

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MAY 20, 2020 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/Chief Engineer Varro, Comptroller Timothy Day*, Senior Project Engineer Sesto, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Angelo Baron*, 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 and P.L. 2020, c.11.

3. OPEN TO PUBLIC COMMENT

Chairman Drake opened the meeting to public comment. No public present. He closed the meeting to public comment. (Call in information was noticed prior on website for public participation)

4. AGENDA APPROVAL

Chairman Drake asked for a motion to approve the Agenda. Mr. Varro indicated that there has been a supplemental bill pay distributed for inclusion with the bill pay list. He also requested to add an incident report to Open Session for Solid Waste Superintendent. Commissioner Dabinett moved the Final Agenda, seconded by Commissioner Dietz. 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 May 6, 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 Meyer. On voice vote: Ayes (9); Nays (0). The motion carried.

Commissioner Meyer motioned to approve the Open and Closed Minutes for the March 18, 2020 Authority Meeting, seconded by Commissioner Madsen. On voice vote: Ayes (9); Nays (0). The motion passed.

Commissioner Meyer moved to approve the Open and Closed Minutes for the April 1, 2020 Authority Meeting, seconded by Commissioner Dabinett. On voice vote: Ayes (7); Nays (0); Abstain (1) Commissioner Finkeldie. Commissioner Dietz(no vote-dropped call during vote).The motion passed.

7. BUSINESS

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a. Executive Session

At 3:07 p.m. Commissioner Dietz moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Madsen. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Drake noted the Closed Session should be approximately 50 minutes and discussions shall include: Sparta Twp. Stop and Shop connection fee litigation, Landfill Gas to Energy Contract Amendment, Landfill Life Extension Generator Design Proposal, and Personnel Items.

#20-109 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:42 p.m. Commissioner Dietz 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 Sparta Twp. Stop and Shop connection fee litigation, Landfill Gas to Energy Contract Amendment, Landfill Life Extension Generator Design Proposal, and Personnel Items.

When the need for confidentiality of these matters no longer exists, they will be opened to the public.

b. Wastewater Program

Superintendent's Report

Superintendent Baron reported that the replacement membranes have been delivered for the Vernon Treatment Plant that serves the Town Center. The SCMUA staff will replace the 10 year old membranes as soon as full staffing schedule is authorized, WW is currently splitting staff shifts due to COVID-19. Mr. Baron noted Kubota did a good job with delivery and unloading.

Senior Project Engineer's Report

Mr. Sesto reported on the Paulinskill Facilities issues with membrane performance deficiencies. He reviewed a May 20, 2020 memo provided reviewing proposals from Microdyn and Koester. Based on reliability, performance, and total installation price, it is recommended that Koester Associates would best resolve the emergency health and safety concern at the facility. Microdyn MBR is a supplier of equipment and their proposal did not include installation. The first resolution is for an award of contract to Koester Associates for \$255,000, and authorizes the Emergency Procurement thereof to install the membranes. Mr. Sesto certified that an emergency situation exists and it is necessary to proceed with procurement and retention of a contractor to complete the purchase and installation of new membrane treatment modules on an emergency basis. Proposal included install, including modifications needed, and a two year warranty. A resolution was prepared for the emergency procurement and installation Commissioner Dietz moved the resolution, seconded by Commissioner Dabinett. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Finkeldie, Dabinett; Nays (0). The resolution passed.

#20-110 RESOLUTION RE: AUTHORIZING THE EMERGENCY AWARD OF A CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND KOESTER ASSOCIATES FOR PURCHASE AND INSTALLATION OF SIX (6) MEMBRANES AT THE PAULINSKILL WATER RECLAMATION FACILITY

A second resolution was prepared by Comptroller Day to amend the Paulinskill Facilities FY2020 Budget to fund the membrane replacement project, including other related SCMUA costs such as trucking waste during construction, etc. Discussion ensued regarding clarification of resolution using a previously budgeted amount of \$40,000 and a total re-budget amount of \$290,000, the total capital cost will be \$330,000. Commissioner Madsen moved the amending resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0). The resolution passed.

#20-111 RESOLUTION RE: AMENDING THE SCMUA'S FY2020 PAULINSKILL FACILITY BUDGET

Mr. Sesto reviewed a WRWMG resolution authorizing the execution of cost sharing agreement totaling \$7,273.37 with Demerest Dairy Farm in Lafayette Township. Grant is to implement best management practices for water quality, with standards and specifications defined and funded by the USDA-NRCS. Commissioner Cocula moved the resolution, seconded by Commissioner Perez. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Dabinett; Nays (0); Abstain (1) Commissioner Finkeldie. The resolution passed.

#20-112 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH JON VAUGHAN, OWNER OF DEMEREST (VAUGHAN) DAIRY FARM IN LAFAYETTE TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABORATION WITH USDA-NRCS APPROVED AND FUNDED BY NJDA STATE-COST SOIL AND WATER CONSERVATION FUNDING PROGRAM

Comptroller's Report

Mr. Day reviewed table for the Septage, Sludge and Hauled Sewage data through the month of April 2020, and numbers are above projected revenues, only hauled sewage is down. Connection fees are steady and on course with projections for the year.

c. Solid Waste Program

Superintendent's Report

Mr. Morris reported that supervisory staff is currently working on a restart schedule/plan for review to get back to full staffing.

Mr. Morris reported on letter sent to SCMUA SW customers that are leaving with tags and not paying for disposal. Enforcement Officer Ed Lyon is proceeding with investigations of non-paying customers and responding to calls/correspondences.

Mr. Morris reported on a possible biohazard dump on the landfill face, which was noticed by the compactor operator. Mr. Morris followed protocol and contacted the County Health Department and NJDEP Hotline. The load was from the Andover Nursing Home and had empty sharps containers mingled with regular waste. The Prosecutors officer responded and a report was prepared. Mr. Morris and Ms. Casapulla will complete the in-house SCMUA incident report and forward to the NJDEP.

Executive Director/Chief Engineer’s Report

Mr. Varro gave a status report, including bid timeline on the North Berm. NJDEP is reviewing final plans and specifications, to be completed by May 27th. Mr. Varro indicated steps to be taken to shorten deadlines for the Landfill Life Extension/Infrastructure Relocation Project including moving final design up a few weeks and request to expedite review period for SCMUA for a quicker turn around. Final design and bid by the end of September. Weekly zoom meetings will be held with NJDEP, ARM Group and SCMUA CRC. Regarding Closed Session discussions, Mr. Varro requested a motion to memorialize prior authorized Landfill Life Extension/Infrastructure Relocation Project approvals for ARM Group, Inc. at \$1,081,641.71, and to be further authorized to include the design of a solid waste emergency generator at a cost of \$14,700. Total approved project engineering design budget is now \$1,096,341.71, which is to be incorporated into their engineering agreement with SCMUA.

Commissioner Cocula moved the authorization for design budget adjustment for ARM Group for SW generator inclusion, seconded by Commissioner Dietz, on roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0). The motion passed.

e. Personnel Matters

Solid Waste Superintendent’s Report

Mr. Morris prepared two resolutions for employees’ requests for Official Leaves of Absence. He reported that SW employee CW0228 has requested an extension for an additional 90 day period, and is currently on approved leave of absence. Commissioner Cocula moved the resolution to extend the LOA for CW0228, seconded by Commissioner Dietz. On roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0). The resolution passed.

#20-113 RESOLUTION RE: AUTHORIZATION TO EXTEND “OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR PERSONAL ILLNESS, FOR AN ADDITIONAL 90 DAY PERIOD” FOR CW0228

A resolution was prepared for solid waste employee TM3244 for a 90-day leave of absence due to personal illness. Commissioner Perez moved the resolution to grant LOA for TM3244, seconded by Commissioner Dietz. On roll call: Ayes (9) Commissioner Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0). The resolution passed.

#20-114 REQUEST FOR OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR MEDICAL REASONS FOR 90 DAY PEIROD FOR TM3244

8. Financial Transactions

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Drake asked for a motion to approve the Financial Consent Agenda (FCA) w/ provided Supplement. On roll call:

Res #20-115 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			

#20-115 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Dietz thanked the CRC and Chairman for their work with the many ongoing construction projects, and on a timely schedule. Commissioners wished all a happy upcoming Memorial Day weekend.

11. ADJOURN

At 4:20 p.m. Commissioner Dabinett moved to adjourn the meeting, seconded by Commissioner Finkeldie. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary