

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON NOVEMBER 29, 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, Karl Meyer, Andrea Cocula, Wayne Dietz, John Wesley, Executive Director Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, WRWVG Director Sajdak, General Counsel John Napolitano (via telecom), Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: Commissioners Dabinett, Finkeldie

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

5. APPROVAL OF CONSENT AGENDA

Commissioner Wesley moved to approve the Consent Agenda, seconded by Commissioner Drake. 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 November 1, 2023 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 roll call: Ayes (6) Commissioners Meyer, Cocula, Dietz, Petillo, Drake, Wesley; Nays (0); Abstain (1) Commissioners Madsen. The motion carried.

Commissioner Cocula moved the approval of the Open and Closed Minutes for the September 19, 2023 Authority Meeting, seconded by Commissioner Madsen. On roll call: Ayes (6) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley; Nays (0); Abstain (1) Commissioners Meyer. The motion carried.

Commissioner Drake moved the approval of the Open and Closed Minutes for the October 3, 2023 Authority Meeting, seconded by Commissioner Wesley. On voice vote: Ayes (7); Nays (0). The motion carried.

The Open and Closed Minutes for the October 17, 2023 Authority Meeting was emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:02 p.m. Mr. Petillo requested a motion to go into Closed Executive Session, Commissioner Cocula moved the resolution, seconded by Commissioner Wesley. On voice vote: Ayes (7), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 12 minutes and discussions shall include: Sussex Borough Hardship Agreement, UW Nitrate Issues and Personnel Matters.

#23-185 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:10 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Meyer. On voice vote: Ayes (7), Nays (0). The motion carried.

Chairman Petillo confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Sussex Borough Hardship Agreement, and Personnel Matters.

b. Wastewater Program

Superintendent's Report

Mr. Phillips reported on the status of the Franklin Pump Station Upgrades Project. Contractor completed concrete pedestals for Pumps No. 3 and 4. Start-up for full pump station is anticipated to be in two (2) weeks.

Mr. Phillips reported that a NJDEP compliance inspection took place at the Upper Walkkill Facility last week; no issues to report. A plant tour was given and all paperwork and effluent samples are compliant.

Mr. Phillips indicated that a favorable proposal was received for a new JetVac via the Sourcewell National Co-op. The price received is under the allocated budget for the purchase. He requested authorization to advertise and give notice of pending purchase of JetVac for the Upper Walkkill Facility. The funding is in the approved Capital Budget for FY2024. The notice shall be advertised in the NJ Herald and on the SCMUA website, and if no comments are received, the SCMUA will purchase through the Co-op. Commissioner Cocula moved to give authorization to advertise for purchase of Jet Vac, Commissioner Drake seconded motion. On voice vote: Ayes (7), Nays (0). The motion carried.

Executive Director's Report

Mr. Sesto reported on the Upper Walkkill Nitrate Upgrades Design. Compilation of data from analytical sampling is ongoing which is to be utilized in detailed design. The Engineering Design Report is anticipated to be completed by Hazen & Sawyer by the end of January 2024. SCMUA Staff continues to meet with Hazen & Sawyer to collaborate on the design. The 30% progress design drawings are anticipated to be completed March 2023.

Mr. Sesto addressed the Commissioners’ concerns regarding the Sussex Borough Shoprite’s Hardship Agreement for connection fee to the Upper Walkkill Facility. A resolution was prepared to enter into a 5-year Agreement to pay connection fee. Commissioner Drake moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (7) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley; Nays (0). The resolution carried.

#23-186 RESOLUTION RE: AUTHORIZATION TO ENTER INTO HARDSHIP AGREEMENT WITH RBND LLC AND SUSSEX/WANTAGE 285 URBAN RENEWAL, LLC, 1 WIEBEL PLAZA, SUSSEX BOROUGH, NJ

Watershed Director’s Report

Mr. Sajdak indicated that the WRWMG has recycled over 3000 tree tubes that were used over the past 10 years to stabilize trees planted throughout the County watersheds. Kristine Rogers coordinated with SCMUA Staff, Fedex and TerraCycle to divert them from the landfill for recycling.

Comptroller’s Report

Mr. Day reported on Sludge, Septage and Hauled Sewage through October 31, 2023. Compared to the same time period for 2022, total volume is down. Sludge is at 50% of budgetary projections, septage is at 76%, and hauled sewage is at 83%. Overall collection is at 75%, with one more month to go in the fiscal year. Mr. Day reviewed Connection fees for Upper Walkkill and Paulinskill Facilities, which are through October at \$238,517.00, and \$4,552.00, respectively.

Mr. Day reported that on resolutions for the issuance of estimated annual charges for 2024 sewer user charges for wastewater facilities’ participants. Estimated charge certificates are issued and will then be adjusted for 2023 actual charges. Final bills are sent in December with quarterly billing amount due. Commissioner Cocula moved resolutions for Upper Walkkill Facility, Paulinskill Facility, and Hampton Commons Facility. Motion seconded by Commissioner Drake, on roll call: Ayes (7) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley; Nays (0); Abstain (0). The resolution passed.

#23-187 AUTHORIZATION FOR CHAIRMAN TO ISSUE CERTIFICATES OF ESTIMATED SEWER USER CHARGES FOR FY2024, UPPER WALLKILL SYSTEM

#23-188 AUTHORIZATION FOR CHAIRMAN TO ISSUE CERTIFICATES OF ESTIMATED SEWER USER CHARGES FOR FY2024, HAMPTON COMMONS SYSTEM

#23-189 AUTHORIZATION FOR CHAIRMAN TO ISSUE CERTIFICATES OF ESTIMATED SEWER USER CHARGES FOR FY2024, PAULINSKILL BASIN WATER RECLAMATION SYSTEM

c. Solid Waste Program

Solid Waste Superintendent's Report

Mr. Morris reported that Leachate Tank No. 2 Rehabilitation is near completion. Cathodic Protection System was installed, along with other improvements. The tank will be refilled slowly to 10-12 feet. The force main is working as designed. Discussions continued regarding force main function and importance of keeping accurate records of gpd and flow levels.

Mr. Morris gave a report on the recent new equipment received at the solid waste facility. He indicated that the new 973 is in service and new roll off container was received. The new JD 624 shall be in service after proper staff training. The old equipment is currently at auction and is doing well; will report back after time expiration.

Executive Director's Report

Mr. Sesto gave an update report on the Stage 2 Landfill Expansion Project. Tomco working through the project closeout punch list. They are also completing shop drawings and permit application for the Contractor Area Canopy modification. The North side permanent Cap project is being bid. It is going to be advertised next week with the opening on January 10th.

Comptroller's Report

Mr. Day reported on Tonnages and Revenues through October 2023, compared to the same time period for 2022. Both revenues and tonnage are down. Note that last year was an anomaly year due to the Pace Glass project. If that is removed and year over year is compared, SCMUA is down just 0.06% in tonnage and revenue is up.

Mr. Day prepared a resolution to authorize auction of older solid waste equipment including the JD624K Loader, waste containers, and compactors from old Convenience Center. On-line public auction to be on govdeals.com. Commissioner Drake moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (7) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley; Nays (0); Abstain (0). The resolution passed.

#23-190 RESOLUTION RE: AUTHORIZING THE PUBLIC SALE OF SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) SOLID WASTE PROPERTY NO LONGER NEEDED FOR PUBLIC USE THROUGH GOVDEALS.COM PUBLIC ONLINE AUCTION

Comptroller Day reported that he received the Cell Closure Audit for 2023 from Wielkotz and Company and the gap is closing with the addition of funds. Balance was verified by Auditor per statute, and a copy will be sent to NJDEP. Discussion re: no findings for audit, and the contributions for this past year.

d. General Authority Business

Comptroller's Report

Mr. Day reported that he received approval from the NJ Department of Local Government Services for the FY2024 Budget. A resolution was prepared to officially adopt the Budget which will start the new fiscal year on December 1, 2023. Commissioner Madsen moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (7) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley; Nays (0); Abstain (0). The resolution passed.

#23-191 RESOLUTION RE: SCMUA FY2024 ADOPTED BUDGET

Executive Director's Report

Mr. Sesto opened discussions regarding the December Meeting schedule. The Commissioners agreed and Chairman Petillo directed to cancel both the December 6th and December 20th Meetings and have one (1) Meeting on December 13th.

Mr. Sesto reported that the new SCMUA website was going live this week. The new website is less congested and is easier to locate information.

e. Personnel

Solid Waste Superintendent's Report

Mr. Morris presented a resolution for authorization for an extension on a leave of absence for an additional 90 days for solid waste employee JH3855, as discussed in Closed Session. Commissioner Drake moved the resolution, seconded by Commissioner Madsen. On roll call: Ayes (7) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley; Nays (0); Abstain (0). The resolution passed.

#23-192 RESOLUTION RE: REQUEST FOR OFFICIAL LEAVE OF ABSENCE WITH PAY FOR AN ADDITIONAL NINETY (90) DAY PERIOD FOR JH3855

Executive Director's Report

Mr. Sesto reviewed resolution prepared for an extension for a current intermittent leave of absence for an additional 90 days for NS2955. Commissioner Drake moved the resolution, seconded by Commissioner Wesley. On roll call: Ayes (6) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley; Nays (0); Abstain (0). The resolution passed.

#23-193 RESOLUTION RE: AUTHORIZATION TO GRANT AN ADDITIONAL 90 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 #23-194 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN			x			
COCULA	x		x			
DIETZ			x			
PETILLO			x			
DRAKE		x	x			
WESLEY			x			
FINKELDIE						x
DABINETT						x

#23-194 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioners Finkeldie and Dabinett excuse absences, seconded by Commissioner Madsen. On voice vote: Ayes (7); Nays (0). The motion passed.

11. ADJOURN

At 3:40 p.m. Commissioner Madsen moved to adjourn the meeting, seconded by Commissioner Wesley. On voice vote: Ayes (7); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary