

MINUTES OF THE ANNUAL REORGANIZATION MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 1, 2023 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: Chairman Ronald Petillo, Vice Chairman John Drake, Commissioners Thomas Madsen, Andrea Cocula, Wayne Dietz, John Wesley, John Finkeldie, Robert Dabinett, Executive Director Thomas Varro, Comptroller Timothy Day, Chief Engineer Joseph Sesto, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: Commissioner Meyer, Nathaniel Sajdak WRWVG Director

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

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

Chairman Petillo opened the meeting to public comment, with no public present, he closed the meeting to public comment.

4. OATH OF OFFICE

Chairman Petillo congratulated Commissioners Dietz and Meyer who were previously sworn in to their term appointments from the County Board of Commissioners and will run from February 1, 2023 – January 31, 2028.

5. AGENDA APPROVAL

Chairman Petillo requested a motion for approval of the Agenda. Commissioner Drake moved the approval of the Final Agenda, seconded by Commissioner Dabinett. On voice vote: Ayes (8), Nays (0). The motion carried.

6. REORGANIZATION ACTIONS

Chairman Petillo passed the chair to Executive Director Varro for the purpose of nominations for the election of a Chairman and Vice Chairman to serve for the year from February 1, 2023 until the next Reorganization Meeting of February 7, 2024. Mr. Varro asked for nominations for the office of Chairman of the Authority's Board of Commissioners. Commissioner Cocula motioned to nominate Ronald Petillo for the position of Board Chairman, seconded by Commissioner Madsen. Mr. Varro asked if there were any other nominations, there being none, he subsequently asked for a motion to close nominations. Commissioner Finkeldie moved to close nominations, seconded by Commissioner Drake. On voice vote: Ayes (8), Nays (0) to close nominations for 2023 Chairman. Mr. Varro requested a roll call for the motion of Commissioner Petillo as Chairman for 2024.

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Elect Ronald Petillo as SCMUA Board Chairman for 2023						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
KARL MEYER						x
THOMAS MADSEN		x	x			
ANDREA COCULA	x		x			
WAYNE DIETZ			x			
RONALD PETILLO					x	
JOHN DRAKE			x			
JOHN WESLEY			x			
JOHN FINKELDIE			x			
ROBERT DABINETT			x			

The motion passed.

Mr. Varro asked for nominations for Vice Chairman of the Authority's Board of Commissioners for 2023. Commissioner Finkeldie nominated John Drake for the office of Vice Chairman of the Board, seconded by Commissioner Madsen. Mr. Varro asked if there were any other nominations, there being none, he requested a motion to close nominations, Commissioner Cocula moved to close, Commissioner Dabinett seconded. On voice vote: Ayes (8), Nays (0) the motion carried to close nominations. Mr. Varro requested a roll call to elect John Drake as Vice Chairman of the Authority's Board of Commissioners for 2023.

Elect John Drake as SCMUA Board Vice Chairman for 2023						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
KARL MEYER						x
THOMAS MADSEN		x	x			
ANDREA COCULA			x			
WAYNE DIETZ			x			
RONALD PETILLO			x			
JOHN DRAKE					x	
JOHN WESLEY			x			
JOHN FINKELDIE	x		x			
ROBERT DABINETT			x			

The motion passed.

Executive Director Varro began presentations of the Reorganization Resolutions for various appointments and procedures for 2023. Mr. Varro presented a resolution to appoint Andrea Cocula as Secretary to the Board for the period February 1, 2023 To February 7, 2024. Commissioner Dabinett moved the resolution, seconded by Commissioner Madsen. On roll call vote: Ayes (7) Commissioners Madsen, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Cocula. The resolution passed.

#23-024 RESOLUTION RE: APPOINTMENT OF ANDREA COCULA AS AUTHORITY SECRETARY FEBRUARY 1, 2023 to FEBRUARY 1, 2024

Mr. Varro presented reviewed the following resolutions up for consideration and noted updates and changes to each, and the recommended appointments for Professional Services. The proposed resolutions will be effective February 1, 2023 to February 7, 2024, with Engineering Contracts to be effective until February 29, 2024. Commissioner Drake moved resolutions d. through aa. as noted on the Agenda resolution, seconded by Commissioner Cocula. On roll call vote: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#23-025 RESOLUTION RE: DATES AND TIME OF REGULAR AUTHORITY MEETINGS – FEBRUARY 1, 2023 TO FEBRUARY 7, 2024

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- #23-026** RESOLUTION RE: APPOINTMENT OF AUTHORITY TREASURER AND ASSISTANT TREASURER – FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-027** RESOLUTION RE: APPOINTMENT OF THE FIRM OF CLEARY GIACOBBE ALFIERI & JACOBS, LLC AS AUTHORITY GENERAL LEGAL COUNSEL - FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-028** RESOLUTION RE: APPOINTMENT OF THOMAS H. PROL, ESQ. OF SILLS CUMMIS & GROSS, PC AS AUTHORITY SPECIAL COUNSEL ON ENVIRONMENTAL MATTERS – FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-029** RESOLUTION RE: APPOINTMENT OF JOHN HALL OF HALL AND ASSOCIATES AS SPECIAL COUNSEL FOR MATTERS RELATED TO SOLID WASTE FACILITIES AND WASTEWATER FACILITIES NJPDES PERMITS AND WATERSHED MANAGEMENT PROGRAM – FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-030** RESOLUTION RE: APPOINTMENT OF JOHN CANTALUPO OF ARCHER & GREINER, P.C. AS AUTHORITY BOND COUNSEL – FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-031** RESOLUTION RE: APPOINTMENT FOR CONTINUING DISCLOSURE AGENT SERVICES/FINANCIAL ADVISOR SERVICES TO PHOENIX FINANCIAL ADVISORS, LLC - FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-032** RESOLUTION RE: APPOINTMENT OF ARM GROUP, INC. AS AUTHORITY'S SOLID WASTE CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 1, 2023 TO FEBRUARY 29, 2023
- #23-033** RESOLUTION RE: APPOINTMENT OF SCS FIELD SERVICES AS AUTHORITY'S SOLID WASTE CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 1, 2023 TO FEBRUARY 29, 2023
- #23-034** RESOLUTION RE: APPOINTMENT OF TETRATECH AS AUTHORITY'S CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 1, 2023 TO FEBRUARY 29, 2023
- #23-035** RESOLUTION RE: APPOINTMENT OF HARMONIC AS AUTHORITY'S GENERAL AND WASTEWATER CONSULTING ENGINEERS FOR WASTEWATER FACILITIES – FEBRUARY 1, 2023 TO FEBRUARY 29, 2024
- #23-036** RESOLUTION RE: APPOINTMENT OF HAZEN & SAWYER AS AUTHORITY'S GENERAL AND WASTEWATER CONSULTING ENGINEERS FOR WASTEWATER FACILITIES – FEBRUARY 1, 2023 TO FEBRUARY 29, 2024
- #23-037** RESOLUTION RE: APPOINTMENT OF PAULUS SOKOLOWSKI AND SARTOR, LLC AS AUTHORITY'S SPECIALIZED ENVIRONMENTAL CONSULTING AND LSRP SERVICES – FEBRUARY 1, 2023 TO FEBRUARY 29, 2024

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- #23-038** RESOLUTION RE: APPOINTMENT OF TRINITY CONSULTANTS FOR SPECIALIZED AIR PERMITTING CONSULTING SERVICES - FEBRUARY 1, 2023 TO FEBRUARY 29, 2024
- #23-039** RESOLUTION RE: APPOINTMENT OF ALL 4, INC. AS AUTHORITY'S SPECIALIZED AIR PERMITTING CONSULTING SERVICES – FEBRUARY 1, 2023 TO FEBRUARY 29, 2024
- #23-040** RESOLUTION RE: APPOINTMENT OF ONE WATER AS AUTHORITY'S SPECIALIZED WATER QUALITY STUDIES CONSULTANT FOR WASTEWATER FACILITIES – FEBRUARY 1, 2023 TO FEBRUARY 29, 2024
- #23-041** RESOLUTION RE: APPOINTMENT OF GABEL ASSOCIATES AS THE AUTHORITY'S SPECIALIZED ENERGY CONSULTANT - FEBRUARY 1, 2023 TO FEBRUARY 29, 2024
- #23-042** RESOLUTION RE: APPOINTMENT OF LOUIS J. WEBER AND ASSOCIATES, INC. AS THE AUTHORITY'S SURVEYING PROFESSIONALS - FEBRUARY 1, 2023 TO FEBRUARY 29, 2024
- #23-043** RESOLUTION RE: APPOINTING RISK MANAGEMENT CONSULTANTS - 2023
- #23-044** RESOLUTION RE: APPOINTING FUND COMMISSIONER TO THE STATEWIDE INSURANCE FUND
- #23-045** RESOLUTION RE: DESIGNATION OF OFFICIAL AUTHORITY NEWSPAPERS – FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-046** RESOLUTION RE: BANKING AND FINANCIAL TRANSACTIONS - FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-047** RESOLUTION RE: APPOINTMENT OF MARGUERITE NEMETH AS SCMUA CERTIFYING OFFICER FROM FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-048** RESOLUTION RE: APPROVING SCMUA CASH MANAGEMENT AND INVESTMENT POLICY - 2023
- #23-049** RESOLUTION RE: ESTABLISHING FORMAL WRITTEN INTERNAL CONTROL PROCEDURES – FY2023
- #23-050** RESOLUTION RE: AUTHORIZING ISSUANCE OF OFFICERS CERTIFICATES RELATED TO AUTHORITY BONDS – FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-051** RESOLUTION RE: ESTABLISHMENT OF A PURCHASING BOARD IN ACCORDANCE WITH N.J.S.A. 40A:11-9 FOR THE PERIOD FROM FEBRUARY 1, 2023 TO FEBRUARY 7, 2024
- #23-052** RESOLUTION RE: APPOINTMENT OF A SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY RECORDS CUSTODIAN – 2023

Chairman Petillo added the Committee Appointments shall stay the same for 2023, no objections from Commissioner Board.

7. APPROVAL OF CONSENT AGENDA

Chairman Petillo requested a motion for approval of the Consent Agenda. Commissioner Cocula moved the approval of the Consent Agenda, seconded by Commissioner Madsen. No discussions. On voice vote: Ayes (8), Nays (0), Abstain (0), the motion carried.

8. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the distribution of the January 18, 2023 Pending Action Summary Sheets which were emailed to the County Commissioner Board on January 19, 2023. Commissioner Drake moved to approve, seconded by Commissioner Cocula. On voice vote: Ayes (8), Nays (0), Abstain (0), the motion passed.

Chairman Petillo asked for a motion to approve the Open and Closed Meeting Minutes for the December 14, 2022 Authority Meeting. Commissioner Madsen moved the approval of the minutes, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0); Abstain (0). The motion passed.

Chairman Petillo advised the Open and Closed Minutes for both the January 4, 2023 and January 18, 2023 Authority Meetings have been emailed to the Commissioners for their review.

a. Closed Executive Session

No Closed Executive Session for this meeting.

9. BUSINESS

b. Wastewater Program

Superintendent's Report

Mr. Phillips reported on the Sussex Borough Force Main Replacement Project indicating that 1615 linear feet have been installed, and Ferraro Construction is making good progress.

Mr. Phillips reported on a recent Sussex Borough Force Main Break, #38, on Route 23 near the Holland American Bakery. There have been 3 breaks in the last 3 months on Route 23. Commissioners discussed history of breakages in this force main.

Chief Engineer's Report

Mr. Sesto reported on the Liquid Sludge Hauling Bid (#23-11) results, the low bidder was Spectraserv of South Kearny. The contract will run from March 2, 2023 to December 21, 2023, with an option for extension for 2024. An award resolution was prepared for authorization to execute contract with Spectraserv. Commissioner Cocula moved the authorizing resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain. The resolution passed.

#23-053 RESOLUTION RE: AWARD OF CONTRACT NO. 23-11 FOR LIQUID SLUDGE HAULING TO SPECTRASERV, INC.

Comptroller's Report

Mr. Day reported on the auction results for the F250 Pick up truck, that was on Gov Deals.com, and the final accepted bid was \$9,813.00.

c. Solid Waste Program

Superintendent's Report

Mr. Morris reported on the Household Hazardous Waste Bid results, and MXI Maumee Express, Inc. was the lowest bidder. The contract is for 2023, 2024 and option for 2025 HHW events. A resolution was prepared for consideration for award to MXI, Commissioner Cocula moved the resolution, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#23-054 RESOLUTION RE: AUTHORIZING AWARD FOR SCMUA CONTRACTS #23-01 & #24-01 HOUSEHOLD HAZARDOUS WASTE DISPOSAL EVENT(S) TO MAUMEE EXPRESS, INC.

Mr. Morris opened discussions regarding the 2023 Earth Day Celebration to be held at the Solid Waste Facility on April 20th. It's proposed to be held away from the current construction area. Commissioner Cocula moved to authorize event, Commissioner Finkeldie seconded. On voice vote: Ayes (8); Nay (0). The motion passed.

Mr. Morris also reported that Sparta Township contacted Outreach Coordinator Kristine Rogers to attend their Earth Day Event to represent the Authority. Commissioner Dabinett moved to authorize seconded by Commissioner Finkeldie. On voice vote: Ayes (8); Nay (0). The motion passed.

d. General Authority Business

No Reports

e. Personnel Matters

Executive Director's Report

Mr. Varro prepared a resolution to authorize a request for an Official Leave of Absence Request for Administration Staff employee. Commissioner Drake moved the resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

#23-055 RESOLUTION RE: REQUEST FOR "OFFICIAL LEAVE OF ABSENCE WITH PAY FOR MEDICAL REASONS" FOR 90-DAY PERIOD FOR MN7298

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10. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to adopt the Financial Consent Agenda.

Res: # 23-056 – Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
KARL MEYER						x
THOMAS MADSEN			x			
ANDREA COCULA			x			
WAYNE DIETZ			x			
RONALD PETILLO			x			
JOHN DRAKE		x	x			
JOHN WESLEY			x			
JOHN FINKELDIE	x		x			
ROBERT DABINETT			x			

#23-056 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

11. Open To Public Comment

No public present.

12. Commissioners' Comments/Requests

Commissioners congratulated Ronald Petillo as the new Board Chairman, and Vice Chairman Drake for appointment for 2023.

Commissioner Cocula moved to give Commissioner Meyer an excused absence, seconded by Commissioner Madsen. On voice vote: Ayes (8); Nay (0). The motion passed.

13. Adjourn

Commissioner Finkeldie moved to adjourn the meeting, seconded by Commissioner Madsen. On voice vote, the motion passed. The meeting was adjourned at 3:20 p.m.

Respectfully submitted,

Andrea Cocula, Secretary