

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON NOVEMBER 3, 2021 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: Chairman Meyer, Vice Chairman Drake, Commissioner Petillo, Executive Director Thomas Varro, Chief Engineer Joseph Sesto, Comptroller Timothy Day, Solid Waste Operations Manager Mike Rathbun, and Recording Secretary Tara Kronski

Remote attendance: Commissioners Madsen, Cocula, Finkeldie, Wesley, Dabinett, Wastewater Superintendent Timothy Phillips, General Counsel John Napolitano, Special Counsel Thomas Prol

Absent: Commissioner Dietz, Solid Waste Superintendent Morris

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.

3. OPEN TO PUBLIC COMMENT

Chairman Meyer opened the meeting to public comment. No public comment. Chairman Meyer closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Meyer asked for a motion to approve the Final Agenda. Commissioner Dabinett moved the Agenda, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Madsen moved the approval of the Consent Agenda, seconded by Commissioner Drake. 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 October 20, 2021 Pending Action Summary Sheets (PASS) to the Sussex County Commissioners Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Cocula motioned to approve, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion passed.

The Open and Closed Minutes for the October 6, 2021 Authority Meeting were emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:02 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion was seconded by Commissioner Drake. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Meyer noted the Closed Session should be approximately 45 minutes and discussions shall include: Vernon Township Litigation, NJPDES Nitrate Litigation, Solid Waste Hauler Accounts and Personnel Matters.

**#21-200** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:25 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Finkeldie. 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: Vernon Township Litigation, NJPDES Nitrate Litigation, Solid Waste Hauler Accounts and Personnel Matters. When the need for confidentiality of these matters no longer exists, they will be opened to the public.

b. Wastewater Program

**Superintendent' s Report**

Mr. Phillips reported on wet weather operations for the wastewater plants during latest rain event, which caused high flows. Sussex Borough hauled additional flow that could not be handled by their pumping station/forcemain for 32 hours, which caused 15 hours of OT for the WW staff.

Mr. Phillips indicated that the County Homestead Plant is back online and running, and the temporary plywood patch job is not leaking at this time. He noted that another leak was suspected, and it was suggested that the County install a flow meter at the manhole influent in order to compare to the effluent. Has not been installed to date.

**Executive Director's Report**

Mr. Varro reported on two cost sharing agreements, one between the SCMUA-WRWMG and G. Degroot of Wantage, and the other with the estate of E. Cosh to implement best management practices of their dairy farms. Grant funds shall provide funding for these projects through USDA-NRCS. Commissioner Madsen moved both authorizing resolutions, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioner Petillo, Madsen, Cocula, Meyer, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#21-201** RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH GEORGE DEGROOT, OPERATOR OF A DAIRY FARM IN WANTAGE TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABORATION WITH USDA-NRCS FARM BILL FUNDING PROGRAM (EQIP)

**#21-202** RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH BARBARA MUNSON AND NANCY CASE, THE ESTATE OF EVELYN COSH, OWNERS OF A TENANT OPERATED DAIRY HEIFER REPLACEMENT FARM IN WANTAGE TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABORATION WITH USDA-NRCS FARM BILL FUNDING PROGRAM (EQIP)

**Public Hearing for Rates, Fees and Charges for FY2022**

At 3:30, Chairman Meyer requested a motion to begin the FY2022 Public Rate Hearing. Commissioner Cocula made the motion, seconded by Commissioner Drake. On voice vote: Ayes (8), Nays (0). The motion carried.

The floor was given to SCMUA Executive Director Varro to begin the FY2022 Public Rate Hearing. A packet was distributed and reviewed regarding all the proposed rates for the Upper Wallkill Wastewater Facility, Hampton Commons Wastewater Facility, Paulinskill Water Reclamation Facility, Solid Waste Facility and Administration/Miscellaneous fees. Mr. Varro reviewed revenue sources for the U.W., and noted the budget shall increase 3.96% compared to 2021, due to increase in capital outlay projects. He reviewed the proposed rate increases for hauled sewage, septage and liquid sludge. Connection fees for UW shall be set at \$7,499.00/EDU. Wastewater Participants will see slight increase/decrease depending on their Service Agreements with the Authority and flow data, Vernon Township has an increase for their Additional Bond payments for 2022. Hampton Commons Facility Budget shall increase to \$212,000, with a connection fees at \$520/unit. Paulinskill Water Reclamation Facility's budget shall increase to \$654,000, the connection fee shall be set at \$2,114.00 per EDU. The Solid Waste Facilities' Budget shall see an increase of less than 1% compared to FY2021, for a total of \$11,022,400. Mr. Varro reviewed changes to the revenues/expenses, as well as, specific changes to the proposed FY2022 Rate Schedule, included change in acceptance of E-Waste covered and non-covered as approved by the NJDEP. The Solid Waste Facility rates and tipping fees shall remain the same as 2021, as well as Administration miscellaneous fees. No members of the public were in attendance on call-in phonline.

Executive Director Varro noted that these Proposed FY2022 Rates, Fees and Charges will up for approval at the November 24, 2021 Authority Meeting for Commissioners' consideration per resolution.

At 3:50 p.m. Commissioner Finkeldie made a motion to close the Public Rate Hearing, seconded by Commissioner Madsen. On voice vote: Ayes (8); Nays (0); Abstain. The motion passed.

**Comptroller's Report**

Comptroller Day reported that funds will need to be transferred among line items for fund necessary pump replacements for Upper Wallkill System. The overall budget amount for FY2021 will not increase. Commissioner Dabinett moved the authorizing resolution to transfer funds within budget, Commissioner Cocula seconded motion. On roll call: Ayes (8) Commissioner Petillo, Madsen, Cocula, Meyer, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#21-203** RESOLUTION RE: AMENDING THE SCMUA'S FY2021 UPPER WALLKILL FACILITIES BUDGET

c. Solid Waste Program

**Superintendent's Report**

Operations Foreman Michael Rathbun reported on wet weather operations during the recent rain event, which caused high levels in the leachate tank. SCMUA will continue to truck to the UW for 10 hours a day.

Mr. Rathbun reported on an incident at the landfill regarding the disposal of red biohazard bags. The NJDEP was contacted, and an investigation revealed that the bags did not contain medical/biohazard waste. The bags were improperly used, and a fine was issued to the facility where it came from.

The Household Hazardous Waste Event will be held on Saturday, November 6<sup>th</sup>, set up will be behind the Bulky Waste Building and will be open to household entities only.

Mr. Rathbun indicated that the engine repair for the CAT973 is ongoing and should be back in operation by Friday, November 5<sup>th</sup>.

### **Chief Engineer's Report**

Chief Engineer Sesto reported on the ongoing Leachate Force Main (Contract #446) construction, with 5000 linear feet to be installed and installation of chemical building. He noted the Construction Review Committee shall meet with Mott MacDonald next week to discuss contract budget amendment request, and he will report back to the Board. Tomco will begin to do a hydraulic test along the Route 94 area, so if successful, paving can begin sooner.

Mr. Sesto gave a status on the Stage 2 Landfill Expansion Project (#551), construction, which highlighted that Tomco is continuing to excavate the floor of the landfill cell. Also guiderails were installed and he reviewed process of liner installation, which is weather based.

### **Comptroller's Report**

Mr. Day reviewed Solid Waste Tonnages and Expenses for December 1, 2021 through October 31, 2021, and compared to the previous year, overall tonnage is up 2%. However, revenues remained the same, due different to quantities shifting between waste classes.

#### d. General Authority Business

### **Executive Director's Report**

Mr. Varro requested authorization to advertise for Requests for Qualifications/Request for Proposals 2022 Professional Services needs. Commissioner Drake moved authorize to authorization to solicit RFQ/RFPs for 2022 Professional Services, seconded by Commissioner Madsen. On voice vote: (8) Ayes, (0) Nays. The motion passed.

### **Comptroller's Report**

Mr. Day reported on the receipt of the Authority's Cell Closure/Post Closure Care Audit from Wielkotz & Co. The Audit noted all requirements are being fulfilled, with no findings to report. It was forwarded to the NJDEP and copies are available for distribution.

#### e. Personnel

### **Executive Director's Report**

Mr. Varro requested a motion in regard to closed session discussions concerning dismissal of solid waste employee CW0228. Commissioner Drake motioned to dismiss/terminate employee CW0228, seconded by Commissioner Dabinett. On roll call: Ayes (7) Commissioner Petillo, Madsen, Cocula, Meyer, Drake, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Wesley. The motion passed.

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 #21-204 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN		x	x			
COCULA			x			
DIETZ						x
MEYER			x			
DRAKE	x		x			
WESLEY			x			
FINKELDIE			x			
DABINETT			x			

**#21-204** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioner Dietz an excused absence, seconded by Commissioner Madsen. On voice vote: Ayes (8); Nays (0). The motion passed.

Commissioner Wesley questioned the durability of repair made at Homestead Plant with pressure treated plywood. SCMUA Staff noted that it will not last very long, as it is submerged in water.

11. ADJOURN

At 4:15 p.m. Commissioner Madsen moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary