

MINUTES OF THE ANNUAL REORGANIZATION MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 5, 2020 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

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

The Chairman called the meeting to order at 3:05 p.m.

Present: Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Dabinett, Executive Director/Chief Engineer Varro, Comptroller Day, Senior Project Engineer Sesto, Solid Waste Superintendent Morris, Wastewater Superintendent Baron, Attorney John Napolitano, Special Counsel Prol and Recording Secretary Kronski

Absent: Commissioner Finkeldie

2. PUBLIC STATEMENT

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

4. OATH OF OFFICE

Attorney Prol administered the Oath of Office to Robert Dabinett for a 5-year Freeholder appointed term to the Board of Commissioners of the Sussex County Municipal Utilities Authority. Term for Commissioner Dabinett: February 5, 2020 – January 31, 2025.

5. AGENDA APPROVAL

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

6. REORGANIZATION ACTIONS

Chairman Drake passed the chair to Executive Director Varro for the purpose of nominations and election of a Chairman and Vice Chairman to serve for the year from February 5, 2020 until the next Reorganization Meeting of February 3, 2021. Mr. Varro asked for nominations for the office of Chairman of the Authority's Board of Commissioners. Commissioner Dietz motioned to nominate John Drake for the office of Chairman, seconded by Commissioner Petillo. Mr. Varro asked if there were any other nominations, there being none, he subsequently asked for a motion to close nominations. Commissioner Madsen moved to close nominations, seconded by Commissioner Dabinett. On voice vote: Ayes (8), Nays (0) the motion carried to close nominations. Mr. Varro requested a roll call to elect John Drake as Chairman of the Authority for 2020.

Elect John Drake as SCMUA Board Chairman for 2020						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
RONALD PETILLO		x	x			
THOMAS MADSEN			x			
ANDREA COCULA			x			
WAYNE DIETZ	x		x			
JOHN DRAKE			x			

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KARL MEYER			x			
DANIEL PEREZ			x			
JOHN FINKELDIE						x
ROBERT DABINETT			x			

The motion passed.

Mr. Varro asked for nominations for the office of Vice Chairman of the Authority's Board of Commissioners for 2020. Commissioner Petillo nominated Karl Meyer for the office of Vice Chairman of the Board, seconded by Commissioner Cocula. Mr. Varro asked if there were any other nominations, there being none, he requested a motion to close nominations, Commissioner Madsen moved, Commissioner Dabinett seconded. On voice vote: Ayes (8), Nays (0) the motion carried to close nominations. Mr. Varro requested a roll call to elect Karl Meyer as Vice Chairman of the Authority's Board of Commissioners for 2020.

Elect Karl Meyer as SCMUA Board Vice Chairman for 2020						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
RONALD PETILLO	x		x			
THOMAS MADSEN			x			
ANDREA COCULA		x	x			
WAYNE DIETZ			x			
JOHN DRAKE			x			
KARL MEYER			x			
DANIEL PEREZ			x			
JOHN FINKELDIE						x
ROBERT DABINETT			x			

The motion passed.

Executive Director Varro began presentations of the Reorganization Resolutions for various appointments and procedures for 2020. Mr. Varro presented a resolution to appoint Andrea Cocula as Secretary to the Board for the period FEBRUARY 5, 2020 to FEBRUARY 3, 2021. Commissioner Dabinett moved the resolution, seconded by Commissioner Dietz. On roll call vote: Ayes (7) Commissioners Petillo, Madsen, Dietz, Drake, Meyer, Perez, Dabinett; Nays (0); Abstain (1) Commissioner Cocula. The resolution passed.

#20-027 RESOLUTION RE: APPOINTMENT OF ANDREA COCULA AS AUTHORITY SECRETARY FEBRUARY 5, 2020 to FEBRUARY 3, 2021

Mr. Varro presented a resolution for adoption of establishing dates and times for the 2020 Authority Meetings. This resolution provides meeting dates to be held on the 1st and 3rd Wednesdays of each month to begin at 3:00 p.m from FEBRUARY 19, 2020 to FEBRUARY 3, 2021. Commissioner Cocula moved the resolution establishing dates and times of the Regular Authority Meetings, seconded by Commissioner Dabinett. On voice vote: Ayes (8), Nays (0). The resolution passed.

#20-028 RESOLUTION RE: DATES AND TIME OF REGULAR AUTHORITY MEETINGS – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021

Mr. Varro noted the following resolutions were prepared for Annual Reorganization appointments and procedures. Professional Services appointments were considered after RFPs received and reviewed. Commissioner Dietz moved Reorganization Actions e. through bb, as referenced on the Meeting Agenda, Commissioner Cocula seconded. Mr. Varro read the individual resolution titles. **On roll call vote: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Dabinett; Nays (0); Abstain (0); Absent (1) Commissioner Finkeldie. The following resolutions passed.**

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- #20-029** RESOLUTION RE: APPOINTMENT OF AUTHORITY TREASURER AND ASSISTANT TREASURER – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-030** RESOLUTION RE: APPOINTMENT OF THE FIRM OF CLEARY GIACOBBE ALFIERI & JACOBS, LLC AS AUTHORITY GENERAL LEGAL COUNSEL - FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-031** RESOLUTION RE: APPOINTMENT OF THOMAS H. PROL, ESQ. OF SILLS CUMMIS & GROSS, PC AS AUTHORITY SPECIAL COUNSEL ON ENVIRONMENTAL MATTERS – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-032** 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 5, 2020 TO FEBRUARY 3, 2021
- #20-033** RESOLUTION RE: APPOINTMENT OF JOHN CANTALUPO OF ARCHER & GREINER, P.C. AS AUTHORITY BOND COUNSEL – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-034** RESOLUTION RE: APPOINTMENT OF WIELKOTZ & COMPANY, LLC AS AUDITORS TO THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-035** RESOLUTION RE: APPOINTMENT FOR CONTINUING DISCLOSURE AGENT SERVICES/FINANCIAL ADVISOR SERVICES TO PHOENIX FINANCIAL ADVISORS, LLC - FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-036** RESOLUTION RE: APPOINTMENT OF ARM GROUP, INC. AS AUTHORITY'S SOLID WASTE CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 5, 2020 TO FEBRUARY 28, 2021
- #20-037** RESOLUTION RE: APPOINTMENT OF SCS FIELD SERVICES AS AUTHORITY'S SOLID WASTE CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 5, 2020 TO FEBRUARY 28, 2021
- #20-038** RESOLUTION RE: APPOINTMENT OF CORNERSTONE ENVIRONMENTAL GROUP, LLC AS AUTHORITY'S CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 5, 2020 TO FEBRUARY 28, 2021
- #20-039** RESOLUTION RE: APPOINTMENT OF MOTT MACDONALD AS AUTHORITY'S WASTEWATER CONSULTING ENGINEERS FOR WASTEWATER FACILITIES – FEBRUARY 5, 2020 TO FEBRUARY 28, 2021
- #20-040** RESOLUTION RE: APPOINTMENT OF KLEINFELDER, LLC AS AUTHORITY'S WASTEWATER FACILITIES CONSULTING ENGINEERS – FEBRUARY 5, 2020 TO FEBRUARY 28, 2021

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- #20-041** RESOLUTION RE: APPOINTMENT OF PAULUS SOKOLOWSKI AND SARTOR, LLC AS AUTHORITY'S WASTEWATER CONSULTING ENGINEERS AND FOR SPECIALIZED ENVIRONMENTAL AND LSRP SERVICES – FEBRUARY 5, 2020 TO FEBRUARY 28, 2021
- #20-042** RESOLUTION RE: APPOINTMENT OF AMY S. GREENE ENVIRONMENTAL CONSULTANTS, INC. AS AUTHORITY'S SPECIALIZED ENVIRONMENTAL CONSULTANTS-FEBRUARY 5, 2020 TO FEBRUARY 28, 2021
- #20-043** RESOLUTION RE: APPOINTMENT OF TRINITY CONSULTANTS FOR SPECIALIZED AIR PERMITTING CONSULTING SERVICES - FEBRUARY 5, 2020 TO FEBRUARY 28, 2021
- #20-044** RESOLUTION RE: APPOINTMENT OF GABEL ASSOCIATES AS THE AUTHORITY'S SPECIALIZED ENERGY CONSULTANT - FEBRUARY 5, 2020 TO FEBRUARY 28, 2021
- #20-045** RESOLUTION RE: APPOINTMENT OF LOUIS J. WEBER AND ASSOCIATES, INC. AS THE AUTHORITY'S SURVEYING PROFESSIONALS - FEBRUARY 5, 2020 TO FEBRUARY 28, 2021
- #20-046** RESOLUTION RE: APPOINTING RISK MANAGEMENT CONSULTANTS - 2020
- #20-047** RESOLUTION RE: APPOINTING FUND COMMISSIONER TO THE STATEWIDE INSURANCE FUND
- #20-048** RESOLUTION RE: DESIGNATION OF OFFICIAL AUTHORITY NEWSPAPERS – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-049** RESOLUTION RE: BANKING AND FINANCIAL TRANSACTIONS - FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-050** RESOLUTION RE: APPOINTMENT OF MARGUERITE NEMETH AS SCMUA CERTIFYING OFFICER FROM FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-051** RESOLUTION RE: APPROVING SCMUA CASH MANAGEMENT AND INVESTMENT POLICY - 2020
- #20-052** RESOLUTION RE: ESTABLISHING FORMAL WRITTEN INTERNAL CONTROL PROCEDURES – FY2020
- #20-053** RESOLUTION RE: AUTHORIZING ISSUANCE OF OFFICERS CERTIFICATES RELATED TO AUTHORITY BONDS – FEBRUARY 5, 2020 TO FEBRUARY 3, 2021
- #20-054** RESOLUTION RE: ESTABLISHMENT OF A PURCHASING BOARD IN ACCORDANCE WITH N.J.S.A. 40A:11-9 FOR THE PERIOD FROM FEBRUARY 5, 2020 TO FEBRUARY 3, 2021

#20-055 RESOLUTION RE: APPOINTMENT OF A SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY RECORDS CUSTODIAN – 2020

Counsel Napolitano and Counsel Prol each thanked the Commissioners for the contract award and their support.

Committee Appointments for 2020, Commissioners shall notify Chairman Drake of their Committee requests. A Committee List shall be provided at the following meeting.

7. APPROVAL OF CONSENT AGENDA

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

8. MINUTES

Chairman requested a motion to approve/acknowledge the distribution of the January 15, 2020 Pending Action Summary Sheets which were emailed to the Freeholder Board on January 16, 2020. Commissioner Perez moved to approve, seconded by Commissioner Dietz. On voice vote: Ayes (8), Nays (0), Abstain (0), the motion passed.

Chairman Drake asked for a motion to approve the Open and Closed Meeting Minutes for the November 27, 2019 Authority Meeting. Commissioner Cocula moved the approval of the minutes, seconded by Commissioner Madsen. On voice vote: Ayes (8), Nays (0), Abstain (0), the motion carried.

Chairman Drake noted the Open and Closed Minutes for the December 18, 2019 Authority Meeting have been emailed to the Commissioners for their review.

9. BUSINESS

a. Closed Executive Session

At 3:14 p.m. Commissioner Meyer moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Cocula. On voice vote: Ayes (8), Nays (0), the motion carried. Chairman Drake noted the Closed Session should be approximately 40 minutes and discussions shall include: Mountain Creek Bankruptcy Matter, New Jersey Regulatory Reforms, Landfill Life Extension/Infrastructure Relocation Project and Personnel Item.

#20-056 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:40 p.m. Commissioner Meyer moved to adjourn the Closed Session, seconded by Commissioner Madsen. On voice vote: Ayes (8); Nays (0). The motion passed.

Chairman Drake confirmed items discussed as specifically set forth in the resolution authorizing Closed Executive Session included: Mountain Creek Bankruptcy Matter, New Jersey Regulatory Reforms, Landfill Life Extension/Infrastructure Relocation Project and Personnel Item. When the need for confidentiality of these matters no longer exists, they will be opened to the public.

b. Wastewater Program

No Reports

c. Solid Waste Program

Executive Director/Chief Engineer's Report

Regarding discussions held in Executive Session concerning the timeline of the Landfill Life Extension/Infrastructure Relocation Project. While time is of the essence and there being two weeks between Authority Meetings, it was suggested that the Construction Review Committee and/or its Chairman shall be able to make certain decisions while working with the NJDEP throughout the week on relocation/layout options. These determinations do not include funding/spending. Commissioner Dabinett moved to authorize the Construction Review Committee (CRC) and/or its Chairman to make certain decisions regarding project management options for the Landfill Life Extension/Infrastructure Relocation Project, motion seconded by Commissioner Meyer. On roll call: Ayes (7) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Dabinett; Nays (0); Abstain (1) Commissioner Perez; Absent (1) Commissioner Finkeldie. The motion passed.

d. General Authority Business

Comptroller's Report

Mr. Day prepared a resolution for Commissioners' consideration to adopt a Deferred Compensation Plan offered by Lincoln Retirement Services for an additional choice for SCMUA Employees to enroll in. Commissioner Madsen moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (7) Commissioners Petillo, Madsen, Cocula, Drake, Meyer, Perez, Dabinett; Nays (0); Abstain (1) Commissioner Dietz. The resolution passed.

#20-057 RESOLUTION RE: AUTHORIZING TO ADOPT A DEFERRED COMPENSATION PLAN FOR SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY EMPLOYEES TO BE PROVIDED BY LINCOLN RETIREMENT SERVICES

10. FINANCIAL TRANSACTIONS

a. Payment of Bills

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

Res: # 20-058 – Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
RONALD PETILLO			x			
THOMAS MADSEN			x			
ANDREA COCULA	x		x			
WAYNE DIETZ		x	x			
JOHN DRAKE			x			
KARL MEYER			x			
DANIEL PEREZ			x			
JOHN FINKELDIE						
ROBERT DABINETT						

#20-058 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

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11. Open To Public Comment

No public present.

12. Commissioners' Comments/Requests

Commissioners congratulated Commissioner Dabinett on his reappointment to the Board and to Commissioners Drake, Meyer and Cocula on their appointments to their Board positions for 2020.

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

Commissioners welcomed new Senior Project Engineer Joseph Sesto to the SCMUA team and looked forward to working with him and the Staff in the upcoming year.

13. Adjourn

Commissioner Perez moved to adjourn the meeting, seconded by Commissioner Meyer. On voice vote, the motion passed. The meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Andrea Cocula, Secretary