

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON JUNE 17, 2020 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

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

The Teleconference Meeting was called to order at 3:00 p.m.

The following were present: Chairman Drake, Vice Chairman Meyer*, Commissioners Petillo, Madsen*, Cocula, Dietz*, Perez*, Finkeldie*, Dabinett*, Executive Director/Chief Engineer Varro, Comptroller Timothy Day*, Senior Project Engineer Sesto, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Angelo Baron*, General Counsel Napolitano*, Special Counsel Prol*, and Recording Secretary Tara Kronski

*Attended the meeting remotely due to State Executive Orders regarding COVID-19.

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Drake 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. No public present. He closed the meeting to public comment. (Call in information was noticed prior on website for public participation)

4. AGENDA APPROVAL

Chairman Drake asked for a motion to approve the Agenda. Executive Director Varro requested to add Solid Waste Superintendent's Report regarding incident on landfill face for Open Session. Commissioner Dietz moved the Final Agenda, seconded by Commissioner Madsen. On voice vote: Ayes (9); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Madsen moved the approval of the Consent Agenda, seconded by Commissioner Dabinett. No discussions requested. On voice vote: Ayes (9); Nays (0). The motion carried.

6. MINUTES

Chairman Drake requested a motion to approve/acknowledge the email distribution of the June 3, 2020 Pending Action Summary Sheets (PASS) to the County Freeholder Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Perez motioned to approve, seconded by Commissioner Dietz. On voice vote: Ayes (9); Nays (0). The motion carried.

There were no minutes up for approval at this meeting.

The Open and Closed Minutes for the May 6, 2020 and May 20, 2020 Authority Meetings were distributed for Commissioners' review.

7. BUSINESS

a. Executive Session

At 3:05 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Finkeldie. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Drake noted the Closed Session should be approximately 50 minutes and discussions shall include: Sparta Twp. Stop and Shop Litigation Matter re: Connection Fee, Landfill Gas to Energy Contract Matters, Title V Permit Matter, North Berm Project Bids, and Personnel Items.

#20-118 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:45 p.m. Commissioner Finkeldie moved to adjourn the Closed Session, seconded by Commissioner Dabinett. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Drake confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session Sparta Twp. Stop and Shop Litigation Matter re: Connection Fee, Landfill Gas to Energy Contract Matters, Title V Permit Matter, North Berm Project Bids, and Personnel Items. When the need for confidentiality of these matters no longer exists, they will be opened to the public.

b. Wastewater Program

Superintendent's Report

Superintendent Baron reported on the recent operations of the Paulinskill Water Reclamation Plant. The operators are checking the plant every day, and flows picked up somewhat perhaps due to recent businesses opening. Senior Project Engineer Sesto noted the new membranes are expected to be delivered mid-August.

Executive Director/Chief Engineer's Report

Executive Director Varro noted Executive Session discussions regarding settlement agreement with Jersey Investor's Growth Company. A resolution was prepared to settle for the full connection fee including interest and attorneys' fees. Commissioner Madsen moved the settlement resolution settling the lawsuit for a total sum of \$160,000, Commissioner Dabinett. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0).

#20-119 RESOLUTION RE: AUTHORIZING SETTLEMENT OF LITIGATION WITH JERSEY INVESTORS GROWTH COMPANY, L.P.

Mr. Varro reported on a resolution to extend the existing cost sharing agreement between the Wallkill River Watershed Management Plan and the Natural Resource Conservation Service. Agreement uses grant funding to organize and coordinate watershed planning initiatives and implements water quality projects throughout Sussex County. Commissioner Dietz moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Perez, Finkeldie, Dabinett; Nays (0); Abstain (0).

#20-120 RESOLUTION RE: AUTHORIZING THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – WALLKILL RIVER WATERSHED MANAGEMENT GROUP TO EXTEND THE EXISTING COST-SHARE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE – NATURAL RESOURCE CONSERVATION SERVICE (NRCS) TO WORK COOPERATIVELY TO PROVIDE TECHNICAL ASSISTANCE TO LANDOWNERS IN SUSSEX COUNTY, NEW JERSEY ON PLANNING AND INSTALLING CONSERVATION PRACTICES AND WATER QUALITY IMPROVEMENT PROJECTS

Comptroller's Report

Mr. Day reported on the Septage, Sludge and Hauled Sewage Volumes, and noted Sludge Volumes are at 63% of projections for the year. Septage is at 49% of FY2020 projections, and hauled sewage is at 38%. Total Revenue is currently 50% of projections for FY2020. Mr. Day reported 2 new connection fees for the month of June.

c. Solid Waste Program

Superintendent's Report

Mr. Morris reported that the Paper Shred Event is to take place on June 19th with protocols in place for the protection of staff and customers. The next Electronic Waste Event is currently scheduled for Jul 25th and discussions are in progress to make COVID-19 accommodations with the vendor.

Mr. Morris reported that a load was dumped on the landfill face that contained large bags marked as Regulated Medical Waste (RMW). NJDEP hotline was notified and the waste was traced to Newton Medical Center and they came out to remove the debris. NJDEP will handle any violations, if warranted.

Executive Director/Chief Engineer's Report

Mr. Varro presented a resolution for award of SCMUA Contract #551A to the lowest responsive bidder, Tomco Construction, Inc. Discussions in Executive Session concluded that award shall be contingent upon the completion of review by staff, consulting engineer and legal counsel. Commissioner Cocula moved the award resolution to Tomco Construction, Inc. for a total bid price of \$1,946,485.37, seconded by Commissioner Madsen. On roll call: Ayes (8) Commissioners Petillo, Madsen, Cocula, Dietz, Drake, Meyer, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Perez.

#20-121 RESOLUTION RE: CONDITIONALLY AWARDING NORTH BERM PROJECT FOR CONTRACT #551A TO TOMCO CONSTRUCTION, INC.

Mr. Varro gave a status report on the Landfill Life Extension Relocation Project and the timeline for completion of plans and specifications. Bids are anticipated to be ready by September 9th.

Mr. Varro opened discussions on a request from the Lake Hopatcong Commission for the SCMUA to accept lake weeds for disposal. The established rate schedule for Vegetative Waste to Landfill is \$96/ton. Discussions ensued regarding process for revising rate schedule, County Agreement, potential odor issues. Commissioners direct Mr. Varro to contact County and Commission officials to advise weeds shall be accepted as per FY2020 Rate Schedule, and would be advantageous to dry out the weeds to lessen weight.

Senior Project Engineer’s Report

Mr. Sesto gave a status report on the Leachate PS/FM project, and noted that the NJDEP signed an environmental assessment document to move the project another step forward. The project was preliminarily advertised to gain more attention for potential bidders, and the official advertisement for obtaining bids shall be done as soon as NJDEP approval is received. A pre-bid meeting was held and questions and comments were addressed.

Mr. Sesto reported that the Landfill Topographic Report was received and is a good tool to continue to evaluate North Berm overall capacity. Mr. Sesto reviewed general data density of 1,350 lbs per cubic year, with a lifetime compaction over time to 1981 lbs. per cubic yard.

8. Financial Transactions

a. Payment of Bills

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

Res #20-122 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
PETILLO			x			
MADSEN		x	x			
COCULA	x		x			
DIETZ			x			
DRAKE			x			
MEYER			x			
PEREZ			x			
FINKELDIE			x			
DABINETT			x			

#20-122 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners wished Happy Birthday to all the June Birthdays. Commissioner Dietz thanked the Commissioners for their support in working within the short time frame to fill the WW Superintendent position.

11. ADJOURN

At 4:20 p.m. Commissioner Dietz moved to adjourn the meeting, seconded by Commissioner Meyer. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary