

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON OCTOBER 5, 2022 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 Petillo, Vice Chairman Drake, Commissioners Meyer, Madsen, Cocula, Dietz, Wesley, Finkeldie, Executive Director Thomas Varro, Chief Engineer Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, General Counsel Napolitano, Special Counsel Prol, and Recording Secretary Tara Kronski

Absent: Commissioner Dabinett

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 comments. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Commissioner Cocula moved revised Agenda, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Madsen moved to approve the Consent Agenda, seconded by Commissioner Dietz. No discussions requested. On voice vote: Ayes (8); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the email distribution of the September 21, 2022 Pending Action Summary Sheets (PASS) to the County Commissioner Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Drake moved the PASS, seconded by Commissioner Dietz. On voice vote: Ayes (8); Nays (0). The motion carried.

There were no minutes up for approval at this meeting.

No minutes were distributed for review at this meeting.

7. BUSINESS

a. Executive Session

At 3:02 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session. Motion was seconded by Commissioner Meyer. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 10 minutes and discussions shall include: *NJPDES Nitrate Permit Appeal, Hampton Commons Wastewater Facility, Stage 2 Landfill Expansion Project (#551)*

#22-162 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:12 p.m. Commissioner Madsen moved to adjourn the Closed Session, seconded by Commissioner Cocula. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Petillo confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: *NJPDES Nitrate Permit Appeal, Hampton Commons Wastewater Facility, Stage 2 Landfill Expansion Project (#551)*

b. Wastewater Program

Superintendent's Report

Mr. Phillips reported on the preconstruction meeting for the Sussex Borough Force Main Project. Ferraro Construction is set to begin in two weeks and there shall be project progress meetings held bi-weekly.

Executive Director

Mr. Varro reported that the final payment was received from Sparta Township for \$341,000 for sewer connection fees for the White Deer Plaza.

Comptroller's Report

Mr. Day indicated that Sludge received through September 2022 is at 65%, which is under projections; Septage is 90% and above projections; Hauled Sewage is over projections at 121%. The fiscal year ends in two months. Connection fees total \$833,467.00, and are over projections for the fiscal year. This total does not include the recent Sparta Township payment.

c. Solid Waste Program

Superintendent's Report

Superintendent Morris reported that landfilling in new cell 6A has begun. Construction debris and heavier loads still in active cell 3B. He reviewed the schedule of consolidation and indicated the new contractor area will be ready shortly, and then they will begin the disassemble of the old area.

Mr. Morris reported that Pace Glass debris was tested and approved by the Authority's LSRP consultant, and no deliveries have been made to date.

Mr. Morris indicated that the Authority's Sharps Disposal Program in partnership with Orchard Hill Medical has been discontinued. He explained that Orchard Hill Medical was bought out and the new owner does not wish to continue the program. The Recycling Coordinator is currently looking for a new vendor and possible other points of sharp drop off in and out of the County.

Chief Engineer's Report

Mr. Sesto reported that the Leachate Pump Station/Force Main project financing has met the deadline for the I-Bank Fall 2022 projects, which means a lower interest rate. The rates will likely go up in the Spring. Mr. Sesto indicated that certain tasks were not completed by Contractor and an adjustment of \$32,019.00 was, therefore, reduced from the contract. Mr. Sesto also indicated that release of retainage has been approved for \$129,971.19. A resolution has been prepared to authorize release. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie. The resolution passed.

#22-164 RESOLUTION RE: RELEASE OF RETAINAGE TO TOMCO CONSTRUCTION, INC., CONTRACT NO. 446, LEACHATE PUMP STATION AND FORCE MAIN PROJECT, BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

Mr. Sesto reported on the Stage 2 Landfill Expansion Project and indicated that ARM Engineers are designing the permit cap of the north berm. The surveyor shall conduct a drone flyover, and UST abandonment has begun. The Bulky Waste Building is complete, discussion regarding hole in panel and fixing same.

Comptroller's Report

Mr. Day reported on the Revenues and Tonnages through September 2022. Compared to the same time period for 2021, tonnage is up 0.5%, and revenues are down \$47,000 due to landfill expansion construction disposal.

d. General Authority Business

Executive Director's Report

Mr. Varro indicated that the FY2023 Public Rate Hearing requires to be advertised 20 days prior. Discussions ensued regarding date and time of public hearing. Commissioner Drake moved to authorize advertisement for the 2023 Public Rate Hearing to be on November 2, 2022 at 3:30 p.m., seconded by Commissioner Madsen. On voice vote: Ayes (8), Nays (0). The motion carried.

Comptroller's Report

Mr. Day reported on the NJ State Health Benefit increase for 2023. Open enrollment began October 1st, and the state has not sent out any reports regarding increase. Mr. Day indicated that SCMUA loss coverage report was sent to risk management. If the Authority changes providers it would have to be mid-year, not ready as of January 1st. Mr. Day will report back with any information and will get quotes.

(Commissioner Madsen stepped out of the room @ 3:55 p.m.)

Mr. Day reported that the solid waste facility no longer needs two 40 yard dumpsters and a resolution was prepared to remove said equipment in the most cost effective manner. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (7) Commissioners Meyer, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie. The resolution passed.

#22-165 RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY DECLARING CERTAIN PROPERTY NO LONGER NEEDED FOR PUBLIC USE, AND AUTHORIZATION TO REMOVE FROM FIXED ASSETS

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 #22-165 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN						out of mtg.room
COCULA			x			
DIETZ		x	x			
DRAKE			x			
PETILLO			x			
WESLEY			x			
FINKELDIE	x		x			
DABINETT						x

#22-166 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

None.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Madsen returned to meeting room at 3:57 pm.

Commissioner Cocula moved to give Commissioner Dabinett an excused absence, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion passed.

Discussion on when to expect FY2022 Audit, it is final minus the GASB75 data from State to have Auditor finalize and distribute.

11. ADJOURN

At 4:00 p.m. Commissioner Finkeldie moved to adjourn the meeting, seconded by Commissioner Meyer. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary