

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 15, 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 Karl Meyer, Thomas Madsen, Andrea Cocula, Wayne Dietz (remote), John Wesley, Robert Dabinett, Comptroller Timothy Day, Chief Engineer Joseph Sesto, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, Wallkill River Watershed Management Group Director Nathaniel Sajdak, General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: Commissioner John Finkeldie; Executive Director Thomas Varro

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. No comments. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda. Cocula moved the Agenda, seconded by Commissioner Dabinett. On voice vote: Ayes (8); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

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

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the email distribution of the February 1, 2023 Pending Action Summary Sheets (PASS) to the County Commissioner Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Drake moved the PASS, seconded by Commissioner Madsen. On roll call: Ayes (8) Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (1) Commissioner Meyer. The motion passed.

Commissioner Cocula moved to approve the Open and Closed Meeting Minutes from the January 4, 2023 Authority Meeting, seconded by Commissioner Cocula. On roll call: Ayes (7) Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (1) Commissioner Meyer. The motion passed.

Commissioner Dabinett moved to approve the Open and Closed Meeting Minutes from the January 18, 2023 Authority Meeting, seconded by Commissioner Wesley. On voice vote: Ayes (7); Nays (0). The motion carried.

No minutes were distributed at this meeting.

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 Drake. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 15 minutes and discussions shall include: Landfill Expansion Project #551 Contract, Meeting with Hardyston Township MUA, Nitrate Effluent Litigation and Personnel Matters.

#23-057 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:30 p.m. Commissioner Madsen moved to adjourn the Closed Session, seconded by Commissioner Wesley. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Petillo confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Landfill Expansion Project #551 Contract, Meeting with Hardyston Township MUA, Nitrate Effluent Litigation and Personnel Matters.

b. Wastewater Program

Superintendent's Report

Mr. Phillips reported on the Sussex Borough Force Main Project indicated all piping was installed, and all construction on the SCMUA property is completed.

Engineer's Report

Mr. Sesto also reported that the Homestead Wastewater Treatment Plant Facility's permit for NJPDES discharge to surface water is up for renewal. It expires June 2023, a resolution was prepared to authorize submittal to NJDEP. Commissioner Cocula moved the authorizing resolution, Commissioner Madsen seconded. On roll call: Ayes (8) Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#23-058 RESOLUTION RE: AUTHORIZATION FOR THE FILING OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION NJPDES SURFACE WATER PERMIT RENEWAL APPLICATION FOR THE HOMESTEAD WWTP FACILITY

Mr. Sesto prepared a resolution to authorize the filing of a NJPDES permit for renewal for the Upper Wallkill Wastewater Facility. The current permit expires in September 2023. Commissioner Cocula moved the authorizing resolution, Commissioner Madsen seconded. On roll call: Ayes (8) Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#23-059 RESOLUTION RE: AUTHORIZING FOR THE FILING OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION NJPDES SURFACE WATER PERMIT RENEWAL APPLICATION FOR THE UPPER WALLKILL FACILITY

Watershed Director's Report

Watershed Director Sajdak reported on a rain garden workshop through Rutgers Cooperative Extension for Paulinskill Area residents to take classes to install a rain garden on their property. Grant funding is being used for the program, for up to 100 people, and is beneficial to divert rain water runoff.

Comptroller's Report

Mr. Day reported on the Septage, Sludge and Hauled Sewage volumes through January 2023. Sludge is at 16% of projections for the year, Sludge at 9% and Hauled Sewage is 8%. All are on course for the fiscal year projections. There have been no connection fees for December 2022 and January 2023.

c. Solid Waste Program

Superintendent's Report

Mr. Morris reported that the Landfill Compactor was down and Foley came through with the part and should be repaired and ready for tomorrow.

Comptroller's Report

Comptroller Day reported on a resolution that was prepared to authorize an amendatory contract with Tomco due to a 20% overage of original contract for Landfill Expansion Project. Change Orders for paving will put total contract over original contract. Mr. Day reviewed the necessary tasks to be completed and required by the Local Public Contracts Law. All have been completed including letters to Commissioners and Executive Director and eventually advertisement notice thereof. Commissioner Cocula moved the authorizing resolution and to advertise, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#23-060 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A WRITTEN AMENDATORY CONTRACT WITH TOMCO, INC. FOR CHANGE ORDERS IN EXCESS OF 20% OF THE ORIGINAL CONTRACT

Chief Engineer's Report

Mr. Sesto gave a status report on the Stage 2 Landfill Expansion Project. The Contractor is continuing build reinforcement of stone on berm, and excavation and soil processing. Natural gas work, as part of the contract.

Mr. Sesto prepared a Resolution for Commissioners' consideration, as discussed in Closed Session, regarding a change order for additional paving projects for the State 2 Landfill Expansion Project. Total increase of \$126,779.63. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#23-061 RESOLUTION RE: AUTHORIZATION TO EXECUTE CHANGE ORDER TO SCMUA CONTRACT NO. 551 – STAGE 2 LANDFILL EXPANSION, TOMCO CONSTRUCTION INC.

d. General Authority Business

Comptroller’s Report

Mr. Day presented an award that the SCMUA received from the Statewide Insurance Fund at their Annual Reorganization Meeting for 2022 for positive and improved All Lines Claim Results.

e. Personnel

Wastewater Superintendent’s Report

Mr. Phillips prepared a resolution for the appointment of a Wastewater Plant Attendant. Steven Braun has been interviewed and is the recommended candidate. Commissioner Madsen moved the appointing resolution, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0). The resolution passed.

#23-062 RESOLUTION RE: APPOINTMENT OF WASTEWATER PLANT ATTENDANT, STEVEN BRAUN

Solid Waste Superintendent’s Report

Mr. Morris reported that he received a request to extend a Leave of Absence to KR8867 for an additional two month period. Commissioner Drake moved to authorize a two month extension, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0). The resolution passed.

#23-063 RESOLUTION RE: REQUEST FOR OFFICIAL EXTENDED LEAVE OF ABSENCE WITHOUT PAY FOR MEDICAL REASONS FOR A TWO (2) MONTH PERIOD FOR KR8867

Mr. Morris indicated he received a request for an Official Leave of Absence for personal illness for 60 days, as discussed in Executive Session. Commissioner Drake moved the to authorize, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0). The resolution passed.

#23-064 RESOLUTION RE: REQUEST FOR “OFFICIAL LEAVE OF ABSENCE” FOR EL8772

8. Financial Transactions

a. Payment of Bills

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

Res #23-065 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN			x			
COCULA	x		x			
DIETZ			x			
DRAKE		x	x			
PETILLO			x			
WESLEY			x			
FINKELDIE						x
DABINETT			x			

#23-065 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public in attendance.

10. COMMISSIONERS COMMENTS/REQUEST

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

Happy Valentine's Day to all!

11. ADJOURN

At 3:45 p.m. Commissioner Drake moved to adjourn the meeting, seconded by Commissioner Meyer. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary