

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON JANUARY 16, 2019 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 1:08 p.m.

The following were present: Chairman Madsen, Vice Chairman Drake, Commissioners Perez, Dietz (Executive Session only), Cocula, Meyer, and Petillo, Administrator John Hatzelis, Chief Engineer Thomas Varro, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Angelo Baron, General Counsel Napolitano, Special Counsel Thomas Prol and Recording Secretary Tara Kronski.

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

Chairman Madsen opened the meeting to public comment. No comments.

4. AGENDA APPROVAL

Chairman Madsen asked for a motion to approve the Agenda. Mr. Hatzelis recommended interview portion of Executive Session be moved to after the Payment of Bills section of the Agenda. Commissioner Drake moved the Final Agenda, seconded by Commissioner Perez. 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 email distribution of the January 2, 2019 Pending Action Summary Sheets (PASS) to the County Freeholder Board. Commissioner Perez motioned to approve, seconded by Commissioner Drake. On voice vote: Ayes (6), Nays (0), Abstain (0). The Motion passed.

Commissioner Cocula moved to approve the Open and Closed Meeting Minutes for the November 28, 2018 Authority Meeting, Commissioner Meyer seconded. On voice vote: Ayes (6), Nays (0), Abstain (0). The Motion passed.

The Open and Closed Meeting Minutes for the December 5, 2018 Authority Meeting were distributed for review.

7. BUSINESS

b. Wastewater Program

**Administrator’s Report**

Mr. Hatzelis reported on the redirection of sewage flow from the Sparta Plaza Plant to the Upper Wallkill Facility approximately 4 weeks ago. Mr. Varro had requested “as-built” drawings from Harold Pellow’s office, (the Sparta Engineer at the time) to review the interconnect and the plans do not show the existence of any interconnect. Mr. Hatzelis reported the NJDEP contacted him regarding a TWA and/or SCMUA endorsement for this connection to the U.W. System, and he informed them the SCMUA was unaware of the connection, nor authorized any diversion of flow. Mr. Hatzelis has requested a meeting with Sparta Township officials to discuss the connection and requirements under the service contract between SCMUA and Sparta Township.

Mr. Hatzelis reported that H&H Auto Parts has completed payment for their connection fee and requested authorization to file a release of the property lien claim.

Motion: Commissioners approve the release of a property lien for H&H Auto in Vernon NJ with the completion of 5-year payment plan for connection fee.						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE			x			
TOM MADSEN			x			
WAYNE DIETZ						x
ANDREA COCULA	x		x			
KARL MEYER		x	x			
RONALD PETILLO			x			

The motion passed.

c. Solid Waste Program

**Superintendent’s Report**

Superintendent Morris reported on a request from the Frankford Fire Department for the Solid Waste Facility to donate any vehicles no longer in service in order to use them for training purposes. Mr. Morris will prepare a resolution for a future meeting.

Mr. Morris reported on the Household Hazardous Waste Contract, which is up for extension for 2019. Maumee Express, Inc. is the contractor and performed well for the 2018 events and Mr. Morris recommends extending the current contract into 2019 and prepared a resolution for consideration.

Res #19-023: Contract extension #19-01 MXI for HHW Services						
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			

**#19-023** RESOLUTION RE: AUTHORIZING THE AWARD OF CONTRCT #19-01 WITH MAUMEE EXPRESS, INC. FOR HOUSEHOLD HAZARDOUS WASTE SERVICES IN 2019 WITH THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY; CONTRACT #19-01

Mr. Morris gave an update on the status of some of the Solid Waste Equipment, and both the 836 and the 973 are back in service and the dozer is in need of an undercarriage replacement.

**Chief Engineer’s Report**

Mr. Varro reported on three permits for the Solid Waste Facility that are set to expire this year. Applications shall be prepared and submitted in accordance with the NJDEP regulations for SIU Permit (Significant Indirect User), DGW Permit (Discharge to Groundwater) and RF Permit (Stormwater). Mr. Varro prepared a resolution to authorize certain SCMUA staff and professionals to submit application and designate contact persons.

Res #19-024: Authorization for certain SW permit renewals						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ	x		x			
JOHN DRAKE		x	x			
TOM MADSEN			x			
WAYNE DIETZ						x
ANDREA COCULA			x			
KARL MEYER			x			
RONALD PETILLO			x			

**#19-024** RESOLUTION RE: AUTHORIZATION TO SUBMIT VARIOUS NJPDES PERMIT RENEWAL APPLICATION PACKAGES FOR SCMUA SOLID WASTE FACILITY (TO NJDEP)

Mr. Varro reported on the Landfill Gas System Improvement Project and noted the wells have been installed and are collecting a record number of gas according to the meters. Some odor complaints have been received and, when possible, are investigated at the time of the reported odor. Mr. Varro reported that there is no need to disrupt the landfill again in the near future.

d. General Authority Business

**Administrator’s Report**

Mr. Hatzelis reminded the Commissioners of the Annual Reorganization Meeting to be held on February 6<sup>th</sup> and a preliminary agenda packet will be sent to review necessary appointments and election of officers for 2019.

e. Personnel Matters

**Administrator’s Report**

Mr. Hatzelis prepared proclamations to recognize the service and upcoming retirements of two Wastewater Employees. Joseph Kinney has been with the Authority for 30 plus years and Allen Luberger for 25 years. Both will be retiring on January 31, 2019.

Motion: Recognize and thank J. Kinney and A. Luberger for their many years of service to the Authority						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ			x			
JOHN DRAKE			x			
TOM MADSEN			x			
WAYNE DIETZ						x
ANDREA COCULA	x		x			
KARL MEYER		x	x			
RONALD PETILLO			x			

The motion passed.

8. Payment of Bills

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

Res #19-025: Financial Consent Agenda						
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			

**#19-025** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

a. Executive Session

At 1:25 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Meyer. On voice vote: (6) Ayes, (0) Nays, the motion carried. Chairman Madsen noted the Closed Session should be approximately 30 minutes to an hour and discussions shall include: Mountain Creek Bankruptcy Matter, Mott MacDonald Contract Amendment and Personnel Items.

**#19-026** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 1:45 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Drake. On voice vote: Ayes (6), Nays (0), Abstain (0). The motion carried.

Chairman Madsen confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session included: Mountain Creek Bankruptcy Matter, Mott MacDonald Contract Amendment. When the need for confidentiality of these matters no longer exists they will be opened to the public.

In relation to Executive Session, Mr. Varro requested a formal motion regarding the Pump Station/Force Main Project for authorization for Mott MacDonald to submit applications for wetlands and flood hazard permits and then begin with clearing of right of way and subsurface testing with MASW.

Motion: Commissioners authorize Mott MacDonald to continue with Force Main/Pump Station project activities.						
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			

The motion passed.

At 1:45 p.m. Chairman Madsen called for a meeting break until 3:00 Interviews to begin in Executive Session.

The meeting resumed at 3:00 p.m., Commissioner Dietz joined the meeting and Chairman Madsen requested a motion to go into Closed Executive Session to conduct interviews for the Administrator position. Commissioner Cocula motioned to enter Executive Session, seconded by Commissioner Drake. On voice vote: Ayes (7); Nays (0). The motion passed.

At 4:48 p.m. a motion was made by Commissioner Meyer to close Executive Session and go into Open Session. Seconded by Commissioner Drake. On voice vote: Ayes (7); Nays (0). The motion passed.

Chairman Madsen confirmed items discussed as specifically set forth in the resolution authorizing Closed Executive Session included: Personnel Items. When the need for confidentiality of these matters no longer exist they will be opened to the public.

At 4:50 p.m. John Ursin representing Sparta Stop and Shop addressed the Board about the Lien filed by the SCMUA for unpaid connection fees and the finance charges accrued. Mr. Ursin provided a brief history of the matter and offered to settle the lien for the principal amount and eighteen (18) months finance charges. After a short discussion the Commissioners referred Mr. Ursin to a letter sent by SCMUA Counsel Napolitano on December 29, 2018 which indicated the Commissioners' position is that the connection fees and all finance charges must be paid to release the lien. Mr. Ursin thanked the Commissioners for their consideration of the matter.

9. PUBLIC COMMENT  
No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners direct to advertise to begin the February 6, 2019 Annual Reorganization Meeting at 2:00 p.m.

11. ADJOURN

At 5:04 p.m. Commissioner Perez made a motion to adjourn the meeting, seconded by Commissioner Drake. On voice vote: Ayes (7); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary