

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON APRIL 4, 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 3:03 p.m.

The following were present: Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, and O'Halloran, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Spannon, Wastewater Superintendent Nugent, Attorneys Giacobbe and Prol, Recording Secretary Kronski

Absent: Commissioner Meyer

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

Chairman opened the meeting to public comment, no comment from the public. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo requested a motion for approval of the Agenda. Vice Chairman Sowden moved the approval of the Agenda. Commissioner Madsen 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 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 requested a motion to approve the distribution of the March 21, 2012 Pending Action Summary Sheet which was submitted to the Freeholder Board on March 23, 2012. Commissioner Dietz moved to approve the March 21, 2012 Pending Action Summary Sheet, seconded by Commissioner O'Halloran. On voice vote (6) Ayes, (0) Nays, the motion carried.

The Chairman noted that there are no meeting minutes for approval at this meeting.

Chairman Petillo indicated that the Open and Closed Meeting Minutes from the March 7, 2012 Authority Meeting have been emailed to the Commissioners for their review and comment.

7. BUSINESS

a. Executive Session

At 3:06 p.m. Chairman Petillo asked for a motion to go into Closed Executive Session. Commissioner Dietz moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Vice Chairman Sowden. On voice vote (6) Ayes, (0) Nays, the motion carried.

#12-067 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:52 p.m. Vice Chairman Sowden moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Dietz. On voice vote, the motion passed.

The Open Session was reconvened at 4:03 p.m. Chairman Petillo indicated that in Closed Executive Session items discussed as specifically set forth in the resolution were negotiations and/or litigations re: Grinnell Family of Companies; Frankford-Branchville Wastewater Project/Value Engineering RFPs; Landfill Air Permit/Common Control; Household Hazardous Waste Events Bids; Solid Waste Facilities Permit Renewal; Copper Theft. 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 on the completion of the Sludge Cake Hauling Contract with Spectraserv. He indicated that the guaranteed minimum was met with no issues. He also reminded the Commissioners that the CRC (Construction Review Committee) discussed replacement of the Trommel Screener back in August of 2011. John reported that multiple repairs have been made in the past, and the screener will either need to be replaced or revise operations will eliminate the process. Commissioners discussed and requested Mr. Nugent/Mr. Varro provide a cost estimate of what Birdsall Engineering would charge for an analysis of a cost comparison for composting system upgrades and a new trommel screener, or to have the sludge hauled off site. Commissioners advise to prepare information to provide to Birdsall regarding estimated replacement costs for the existing sludge composting equipment and perhaps research future technology that may be available.

Administrator's Report

Mr. Hatzelis gave an update on the refunding of the Wastewater Series F and Series G Bonds which have been approved by the Local Finance Board. He indicated he has spoken to Brian Burke and Bond Counsel and documents are have been prepared. He reported they are waiting for better interest rates, market has been volatile lately.

c. Solid Waste Program

Superintendent's Report

Mr. Spannon presented a resolution for approval based on discussions in Executive Session on the Household Hazardous Waste Bids.

Commissioner Cocula moved the resolution to award Contract # 12-01 to the second lowest responsive and responsible bidder, Maumee Express, Inc., seconded by Vice Chairman Sowden. On roll call the vote was as follows: Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, and O'Halloran, Nays (0), Abstain (0). The resolution was approved.

#12-068 RESOLUTION RE: AUTHORIZING AWARD FOR SCMUA CONTRACT 12-01 HOUSEHOLD HAZARDOUS WASTE DISPOSAL EVENT(S) TO MAUMEE EXPRESS, INC AND DECLARING BID OF CARE ENVIRONMENTAL CORP. NON-RESPONSIVE

Mr. Sparnon reported that he has received requests from Hamburg Borough; Walpack Township; Stillwater Township; and the Town of Newton to enter into a Shared Services Agreement for Certified Recycling Professional Services with the Authority. He indicated he has received agreements and resolutions from each Township. He presented 4 separate resolutions for each agreement and Vice Chairman Sowden moved all 4 resolutions to execute Shared Services Agreements with Hamburg Borough; Walpack Township; Stillwater Township; and the Town of Newton. Commissioner Cocula seconded. On roll call the vote was as follows: Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, and O'Halloran, Nays (0), Abstain (0). The resolutions were approved.

#12-069 SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH HAMBURG BOROUGH FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2011 RECYCLING TONNAGE REPORT TO NJDEP

#12-070 SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH WALPACK TOWNSHIP FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2011 RECYCLING TONNAGE REPORT TO NJDEP

#12-071 SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH STILLWATER TOWNSHIP FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2011 RECYCLING TONNAGE REPORT TO NJDEP

#12-072 SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE TOWN OF NEWTON FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2011 RECYCLING TONNAGE REPORT TO NJDEP

Administrator's Report

Mr. Hatzelis reviewed analysis regarding tonnages and revenues for 2010, 2011 and 2012 and reported flow control started in June 2011. Revenues and Tonnages have increased compared to past two years, the average tip fee is \$101.67. The increase is encouraging but a significant shortfall still exists for the Landfill Cell Closure Escrow Account.

d. General Authority Business

Administrator's Report

Mr. Hatzelis reported that he reviewed the Draft Audit for 2011 with Paul Cuva, SCMUA Auditor and a few more changes will need to be made. He indicated that the Landfill Closure/Post Closure Care financing shortfall is a concern, but a plan is in effect to remediate. There are no findings or recommendations at this point.

8. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo indicated the removal of PO# 66118 under Solid Waste Item E of the Financial Consent Resolution and asked for a motion to adopt as amended. Mr. Hatzelis noted the Supplement to the bill paying list was for the Andover PUD NJPDES Permit Renewal and the removal of an item from the previous meeting. Vice Chairman Sowden moved approval of bill paying resolution as amended, seconded by Commissioner Dietz. No discussions or comments. On roll call, the vote was as follows: Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, and O'Halloran. The resolution passed.

#12-073 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA AND SUPPLEMENT AS AMENDED

Chairman requested a motion to approve Solid Waste Operating Fund Section E, PO#66118 for overtime portion of payroll. Commissioner Cocula moved, seconded by Vice Chairman Sowden. On roll call the Ayes (5) Commissioners Madsen, Sowden, Petillo, Dietz, and O'Halloran, Nay (1) Commissioner Cocula. The motion was approved.

9. OPEN TO 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

Commissioner Cocula moved to give Commissioner Meyer an excused absence, seconded by Commissioner Madsen. On voice vote (6) Ayes, (0) Nays, the motion carried.

Commissioners wished all a Happy Easter.

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 4:16 p.m.

Respectfully submitted,

Andrea Cocula, Secretary