

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MAY 4, 2011 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 Zidek, Sowden, Petillo, Cocula, Meyer and O'Halloran, Consulting Engineer Karakos, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Nugent, Recording Secretary Kronski, Attorneys Prol and Giacobbe

Absent: Commissioner Dietz, Administrator Hatzelis, Consulting Engineer Cerenzio

2. PUBLIC STATEMENT

The Chairman 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 Petillo opened the meeting to public comment. There being no public present, he closed the meeting to public comment.

4. AGENDA APPROVAL

The Chairman requested a motion for approval of the Agenda, as well as any additions or deletions. Commissioner Zidek moved the approval of the Agenda, seconded by Commissioner O'Halloran. No additions/deletions. On voice vote, the motion carried.

5. APPROVAL OF CONSENT AGENDA

Chairman Petillo requested a motion for approval of the Consent Agenda. Commissioner Zidek moved the approval of the Consent Agenda, seconded by Commissioner Sowden. No discussion necessary. On voice vote, the motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the April 20, 2011 Pending Action Summary Sheet which was submitted to the Freeholder Board on April 21, 2011. Commissioner Zidek moved to approve the April 20, 2011 Pending Action Summary Sheet, seconded by Commissioner Cocula. No discussions necessary. On voice vote, Ayes (6), the motion carried.

Chairman Petillo asked for a motion to approve the Regular & Closed Minutes for the March 16, 2011 Meeting. Commissioner Zidek moved, seconded by Commissioner Cocula. On roll call the vote was as follows: Ayes (5) Commissioners Zidek, Sowden, Petillo, Cocula, and Meyer. Abstain (1) Commissioner O'Halloran. The motion passed.

Chairman Petillo asked for a motion to approve the Regular & Closed Minutes for the March 30, 2011 Meeting. Commissioner Zidek moved, seconded by Commissioner Meyer. On roll call the vote was as follows: Ayes (5) Commissioners Zidek, Petillo, Cocula, Meyer, O'Halloran. Abstain (1) Commissioner Sowden. The motion passed.

Chairman Petillo advised Commissioners the Regular and Closed Meeting Minutes for April 20, 2011 have been distributed for review/comment.

7. BUSINESS

a. Closed Executive Session

At 3:05 p.m. Commissioner Zidek moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner Meyer. On voice vote the motion carried.

#11-65 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

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 Frankford-Branchville Wastewater Project; High Ridge Properties; Grinnell; Vernon Township litigations and negotiations, and C&P Contracts. When the need for confidentiality of these matters no longer exists they will be opened to the public.

b. Wastewater Program

**Chief Engineer's Report**

Chief Engineer Varro advised the Commissioners that the NJDOT will be conducting a Culvert Replacement in proximity to the SCMUA's Vernon Regional Pump Station. A proposed Agreement has been drafted between the NJDOT and the SCMUA for establishment of coordination and which further allows for SCMUA reimbursement for services, as needed. A resolution was presented for execution of Agreement, Commissioner Cocula moved resolution, seconded by Commissioner Zidek. On roll call the vote was as follows: Ayes (6) Commissioners Zidek, Sowden, Petillo, Cocula, Meyer and O'Halloran. The resolution passed.

#11-66 RESOLUTION RE: AUTHORIZATION TO EXECUTE AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR ROUTE 94 CULVERT REPLACEMENT PROJECT IN VERNON TOWNSHIP

c. Solid Waste Program

**Superintendent's Report**

Superintendent Sparnon advised the Commissioners that bids for Contract #11-02 for Furnish and Delivery of Landfill Cover Soil Material were received and reviewed. The lowest responsive and responsible bidder appears to be Eastern Concrete, Elmwood Park (Hamburg Quarry). Chairman Petillo informed the Board that Eastern Concrete is currently or previously in Chapter 11 Bankruptcy. Attorney Giacobbe responded that the bankruptcy should not affect this contract because it is "post-petition"

May 4, 2011

work and part of a reorganization. Chairman advised that the Authority should try to receive as much cover soil as possible at the start of the contract, noting it will be drier and lighter. Mr. Sparnon advised that the Authority has received samples from the vendor. Discussions regarding soil testing and specifications thereon, advised that Staff will be able to visually note the condition of soil when delivered. Attorney Prol noted he has reviewed bid documents and found it complied with the law.

Superintendent Sparnon reminded the Commissioners the Authority will be holding its 6<sup>th</sup> Annual Earth Day Celebration in coordination with the Wallkill River Watershed Management Group. Mr. Sparnon advised the Event will be held from 10a –2p on Friday, May 06, 2011, approximately 360 students from schools throughout the County attending. Many different programs and 11 vendors will be set up for the Event.

Mr. Sparnon also informed the Commissioners an E-waste Event will be held on Saturday, May 14, 2011 from 7am –2pm for Residents to drop off up to 5 components of electronic waste free of charge. He reported past events have been very successful.

d. Authority Business

Superintendent Sparnon presented a resolution to Commissioners regarding Employee Glenn Cribb's request for a 90-day extension of Leave of Absence. Commissioner Cocula moved the resolution as discussed in Closed Session. Commissioner Zidek seconded. On roll call, the vote was as follows: Ayes (6) Commissioners Zidek, Sowden, Petillo, Cocula, Meyer and O'Halloran. The resolution passed.

#11-67 RESOLUTION RE: REQUEST FOR EXTENSION OF OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR MEDICAL REASONS FOR 90-DAY PERIOD

Commissioner Meyer moved to excuse absence of Commissioner Dietz from this meeting, Commissioner Cocula seconded. On voice vote, the motion passed.

8. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo requested a motion to adopt the Financial Consent Agenda. Commissioner Cocula moved the adoption of the following resolution authorizing passage of the Financial Consent Agenda, seconded by Commissioner O'Halloran. On roll call, the vote was as follows: Ayes (6) Commissioners Zidek, Sowden, Petillo, Cocula, Meyer and O'Halloran. The resolution passed.

#11-68 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

9. OPEN TO PUBLIC COMMENT

The Chairman opened the meeting to Public Comment. There being no public present, the Chairman closed the meeting to public comment.

May 4, 2011

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioners wished all a Happy Mother's Day.

Chairman Petillo reported on the Personnel Committee Meeting held prior to the Authority Meeting. Solid Waste overtime hours are being reviewed in order to reduce time, Committee is looking into hiring a part-time employee to be "on call" to fill in needed hours for leachate hauling. Discussed the option to purchase an additional tanker to haul leachate during normal working hours instead of after hours. More discussions at a later date.

11. ADJOURN

Vice-Chairman Sowden moved to adjourn the meeting, seconded by Commissioner O'Halloran. On voice vote, the motion passed. The meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Andrea Cocula, Secretary