

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON NOVEMBER 25, 2020 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 Drake, Vice Chairman Meyer*, Commissioners Petillo, Madsen*, Cocula, Dietz*, Perez*, Finkeldie*, Dabinett*, Executive Director/Chief Engineer Varro, Comptroller Timothy Day, Senior Project Engineer Joseph Sesto, Solid Waste Superintendent Jonathan 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.

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Drake 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 on website for public participation.)

3. OPEN TO PUBLIC COMMENT

Chairman Drake opened the meeting to public comment. No public present. He closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Drake asked for a motion to approve the Final Agenda. Executive Director Varro requested to add a report under Solid Waste Comptroller's Report regarding the FY2020 Landfill Closure/Post Closure Care Audit. Commissioner Dietz moved the Final Agenda, seconded by Commissioner Dabinett. On voice vote: Ayes (9); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Finkeldie moved the approval of the Consent Agenda, seconded by Commissioner Madsen. No discussions requested. On voice vote: Ayes (9); Nays (0). The motion carried.

6. MINUTES

Chairman Drake requested a motion to approve/acknowledge the email distribution of the November 4, 2020 Pending Action Summary Sheets (PASS) to the County Freeholder Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Perez motioned to approve, seconded by Commissioner Madsen. On voice vote: Ayes (9); Nays (0); Abstain (0). The motion carried.

Commissioner Cocula motioned to approve the Open and Closed Minutes for the October 7, 2020 Authority Meeting, seconded by Commissioner Dietz. On voice vote: Ayes (9); Nays (0). The motion passed.

The Open and Closed Meeting Minutes from the October 21 and November 4, 2020 Authority Meetings were emailed to the Commissioners for their review.

7. BUSINESS

Financial Transactions

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Drake asked for a motion to approve the Financial Consent Agenda (FCA). On roll call:

Res #20-166 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN			x			
COCULA	x		x			
DIETZ			x			
DRAKE			x			
MEYER		x	x			
PEREZ			x			
FINKELDIE			x			
DABINETT			x			

#20-166 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

a. Executive Session

At 3:05 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Dabinett. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Drake noted the Closed Session should be approximately 50 minutes and discussions shall include: Care Environmental – Household Hazardous Waste Issues raised by Georgia Environmental Protection Department, SXLE Spill-Release at SW Facility, Sparta Connection Fee, and Personnel Matters.

#20-167 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:40 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Madsen. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Drake confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session Care Environmental – Household Hazardous Waste Issues raised by Georgia Environmental Protection Department, SXLE Spill-Release at SW Facility, Sparta Connection Fee, and Personnel Matters.

b. Wastewater Program

Superintendent’s Report

Wastewater Superintendent Tim Phillips reported on the Paulinskill Facility NJDEP annual inspection on November 5, 2020, all went well, and he is waiting to receive the written report via email.

He reported that the Upper Wallkill Facility has accepted an average of 80,000 gpd of septage and sludge, which is relatively high. The roof repairs to the pump house #2 are almost complete, and contractor has begun work on the Administration Building. Mr. Phillips reported that the AST construction contractor, PetroMechanics, has started the installation.

Comptroller's Report

Mr. Day reported on the Septage, Sludge and Hauled Sewage Volumes through October 2020. Sludge and Septage are at 117% and 111% of FY2020 anticipated revenues, respectively. Hauled Sewage is down 56% of projected totals. Connection fees are at \$336,361, which is a substantial increase over budget projections for the fiscal year.

c. Solid Waste Program

Superintendent's Report

Solid Waste Superintendent Morris reported on the Household Hazardous Waste Event on November 7th. The event serviced over 1,000 cars and 10 schools and townships also participated; 49,480 lbs. of HHW was collected. The total cost for the event was \$59,040.66. Mr. Morris noted that future bids for the 2021 HHW may be priced per vehicle, opposed to weight/gallonage, with options being explored.

Mr. Morris noted an email from a resident that witnessed a customer that obviously needed assistance at the Recycling Center, and a specific employee did not offer help. Mr. Morris followed up with corrective action to all attendants. Mr. Morris also reported on a positive call concerning an employee that went over and above to help him, and wanted to sincerely thank him and his efforts.

Mr. Morris gave a report regarding an irate customer that was informed that a NJDEP was required on his commercial vehicle in order to dispose of solid waste at the SWF. He proceeded to aggressively speed out of the facility in an unsafe manner for other customers and staff, hitting cones. The vehicle is owned by a local business and discussions concluded that SW Enforcement Officer should follow up and notify the business of the incident.

Executive Director/Chief Engineer's Report

Mr. Varro gave a status report on the NJDEP and I-Bank review of the Landfill Life Extension/Infrastructure Relocation Project. He noted the frustration with receiving requests for information that had already been provided, and with questions on information that was submitted months ago and should not come up this late in the process. After constant calls/meetings since January 2020, the NJDEP should be further along with review. The design plans have been at NJDEP since July 2020 and final plans as of September 2020 and had not been reviewed to date. The relocation portion of the project has been shown to be a necessary aspect of landfill expansion since the start of the report submittals, and the funding is now being questioned. Mr. Varro reviewed the options available to the Authority, if the funding for relocation portion is denied by the I-Bank. Discussions ensued regarding how to handle the project reviewer to expedite his work. Commissioners indicate to again provide the NJDEP reviewer with all requests, and to remind him of the timeline of project. Concern is little or no progress being made, which is out of the Authority's control.

Senior Project Engineer's Report

Senior Project Engineer Sesto provided a status report on the North Berm Project construction. The Contractor is making progress, weekly meetings are being held with ARM and Tomco. Discussions continued regarding approval submittals to NJDEP after leak test is complete.

Mr. Sesto reported that 4 wells in the solid waste small water system came back positive for Coliform. Resamples were taken and NJDEP was notified and an assessment was done of all the wells, and it was recommended to disinfect the wells. McGowen Water Systems will be conducting the disinfection. Mr. Sesto will recheck wells later this week.

Comptroller's Report

Comptroller Day presented a resolution for Commissioners' consideration regarding solid waste collection debts from a total of six customers that are deemed uncollectable after many attempts to do so. The total amount is \$300.05. Commissioner Cocula moved the bad debt resolution, seconded by Commissioner Madsen. On roll call: Ayes(9) Commissioners Petillo, Madsen, Cocula, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#20-168 RESOLUTION RE: AUTHORIZATION FOR THE TREASURER TO DELETE CERTAIN BAD DEBTS FROM THE SOLID WASTE REVENUE ACCOUNT

Mr. Day reported that he received the FY2020 Audit for the Closure/Landfill Post Closure Care account, he forwarded copies to the Commissioner for their review. He noted there were no recommendations or issues, and all requirements and compliance regarding payments are in order. He asked for each Commissioner to acknowledge receipt and review of the FY2020 Landfill C/PCC Audit. The following Commissioners noted Yes: (9) Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, and Dabinett.

d. General Authority Business

Executive Director's Report

Chairman Drake reported on a Cyber Security Alert that was received from the Authority's insurance underwriter, and was investigated promptly. The SCMUA Staff and Planet Network scanned the Authority's network system and a conference call was held to review procedure and confirm that network is secure.

Mr. Varro presented a resolution to join the Statewide Insurance Fund, and noted other insurance options had been explored, and it is recommended we execute the Indemnity Agreement to join The Fund for a three-year period. A resolution was presented to authorize membership, as well as, to execute the Indemnity Agreement with Statewide Insurance from 2021 – 2024. Commissioner Cocula moved the resolution, seconded by Commissioner Meyer. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Dietz. The resolution passed.

#20-169 RESOLUTION RE: JOIN THE FUND – STATEWIDE INSURANCE FUND

Comptroller's Report

Mr. Day noted that the FY2021 Authority Operating and Capital Budgets were approved by the Commissioners in September 2020, and were submitted to the NJ Department of Community Affairs. The Budgets were returned as approved by the State and a resolution has been prepared to officially adopt the Budgets. Commissioner Dabinett moved the FY2021 Adoption Budget Resolution, seconded by Commissioner Finkeldie On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#20-170 RESOLUTION RE: 2021 BUDGET ADOPTION - SCMUA

Mr. Day reported that there were no public comments received on the FY2021 Public Rate Hearing held on November 4, 2020. A resolution was prepared to authorize the Adoption of the Authority’s Rates, Fees and Charges for FY2021. Commissioner Madsen moved the resolution, Commissioner Finkeldie seconded, on roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#20-171 RESOLUTION RE: ADOPTION OF SUSSEX CUNTY MUNICIPAL UTILITIES AUTHORITY’S SCHEDULE OF RATES, FEES AND CHARGES FOR FY2021

Mr. Day reported that the Estimated Sewer User Charges have been prepared and with the Budget Adoption of FY2021, the certificates can be issued to the plant participants. He has resolutions to authorize the issuance of estimated sewer user certificates for participants of the Upper Wallkill Wastewater System, the Hampton Commons System and the Paulinskill Basin Water Reclamation System. Commissioner Cocula moved the three resolutions to issue certificated for estimated sewer user charges for FY2021, seconded by Commissioner Finkeldie. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#20-172 RESOLUTION RE: AUTHORIZATION FOR CHAIRMAN TO ISSUE CERTIFICATES OF ESTIMATED SEWER USER CHARGES FOR FY2021, UPPER WALLKILL SYSTEM

#20-173 RESOLUTION RE: AUTHORIZATION FOR CHAIRMAN TO ISSUE CERTIFICATES OF ESTIMATED SEWER USER CHARGES FOR FY2021, HAMPTON COMMONS SYSTEM

#20-174 RESOLUTION RE: AUTHORIZATION FOR CHAIRMAN TO ISSUE CERTIFICATES OF ESTIMATED SEWER USER CHARGES FOR FY2021, PAULINSKILL BASIN WATER RECLAMATION SYSTEM

Mr. Day gave a status update on the disposal of obsolete equipment and materials put out for public auction. Funds from four of the five pieces for sale have been received totaling \$36,413.00.

8. PUBLIC COMMENT

No public present.

9. COMMISSIONERS COMMENTS/REQUEST

Commissioners praised the diligent work done on the cyber security issue, and wished all a Happy Thanksgiving.

10. ADJOURN

At 4:30 p.m. Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Finkeldie. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary