

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON OCTOBER 1, 2014 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 3:02 p.m.

The following were present: Commissioners Sowden, Madsen, Petillo, Cocula, Meyer, and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, General Counsel Matthew Giacobbe, Special Environmental Counsel Thomas Prol (3:10 p.m.), and Recording Secretary Kronski, Consulting Engineers Timothy Bradley of Kleinfelder/Omni, and Mark Swyka of SCS Engineers

Public Present: Linda Masson

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 Comments. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Commissioner Sowden moved the approval of the Agenda, seconded by Commissioner Madsen. On voice vote: Ayes (6); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

The Chairman requested a motion for approval of the Consent Agenda. Commissioner Drake moved the approval of the Consent Agenda, seconded by Commissioner Meyer. No discussions. On voice vote: Ayes (6); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the September 17, 2014 Pending Action Summary Sheet, which was emailed to the Freeholder Board on September 18, 2014.

PASS Report for 9-17-14						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN	x		x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ						x
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE		x	x			

Chairman Petillo asked for a motion to approve the Open & Closed Minutes from the August 20, 2014 Authority Meeting.

October 1, 2014

PASS Report for 8-20-14						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN		x	x			
RON PETILLO			x			
WAYNE DIETZ						x
ANDREA COCULA			x			
KARL MEYER			x			
JOHN DRAKE	x		x			

Chairman Petillo noted the Open & Closed Minutes for the September 3, 2014 Authority Meeting have been emailed to the Commissioners for review.

7. **BUSINESS**

a. **Executive Session**

At 3:04 p.m. Commissioner Drake moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Madsen. On voice vote: (6) Ayes, (0) Nays, the motion carried. Chairman Petillo noted the approximate time to be 20 minutes in Closed Session.

#14-109 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:30 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Sowden. On voice vote, Ayes (6); 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: OMNI/KLF Budget Amendment for Paulinskill Project and Collection Matters. When the need for confidentiality of these matters no longer exists they will be opened to the public.

b. **Wastewater Program**

Chief Engineer's Report

Mr. Varro reported that based on Closed Session discussions, he presented a resolution authorizing an amendment to the Paulinskill Water Reclamation Project Design Engineering Budget. The amendment is to transfer \$34,000 from a line item within Construction Phase Engineering to Final Design Phase Engineering with the final budget remaining the same.

#14-110 Paulinskill Budget Amendment						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN		x	x			
RON PETILLO			x			
WAYNE DIETZ						x
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

October 1, 2014

#14-110 RESOLUTION RE: AUTHORIZATION TO AMEND ENGINEERING BUDGET LINE ITEMS FOR THE SCMUA PAULINSKILL PROJECT WHILE MAINTAINING TOTAL CONTRACT AMOUNT

Mr. Varro gave an overall status report on the Paulinskill Project which included the issuance of Addendum #2 which provided additional clarifications and extended the Bid Opening Date to October 8, 2014. Mr. Varro reviewed the bid results for the Branchville Local Collection System, which were opened on October 1, 2014 in Branchville Borough. The apparent low bid was MSP Construction of Newark, NJ with a bid of \$4,027,026.00. Discussion continued regarding the results and difference in the previous bid of 2011.

c. Solid Waste Program

Superintendent Sparnon

Mr. Sparnon reviewed the transportation issue with the Solid Waste Facility Tours. The Community Colleges have provided their requested dates for tours, and the county Skyland Bus Service was contacted to see if they could accommodate on these dates in order for the tours to continue.

Mr. Sparnon reminded the Commissioners that the Final E-waste Day will be held on Saturday, October 11, 2014.

Consulting Engineer's Report

Solid Waste Consulting Engineer Mark Swyka reviewed the Contract #445C Temporary Landfill Cap Project Bids that were received and opened on September 30, 2014. He noted that apparent low bid was from A. Servidone/B. Anthony Construction Corp. for \$1,018,610. The bids have been reviewed by SCMUA Staff and Engineer and are awaiting review from Counsel, sufficient Funds are available for project. Commissioner Cocula moved the resolution for award contingent upon Attorney review and approval.

#14-111 Award of Contract # 445C						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ						x
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE		x	x			

#14-111 RESOLUTION RE: AWARDING SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY CONTRACT NO. 445 FOR CONSTRUCTION OF A TEMPORARY LANDFILL CAP TO A. SERVIDONE, INC./ B. ANTHONY CONSTRUCTION CORP. JV

Mr. Swyka left the meeting at 3:45 p.m.

d. General Authority Business

Administrator's Report

Administrator Hatzelis noted the Commissioner approved the FY2015 Budgets at the last meeting and were subsequently mailed to the Department of Community Affairs as per Statute. Rate Hearing must be scheduled and advertised in two local newspapers. Commissioner Cocula moved that the Rate Hearing be advertised and scheduled for November 5, 2014 at 4:00 pm with consideration for Adoption on the Agenda for November 26, 2014.

Authorization to advertise for FY2015 Rate Hearing						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN		x	x			
RON PETILLO			x			
WAYNE DIETZ						x
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

8. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Agenda (FCA).

# 14- 112 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN			x			
RON PETILLO			x			
WAYNE DIETZ						x
ANDREA COCULA			x			
KARL MEYER		x	x			
JOHN DRAKE	x		x			

#14-112 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

The Chairman opened the meeting to public comment. No public comment. Chairman Petillo closed the meeting to public comment.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioner Dietz an excused absence. Commissioner Meyer seconded. On voice vote: Ayes (6); Nays (0); Abstain (0). The motion passed.

11. ADJOURN

Commissioner Sowden moved to adjourn the meeting, seconded by Commissioner Cocula. On voice vote, the motion passed. The meeting was adjourned at 3:48 p.m.

Respectfully submitted,

Andrea Cocula, Secretary