

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MAY 16, 2018 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 Madsen, Vice Chairman Drake, Commissioners Perez, Dietz, Cocula, Meyer and Petillo, Administrator Hatzelis, Chief Engineer Varro, Solid Waste Superintendent Sparnon, Wastewater Superintendent Angelo Baron, General Counsel John Napolitano, Special Counsel Prol (via telecom, left meeting after Executive Session) and Recording Secretary 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

No public comment.

4. AGENDA APPROVAL

Chairman Madsen asked for a motion to approve the Agenda. Commissioner Drake moved the Agenda, seconded by Commissioner Cocula. Short discussion re: reasoning of Stop and Shop discussions in Executive Session, Special Counsel Prol to further explain in Executive Session. On voice vote: Ayes (7); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Cocula moved the approval of the Consent Agenda, seconded by Commissioner Drake. No discussions requested. On voice vote: Ayes (7), Nays (0). The motion carried.

6. MINUTES

Chairman Madsen requested a motion to approve/acknowledge the distribution of the May 2, 2018 Pending Action Summary Sheet (PASS) to the County Freeholder Board. Commissioner Drake motioned to approve, seconded by Commissioner Meyer. On voice vote: Ayes (7); Nays (0). The motion carried.

Chairman Madsen asked for a motion to approve the Open and Closed Meeting Minutes for the April 18, 2018 Regular Authority Meeting. Commissioner Drake moved the minutes for approval, seconded by Commissioner Meyer. On roll call vote: Ayes (6) Commissioners Perez, Drake, Madsen, Dietz, Cocula, Meyer; Abstain (1) Commissioners Petillo. The motion carried.

No minutes distributed at this meeting.

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 Meyer. On voice vote: Ayes (7), Nays (0), the motion carried. Chairman Madsen noted the Closed Session should be approximately 20-25 minutes and discussions shall include: Access Agreement with County of Sussex, Mt. Creek Bankruptcy, Sparta Stop and Shop Collection Matter and Contract #454 Microfilter.

#18-078 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:36 p.m. Commissioner Drake moved to adjourn the Closed Session, seconded by Commissioner Meyer. 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: Access Agreement with County of Sussex, Mt. Creek Bankruptcy, Sparta Stop and Shop Collection Matter and Contract #454 Microfilter. When the need for confidentiality of these matters no longer exists they will be opened to the public

b. Wastewater Program

Attorney’s Report

After status report given by Special Counsel Prol in Executive Session, Commissioner Cocula moved to **rescind** motion to direct Special Counsel Thomas Prol to submit an Amicus Brief on behalf of the Authority to the bankruptcy court regarding the Mt. Creek Bankruptcy which was made at the previous Authority meetings held on 5/2/18. Specifically, Commissioner Cocula felt that with additional information and the change in legal strategy, it would be improvident for the Authority to submit the brief at this time. Commissioner Perez agreed and offered his second to the motion.

Motion: To rescind previous meetings motion to authorize Special Counsel Prol to submit an Amicus Brief to Bankruptcy Court						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
DAN PEREZ		x	x			
JOHN DRAKE			x			
TOM MADSEN			x			
WAYNE DIETZ			x			
ANDREA COCULA	x		x			
KARL MEYER			x			
RONALD PETILLO			x			

The motion passed.

Wastewater Superintendent’s Report

Mr. Baron recognized the Wastewater Laboratory Staff, Joseph Kinney and Catherine Williams, on all three laboratories passing inspection and being certified by the NJDEP. This inspection is conducted yearly by the NJDEP and Commissioners appreciate their work and upkeep of all labs.

Administrator’s Report

Mr. Hatzelis reported on a grant agreement proposed for \$118,280 between the Walkkill River Watershed Management Group and the Nature Conservancy. Grant funding is for Phase II conservation projects in the Highlands Cluster of the Upper Paulinskill focus area.

Res#18-079: Grant Agreement SCMUA/WRWVG and Nature Conservancy for \$118,240 for a Phase II projects						
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			

#18-079 RESOLUTION RE: GRANT AGREEMENT BETWEEN SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY/WALKKILL RIVER WATERSHED MANAGEMENT GROUP AND THE NATURE CONSERVANCY FOR PHASE II CONSERVATION PROJECTS IN THE NEW JERSEY HIGHLANDS CLUSTER UPPER PAULINS KILL FOCUS AREA IMPLEMENTATION OF THE UPPER PAULINS KILL WATERSHED RESTORATION PLAN

c. Solid Waste Program

Superintendent’s Report

Mr. Sparron reported that the second E-waste Event shall be held on May 19th. Rain or Shine.

d. General Authority Business

Administrator’s Report

Mr. Hatzelis reported that a Draft 2017 Financial Audit was received from Auditor Paul Cova and there were no findings or recommendations. A copy shall be provided to the Commissioners for their review before the next Authority meeting of June 6, 2018.

Administrator Hatzelis reviewed discussions held at the Information Technology Committee Meeting before the Authority Meeting. The agenda included computer hardware upgrades, new email service, off-site backup options and phone system upgrades. The Committee will research options and schedule a meeting to report back.

8. Payment of Bills

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

Res: #18-080 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			

#18-080 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

None.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Dietz had questions regarding the flows at the Upper Walkkill due to recent heavy rains, and Wastewater Superintendent Baron noted all was Ok at this point, but the upcoming rain events expected for this weekend will be closely monitored. Commissioners thanked the lab technicians for receiving another passing grade for inspections.

11. ADJOURN

Commissioner Dietz moved to adjourn the meeting, seconded by Commissioner Perez. On voice vote: Ayes (7), the motion passed. The meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Andrea Cocula, Secretary