

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON A JANUARY 17, 2024 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 Andrea Cocula, Wayne Dietz, John Wesley, Robert Dabinett. 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: Commissioners Meyer, Madsen, Finkeldie, WRWMG Director Nathaniel 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 comment, Mr. Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Executive Director Sesto requested to add a Resolution to Executive Director's Report for Change Orders for Franklin Pump Station Project #459. Also, to remove 2023 tonnage report from Solid Waste Comptroller's Report. Commissioner Cocula moved to approve the revised Final Agenda, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Drake moved to approve the Consent Agenda, seconded by Commissioner Dabinett. No discussions requested. On voice vote: Ayes (6); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the email distribution of the January 3, 2024 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 Wesley. On roll call: Ayes (6) Commissioners Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The motion carried.

There were no minutes up for approval at this meeting.

The Open and Closed Minutes for the November 29, 2023 and the December 12, 2023 Authority Meetings were 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 Dabinett. On voice vote: Ayes (6), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 13 minutes and discussions shall include: Professional Services RFPs for 2024, Septage Receiving Area, Contract #551B Northern Cap Bid Results, Sussex County WQMP Endorsement and Personnel Matter.

#24-013 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:15 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Dabinett. On voice vote: Ayes (6), Nays (0). The motion carried.

Chairman Petillo confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Professional Services RFPs for 2024, Septage Receiving Area, Contract #551B Northern Cap Bid Results, Sussex County WQMP Endorsement and Personnel Matter

b. Wastewater Program

Superintendent's Report

Mr. Phillips reported on the Franklin Pump Station Upgrade Project. The floor and wall interior painting scope of work is anticipated to be completed tomorrow. Additionally, the staff training has also been completed. The project is expected to be 100% complete by the end of February. A resolution was prepared for change orders for the project, as approved by the Construction Review Committee. Commissioner Drake moved the authorizing resolution, seconded by Commissioner Dabinett. On roll call: Ayes (6) Commissioners, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#24-014 RESOLUTION RE: AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE CHANGE ORDERS TO SCMUA CONTRACT NO. 459 RAPID PUMP AND METER SERVICE COMPANY

Mr. Phillips reported he called the NJDEP action line on January 10th to report flow limit exceedance at the Upper Walkkill Facility. The snow contributed to the high flow rates, and there was a lot of groundwater I&I. The plant processed 4.75 million gallons, which is an effluent exceedance of the Permit, but otherwise plant remained in compliance.

Executive Director's Report

Mr. Sesto reported on the request for SCMUA to endorse a Water Quality Management Plan Amendment for Diamond Chip Logistics Park to adopt into sewer service area. The projected wastewater flow would be 10,000 gpd and will be treated onsite and discharged to groundwater. Commissioner Drake moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (6) Commissioners, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#24-015 RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S (SCMUA) ENDORSEMENT OF THE DIAMOND CHIP LOGISTICS PARK AMENDMENT TO THE SUSSEX COUNTY WATER QUALITY MANAGEMENT PLAN (WQMP)

Comptroller's Report

Mr. Day reviewed the Septage, Sludge and Hauled Sewage revenues and flows for the first month of the fiscal year 2024. Receipt of Septage is at 9% of projections for 2024, sludge is at 8%, and hauled sewage is at 35%. There have been no connection fees received for December 2023.

c. Solid Waste Program

Superintendent's Report

Mr. Morris reported on the recent weather conditions, including 3" of rain, and large amounts of snowmelt. There were high levels of leachate but no breaches occurred. The leachate force main has been operating continuously. Staff has done a nice job keeping SW operations normal.

Mr. Morris reported on a yearly resolution to authorize submission of a spending plan for the Recycling Enhancement Act Tax Fund Grant. The total is \$162,000.00 which goes to SCMUA recycling programs. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (6) Commissioners, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#24-016 RESOLUTION RE: ENABLING RESOLUTION AUTHORIZING THE FILING OF A SPENDING PLAN FOR A 2023 RECYCLING ENHANCEMENT ACT TAX FUND GRANT PURSUANT TO P.L. 2007 C.113 ET SEQ. HEREINAFTER, THE ACT

Executive Director's Report

Mr. Sesto reported that the Leachate Force Main Pump Station has worked well since the leachate tank was cleaned and onsite construction has been completed. Discussions began regarding the development of a regular maintenance plan to keep operations and flows in good condition. Mr. Morris indicated staff regularly checks the flows and pumps, but a more uniform and standard plan will be developed.

Mr. Sesto reported on the bids received for the Northern Berm Capping Project - #551B. Three bids were received, and the low bid was from Tomco Construction for \$4,666,666.66. The bid was reviewed by staff and counsel, and a resolution was prepared for award to Tomco, contingent upon approval from I-Bank. Commissioner Drake moved the awarding resolution, seconded by Commissioner Cocula. On roll call: Ayes (6) Commissioners, Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#24-017 RESOLUTION RE: CONDITIONALLY AWARDDING LANDFILL LIFE STAGE 2 EXPANSION / NORTHERN PERMANENT CAP PROJECT CONTRACT #551B TO TOMCO CONSTRUCTION, INC.

d. General Authority Business

Executive Director’s Report

Mr. Sesto reported that a Public Agency Compliance Officer needs to be appointed for 2024. A resolution was prepared to reappoint Comptroller Tim Day as the SCMUA PACO for 2024. Commissioner Cocula moved the resolution, seconded by Commissioner Dabinett. On roll call: Ayes (6) Commissioners Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (0). The resolution passed.

#24-018 RESOLUTION RE: AUTHORIZING ANNUAL APPOINTMENT OF A PUBLIC AGENCY COMPLIANCE OFFICER (PACO) FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) – 2024

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 #24-019 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			

#24-019 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Cocula moved to give Commissioner Cocula an excused absence, seconded by Commissioner Drake. On voice vote: Ayes (6); Nays (0). The motion passed.

Commissioners commented to keep the outside staff warm during this cold snap. Personnel Committee to schedule a meeting early next week.

11. ADJOURN

At 3:35 p.m. Commissioner Dabinett moved to adjourn the meeting, seconded by Commissioner Cocula. On voice vote: Ayes (6); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary