

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON APRIL 3, 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, Cocula and Meyer, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, Attorney Matthew Giacobbe and Acting Recording Secretary Patricia Frey

Public Present: Harold Pellow, Branchville; Mike Clune, Branchville; Mark Swyka, Cornerstone; Timothy Bradley, Kleinfelder/ Omni, Steve Smailer and Joseph Czoltko, Duffield Associates; John Drake; Linda Masson, Sussex Borough

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 and to move the Executive Session to the end of the meeting to accommodate the public present. John Hatzelis also proposed to table the Oath of Office for Mr. John Drake. Commissioner Cocula moved the approval of the Agenda including referenced revisions, Commissioner Meyer seconded. 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 Sowden moved the approval of the Consent Agenda, seconded by Commissioner Madsen. 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 20, 2013 Pending Action Summary Sheet, which was emailed to the Freeholder Board on March 22, 2013. Commissioner Dietz moved to approve the March 20, 2013 Pending Action Summary Sheet, seconded by Commissioner Meyer. On voice vote: (6) Ayes, (0) Nays, the motion carried.

Chairman Petillo asked for a motion to approve the Open & Closed Meeting Minutes for the February 20, 2013 Regular Authority Meeting. Commissioner Cocula moved approval of the minutes, seconded by Commissioner Sowden. No comments/discussions. On roll call: Ayes: (5) Commissioners Sowden, Petillo, Dietz, Cocula and Meyer; Nays (0), Abstain (1) Commissioner Madsen due to absence at that meeting.

The Chairman stated that the Open & Closed Meeting Minutes for the March 6, 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

Chief Engineer's Report

Chief Engineer Varro indicated that the Paulinskill Hydrogeological Study has been completed by Kleinfelder/Omni and Mr. Bradley will be presenting the findings to the Board today. He introduced Mr. Timothy Bradley of Kleinfelder/Omni, Steve Smailer, Chief Geologist and Joseph Csoltko of Duffield Associates to the Board of Commissioners. Mr. Csoltko reviewed the project background and the scope of work and the supplemental subsurface evaluation of the groundwater and mounding analysis. Mr. Bradley reviewed the steps to be taken to move forward incorporating the Value Engineering Study objectives. Mr. Steve Smailer reported on the feasibility of reconfiguration of the recharge beds. A power point presentation was given to review the Hydrogeological Study, and Supplemental Characterization in further detail. He also described the groundwater mounding process and infiltration rates to Commissioners and Staff. He reviewed conclusions and compared the previous models to the current revised model. Mr. Bradley reviewed the cost savings for the updated recharge beds, which will be critical in making a decision to proceed to a preliminary design, and begin submittals to NJDEP for NJPDES – DGW permit. Questions and discussions were held regarding timeline of project, cost savings and the effects of allocation reduction of 30,000 gpd. Mr. Varro stated the Hydrogeological Study confirmed the feasibility of the Value Engineering Study and a project cost estimate can be now established. Chairman Petillo recommended that the Construction Review Committee meet to discuss the latest analysis with Branchville officials.

Solid Waste Consulting Engineer's Report

Mr. Varro introduced Mr. Mark Swyka of Cornerstone to give a presentation on the Solid Waste Management Plan Amendment regarding the Landfill Life Extension Project. Mr. Swyka reviewed the revised slope to 1:3 and the placement of berms to increase landfill air space within existing footprint. He stated the Amendment provides for six stages and ultimately includes a Phase 5 cell, but does not commit the Authority to construction thereof. This Amendment includes options for future disposal which could extend landfill for approximately an additional 40 years. Discussions ensued regarding the different stages of the project and the permit approval process. After discussions, Commissioner Cocula moved to authorize Staff and Cornerstone to submit to SWAC for their review and consideration, seconded by Commissioner Madsen seconded. On voice vote (6) Ayes, (0) Nays, the motion carried.

Wastewater Program (Cont.)

Administrator's Report

Mr. Hatzelis distributed an informational packet on a proposed Watershed Program USDA - NRCS Partnership Agreement. John reviewed the Watershed Program's mission and progress over the last 12 years. He indicated that the WRWMG has contracted for restoration work within the Upper Paulinskill, Papakating Creek and Clove Brook Watersheds. The WRWMG has discovered that most of the restoration work needs to be done on private agricultural lands. John explained that the WRMG will partner with the USDA Natural Resource Conservation Service (NRCS) and to share the cost to property owners for site specific projects developed by NRCS to improve farm operations (Best Management Practices) to reduce non-point pollution sources and improve water quality. The NRCS will offer U.S. Farm Bill Funds to reimburse the farmers/landowners upwards to about 60% of project costs and the NJDEP has approved the WRWMG to offer additional reimbursement through 319(h) grant funds. Commissioners discuss disbursement of funds connected to Authority and project cost caps, as well as SCMUA water quality incentives. Mr. Hatzelis advised that the payment is made through approvals first by NRCS and then the WRWMG and shall not be made until certain criteria and projects are completed. A resolution will be prepared for Commissioners' consideration of his concept at the next Authority Meeting.

c. Solid Waste Program

Superintendent's Report

Mr. Sparron reported that the 836 Landfill Compactor is back in service at the Solid Waste Facility and it took approximately 7 weeks to repair.

Administrator's Report

Mr. Hatzelis reviewed the Solid Waste Tonnage data that was provided to the Commissioners with the period starting on December 1st through March 31st. This data is compared to the same period for 2012 tonnage and is down 3.8% which equals approximately 1,200 tons of bulky waste. He reported that the Residents' Convenience Center tonnage is down 17%, may be weather related. He indicated revenues for this year trail 2012 revenues by 2.5%. He will continue to monitor and report on the findings. Commissioners inquired about Solid Waste Enforcement Reports from the County Health Department. John Hatzelis indicated that an updated report will be provided at a future meeting.

d. General Authority Business

Administrator's Report

Mr. Hatzelis reported that he has received the 2012 Financial Audit and he will email it to the Commissioners for their review. Mr. Paul Cuva will come to the May 1st Authority Meeting to review the findings and to answer any questions. John indicated that it was recommended by the Auditor that a written Internal Control Procedure regarding funds and checking accounts, etc. be prepared and be submitted to the State.

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#68048 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.

#13-064 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

Chairman requested a motion to approve Solid Waste Operating Fund, Voucher #68048 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

Chairman Petillo asked for a motion to go into Closed Executive Session at 4:20 p.m. Commissioner Madsen 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.

#13-065 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

The Public left the meeting at this time.

At 4:45 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Meyer. 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; Franklin ViaDuct Easement Issue; Consulting Engineering Agreement; Hampton Commons DSW Operating Permit; and the Solid Waste Title V Air Permit. When the need for confidentiality of these matters no longer exists they will be opened to the public.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners had no comments.

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11. ADJOURN

Commissioner Meyer moved to adjourn the meeting, seconded by Commissioner Madsen. On voice vote, the motion passed. The meeting was adjourned at 4:46 p.m.

Respectfully submitted,

Andrea Cocula, Secretary