

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 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, John Finkeldie, Robert Dabinett, Executive Director Thomas Varro, Comptroller Timothy Day, Chief Engineer Joseph Sesto, Solid Waste Superintendent Jonathan Morris, Wallkill River Watershed Management Group Director Nathaniel Sajdak, General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: Wastewater Superintendent Timothy Phillips

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 public comments. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo moved Closed Session to the back of the Business Agenda to accommodate General and Special Counsels. Commissioner Madsen moved to approve the Agenda, seconded by Commissioner Drake. On voice vote: Ayes (9); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Drake moved to approve the Consent Agenda, seconded by Commissioner Wesley. No discussions requested. On voice vote: Ayes (9); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the email distribution of the March 1, 2023 Pending Action Summary Sheets (PASS) to the County Commissioner Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Cocula moved the PASS, seconded by Commissioner Dabinett. On voice vote: Ayes (9); Nays (0). The motion passed.

There were no minutes up for approval at this meeting.

The Open and Closed Minutes from the February 1, 2023 and February 15, 2023 Authority Meetings were distributed to the Commissioners for their review.

7. BUSINESS

a. Closed Session

Moved to end of business section of Agenda.

b. Wastewater Program

**Chief Engineer's Report**

Mr. Sesto reported on the lone proposal received for Lab Services for Wastewater Program testing for 2023. Garden State Lab submitted their proposal at \$16,585 for one year, a resolution was prepared for contract award. Commissioner Madsen moved the resolution to authorize award to Garden State Labs, seconded by Commissioner Drake. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-086** RESOLUTION RE: AUTHORIZING THE AWARD OF A ONE-YEAR CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND GARDEN STATE LABORATORIES, INC. FOR FIELD SAMPLING AND LABORATORY TESTING SERVICES AT WASTEWATER FACILITIES (CONTRACT 23-10)

**Watershed Director's Report**

Mr. Sajdak reported on an Emerald Ash Borer informative Workshop held by the Wallkill Watershed Management Group in coordination with the NJ Department of Agriculture. 30 participants joined the virtual workshop that reviewed the devastating effect by the insect on Ash trees in the area. Insect is affecting tree canopy, a tree replacement program is available through grant funding.

**Comptroller's Report**

Mr. Day reported on wastewater data December 1, 2023 through February 28, 2023. Sludge is at 22% of projected budget and Septage is at 19%, both are under projections, but is it early in the year. Hauled Sewage is at 26% of above budget projections, 13% for overall categories. He reported that there have been only one connection fee this year, however Franklin Borough does have a housing development which is pending.

c. Solid Waste Program

**Solid Waste Superintendent**

Mr. Morris gave a status report on new equipment. A Morbark 3000x grinder was ordered in March of 2022 to replace the 1993 grinder. It was delivered and will put into service in about two weeks, after final inspection and training. A CAT908 loader was also ordered last year and was received last week, and is currently in service. The old CAT908 is being cleaned up to get ready for auction.

**Chief Engineer's Report**

Mr. Sesto reported on the proposal submitted by Pace Analytical for Solid Waste Lab testing services for 2023. Their proposal is for one year of lab services for a total of \$39,695.00 in accordance with Agreement. A resolution was prepared for contract award to Pace Analytical, Commissioner Cocula moved the resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-087** RESOLUTION RE: AUTHORIZING THE AWARD OF A ONE-YEAR CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND PACE ANALYTICAL INC. FOR LABORATORY TESTING SERVICES AT THE SOLID WASTE FACILITY (CONTRACT 23-20)

Mr. Sesto reported on the Stage 2 Landfill Expansion Project, and indicated that the contractor is working on the phase 4 MSE Berm and pump station. Alcoa will begin lining the cell at the end of the month.

### **Comptroller's Report**

Mr. Day reported that tonnage is up 1.9% compared to the same time period last year (Dec 1 – Feb 28), which equals 431 tons. Revenues are up \$51,000.

#### d. General Authority Business

### **Executive Director's Report**

Mr. Varro reported on the SCMUA Auditor RFP/RFQ. The Auditor position was not awarded at the Annual Reorganization Meeting on February 1<sup>st</sup>, the Board requested further information from the only firm that submitted an RFP/RFQ, Wielkocz & Co., Inc. The Personnel Committee met separately with Paul Cuva of Wielkocz and Co., Inc., as were satisfied with the information provided and a resolution was prepared to appoint Paul Cuva of Wielkocz & Co., Inc. as SCMUA Auditor, as well as a resolution to authorize execution of 2023 Professional Services Agreement. Commissioner Cocula moved the appointing resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Finkeldie, Dabinett; Nays (1) Commissioner Wesley; Abstain (0). The resolution passed.

**#23-088** RESOLUTION RE: APPOINTMENT OF WIELKOTZ & CO. AS AUDITORS TO THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – MARCH 15, 2023 TO FEBRUARY 27, 2024

Commissioner Cocula moved the authorizing resolution to execute a Professional Services Agreement for Auditing Services for 2023, Commissioner Drake seconded motion. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Finkeldie, Dabinett; Nays (1) Commissioner Wesley; Abstain (0). The resolution passed.

**#23-089** RESOLUTION RE: AUTHORIZATION EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH PAUL CUVA, C.P.A. OF THE FIRM OF WIELKOTZ & COMPANY, LLC FOR AUDITING SERVICES IN PERFORMING THE ANNUAL AUDIT OF THE SUSSEX COUNTY MUNICIPAL AUTHORITY'S FISCAL YEAR 2023

### **Comptroller's Report**

Mr. Day reviewed work completed by Planet Network, including equipment installation, revamping of server room, and discussions ensued regarding collaboration with Abcode Security, as well as, the status of the generator installation for Admin/Maintenance Building.

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 #23-090 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN		x	x			
COCULA	x		x			
DIETZ			x			
PETILLO			x			
DRAKE			x			
WESLEY			x			
FINKELDIE			x			
DABINETT			x			

**#23-090** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

a. Executive Session

At 3:21 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session. Motion was seconded by Commissioner Finkeldie. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 20 minutes and discussions shall include: Vernon Township/ Vernon Twp. MUA Matters, U.W. Nitrate Permit Project, Solid Waste Rate Schedule Analysis and Personnel Matters.

**#23-091** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:42 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Dabinett. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Petillo confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Vernon Township/ Vernon Twp. MUA Matters, U.W. Nitrate Permit Project, Solid Waste Rate Schedule Analysis and Personnel Matters.

**Chief Engineer’s Report**

Mr. Sesto reviewed the Upper Walkkill Plant revitalization/upgrade cost estimates compared to Nitrate treatment improvements. Discussions took place regarding including Nitrate improvements with the U.W. improvements, or to separate the projects. Mr. Sesto reported that the analysis shows a 10% increase in costs when done separately. It was recommended to do both projects together.

At 3:46 p.m. Chairman requested to go back into closed session to discuss Upper Walkkill Nitrate Appeal status and Upper Walkkill Plant Revitalization. Commissioner Drake moved to go into Closed Executive Session, seconded by Commissioner Finkeldie. On voice vote: Ayes (9), Nays (0). The motion carried.

At 3:55 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Dabinett. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Petillo confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Upper Walkkill Nitrate Appeal status and Upper Walkkill Plant Revitalization.

e. Personnel

**Solid Waste Superintendent's Report**

Mr. Morris reported he received a request for an intermittent 30 day Leave of Absence to care for a family member for employee MS7461. A resolution was prepared for authorization. Commissioner Drake moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#23-092** RESOLUTION RE: REQUEST FOR OFFICIAL LEAVE OF ABSENCE WITH PAY FOR A THIRTY (30) DAY PERIOD FOR MR3793

**Executive Director's Report**

Mr. Varro prepared a resolution to give administrative department employee TV3453 a 30 day leave of absence for personal illness. Commissioner Madsen moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0). The resolution passed.

**#23-093** RESOLUTION RE: AUTHORIZATION TO GRANT A 30 DAY "OFFICIAL LEAVE OF ABSENCE FOR A PERSONAL ILLNESS" FOR TV3453

Mr. Varro reviewed resolution, as discussed in Executive Session, for an employee recruitment and retention program for soliciting and retaining qualified employees. Commissioner Cocula moved the resolution, seconded by Commissioner Dietz. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0). The resolution passed.

**#23-094** RESOLUTION RE: EMPLOYEE SOLICITATION AND RETENTION BONUSES

9. PUBLIC COMMENT

No public in attendance.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners wished Mr. Varro a speedy recovery. Commissioners Dietz thanked the staff for providing rate analysis, and commended the Board on the discussions to determine an intelligible and responsible rate increase.

11. ADJOURN

At 4:00 p.m. Commissioner Finkeldie moved to adjourn the meeting, seconded by Commissioner Dabinett. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary