

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON SEPTEMBER 2, 2015 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: Commissioners Madsen, Petillo, Dietz, Cocula, Meyer, and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, General Counsel Giacobbe, Special Counsel Prol, and Recording Secretary Kronski

Absent: Commissioner Sowden

Public present: Freeholder Graham; Sussex Borough Liaison 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

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

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Commissioner Drake 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 Dietz. 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 August 19, 2015 Pending Action Summary Sheet (PASS), which was emailed to the Clerk of the Freeholder Board on August 20, 2015.

PASS Report for 8-19-15 to Freeholder Board						
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			

Motion passed.

Chairman Petillo noted the Open and Closed Minutes for the August 5, 2015 Authority Meeting have been emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session (moved to the end of the Agenda)

b. Wastewater Program

**Chief Engineer’s Report**

Mr. Varro updated the Commissioners on the Paulinskill Project and noted all three contracts are underway with no major construction issues. A meeting was held with JCP&L regarding pump station property access and installation of power poles, in which written correspondence will need to be sent allowing access. Discussion continued regarding project timeline and winter weather should not be an issue, all 3 contractors are making good progress.

**Administrator’s Report**

Mr. Hatzelis reported on the Sparta Township Stop n’ Shop Property Lien Claim and indicated that original lien was for \$97,000 for unpaid connection fees, and over the years, finance charges are also due. Mr. Hatzelis also reported that the Property Lien shall be re-filed with the County and Sparta Township to include additional finance charges and due to a lot and block change by the Township of Sparta.

Mr. Petillo left the meeting room at 3:18 pm

Mr. Hatzelis distributed information regarding three resolutions authorizing execution of USDA Loan/Grant Agreements in relation to the Paulinskill Projects’ low interest loans. He reviewed the agreement language, interest rates and loan repayments. Total funding shall be \$13,475,500 in grants and loans. There are three resolutions for individual loans/grants from 2007, 2009 and 2015.

Res: #15-131 – Paulinskill Project Loan Resolutions year 2007; 2009; 2015						
Res: #15-132 - 2009						
Res: #15-133 - 2015						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN						x
TOM MADSEN			x			
RON PETILLO						x - out of mtg room
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER		x	x			
JOHN DRAKE			x			

Resolutions passed.

#15-131 RESOLUTION RE: AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS WASTEWATER TREATMENT SERVICES FACILITY TO SERVE BRANCHVILLE BOROUGH/FRANKFORD TOWNSHIP – 2007

#15-132 RESOLUTION RE: AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS WASTEWATER TREATMENT SERVICES FACILITY TO SERVE BRANCHVILLE BOROUGH/FRANKFORD TOWNSHIP - 2009

#15-133 RESOLUTION RE: AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS WASTEWATER TREATMENT SERVICES FACILITY TO SERVE BRANCHVILLE BOROUGH/FRANKFORD TOWNSHIP - 2015

Chairman Petillo re-entered the meeting room at 3:20pm

Mr. Hatzelis reviewed a resolution regarding an Agreement with the Wallkill River Watershed Group and the Land Conservancy, as well as grant funding in the amount of \$5000 for assistance with restoration and stewardship projects to improve water quality and functioning of the Upper Paulinskill Watershed.

Res: #15-134 – Authorizing Agreement between WRWVG and Land Conservancy/Grant Funding						
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			

Resolution passed.

#15-134 RESOLUTION RE: GRANT AGREEMENT BETWEEN SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY / WALLKILL RIVER WATERSHED MANAGEMENT GROUP AND THE LAND CONSERVANCY OF NEW JERSEY FOR PROJECT CONSULTATION ON THE DEVELOPMENT OF THE SUSSEX COUNTY STEWARDSHIP AND CONSERVATION PLAN

Mr. Hatzelis reported on a cost sharing agreement with the Wallkill River Watershed Management Group and Kuperus Meadows Farm in Wantage Township for a not to exceed amount of \$976.97. Grant funds are provided by 319(h) Non-point Source grant funding under the USDA-NRCS Farm Bill Funding Program.

Res: #15-135 – WRWVG & Kuperus Meadows Farm - Farm Bill Funding Prog.						
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		x			
JOHN DRAKE					x	

Resolution passed.

#15-135 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A

September 2, 2015  
 COST SHARING AGREEMENT WITH JAMES KUPERUS,  
 OPERATOR OF KUPERUS MEADOWS FARM IN WANTAGE  
 TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES  
 IN COLLABORATION WITH A USDA-NRCS FARM BILL  
 FUNDING

c. Solid Waste Program

**Administrator's Report**

Mr. Hatzelis distributed tonnage data from 2010 to 2015 for the months of December - August). Both Household Waste (ID10) and Bagged Garbage @ the Residents' Convenience area have been holding steady compared to 2014. Bulky Waste to the landfill (contractor) is down 27.3% since last year and, when compared to 2013, it's down 33.7%; C&D down 48.4% compared to 2014; 2013 down 52%. Discussions continued on who is benefiting from SCMUA's loss and what seems to be a lack of Solid Waste Enforcement. Overall tonnage is down 6.6% which translates to a large revenue loss of \$460,000.

Mr. Hatzelis updated the Commissioners on the Bid Specifications for the MIC Unit rental due to current lessee, St. Clare's, being sold to a for-profit organization. Commissioners and counsel discuss details of Bid Specification language. Mr. Hatzelis noted Counsel shall revise and distribute to Commissioners for review and approval before advertising.

8. Payment of Bills

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

Res: #15-136 - Financial Consent Agenda						
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			

Motion passed.

#15-136 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

Chairman Petillo opened the meeting to public comment, Linda Masson inquired about whether a town is billed for bond payments and then individual properties pay to connect. Mr. Hazelis noted this is incorrect, in that connection fees cannot be determined until debt service is actually paid. He gave examples, and noted that Sussex Borough chose to pay the connection fee in one lump sum due to USDA grant monies they received, subsequently connection fees were charged to individual homeowners as they hooked up.

Chairman Petillo called a meeting recess at 3:35 p.m.

The meeting resumed at 3:48 p.m.

a. Executive Session (moved from beginning of Agenda)

September 2, 2015

At 3:49 p.m. Commissioner Cocula 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.

#15-137 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:33 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Madsen. 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 personnel items and negotiations and/or litigations re: Hampton Commons Insurance Claim; and Personnel Issues. When the need for confidentiality of these matters no longer exists they will be opened to the public.

Mr. Hatzelis noted as per discussions in Executive Session, Mr. Jeffrey Little has resigned as a Solid Waste Heavy Equipment Operator. Commissioner Cocula moved to accept Mr. Little's verbal resignation as of August 27, 2015, seconded by Commissioner Madsen. On voice vote, Ayes (6); Nays (0), the motion passed.

Commissioner Cocula moved to give Mr. Sowden an excused absence, seconded by Commissioner Meyer. On voice vote, Ayes (6); Nays (0), the motion passed.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners thanked the Personnel Committee for their work in beginning the process to hire an Enforcement Officer.

11. ADJOURN

Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (6), the motion passed. The meeting was adjourned at 4:35 p.m.

Respectfully submitted,

Andrea Cocula, Secretary