

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON SEPTEMBER 2, 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 Sesto*, Solid Waste Superintendent Jonathan Morris, General Counsel Napolitano*, Special Counsel 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.

3. OPEN TO PUBLIC COMMENT

Chairman Drake opened the meeting to public comment. No public present. He closed the meeting to public comment. (Call-in information was noticed prior on website for public participation.)

4. AGENDA APPROVAL

Chairman Drake asked for a motion to approve the Final Agenda. Commissioner Madsen moved the Final Agenda, seconded by Commissioner Dietz. On voice vote: Ayes (9); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Dabinett moved the approval of the Consent Agenda, seconded by Commissioner Meyer. 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 August 19, 2020 Pending Action Summary Sheets (PASS) to the County Freeholder Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Madsen motioned to approve, seconded by Commissioner Cocula. On voice vote: Ayes (9); Nays (0). The motion carried.

Commissioner Cocula made a motion to approve the Open and Closed Meeting Minutes for the June 17, 2020 and the July 15, 2020, seconded by Commissioner Finkeldie. On roll call vote: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Perez, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Meyer. The motion carried.

The Open and Closed Minutes for the August 5, 2020 Authority Meeting were distributed for Commissioners review.

7. BUSINESS

a. Executive Session

At 3:08 p.m. Commissioner Finkeldie moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Madsen. 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: PFOA/PFOS/PFNA Wastewater Coalition Permitting Issues and Possible Rule Challenge and Personnel Item.

#20-139 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:25 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: PFOA/PFOS/PFNA Wastewater Coalition Permitting Issues and Possible Rule Challenge and Personnel Item. When the need for confidentiality of these matters no longer exists, they will be opened to the public.

b. Wastewater Program

Executive Director/Chief Engineer's Report

Mr. Varro gave a status update on the Upper Wallkill Facility's License Reclassification application to NJDEP. The reclassification from an S4 to and S3 would change the licensing requirement for the plant Superintendent/Operator. The Staff has made modifications to the plant to go from sludge cake to liquid sludge disposal, and hauling began on September 1st. The new license classification application was sent to NJDEP and a response was received the same day which approved the change from S4 to S3. Mr. Varro noted that now the Personnel Committee can reconsider Superintendent Position as an S3 license holder.

Senior Project Engineer's Report

Mr. Sesto gave a project status report on the Paulinskill Kubota Membrane installation by Contractor Koester. Contractor has been onsite and working with SCMUA WW staff to drain the tank and remove membranes. New membranes are in the process of being installed with no issues to report. The anticipated start up for the plant, with new membranes, is set for the end of the week with a full day of operation throughout the day on Friday. Mr. Sesto noted the manufacturer, contractor, and SCMUA staff worked well together and the situation with the labor intensive daily membrane cleanings are behind us. Discussions concluded with the investigation of the higher flows, which was confirmed to be from cooling towers from the Selective Insurance building, the plant was confirmed to have the capability to handle regular and elevated flows.

c. Solid Waste Program

Superintendent's Report

Mr. Morris gave the floor to Recycling Coordinator Reenee Casapulla to present the 2019 Annual Recycling Report to the Commissioners. Ms. Casapulla noted that this report was approved by the NJDEP, and is credited towards Sussex County's overall recycling rate, she advised that this data does not represent total Sussex County recycling numbers, only those recycling materials collected at the SCMUA. A total of 16,891 tons of Class A-D recyclable materials were collected and diverted from the landfill, therefore conserving valuable landfill space. Over \$154,000 in revenue was generated from recycling sales, which was used to offset operating and maintenance costs at the solid waste facility. Ms. Casapulla reviewed each waste class recyclable collected compared to 2018 totals with a chart for each showing the history of the past four years. She reported on increase/decreases in each waste (Class A: Commingled Recyclables, Mixed Fiber; Class B: Mixed and Non-mixed Ferrous Metals, Vehicle tires, AC Units, Refrigerators, Propane Tanks, Wood, Demolition Material, Other Plastics; Class C: Leaves, Brush, Stumps; Class D Automotive Batteries, Waste Oil, Anti-Freeze and Consumer Electronics(E-Waste).] Ms. Casapulla continued to report on other SCMUA recycling related programs, including collection of HHW, Styrofoam, street sweepings, Fluorescent bulbs, sharps disposal and Shredding Services. Lastly, Ms. Casapulla noted the increase in annual vehicle volumes that access the solid waste facility for 2019 jumping from 313,773 to 334,743. She thanked the SCMUA Staff for their efforts each and every day working to separate and sort the recyclable materials. In conclusion, she also thanked the Board for their constant support for all the Recycling Programs being promoted at the SCMUA.

Mr. Morris reported on an incident regarding a gentleman that stumbled and fell over a safety cone at the Recycling Center. He hit his head on the ground and preliminary first aid was given, and he politely refused to give any further information. After about 30 minutes the gentleman left the facility.

Executive Director/Chief Engineer's Report

Mr. Varro gave a status report on the Landfill Life Extension/Infrastructure Relocation Project and indicated that he had discussions with NJDEP and the I-Bank regarding project schedules. He also discussed project schedule with Engineer Ben Allen of the ARM Group. On August 28th the 100% complete drawings/specifications were received, as requested, and are currently under review by SCMUA staff. Mr. Varro noted recent discussions concerning completion of Cell 6 to be moved up to the end of 2021. Project timeline was reviewed and bid advertising, with necessary authorizations are projected by end of November, with bid opening on January 18th. Mr. Varro noted liquidated damages is at \$30,000 per day for the initial landfill expansion milestone in order for the Contractor to note the importance of staying on schedule for SCMUA to be able to continue landfilling operations. Mr. Varro had discussions with Bond Counsel John Cantalupo, and noted that since project is being financed by the I-Bank, no need to present to the NJDCA – LGS, which favorable affect the project timeline.

Senior Project Engineer's Report

Mr. Sesto reported on the North Berm Project, noting that Tomco was onsite last week to conduct soil erosion measures and place office trailer. Mr. Sesto reported he will be monitoring and advising Tomco of the tight project timeline and to proceed as soon as possible.

Comptroller's Report

Mr. Day reported on the Tonnages and Revenues through August 31, 2020 compared to the same time period for 2019, and indicated that there was a decrease of 0.1% or 60 tons. Revenues are down approximately \$72,000, but the overall bottom line is good, with no issues to report.

Mr. Day reported on the Loan Closing for short term loan for the Leachate Pump Station/Force Main Project. Once copies of closing documents are received, he will submit for reimbursement of the planning and design expenses.

d. General Authority Business

Comptroller's Report

Comptroller Day reported on the need to revise line items within the FY2020 Upper Wallkill Capital Budget. Mr. Day indicated a few capital projects came in underbudget, with others overbudget. This amendment does not change the overall budget amount. The Amendment resolution was moved by Commissioner Cocula, 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.

#20-140 RESOLUTION RE: AMENDING THE SCMUA'S FY2019 UPPER WALLKILL FACILITIES BUDGET

Executive Director's Report

Mr. Varro referred to Closed Executive Session discussions regarding joining a litigation coalition with 3M Corporation and Landis Sewerage Authority against the NJDEP to address NJPDES-DGW permit limits and sampling requirements for PFOA/PFOS/PFNA. The argument is that the NJDEP failed to properly summarize the economic, social construction and job impacts of the rule for testing where there is no nationally recognized or standard laboratory method for analyzing PFOA/PFOS/PFNA chemicals in wastewater discharges. Commissioner Cocula moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (7) Commissioners Petillo, Madsen, Cocula, Drake, Meyer, Finkeldie, Dabinett; Nays (2) Commissioners Dietz, Perez; Abstain (0). The resolution passed.

#20-141 RESOLUTION RE: AUTHORIZING THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) TO CONTEST NEW NJDEP RULES REGARDING PFOA/PFOS/PFNA

e. Personnel Matters

Solid Waste Superintendent's Report

Mr. Morris presented a resolution as discussed in Executive Session to further extend the current official Leave of Absence for employee #0228. Commissioner Dietz moved the resolution, seconded by Commissioner Dabinett. On voice vote: Ayes (9); Nays (0); Abstain (0). The resolution passed.

#20-142 RESOLUTION RE: AUTHORIZATION TO EXTEND "OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR PERSONAL ILLNESS, FOR AN ADDITIONAL 90 DAY PERIOD" FOR CW0228

8. 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 #20-143 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN	x		x			
COCULA			x			
DIETZ		x	x			
DRAKE			x			
MEYER			x			
PEREZ			x			
FINKELDIE			x			
DABINETT			x			

#20-143 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners thanked Recycling Coordinator Casapulla on her work and presentation of the 2019 Recycling Report. Also, Mr. Sesto was complimented on the completion of the membrane replacements at the Paulinskill Plant, and getting back to running full capacity with no further issues.

11. ADJOURN

At 4:25 p.m. Commissioner Madsen moved to adjourn the meeting, seconded by Commissioner Dietz. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary