

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON MARCH 6, 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 Karl Meyer, Andrea Cocula, Wayne Dietz (remote), John Wesley, John Finkeldie, Robert Dabinett, Executive Director Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, Wallkill River Watershed Management Group Director Nathaniel Sajdak, General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: Commissioner Madsen

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. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman Petillo moved the Closed Session to the end of the Agenda to wait for attorney. Commissioner Drake moved the Final Agenda, seconded by Commissioner Cocula. On voice vote: Ayes (8); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Drake moved to approve the Consent Agenda, seconded by Commissioner Finkeldie. No discussions requested. On voice vote: Ayes (8); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the email distribution of the February 21, 2024 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 Wesley. On roll call: Ayes (8) Meyer, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The motion passed.

Commissioner Finkeldie moved the approval of the Open and Closed Minutes for the February 7, 2024 Authority Meeting, seconded by Commissioner Dabinett. On roll call: Ayes (7) Commissioners Meyer, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Cocula. The motion carried.

There were no minutes distributed to the Commissioners at this meeting.

7. BUSINESS

- a. Executive Session (moved to end of Agenda)
- b. Wastewater Program

**Superintendent's Report**

Mr. Phillips reported that there was an operational issue with one of the pumps at the Franklin Pump Station. The contractor removed said pump, for inspection. The pump is still under warranty.

**Executive Director's Report**

Mr. Sesto reported on the Nitrate Upgrades Project and indicated various meetings have been held with Engineering Consultants, Hazen & Sawyer. He reported that the Engineering Report is being prepared but has been delayed due to late receipt of the Aqua Nereda proposal. The report is expected to be 30% complete at the end of March but is expected stay on track for final completion.

**Watershed Director's Report**

Mr. Sajdak reviewed the ongoing field grass project on the Paulinskill Facility Property and encouraged them to drive by to check out the progress. Mr. Sajdak also reported that the current Americorp Ambassador is leading a rain barrel workshop and 15-20 people have signed up to participate.

**Comptroller's Report**

Mr. Day reviewed Upper Wallkill data for the month of February 2024. He indicated that Sludge is at 20% of projections, Septage is at 20%, and Hauled Sewage is at 55%, which averages 20% overall. Numbers are slightly underbudget for projections. Connection fees through February total \$49,716.20, with no new connection fees for Paulinskill Facility.

- c. Solid Waste Program

**Superintendent's Report**

Mr. Morris reported on the Potable Water System. It was found to have a faulty check valve at the pump and the motor was in poor condition. The pump itself was in suitable condition. A contractor replaced the valve and pump motor.

**Executive Director's Report**

Mr. Sesto reported on the Stage 2 Expansion Project and indicated that a meeting was held to discuss canopy modifications at the Contractor Area. Construction was delayed until Thursday to install the shoring, and the steel company shall be onsite on Monday.

Mr. Sesto reported that the I-Bank gave authorization to award Contract #551B North Cap Project to low bidder, Tomco Construction. The Contract Agreement was executed by both parties, and a preconstruction meeting shall be scheduled. Completion date is set for October 15, 2024.

**Comptroller’s Report**

Mr. Day reviewed the tonnage and revenues through February 2024. Tonnage is up 2.1% and revenues are up \$316,000 (12.75%).

Mr. Day reported on a resolution that was prepared to release half of retainage amount for Contract 551 Landfill Expansion Project to Contractor, Tomco Construction. Resolution and amount is in conformance with contract requirements and SCMUA Agreement. Commissioner Drake moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Meyer, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#24-072** RESOLUTION RE: RELEASE OF RETAINAGE TO TOMCO CONSTRUCTION INC., CONTRACT NO. 551, LANDFILL EXPANSION PHASE 4, BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

Mr. Day presented a resolution for a SW Budget Amendment for the transfer of funds for priority projects, including cathodic protection upgrades and Scale load cell upgrades. There is no overall increase in budget amount. Commissioner Drake moved the resolution, seconded by Commissioner Dabinett. On roll call: Ayes (8) Commissioners Meyer, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#24-073** RESOLUTION RE: AMENDING THE SCMUA’S FY2024 SOLID WASTE FACILITY CAPITAL OUTLAY BUDGET

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 #24-071 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN						x
COCULA	x		x			
DIETZ			x			
DRAKE		x	x			
PETILLO			x			
WESLEY			x			
FINKELDIE			x			
DABINETT			x			

**#24-074** RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

7a. Executive Session

At 3:13 p.m. Commissioner Finkeldie moved the adoption of the following resolution authorizing a Closed Executive Session. Motion was seconded by Commissioner Dabinett. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 16 minutes and discussions shall include: AWH Franklin Borough Facility Connection, Vernon Township Litigation, and Personnel Matters.

**#24-075** RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:40 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Finkeldie. 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: AWH Franklin Borough Facility Connection, Vernon Township Litigation, and Personnel Matters.

7b. Wastewater Program (cont.)

**Executive Director's Report**

Mr. Sesto referred to Executive Session discussions and presented a conditional endorsement of the TWA application for the cultivation facility in Franklin Borough. Approval is contingent upon further receipt of effluent sampling and other pertinent information requested in Mr. Sesto's written response. Commissioner Drake moved the resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Meyer, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

**#24-076** RESOLUTION RE: CONDITIONAL APPROVAL OF TWA APPLICATION FOR THE CONNECTION OF AWH CULTIVATION FACILITY IN FRANKLIN BOROUGH, NEW JERSEY

7e. Personnel

**Executive Director's Report**

Mr. Sesto provided resolutions to recognize WW Employee, Matthew Kuhn, for his achievement in obtaining his NJDEP S-1 License and a promotion therewith. Commissioner Cocula moved both resolutions, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolutions passed.

**#24-077** RESOLUTION RE: RECOGNITION OF ACHIEVEMENT – MATTHEW KUHN

**#24-078** RESOLUTION RE: PROMOTION AND SALARY ADJUSTMENT FOR MATTHEW KUHN

10. COMMISSIONERS COMMENTS/REQUEST

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

No further comments.

11. ADJOURN

At 3:45 p.m. Commissioner Drake moved to adjourn the meeting, seconded by Commissioner Finkeldie. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary