

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 17, 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 Meyer\*, Vice Chairman Drake, Commissioners Petillo, Madsen\*, Cocula, Dietz\*, Wesley\*, Finkeldie\*, Dabinett\*, Executive Director Thomas Varro, Comptroller Timothy Day, Chief Engineer Joseph Sesto, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips\*, General Counsel John Napolitano\*, Special Counsel Thomas Prol\*, and Recording Secretary Tara Kronski

\*Attended the meeting remotely due to State Executive Orders regarding COVID-19.

Vice Chairman Drake chaired the meeting, while Chairman Meyer attended remotely.

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 via newspaper/website re: public participation.

3. OPEN TO PUBLIC COMMENT

Chairman Drake opened the meeting to public comment. One member from the public was present, Andrew Pitsker, Vernon Township attended via teleconference, with no comments at this time. Chairman Drake 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 move the Declaration of Appreciation of Reenee Casapulla to the beginning Agenda. Commissioner Cocula, moved the revised Final Agenda, seconded by Commissioner Dietz. On voice vote: Ayes (9); Nays (0). The motion carried.

Executive Director Varro presented Recycling Coordinator Reenee Casapulla with a Declaration of Appreciation for over 16 years of service to the Authority, and will be retiring effective March 31, 2021. The Commissioners thanked Reenee for her invaluable service to the Authority and wished her luck on her retirement. Ms. Casapulla spoke to the Board to note her appreciation of their support of the many recycling programs implemented over her years at the SCMUA. Commissioner Cocula moved to accept the retirement and resolution of appreciation for Florence (Reenee) Casapulla, seconded by Commissioner Madsen. On voice vote: Ayes (9), Nays (0). The motion carried.

**#21-099** RESOLUTION RE: DECLARATION OF APPRECIATION TO FLORENCE (REENEE) CASAPULLA

5. APPROVAL OF CONSENT AGENDA

Commissioner Cocula 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 March 3, 2021 Pending Action Summary Sheets (PASS) to the County Commissioners Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Madsen motioned to acknowledge, seconded by Commissioner Dietz. On voice vote: Ayes (9); Nays (0). The motion carried.

There were no minutes up for approval at this meeting.

The Open and Closed meeting minutes from the February 3, 2021 and the February 17, 2021 Authority Meetings have been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:10 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 (9), Nays (0). The motion carried.

Chairman Drake noted the Closed Session should be approximately 60 minutes and discussions shall include: Upper Wallkill NJPDES Permit, Care Environmental Litigation, Sussex Borough Meeting request re: Service Contract, SCMUA Contracts #21-10 (WW Lab Services) #21-20 (SW Lab Services, and Personnel Matters.

**#21-100** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:44 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Dietz. 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: Upper Wallkill NJPDES Permit, Care Environmental Litigation, Sussex Borough Meeting request re: Service Contract, SCMUA Contracts #21-10 (WW Lab Services) #21-20 (SW Lab Services, and Personnel Matters.

b. Wastewater Program

**Superintendent's Report**

Mr. Phillips reported on the recent testing samples at the Paulinskill Plant, which initially showed a high result for Nitrogen and Ammonia. Mr. Phillips questioned the results which were not consistent with previous 12 month samples. He requested additional testing be performed and 5 lab tests came back non-detect for Nitrogen and Ammonia. A letter was prepared to the NJDEP notifying them of the lab error and confirming compliance within permit limits.

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

Mr. Varro reported on a Wallkill River Watershed Management Group resolution to authorize an amendment to a grant agreement between SCMUA-WRWGMG and The Nature Conservancy. The Amendment provides additional grant funding in the amount of \$39,480.00 for project activities associated with agricultural and stormwater restoration of the Upper Paulinskill Watershed focus area. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#21-101** RESOLUTION RE: AUTHORIZING AMENDMENT #1 TO GRANT AGREEMENT BETWEEN SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY/ WALLKILL RIVER WATERSHED MANAGEMENT GROUP AND THE NATURE CONSERVANCY FOR PHASE II CONSERVATION PROJECTS IN THE NEW JERSEY HIGHLANDS CLUSTER UPPER PAULINS KILL FOCUS AREA IMPLEMENTATION OF THE UPPER PAULINS KILL WATERSHED RESTORATION PLAN

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

Mr. Sesto noted discussions in Executive Session regarding Contract #21-10 for Laboratory Service proposals for Wastewater Facilities. Liquid Waste Hauling bids. Mr. Sesto presented a resolution to authorize the award of a one year contract to Garden State Labs for field sampling for wastewater facilities with a not-to-exceed amount of \$16,585.00. Commissioner Dabinett moved the award resolution, seconded by Commissioner Cocula. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Finkeldie, Wesley, Dabinett. The resolution passed.

**#21-102** RESOLUTION RE: AUTHORIZING THE AWARD OF A ONE-YEAR CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND GARDEN STATE LABORATORIES, INC. FOR FIELD SAMPLING AND LABORATORY TESTING SERVICES AT WASTEWATER FACILITIES (CONTRACT 21-10)

### **Comptroller's Report**

Comptroller Day reported on the Septage, Sludge and Hauled Sewage Volumes through February 28, 2021. Overall totals are down slightly, Sludge is at 23% of anticipated revenues, Septage is at 17%, and Hauled Sewage 12%. Revenues expected to rebound with warmer weather. Connection Fees are currently at 66% of anticipated revenue, with \$118,692 collected for FY21.

c. Solid Waste Program

### **Superintendent's Report**

Mr. Morris prepared a resolution authorizing the filing of a spending plan for the 2020 recycling enhancement act. The entitlement amount is \$162,000.00 and shall be used to promote and continue recycling programs at the Authority. Commissioner Madsen moved the authorizing resolution, seconded by Commissioner Diet. On roll call: Ayes (9) Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#21-103** RESOLUTION RE: ENABLING RESOLUTION AUTHORIZING THE FILING OF A SPENDING PLAN FOR A 2020 RECYCLING ENHANCEMENT ACT TAX FUND ENTITLEMENT PURSUANT TO P.L. 2007 C.113 ET SEQ. HEREINAFTER, THE ACT

Mr. Morris reported that due to the heavy rain/snow the leachate storage tank level is high, and needs be brought down to a more manageable level. This will require more tanker truck trips to the Upper Wallkill. Mr. Morris wanted to make the Commissioners aware that continued overtime will be necessary in order to reduce the tank level.

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

Mr. Varro reported on the status of the Landfill Stage 2 Expansion Project and the necessary approvals for Note Sale to the I-Bank. A resolution was prepared by the Authority's Bond Counsel to satisfy the issuance and term of the project Note. Commissioner Petillo moved the resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett; Nays(0); Abstain (0). The resolution passed.

**#21-104** RESOLUTION OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY, DETERMINING THE FORM AND OTHER DETAILS OF ONE OR MORE SERIES OF ITS "NOTE RELATING TO THE WATER BANK FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK", TO BE ISSUED IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$39,000,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTES TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTES BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK

The second resolution, prepared by Bond Counsel, authorizes execution of loan agreement documents for the Landfill Stage 2 Expansion Project. Commissioner Petillo moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett; Nays(0); Abstain (0). The resolution passed.

**#21-105** RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE STATE FISCAL YEAR 202[-] NEW JERSEY WATER BANK (OR SUCH OTHER YEARS OF DESIGNATION AT EACH DELIVERY)

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

Mr. Sesto gave a status report on the Stage 2 Landfill Expansion Project, a Notice of Award and all contract related requested documentation was provided to the NJ Infrastructure Bank for review. He stated that I-Bank authorization for contract award should be received by the end of the week.

**Comptroller's Report**

Mr. Day reported on Tonnages and Revenues through the end of February 2021, overall tonnage was down 3.9% compared to last year. However, he indicated March's warm weather should allow for a rebound on tonnage.

d. General Authority Business

**Comptroller's Report**

Comptroller Day reported that Data Systems Tech Shane Zappa has been working to improve the internet backup and software upgrades for the scales since the new system is internet based for transactions.

Mr. Day also indicated that the SCMUA received funding for COVID related expenses, and will continue to apply for grants to obtain further reimbursements.

Mr. Day reported that the Authority received a Safety Award for 2020, which included a \$300 grant from Statewide Insurance Company. Funding to be used for further safety training.

e. Personal Matters

**Solid Waste Superintendent's Report**

Mr. Morris introduced a resolution to hire an Assistant Solid Waste Enforcement Officer, Christopher Goul. Interviews were conducted and Mr. Goul has been recommended as the best qualified candidate. Commissioner Dietz moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett; Nays(0); Abstain (0). The resolution passed.

**#21-106** RESOLUTION RE: APPOINTMENT OF PART TIME ASSISTANT SOLID WASTE ENFORCEMENT OFFICER, CHRISTOPHER GOUL

**Executive Director's Report**

Mr. Varro prepared a resolution for consideration to authorize the utilization of the competitive contracting process to obtain viable candidates for the Specialized Personnel Consulting Services to provide for a Construction Inspector/Expeditor. Commissioner Dietz moved, Commissioners Madsen seconded the motion. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The motion passed.

**#21-107** RESOLUTION RE: AUTHORIZING THE UTILIZATION OF THE COMPETITIVE CONTRACTING PROCESS FOR SPECIALIZED SERVICES

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 #21-108 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN			x			
COCULA			x			
DIETZ		X	x			
DRAKE			x			
MEYER			x			
WESLEY			x			
FINKELDIE	X		x			
DABINETT			x			

**#21-108** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners wished Reenee Casapulla nothing but the best in her retirement years. Also, a few Commissioners requested an analysis of trucking/hauling sludge in house. Commissioners also commented on availability of COVID vaccine to SCMUA Staff, this will be explored after eligibility requirements are expanded.

11. ADJOURN

At 4:24 p.m. Commissioner Madsen moved to adjourn the meeting, seconded by Commissioner Dabinett. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary