Authority's request for supplemental funding for the Stage 2 Landfill Expansion Project. The authorized amount was for an additional \$4 million due to project costs, recent inflation, and for differences discovered with site conditions. Mr. Varro confirmed that funds will only be used if needed and, if used, for eligible project work, the NJ I-Bank shall reimburse SCMUA for project expenses.

### **Chief Engineer's Report**

Chief Engineer Sesto reported on the Leachate Pump Station/Force Main Project (#446). The pump station is on automatic operation, and the Contractor and project engineers are reviewing project punch-list and final change orders. Mr. Sesto indicated that he will set up a Construction Review Committee meeting after submittal of above items.

Mr. Sesto gave a status report on the Landfill Expansion Project (#551), and confirmed that Cell 6B is substantially complete, and Consulting Engineers are creating a punch list for that portion of the project.

Discussions ensued regarding the leak testing for the slopes, and if the results are positive, how long before NJDEP can certify the landfill cell. Mr. Sesto will submit request to the NJDEP to expedite review/approval.

Mr. Sesto reported that bids were opened for Solid Waste Lab Services for 2022. All of the sampling and analysis is for the landfill, and the bid received only for analysis/testing of samples, not to collect them. Mr. Sesto indicated that current SCMUA Consulting Engineers, SCS Engineers, collected that samples last year, and will do the same this year.

**Comptroller’s Report**

Mr. Day reported on solid waste tonnages and revenues from December 1, 2021 to February 28, 2022, in which compared to the same time period as last year, tonnage has increased by 1%; Revenues are up \$51,000.

d. General Authority Business

**Comptroller’s Report**

Mr. Day reported that the Authority’s server crashed with faulty drives. Although the Authority does back up to the cloud, the last successful back up was on February 3<sup>rd</sup>. Mr. Day indicated that one of the IT firms that submitted an RFP to the Authority shall be able to get data from February 25<sup>th</sup>. Discussions ensued regarding all SCMUA programs being cloud based, including quick books and Paradigm scale software.

e. Personal Matters

**Solid Waste Superintendent’s Report**

Mr. Morris referred to Executive Session discussion regarding the resignation of part-time employee Owen Brown. Commissioner Drake moved to accept the resignation of Owen Brown, seconded by Commissioner Wesley. On voice vote: Ayes (9); Nays(0); Abstain (0). The motion passed.

8. Financial Transactions

a. Payment of Bills

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

Res #22-088 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN	x		x			
COCULA			x			
DIETZ			x			
DRAKE		x	x			
MEYER			x			
WESLEY			x			
FINKELDIE			x			
DABINETT			x			

**#22-088** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

None.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners thanked the Staff for their work on the Stage 2 Landfill Project for pressing forward to complete and stay on schedule through uncertain times and situations.

11. ADJOURN

At 3:50 p.m. Commissioner Finkeldie moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary