

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON SEPTEMBER 19, 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 Thomas Madsen, Andrea Cocula, Wayne Dietz (3:05pm), John Wesley, John Finkeldie, Executive Director Varro (3:05pm), Comptroller Timothy Day, Chief Engineer Joseph Sesto (3:05pm), Wastewater Superintendent Timothy Phillips, WRWMG Director Nathaniel Sajdak General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: Commissioner Karl Meyer and Solid Waste Superintendent Jonathan Morris

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 Madsen moved to approve the Final Agenda, seconded by Commissioner Drake. On voice vote: Ayes (7); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Finkeldie moved to approve the Consent Agenda, seconded by Commissioner Cocula. No discussions requested. On voice vote: Ayes (7); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the email distribution of the September 6, 2023 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 Finkeldie. On roll call: Ayes (6) Commissioners Cocula, Petillo, Drake, Finkeldie; Nays (0); Abstain (1) Commissioner Madsen. The motion carried.

Commissioner Cocula moved the approval of the August 2, 2023 Open and Closed Meeting Minutes, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion carried.

Commissioner Cocula moved the approval of the Open and Closed Minutes from the August 15, 2023 Authority Meeting, seconded by Commissioner Drake. On roll call: Ayes (5) Commissioners Madsen, Cocula, Petillo, Drake, Finkeldie; Nays (0); Abstain (2) Commissioners Dabinett and Wesley. The motion carried.

The Open and Closed Minutes from the September 6, 2023 Authority Meeting have been emailed to the Commissioners for their review.

7. BUSINESS

Chairman Petillo continued with the Agenda and moved the Executive Session waiting until Commissioner Dietz, Executive Director Varro and Chief Engineer Sesto enter meeting.

a. Executive Session

b. Wastewater Program

**Superintendent's Report**

Mr. Phillips reported that the Franklin Pump Station Upgrades Project continues with electrical work, and by end of week, Pumps No. 1 and No. 2 should be commissioned .

Mr. Phillips reported on the Nitrate Upgrade Project. Since last meeting, a comprehensive two (2) day sampling event occurred to assist with calibrating the hydraulic model. Additionally, the electrical and automation engineers from Hazen & Sawyer toured the plant and reviewed the scope of work for the associated design.

At 3:05 pm Commissioner Dietz, Executive Director Varro and Chief Engineer Sesto entered the meeting.

**Watershed Director's Report**

Mr. Sajdak reviewed work completed re: Beaver Dam Analogs. He indicated artificial beaver dams were constructed out of materials on the site at the Paulinskill Reclamation Facility wetland restoration site. Mr. Sajdak reviewed the build process and aquatic habitat, which will also be used for educational purposes.

Mr. Sajdak reported that interest has been forthcoming regarding Earth Day 2023, and after staff discussions, April 18<sup>th</sup> or 19<sup>th</sup> is to be recommended. It is proposed to be a similar setup to last year which took place at the Solid Waste Facility. Commissioners agreed with the proposed date and event.

**Comptroller's Report**

Mr. Day prepared resolutions for 2023 budget amendments for Paulinskill Reclamation Facility. The first one is to change budget line-item titles to accommodate PLC emergency upgrade and mixers. Commissioner Drake moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-145** RESOLUTION RE: AMENDING THE SCMUA'S FY2023 PAULINSKILL FACILITY'S CAPITAL OUTLAY BUDGET – LINE ITEM TITLES

Mr. Day reported that due to project priorities, the transfer of funding between budget line items is necessary for FY2023 Operating and Capital Budgets for the Paulinskill Reclamation Facility for PLC Emergency Repairs. A resolution was prepared to amend the Budget with no increase in overall budget amount. Commissioner Drake moved the resolution, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-146** RESOLUTION RE: AMENDING THE SCMUA'S FY2023 PAULINSKILL FACILITY'S OPERATING AND CAPITAL OUTLAY BUDGETS

Mr. Day reported on a resolution prepared for amendment to the Hampton Commons Facility's Operating Budget. There is a transfer amount of \$9,600 between budget line items for the funding of a Copper Study, with no increase in overall budget amount. Commissioner Cocula moved the resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-147** RESOLUTION RE: AMENDING THE SCMUA'S FY2023 HAMPTON COMMONS' OPERATING BUDGET

Mr. Day reported on Septage, Sludge and Hauled Sewage Volumes and Revenues through August 30, 2023. He indicated that Sludge is at 43% of projections for FY2023, and Septage is at 61%. Hauled Sewage is higher than anticipated at 82%, actual revenues are at 60%, with three months left in the Fiscal Year. Connection fees are still above expectations at \$225,273.00.

c. Solid Waste Program

**Chief Engineer's Report**

Chief Engineer Sesto reported on the Leachate Force Main and indicated that they continue to use a large portable pump to periodically flush the pipe. The force main is currently operating within anticipated design flow range. Additionally, the cleaning continues within Leachate Tank No. 2. Discussions ensued regarding buying the portable pump in lieu of renting. Mr. Sesto will explore fiscal options.

Mr. Sesto reviewed a resolution for 18 change orders for the Stage 2 Landfill Expansion Project including various additional electrical work, site restoration, material processing, etc. Mr. Sesto indicated that the Construction Review Committee has reviewed the change orders and finds them acceptable. A resolution was prepared for authorization. Commissioner Drake moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-148** RESOLUTION RE: AUTHORIZATION TO EXECUTE CHANGE ORDR NO. 193 TO SCMUA CONTRACT NO. 551 – STAGE 2 LANDFILL EXPANSION, TOMCO CONSTRUCTION INC.

**Comptroller's Report**

Mr. Day prepared a resolution to amend the FY23 Solid Waste Facilities Operating and Capital Outlay budgets. The change in line item funding is a result of lower than anticipated debt service expenses to fund the Cathodic Tank Protection project for Leachate Storage Tank No. 2. Commissioner Madsen moved the budget amending resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-149** RESOLUTION RE: AMENDING THE SCMUA'S FY2023 SOLID WASTE FACILITIES OPERATING AND CAPITAL OUTLAY BUDGETS

Mr. Day reported on the Solid Waste Tonnage and Revenues through August 30, 2023, he noted that tonnage was down 2.2% and revenue is down \$9,000 compared to the same time period as 2022. However, the 2022 tonnage data was higher than usual due to Pace Glass disposal of large amounts of debris that year.

Executive Session

At 3:15 p.m. Executive Director Thomas Varro requested to add Personnel Items to Closed Executive Session Agenda. Chairman Petillo asked for a motion to accept and Commissioner Cocula moved the amended agenda seconded by Commissioner Finkeldie. On voice vote: Ayes (8), Nays (0). The motion carried.

Mr. Petillo requested a motion to go into Closed Executive Session, Commissioner Dabinett moved the resolution, seconded by Commissioner Cocula. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 15 minutes and discussions shall include: Vernon Township/ Vernon Twp. MUA Matters, IT RFPs and Personnel Matter.

**#23-150** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:17 p.m. Commissioner Finkeldie moved to adjourn the Closed Session, seconded by Commissioner Dabinett. 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: Vernon Township/ Vernon Twp. MUA Matters, IT RFPs and Personnel Matter.

d. General Authority Business

**Chief Engineer's Report**

Mr. Sesto reported that the 2024 Holiday Schedule has been prepared and was included in the Commissioners' Meeting Packet. The Accounting Staff would like to provide a copy to SW and WW account holders/haulers. Commissioner Drake moved to approve the SCMUA 2024 Holiday Calendar, seconded by Commissioner Dietz. On voice vote: Ayes (8), Nays (0). The motion carried.

Mr. Sesto indicated that per Statute the Rate Hearing needs to be advertised 20 days prior. Discussions ensued and Commissioner Drake moved to schedule the FY2024 Rate Hearing for Tuesday, October 17, 2023 at 3:30 p.m. and advertise in the Authority's appointed newspapers. Commissioner Madsen seconded the motion. On voice vote: Ayes (8), Nays (0). The motion carried.

**Comptroller's Report**

Mr. Day reported on the IT RFPs as discussed Closed Session, a resolution was prepared for award for IT Managed Services to Planet Networks for a one year contract, not to exceed \$73,000. Commissioner Drake moved the authorizing resolution, seconded by Commissioner Madsen. On roll call: Ayes (7) Commissioners Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain (1) Commissioner Dietz. The resolution passed.

**#23-151** RESOLUTION RE: AUTHORIZING EXECUTION OF PROFESSIONAL SERVICES AGREEMENT FROM COMPETITIVE CONTRACTING RFP WITH PLANET NETWORKS TO PROVIDE INFORMATION TECHNOLOGY (IT) MANAGED SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

Mr. Day also prepared a resolution for professional services for Cyber Security Services for a one year contract with MicroComputer Consulting Group. Commissioner Drake moved the authorizing resolution, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-152** RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MICROCOMPUTER CONSULTING GROUP, INC. TO PROVIDE INFORMATION TECHNOLOGY (IT) CYBER SECURITY SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

Mr. Day reported that the FY2024 Budget has been prepared and reviewed by the Budget Committee. A summary memo was distributed to the Commissioners, and full budget is to be submitted by the end of the month. A resolution was prepared to authorize submittal thereof. Commissioner Madsen moved the resolution, seconded by Commissioner Wesley. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-153** RESOLUTION RE: SUBMITTAL OF FY2024 BUDGET RESOLUTION

Mr. Day indicated that there are further purchasing options being a member of the Hunterdon County Educational Services Commission Cooperative Pricing System. He prepared a resolution to become a member which is free of charge. Commissioner Dietz moved the authorizing resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#23-154** RESOLUTION RE: AUTHORIZING THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

e. Personnel

**Chief Engineer’s Report**

Mr. Sesto read a resolution for a Declaration of Appreciation for retiring Executive Director Thomas Varro after 21 years of service to the Authority and citizens of Sussex County. Commissioner Drake moved the resolution, seconded by Commissioner Cocula. On voice vote: Ayes (8); Nays (0). The resolution passed.

**#23-154** RESOLUTION RE: DECLARATION OF APPRECIATION FOR THOMAS VARRO

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 #23-155 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN						x
COCULA			x			
DIETZ			x			
PETILLO			x			
DRAKE	x		x			
WESLEY			x			
FINKELDIE		x	x			
DABINETT			x			

**#23-155** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioners thanked Mr. Varro for his service and congratulated him on his retirement.

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

11. ADJOURN

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

Respectfully submitted,

Andrea Cocula, Secretary