

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MAY 5, 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, 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

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

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. Call-in information was noticed prior via newspaper/website re: public participation.

3. OPEN TO PUBLIC COMMENT

Chairman Meyer opened the meeting to public comment. No public on call-in line. Chairman Meyer closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Meyer asked for a motion to approve the Final Agenda. Mr. Varro requested to add Discussions re: SCMUA's 50th Anniversary under General Business Executive Director's Report. Commissioner Madsen moved the Final Agenda, as revised, seconded by Commissioner Drake. 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 Cocula. 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 April 21, 2021 Pending Action Summary Sheets (PASS) to the Sussex County Commissioners Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Madsen motioned to approve, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion carried.

Commissioner Cocula motioned to approve the Open and Closed Meeting Minutes for the March 3, 2021 Authority Meeting. Motion seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion carried.

The Open and Closed Meeting Minutes from the March 17 and April 7, 2021 Authority Meetings were distributed for Commissioners' review/comment.

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 Dabinett. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Meyer noted the Closed Session should be approximately 35 minutes and discussions shall include: Georgia EPD/Care Environmental Matter, SCMUA Contract 21-21, and Personnel Items.

#21-120 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:32 p.m. Commissioner Drake moved to adjourn the Closed Session, seconded by Commissioner Cocula. 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: Georgia EPD/Care Environmental Matter, SCMUA Contract #21-21 and Personnel Items.

b. Wastewater Program

No Report

c. Solid Waste Program

Special Counsel's Report

Special Counsel Prol recommended the adoption of a written resolution, as discussed in Executive Session authorizing execution of a final settlement agreement with Mr. Bassford of Georgia and a consent order with Georgia EPD regarding SCMUA's vendor, Care Environmental, and their disposal of 2010/2011 Household Hazardous Waste together with a settlement payment of \$20,000.00. Commissioner Drake moved the authorizing resolution, seconded by Commissioner Wesley. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Dabinett; Nays(0); Abstain (0). The resolution passed.

#21-121 RESOLUTION RE: AUTHORIZING SETTLEMENT IN LIEU OF LITIGATION AND ENTRY INTO CONSENT ORDER

Superintendent's Report

Mr. Morris reported that a NJDEP surprise inspection was conducted on April 3rd by Mr. Clark, with no issues cited. A written report shall be forthcoming.

Mr. Morris reported on the upcoming events at the Solid Waste Facility during construction. Medical Waste Collection will be moved to the Recycling Center, E-Waste shall be at the Bulky Waste Building. The June 5th Household Hazardous Waste Event is anticipated to be by the Bulky Waste Building.

Chief Engineer's Report

Mr. Sesto gave an overview of the ongoing construction for the Stage 2 Landfill Expansion Project over the past few weeks re: sediment control and vegetative waste removal. This preparation work is for the new cell 6B. Tomco will be focusing on clearing all the wood debris and to rebuild a privacy berm as a buffer to the houses along Route 94 that butt up to the SCMUA Property. Tomco and ARM Group have been very responsive and daily communication/coordination are ongoing with SCMUA Staff.

Mr. Sesto reported on the Leachate Pump Station/Force Main Project in which to date 3 miles of pipeline has been installed. The driller will be conducting work next week to remove a large rock obstruction, the force main alignment was reviewed to may be adjusted to avoid obstruction. Preconstruction meeting was held with Franklin Borough regarding permits, etc. Mr. Sesto noted that it is imperative that SCMUA Staff continues to receive daily updates and ongoing information in order to manage these construction projects.

Chief Engineer Sesto prepared a resolution for submittal of an application to the NJDEP for an amendment to the air permits, and emission control replacements for the Leachate Storage Tank. Discussions ensued regarding submittal responsibility of permit amendments, and project scope of work for Contract #446.

At this time, 3:54 p.m. Commissioner Cocula moved to discuss further in Closed Executive Session, Commissioner Drake seconded. On voice vote: Ayes (8); Nays (0). The motion carried.

Chairman Meyer noted the Closed Session resolution should be amended to include discussions re: NJDEP Air Permit, Contract #446 Leachate Pump Station/Force Main Project. He noted Closed Session will be approximately 15-20 minutes.

At 4:20 p.m. Commissioner Drake moved to adjourn the Closed Session, seconded by Commissioner Cocula. 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: NJDEP Air Permit, Contract #446 Leachate Pump Station/Force Main Project.

Chief Engineer's Report (cont.)

Commissioner Drake moved the proposed resolution authorizing the submittal of the Air Permit amendment to NJDEP, seconded by Commissioner Madsen. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Dabinett; Nays(0); Abstain (0). The resolution passed.

#21-122 RESOLUTION RE: AUTHORIZATION TO SUBMIT APPLICATION PACKAGE FOR AMENDMENT TO NJDEP AIR PERMITS PCP960001 AND PCP960003 AND SUBMIT APPLICATION PACKAGE FOR EMISSION CONTROL REPLACEMENT FOR THE LEACHATE TANKS AT THE SCMUA SOLID WASTE FACILITY

Comptroller's Report

Mr. Day reported that overall tonnage is 4% higher compared to the same time period from 2020 (December 1 – April 30). Revenues are up to \$82,560, which is good news.

d. General Authority Business

Executive Director 's Report

Executive Director Varro prepared a resolution to award SCMUA Contract #21-21 for Specialized Personnel Consulting Services to Aeroteck, Inc. for Constructor Inspector/Expeditor services for Landfill Stage 2 Construction Project. Commissioner Cocula moved the award resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Dabinett; Nays(0); Abstain (0). The resolution passed.

#21-123 RESOLUTION RE: AWARD OF CONTRACT #21-21 COMPETITIVE CONTRACTING FOR SPECIALIZED PERSONNEL CONSULTING SERVICES TO AEROTEK, INC.

Comptroller's Report

Mr. Day indicated that the SCMUA is a member of the Morris County Co-op for purchasing needs/options, and the 5 year contract is up for renewal. A resolution was prepared to authorize execution of a 5 year membership agreement starting October 1, 2021 to September 30, 2026. Commissioner Dabinett moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#21-124 RESOLUTION RE: AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE SCMUA AND THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2026

e. Personnel Matters

Solid Waste Superintendent's Report

Mr. Morris prepared a resolution, as discussed in Executive Session to authorize a 90 day extension for an official leave of absence for employee CW0228. Commissioner Cocula moved the authorizing resolution, seconded by Commissioner Dietz. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Dabinett; Nays(0); Abstain (0). The resolution passed.

#21-125 RESOLUTION RE: AUTHORIZATION TO EXTEND "OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR PERSONAL ILLNESS, FOR AN ADDITIONAL 90 DAY PERIOD" FOR CW0228

Mr. Morris reviewed a resolution to authorize a 90 day extension for an official leave of absence for a personal illness for RF7982 through May 10, 2021. Commissioner Drake moved the resolution, seconded by Commissioner Dietz. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Dabinett; Nays(0); Abstain (0). The resolution passed.

#21-126 RESOLUTION RE: AUTHORIZATION TO EXTEND "OFFICIAL LEAVE OF ABSENCE FOR PERSONAL ILLNESS, FOR AN ADDITIONAL 90 DAY PERIOD" FOR RF7982

Mr. Morris referred to discussions in Executive Session regarding appointment of a Safety Officer, after a recent retirement left the position empty. Mr. Morris presented a resolution promoting Enforcement Officer Ed Lyon as the SCMUA’s Safety Officer. Commissioner Dietz moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Dabinett; Nays(0); Abstain (0). The resolution passed.

#21-127 RESOLUTION RE: APPOINTMENT OF SAFETY OFFICER

Executive Director’s Report

Mr. Varro reported that the Authority will turn 50 this August. He opened discussions for establishing a Committee to organize ideas on how to mark this milestone. Chairman Meyer and Commissioner Cocula will chair the Committee with staff. More information will be forthcoming.

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 #21-128 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 | | | |

#21-128 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners commented on the “organized chaos” of the construction at the Solid Waste Facility and commended the staff for keeping regular operations ongoing.

Commissioner Cocula motioned to give Commissioner Finkeldie an excused absence from this meeting, seconded by Commissioner Drake. On voice vote: Ayes (8), Nays (0). The motion passed.

11. ADJOURN

At 4:31 p.m. Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary