

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MAY 20, 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 3:00 p.m.

The following were present: Commissioners Sowden, Madsen, Petillo, Dietz, Cocula, and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, Counsel Giacobbe, Special Environmental Counsel Thomas Prol, and Recording Secretary Kronski

Absent: Commissioner Meyer

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.

Commissioner Cocula stepped out of the meeting room.

3. OPEN TO PUBLIC COMMENT

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

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Commissioner Madsen moved the approval of the Agenda, seconded by Commissioner Sowden. On voice vote: Ayes (5); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

The Chairman requested a motion for approval of the Consent Agenda. Commissioner Dietz moved the approval of the Consent Agenda, seconded by Commissioner Drake. No discussions. On voice vote: Ayes (5); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the May 6, 2015 Pending Action Summary Sheet (PASS), which was emailed to the Clerk of the Freeholder Board on May 7, 2015.

PASS Report 5-6-15 to Freeholder Board						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN		x	x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA						Out of the room
KARL MEYER						x
JOHN DRAKE	x		x			

Commissioner Cocula re-entered the meeting 3:02pm.

Chairman Petillo asked for a motion to approve the Open & Closed Minutes from the April 1, 2015 Authority Meeting. Commissioner Cocula moved to approve the minutes, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0); Abstain (0). The motion carried.

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Chairman Petillo asked for a motion to approve the Open & Closed Minutes from the April 15, 2015 Authority Meeting. Commissioner Dietz moved to approve the minutes, seconded by Commissioner Madsen. On voice vote: Ayes (6); Nays (0); Abstain (0). The motion carried.

Chairman Petillo noted the Open and Closed Minutes for the May 6, 2015 Authority Meeting have been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:04 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Drake. On voice vote: (6) Ayes, (0) Nays, the motion carried.

#15-100 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:08 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Madsen. On voice vote, Ayes (6); 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; Solid Waste Enforcement Program and Personnel Items. When the need for confidentiality of these matters no longer exists they will be opened to the public.

b. Wastewater Program

Chief Engineer's Report

Mr. Varro reported on the recent NJWEA Conference and he reviewed the highlights of the presentation given by himself and Tim Bradley of Kleinfelder regarding the success of the Value Engineering Study for the Paulinskill Project. He also noted the various vendors that attended, specifically and interesting new composite impellers for pumps. Mr. Nugent added it was a good opportunity to renew valuable wastewater continuing education credits for both operators and professional engineers.

Commissioner Dietz left the meeting room at 3:11 pm

Administrator's Report

Administrator Hatzelis reviewed the Series 2008 Upper Wallkill Facilities Capital Appreciation Bonds. He reported that he and SCMUA Professionals have been discussing the current market in order to refund the bonds for a lower interest rate. He reviewed the maturity date and calculations and potential money saved in the refinance. Discussion ensued regarding county and state approvals and amount to be saved over period of years. Mr. Hatzelis will begin contact with SCMUA professionals to begin preparation of documents for approval and when the market looks favorable, will report back to the Commissioners.

Mr. Hatzelis presented and reviewed a resolution prepared by the Wallkill River Watershed Group for a cost sharing agreement between the Windy Flats Dairy Farm to implement Best Management Practices for water quality improvements. The grants have been approved for reimbursement of up to 95% through the NRCS-USDA Farm Bill Funding Program.

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Res: #15-101 Cost Sharing Agreement NRCS-USDA and Windy Flats						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN		X	x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ						Out of Room
ANDREA COCULA	x		x			
KARL MEYER						x
JOHN DRAKE			x			

#15-101 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH H. WILLIAM SYTSEMA, OWNER/OPERATOR OF WINDY FLATS DIARY FARM IN WANTAGE TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABORATION WITH A USDA-NRCS FARM BILL FUNDING PROGRAM (EQIP)

c. Solid Waste Program

Superintendent's Report

Mr. Sparnon reported that a letter was received from the State indicating that the 2014 Recycling Grant Funding Spending Plan has been approved and check is pending for \$114,000.

Chief Engineer's Report

Mr. Varro updated the Commissioners on the Landfill Extension Permit, and indicated that he provided Mr. Lou Cattuna of Bureau of Land Use Regulation with additional requested information. Cornerstone has continued work regarding property site and total encroachment onto the wetlands mitigation area. Mr. Varro felt when Mr. Cattuna reports back after this review, hopefully it can be fast-tracked through the NJDEP. Discussion continued regarding timeline of permit approvals before the end of 2015.

Administrator's Report

Mr. Hatzelis reported on recent tonnage data received from Cavalier/Grinnell MRF. An updated report was distributed that shows over the last 6.5 months 60% of Cavalier's incoming Construction Debris is reported to be from Sussex County. It is interesting to note, that from 2008-2014 Grinnell reported that only 4.6% of C&D waste was from Sussex County. Cavalier has processed more tonnage from Sussex County during the last 6½ months, than Grinnell processed in the last 6 years.

Mr. Hatzelis reported on the recent Solid Waste Advisory Council meeting of May 12th which included his report on tonnage data and the drop in SCMUA ID13 C&D waste. Mr. Hatzelis noted that 3 municipal resolutions opposing the Cavalier/Grinnell Solid Waste Management Plan Amendment were noted on the Agenda, however there were 4 other municipalities that have also passed similar resolutions, these were provided to Mr. Eric Snyder. The proposed Amendment was not on the Agenda, nor was it discussed.

Commissioner Dietz re-entered the meeting 3:40 pm

Mr. Varro mentioned that a resolution was received from the Sussex County Freeholder Board approving the WQMP Amendment for the leachate pump station for the Solid Waste Facility, which will now be sent to the NJDEP for review.

Mr. Petillo noted that a Construction Review Committee Meeting should be scheduled soon due to the start of the Paulinskill Project. Mr. Varro will coordinate with Committee Chairman Sowden.

d. General Authority Business

Administrator's Report

Mr. Hatzelis reported that the Professional Services Agreement for Bond Counsel was received after revisions were made to structure the agreement to be compliant with the USDA requirements for the Paulinskill closing documents. He presented a resolution authorizing the Agreement with Archer & Greiner, P.C. for Bond Counsel Services.

Res: #15-102 Professional Services Agreement – Archer & Greiner, P.C.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN		x	x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER						x
JOHN DRAKE			x			

#15-102 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN CANTALUPO OF ARCHER & GREINER, P.C. FOR THE FURNISHING OF BOND COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 4, 2015 TO FEBRUARY 3, 2016

e. Personnel Matters

Wastewater Superintendent's Report

Superintendent Nugent informed the Commissioners that he received a notice of retirement from part-time Secretary Denice Murray. Commissioner Cocula moved to accept the retirement notice from Ms. Murray and also to authorize Mr. Nugent to seek her replacement, as well as, a recent maintenance assistant position vacancy.

Motion for D. Murray retirement & fill open positions for Secretary and WW Maintenance Assistant						
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			

Solid Waste Superintendent's Report

Mr. Sparnon reported that in order to offset labor and to cover for summer vacations, he would like to hire a few seasonal employees for the summer months. Discussions ensued regarding Affordable Care Act guidelines for employees and these "seasonal employees" do not qualify for medical coverage. Mr. Sparnon will contact 3 candidates for employment.

Administrator's Report

Mr. Hatzelis presented a Proclamation resolution for the retirement of Jerry Brown after 25 years service as Wastewater Maintenance Assistant.

Res: #15-103 Proclamation for Jerry Brown						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN		x	x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER						x
JOHN DRAKE			x			

#15-103 RESOLUTION RE: PROCLAMATION FOR RETIREMENT OF JERRY BROWN

8. Payment of Bills

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

Res: #15-104 - Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN		x	x			
RON PETILLO			x			
WAYNE DIETZ			x			
ANDREA COCULA			x			
KARL MEYER						X
JOHN DRAKE	x		x			

#15-104 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

No Comments.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners welcomed back Mr. Petillo.

Commissioner Madsen moved to give Commissioner Meyer an excused absence, seconded by Commissioner Cocula. On voice vote: Ayes (6); Nays (0); Abstain (0). The motion passed.

11. ADJOURN

Commissioner Sowden moved to adjourn the meeting, seconded by Commissioner Cocula. On voice vote: Ayes (6), the motion passed. The meeting was adjourned At 3:42 p.m.

Respectfully submitted,

Andrea Cocula
Secretary