

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON JANUARY 18, 2012 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 3:03 p.m.

The following were present: Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Attorney Prol (arrived at 3:11 pm), Recording Secretary Kronski

Public: Terry Ann Zander (County Resident, Reporter and Staff Member of the firm Schwartz Simon Edelstein and Nelson)

Absent: Attorney Giacobbe and Wastewater Superintendent Nugent

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

Chairman opened the meeting to public comment and welcomed Ms. Zander who stated she is a County Resident, reporter and is representing a firm that is considering submitting an RFP for General Counsel. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo requested a motion for approval of the Agenda, and to move Executive Session to the end of the meeting to accommodate the public present. Mr. Hatzelis asked for an addition to the Executive Session Agenda for discussions regarding correspondence received from Sussex Borough on the surcharge settlement. Commissioner Zidek moved the approval of the Agenda as amended. Commissioner Dietz 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 discussion necessary. On voice vote (7) Ayes, (0) Nays, the motion carried.

6. MINUTES

Chairman requested a motion to approve the distribution of the January 4, 2012 Pending Action Summary Sheet which was submitted to the Freeholder Board on January 6, 2012. Commissioner Dietz moved to approve the January 4, 2012 Pending Action Summary Sheet, seconded by Vice Chairman Sowden. On roll call the vote was as follows: Ayes (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran. (0) Nays. The motion carried.

Chairman Petillo asked for a motion to approve the Regular & Closed Meeting Minutes of December 7, 2011. Commissioner O'Halloran motioned to approve the minutes, seconded by Commissioner Zidek. No discussions. On voice vote: (7) Ayes, (0) Nays. The motion carried.

Chairman Petillo advised that there are no minutes for distribution at this meeting.

7. BUSINESS

a. Executive Session (moved to end of Agenda)

Moved to the end of the Agenda.

b. Wastewater Program

No Reports for Wastewater Program.

c. Solid Waste Program

**Superintendent's Report**

Superintendent Sparnon reported on a new credit card policy for the Commissioners to consider. He stated that most of the credit card transactions at the truck scales are under \$50.00. He reviewed the current credit card policy, which requires each transaction to have a signature, and reported that if the policy is changed so that there is no signature required for a transaction of \$50 or less, it would greatly reduce wait time and improve efficiency at the outbound scales. Commissioner Cocula moved that no signature shall be required when the credit card transaction amount is under \$50, seconded by Commissioner Meyer. On roll call the vote was as follows: Ayes (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran. (0) Nays. The motion carried.

**Chief Engineer's Report**

Chief Engineer Varro reported on a meeting between the NJDEP, Authority Representatives (Chairman Petillo, Chief Engineer Thomas Varro, Recycling Coordinator Reenee Casapulla) and the County Solid Waste Coordinator which was held on January 11, 2012. The Meeting was requested by Assistant NJDEP Commissioner Jane Kozinski to discuss Solid Waste Planning and the transfer station option for the future. At that meeting Mr. Varro presented the NJDEP with the report previously given to SWAC regarding future options for the Solid Waste Facility. The NJDEP representatives were in favor of the transfer station and also indicated they were very agreeable to adding the use of the tarping unit for six days a week in the Solid Waste Permit Renewal. Mr. Varro reported that the NJDEP Representatives confirmed that the Authority should not count on any state aid in the near future, but overall a positive meeting with them.

Attorney Prol entered the meeting at 3:11 p.m.

d. General Authority Business

**Administrator's Report**

Mr. Hatzelis reminded Commissioners that the next Authority Meeting is the Reorganization Meeting and the Financial Consent Agenda will include a packet for action items for Commissioners' consideration.

8. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Discussions regarding the Topographic Report and the Closure/Post Closure Care Report, it was indicated that payment shall not be released to C&P until a Topographic Mapping is received. Chairman Petillo indicated the removal of PO# 65743 under Solid Waste Item D and then asked for a motion to adopt the Financial Consent Agenda. Commissioner Cocula moved approval of bill paying resolution as amended, seconded by Vice Chairman Sowden. No discussions or comments. On roll call, the vote was as follows: Ayes (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran. The resolution passed.

#12-024 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA AND SUPPLEMENT AS AMENDED

Chairman requested a motion to approve Solid Waste Operating Fund PO#65743 for overtime portion of payroll. Commissioner Dietz moved, seconded by Vice Chairman Sowden. On roll call the Ayes (6) Commissioners Zidek, Sowden, Petillo, Dietz, Meyer and O'Halloran, Nay (1) Commissioner Cocula. The motion was approved.

Mr. Hatzelis informed the public that that there may be actions taken after Executive Session discussions.

At 3:16 p.m. Commissioner Zidek 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.

#12-025 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 7:26 p.m. Commissioner Meyer moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner O'Halloran. On voice vote, the motion passed.

The Open Session was reconvened at 7:26 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: Grinnell Hauling; NJPDES Permit Appeal; Frankford-Branchville Sewer Project; DMR Construction Services Contract 601D; Sussex Borough Surcharges 2010; and General Consulting Engineer RFPs. When the need for confidentiality of these matters no longer exists they will be opened to the public.

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Based on discussions in Executive Session, Commissioners memorialize a resolution for the next meeting on February 1, 2012 to authorize the Authority's Administrator to sign an agreement with the Borough of Sussex to reduce their 2010 sewer surcharge bills from \$85,431.00 to \$42,715.50. Commissioner Zidek moved to memorialize the resolution as stated with Attorney additions noting that this resolution shall not be set as a precedent and does not amend the 1992 Sewer Service Agreement between the SCMUA and Sussex Borough. Commissioner Dietz seconded. On roll call, the vote was as follows: Ayes (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran. The motion passed.

9. OPEN TO PUBLIC COMMENT

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

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners commended the Construction Review Committee and their efforts throughout the Wastewater RFP Process. A short discussion was held on what firms to be included on the short list for Branchville's review regarding Requests for Proposals for Value Engineering Study for the Frankford-Branchville Wastewater Project.

11. ADJOURN

Vice Chairman Sowden moved to adjourn the meeting, seconded by Commissioner O'Halloran. On voice vote, the motion passed. The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Andrea Cocula, Secretary