

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 6, 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 3:00 p.m.

The following were present: Chairman Drake, Vice Chairman Meyer, Commissioners Dietz, Cocula, Madsen, 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 Acting Recording Secretary Marguerite Nemeth.

Absent: Commissioner Perez

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.

4. AGENDA APPROVAL

Chairman Drake asked for a motion to approve the Agenda. Administrator Hatzelis requested to add Personnel Report under Wastewater Superintendent Report. Commissioner Cocula moved Agenda as amended, seconded by Commissioner Dietz. On voice vote: Ayes (6), Nays (0), Absent (1). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Madsen moved the approval of the Consent Agenda, seconded by Commissioner Meyer. No discussions requested. On voice vote: Ayes (6), Nays (0), Absent (1). The motion carried.

6. MINUTES

Chairman Drake requested a motion to approve/acknowledge the email distribution of the February 20, 2019 Pending Action Summary Sheets (PASS) to the County Freeholder Board. Commissioner Dietz motioned to approve, seconded by Commissioner Meyer. On voice vote: Ayes (6), Nays (0), Abstain (0), Absent (1). The motion passed.

Commissioner Madsen moved to approve the Open and Closed Meeting Minutes for the January 16, 2019 Authority Meeting, Commissioner Dietz seconded. On voice vote: Ayes (6), Nays (0), Abstain (0), Absent (1). The motion passed.

7. BUSINESS

a. Executive Session

At 3:10 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session, motion seconded by Commissioner Madsen. On voice vote: (6) Ayes, (0) Nays, Absent (1). The motion carried. Chairman Drake noted the Closed Session should be approximately 20-30 minutes to an hour and discussions shall include:

Mountain Creek Bankruptcy Matter, Jersey Investors Growth Company/Stop and Shop Connection Fee Collection Matters, Leachate Pump Station/Force Main Alignment, Sparta Plaza Interconnect and Personnel Item.

#19-054 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:07 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Madsen. On voice vote: Ayes (6), Nays (0), Abstain (0), Absent(1). The motion carried.

Chairman Drake confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session included: Mountain Creek Bankruptcy Matter, Jersey Investors Growth Company Stop and Shop Collection Matter, Leachate Pump Station/Force Main Alignment, Sparta Plaza Interconnect and Personnel Item. 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 Angelo Baron discussed the Upper Walkkill flooding issue that has been caused by beaver dams. There has been a history of beavers building dams. A trapper removed seven beavers. The trapper took notice of 4-5 beaver dams that are causing flooding close to the Sussex Force Main. Mr. Baron tried to contact the Real Estate Agent for the property; however, he has not received a return call. Administrator Hatzelis recommend that the property owner be notified via letter about the flooding matter and the need to correct the situation, Commissioners concurred.

Chief Engineer's Report

Chief Engineer Thomas Varro discussed a Proposed Wind River Sludge Processing Facility in Vernon Township. Discussed meeting with Vernon Township officials and Wind River/ Earth Care. They are proposing a sludge dewatering facility to discharge to the SCMUA Upper Walkkill System. This connection would require connection fees. This connection, projected to be 100,00 gpd, would equate to 400 EDU's and generate about \$7 million in connection fees. However, sludge that would have otherwise gone to Upper Walkkill would be lost revenue. They would like to come in front of the Board. The Administrator said that the board could listen to the proposal. It could adversely impact the SCMUA wastewater budget, however we need more information. A meeting will tentatively be set up for the April 17th Board of Commissioners meeting (Vernon Township has been notified, and will be responsible to confirm).

c. Solid Waste Program

Superintendent's Report

Mr. Morris explained that the shrink wrap recycling program will be terminated this year. Finding a recycling vendor has been difficult. We are reaching out to the municipalities to guide them on the discontinuation of the boat shrink wrap program.

Chief Engineer’s Report

Mr. Varro explained that the proposal for Future Solid Waste Facilities Planning from ARM Group came in at about \$71,000. ARM Group will look at the various landfill phases, including drainage, maintaining traffic patterns and debt service. Including meetings, it could be finalized by August 2019. Mr. Hatzelis explained the debt service and bonds. He added that we need to make sure that the tipping fees are not pushed up. Mr. Varro recommended to the Board of Commissioner that they approve the proposal from the ARM Group. Chairman Drake asked for a motion authorizing the ARM Group be contracted for the Solid Waste Facility Plan. Commissioner Cocula moved the motion, Seconded by Commissioner Dietz. On voice vote: Ayes (6), Nays (0), Abstain (0). Absent (1) the motion passed.

Administrator’s Report

Mr. Hatzelis reported that there was an increase in solid waste tonnage by 6.2% for December 2018 through February 2019. He added that this increase is likely because the weather has been generally good during the months of December through February.

d. General Authority Business

Administrator’s Report

Mr. Hatzelis indicated that all of the Professional Services Agreements have been sent to the appointed professionals for execution, and upon receipt resolutions will be prepared authorizing SCMUA execution.

Chairman Drake asked for a motion to approve the execution of the following Professional Services Agreements: Cleary, Jacobbe, Alfieri, Jacobs, (General Counsel), Laddey, Clark & Ryan (Special Counsel), Hall & Associates (Special Counsel), Ferraioli, Wielkocz, Cerullo & Cuva (Auditing Services), Archer & Greiner, PC (Bond Counsel Services), Phoenix Advisors (Cont. Discl. Agent/Financial Adv. Serv.) Sterns, Conrad & Schmidt (General SW Consult. Eng. Serv.), Cornerstone Environ. Group (Gen. SW Consult. Eng. Serv.), ARM Group. (General SW Consulting Engineering Serv.) Commissioner Cocula made the motion, Seconded by Commissioner Meyer. Ayes (6) Meyer, Drake, Dietz, Cocula, Madsen, and Petillo, Nays (0), Abstain (0), Absent (1) Perez. The motion passed.

#19-055 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MATTHEW J. GIACOBBE, ESQ. OF CLEARY GIACOBBE ALFIERI JACOBS, LLC FOR THE FURNISHING OF GENERAL LEGAL COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 6, 2019 TO FEBRUARY 5, 2020

#19-056 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THOMAS PROL, ESQ. OF LADDEY, CLARK AND RYAN, LLC FOR THE FURNISHING OF SPECIAL ENVIRONMENTAL LEGAL COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 6, 2019 TO FEBRUARY 5, 2020

#19-057 AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN HALL, ESQ. OF HALL AND ASSOCIATES FOR THE FURNISHING OF CERTAIN LEGAL SERVICES IN REGARD TO WASTEWATER AND SOLID WASTE FACILITIES NJPDES PERMITS, WATERSHED MANAGEMENT PLANNING AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 6, 2019 TO FEBRUARY 5, 2020

#19-058 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE CONTRACT WITH PAUL CUVA, C.P.A. OF THE FIRM FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A. FOR AUDITING SERVICES IN PERFORMING THE ANNUAL AUDIT OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S FISCAL YEAR 2019

#19-059 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PHOENIX ADVISORS FOR FINANCIAL ADVISORY SERVICES

#19-060 AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN CANTALUPO OF ARCHER & GREINER, P.C. FOR THE FURNISHING OF BOND COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 6, 2019 TO FEBRUARY 5, 2020

Chairman Drake asked for a motion to approve the execution of the following contracts: Monitoring Control & Compliance (SW Landfill Gas Serv.), Gabel Associates (Specialized Energy Consulting Serv.), Paulus, Sokolowski & Sartor (WW Consult. Eng. Serv.), Mott MacDonald (General WW Consulting Eng. Serv.), Gardell Land Surveying (Surveying Services), Louis J. Weber & Assoc. (Surveying Services), Amy S. Greene Env. Consult. (Specialized Environ. Services), Kleinfelder (Specialized WW Consulting Engineering Serv.)

The motion was made by Commissioner Cocula, seconded by Commissioner Meyer. Commissioner Cocula made the motion, Seconded by Commissioner Meyer. Ayes (6) Meyer, Drake, Dietz, Cocula, Madsen, and Petillo, Nays (0), Abstain (0). Absent (1) Perez. The motion passed

#19-061 AUTHORIZING RENEWAL/EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD FOR GENERAL WASTEWATER CONSULTING ENGINEERING SERVICES FOR 2019

#19-062 AUTHORIZING RENEWAL/EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER FOR SPECIALIZED WASTEWATER CONSULTING ENGINEERING SERVICES FOR 2019

#19-063 AUTHORIZING RENEWAL/EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH LOUIS J. WEBER AND ASSOCIATES (WEBER) FOR PROFESSIONAL SURVEYING SERVICES IN REGARD TO THE SOLID WASTE AND WASTEWATER FACILITIES AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY FOR 2019

#19-064 AUTHORIZING RENEWAL/EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH GARDELL LAND SURVEYING SERVICES, INC. (GARDELL) FOR PROFESSIONAL SURVEYING SERVICES IN REGARD TO THE SOLID WASTE AND WASTEWATER FACILITIES FOR 2019

#19-065 AUTHORIZING RENEWAL/EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH PAULUS, SOKOLOWSKI AND SARTOR, LLC FOR WASTEWATER CONSULTING ENGINEERING SERVICES FOR 2019

#19-066 AUTHORIZING RENEWAL/EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH AMY S. GREENE ENVIRONMENTAL SERVICES, INC. FOR SPECIALIZED ENVIRONMENTAL SERVICES FOR 2019

#19-067 AUTHORIZING RENEWAL/EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH GABEL ASSOCIATES FOR SPECIALIZED ENERGY CONSULTING FOR 2019

#19-068 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH CORNERSTONE ENVIRONMENTAL GROUP FOR GENERAL SOLID WASTE CONSULTING ENGINEERING SERVICES - 2019

#19-069 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT INC. (SCS) FOR SPECIALIZED SOLID WASTE CONSULTING ENGINEERING SERVICES – 2019

#19-070 AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE ARM GROUP, INC. FOR GENERAL SOLID WASTE CONSULTING ENGINEERING SERVICES FOR 2019

#19-071 AUTHORIZING RENEWAL/EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH MONITORING CONTROL AND COMPLIANCE, INC. (MCC) FOR SPECIALIZED SOLID WASTE LANDFILL GAS FIELD SERVICES FOR 2019

e. Personnel Matters

Wastewater Superintendent's Report

Mr. Baron discussed the need for a Waste Water Chief Operator as the position has been open since he was promoted to Superintendent. He interviewed Timothy Phillips who has the experience that the SCMUA is looking for. Mr. Phillips was then interviewed by Mr. Hatzelis and Mr. Varro. They are recommending that Timothy Phillips be hired for the Position of Waste Water Chief Operator.

Commissioner Cocula made the motion to hire Timothy Phillips as Waste Water Chief Operator. The motion was seconded by Commissioner Drake. On voice vote: Ayes (6), Nays (0), Abstain (0). Absent (1) the motion passed.

#19-072 RESOLUTION RE: APPOINTMENT OF TIMOTHY S. PHILLIPS AS WASTEWATER CHIEF OPERATOR

Solid Waste Superintendent's Report

Mr. Morris presented Glenn Soules resignation due to retirement to the Commissioners. Glenn Soules will be retiring on August 30, 2019 after 25 years of employment with the SCMUA.

Commissioner Madsen made the motion to approve the retirement of Glenn Soules, Seconded by Commissioner Dietz. On voice vote: Ayes (6), Nays (0), Abstain (0). Absent (1) the motion passed. Comments: The Commissioners thanked Mr. Soules for his service and congratulated him on his retirement.

Mr. Morris discussed that in previous years the Solid Waste Facility would hire summer seasonal help. The Commissioners asked how many seasonal employees? Mr. Morris requested to hire four (4). Commissioner Madsen made the motion to hire four summer seasonal employees for the Solid Waste Facility. The motion was seconded by Commissioner Dietz. On voice vote: Ayes (6), Nays (0), Abstain (0), Absent (1). The motion passed.

Administrator's Report

Mr. Hatzelis briefly discussed the restructuring of the SCMUA personnel.

Commissioner Madsen made the motion to approve the resolution creating the position of Executive Director and approve the appointment of SCMUA Chief Engineer Thomas Varro to the Executive Director Position. Commissioner Cocula seconded the motion. On voice vote: Ayes (6), Nays (0), Abstain (0). Absent (1) the motion passed. Comments: Commissioner Dietz and Mr. Varro will work on an agreement between the SCMUA and Mr. Varro. The Commissioners congratulated Mr. Varro.

#19-073 CREATING POSITION OF EXECUTIVE DIRECTOR AND MAKING APPOINTMENT THERETO

8. Payment of Bills

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

Res #19-074: Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ						x
KARL MEYER			x			
JOHN DRAKE			x			
WAYNE DIETZ		x	x			
ANDREA COCULA			x			
TOM MADSEN	x		x			
RONALD PETILLO			x			

#19-074 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public present.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners congratulated Mr. Varro on his new position of Executive Director.

11. ADJOURN

At 4:40 p.m. Commissioner Meyer made a motion to adjourn the meeting, seconded by Commissioner Dietz. On voice vote: Ayes (6), Nays (0), Absent (1). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary