

MINUTES OF THE ANNUAL REORGANIZATION MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 7, 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 Thomas Madsen, Wayne Dietz, John Wesley, John Finkeldie, 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: Commissioner Andrea Cocula, Nathaniel Sajdak WRWMG Director

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 comments, he closed the meeting to public comment.

4. OATH OF OFFICE

Attorney Prol administered the Oath of Office to John Finkeldie for a 5-year term to the Board of Commissioners of the Sussex County Municipal Utilities Authority. Term appointment was made by the County Board of Commissioners and will run from February 7, 2024 – January 31, 2029.

Chairman Petillo requested a motion to appoint Commissioner Meyer as Secretary ProTem for today's meeting, due to absence of Board Secretary Cocula. Commissioner Drake moved the appointment, seconded by Commissioner Finkeldie. On roll call vote: Ayes (7) Commissioners Madsen, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Meyer. The motion passed.

5. AGENDA APPROVAL

Chairman Petillo requested a motion for approval of the Agenda. Commissioner Drake moved the approval of the Final Agenda, seconded by Commissioner Finkeldie. On voice vote: Ayes (8), Nays (0). The motion carried.

6. REORGANIZATION ACTIONS

Chairman Petillo passed the chair to Executive Director Sesto for the purpose of nominations for the election of a Chairman and Vice Chairman to serve for the year from February 7, 2024 until the next Reorganization Meeting of February 5, 2025. Mr. Sesto asked for nominations for the office of Chairman of the Authority's Board of Commissioners. Commissioner Dietz motioned to nominate Ronald Petillo for the position of Board Chairman, seconded by Commissioner Drake. Mr. Sesto asked if there were any other nominations, there being none, he subsequently asked for a motion to close nominations. Commissioner Drake moved to close nominations, seconded by Commissioner Finkeldie. On roll call vote: Ayes (7) Commissioners Meyer, Madsen, Dietz, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Petillo. The motion passed.

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Mr. Sesto asked for nominations for Vice Chairman of the Authority's Board of Commissioners for 2024. Commissioner Madsen nominated John Drake for the office of Vice Chairman of the Board, seconded by Commissioner Dabinett. On roll call vote: Ayes (7) Commissioners Meyer, Madsen, Dietz, Petillo, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Drake. The motion passed.

Executive Director Sesto began presentations of the Reorganization Resolutions for various appointments and procedures for 2024. Mr. Sesto presented a resolution to appoint Andrea Cocula as Secretary to the Board for the period February 7, 2024 to February 5, 2025. Commissioner Drake moved the resolution, seconded by Commissioner Madsen. On roll call vote: Ayes (8) Commissioners Meyer, Madsen, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0). The resolution passed.

**#24-020** RESOLUTION RE: APPOINTMENT OF ANDREA COCULA AS AUTHORITY SECRETARY FEBRUARY 7, 2024 to FEBRUARY 1, 2024

Mr. Sesto presented reviewed the following resolutions up for consideration and noted updates and changes to each, and the recommended appointments for Professional Services. The proposed resolutions will be effective February 7, 2024 to February 5, 2025, with Engineering Contracts to be effective until February 28, 2025. Commissioner Madsen moved resolutions d. through aa. as noted on the Agenda resolution, seconded by Commissioner Drake. On roll call vote: Ayes (8) Commissioners Meyer, Madsen, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolutions passed.

**#24-021** RESOLUTION RE: DATES AND TIME OF REGULAR AUTHORITY MEETINGS – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

**#24-022** RESOLUTION RE: APPOINTMENT OF AUTHORITY TREASURER AND ASSISTANT TREASURER – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

**#24-023** RESOLUTION RE: APPOINTMENT OF THE FIRM OF CLEARY GIACOBBE ALFIERI & JACOBS, LLC AS AUTHORITY GENERAL LEGAL COUNSEL - FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

**#24-024** RESOLUTION RE: APPOINTMENT OF THOMAS H. PROL, ESQ. OF SILLS CUMMIS & GROSS, PC AS AUTHORITY SPECIAL COUNSEL ON ENVIRONMENTAL MATTERS – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

**#24-025** RESOLUTION RE: APPOINTMENT OF JOHN HALL OF HALL AND ASSOCIATES AS SPECIAL COUNSEL FOR MATTERS RELATED TO SOLID WASTE FACILITIES AND WASTEWATER FACILITIES NJPDES PERMITS AND WATERSHED MANAGEMENT PROGRAM – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

**#24-026** RESOLUTION RE: APPOINTMENT OF JOHN CANTALUPO OF ARCHER & GREINER, P.C. AS AUTHORITY BOND COUNSEL – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

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- #24-027** RESOLUTION RE: APPOINTMENT OF WEILKOTZ & CO. AS AUDITORS TO THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025
- #24-028** RESOLUTION RE: APPOINTMENT FOR CONTINUING DISCLOSURE AGENT SERVICES/FINANCIAL ADVISOR SERVICES TO PHOENIX FINANCIAL ADVISORS, LLC - FEBRUARY 7, 2024 TO FEBRUARY 5, 2025
- #24-029** RESOLUTION RE: APPOINTMENT OF ARM GROUP, INC. AS AUTHORITY'S SOLID WASTE CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-030** RESOLUTION RE: APPOINTMENT OF TETRATECH AS AUTHORITY'S CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-031** RESOLUTION RE: APPOINTMENT OF SCS FIELD SERVICES AS AUTHORITY'S SOLID WASTE CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-032** RESOLUTION RE: APPOINTMENT OF HAZEN & SAWYER AS AUTHORITY'S WASTEWATER CONSULTING ENGINEER FOR WASTEWATER FACILITIES – FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-033** RESOLUTION RE: APPOINTMENT OF MOTT MACDONALD AS AUTHORITY'S WASTEWATER CONSULTING ENGINEER – FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-034** RESOLUTION RE: APPOINTMENT OF PAULUS SOKOLOWSKI AND SARTOR, LLC TO PROVIDE THE AUTHORITY'S WASTEWATER CONSULTING ENGINEERING AND LSRP SERVICES – FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-035** RESOLUTION RE: APPOINTMENT OF TRINITY CONSULTANTS FOR SPECIALIZED AIR PERMITTING CONSULTING SERVICES - FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-036** RESOLUTION RE: APPOINTMENT OF ONE WATER AS AUTHORITY'S SPECIALIZED WATER QUALITY STUDIES CONSULTANT FOR WASTEWATER FACILITIES – FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-037** RESOLUTION RE: APPOINTMENT OF GABEL ASSOCIATES AS THE AUTHORITY'S SPECIALIZED ENERGY CONSULTANT - FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-038** RESOLUTION RE: APPOINTMENT OF LOUIS J. WEBER AND ASSOCIATES, INC. AS THE AUTHORITY'S SURVEYING PROFESSIONALS - FEBRUARY 7, 2024 TO FEBRUARY 28, 2025
- #24-039** RESOLUTION RE: APPOINTING RISK MANAGEMENT CONSULTANTS - 2024
- #24-040** RESOLUTION RE: DESIGNATION OF OFFICIAL AUTHORITY NEWSPAPERS – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

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- #24-041** RESOLUTION RE: BANKING AND FINANCIAL TRANSACTIONS - FEBRUARY 7, 2024 TO FEBRUARY 5, 2025
- #24-042** RESOLUTION RE: APPOINTMENT OF MARGUERITE NEMETH AS SCMUA CERTIFYING OFFICER FROM FEBRUARY 7, 2024 TO FEBRUARY 5, 2025
- #24-043** RESOLUTION RE: APPROVING SCMUA CASH MANAGEMENT AND INVESTMENT POLICY - 2024
- #24-044** RESOLUTION RE: ESTABLISHING FORMAL WRITTEN INTERNAL CONTROL PROCEDURES – FY2024
- #24-045** RESOLUTION RE: AUTHORIZING ISSUANCE OF OFFICERS CERTIFICATES RELATED TO AUTHORITY BONDS – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025
- #24-046** RESOLUTION RE: ESTABLISHMENT OF A PURCHASING BOARD IN ACCORDANCE WITH N.J.S.A. 40A:11-9 FOR THE PERIOD FROM FEBRUARY 7, 2024 TO FEBRUARY 5, 2025
- #24-047** RESOLUTION RE: APPOINTMENT OF A SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY RECORDS CUSTODIAN – 2024

Chairman Petillo noted the Committee Appointments shall stay the same for 2024, no objections from Commissioner Board.

7. APPROVAL OF CONSENT AGENDA

Chairman Petillo requested a motion for approval of the Consent Agenda. Commissioner Drake moved the approval of the Consent Agenda, seconded by Commissioner Finkeldie. No discussions. On voice vote: Ayes (8), Nays (0), Abstain (0), the motion carried.

8. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the distribution of the January 17, 2024 Pending Action Summary Sheets which were emailed to the County Commissioner Board on January 18, 2024. Commissioner Drake moved to approve, seconded by Commissioner Madsen. On roll call vote: Ayes (6) Commissioners Madsen, Dietz, Petillo, Drake, Wesley; Nays (0); Abstain (3) Commissioners Meyer, Finkeldie, Dabinett. The motion passed.

Chairman Petillo asked for a motion to approve the Open and Closed Meeting Minutes for the November 29, 2023 Authority Meeting. Commissioner Drake moved the approval of the minutes, seconded by Commissioner Wesley. On roll call vote: Ayes (6) Commissioners Meyer, Madsen, Dietz, Petillo, Drake, Wesley; Nays (0); Abstain (2) Commissioners Finkeldie, Dabinett. The motion passed. The motion passed.

Chairman Petillo asked for a motion to approve the Open and Closed Meeting Minutes for the December 13, 2023 Authority Meeting. Commissioner Madsen moved the approval of the minutes, seconded by Commissioner Drake. On roll call vote: Ayes (6) Commissioners Madsen, Dietz, Petillo, Drake, Finkeldie, Wesley; Nays (0); Abstain (2) Commissioners Meyer, Dabinett. The motion passed.

Chairman Petillo advised the Open and Closed Minutes for both the January 3, 2024 and January 17, 2024 Authority Meetings have been emailed to the Commissioners for their review.

a. Closed Executive Session

No Closed Executive Session for this meeting.

9. BUSINESS

No Reports.

e. Personnel Matters

**Solid Waste Superintendent's Report**

A resolution was prepared to authorize a request for an Official Intermittent Leave of Absence for Solid Waste Staff employee. Commissioner Drake moved the resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Meyer, Madsen, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The resolution passed.

**#24-048** RESOLUTION RE: AUTHORIZATION TO GRANT A TWELVE (12) WEEK "OFFICIAL INTERMITTENT LEAVE OF ABSENCE TO CARE FOR A FAMILY MEMBER" FOR JM4036

10. FINANCIAL TRANSACTIONS

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to adopt the Financial Consent Agenda.

| Res: # 24-049 – Financial Consent Agenda |     |     |     |     |         |        |
|--|-----|-----|-----|-----|---------|--------|
| Commissioner                             | 1st | 2nd | Yea | Nay | Abstain | Absent |
| KARL MEYER                               |     |     | x   |     |         |        |
| THOMAS MADSEN                            |     |     | x   |     |         |        |
| ANDREA COCULA                            |     |     |     |     |         | x      |
| WAYNE DIETZ                              |     |     | x   |     |         |        |
| RONALD PETILLO                           |     |     | x   |     |         |        |
| JOHN DRAKE                               |     | x   | x   |     |         |        |
| JOHN WESLEY                              |     |     | x   |     |         |        |
| JOHN FINKELDIE                           | x   |     | x   |     |         |        |
| ROBERT DABINETT                          |     |     | x   |     |         |        |

**#24-049** RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

11. Open To Public Comment

Sylvia Petillo addressed the Board and congratulated the members as well as the SCMUA staff on a job well done for 2023.

12. Commissioners' Comments/Requests

Commissioners congratulated Ronald Petillo as the new Board Chairman, and Vice Chairman Drake for appointment for 2024.

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

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13. Adjourn

Commissioner Dabinett moved to adjourn the meeting, seconded by Commissioner Meyer. On voice vote, the motion passed. The meeting was adjourned at 3:15 p.m.

Respectfully submitted,

Karl Meyer, Secretary Pro Tem