

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON OCTOBER 3, 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 (via telecom), John Finkeldie, Robert Dabinett, John Wesley Executive Director Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: WRWVG Director Sajdak

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 present, Mr. Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Commissioner Dabinett moved to approve the Final Agenda, seconded by Commissioner Drake. On voice vote: Ayes (9); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Madsen moved to approve the Consent Agenda, seconded by Commissioner Drake. 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 September 19, 2023 Pending Action Summary Sheets (PASS) to the County Commissioner Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Finkeldie moved the PASS, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Madsen, Cocula, Petillo, Drake, Finkeldie; Nays (0); Abstain (1) Commissioner Meyer. The motion carried.

Commissioner Drake moved the approval of the September 6, 2023 Open and Closed Meeting Minutes, seconded by Commissioner Meyer. On roll call: Ayes (8) Commissioners Meyer, Cocula, Petillo, Drake, Finkeldie; Nays (0); Abstain (1) Commissioner Madsen. The motion carried.

No minutes were distributed to Commissioners at this meeting.

7. BUSINESS

a. Executive Session

At 3:03 p.m. Mr. Petillo requested a motion to go into Closed Executive Session, Commissioner Cocula moved the resolution, seconded by Commissioner Finkeldie. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 6 minutes and discussions shall include: Vernon Township/ Vernon Twp. MUA Matters, Personnel Matters.

**#23-156** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:10 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, and Personnel Matters.

b. Wastewater Program

**Superintendent's Report**

Mr. Phillips reported that the Franklin Pump Station Upgrades Project work continued. Pumps No. 2 and No. 2 have been commissioned and are currently online. He noted that old Pump No. 3 is still in place for the five (5) day testing period if there are issues with the new pumps and is available to switch back to if necessary.

c. Solid Waste Program

**Solid Waste Superintendent's Report**

Mr. Morris reported on the Leachate Tank No. 2 ongoing work. The tank has been drained and the cleaning has been completed. The tank rehabilitation company will begin inspection and rehabilitation work next week. After rehabilitation, the cathodic protection equipment will be replaced prior to placing back in service.

**Executive Director's Report**

Executive Director Sesto reported on the Leachate Force Main Operations. He reported that flows are back up to the design range, and a diesel pump was purchased to perform periodic maintenance flushing. It was reported that SCMUA staff received an informal application for the Sussex County Technical School connection to the force main. The application is currently under review for potential hydraulic implications to the existing SCMUA operations.

Mr. Sesto reviewed a resolution for notice of 20% in excess of original contract amount for the Stage 2 Expansion Project. This resolution is a requirement of the New Jersey Infrastructure Bank. The resolution was prepared for authorization to amend contract with Tomco to complete project. Commissioner Drake moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (9) Commissioners Meyer,

Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-157** RESOLUTION RE: AUTHORIZING THE EXECUTION OF A WRITTEN AMENDATORY CONTRACT WITH TOMCO, INC. FOR CHANGE ORDRS IN EXCESS OF 20% OF THE ORIGINAL CONTRACT

Mr. Sesto reviewed a resolution for change orders for the Stage 2 Landfill Expansion Project for additional funds for administration building generator and load bank testing for a total amount of \$6,666.98. Commissioner Cocula moved the resolution, 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.

**#23-158** RESOLUTION RE: AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 205 TO SCMUA CONTRACT NO. 551 – STAGE 2 LANDFILL EXPANSION TOMCO CONSTRUCTION INC.

Mr. Sesto reported on a budget amendment resolution for ARM Group for additional construction inspection oversight and services for the milestone No. 1 for services from March 2022 to July 2022. Commissioner Cocula moved the resolution, seconded by Commissioner Dabinett. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-159** RESOLUTION RE: AUTHORIZING EXECUTION OF A BUDGET AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH ARM GROUP TO PROVIDE ADDITIONAL CONSTRUCTION OVERSIGHT AND INSPECTION SERVICES RELATIVE TO THE LIFE EXTENSION/INFRASTRUCTURE RELOCATION MILESTONE NO. 1 FOR PROJECT #551

### **Comptroller's Report**

Mr. Day reported on the Solid Waste Tonnage and Revenues through September 30, 2023. He noted that tonnage was down compared to the same time period as 2022, however, the 2022 tonnage data was an anomaly due to large amount of tonnage from Pace Glass. When the tonnage associated with Pace Glass is eliminated from the equation, SCMUA is approximately even in comparison to last year.

#### d. General Authority Business

None

#### e. Personnel

### **Wastewater Superintendent's Report**

Mr. Phillips prepared a resolution to hire a wastewater plant attendant Khalid Bouzarzi, as discussed in Closed Session. 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); Abstain (0). The resolution passed.

**#23-160** RESOLUTION RE: APPOINTMENT OF WASTEWATER PLANT ATTENDANT, KHALID BOUZARZI

Mr. Phillips reviewed a resolution to reassign Wastewater Clerk/Typist from PT to FT, as discussed at the previous meeting and shall be retroactive to September 25, 2023. Commissioner Cocula moved the resolution, 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.

**#23-161** RESOLUTION RE: REASSIGNMENT OF LAUREL KUENZLER FROM PART-TIME CLERK TYPIST TO FULL-TIME CLERK TYPIST

**Solid Waste Superintendent’s Report**

Mr. Morris presented a resolution for authorization of an extension for a current leave of absence for an additional 6 months for solid waste employee RS6562. Commissioner Drake moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-162** RESOLUTION RE: AUTHORIZATION TO GRANT A SIX (6) MONTH EXTENSION OF OFFICIAL LEAVE OF ABSENCE WITHOUT PAY FOR RS6562

**Executive Director’s Report**

Mr. Sesto requested authorization for an intermittent leave of absence for employee NS2955 for 30 days. A resolution was prepared for authorization. Commissioner Madsen moved the LOA resolution seconded by Commissioner Drake. Commissioner Cocula moved the resolution, seconded by Commissioner Dabinett. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-163** RESOLUTION RE: AUTHORIZATION TO GRANT A 30 DAY “OFFICIAL INTERMITTENT LEAVE OF ABSENCE WITH PAY” FOR NS2955

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 #23-164 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN			x			
COCULA	x		x			
DIETZ			x			
PETILLO			x			
DRAKE			x			
WESLEY			x			
FINKELDIE		x	x			
DABINETT			x			

**#23-164** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

No Comments.

11. ADJOURN

At 3:20 p.m. Commissioner Dabinett moved to adjourn the meeting, seconded by Commissioner Finkeldie. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary