

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON SEPTEMBER 1, 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, Commissioners Petillo, Madsen, Cocula, Dietz (joined at 3:08 p.m.), Finkeldie, Wesley, Dabinett, Executive Director Thomas Varro, Comptroller Timothy Day, Solid Waste Superintendent Morris, Wastewater Superintendent Timothy Phillips, General Counsel John Napolitano, Special Counsel Thomas Prol (joined at 3:08 p.m.), and Recording Secretary Tara Kronski

Absent: Chief Engineer Joseph Sesto

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 in attendance. 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 Cocula. 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 August 18, 2021 Pending Action Summary Sheets (PASS) to the Sussex County Commissioners Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Drake motioned to approve, seconded by Commissioner Cocula. On roll call: Ayes (7) Commissioners Petillo, Madsen, Cocula, Meyer, Drake, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Wesley. The motion passed.

Commissioner Cocula moved the Open and Closed Meeting Minutes for the July 7, 2021, seconded by Commissioner Drake. On roll call: Ayes (7) Commissioners Petillo, Madsen, Cocula, Meyer, Drake, Wesley, Dabinett; Nays (0); Abstain (1) Commissioner Finkeldie. The motion passed.

The Open and Closed Minutes for both the July 21, 2021 and August 4, 2021 Authority Meetings were distributed to the Commissioners for comment/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 Madsen. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Meyer noted the Closed Session should be approximately 35 minutes and discussions shall include: Vernon Township/VTMUA Litigation, Upper Walkkill NJPDES – Nitrate PFAS Litigation, and Personnel Matters.

**#21-173** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

(Commissioner Dietz and Special Counsel Prol entered the meeting at 3:08 p.m. during Executive Session)

At 3:30 p.m. Commissioner Drake moved to adjourn the Closed Session, seconded by Commissioner Madsen. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Meyer confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Vernon Township/VTMUA Litigation, Upper Walkkill NJPDES – Nitrate PFAS Litigation, 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 the operations at the Paulinskill Plant, and indicated it is running well. The Kubota membranes have been in place for one year. It is flowing approximately 50,000 gallons per day. He reviewed the cleaning process of the membranes, which no longer needs to be done as frequently.

**Comptroller's Report**

Mr. Day reported on Upper Walkkill improvement projects and updated needs for the Facility. He indicated that the FY2022 budget should be amended to be shifted/transferred to and from line items for priority projects. Mr. Day reviewed the resolution authorizing line item transfers, and Commissioner Drake moved the resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#21-174** RESOLUTION RE: AMENDING THE SCMUA'S FY2021 UPPER WALLKILL FACILITIES CAPITAL BUDGET – RENEWAL & REPLACEMENT FUND

c. Solid Waste Program

**Superintendent's Report**

Mr. Morris reported on the bid opening for Contract #21-08 for a new walking floor transfer trailer. Two bids were rejected, and the one responsive/responsible bidder was from Horwith Trucking, for \$93,609.00. The Authority declined the Trade-in offer, and will dispose of the older trailer in the most cost-effective manner. A resolution was prepared to award Contract #21-08 to Horwith Trucking of Northampton, PA for \$93,609.00 for the purchase of a new walking floor transfer trailer. Commissioner Drake moved the contract resolution, seconded by Commissioner Dietz. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#21-175** RESOLUTION RE: AUTHORIZING THE AWARD TO THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER FOR CONTRACT NO. 21-08 FOR THE FURNISH AND DELIVERY OF ONE NEW WALKING FLOOR TRANSFER TRAILER

Mr. Morris reported on an incident regarding the dumping of hazardous material at the Contractors Area in the landfill, including muriatic acid, 25 bottles of concrete coloring chemicals and 25 bottles of an unknown substance. The NJDEP Hotline and the NJDEP and County Health Department responded, and materials tested were confirmed non-flammable and no enforcement action was taken.

Mr. Morris reported that there was a customer complaint regarding the monitoring of separating of leaves and grass from brush. A customer indicated he will take and send picture to Mr. Morris regarding debris in the brush pile. Mr. Morris asked him to forward the pictures to further investigate, and he has not received them to date.

Mr. Morris reported that the recent heavy rain fall has caused the leachate tank to fill rapidly, and he asked trucking staff to work extra hours to alleviate the tank.

**Executive Director's Report**

Mr. Varro gave a status report on the Leachate Pump Station/Force Main Project, and noted the onsite construction activities at the Solid Waste Facilities. Horizontal drilling is complete, all pressure testing through the entire force main will be done at end of project. At this point, November 2021 is the expected complete date.

Mr. Varro reviewed the ongoing construction of the Stage 2 Landfill Life Expansion Project, and discussions ensued regarding reinforced and retained zones of the MSE wall. Contractor has been proactive regarding pending wet weather to evade any further erosion. Commissioners are pleased with the ARM Inspector's weekly reports to keep them informed regarding progress of project.

**Comptroller's Report**

Mr. Day reported on Tonnages and Revenues for FY2021 from December 1, 2020 to August 31, 2021. Compared to the same time period from FY2020, tonnage has increased 2.4%, and revenues are up \$46,000.

d. General Authority Business

**Executive Director’s Report**

Mr. Varro reported that the Draft FY2022 Budget has been prepared and will be presented for approval to submit to the State at the September 15, 2021 Authority Meeting. A Budget Committee meeting will be scheduled to review and provide input before presentation.

e. Personnel Matters

**Wastewater Superintendent’s Report**

Mr. Phillips indicated that Wastewater Employee Tyler Grabowski gave his two weeks’ notice for leaving his position at the WW Plant. Commissioner Cocula moved to accept his resignation, Commissioner Drake seconded. On voice vote: Ayes (9), Nays (0). The motion carried.

**Solid Waste Superintendent’s Report**

Mr. Morris prepared a resolution for an extended leave of absence for an additional 60 days through October 31, 2021. Commissioner Drake moved the resolution, seconded by Commissioner Dietz. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#21-176** RESOLUTION RE: AUTHORIZATION TO EXTEND “OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR PERSONAL ILLNESS, FOR AN ADDITIONAL 60 DAY PERIOD” FOR EMPLOYEE CW0228

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 #21-177 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN	x		x			
COCULA			x			
DIETZ			x			
MEYER			x			
DRAKE			x			
WESLEY			x			
FINKELDIE		x	x			
DABINETT			x			

**#21-177** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

No Comments.

11. ADJOURN

At 3:55 p.m. Commissioner Finkeldie moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary