

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON SEPTEMBER 3, 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 3:10 p.m.

The following were present: Commissioners Sowden, Cocula, Meyer, Dietz and Drake, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, General Counsel Matthew Giacobbe, Special Environmental Counsel Thomas Prol, and Recording Secretary Kronski.

Absent: Commissioners Petillo and Madsen

Public Present: Linda Masson

Commissioner Cocula moved to nominate Commissioner Meyer as Chairman Pro Tem due to the absence of the Chairman and Vice Chairman. Motion seconded by Commissioner Dietz. The motion passed.

Nomination of Commissioner Meyer as Chairman ProTem						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
JOHN SOWDEN			x			
TOM MADSEN						x
RON PETILLO						x
WAYNE DIETZ		x	x			
ANDREA COCULA	x		x			
KARL MEYER			x			
JOHN DRAKE			x			

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

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

4. AGENDA APPROVAL

Chairman Meyer asked for a motion to approve the Agenda, Commissioner Sowden moved the approval of the Agenda, seconded by Commissioner Drake. No additions/changes to the Agenda. On voice vote: Ayes (5); 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 (5); Nays (0). The motion carried.

6. MINUTES

Chairman Meyer requested a motion to approve the distribution of the August 20, 2014 Pending Action Summary Sheet, which was emailed to the Freeholder Board on August 21, 2014. The motion carried.

PASS Report for 8-20-14						
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			

Chairman Meyer asked for motion to approve the Open and Closed Meeting Minutes for both the August 6, 2014 Regular Authority Meeting. Commissioner Cocula approved the minutes, seconded by Commissioner Drake. On voice vote: Ayes (5); Nays (0). The motion carried.

No minutes have been distributed for this meeting.

7. BUSINESS

a. Executive Session

At 3:12 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Drake. On voice vote: (5) Ayes, (0) Nays, the motion carried. General Counsel reviewed the reasons and topics of Executive Closed Session and approximate time to be 15 minutes.

#14-097 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:25 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Sowden. On voice vote, Ayes (5); Nays (0), the motion passed.

Chairman Meyer called for a meeting break at 3:26 p.m.

The meeting resumed at 3:35 p.m.

Chairman Meyer indicated that in Closed Executive Session items discussed as specifically set forth in the resolution were negotiations and/or litigations re: County Road Opening Permit Agreement; OMNI/KLF Budget Amendment for Paulinskill Project. 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. Nugent reported that he was seeking authorization from the Board to submit an application to the NJDEP for the renewal of the Discharge to Groundwater Permit for the MBR system. Commissioner Sowden moved to approve the submission of the renewal application, seconded by

September 3, 2014

Commissioner Cocula. On voice vote: Ayes (5); Nays (0), the motion passed.

Mr. Nugent reported that he received correspondence from the NJDEP confirming his request to deactivate the Compost Facility Permit. It is a temporary shut down and the permit is still preserved, quarterly reports will note the shutdown.

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

Chief Engineer Varro reported on the status of the Paulinskill Project, he reviewed the USDA requirements. A pre-bid meeting is scheduled for September 11, 2014 and bid opening October 1, 2014. He reviewed a meeting with the Frankford Board of Education and noted that they requested that the BOE pump station be removed from the project. Discussions continued regarding reasons for BOE decision and effects on the project and it was reported that the PS is noted as an alternate within the project. Service Agreements and allocations were discussed and Mr. Hatzelis indicated that the Authority's Sewer Service Agreement is with the Frankford Township, not the school. It was determined that the pump station would remain in the contract as a bid alternate item. Mr. Varro reported on the status of the County Road Opening Agreement and requested a motion for approval thereon based on discussions in Executive Session. Commissioner Cocula moved to approve the County Road Opening Agreement contingent upon Freeholder approval, Commissioner Drake seconded. On voice vote, Ayes (5); Nays (0), the motion passed.

#### c. Solid Waste Program

### **Administrator's Report**

Mr. Hatzelis distributed a handout re: the latest tonnages from December 1<sup>st</sup> – August 31<sup>st</sup>, in which total tonnage is down 3.5% compared to last year during the same time period. The largest drop is in ID10 household waste, especially over the last 4-5 years. Mr. Hatzelis will prepare a detailed report regarding data for individual municipalities.

#### d. General Authority Business

### **Administrator's Report**

Administrator Hatzelis reminded the Commissioners to advise if they are planning on attending the 2014 New Jersey State League of Municipalities Annual Conference in Atlantic City. Hotel accommodations will be tight due to closing hotels and casinos. Registration for the conference is due by October 1<sup>st</sup>.

Mr. Hatzelis reported that notice is required to the Statewide Insurance Fund within 90 days to reserve the Authority's rights to shop around and look at other funds. He indicated that the Reservation of Rights letter does not indicate dissatisfaction or non-membership renewal, only to review other options and offers for 2015, 2016, 2017. Commissioner Drake moved to send the Reservations of Rights letter to Statewide Insurance Fund. On voice vote, Ayes (5); Nays (0), the motion passed.

8. Payment of Bills

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

# 14-098 - Financial Consent Agenda						
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			

#14-098 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

The Chairman opened the meeting to public comment. Ms. Masson inquired re: mandatory hookups to the Branchville/Frankford sewer systems. Mr. Hatzelis noted that the decision would be made by the municipality. A short discussion held on history of Frankford BOE involvement in Paulinskill Project. Ms. Masson inquired if Sewer Service Contracts have ever been amended to lower their allocation. Mr. Hatzelis noted that allocation has to be transferred/sold to an agreeable receiving entity, the bottom line guaranteed minimum flow must remain unchanged. Seeing no further comments, Chairman Meyer closed the meeting to public comment.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioners Petillo and Madsen an excused absence for this meeting, seconded by Commissioner Dietz. On voice vote: Ayes (5); Nays (0); Abstain (0). The motion passed.

11. ADJOURN

Commissioner Sowden moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote, the motion passed. The meeting was adjourned at 4:03 p.m.

Respectfully submitted,

Andrea Cocula, Secretary