

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON OCTOBER 3, 2012 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

1. CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

The Chairman called the meeting to order at 3:00 p.m.

The following were present: Commissioners Madsen, Sowden, Petillo, Dietz, Meyer, Cocula and O'Halloran, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, Attorney Giacobbe (arrived at 3:09 pm), Recording Secretary Kronski

2. PUBLIC STATEMENT

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 public in attendance. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo requested a motion to approve the Agenda. Vice Chairman Sowden moved the approval of the Agenda, Commissioner O'Halloran seconded. No additions or deletions. On voice vote (7) Ayes, (0) Nays, the motion carried.

5. APPROVAL OF CONSENT AGENDA

The Chairman requested a motion for approval of the Consent Agenda. Commissioner Cocula moved the approval of the Consent Agenda, seconded by Commissioner O'Halloran. No discussion necessary. On voice vote (7) Ayes, (0) Nays, the motion carried.

6. MINUTES

Chairman requested a motion to approve the distribution of the September 19, 2012 Pending Action Summary Sheet, which was submitted to the Freeholder Board on September 20, 2012. Commissioner O'Halloran moved to approve the September 19, 2012 Pending Action Summary Sheet, seconded by Commissioner Cocula. On voice vote (7) Ayes, (0) Nays, the motion carried.

Chairman Petillo asked for a motion to approve the September 5, 2012 Open & Closed Meeting Minutes. Commissioner Cocula moved approval of the minutes, seconded by Commissioner O'Halloran. No comments/discussions. On roll call: (6) Ayes Commissioner Sowden, Petillo, Dietz, Cocula, Meyer, & O'Halloran, (0) Nays, Abstain (1) Commissioner Madsen due to absence at that meeting. The motion carried.

No Minutes were distributed at this meeting.

7. BUSINESS

a. Executive Session

Executive Session was moved to the end of the Agenda to wait for Attorney to arrive.

b. Wastewater Program

**Chief Engineer's Report**

Mr. Varro reported regarding the Water Quality Management Plan Amendment for Frankford Town Center. The Commissioners previously passed a resolution for approval contingent upon written commentary regarding correction/revisions submitted to Frankford Township by the SCMUA. He received notice from the County that the approval cannot be based on any contingencies and must be endorsed by the SCMUA as a Sussex County Water Quality Management Plan Amendment. Mr. Varro indicated the comments still were provided, this amendment will not adversely affect the project. Commissioners and staff discuss project and Commissioner Cocula moved the revised resolution for endorsement of the Sussex County Water Quality Management Plan Amendment concerning Frankford Town Center, seconded by Commissioner Meyer. On roll call: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran. Nays (0), Abstain (0). The resolution passed.

#12-122 RESOLUTION RE: SCMUA CONSENT TO PROPOSED SUSSEX COUNTY WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: FRANKFORD TOWN CENTER (ROSS'S CORNER)

Administrator's Report on Paulinskill Project Status moved after Solid Waste Superintendent's Report to wait for Attorney Giacobbe.

c. Solid Waste Program

**Solid Waste Superintendent's Report**

Mr. Sparnon reported that Landfill Compactor is currently down with multiple issues including brakes, bearings and oil leak problems. The Maintenance Department is working on the machine and hopefully it will be ready by the end of next week. He indicated that the trade-in Dozer is currently parked due to track wear, and the new Dozer is scheduled to be delivered within approximately 90 days of contract award.

Mr. Giacobbe arrived at 3:09 p.m.

b. Wastewater Program (cont.)

**Administrator's Report**

Administrator Hatzelis reported on the status of the Paulinskill Project. He referred to a memorandum provided to the Commissioners summarizing the meeting that he and Chief Engineer Varro had with Branchville Officials to review information for Public Presentation of the project status, which will be presented by Mike Clune of Branchville. The Public Hearing/Presentation will take place tonight, October 3<sup>rd</sup> at 7:00 pm at the Branchville Fire House and Mr. Hatzelis and Mr. Varro will be attending.

Mr. Hatzelis indicated that that there will be a resolution up for consideration before the Branchville Council to approve the project. He did provide commentary on the draft resolution to Branchville, but is not sure what the final resolution will include. If the project is approved, the Hydrogeological Study will be done first, followed by Design Phase and again the Authority and Branchville will go out for bid together for the construction phase. The Authority will need Branchville's consent before award. Commissioners agree to discuss the RFP/RFQ process for Hydrogeological Study and Design Phase in Executive Session.

c. Solid Waste Program (cont.)

**Chief Engineer's Report**

Mr. Varro reported on the Solid Waste Sub-Committee Meeting held earlier today, in which Mark Swyka presented information on the landfill extension/retaining wall proposal to those in attendance including SCMUA Commissioners Meyer, Petillo, O'Halloran, County Freeholders Crabb and Vohden and County Planner Eric Snyder, as well as Lafayette Committeeman John D'Angeli and a SWAC Member. He reviewed rough numbers and a basic plan to increase landfill capacity with higher elevations, including a potential Phase 4 and feasibility of an increase of current landfill footprint. Tom reported that Mr. Swyka will also make this same presentation to SWAC and NJDEP to keep all parties informed. Interest is in generation of additional revenue and they discussed the continuation of RFP/RFQ for the transfer station. He reported that the Annual Topo Report recently received from SCS has the landfill reaching capacity in 2020, which is a two year extension from previous estimates. Commissioners discuss the fact that the revenue generated for this expansion, must include operation and equipment and bond expenses. They advised that Mr. Varro stress this point to SWAC members. Commissioners also discussed the \$12 million shortfall which is the present budget problem, and that this expansion option is not going to solve the issue of no State Aid. Mr. Varro welcomed the Commissioners to sit in on the presentation to the NJDEP next Thursday.

**Administrator's Report**

Mr. Hatzelis reported on Tonnages and Revenues for the period of December 1<sup>st</sup> to September 30<sup>th</sup>. He distributed graphs and charts documenting the increase/decrease of waste class. He indicated that there has been a reduction in total tonnage received as compared to 2011 within the time period. He reported that ID13 and ID13C tonnages have increased, but concern is with the 7% decrease in ID10 (Household Waste). He indicated that the overall projected tonnage for FY2012 was 103,000 tons for budget reasons, and that tonnage should be met. He could not explain why this decrease is occurring with ID10, inquiries were made to the County, and NOVs have been given out to haulers, but they are not necessarily "flow control" violations. Discussions ensued regarding how Solid Waste Enforcement Program tracks ID10 Packer Trucks. Mr. Hatzelis will continue to follow and document the ID10 tonnage for the conclusion of the year.

d. General Authority Business

**Administrator's Report**

Mr. Hatzelis reported that the Central Services Budget provided revenue to pay for the Paulinskill Project's VE Study at a cost of \$72,000, which was not an anticipated cost during FY2012 budget preparation. He advised the Commissioners that a Budget Amendment will need to be considered via Resolution at the next meeting.

Mr. Hatzelis reported to the Commissioners that the FY2013 Rate Hearing will need to be scheduled and published. Commissioners discussed date and time of Rate Hearing. Commissioner Cocula moves to hold Public Rate Hearing on November 7<sup>th</sup> at 4:00 p.m., Commissioner Madsen seconded. On voice vote (7) Ayes, (0) Nays, the motion carried.

8. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Agenda and Supplement with the removal of P.O. #67114 from the Solid Waste Facility C portion. Commissioner Cocula moved the approval of bill paying resolution, as amended, seconded by Commissioner O'Halloran. No discussions. On roll call, the vote was as follows: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Nays (0), Abstain (0). The resolution passed.

#12-123 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

Chairman requested a motion to approve Solid Waste Operating Fund, Section C PO#67114 for overtime portion of payroll. Commissioner O'Halloran moved, seconded by Commissioner Dietz. On roll call the Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Meyer and O'Halloran. Nays (1) Commissioner Cocula, Abstain (0). The motion was approved.

a. Executive Session

Chairman Petillo asked for a motion to go into Closed Executive Session at 3:40 p.m. Commissioner O'Halloran moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Madsen. On voice vote (7) Ayes, (0) Nays, the motion carried.

#12-124 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:46 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Vice Chairman Sowden. On voice vote, the motion passed.

The Open Session was reconvened at 4:46 p.m. and Chairman Petillo indicated that in Closed Executive Session items discussed as specifically set forth in the resolution were negotiations and/or litigations re: Grinnell Settlement Agreement; Edgewater Associates; CP Engineers response to Groundwater Monitoring Report Data; PNC Bank Investment Practices; Paulinskill Project. When the need for confidentiality of these matters no longer exists they will be opened to the public.

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9. PUBLIC COMMENT

The Chairman opened the meeting to Public Comment, no public comment. The Chairman closed the meeting to public comment.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners acknowledged Recycling Coordinator Reenee Casapulla on a letter received from the local Red Hat Society praising her informative tour of the Solid Waste Facilities. Commissioners also wished Commissioner Madsen a Happy Birthday!

11. ADJOURN

Vice Chairman Sowden moved to adjourn the meeting, seconded by Commissioner Dietz. On voice vote, the motion passed. The meeting was adjourned at 4:48 p.m.

Respectfully submitted,

Andrea Cocula, Secretary

