

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON APRIL 6, 2022 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

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

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

The following were present: Vice Chairman Drake (Acting Chairman), Commissioners Meyer, Madsen, Cocula, Dietz*, Wesley, Finkeldie, Dabinett, Executive Director Thomas Varro, Chief Engineer Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, General Counsel Napolitano, Special Counsel Prol, and Recording Secretary Tara Kronski

*Attended the meeting remotely.

Absent: Chairman Petillo

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Acting 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 in attendance. Chairman Drake closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Drake asked if there are any changes to the Agenda. Being non, Commissioner Finkeldie moved Final Agenda, seconded by Commissioner Dietz. On voice vote: Ayes (8); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Cocula moved to approve the Consent Agenda, seconded by Commissioner Finkeldie. No discussions requested. On voice vote: Ayes (8); Nays (0). The motion carried.

6. MINUTES

Chairman Drake requested a motion to approve/acknowledge the email distribution of the March 16, 2022 Pending Action Summary Sheets (PASS) to the County Commissioners Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Madsen motioned to approve, seconded by Commissioner Dabinett. Roll Call: Ayes (7) Commissioners Meyer, Madsen, Cocula, Dietz, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Drake. The motion carried.

Commissioner Cocula moved the approval of the Open and Closed Minutes from the February 2, 2022 and February 16, 2022 Authority Meetings. The motion was seconded by Commissioner Finkeldie. On voice vote: Ayes (8); Nays (0). The motion carried.

The Open and Closed Meeting Minutes from the March 2, 2022 and the March 16, 2022 Authority Meetings were distributed for Commissioners review.

7. BUSINESS

a. Executive Session

At 3:03 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session. Motion was seconded by Commissioner Dabinett. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Drake noted the Closed Session should be approximately 60 minutes and discussions shall include: Vernon Township Litigation, NJPDES Permit Nitrate Litigation, Sparta Township Connection Fees, and Personnel Items.

#22-094 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:20 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Madsen. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Drake confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Vernon Township Litigation, NJPDES Permit Nitrate Litigation, Sparta Township Connection Fees, and Personnel Items.

b. Wastewater Program

Superintendent's Report

Superintendent Phillips reported on the 36th and 37th force main breaks along the Sussex Borough line along Route 23. The first was across from Wayne Tile, and the second was approximately 100 feet from the rail trail. Both breaks were repaired with pipe clamps by Garcia Construction.

Mr. Phillips reported that the Stormwater Controls project has begun with electricians inspecting the conduit to establish a plan to replace pumps. The project should be completed late Spring.

Executive Director's Report

Executive Director Varro reported on a grant agreement between the Wallkill River Watershed Management Group and The Nature Conservancy through The William Penn Foundation for a three year period. The grant is for Phase 2+ conservation projects in the Paulinskill Focus Area per watershed restoration plans. Commissioner Madsen moved the grant authorizing resolution, seconded by Commissioner Finkeldie. Roll Call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#22-095 RESOLUTION RE: GRANT AGREEMENT BETWEEN SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY/WALLKILL RIVER WATERSHED MANAGEMENT GROUP AND THE NATURE CONSERVANCY FOR PHASE 2+ CONSERVATION PROJECTS IN THE NEW JERSEY HIGHLANDS CLUSTER UPPER PAULINSKILL FOCUS AREA IMPLEMENTATION OF THE UPPER PAULINS KILL WATERSHED RESTORATION PLAN

Mr. Varro reported to the Board that Watershed Coordinator Nathaniel Sajdak was contacted by the Highlands Council regarding possible grant funding and for WRWVG projects. The Board had discussions regarding collaboration and find no issues with Mr. Sajdak getting further information on potential projects/grants. Approvals shall be considered individually, as requested, per resolution.

Chief Engineer's Report

Mr. Sesto reported on the one proposal received for Contract #22-10 for lab testing services for the wastewater facilities. Garden State Labs submitted the proposal and is within the budget, totaling \$16,585. A resolution was prepared to authorize award of Contract #22-10. Commissioner Cocula moved the award resolution to Garden State Labs, seconded by Commissioner Finkeldie. Roll Call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed

#22-096 RESOLUTION RE: AUTHORIZING THE AWARD OF A ONE-YEAR CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND GARDEN STATE LABORATORIES, INC. FOR FIELD SAMPLING AND LABORATORY TESTING SERVICES AT WASTEWATER FACILITIES (CONTRACT 22-10)

Comptroller's Report

Mr. Day reported that through the end of March, Septage volumes are at 23% of projections, and Sludge is 31%. Hauled Sewage volumes are holding steady at 46% of projections. Connection fees are doing very well for FY2022, totaling \$493,973, which are over budget anticipation, and is mostly due to new construction in the County.

c. Solid Waste Program

Superintendent's Report

Mr. Morris reported that the 908M Loader had mechanical issues with a center pin in disrepair. He noted that the vendor, Foley, Inc. was contacted, and a rental was provided while repairs were being made. The cost is \$320 per month for the rental, and the Loader should be ready for return by the end of the month.

Mr. Morris was proud to report that his Staff utilized their talents to construct metal litter nets for the solid waste facility. The in-house work avoided outside proposals which were very costly. Commissioners commended those staff workers that went above and beyond for creating nets at half the cost of the original proposal.

Mr. Morris gave an update on the American Flag disposal program partnership with Abby Glen. Abby Glen incinerates the flags twice a year with a limit of 1,000 lbs. according to their permit. The Authority collects a large amount of flags and has limited storage. As a result of these guidelines, the Authority will be limiting collection from residents only, not VFWs, clubs, etc.

Executive Director's Report

Mr. Varro reported on the short term NJIB funding approved for the Leachate FM/PS project. He indicated that Authority Bond Counsel has confirmed the bond closing took place on March 31st. Commissioners discussed 2020 Audit and project financing, cell closure account future

reconciliation. Commissioners requested to obtain the 2021 Audit in draft form if final is delayed waiting for State Pension Data for 2021.

Chief Engineer's Report

Mr. Sesto reported on the Leachate Pump Station/Force Main Project. He reviewed the operations and discussed the fate of the large leachate tank, which will not be removed until the next Landfill Expansion Phase in approximately 10-15 years. The tanker trucks are no longer needed and will likely be auctioned off. If hauling is ever necessary, a hauling contract will be established for such an emergency. Mr. Sesto noted paving for the North Church Road shall be done in April 2022.

Mr. Sesto gave a status report on the Stage 2 Landfill Expansion Project. Cell 6 is complete, and punch list items are being documented. ARM Consulting Engineers have completed certification report, and has uploaded to NJDEP for their review. Mr. Sesto added he hoped to get a response from NJDEP in a few weeks for approval in order to begin the acceptance of waste in Cell 6.

Mr. Sesto reported on the Construction Review Committee Meeting where project change orders were discussed for the Stage 2 Landfill Expansion Project. He reviewed 6 change orders that were outside of the original scope of work. A resolution was prepared for acceptance and approval. Commissioner Dabinett moved the authorizing resolution, seconded by Commissioner Madsen.

#22-097 RESOLUTION RE: AUTHORIZING TO EXECUTE CHANGE ORDERS TO SCMUA CONTRACT NO 551 – STAGE 2 LANDFILL EXPANSION, TOMCO CONSTRUCTION INC.

Mr. Sesto reported on Solid Waste Laboratory Analysis Contract #22-20 bid opening, one bid was received, and was significantly over budget. A separate proposal was submitted from Pace Analytical in the amount of \$35,924 for a one year period, and which was within budget and below bid threshold. A resolution was prepared to reject the lone bid and to award a one year contract to Pace Analytical. Commissioner Cocula moved the award resolution, seconded by Commissioner Meyer. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#22-098 RESOLUTION RE: AUTHORIZING THE AWARD OF A ONE-YEAR CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND PACE ANALYTICAL FOR LABORATORY TESTING SERVICES AT THE SOLID WASTE FACILITY (CONTRACT #22-20)

Comptroller's Report

Mr. Day reported that, due to certain project priorities at the Solid Waste Facility, he recommends transferring funds to and from line items to fund the necessary scale replacement project. He prepared a resolution to authorize the transfer of R&R Funds within the FY2022 Budget, with no increase in overall budget. Commissioner Cocula moved the budget amendment resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#22-099 RESOLUTION RE: AMENDING THE SCMUA'S FY2022 SOLID WASTE FACILITIES BUDGET

Mr. Day gave a report on Solid Waste Tonnages through March 30th, and compared to the same time period as 2021, tonnage is down 0.9%. The reduction in tonnage equates to a \$5,000 drop in revenue. Mr. Day noted the harsh March weather may have contributed to lower tonnage.

e. Personnel Matters

Solid Waste Superintendent’s Report

Mr. Morris reported that a part-time employee has requested a 3 month leave of absence for personal medical reasons, without pay. Medical documentation has been provided. Commissioner Dietz moved the approval resolution, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#22-100 RESOLUTION RE: REQUEST FOR OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR MEDICAL REASONS FOR A 3 MONTH PERIOD FOR KR8867

Mr. Morris indicated that a solid waste employee has requested an official leave of absence for 6 months, shall use benefit time and then will go through FLMA to care for a family member. Commissioner Finkeldie moved the approval resolution, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#22-101 RESOLUTION RE: REQUEST FOR OFFICIAL LEAVE OF ABSENCE WITH PAY UNTIL BENEFIT LEAVE IS EXHAUSTED FOR FAMILY MEMBER’S ILLNESS FOR A PERIOD OF 6 MONTHS FOR DL3398

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 #22-102 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN	x		x			
COCULA			x			
DIETZ			x			
DRAKE			x			
PETILLO						x
WESLEY			x			
FINKELDIE		x	x			
DABINETT			x			

#22-102 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

None.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Cocula moved to give Chairman Petillo an excused absence, seconded by Commissioner Madsen. On voice vote: Ayes (7); Nays (1). The motion passed.

Commissioners were impressed with the solid waste staff that saved the Authority funds with their talents in constructing litter nets on-site. Commissioner Finkeldie noted the positive feedback he received regarding SCMUA's staff and flag retirement program. He would look for alternative means of flag retirement to alleviate quantity of flags at the SCMUA.

11. ADJOURN

At 4:10 p.m. Commissioner Dabinett moved to adjourn the meeting, seconded by Commissioner Cocula. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary