

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MAY 15, 2013 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

1. CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

The Chairman called the meeting to order at 3:02 p.m.

The following were present: Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, Attorney Matthew Giacobbe and Recording Secretary Kronski

Public: Linda Masson, Sussex Borough; Timothy Bradley, Kleinfelder/Omni

2. PUBLIC STATEMENT

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

The Chairman opened the meeting to public comment. There was no public comment. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Commissioner Dietz moved the approval of the Agenda, Commissioner Madsen seconded. On voice vote (7) Ayes, (0) Nays, the motion carried.

5. APPROVAL OF CONSENT AGENDA

The Chairman requested a motion for approval of the Consent Agenda. Commissioner Cocula moved the approval of the Consent Agenda, seconded by Commissioner Dietz. No discussions. On voice vote (7) Ayes, (0) Nays, the motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the May 1, 2013 Pending Action Summary Sheet, which was emailed to the Freeholder Board on May 2, 2013. Commissioner Sowden moved to approve the May 1, 2013 Pending Action Summary Sheet, seconded by Commissioner Cocula. On voice vote: Ayes (6) Commissioners Sowden, Petillo, Dietz, Cocula, Meyer and Drake; Nays (0); Abstain (1) Commissioner Madsen due to absence at that meeting.

Chairman Petillo asked for a motion to approve the Open & Closed Meeting Minutes for the April 3, 2013 Regular Authority Meeting. Commissioner Madsen moved approval of the minutes, seconded by Commissioner Dietz. No comments/discussions. On roll call: Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula and Meyer; Nays (0), Abstain (1) Commissioner Drake.

The Chairman stated that the Open & Closed Meeting Minutes for the April 17, 2013 Authority Meeting have been emailed to the Commissioners for their review/comment.

7. BUSINESS

a. Executive Session

Chairman Petillo asked for a motion to go into Closed Executive Session at 3:05 p.m. to have Mr. Timothy Bradley give report/proposal on the Paulinskill Project Redesign. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Meyer. On voice vote (7) Ayes, (0) Nays, the motion carried.

#13-074 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

The Timothy Bradley and Linda Masson left the meeting at 3:05 p.m.

At 3:44 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Dietz. On voice vote, the motion passed.

The Open Session was reconvened at 3:45 p.m.,; Linda Masson reentered the meeting at this time.

b. Wastewater Program

**Superintendent's Report**

John Nugent reported the NJDEP performed an inspection at the Hampton Commons Wastewater Facility including review of the monthly discharge reports and monitoring reports. He indicated the NJDEP will send report to the Authority confirming that there were no violations cited.

**Administrator's Report**

Mr. Hatzelis reviewed the Upper Walkkill Septage, Sludge and Hauled Sewage Volumes and Revenues. He indicated that for the first 5 months of fiscal year 2013 revenues have totaled \$183,000 well over projections. Connection fees for the 2013 fiscal year were budgeted at \$215,000 and are currently at \$153,000.

c. Solid Waste Program

**Chief Engineer's Report**

Mr. Varro reported on the County Solid Waste Advisory Committee meeting of May 14<sup>th</sup>. He indicated that there was a meeting action to approve the Authority's Solid Waste Management Plan Amendment for the landfill life extension project for all phases. Mr. Varro also gave a report to SWAC on revenues and tonnages for the Solid Waste Facility. He indicated that SWAC discussions addressed recycling compliance inspections for commercial businesses per NJDEP request, which have not recently been conducted by the County Health Department due to no grant funds available. It was also noted that the NJDEP has approved the SWMP Amendment for the inclusion of RER Center in Wantage for Class C vegetative waste acceptance/processing.

**Administrator's Report**

Mr. Hatzelis reported on Tonnages and Revenues for the Solid Waste Facility (December 1<sup>st</sup> – April 30<sup>th</sup>), and indicated that tonnages are up for the month of April and just down .5% compared to the same time period for the previous year. He indicated that Solid Waste Revenues are up slightly ahead of 2012 at \$4,092,000.

Administrator Hatzelis presented a resolution to allow the flexibility to allocate proceeds of the Sussex County Landfill Expansion Project Bonds or Notes to reimburse of project costs paid prior to the issuance of Project Debt Obligations. Commissioner Cocula moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and Drake; Nays (0), Abstain (0).

#13-075 THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY  
DECLARING ITS OFFICIAL INTENT TO REIMBURSE  
EXPENDITURES FOR SUSSEX COUNTY LANDFILL  
EXPANSION PROJECT COSTS FROM THE PROCEEDS OF  
DEBT OBLIGATIONS

d. General Authority Business

**Administrator's Report**

Mr. Hatzelis reminded the Commissioners and Staff to file for their Annual Financial Disclosure Statements if they have not done so already. The deadline is May 31<sup>st</sup>.

8. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Agenda and Supplement FCA with the removal of PO#68326 for the Solid Waste Operating Fund Overtime portion. Commissioner Sowden moved the approval of bill paying resolution, as amended seconded by Commissioner Cocula. No discussions. On roll call, the vote was as follows: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and Drake; Nays (0); Abstain (0). The resolution passed.

#13-076 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL  
CONSENT AGENDA

Chairman requested a motion to approve Solid Waste Operating Fund, Voucher #68326 for overtime portion of payroll. Commissioner Madsen moved, seconded by Commissioner Sowden. On roll call the Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Meyer and Drake; Nays (1) Commissioner Cocula; Abstain (0). The motion was approved.

9. PUBLIC COMMENT

The Chairman opened the meeting to Public Comment, no public comment. Chairman Petillo closed the meeting to public comment.

Chairman Petillo called for a short recess at 3:57 p.m. before going back into Executive Session to finish discussions on Agenda Items.

May 15, 2013

The Meeting reconvened at 4:08 p.m. and Commissioner Cocula made a motion to go back into Executive Session, seconded by Commissioner Meyer. On voice vote, Ayes (7); Nays (0), the motion passed.

Ms. Masson left the meeting at 4:08 p.m.

Executive Session (Cont.)

Commissioner Cocula moved to close Executive Session at 5:10, seconded by Commissioner Drake. On voice vote, Ayes (7); Nays (0), the motion passed.

Chairman Petillo indicated that in Closed Executive Session items discussed as specifically set forth in the resolution were negotiations and/or litigations re: Franklin ViaDuct Easement Matter; Enforcement of Priority Lien Claims; Paulinskill Project Redesign Proposal & Property Appraisal; Grinnell & Edgewater Collection Matters. When the need for confidentiality of these matters no longer exists they will be opened to the public.

10 COMMISSIONERS' COMMENTS/REQUEST

No Comments from the Commissioners.

11. ADJOURN

Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote, the motion passed. The meeting was adjourned at 5:12 p.m.

Respectfully submitted,

Andrea Cocula, Secretary