

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON APRIL 15, 2020 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

1. CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

The Commissioners Meeting was called to order at 3:00 p.m.

The following were present: Chairman Drake, Vice Chairman Meyer\*, Commissioners Petillo, Madsen\*, Cocula\*, Dietz\*, Perez\*, Finkeldie\*, Dabinett\*, Executive Director/Chief Engineer Varro, Comptroller Timothy Day\*, Senior Project Engineer Sesto, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Angelo Baron\*, General Counsel Napolitano\*, Special Counsel Prol\*, and Recording Secretary Tara Kronski

\*Attended the meeting remotely due to State Executive Orders regarding COVID-19.

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Drake 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 Drake opened the meeting to public comment. No public present. He closed the meeting to public comment. (Call-in information was noticed prior on website for public participation)

4. AGENDA APPROVAL

Chairman Drake asked for a motion to approve the Agenda. It was suggested to move the discussions regarding Landfill Life Extension/Infrastructure Relocation Project to Closed Executive Session. Commissioner Dabinett moved the Final Agenda, seconded by Commissioner Madsen. On voice vote: Ayes (9); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Dietz moved the approval of the Consent Agenda, seconded by Commissioner Cocula. No discussions requested. On voice vote: Ayes (9); Nays (0). The motion carried.

6. MINUTES

Chairman Drake requested a motion to approve/acknowledge the email distribution of the April 1, 2020 Pending Action Summary Sheets (PASS) to the County Freeholder Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Perez motioned to approve, seconded by Commissioner Dabinett. On roll call vote: Ayes (8); Nays (0); Abstain (1) Commissioner Finkeldie. The motion carried.

Commissioner Cocula moved to approve the Open and Closed Minutes of the March 4, 2020 Authority Meeting, seconded by Commissioner Meyer. On roll call vote: Ayes (7); Nays (0); Abstain (2) Commissioners Madsen and Dietz. The motion carried.

Chairman Drake noted that there are no minutes for distribution at this meeting.

7. BUSINESS

a. Executive Session

At 3:05p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Finkeldie. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Drake noted the Closed Session should be approximately 50 minutes and discussions shall include: Sparta Township Stop and Shop, Paulinskill/Ovivo Contract Matters, Sussex Borough Transmission Line License Agreement, NJDEP Category I Stream Designations, Landfill Life Expansion/Infrastructure Relocation Project and Personnel Items.

**#20-082** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:25 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Finkeldie. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Drake confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session included Sparta Township Stop and Shop, Paulinskill/Ovivo Contract Matters, Sussex Borough Transmission Line License Agreement, NJDEP Category I Stream Designations, Landfill Life Expansion/Infrastructure Relocation Project and Personnel Items. When the need for confidentiality of these matters no longer exists, they will be opened to the public.

b. Wastewater Program

**Special Counsel's Report**

Mr. Prol gave a background report regarding a license agreement between Sussex Borough and the Authority concerning a sewage transmission line. The Borough would like to access the SCMUA property to inspect their sewage transmission line, and a fully executed agreement was delayed due to the absence of a metes and bounds survey. Mr. Prol prepared a resolution to recommend the execution of the September 1994 License Agreement, as updated with contingencies of insurance and various submittals from Sussex Borough. Commissioner Cocula moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez (dropped off call during vote – noted his Yes vote upon return), Finkeldie; Nays (0); Abstain (1) Commissioner Dabinett. The resolution passed.

**#20-083** RESOLUTION RE: REAUTHORIZING EXECUTION OF A SEPTEMBER 6, 1994 LICENSE AGREEMENT (REVISED) BETWEEN SCMUA AND THE BOROUGH OF SUSSEX PROVIDING THE BOROUGH LIMITED ACCESS TO A 30 FOOT WIDE CORRIDOR AT THE UPPER WALLKILL TREATMENT PLANT PROPERTY FOR PURPOSES OF CONSTRUCTING, INSTALLING, INSPECTING, MAINTAINING, REPAIRING AND REPLACING A SEWAGE TRANSMISSION LINE AND RELATED APPURTENANCES

### **Comptroller's Report**

Mr. Day reported on the septage, sludge and hauled sewage volume and revenue through March 31, 2020. Sludge is up 41%, but septage and Hauled sewage are down overall compared to the previous month. There were no additional connection fees, but we are on projections for the year.

#### c. Solid Waste Program

### **Superintendent's Report**

Mr. Morris reported on further protocols taken due to COVID-19 to lessen employee/customer interactions. He indicated PPE is also available to employees. Mr. Morris also indicated on recent high volume days (1300 – 1500 vehicles) there were several “runners” (customers did not pay). Certain tags were unreadable, however a process is being implemented to track down customer license plates to secure proper payment. A letter advising theft of governmental services will be followed up by Enforcement Officer Ed Lyon.

### **Senior Project Engineer's Report**

Mr. Sesto reported on the relocation of the Class C Exempt Compost Area, which would change the Lot/Block. SWAC needs to review/approve of the relocation, however the April SWAC Meeting was cancelled. The next meeting is scheduled for May 12th.

### **Comptroller's Report**

Comptroller Day reported on the tonnages and revenues for solid waste facility through the end of March 2020, compared to last year during the same time period, tonnage is up 3%. Revenues are also up, which is good news, but also means landfill space is filling up as well with the increased volume of vehicles accessing the facility.

#### d. General Authority Business

### **Executive Director/Chief Engineer's Report**

Mr. Varro reminded the Professionals and Commissioners that the filing of the 2020 Financial Disclosure Statements are due on April 30<sup>th</sup>. NOTE: It was then added that Governor Murphy extended the filing deadline until July 30<sup>th</sup> in Executive Order #127 in relation to COVID-19.

Mr. Varro indicated resolutions were prepared to authorize execution of Professional Services Agreements for 2020, which were appointed at the Annual Reorganization Meeting on February 5, 2020. Commissioner Cocula moved all the resolutions for Professional Services Agreements, seconded by Commissioner Dabinett. On roll call: Ayes(9) Commissioner Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0). The following resolutions passed.

**#20-084** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE FIRM OF CLEARY GIACOBBE ALFIERI JACOBS, LLC FOR THE FURNISHING OF GENERAL LEGAL COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021

**#20-085** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THOMAS PROL, ESQ. OF SILLS, CUMMIS & GROSS P.C. FOR THE FURNISHING OF SPECIAL COUNSEL SERVICES ON ENVIRONMENTAL MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 5, 2020 to FEBRUARY 3, 2021

**#20-086** RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN HALL, ESQ. OF HALL AND ASSOCIATES FOR THE FURNISHING OF CERTAIN LEGAL SERVICES IN REGARD TO WASTEWATER AND SOLID WASTE FACILITIES NJPDES PERMITS, WATERSHED MANAGEMENT PLANNING AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021

**#20-087** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH PAUL CUVA, C.P.A. OF THE FIRM OF WIELKOTZ & COMPANY, LLC FOR AUDITING SERVICES IN PERFORMING THE ANNUAL AUDIT OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S FISCAL YEAR 2020

**#20-088** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PHOENIX ADVISORS FOR FINANCIAL ADVISORY SERVICES

**#20-089** RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN CANTALUPO OF ARCHER & GREINER, P.C. FOR THE FURNISHING OF BOND COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021

**#20-090** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD FOR WASTEWATER CONSULTING ENGINEERING AND SPECIALIZED ENVIRONMENTAL SERVICES - 2020

**#20-091** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER FOR WASTEWATER FACILITIES CONSULTING ENGINEERING SERVICES - 2020

**#20-092** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ARM GROUP, INC. FOR SOLID WASTE FACILITIES CONSULTING ENGINEERING SERVICES - 2020

**#20-093** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH CORNERSTONE ENVIRONMENTAL GROUP FOR SOLID WASTE CONSULTING ENGINEERING SERVICES - 2020

**#20-094** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT (SCS ENGINEERS) FOR SOLID WASTE CONSULTING ENGINEERING SERVICES FOR SOLID WASTE FACILITIES 2020

**#20-095** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PAULUS, SOKOLOWSKI AND SARTOR, LLC FOR WASTEWATER CONSULTING ENGINEERING SERVICES AND FOR SPECIALIZED ENVIRONMENTAL AND LSRP SERVICES FOR 2020

**#20-096** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH LOUIS J. WEBER AND ASSOCIATES (WEBER) FOR PROFESSIONAL SURVEYING SERVICES IN REGARD TO THE SOLID WASTE AND WASTEWATER FACILITIES AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY FOR 2020

**#20-097** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH AMY S. GREENE ENVIRONMENTAL CONSULTANTS, INC. FOR SPECIALIZED ENVIRONMENTAL SERVICES FOR 2020

**#20-098** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GABEL ASSOCIATES FOR SPECIALIZED ENERGY CONSULTING FOR 2020

**#20-099** AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH TRINITY CONSULTANTS FOR GENERAL AND SPECIALIZED AIR PERMIT CONSULTING SERVICES FOR 2020

e. Personnel Matters

**Wastewater Superintendent’s Report**

Mr. Baron indicated that all new hires are working out well at the wastewater facilities, and it was reported that one in-house application was received for the Wastewater Superintendent position.

**Solid Waste Superintendent’s Report**

Mr. Morris requested to continue the Summer Seasonal Employment Program for students to apply for short-term employment to supplement the workforce and to fill in for staff vacations. Commissioner Madsen moved to have SW Superintendent advertise for summer assistance, seconded by Commissioner Dabinett. On voice vote: Ayes (9) Nays (0); Abstain (0). The motion passed.

8. Financial Transactions

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Drake asked for a motion to approve the Financial Consent Agenda (FCA). On roll call:

Res #20-100 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN			x			
COCULA			x			
DIETZ		x	x			
DRAKE			x			

MEYER			x			
PEREZ			x			
FINKELDIE	x		x			
DABINETT			x			

**#20-100** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners were hoping to see landfill expansion move forward, and thanked the Chairman and everyone for being patient during the remote meetings. wished Administrative Assistant, Ms. Kronski a Happy Administrative Professionals Day coming up on Wednesday, April 22<sup>nd</sup>. Commissioner Dabinett requested a tour of the Paulinskill Facility.

11. ADJOURN

At 4:50 p.m. Commissioner Madsen moved to adjourn the meeting, seconded by Commissioner Perez. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary