

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 20, 2013 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 3:14 p.m.

The following were present: Commissioners Madsen, Sowden, Petillo, Dietz, Meyer and Cocula, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, Attorney Matthew Giacobbe, and 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. There being no public comment. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo requested a motion to approve the Agenda. Commissioner Sowden moved the approval of the Agenda, Commissioner Dietz seconded. Chairman Petillo suggested moving Executive Session discussions to the end of the meeting and notified the public present that there may potentially be an action taken after those discussions. Administrator Hatzelis would like to add HTMUA notification Re: Pump Station Modifications under Administrator's Report for Wastewater Program. On voice vote (6) Ayes, (0) Nays, the motion carried.

5. APPROVAL OF CONSENT AGENDA

The Chairman requested a motion for approval of the Consent Agenda. Commissioner Madsen moved the approval of the Consent Agenda, seconded by Commissioner Dietz. No discussion necessary. On voice vote (6) Ayes, (0) Nays, the motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the March 6, 2013 Pending Action Summary Sheet, which was emailed to the Freeholder Board on March 7, 2013. Commissioner Cocula moved to approve the March 6, 2013 Pending Action Summary Sheet, seconded by Commissioner Sowden. On roll call: Ayes: (5) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula; Nays (0), Abstain (1) Commissioner Meyer due to absence at that meeting.

Chairman Petillo asked for a motion to approve the Open & Closed Meeting Minutes for the February 6, 2013 Reorganization Meeting. Commissioner Cocula moved approval of the minutes, seconded by Commissioner Dietz. No comments/discussions. On voice vote: (5) Ayes, (0) Nays, the motion carried.

The Chairman stated that the Open & Closed Meeting Minutes for the February 20, 2013 Authority Meeting have been emailed to the Commissioners for their review/comment.

7. BUSINESS

a. Executive Session (moved to end of Agenda)

b. Wastewater Program

Superintendent's Report

Wastewater Superintendent John Nugent reported on the Sludge Composting Operations at the Upper Wallkill Wastewater Plant. During the winter months the sludge is trucked off site, the current contract will end this March and was a two year contract with Spectraserv. He indicated that bidding for a new contract will take place in September 2013 for a one year contract, with an option to extend for an additional year. Mr. Nugent and Mr. Varro will prepare a scope of work for Birdsall to begin a study for the future operations for the compost facility. Commissioners discuss and agree to begin process of preparing scope of work for Birdsall.

Chief Engineer's Report

Mr. Varro reported on the request from Hampshire Companies for the Authority to endorse the expansion of the Wantage Sewer Service Area. The property is adjacent to the A&P Shopping Center in Wantage and has been approved Sussex Borough and Wantage Township. Tom indicated he has reviewed and has no issues with the addition of 3,000 gpd for commercial use. He presented a resolution to the Board for consideration, Commissioner Cocula moved the resolution to endorse the proposed revision, seconded by Commissioner Madsen. On roll call: Ayes (6), Commissioner Madsen, Sowden, Petillo, Dietz, Cocula and Meyer. Nays (0) Abstain (0). The resolution passed.

#13-059 RESOLUTION RE: AUTHORIZING SCMUA STATEMENT OF CONSENT FOR THE PROPOSED REVISION TO THE SUSSEX COUNTY WASTEWATER MANAGEMENT PLAN FOR HAMPSHIRE COMPANY PROPERTIES, LOWER UNIONVILLE ROAD, WANTAGE TOWNSHIP

Administrator's Report

Mr. Hatzelis reported that he received a request notification from the Hardyston Township MUA to upgrade the pump station within the Service Agreement. John explained that according to the Service Agreement the SCMUA has with the HTMUA, when capacity reaches 170,000 gpd for the pump station for a 2 month period, the SCMUA would upgrade the pumps for higher capacity. The upgrade will require a Treatment Works Approval and funds are available. Mr. Varro will work with HTMUA Engineer Mike Vreeland to prepare TWA package.

c. Solid Waste Program

Superintendent's Report

Solid Waste Superintendent reported on the March 16th Electronic Waste Event. He indicated that this event had the largest turn out since the inception with 1,500 vehicles/customers in a 7 hour day. The Event ran well with Vintage Tech Recyclers as the vendor and they were offsite by 3:30 pm. Mr. Sparnon will have a final tonnage amount for the next

meeting. Discussion ensued regarding moving the drop off area to make room for a larger queue line, will consider before next event.

Chief Engineer's Report

Mr. Varro reported on the Professional Services Agreement with Norcon Conservation for a Licensed Site Remediation Professional (LSRP) and Specialized Environmental Consulting Services. This non-fair and open contract was awarded September 2011 and Norcon is agreeable to hold rate schedule and all disclosure forms have been reviewed. Mr. Varro presented a resolution to renew this agreement through the next Reorganization Meeting for 2014. Commissioner Cocula moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (6), Commissioner Madsen, Sowden, Petillo, Dietz, Cocula and Meyer. Nays (0) Abstain (0). The resolution passed.

#13-060 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES RENEWAL AGREEMENT WITH NORTON CONSERVATION COMPANY, INC., FOR LSRP AND SPECIALIZED ENVIRONMENTAL CONSULTING SERVICES

Mr. Varro reported on the Permit Renewal for the Grinnell Transfer Station Materials Recovery Facility, in which he received a copy of correspondence from NJDEP that the Permit has been declared Administratively Complete on March 4, 2013. Mr. Varro requested to NJDEP that the Authority receive a copy of the Permit when available.

Administrator's Report

Mr. Hatzelis distributed information regarding the State's Recycling Enhancement Act grant funds. He reviewed the REA grant program, in which \$3 from each ton of solid waste received is sent to the State and a portion is returned in these grant funds. However, new information provided by the State infers that the funds will not be available in the State's Budget for 2014. John will monitor this issue he stated that the funds are critical for the Recycling Programs.

Mr. Hatzelis reported on pending legislation Bill #25-28 changes the rules for recycling for commercial and institutional entities. John explained the Bill's purpose is to leave recyclables within the solid waste and then be sorted at a materials recovery facility. Recycling advocates are, of course, against this change which will cause contamination of recyclables as well as issues with flow control and residuals. Mr. Hatzelis will keep a close watch on this legislation and Commissioners discuss and direct SCMUA staff to prepare a preliminary letter to send to the County Legislators stating the Authority's reasons to vote against this Bill.

d. General Authority Business

Administrator's Report

Mr. Hatzelis reported that the 2012 Audit is almost completed by Paul Cuva, Authority's Auditor and shall be ready for report for the next Authority Meeting. John stated there should be no issues with the Audit.

8. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Agenda with the removal of PO#68011 for the Solid Waste Operating Fund Overtime portion. Commissioner Cocula moved the approval of bill paying resolution, as amended seconded by Commissioner Madsen. No discussions. On roll call, the vote was as follows: Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula and Meyer; Nays (0), Abstain (0). The resolution passed.

#13-061 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

Chairman requested a motion to approve Solid Waste Operating Fund, Voucher #68011 for overtime portion of payroll. Commissioner Sowden moved, seconded by Commissioner Dietz. On roll call the Ayes (5) Commissioners Madsen, Sowden, Petillo, Dietz and Meyer. Nays (1) Commissioner Cocula, Abstain (0). The motion was approved.

9. PUBLIC COMMENT

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

a. Executive Session

Mr. Chairman called for short recess at 3:39 p.m. before going into Closed Executive Session.

The Meeting resumed at 3:51 p.m.

Chairman Petillo asked for a motion to go into Closed Executive Session at 3:51 p.m. Commissioner Madsen moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Cocula. On voice vote (6) Ayes, (0) Nays, the motion carried.

#13-062 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:45 p.m. Commissioner Sowden moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Madsen. On voice vote, the motion passed.

The Open Session was reconvened at 4:45 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/Collection Matters; Franklin ViaDuct Easement Issue; Paulinskill Project Property Acquisition; Vernon Township/Vernon Valley Sewer Company Service Agreements. When the need for confidentiality of these matters no longer exists they will be opened to the public.

Commissioner Cocula moved to approve a resolution to appoint The Morville Agency to provide Risk Management Services for the Authority based on discussions and Personnel Committee report on firm interviews. Commissioner Sowden seconded. On roll call, the vote was as follows:

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Ayes (5) Commissioners Madsen, Sowden, Petillo, Cocula and Meyer; Nays (0), Abstain (1) Commissioner Dietz. The resolution passed.

#13-063 RESOLUTION RE: APPOINTING RISK MANAGEMENT CONSULTANT – 2013

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners wish fellow Commissioner Cocula a Happy Birthday.

11. ADJOURN

Commissioner Sowden moved to adjourn the meeting, seconded by Commissioner Madsen. On voice vote, the motion passed. The meeting was adjourned at 4:47 p.m.

Respectfully submitted,

Andrea Cocula, Secretary