

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON APRIL 16, 2014 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 Sowden, Madsen, Petillo, Dietz, Cocula, Meyer and Drake (arrived at 3:15 p.m.), Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, General Counsel Matthew Giacobbe, Attorney John Napolitano, Special Counsel Prol and Recording Secretary Kronski

Public Present: 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

The Chairman opened the meeting to public comment. Ms. Masson asked the Board to consider moving the Closed Executive Session portion of the meeting to the end of the Agenda. Chairman Petillo advised that discussions need to be done in Executive Session in order to vote on some issues in Open Session and the Agenda can not be revised for this meeting. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Commissioner Dietz 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 Dietz moved the approval of the Consent Agenda, seconded by Commissioner Meyer. 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 April 2, 2014 Pending Action Summary Sheet, which was emailed to the Freeholder Board on April 3, 2014. Commissioner Madsen moved to approve the April 2, 2014 Pending Action Summary Sheet, seconded by Commissioner Dietz. On voice vote: Ayes (6); Nays (0). The motion carried.

Chairman Petillo asked for motion to approve the Open and Closed Meeting Minutes for the March 19, 2014 Regular Authority Meeting. Commissioner Meyer approved the minutes, seconded by Commissioner Sowden. On roll call: Ayes (5) Commissioners Sowden, Madsen, Petillo, Cocula, Meyer; Nays (0); Abstain (1) Commissioners Dietz due to absence at that meeting.

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Chairman Petillo stated that the Open & Closed Meeting Minutes for the April 2, 2014 Authority Meeting was previously emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:03 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Meyer. On voice vote (6) Ayes, (0) Nays, the motion carried.

#14-059 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

Commissioner Drake entered the meeting at 3:15 p.m.

At 3:20 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Madsen. On voice vote, Ayes (7); Nays (0), the motion passed.

Chairman Petillo called for a meeting break at 3:20 p.m.

The meeting resumed at 3:30 p.m.

Chairman Petillo indicated that the Closed Executive Session items discussed as specifically set forth in the resolution were negotiations and/or litigations re: SXLE/Energenic Contract; Vernon Township sewer user charges; Grinnell Collection Matter and Financial Advisor Proposal. 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 the NJ Water Environmental Association has requested that the SCMUA Wastewater Staff sponsor a safety training session for wastewater operators to maintain licenses and required Technical Contact hour credits. Commissioners agreed to have Mr. Nugent host the training session.

**Chief Engineer's Report**

Chief Engineer Varro reported on the Electric Aggregation Bids and Contract Award for the Upper Walkkill Facility. On April 8<sup>th</sup> bids were opened for energy contract for the Upper Walkkill and Wastewater Facilities. Mr. Varro noted that energy prices have steadily increased since the last bid in 2012, he reviewed the bid process and contract options. After consideration of the aggregate group, Tri-Eagle Energy was awarded a 24 month contract with a block index for 8.002 cents per kilowatt. The agreement will be signed and executed by Chief Engineer Varro and Administrator Hatzelis based on approval of March 19th meeting resolution.

Mr. Varro reported on the 60% review meeting for the Paulinskill Project that included SCMUA Wastewater Staff, the Board's Construction Review Committee, Branchville reps and Omni Kleinfelder. Tom noted that an SCMUA review comment letter was previously provided to Omni before the meeting and was also sent to the Commissioners with the Consent Agenda. Discussions included options and cost effective decisions which were agreeable to all parties. Commissioners noted that Chief Engineer Varro's comment letter to Omni was very detailed and well done.

### **Administrator's Report**

Administrator Hatzelis reported on a resolution the a cost sharing program with the Wallkill River Watershed Management Group in collaboration with the USDA-NRCS Farm Bill Funding. The Watershed Group has prepared an Agreement with Highlands Farms LLC of Hampton Township to implement Best Management Practices to improve water quality and natural resources. John noted that the funding is provided by the USDA-NRCS grants and Highlands Farms and the cost to the Authority's Watershed Program will be \$221.56. Commissioner Cocula moved the resolution for the cost sharing agreement, seconded by Commissioner Drake. On roll call: Ayes (7) Commissioners Sowden, Madsen, Petillo, Dietz, Cocula, Meyer, Drake; Nays (0); Abstain (0). The resolution passed.

#14-060      AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH HIGH LANDS FARMS LLC – ANTHONY LENTINI OF HAMPTON TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABERATION WITH A USDA-NRCS FARM BILL FUNDING PROGRAM (EQIP)

c.      Solid Waste Program

### **Solid Waste Superintendent's Report**

Mr. Sparbon reported on the recent Construction Review Committee meeting on future Solid Waste Equipment needs. He indicated that the replacement Landfill Compactor is of the highest priority and a Lease/Purchase Agreement is an option. He reviewed the details of bid advertising and state contract information. Commissioners discuss options to be included in the bid specifications and format in order to award the best cost effective decision for the Authority. Commissioner Dietz made the motion to prepare specifications and advertise for a landfill compactor, seconded by Commissioner Cocula. On voice vote: Ayes (7); Nays (0). The motion carried.

Mr. Sparbon reported that he received a request from the NJDEP – Solid Waste Inspector for a tour of the Solid Waste Facility. He indicated that a total of 8 people arrived for the "tour", including the NJDEP Solid Waste Inspector, Solid Waste Bureau Chief, the new Assistant Commissioner for Compliance and Enforcement, the County Health Department and the Air Enforcement Inspector. He received complimentary feedback and stated the Assistant Commissioner was very impressed.

d.      General Authority Business

### **Administrator's Report**

Administrator Hatzelis reported on the Annual Financial Disclosure Filings for this year, which are usually filed by the end of April. The State website is currently being updated and the website advises to hold off submittals until further notice.

Mr. Hatzelis reminded the Commissioners that the Annual Earth Day Celebration will be held on Thursday, April 17<sup>th</sup> from 9 am – 2 pm. Approximately 450 students from schools around the County are scheduled to attend with 10 vendors and demonstrators.

e. Personnel Matters

**Solid Waste Superintendent's Report**

Mr. Sparnon reported on the recent Personnel Committee Meeting to discuss positions to fill for the Solid Waste Facility. He summarized that there are currently 2 full time positions open for a Class C Tanker Driver and Class B Equipment Operator due to a promotion. A part-time position has recently opened due to a resignation and this position is not to exceed 29 hours. Mr. Sparnon also noted that 3 Seasonal Employees have contacted the Authority for an interest for rehire for the summer. Commissioner Dietz moved and recommended to advertise for replacement of Tanker Driver and additional equipment operator, and to take the necessary steps to rehire seasonal employees, and to fill the part time position. Commissioner Cocula seconded the motion. On voice vote: Ayes (7); Nays (0). The motion carried.

**Administrator's Report**

Administrator Hatzelis reported the Wastewater Maintenance Assistant III Robert Haney has submitted his papers for retirement, effective May 1<sup>st</sup>. Commissioner Cocula moved to accept Mr. Haney's resignation/retirement, seconded by Commissioner Sowden. On voice vote: Ayes (7); Nays (0). The motion carried.

Mr. Hatzelis also requested the Board's authorization to advertise and fill a Wastewater Maintenance Assistant I position due to this recent resignation. Commissioner Dietz moved the authorization to advertise position, seconded by Commissioner Cocula. On voice vote: Ayes (7); Nays (0). The motion carried.

8. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Agenda (FCA). Commissioner Cocula moved the FCA, seconded by Commissioner Drake. On roll call, the vote was as follows: Ayes (7) Commissioners Sowden, Madsen, Petillo, Dietz, Cocula, Meyer and Drake; Nays (0); Abstain (0). The resolution passed.

#14-061 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. PUBLIC COMMENT

Chairman Petillo opened the meeting to public comment. No Comment from the public. The Chairman closed the meeting to public comment.

10 COMMISSIONERS' COMMENTS/REQUEST

Commissioner Meyer requested the Authority research and review other options for the email service the Commissioners are currently using due to intermittent problems and issues with the service. Mr. Hatzelis will discuss options with the Data Systems Manager and will report back.

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Commissioner Madsen complemented Chief Engineer Varro's Omni comment letter on its detail and suggestions and Commissioner Dietz noted the staff was well prepared at the 60% progress meeting on the Branchville Project. Commissioner Sowden commented on the approximate 30 year tenure of Mr. Bob Haney and commended the commitment of the Authority's staff which represents a well run organization. Commissioners wished all a Happy Easter.

11. ADJOURN

Commissioner Sowden moved to adjourn the meeting, seconded by Commissioner Cocula. On voice vote, the motion passed. The meeting was adjourned at 4:56 p.m.

Respectfully submitted,

Andrea Cocula, Secretary