

MINUTES OF THE ANNUAL REORGANIZATION MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 5, 2025 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, Andrea Cocula, Wayne Dietz, 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

Absent: Commissioner Karl Meyer

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 Mario Poggi 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 5, 2025 – January 31, 2030.

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 5, 2025 until the next Reorganization Meeting of February 4, 2026. Mr. Sesto asked for nominations for the office of Chairman of the Authority's Board of Commissioners. Commissioner Poggi motioned to nominate Ronald Petillo for the position of Board Chairman, seconded by Commissioner Madsen. Mr. Sesto asked if there were any other nominations, there being none, he subsequently asked for a motion to close nominations. Commissioner Cocula moved to close nominations, seconded by Commissioner Finkeldie. On voice vote: Ayes (8), Nays (0). The motion to close nominations carried. Mr. Sesto called for a roll call vote to appoint Ronald Petillo as the Board Chairman: Ayes (7) Commissioners Madsen, Cocula, Dietz, Drake, Wesley, Finkeldie, Poggi; 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 2025. Commissioner Finkeldie nominated John Drake for the office of Vice Chairman of the Board, seconded by Commissioner Wesley. Mr. Sesto asked if there were any other nominations, there being none, he subsequently asked for a motion to close nominations. Commissioner Madsen moved to close nominations, seconded by Commissioner Poggi. On voice vote: Ayes (8), Nays (0). The motion to closed nominations carried. Mr. Sesto preceded with a roll call vote to appoint John Drake as the Board Vice Chairman: Ayes (7) Commissioners Cocula, Madsen, Dietz, Petillo, Wesley, Finkeldie, Poggi; Nays (0); Abstain (1) Commissioner Drake. The motion passed.

Mr. Sesto asked for nominations for Secretary of the Board for 2025, Commissioner Drake nominated Andrea Cocula, Commissioner Madsen seconded the motion. Mr. Sesto asked if there were any other nominations, there being none, he subsequently asked for a motion to close nominations. Commissioner Poggi moved to close nominations, seconded by Commissioner Finkeldie. On voice vote: Ayes (8), Nays (0). The motion to closed nominations carried. Mr. Sesto preceded with a roll call vote to pass the resolution to appoint Andrea Cocula as the Board Secretary: Ayes (7) Commissioners Madsen, Dietz, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (1) Commissioner Cocula. The resolution passed.

#25-024 RESOLUTION RE: APPOINTMENT OF ANDREA COCULA AS AUTHORITY SECRETARY FEBRUARY 5, 2025 to FEBRUARY 4, 2026

Executive Director Sesto began presentations of the Reorganization Resolutions for various appointments and procedures for 2025. Mr. Sesto presented the following resolutions up for consideration and the recommended appointments for Professional Services. The proposed resolutions will be effective February 5, 2025 to February 4, 2026, with Engineering Contracts to be effective until February 28, 2026. Commissioner Drake moved resolutions d. through aa. as noted on the Agenda, seconded by Commissioner Finkeldie. On roll call vote: Ayes (8) Commissioners Madsen, Cocula, Dietz (Abstained for Resolutions r. & s.), Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (0). The resolutions d. through aa. passed.

#25-025 RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S DATES AND TIMES OF REGULAR AUTHORITY MEETINGS – FEBRUARY 5, 2025 TO FEBRUARY 4, 2026

#25-026 RESOLUTION RE: APPOINTMENT OF AUTHORITY TREASURER AND ASSISTANT TREASURER – FEBRUARY 5, 2025 TO FEBRUARY 4, 2026

#25-027 RESOLUTION RE: APPOINTMENT OF THE FIRM OF CLEARY GIACOBBE ALFIERI & JACOBS, LLC AS AUTHORITY GENERAL LEGAL COUNSEL - FEBRUARY 5, 2025 TO FEBRUARY 4, 2026

#25-028 RESOLUTION RE: APPOINTMENT OF THOMAS H. PROL, ESQ. OF SILLS CUMMIS & GROSS, PC AS AUTHORITY SPECIAL COUNSEL ON ENVIRONMENTAL MATTERS – FEBRUARY 5, 2025 TO FEBRUARY 4, 2026

#25-029 RESOLUTION RE: APPOINTMENT OF JOHN CANTALUPO OF ARCHER & GREINER, P.C. AS AUTHORITY BOND COUNSEL – FEBRUARY 5, 2025 TO FEBRUARY 4, 2026

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- #25-030** RESOLUTION RE: APPOINTMENT OF WEILKOTZ & CO. AS AUDITORS TO THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 5, 2025 TO FEBRUARY 4, 2026
- #25-031** RESOLUTION RE: APPOINTMENT FOR CONTINUING DISCLOSURE AGENT SERVICES/FINANCIAL ADVISOR SERVICES TO PHOENIX FINANCIAL ADVISORS, LLC - FEBRUARY 5, 2025 TO FEBRUARY 4, 2026
- #25-032** RESOLUTION RE: APPOINTMENT OF ARM GROUP, INC. AS AUTHORITY'S CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 5, 2025 TO FEBRUARY 28, 2026
- #25-033** RESOLUTION RE: APPOINTMENT OF TETRATECH AS AUTHORITY'S CONSULTING ENGINEERS FOR SOLID WASTE FACILITIES – FEBRUARY 5, 2025 TO FEBRUARY 28, 2026
- #25-034** RESOLUTION RE: APPOINTMENT OF SCS ENGINEERS TO PROVIDE THE AUTHORITY'S SOLID WASTE CONSULTING ENGINEERING AND SPECIALIZED AIR PERMITTING FOR SOLID WASTE FACILITIES – FEBRUARY 5, 2025 TO FEBRUARY 28, 2026
- #25-035** RESOLUTION RE: APPOINTMENT OF HAZEN & SAWYER AS AUTHORITY'S WASTEWATER CONSULTING ENGINEER FOR WASTEWATER FACILITIES – FEBRUARY 5, 2025 TO FEBRUARY 28, 2026
- #25-036** RESOLUTION RE: APPOINTMENT OF PAULUS SOKOLOWSKI AND SARTOR, LLC TO PROVIDE THE AUTHORITY'S WASTEWATER CONSULTING ENGINEERING AND LSRP SERVICES – FEBRUARY 5, 2025 TO FEBRUARY 28, 2026
- #25-037** RESOLUTION RE: APPOINTMENT OF TRINITY CONSULTANTS FOR SPECIALIZED AIR PERMITTING CONSULTING SERVICES - FEBRUARY 5, 2025 TO FEBRUARY 28, 2026
- #25-038** RESOLUTION RE: APPOINTMENT OF ONE WATER AS AUTHORITY'S SPECIALIZED WATER QUALITY STUDIES CONSULTANT FOR WASTEWATER FACILITIES – FEBRUARY 5, 2025 TO FEBRUARY 28, 2026
- #25-039** RESOLUTION RE: APPOINTMENT OF GABEL ASSOCIATES AS THE AUTHORITY'S SPECIALIZED ENERGY CONSULTANT - FEBRUARY 5, 2025 TO FEBRUARY 28, 2026
- #25-040** RESOLUTION RE: APPOINTMENT OF LOUIS J. WEBER AND ASSOCIATES, INC. AS THE AUTHORITY'S SURVEYING PROFESSIONALS - FEBRUARY 5, 2025 TO FEBRUARY 28, 2026
- #25-041** RESOLUTION RE: APPOINTING OF THE MITCHELL AGENCY (AN ACRISURE COMPANY) AS RISK MANAGEMENT CONSULTANT – 2025*
- #25-042** RESOLUTION RE: APPOINTMENT OF PROFESSIONAL INSURANCE ASSOCIATES (PIA) AS HEALTH BENEFITS CONSULTANT SERVICES TO EVALUATE THE AUTHORITY'S EMPLOYEE STATE HEALTH BENEFITS PROGRAM – 2025*

* Commissioner Dietz abstained for voting on Resolutions #25-041 & #25-042

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- #25-043** RESOLUTION RE: DESIGNATION OF OFFICIAL AUTHORITY
NEWSPAPERS – FEBRUARY 5, 2025 TO FEBRUARY 4, 2026
- #25-044** RESOLUTION RE: BANKING AND FINANCIAL
TRANSACTIONS - FEBRUARY 5, 2025 TO FEBRUARY 4, 2026
- #25-045** RESOLUTION RE: APPOINTMENT OF MARGUERITE NEMETH
AS SCMUA CERTIFYING OFFICER FROM FEBRUARY 5, 2025
TO FEBRUARY 4, 2026
- #25-046** RESOLUTION RE: APPROVING SCMUA CASH MANAGEMENT
AND INVESTMENT POLICY - 2025
- #25-047** RESOLUTION RE: ESTABLISHING FORMAL WRITTEN
INTERNAL CONTROL PROCEDURES – FY2025
- #25-048** RESOLUTION RE: AUTHORIZING ISSUANCE OF OFFICERS
CERTIFICATES RELATED TO AUTHORITY BONDS –
FEBRUARY 5, 2025 TO FEBRUARY 4, 2026
- #25-049** RESOLUTION RE: ESTABLISHMENT OF A PURCHASING
BOARD IN ACCORDANCE WITH N.J.S.A. 40A:11-9 FOR THE
PERIOD FROM FEBRUARY 5, 2025 TO FEBRUARY 4, 2026
- #25-050** RESOLUTION RE: APPOINTMENT OF A SUSSEX COUNTY
MUNICIPAL UTILITIES AUTHORITY RECORDS CUSTODIAN –
2025

Chairman Petillo noted he will review the 2025 Committees and finalize at the next Commissioner Meeting.

7. APPROVAL OF CONSENT AGENDA

Chairman Petillo requested a motion for approval of the Consent Agenda. Commissioner Cocula moved the approval of the Consent Agenda, seconded by Commissioner Drake. 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 22, 2025 Pending Action Summary Sheets which were emailed to the County Commissioner Board on January 23, 2025. Commissioner Madsen moved to approve, seconded by Commissioner Drake. On roll call vote: Ayes (6) Commissioners Madsen, Cocula, Dietz, Drake, Wesley; Finkeldie, Poggi; Nays (0); Abstain (2) Commissioners Petillo. The motion passed.

Chairman Petillo asked for a motion to approve the Open and Closed Meeting Minutes for the January 8, 2025 Authority Meeting. Commissioner Poggi moved the approval of the minutes, seconded by Commissioner Drake. On voice vote: Ayes (8), Nays (0), Abstain (0). The motion carried.

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

a. Closed Executive Session

No Reports.

9. BUSINESS

b. Wastewater Program

No Reports

c. Solid Waste Program

No Reports

d. General Authority Business

Comptroller's Report

Mr. Day prepared a resolution for the destruction of certain SCMUA records in accordance with New Jersey State Division of Archives and Records Management. Prior approval received from the State (authorization #608567). Commissioner Finkeldie moved the authorizing resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (0). The resolution passed.

#25-051 RESOLUTION RE: AUTHORIZING DISPOSAL OF VARIOUS SCMUA RECORDS

e. Personnel Matters

Executive Director's Report

Mr. Sesto reviewed a resolution to authorize amending the compensation of the Sussex County Municipal Utilities Authority's Board of Commissioners for an increase in annual compensation from \$3,700 to \$5,000. This resolution supersedes previous resolutions and is contingent upon County Commissioner Board approval. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Cocula, Madsen, Dietz, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (0). The resolution passed.

#25-052 RESOLUTION RE: AMENDING THE COMPENSATION OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S BOARD OF COMMISSIONERS

A resolution was prepared to authorize a request for an Official Leave of Absence for Administrative Employee. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Cocula, Madsen, Dietz, Petillo, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (0). The resolution passed.

#25-053 RESOLUTION RE: AUTHORIZATION TO GRANT A THIRTY (30) DAY "OFFICIAL LEAVE OF ABSENCE WITH PAY" FOR TD6675

10. FINANCIAL TRANSACTIONS

a Payment of Bills

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

Res: # 25-054 – Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
KARL MEYER			x			x
THOMAS MADSEN	x		x			
ANDREA COCULA			x			
WAYNE DIETZ			x			
RONALD PETILLO			x			
JOHN DRAKE		x	x			
JOHN WESLEY			x			
JOHN FINKELDIE			x			
MARIO POGGI			x			

#25-054 RESOLUTION RE: AUTHORIZING PASSAGE OF FINANCIAL CONSENT AGENDA

11. Open To Public Comment

No public comment.

12. Commissioners’ Comments/Requests

Commissioners congratulated Mario Poggi on his reappointment to the Board, and to Ronald Petillo and John Drake for their appointments to Chairman, and Vice Chairman, respectively.

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

13. Adjourn

Commissioner Madsen moved to adjourn the meeting, seconded by Commissioner Finkeldie. On voice vote, the motion passed. The meeting was adjourned at 3:13 p.m.

Respectfully submitted,

Andrea Cocula, Secretary