

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON SEPTEMBER 7, 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, Cocula, Dietz, Wesley, Finkeldie, Dabinett, Executive Director Thomas Varro, Chief Engineer Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, General Counsel John Napolitano, Special Counsel Thomas Prol (telecom), and Recording Secretary Tara Kronski

Absent: Commissioner Madsen

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 in attendance. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda, Executive Director requested moving Hazen & Sawyer U.W. Nitrate Upgrade Project Report to the beginning of the Business Agenda before Closed Session. 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 Dietz moved to approve the Consent Agenda, seconded by Commissioner Drake. 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 August 17, 2022 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 Dietz. On roll call: Ayes (6) Commissioners Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (2) Commissioners Meyer, Finkeldie. The motion carried.

Commissioner Drake moved the approval of the Open and Closed Minutes for the July 20, 2022 Authority Meeting, seconded by Commissioner Dietz. On voice vote: Ayes (8); Nays (0). The motion carried.

The Open and Closed Minutes for the August 3, 2022 and August 17, 2022 Authority Meetings were emailed to the Commissioners for review/comment.

7. BUSINESS

Chief Engineer's Wastewater Report

Mr. Sesto introduced Bill Gettings and David Wankmueller as SCMUA Wastewater Consultants from Hazen & Sawyer. A power point presentation was given to review their analysis in regard to the upgrades needed to the Upper Wallkill Regional Wastewater Facility to meet the new Nitrate limitation requirements implemented by the NJDEP. Mr. Wankmueller reviewed the new infrastructure needed to process wastewater to eliminate/lower nitrate in the effluent. Mr. Wankmueller reviewed the project backgrounds, and upgrades to facility and alternatives to implement and cost thereof. Presentation included the modification of 3 surface area tanks, new pumps, blowers, UV disinfection upgrades, and reviewed aeration process to remove the nitrate from the influent. Commissioners questions and concerns regarding wet weather events, and permit requirements, etc. were addressed and the cost is estimated to range between \$25 - \$36 million. Discussion regarding current inflation situation.

a. Executive Session

At 3:35 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 (8), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 20 minutes and discussions shall include: Solid Waste NJPDES SIU Permit, Vernon Township, Vernon Township Litigation, Sussex Borough Force Main Replacement Project, Stage 2 Landfill Project Change Orders and Personnel Items.

#22-148 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 4:00 p.m. Commissioner Dabinett moved to adjourn the Closed Session, seconded by Commissioner Finkeldie. 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: Solid Waste NJPDES SIU Permit, Vernon Township, Vernon Township Litigation, Sussex Borough Force Main Replacement Project, Stage 2 Landfill Project Change Orders and Personnel Items.

b. Wastewater Program

Superintendent's Report

Mr. Phillips reported that Wastewater Consultants Hazen & Sawyer are in the process of preparing the Annual Report for the Upper Wallkill Wastewater Facilities, Hampton Commons Facility and Paulinskill Facility. The report should be completed by the end of the month.

Executive Director's Report

Mr. Varro reported that the NJDEP recently proposed legislative changes to their Surface Water Quality Standards (SWQS). SCMUA Wastewater Consultants Kleinfelder, Special Counsel and Executive Director submitted comments concerning a variance of the Surface Water Quality Standards for Nitrate, perhaps allowing a waiver for no potable usage.

Comptroller's Report

Mr. Day reported on Upper Wallkill Revenues through the end of August 2022, Septage is at 82% of projections, Sludge is 62%, and Hauled Sewage is currently at 108%. Mr. Day reviewed projected revenues for septage totaling \$723,000, and are anticipating \$920,000. The Connection fee revenue is at \$825,179 with additional fees expected.

Mr. Day presented a resolution to amend the Paulinskill Capital Outlay Budget for FY2022, amending the title/purpose for line item from fire alarm upgrades to the replacement of pumps. The overall FY22 Budget shall remain the same. Commissioner Drake moved the resolution, seconded by Commissioner Dietz. On roll call: Ayes (8) Commissioners Meyer, Cocula, Dietz. Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

#22-149 RESOLUTION RE: AMENDING THE SCMUA'S FY2022 PAULINSKILL FACILITY'S CAPITAL OUTLAY BUDGET – LINE ITEM TITLE

Mr. Day reported that a line item title update is needed for the Upper Wallkill Facilities Capital Outlay Budget for FY22. A budget amending resolution was prepared to change the title/purpose for line item from pump station alarm upgrades to security cameras and recorder updates. The overall FY22 Budget shall remain the same. Commissioner Cocula moved the resolution, seconded by Commissioner Dietz. On roll call: Ayes (8) Commissioners Meyer, Cocula, Dietz. Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

#22-150 RESOLUTION RE: AMENDING THE SCMUA'S FY2022 PAULINSKILL FACILITY'S CAPITAL OUTLAY BUDGET – LINE ITEM TITLE

c. Solid Waste Program

Superintendent's Report

Superintendent Morris reported on the changeover from the old location to the new location for the Residents' Convenience Center and Recycling Center. Ten solid waste staff members stayed until 6 p.m. until all necessary items were transferred to be ready for customers the next day. Traffic guidance took place throughout the day and went well, with most customers giving positive feedback for the new facilities.

Mr. Morris reported on an incident that occurred at the Solid Waste Facility on August 19th of a construction dump truck carelessly had their body up while exiting the facility and tore down power lines, a power pole and transformer. It knocked out power to the entire facility, and parts of Lafayette Township. JCP&L was on site and power was restored at 4:30 a.m. on August 20th. Mr. Morris stated SCMUA Staff member John Mericle worked throughout the night and reported to work the next day.

Chief Engineer's Report

Mr. Sesto gave an update on the Leachate Pump Station / Force Main Project (#446), and indicated some punch-list items are still pending. A meeting with the I-Bank will be scheduled shortly and project completion should be mid-October.

Mr. Sesto reported that the Construction Review Committee met to discuss the contract amendment request from Mott MacDonald, wastewater consultants for the Leachate Pump Station/ Force Main Project. Mr. Sesto indicated that Mott MacDonald requested to be compensated for project time extension, he reviewed discussions with the CRC. It was recommended to increase contract for an additional \$265,000 for project, which will be to closeout. A resolution was prepared for the contract amendment. Commissioner Cocula moved the resolution, seconded by Commissioner Meyer. On roll call: Ayes (7) Commissioners Meyer, Cocula, Dietz. Petillo, Drake, Finkeldie, Dabinett; Abstain (1) Commissioner Wesley. The resolution passed.

#22-151 RESOLUTION RE: AMENDMENT NO. 1 TO AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY AND MOTT MACDONALD, INC. FOR CONSTRUCTION PHASE ENGINEERING SERVICES RELATED TO THE LEACHATE PUMP STATION AND FORCE MAIN PROJECT – CONTRACT NO. 446

Chief Engineer Sesto reported that the Stage 2 Landfill Expansion Project (#551) is proceeding and currently demolishing old infrastructure. New RCR/RC has opened, project timeline shows completion by next summer. Construction Review Committee reviewed project change order request and approved an additional \$143,012.00. A resolution was prepared to acknowledge all change orders are approved and have sufficient funding, and are also necessary for project completion. Commissioner Cocula moved the authorizing resolution, seconded by Commissioner Dietz. On roll call: Ayes (8) Commissioners Meyer, Cocula, Dietz. Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

#22-152 RESOLUTION RE: AUTHORIZATION TO EXECUTE CHANGE ORDERS TO SCMUA CONTRACT NO. 551 – STAGE 2 LANDFILL EXPANSION, TOMCO CONSTRUCTION, INC.

Comptroller's Report

Mr. Day reviewed Solid Waste Tonnages and Revenues through August 2022. Tonnage is up 0.3%, however revenues are down \$85,000 due to SCMUA acceptance of landfill construction debris from Landfill Expansion Project.

Executive Director's Report

Mr. Varro reminded the Commissioners to advise Ms. Kronski if they will be attending the New Jersey League of Municipalities in November. Registration and accommodation reservations will be submitted in the next few weeks.

Comptroller's Report

Mr. Day indicated that the FY2023 Budget is being prepared and he will contact the Budget Committee Chair, Commissioner Madsen to set up a date for a meeting. Committee will meet with department heads, Executive Director and himself to review proposed Budget for approvals at the September 21, 2022 Authority Meeting.

e. Personnel Matters

Solid Waste Superintendent’s Report

Mr. Morris reviewed a resolution presented in Executive Session to grant an extension to a leave of absence to Solid Waste Employee CV0317 for personal injury. Commissioner Dabinett moved resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Meyer, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

#22-153 RESOLUTION RE: AUTHORIZATION TO GRANT AN “EXTENDED LEAVE OF ABSENCE” FOR CV0317

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 #22-154 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN						x
COCULA			x			
DIETZ	x		x			
DRAKE		x	x			
PETILLO			x			
WESLEY			x			
FINKELDIE			x			
DABINETT			x			

#22-154 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

None.

10. COMMISSIONERS COMMENTS/REQUEST

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

Commissioners complemented the new Residents’ Convenience Center, and Recycling Center and the employees that worked to get it completed. They have gotten all positive comments regarding the new facility.

11. ADJOURN

At 4:25 p.m. Commissioner Dietz moved to adjourn the meeting, seconded by Commissioner Meyer. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary