

MINUTES OF THE REGULAR MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON JANUARY 19, 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 3:09 p.m.

The following were present: Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran, Administrator Hatzelis, Consulting Engineer Bongiovanni, Chief Engineer Varro, Solid Waste Superintendent Spannon, Wastewater Superintendent Nugent, Attorney Prol and Exec. Sec. Kronski

Absent: Consulting Engineer Peter Cerenzio & Attorney Matthew Giacobbe

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 Chairman Petillo 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. Administrator Hatzelis asked to move discussions on Bid Specifications for the Paulinskill MBR Facility from Open Session to Executive Session. Commissioner Zidek moved the approval of the Agenda, seconded by Commissioner Dietz. 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. On voice vote, the motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve the distribution of the January 5, 2011 Pending Action Summary Sheet, which was submitted via e-mail to the Freeholder Board on January 7, 2011. Commissioner Zidek moved to approve the January 5, 2011 Pending Action Summary Sheet, seconded by Commissioner Meyer. On voice vote, the motion carried.

Chairman Petillo requested a motion for approval of the Minutes of the Regular and Closed Meeting of December 15, 2010. Commissioner Zidek moved the adoption of the Minutes seconded by Commissioner Meyer. On roll call: Ayes: (6) Commissioners Zidek, Sowden, Petillo, Cocula, Meyer and O'Halloran. Abstain: (1) Commissioner Dietz. The motion carried.

Chairman Petillo advised that the Regular and Closed Minutes of January 5, 2011 have been distributed for Commissioner review.

7. BUSINESS

a. Closed Executive Session

At 3:15 p.m. Commissioner Zidek moved the adoption of the following resolution authorizing a Closed Executive Session seconded by Commissioner O'Halloran. On voice vote the motion carried.

#11-020 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

b. Wastewater Program

Superintendent's Report

Wastewater Superintendent Nugent reported on the Grit Removal System, its purpose, and the need for replacement. The original unit was installed January 1984, with multiple repairs made over the years. Mr. Nugent provided documentation and options on the equipment and potential cost to replace, approximately \$45,000. Discussions regarding the Wastewater R&R account and the balance to be maintained. Mr. Nugent asked for Commissioner approval to prepare bid specifications for new Grit Removal System. Commissioner Zidek moved, seconded by Commissioner Cocula. The vote was as follows: Ayes: (6) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, and O'Halloran. Commissioner Meyer was out of the room during vote. The motion carried.

Chief Engineer's Report

Thomas Varro updated the Commissioners on the Edgewater Commons request to review SCMUA connection fees for washing machine discharge for a potential Laundromat in Hardyston. Edgewater Commons provided information in regard to the units to be installed, and the gallonage discharged. Mr. Varro reported on discussions with representatives of the Treatment Works Approval Department of the NJDEP. According to the NJDEP, the Authority is unable to waive the NJDEP's calculated flows of and when a TWA application is required. The calculation must be based on NJDEP flow criteria of 580 gpd per washing machine, which is also the present criteria published in the SCMUA Rate Schedule. The issue is not a connection fee issue, but a TWA issue. Edgewater Commons will have to start the TWA process with NJDEP if they wish to proceed. Mr. Varro asked for authorization from the Commissioners to relay this information to Edgewater, and to schedule a pre-application meeting at NJDEP, with SCMUA Staff and applicant to discuss this matter. Discussions continued regarding the need for NJDEP approval before the Authority can consider a determination on the connection fee. It was agreed for Thomas Varro to pass information on to Edgewater Commons and for the SCMUA to attend the TWA pre-application meeting.

Consulting Engineer's Report

Mr. Joseph Bongiovanni presented a resolution for the approval of a TWA permit for the construction of a sanitary sewer extension to connect to the Vernon Town Center. Commissioner Cocula moved, seconded by Commissioner Zidek. On roll call, the vote was as follows: Ayes: (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran.

#11-021 RESOLUTION RE: APPROVAL OF UNITED WATER GREAT GORGE, INC. FOR TWA PERMIT FOR THE CONSTRUCTION OF A SANITARY SEWER EXTENSION TO CONNECT THE VERNON TOWN CENTER SANITARY SEWER SYSTEM WITH THE APPALACHIAN PHASE B SEWER IN VERNON TOWNSHIP, NEW JERSEY

Mr. Bongiovanni asked for approval from the Commissioners for the preparation and distribution of Addendum #2 to the Paulinskill Basin Water Reclamation Project. This addendum is to include answers to "request for information" questions previously submitted by bid holders, pre-bid meeting minutes, and clarifications on drawings and specifications as previously discussed in closed session. Also, will include a line item for the contaminated soil removal and ID27 soil classification bid requirements. Commissioners discussed whether to wait for the soil sample results before the Addendum is distributed. Commissioner Zidek made the motion for the approval of the distribution, subject to the soil results confirming ID 27 non-hazardous classification. Commissioner Cocula seconded motion. On roll call, the vote was as follows: Ayes (7): Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran. The motion carried.

Chief Engineer Thomas Varro presented a resolution which was previously discussed in closed session regarding a professional services agreement with Norton Conservation Company for a Licensed Site Remediation Professional. On-site services are required by NJDEP during soil remediation activities. Commissioner Cocula moved the resolution, seconded by Commissioner Meyer. On roll call, the vote was as follows: Ayes: (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran.

#11-022 RESOLUTION RE: AUTHORIZATION TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH NORTON CONSERVATION COMPANY, INC. (NORCON) FOR ENVIRONMENTAL CONSULTING SERVICES FOR THE PAULINSKILL PROJECT

Administrator's Report

Administrator Hatzelis informed the Commissioners that a meeting with Sussex Borough officials has been scheduled for Friday, January 21st. Mr. Hatzelis reported answering calls and questions from Sussex Borough residents on their sewer bills. Scheduled meeting is to accommodate Sussex Borough and discuss surcharge and I&I issues. Administrator Hatzelis distributed handouts regarding Sussex Borough's sewer user charges over the past few years and wastewater flows since 1998, as well as history of surcharges. It was Sussex Borough's decision to sell some of its allocation to High Ridge, but it will make their month surcharges higher and more frequent. Discussions regarding amount of allocation available to Sussex Borough and new customer connections which could help ease the costs to their customers. Mr. Hatzelis will report back to the Board after the meeting.

c. **Solid Waste Program**

Superintendent's Report

Solid Waste Superintendent Sparnon reported on the Shred Events, which are held once a month at the Authority for document destruction. It had been a partnership between the Authority and SK Paper Shred since 2006. It continues to be very successful for both parties, SK Paper Shred provides the equipment, and the Authority sells the shredded paper to market. Mr. Sparnon informed the Board the program has received an award from the NJDEP's Stewardship Program for innovation. Mr. Sparnon asked for a motion to continue the partnership and Commissioner Cocula motioned to continue the Shred Program between the Authority and SK Paper Shred for 2011. Commissioner Dietz seconded. On roll call, the vote was as follows: Ayes: (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran. The Motion carried.

Chief Engineer's Report

Chief Engineer Varro provided a status update to the Commissioners on the Landfill Gas to Energy Project. He reported there have been concerns with JCP&L and their efforts in establishing the interconnect for the power grid. It has been requested by Energenic that the Authority intervene to expedite JCP&L efforts. Mr. Varro had previously reached out to the Authority's authorized representative from JCP&L to schedule bi-weekly conference calls between the Authority, Energenics, and JCP&L to address ongoing issues. The timeline provided from JCP&L has indicated that a interconnect date may occur be between April 15th to end of May. Discussions continued on the need to expedite this interconnect and if the Senator's office can be contacted to help in moving project along. Commissioners agreed to have Tom Varro contact Senator Oroho's office to ask their liaison to help expedite JCP&L's schedule.

Mr. Varro reported he received 4 proposals for the Authority's request for Landfill Gas Consulting Services. The firms that submitted an RFP were SCS Engineers, Cornerstone Environmental Group, Clough Harbor Associates and EarthRes group, Inc.. SCMUA staff will be reviewing proposals and will look to make a recommendation at a future date.

Administrator's Report

Administrator Hatzelis presented a resolution for emergency repairs needed to the Cat 836G landfill compactor, which was discussed in detail at the previous meeting. Commissioner Cocula moved the resolution, seconded by Commissioner Zidek. Discussion on providing a cap on needed repairs, including the drive train. On roll call, the vote was as follows: Ayes: (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran.

#11-023 RESOLUTION RE: AUTHORIZING THE EMERGENCY REPAIRS TO THE CATERPILLAR 836G LANDFILL COMPACTOR

Administrator Hatzelis provided a resolution for the SCMUA Chairman to execute a Certificate under the 1987 County Agreement in regards to State Aid and County financial obligations to the Solid Waste Facilities. Commissioner Zidek moved, seconded by Commissioner Cocula. On roll call, the vote was as follows: Ayes: (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran.

January 19, 2011

#11-024 RESOLUTION RE: AUTHORIZING THE CHAIRMAN TO EXECUTE A CERTIFICATE UNDER THE 1987 COUNTY AGREEMENT

Administrator Hatzelis reminded the Board of Commissioners of the Authority's Annual Reorganization Meeting to be held on February 2, 2011. Professional services proposals have been submitted for consideration.

Mr. Hatzelis presented a resolution for a request for a 90-day medical leave of absence without pay for Authority employee Glenn Cribb. Commissioner Zidek moved and seconded by Commissioner Cocula. On roll call, the vote was as follows: Ayes: (6) Commissioners Zidek, Sowden, Petillo, Cocula, Meyer and O'Halloran. Abstain (1) Commissioner Dietz.

#11-025 RESOLUTION RE: REQUEST FOR OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR MEDICAL REASONS FOR 90-DAY PERIOD

8. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Commissioner Petillo asked for a motion to approve the Financial Consent Agenda, tabling P.O. #63028 for \$8449.77 pending further discussions. A motion was made by Commissioner Zidek and seconded by Commissioner O'Halloran. On roll call, the vote was as follows: Ayes: (7) Commissioners Zidek, Sowden, Petillo, Dietz, Cocula, Meyer and O'Halloran

#11-026 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.

10. COMMISSIONERS' COMMENTS/REQUEST – Commissioner Dietz congratulated Mr. Sparnon and Reenee Casapulla (Recycling Coordinator) on their Stewardship Award for Innovation from the NJDEP.

11. ADJOURN

Vice Chairman Sowden moved to adjourn the meeting, seconded by Commissioner Meyer. On voice vote, the motion passed. The meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Andrea Cocula, Secretary