

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON JUNE 4, 2014 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 3:00 p.m.

The following were present: Commissioners Sowden, Madsen, Petillo, Dietz, Cocula, Meyer (via teleconference) and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, General Counsel Matthew Giacobbe (arrived at 3:07 p.m.), Counsel John Napolitano (arrived at 3:07 p.m.), Special Environmental Counsel Thomas Prol and Recording Secretary Kronski

Public Present: Linda Masson, Sussex Borough Liaison

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.

3. OPEN TO PUBLIC COMMENT

The Chairman opened the meeting to public comment. No comment from the public. 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 (7); 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 (7); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the May 21, 2014 Pending Action Summary Sheet, which was emailed to the Freeholder Board on May 22, 2014. Commissioner Drake moved to approve the May 22, 2014 Pending Action Summary Sheet, seconded by Commissioner Madsen. On roll call: Ayes (5) Commissioners Sowden, Madsen, Cocula, Meyer and Drake; Nays (0); Abstain (2) Commissioners Petillo and Dietz due to absence at this meeting. The motion carried.

Chairman Petillo asked for motion to approve the Open and Closed Meeting Minutes for the May 7, 2014 Regular Authority Meeting. Commissioner Dietz approved the minutes, seconded by Commissioner Drake. On voice vote: Ayes (7); Nays (0). The motion carried.

Chairman Petillo noted that no minutes have been distributed to the Commissioners at this meeting.

7. BUSINESS

a. Executive Session

At 3:05 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Cocula. On voice vote (7) Ayes, (0) Nays, the motion carried.

#14-073 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:23 p.m. Commissioner Dietz moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Sowden. On voice vote, Ayes (7); Nays (0), the motion passed.

Chairman Petillo called for a meeting break at 3:23 p.m.

The meeting resumed at 3:38 p.m.

Chairman Petillo indicated that in Closed Executive Session items discussed as specifically set forth in the resolution were negotiations and/or litigations re: Property acquisitions for Paulinskill Project and an employee retirement application. When the need for confidentiality of these matters no longer exists they will be opened to the public.

General Counsel Matthew Giacobbe discussed correspondence from Mayor Jonathan Rose regarding meeting Agenda and Closed Session issues.

Solid Waste Program – Consulting Engineer’s Report

Mr. Mark Swyka reported on a proposed temporary landfill cap for Phase 3B, in which he reviewed the reasons for recommending a temporary cap. He noted that the leachate generation would be significantly reduced and the emissions to the Landfill Gas to Energy Facility would increase. Discussions ensued regarding several issues including cost estimate/acre, fund availability, length of life for temporary cap and accessibility for repairs. Mr. Swyka has sent the recommendations to Chief Engineer Varro and the Construction Review Committee shall meet to review capping details and also discuss a potential pump station for leachate flow to Upper Walkkill. Mr. Swyka reported on the potential for solar panels on the landfill. Commissioners discuss the incentives and agreed to entertain submissions of interest in this regard.

Superintendent’s Report

Mr. Sparnon reported on quotes received for earthwork and installation of geomembrane for temporary berm for Phase 3B. Servidone’s quote was the lowest price for \$35,300 and Antana Lining Inc. for \$8,000. Work should be completed by July 1st. Mr. Swyka noted all rain water that hits the western side should be clean runoff and there is no need to treat as leachate. Commissioners were advised work will begin in the next few weeks and that funds are available in Operating Budget.

Mr. Swyka left the meeting at 4:00 pm

b. Wastewater Program

Chief Engineer's Report

Chief Engineer Varro reported that additional soil borings have been requested by Kleinfelder/Omni for the Paulinskill Project. He explained the need for the additional 4 borings. Discussions ensued regarding location and depth of new borings. Commissioners agreed to directly contract with Converse Consultants to conduct the work for an estimated cost of \$9,700. Chief Engineer Varro will proceed with the contract and to question KLF/Omni on the depth of borings, he will report back to the Board.

Mr. Varro gave a status on the Crystal Springs Pump Station Upgrade. He reviewed the history of the project, which is included in the HTMUA Memorandum of Understanding. The Authority agreed to reimburse the HTMUA for the upgrade costs, approximately \$35,000. Mr. Nugent reported on flows and recommended the installation of a new SCMUA owned flow meter for accuracy proposals for this work will be obtained in the next few weeks.

Administrator's Report

Administrator Hatzelis reported that the Authority's Bond Counsel has reviewed and verbally approved the Surety Bond for the Upper Wallkill Bond Reserve Fund, by substituting a Surety Bond for cash on deposit which will make \$1.4 million available for capital projects. Mr. Hatzelis noted a resolution will be prepared for consideration at the June 18th Authority Meeting.

Administrator Hatzelis distributed a packet to the Commissioners on a Sewer User Charges Analysis comparing Franklin Borough, Hamburg Borough and Sussex Borough sewer rates. Overall, Sussex Borough users pay significantly more than Franklin and Hamburg customers. In researching this discrepancy, it was noted that Sussex Borough has a significantly larger debt service payment for their water and sewer systems. Also, the Sussex Borough sewer customer base has only 577 users, compared to Hamburg and Franklin with 1,447 and 1,585 respectively. Mr. Hatzelis' analysis of SCMUA billings showed a \$50 differential per year per customer for Sussex Borough compared to Hamburg Borough and Franklin Borough customers. Commissioners directed that the analysis be forwarded to the Sussex Borough Mayor and Council.

Commissioner Meyer disconnected from the meeting at 4:30 p.m.

c. Solid Waste Program

Solid Waste Superintendent's Report

Superintendent Sparnon reviewed correspondence from Wantage Township Fire Department requesting the Authority donate 2 buses that are no longer of use the Authority. Commissioner Cocula moved the resolution approving the donation, seconded by Commissioner Dietz. On roll call: Ayes (6) Commissioners Sowden, Madsen, Petillo, Dietz, Cocula and Drake; Nays (0); Abstain (0). The resolution passed.

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#14-074 RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY DECLARING CERTAIN EQUIPMENT NO LONGER SERVICEABLE FOR S.C.M.U.A. USE AND AUTHORIZING TRANSFER TO WANTAGE TOWNSHIP FIRE DEPARTMENT

Mr. Sparnon reminded the Commissioners that the first of two Household Hazardous Waste Events will be held this Saturday June 7th from 7am – 2pm.

Administrator's Report

Administrator Hatzelis reported on Tonnages and Revenues for the period of Dec. 1st through May 31st. A graph/chart was distributed comparing this same time period for 2010 through 2014. It shows that ID10 is down 2.6%; bagged garbage up 2.9%; ID13C&D down 12%; tonnage is 4.2% less compared to last year during this time period.

d. General Authority Business

Administrator's Report

Mr. Hatzelis reviewed General Counsel's report on Agenda format and Closed Session resolution postings.

Mr. Hatzelis reminded anyone who has not submitted their Financial Disclosure Statement they have until June 13th to file.

e. Personnel Matters

Superintendent's Report

Commissioners authorize advertisement/posting for a Weighmaster position at the Solid Waste Facility and Wastewater Plant Operator for the Wastewater Facilities. Commissioner Cocula moved the authorization to advertise for both positions, seconded by Commissioner Dietz. On voice vote: Ayes (6); Nays (0); Abstain (0). The motion passed.

Commissioner Dietz would like to table the Health Benefit Study item, in order to discuss further with the Personnel Committee. Commissioners agreed to table.

8. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Agenda (FCA). Commissioner Madsen moved the FCA, seconded by Commissioner Drake. On roll call, the vote was as follows: Ayes (6) Commissioners Sowden, Madsen, Petillo, Dietz, Cocula and Drake; Nays (0); Abstain (0). The resolution passed.

#14-075 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

Chairman Petillo opened the meeting to public comment. Ms. Masson asked if Franklin Borough or Hamburg Borough have water treatment facilities. Mr. Hatzelis stated they do not, they have wells for water supply. Ms. Masson also asked why the Authority's Service Agreements with the U.W. Participants are not the same. Administrator Hatzelis, Chairman Petillo, Superintendent Nugent and Chief Engineer Varro

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explained the core provisions of each municipality's Agreement with the SCMUA are similar, however, they noted that individual agreements were drawn up over many years and new provisions were added over time as changes in law or other issues arose and/or to address unique circumstances for each system.

10. COMMISSIONERS' COMMENTS/REQUEST

No comments from the Commissioners.

11. ADJOURN

Commissioner Sowden moved to adjourn the meeting, seconded by Commissioner Cocula. On voice vote, the motion passed. The meeting was adjourned at 5:03 p.m.

Respectfully submitted,



Andrea Cocula, Secretary

