

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON APRIL 17, 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 3:01 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 (3:05 pm) and Recording Secretary Kronski

New Commissioner: John Drake
Public: Sussex Borough Liaison Linda Masson

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. OATH OF OFFICE

Mr. Hatzelis administered the Oath of Office to Mr. John Drake as a newly appointed Board Member by the Sussex County Freeholders.

5. 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. Commissioner Sowden moved the approval of the Agenda as revised, Commissioner Dietz seconded. On voice vote (7) Ayes, (0) Nays, the motion carried.

6. 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 discussion necessary. On voice vote (7) Ayes, (0) Nays, the motion carried.

7. MINUTES

Chairman Petillo requested a motion to approve the distribution of the April 3, 2013 Pending Action Summary Sheet, which was emailed to the Freeholder Board on April 9, 2013. Commissioner Cocula moved to approve the April 3, 2013 Pending Action Summary Sheet, seconded by Commissioner Madsen. On Roll Call: Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, and Meyer, Nays (0), Abstain (1) Commissioner Drake.

Chairman Petillo asked for a motion to approve the Open & Closed Meeting Minutes for the March 6, 2013 Regular Authority Meeting. Commissioner Cocula moved approval of the minutes, seconded by Commissioner Sowden. No comments/discussions. On roll call: Ayes (5) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Nays (0), Abstain (2) Commissioners Drake and Meyer.

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

8. BUSINESS

a. Executive Session (moved to end of Agenda)

b. Wastewater Program

Administrator's Report

Mr. Hatzelis presented a resolution for Commissioners' consideration for authorizing an Amendment to an existing partnership between the Walkkill River Watershed Management Group and the Natural Resources Conservation Services to implement Best Management Practices for landowners. Mr. Hatzelis reviewed the amendment which was discussed with Commissioners at the last Authority Meeting of April 3rd. Commissioner Cocula moved the resolution as presented, seconded by Commissioner Sowden. On Roll Call: Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, and Meyer, Nays (0), Abstain (1) Commissioner Drake. The resolution passed.

#13-066 AUTHORIZING EXECUTION OF AN AMENDMENT OF THE EXISTING MEMORANDUM OF UNDERSTANDING (SHARED SERVICES AGREEMENT) WITH UNITED STATES DEPARTMENT OF AGRICULTURAL (USDA) – NATURAL RESOURCES CONSERVATION SERVICES (NRCS) FOR PARTNERSHIP ON THEIR FARM BILL CONSERVATION PROGRAMS

Mr. Hatzelis reported on the status of the Hardyston Township MUA's Crystal Springs pump station upgrade, which was agreed to in 2009 as part of the Vernon Town Center Project. The pump station needs a higher volume pump and communications were received from the HTMUA that the station has reached these agreed upon volumes for the upgrade. Discussions ensued regarding necessity of a TWA for this work. Mr. Varro believes a TWA will be required and he will discuss with the HTMUA Engineer and report back to the Commissioners.

c. Solid Waste Program

Superintendent's Report

Mr. Sparnon presented a resolution for consideration for the filing of a spending plan for the 2012 Recycling Enhancement Act Tax Fund, which is in the amount of \$110,000. Commissioner Cocula moved the resolution, seconded by Commissioner Meyer. On Roll Call: Ayes (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and Drake, Nays (0). The resolution passed.

#13-067 RESOLUTION RE: ENABLING RESOLUTION AUTHORIZING THE FILING OF A SPENDING PLAN FOR A 2012 RECYCLING ENHANCEMENT ACT TAX FUND ENTITLEMENT PURSUANT TO P.L. 2007 C. 113 ET SEQ. HEREINAFTER, THE ACT

Mr. Sparnon reminded the Commissioners that the 8th Annual Earth/Energy Day is scheduled for April 25, 2013 at the Solid Waste Facility. He provided a handout listing the activities planned.

Chief Engineer's Report

Mr. Varro reported that he presented the Solid Waste Management Plan Amendment regarding Landfill Life Extension Project at the recent SWAC meeting of April 9th. It was well received and they verbally approved of the plan and at the next SWAC meeting a resolution should be presented for consideration for the approval of the necessary SWMP Amendment, which will then be forwarded to the Freeholders. The SWMP Amendment will require a Public Hearing at a Freeholder Meeting and then sent to the NJDEP for their review/approval.

d. General Authority Business

Administrator's Report

Mr. Hatzelis indicated that the state filing procedures for the annual financial disclosure forms have changed, the DCA is no longer accepting paper forms and must be filed electronically. He reported he is waiting for further communications from the Division of Local Government Services and will report back at the next meeting with further clarifications regarding the filing. The filing deadline has been extended until May 31, 2013.

9. 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#68078 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 (7) Commissioners Madsen, Sowden, Petillo, Dietz, Cocula, Meyer and Drake; Nays (0), Abstain (0). The resolution passed.

#13-068 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

Chairman requested a motion to approve Solid Waste Operating Fund, Voucher #68078 for overtime portion of payroll. Commissioner Sowden moved, seconded by Commissioner Dietz. On roll call the Ayes (6) Commissioners Madsen, Sowden, Petillo, Dietz, Meyer and Drake; Nays (1) Commissioner Cocula, Abstain (0). The motion was approved.

10. PUBLIC COMMENT

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

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Commissioner Dietz motioned to amend the Executive Session Agenda to include discussions regarding the Branchville/Paulinskill Project Property Acquisition. Chairman Petillo seconded. On voice vote: Ayes (7), Nays (0), Abstain (0). The motion passed.

The Public left the meeting at this time (3:15 pm).

a. Executive Session

Chairman Petillo asked for a motion to go into Closed Executive Session at 3:15 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Meyer. On voice vote (7) Ayes, (0) Nays, the motion carried.

#13-069 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:22 p.m. Commissioner Cocula moved to adjourn the Closed Executive Session and reconvene the Open Session seconded by Commissioner Masden. On voice vote, the motion passed.

The Open Session was reconvened at 4:22 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 Collection Status; Franklin ViaDuct Easement Issue; Vernon Connection Fees; Paulinskill Project Property Acquisition and Personnel Items. When the need for confidentiality of these matters no longer exists they will be opened to the public.

11. COMMISSIONERS' COMMENTS/REQUEST

Commissioners congratulated and welcomed new Commissioner John Drake. Commissioner Dietz thanked J. Hatzelis, J. Sparnon and J. Nugent for their preparation for yesterday's Personnel Meeting. Commissioner Drake thanked the Commissioners and looks forward to this opportunity to serve on the Board.

12. ADJOURN

Commissioner Sowden moved to adjourn the meeting, seconded by Commissioner Madsen. On voice vote, the motion passed. The meeting was adjourned at 4:22 p.m.

Respectfully submitted,

Andrea Cocula, Secretary