

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON AUGUST 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, Karl Meyer (via telecom), Andrea Cocula, John Wesley, John Finkeldie, Mario Poggi, 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

Also in Attendance: Attorney Randazzo of Cleary Giacobbe Alfieri Jacobs, LLC

Absent: Commissioner Dietz, WRWMG Director 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. Chairman Petillo closed the meeting to public comment.

4. AGENDA APPROVAL

Chairman requested a motion to approve the Final Agenda. Commissioner Drake moved to approve the Agenda, seconded by Commissioner Madsen. 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 July 17, 2024 Pending Action Summary Sheets (PASS) to the County Commissioner Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Finkeldie moved the PASS, seconded by Commissioner Drake. On voice vote: Ayes (8); Nays (0). The motion passed.

Commissioner Drake approved the Open and Closed Meeting Minutes for both the June 5, 2024 and the June 19, 2024 Authority Meetings, seconded by Commissioner Finkeldie. On roll call: Ayes (7) Commissioners Meyer, Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie; Nays (0); Abstain (1) Commissioner Poggi. The motion passed.

The Open and Closed Minutes for the July 17, 2024 Authority Meeting were emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:04 p.m. Commissioner Finkeldie moved the adoption of the following resolution authorizing a Closed Executive Session. Motion was seconded by Commissioner Wesley. 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: NJDEP Upper Walkkill Nitrate Permit Appeal, U.W. Nitrate Upgrades Project, Planet Networks Status and Personnel Items.

#24-122 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:25 p.m. Commissioner Madsen moved to Closed Executive 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: NJDEP Upper Walkkill Nitrate Permit Appeal, U.W. Nitrate Upgrades Project, Planet Networks Status, and Personnel Items.

b. Wastewater Program

Superintendent's Report

Mr. Phillips reported that that a Hazen & Sawyer structural engineer recommended the roadway under the sludge conveyor be closed due to structural integrity concerns. The roadway was immediately closed, and traffic was diverted. SCMUA staff are in the process of dismantling the conveyor and relocating the conduits. Haulers were notified of the traffic pattern change via email.

Executive Director's Report

After discussions in Closed Executive Session, Executive Director Sesto requested a motion to amend the existing Contract with Planet Networks regarding scope of work that is not necessary at this time. Commissioner Madsen moved the changes, Commissioner Drake seconded On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (0). The motion carried.

Mr. Sesto reviewed a resolution prepared to authorize a release of retainage of \$26,035.52 to Rapid Pump and Meter Service Company. Commissioner Drake moved the resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (0). The resolution passed.

#24-123 RESOLUTION RE: RELEASE OF RETAINAGE TO RAPID PUMP AND METER SERVICE CO., INC., CONTRACT NO. 459, FRANKLIN PUMP STATION UPGRADES PROJECT, BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

Comptroller's Report

Mr. Day reported on Sludge, Septage and Hauled Sewage through the end of July 2024. Sludge is at 68% of the anticipated budget for FY2024, Septage is at 68%, and Hauled Sewage is higher than expected at 270%, overall 68%, slightly above budget. Upper Wallkill connection fees total \$580,486.00 which continue to be significantly over the projected budget. There have been no additional connections for the Paulinskill Wastewater Plant.

c. Solid Waste Program

Superintendent's Report

Mr. Morris reported that SCMUA is hosting a SWANA landfill gas operations and maintenance seminar September 24 – 26, 2024. The class will review industry standards and alternate approaches in landfill gas management. He noted that new SCMUA facility will be toured by participants and instructors.

Executive Director's Report

Mr. Sesto reported that the Stage 2 Expansion Project (Contract 551/551C) punch list is complete, the project closeout has been approved, and release of retainage is warranted to Tomco Construction. Resolutions were prepared to authorize release of final contract retainage of \$321,442.52, as well as \$810.66 for Contractor Area improvements. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (0).

#24-124 RESOLUTION RE: RELEASE OF RETAINAGE TO TOMCO CONSTRUCTION INC., CONTRACT NO. 551, LANDFILL EXPANSION PHASE 4, BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

#24-125 RESOLUTION RE: RELEASE OF RETAINAGE TO TOMCO CONSTRUCTION INC., CONTRACT NO. 551C, LANDFILL EXPANSION – PHASE 4 CONTRACTOR AREA, BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

Mr. Sesto gave a status update for the North Berm Project. The Contractor has relocated necessary active landfill gas pipes, tracked the side slope vegetation, and began installing gas venting sand. The liner installer is anticipated to be onsite August 18th.

Comptroller's Report

Mr. Day reported on Tonnage and Revenues through July 2024. Tonnage is up 2.8% compared to the same time period in 2023. Revenues are also up 13.74% in comparison to last year.

Mr. Day reported that the Solid Waste Dump Trailer is no longer needed for public use, and a resolution was prepared to auction the equipment through GovDeals.com. Commissioner Madsen moved the authorizing resolution, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (0).

#24-126 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

d. Authority General Business

None

e. Personnel

Solid Waste Superintendent’s Report

Mr. Morris presented a resolution, as discussed in Closed Session regarding granting a 60-day intermittent leave of absence for a solid waste employee. Commissioner Drake made the motion, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0). The resolution passed.

#24-127 RESOLUTION RE: AUTHORIZATION TO GRANT A ONE SIXTY (60) DAY “OFFICIAL INTERMITTENT LEAVE OF ABSENCE WITH PAY” FOR MS7461

Executive Director’s Report

Mr. Sesto prepared a resolution for consideration to terminate solid waste employee as discussed in Closed Session. Commissioner Cocula moved to approve this resolution, seconded by Commissioner Madsen. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0). The resolution passed.

#24-128 RESOLUTION RE: TERMINATE EMPLOYMENT OF SCMUA FULL TIME SITE ATTENDANT MA1138

Mr. Sesto presented a resolution for an increase in annual compensation to the SCMUA Board of Commissioners, contingent upon County Commissioner resolution. Commissioner Drake moved the resolution, seconded by Commissioner Cocula. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0). The resolution passed.

#24-129 AMENDING THE COMPENSATION OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY’S BOARD OF COMMISSIONERS

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 #24-130 Financial Consent Agenda | | | | | | |
|--------------------------------------|-----|-----|-----|-----|---------|--------|
| Commissioner | 1st | 2nd | Yea | Nay | Abstain | Absent |
| MEYER | | | x | | | |
| MADSEN | x | | x | | | |
| COCULA | | | x | | | |
| DIETZ | | | x | | | |
| PETILLO | | | x | | | |
| DRAKE | | x | x | | | |

| | | | | | | |
|-----------|--|--|---|--|--|--|
| WESLEY | | | x | | | |
| FINKELDIE | | | x | | | |
| POGGI | | | x | | | |

#24-130 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

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

11. ADJOURN

At 3:35 p.m. Commissioner Cocula moved to adjourn the meeting, seconded by Commissioner Madsen. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary