

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 21, 2018 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 Madsen, Vice Chairman Drake, Commissioners Perez, Dietz (via telecom), Cocula, and Petillo, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Angelo Baron, General Counsel Napolitano, Special Counsel Prol and Recording Secretary Kronski.

Absent: Commissioner Meyer

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Madsen 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

No public comment.

4. AGENDA APPROVAL

Chairman Madsen asked for a motion to approve the Agenda. Commissioner Drake moved the Agenda, seconded by Commissioner Cocula. Administrator Hatzelis recommended moving the Executive Session to the end of the Agenda due to public present. Commissioner Perez motioned to revise Agenda as recommended, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Drake moved the approval of the Consent Agenda, seconded by Commissioner Cocula. No discussions requested. On voice vote: Ayes (6), Nays (0). The motion carried.

6. MINUTES

Chairman Madsen requested a motion to approve/acknowledge the distribution of the February 7, 2018 Pending Action Summary Sheet (PASS) to the County Freeholder Board. Commissioner Perez motioned, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0). The motion carried.

Chairman Madsen asked for a motion to approve the Open and Closed Meeting Minutes for the January 17, 2018 Authority Meeting. Commissioner Cocula moved the minutes for approval, seconded by Commissioner Drake. On voice vote: Ayes (6), Nays (0). The motion carried.

Chairman Madsen requested a motion to open to the public, the Closed Session Minutes from August 2013 to January 2018 Authority Meetings, if reasons for confidentiality no longer exist. Commissioner Drake moved, seconded by Commissioner Cocula. On voice vote: Ayes (6), Nays (0). The motion carried.

7. BUSINESS

a. Executive Session (moved to after #9. Public Comment)

b. Wastewater Program

No Report

c. Solid Waste Program

Solid Waste Superintendent's Report

Mr. Sparnon reported on a resolution that was prepared to provide Certified Recycling Professional Services to Municipalities. The NJDEP requires that yearly Recycling Tonnage Reports be certified by a Recycling Professional, SCMUA's Reenee Casapulla has the credentials to provide this service. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0). The motion carried.

#18-044 RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT(S) WITH VARIOUS SUSSEX COUNTY MUNICIPALITIES FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2017 RECYCLING TONNAGE REPORT TO NJDEP

Chief Engineer's Report

Mr. Varro reported on the status of the proposed Food Waste Bill before the New Jersey Senate (#S1206). He reported that there are ongoing efforts to include language that exempts certain landfills that run a gas-to-energy plant on-site, which includes the Sussex County MUA. Senator Oroho and his staff have been making a powerful argument on the Authority's behalf. Discussions continued regarding other landfills who run gas collection/electric generation facilities.

d. General Authority Business

Administrator's Report

Mr. Hatzelis reported on the Lafayette Preservation Foundation's request to use SCMUA property along Route 15 to host a Spring Event. The request letter was forwarded to the SCMUA's Risk Manager, and the concern is clearly a high risk liability to the Authority due to the event location along Route 15. A draft letter to the Preservation Foundation was distributed to the Commissioners, and they had no comments on the response letter noting our Risk Manager's concerns.

Mr. Hatzelis indicated a resolution was prepared by SCMUA's Bond Counsel to authorize execution and delivery of SCMUA Loan Agreements regarding Landfill Expansion Project.

Res# 18-045: Authorizing execution and all bond required documentation delivered to NJEIT for Landfill Expansion Project						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE		x	x			
TOM MADSEN			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER						x
RONALD PETILLO			x			

#18-045 RESOLUTION RE: AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENT TO BE EXECUTED BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, IF APPLICABLE, ALL PURSUANT TO THE STATE FISCAL YEAR 2018 OR OTHER YEAR NEW JERSEY WATER BANK FINANCING PROGRAM

8. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Madsen asked for a motion to approve the Financial Consent Agenda (FCA).

Res: #18-046 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE	x		x			
TOM MADSEN			x			
WAYNE DIETZ		x	x			
ANDREA COCULA			x			
KARL MEYER						x
RONALD PETILLO			x			

#18-046 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

7. BUSINESS (moved from beginning of Agenda)

a. Executive Session

At 3:15 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Drake. On voice vote: (6) Ayes, (0) Nays, the motion carried. Personnel Committee Chairman requested to add discussions regarding a personnel item update, Commissioners concurred. Chairman Madsen noted the Closed Session should be approximately 15-20 minutes and discussions to include: Wantage Sewer Service Agreement/Bicsak Properties and Personnel Item.

#18-047 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

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At 3:32 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Dietz. On voice vote: Ayes (6); Nays (0). The motion passed.

Chairman Madsen confirmed items discussed as specifically set forth in the resolution authorizing Closed Executive Session included: Wantage Sewer Service Agreement/Bicsak Properties and Personnel Item. When the need for confidentiality of these matters no longer exists they will be opened to the public

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS' COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioner Meyer and excused absence, seconded by Commissioner Drake. On voice vote: Ayes (6), the motion passed.

Commissioner Perez requested Commissioners receive copies of the Executive Session Minutes after attorney review before giving authorization to release to the Public.

Commissioner Perez also read into the record correspondence received from the NJDEP to Chief Engineer Thomas Varro regarding Contract #444 for the Landfill Expansion Project. "This office would like to commend the Authority, its Engineers and Construction Contractor for bringing this Project to a successful conclusion, i.e. on time, on budget and to exceptional quality." Commissioners commended all involved.

11. ADJOURN

Commissioner Dietz moved to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (6), the motion passed. The meeting was adjourned at 3:35 p.m.

Respectfully submitted,

Andrea Cocula, Secretary