

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 19, 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: Vice Chairman John Drake, Commissioners Karl Meyer, Thomas Madsen, Andrea Cocula, Wayne Dietz, John Wesley, John Finkeldie, Mario Poggi, Executive Director Joseph Sesto, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, WRWVG Director Nathaniel Sajdak, General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

Absent: Chairman Ronald Petillo, Comptroller Timothy Day

Vice Chairman Drake was acting Chairman for this meeting.

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Drake 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 Drake opened the meeting to public comment. No Comments from the public at this time. Chairman Drake closed the meeting to public comment.

4. AGENDA APPROVAL

Commissioner Finkeldie 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 Poggi 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 Drake requested a motion to approve/acknowledge the email distribution of the February 5, 2025 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 Finkeldie. On roll call: Ayes (7) Commissioners Madsen, Cocula, Dietz, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (1) Commissioner Meyer. The motion carried.

Chairman Drake indicated that the Open and Closed Minutes for the January 22, 2025 Meeting was emailed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:04 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session. The Motion was seconded by Commissioner Finkeldie. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Drake noted the Closed Executive Session should be approximately 10 minutes and discussions shall include: Upper Walkkill Nitrate Permit Litigation and Request to Access the Solid Waste Facility.

#25-055 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:15 p.m. Commissioner Cocula moved to close Executive Session, seconded by Commissioner Madsen. On voice vote: Ayes (8), Nays (0). The motion carried.

Chairman Drake confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session included: Upper Walkkill Nitrate Permit Litigation, and Request to Access Solid Waste Facility.

b. Wastewater Program

Watershed Director's Report

Mr. Sajdak reported that Earth Day planning has begun and is scheduled to take place on April 15, 2025. Schools and organizations have been contacted regarding attendance and vendor station reservations. Eight (8) schools have responded and approximately 300 students will be attending. Rotation stations are being scheduled for that day.

c. Solid Waste Program

No Report

d. General Authority Business

Executive Director's Report

Mr. Sesto indicated that the lease on the copiers for Administration and Solid Waste Departments are both set to expire in March 2025. Comptroller Day obtained quotes through the State Contracts, and it is recommended to award Atlantic Tomorrow's Office to provide two (2) copiers for a five (5) year lease. Commissioner Madsen moved the authorizing resolution, seconded by Commissioner Finkeldie. On voice vote: Ayes (8); Nays (0). The motion passed.

#25-056 RESOLUTION RE: AUTHORIZATION TO ENTER INTO A 5-YEAR LEASE WITH ATLANTIC TOMORROW'S OFFICE THROUGH NEW JERSEY STATE CONTRACT FOR COPY/SCAN EQUIPMENT FOR ADMINISTRATION & SOLID WASTE FACILITIES

Mr. Sesto reported that resolutions have been prepared to authorize execution of contracts for 2025 Professional Services that were appointed at the Authority's Reorganization Meeting on February 5, 2025. Mr. Sesto reviewed all the firms appointed for Professional Services. Commissioner Cocula moved all noted resolutions to authorize agreement executions by SCMUA Chairman and Secretary, seconded by Commissioner Finkeldie. On roll call: Ayes (8) Commissioners Meyer, Madsen, Cocula, Dietz, Drake, Wesley, Finkeldie, Poggi; Nays (0); Abstain (0). The following resolutions passed.

#25-057 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE FIRM OF CLEARY GIACOBBE ALFIERI JACOBS, LLC FOR THE FURNISHING OF GENERAL LEGAL COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 5, 2025 TO FEBRUARY 4, 2026

#25-058 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THOMAS PROL, ESQ. OF SILLS, CUMMIS & GROSS P.C. FOR THE FURNISHING OF SPECIAL COUNSEL SERVICES ON ENVIRONMENTAL MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 5, 2025 TO FEBRUARY 4, 2026

#25-059 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN CANTALUPO OF ARCHER & GREINER, P.C. FOR THE FURNISHING OF BOND COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 5, 2025 TO FEBRUARY 4, 2026

#25-060 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PAUL CUVA, C.P.A. OF THE FIRM OF WIELKOTZ & COMPANY, LLC FOR AUDITING SERVICES IN PERFORMING THE ANNUAL AUDIT OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S FISCAL YEAR - 2025

#25-061 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PHOENIX ADVISORS FOR CONTINUING DISCLOSURE AGENT AND FINANCIAL ADVISOR SERVICES – 2025

#25-062 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH FOR GENERAL AND SPECIALIZED SOLID WASTE CONSULTING ENGINEERING SERVICES – 2025

#25-063 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ARM GROUP, INC. FOR GENERAL AND SPECIALIZED SOLID WASTE FACILITIES CONSULTING ENGINEERING SERVICES - 2025

#25-064 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT (SCS ENGINEERS) FOR SOLID WASTE ENGINEERING AND SPECIALIZED AIR PERMITTING CONSULTING SERVICES – 2025

#25-065 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER FOR WASTEWATER FACILITIES CONSULTING ENGINEERING SERVICES FOR 2025

#25-066 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PS&S FOR WASTEWATER FACILITIES CONSULTING ENGINEERING SERVICES AND ENVIRONMENTAL LSRP SERVICES FOR 2025

#25-067 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GABEL ASSOCIATES FOR SPECIALIZED ENERGY CONSULTING FOR 2025

#25-068 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH TRINITY CONSULTANTS FOR GENERAL AND SPECIALIZED AIR PERMIT CONSULTING SERVICES FOR 2025

#25-069 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ONE WATER CONSULTING FOR SPECIALIZED WATER QUALITY STUDIES CONSULTANT FOR 2025

#25-070 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH LOUIS J. WEBER & ASSOCIATES, INC.(WEBER) FOR PROFESSIONAL SURVEYING SERVICES IN REGARD TO THE SOLID WASTE AND WASTEWATER FACILITIES AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY FOR FISCAL YEAR - 2025

#25-071 RESOLUTION RE: AUTHORIZING THE EXECUTION OF AN AGREEMENT PROFESSIONAL INSURANCE ASSOCIATES (PIA) FOR HEALTH BENEFITS CONSULTANT SERVICES TO EVALUATE THE AUTHORITY’S EMPLOYEE HEALTH BENEFITS PROGRAM - 2025 *

Res #25-071 PROFESSIONAL INSURANCE ASSOCIATES – EXECUTE AGRMNT						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN			x			
COCULA	x		x			
DIETZ					x	
PETILLO						x
DRAKE			x			
WESLEY			x			
FINKELDIE		x	x			
POGGI			x			

The resolutions passed.

e. Personnel

Solid Waste Superintendent’s Report

Mr. Morris read a letter of resignation into record for employee Christopher Dickenson stating that he will be leaving his position to serve in the Armed Forces and thanked the SCMUA for the opportunity to work here. Commissioners wished him luck in his new endeavor and Commissioner Cocula moved to accept his resignation, seconded by Commissioner Finkeldie. On voice vote: Ayes (8), Nays (0). The motion carried.

Executive Director’s Report

Mr. Sesto reported that Ashley Harper previously accepted the position as Laboratory Assistant for the Upper Wallkill Facility, but has withdrawn her acceptance thereof. Commissioner Madsen moved the retraction, seconded by Commissioner Wesley. On voice vote: Ayes (8), Nays (0). The motion carried.

8. Financial Transactions

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Drake asked for a motion to approve the Financial Consent Agenda (FCA). On roll call:

Res #25-072 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN			x			
COCULA	x		x			
DIETZ			x			
PETILLO						x
DRAKE			x			
WESLEY			x			
FINKELDIE		x	x			
POGGI			x			

#25-072 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

Chairman Drake opened the meeting to public comment, Bradley White and Kathy Wilson of the Sussex County Bird Club were in attendance and requested a designated area at the Solid Waste Facility to safely observe the birds. The Commissioners asked questions and discussed certain concerns including a certificate of insurance naming SCMUA as an additional insured and providing a list of members with corresponding signed liability waiver. Mr. Sesto replied that the entire Board would hold discussions in Executive Closed Session at the next Authority Meeting and give a response at that time.

10. COMMISSIONERS’ COMMENTS/REQUEST

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

11. ADJOURN

At 3:15 p.m. Commissioner Finkeldie moved to adjourn the meeting, seconded by Commissioner Poggi. On voice vote: Ayes (8); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary