

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, this Authority is authorized, pursuant to N.J.S.A. 10:4-12 to exclude the public from that portion of this meeting for purposes of discussing specific matters as permitted by N.J.S.A. 10:4-12; and,

WHEREAS, this Authority intends to discuss certain matters which are deemed confidential pursuant to N.J.S.A. 10:4-12, in Executive Session:

WHEREAS, at this time the Authority cannot determine the time when the discussion to be held in Executive Session will be made public but will disclose the minutes of the Executive Session when the need for confidentiality no longer exists.

NOW, THEREFORE, be it resolved by the Sussex County Municipal Utilities Authority that this meeting shall be adjourned to an Executive Session (closed session) and the public will be excluded in order that the Authority may discuss the items listed below, and upon reconvening this public meeting the Chairman will announce, if possible, the time when and the circumstances under which the discussion conducted in Executive Session will be disclosed to the public. This resolution is authorized and allowed by and pursuant to N.J.S.A. 10:4-13.

(1) Any matter which, by express provision of federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of subsection a. of this section.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(2) Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

- (4) Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

- (5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

- (6) Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

- (7) Any pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein in which the public body is, or may become a party.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

U.W. Permit Appeal for Nitrate Limitations, 2022 Auditor Services, Landfill Expansion Project - Contract #551

(8) Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

(9) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

Personnel Matters

(10) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

The general nature of the subject to be discussed per N.J.S.A. 10:4-13(a):

NOW, THEREFORE, be it further resolved by the Sussex County Municipal Utilities Authority that pursuant to N.J.S.A. 10:4-13(b) the time when and the circumstances under which the discussion conducted in closed session of the public body can be disclosed to the public is when the need for confidentiality no longer exists.

Certified as a true copy of the
Resolution adopted by Annual
Reorganization Authority Meeting held
on Wednesday, February 2, 2022.



Andrea Cocula, Secretary

RESOLUTION RE: APPOINTMENT OF ANDREA COCULA AS AUTHORITY
SECRETARY FEBRUARY 2, 2022 TO FEBRUARY 1, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal
Utilities Authority do hereby appoint Andrea Cocula as Secretary of the Authority for the
period commencing February 2, 2022 and ending February 1, 2023.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: DATES AND TIME OF REGULAR AUTHORITY MEETINGS
FEBRUARY 2, 2022 TO FEBRUARY 1, 2023

BE IT RESOLVED that the Sussex County Municipal Utilities Authority's Regular Meetings listed below shall be held virtually via teleconference at 3:00 p.m. and shall be hosted at the Solid Waste Facility Administration Building, in conformance with Local Finance Notice 2020-21, expanding on the DLGS Regulations for the OPMA during a declared State of Emergency.

February 16, 2022
March 2, 2022
March 16, 2022
April 6, 2022
April 20, 2022
May 4, 2022
May 18, 2022
June 1, 2022
June 15, 2022
July 6, 2022
July 20, 2022
August 3, 2022
August 17, 2022
September 7, 2022
September 21, 2022
October 5, 2022
October 19, 2022
November 2, 2022
November 30, 2022
December 7, 2022
December 21, 2022
January 4, 2023
January 18, 2023
February 1, 2023 (Annual Reorganization)

To participate in the virtual meetings please Dial #1-952-222-1750 and enter Conf ID# 973-579-6998. During the public comment portion of the meeting, you may unmute your telephone, state your name and address for the record, and provide a comment. Written comments may be submitted via e-mail with the subject line "Public Comment" to Thomas Varro, P.E., Executive Director at tvarro@scmua.org, cc: Tara Kronski, Recording Secretary tkronski@scmua.org. E-mailed comments must be received at least eight (8) hours prior to the meeting. Mailed comments must be address to: Thomas Varro, P.E., Executive Director, SCMUA, 34 South Route 94, Lafayette, NJ 07848. Mailed comments must be received by 4:00 p.m. the day before the meeting. Further meeting info: www.scmua.org

AND BE IT FURTHER RESOLVED that other special meetings, public meetings, etc., will be called for, and held in conformance with Chapter 231, P.L. 1975, commonly known as the "Open Public Meeting Act", and at which time the meeting, as determined by the Authority, shall be announced publicly;

AND BE IT FURTHER RESOLVED that a certified copy of this resolution stating the schedule of Authority meetings shall be filed with the Sussex County Clerk's Office, and with the official newspapers of record, and posted prominently on the bulletin board for such public notices at the Sussex County Administration Building, One Spring Street, Newton, New Jersey and at the Sussex County Municipal Utilities Authority offices in Hardyston Township and Lafayette Township, New Jersey.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization Meeting
Held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF AUTHORITY TREASURER AND
ASSISTANT TREASURER - FEBRUARY 2, 2022 TO
FEBRUARY 1, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint Timothy Day, Comptroller as Authority's Treasurer, and Valerie Olm as the Authority's Assistant Treasurer for the period commencing February 2, 2022 and ending February 1, 2023.

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Resolution adopted by the Authority
At their Annual Reorganization Meeting
Held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF THE FIRM OF CLEARY GIACOBBE
ALFIERI & JACOBS, LLC, AS AUTHORITY GENERAL
LEGAL COUNSEL - FEBRUARY 2, 2022 TO FEBRUARY 1,
2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal
Utilities Authority do hereby appoint the firm of Cleary Giacobbe Alfieri & Jacobs, LLC,
as General Legal Counsel for the Authority for the period commencing February 2, 2022
and ending February 1, 2023.

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Resolution adopted by the Authority
At their Annual Reorganization Meeting
Held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF THOMAS H. PROL, ESQ. OF SILLS
CUMMIS & GROSS AS AUTHORITY'S SPECIAL COUNSEL
ON ENVIRONMENTAL MATTERS - FEBRUARY 2, 2022 TO
FEBRUARY 1, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal
Utilities Authority do hereby appoint Thomas H. Prol, Esq. of Sills Cummis & Gross as
Special Counsel on Environmental Matters for the Authority for the period commencing
February 2, 2022 and ending February 1, 2023.

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Resolution adopted by the Authority
At their Annual Reorganization Meeting
Held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF JOHN HALL OF HALL & ASSOCIATES AS
SPECIAL COUNSEL FOR MATTERS RELATED TO SOLID
WASTE FACILITIES AND WASTEWATER FACILITIES'
NJPDES PERMITS AND WATERSHED MANAGEMENT
PROGRAM - FEBRUARY 2, 2022 TO FEBRUARY 1, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint John Hall of Hall & Associates as Special Counsel for matters related to Solid Waste Facilities and Wastewater Facilities' NJPDES Permits and Watershed Management Program for the Authority for the period commencing February 2, 2022 and ending February 1, 2023.

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At their Annual Reorganization Meeting
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Secretary

RESOLUTION RE: APPOINTMENT OF JOHN CANTALUPO OF ARCHER &
GREINER, P.C. AS AUTHORITY BOND COUNSEL -
FEBRUARY 2, 2022 TO FEBRUARY 1, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint John Cantalupo, Esq. of Archer & Greiner, P.C. as Bond Counsel for the Authority for the period commencing February 2, 2022 and ending February 1, 2023.

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Resolution adopted by the Authority
At their Annual Reorganization Meeting
Held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT FOR CONTINUING DISCLOSURE AGENT
SERVICES/FINANCIAL ADVISOR SERVICES TO PHOENIX
FINANCIAL ADVISORS, LLC FROM FEBRUARY 2, 2022 TO
FEBRUARY 1, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal
Utilities Authority do hereby appoint Phoenix Financial Advisors, LLC to provide
Continuing Disclosure Agent and Financial Advisor Services for the Authority for the
period commencing February 2, 2022 and ending February 1, 2023.

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Resolution adopted by the Authority
At their Annual Reorganization Meeting
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Secretary

RESOLUTION RE: APPOINTMENT OF ARM GROUP, INC. AS AUTHORITY'S
SOLID WASTE CONSULTING ENGINEERS FOR THE SOLID
WASTE FACILITIES - FEBRUARY 2, 2022 TO FEBRUARY 28,
2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint ARM Group, Inc. as Solid Waste Facilities Consulting Engineers for the Authority for the period commencing February 2, 2022 and ending February 28, 2023.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF TETRATECH AS AUTHORITY'S SOLID
WASTE CONSULTING ENGINEERS FOR THE SOLID WASTE
FACILITIES – FEBRUARY 2, 2022 TO FEBRUARY 28, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal
Utilities Authority do hereby appoint TetraTech as Solid Waste Facilities Consulting
Engineers for the Authority for the period commencing February 2, 2022 and ending
February 28, 2023.

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Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF SCS ENGINEERS AS AUTHORITY'S
SOLID WASTE CONSULTING ENGINEERS FOR SOLID
WASTE FACILITIES - FEBRUARY 2, 2022 TO FEBRUARY
28, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal
Utilities Authority do hereby appoint SCS Engineers as Solid Waste Consulting
Engineers for the Authority for the period commencing February 2, 2022 and ending
February 28, 2023.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF MOTT MACDONALD AS AUTHORITY'S
WASTEWATER CONSULTING ENGINEER FROM
FEBRUARY 2, 2022 TO FEBRUARY 28, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint Mott MacDonald for Wastewater Engineer Consulting Services for the Authority for the period commencing February 2, 2022 and ending February 28, 2023.

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Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF SUBURBAN CONSULTING ENGINEERS
AS AUTHORITY'S WASTEWATER CONSULTING
ENGINEERS FROM FEBRUARY 2, 2022 TO FEBRUARY 28,
2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint Suburban Consulting Engineers as Wastewater Consulting Engineers for the Authority for the period commencing February 2, 2022 and ending February 28, 2023.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF KLEINFELDER, LLC AS AUTHORITY'S
SPECIALIZED WATER QUALITY STUDIES CONSULTANT
FOR WASTEWATER FACILITIES - FEBRUARY 2, 2022 TO
FEBRUARY 28, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint Kleinfelder, LLC for Specialized Water Quality Studies Consultant for the Authority for the period commencing February 2, 2022 and ending February 28, 2023.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.



Secretary

RESOLUTION RE: APPOINTMENT OF PAULUS SOKOLOWSKI AND SARTOR,
LLC AS AUTHORITY'S SPECIALIZED ENVIRONMENTAL
CONSULTING AND LSRP SERVICES - FEBRUARY 2, 2022
TO FEBRUARY 28, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint Paulus Sokolowski and Sartor, LLC as Specialized Environmental Consultants and for LSRP Services for the Authority for the period commencing February 2, 2022 and ending February 28, 2023.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF TRINITY CONSULTANTS FOR
SPECIALIZED AIR PERMITTING CONSULTING SERVICES -
FEBRUARY 2, 2022 TO FEBRUARY 28, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint Trinity Consultants for specialized air permitting consulting services for the Authority for the period commencing February 2, 2022 and ending February 28, 2023.

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Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF GABEL ASSOCIATES AS THE
AUTHORITY'S SPECIALIZED ENERGY CONSULTANTS -
FEBRUARY 2, 2022 TO FEBRUARY 28, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint Gabel Associates to provide specialized consulting services on energy resources for the Authority for the period commencing February 3, 2021 and ending February 28, 2023.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022


Secretary

RESOLUTION RE: APPOINTMENT OF LOUIS J. WEBER AND ASSOCIATES,
INC. AS THE AUTHORITY'S SURVEYING PROFESSIONALS
- FEBRUARY 2, 2022 TO FEBRUARY 28, 2023

BE IT RESOLVED that the Commissioners of the Sussex County Municipal Utilities Authority do hereby appoint Louis J. Weber and Associates, Inc. as the Authority's surveying professionals for the period commencing February 2, 2022 and ending February 28, 2023.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: PROFESSIONAL SERVICES AGREEMENT FOR WASTEWATER
CONSULTING SERVICES WITH HAZEN AND SAWYER - 2022

WHEREAS, the SCMUA has a need for Professional Consulting Engineering Services for its Wastewater Facilities; and

WHEREAS, Hazen and Sawyer, of Iselin, NJ had submitted a proposal for said services dated January 26, 2022; and

WHEREAS, the SCMUA staff have reviewed the proposal submitted by Hazen and Sawyer and concluded they have in its employ, individuals possessing the requisite licensure, knowledge and skills with which to perform the professional engineering services encompassed by the proposed Agreement; and

WHEREAS, the contract award to Hazen and Sawyer shall be "non fair and open", and shall further be limited to a maximum annual ("not-to-exceed") amount of \$17,000.

NOW THEREFORE, BE IT RESOLVED, that Hazen and Sawyer and the SCMUA enter into an Agreement for 2022 to be billed in accordance with their 2022 Rate Schedule submitted with the attached proposal.

BE IT FURTHER RESOLVED that SCMUA staff and legal Counsel are authorized to prepare said agreement with Hazen and Sawyer, and that the Chairman and Secretary are hereby authorized to execute same.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, February 2, 2022.


Andrea Cocula, Secretary

RESOLUTION RE: PROFESSIONAL SERVICES AGREEMENT FOR SPECIAL ENVIRONMENTAL CONSULTING SERVICES WITH DAVEY RESOURCE GROUP - 2022

WHEREAS, the SCMUA has a need for Special Environmental Services from time to time including wetland delineation, NJDPES permitting, riparian mitigation, etc. for it's Solid Waste Facilities and Wastewater Facilities; and

WHEREAS, Davey Resource Group of Flemington, NJ submitted a proposal for said services dated January 20, 2022; and

WHEREAS, the SCMUA staff have reviewed the proposal submitted by Davey Resource Group (Davey) and concluded they have in its employ, individuals possessing the requisite licensure, knowledge and skills with which to perform the professional consulting services encompassed by the proposed Agreement; and

WHEREAS, Davey has satisfactorily performed professional environmental consulting services for SCMUA over the past several years; and

WHEREAS, the contract award to Davey shall be "non fair and open", and shall further be limited to a maximum annual ("not-to-exceed") amount of \$17,500.

NOW THEREFORE, BE IT RESOLVED, that Davey and the SCMUA enter into an Agreement for 2022 to be billed in accordance with Davey's 2022 Rate Schedule submitted with the attached proposal.

BE IT FURTHER RESOLVED that SCMUA staff and legal Counsel are authorized to prepare said agreement with Davey Resource Group, and that the Chairman and Secretary are hereby authorized to execute same.

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, February 2, 2022.



Andrea Cocula, Secretary

RESOLUTION RE: APPOINTMENT OF FUND COMMISSIONER TO THE STATEWIDE INSURANCE FUND - 2022

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "SCMUA") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, pursuant to the governing Bylaws of the Fund, each member is required to appoint a Commissioner to represent them in the Fund.

NOW, THEREFORE, BE IT RESOLVED that the SCMUA Board of Commissioners appoint Executive Director Thomas Varro as Fund Commissioner for the SCMUA for the year 2022; and

BE IT FURTHER RESOLVED that Comptroller Timothy Day is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2022; and

BE IT FURTHER RESOLVED that the SCMUA's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Certified as a true copy of the Resolution adopted by the Authority at their Annual Reorganization Meeting held on Wednesday, February 2, 2022.


Secretary

Vote Results

<u>Board Member</u>	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
J. Drake	✓			
T. Madsen	✓			
W. Dietz	✓			
A. Cocula	✓			
K. Meyer	✓			
R. Petillo	✓			
J. Finkeldie	✓			
R. Dabinett	✓			
J. Wesley	✓			

RESOLUTION RE: APPOINTING RISK MANAGEMENT CONSULTANT - 2022

WHEREAS, Sussex County Municipal Utilities Authority (“SCMUA”) has joined the Statewide Insurance Fund (“Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the “Fund” has required its members to appoint individuals or entities to that position; and

WHEREAS, the SCMUA solicited RFPs for these services under the “Fair and Open” process as per P.L.2004 Chapter 19 (N.J.S.A. 19:44A:20-4); and

WHEREAS, The Mitchell Agency submitted a proposal; and

WHEREAS, The Mitchell Agency has the requisite experience, licenses, and personnel to serve as the SCMUA Risk Manager.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the “SCMUA”, in the County of Sussex and State of New Jersey, as follows:

1. Sussex County MUA hereby appoints The Mitchell Agency as its local Risk Management Consultant.
2. The SCMUA Executive Director is hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2022 in the form attached hereto.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization Meeting
Held on Wednesday, February 2, 2022


Andrea Cocula, Secretary

RESOLUTION RE: DESIGNATION OF OFFICIAL AUTHORITY NEWSPAPERS -
FEBRUARY 2, 2022 TO FEBRUARY 1, 2023

BE IT RESOLVED that The New Jersey Herald and The New Jersey Sunday Herald and The Daily Record are hereby designated as the Authority's official newspapers for the advertising of any public or legal notices by the Sussex County Municipal Utilities Authority for the period commencing February 2, 2022 and ending February 1, 2023.

AND BE IT FURTHER RESOLVED that the New Jersey Herald, New Jersey Sunday Herald, and the Daily Record, are hereby designated as newspapers for the placement of notices in conformance with Chapter 211, P.L. 1975, commonly known as the "Open Public Meetings Act" for the period commencing February 2, 2022 and ending February 1, 2023.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF MARGUERITE NEMETH AS SCMUA
CERTIFYING OFFICER FROM FEBRUARY 2, 2022 TO
FEBRUARY 1, 2023

WHEREAS, there exists the need within the Authority for the appointment of a "Certifying Officer" to execute and authorize certain documents relating to daily operations.

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Municipal Utilities Authority (SCMUA) appoints Marguerite Nemeth as "Certifying Officer" for the purpose of execution and authorization of documents relating to the New Jersey Division of Pensions and Benefits, Public Employees Retirement System and State Health Benefits Program reports/remittances.

BE IT FURTHER RESOLVED that Timothy Day, SCMUA Comptroller shall serve as Supervisor to Certifying Officer.

BE IT FURTHER RESOLVED that the Certifying Officer and Supervisor be authorized to execute and authorize documents as relating to the following: NJ Motor Vehicle Commission transactions.

BE IT FURTHER RESOLVED that this shall be effective through February 1, 2023, and as per Statute N.J.S.A. 40:14B-14(e).

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization Meeting
held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: ESTABLISHMENT OF A PURCHASING BOARD IN
ACCORDANCE WITH N.J.S.A. 40A:11-9 FOR PERIOD FROM
FEBRUARY 2, 2022 TO FEBRUARY 1, 2023

WHEREAS, the Sussex County Municipal Utilities Authority, hereinafter "Authority", is authorized pursuant to N.J.S.A. 40A:11-9 to establish by Resolution a Purchasing Board as its contracting agent, which Board is authorized to prepare public advertising for bids and to receive bids for the purchase of work, materials and supplies on behalf of the Authority; and

WHEREAS, the Authority desires to establish a Purchasing Board in accordance with the aforementioned Statute; and

WHEREAS, the Authority desires to designate the membership of such Board as consisting of (9 members) Thomas Varro, Timothy Phillips, Timothy Day, Jonathan Morris, Shane Zappa, Joseph Sesto, John Drake, Ronald Petillo and John Finkeldie of the Sussex County Municipal Utilities Authority; and

NOW, THEREFORE BE IT RESOLVED BY THE Sussex County Municipal Utilities Authority, in the County of Sussex, State of New Jersey as follows:

1. The Sussex County Municipal Utilities Authority hereby establishes a Purchasing Board, pursuant to N.J.S.A. 40A:11-9, which Board is authorized as its contracting agent to prepare public advertising for bids and to receive bids for the purchase of work, materials and supplies on behalf of the Authority during the period from February 2, 2022 to February 1, 2023, said Board to consist of nine members appointed by the Authority. A minimum of two members and a recording secretary of this Board must be present at any bid opening.
2. The Authority hereby appoints Thomas Varro, Timothy Phillips, Timothy Day, Jonathan Morris, Shane Zappa, Joseph Sesto, John Drake, Ronald Petillo and John Finkeldie of the Sussex County Municipal Utilities Authority, whose terms shall be effective immediately upon the adoption of this Resolution, and run until the Authority's next Reorganization Meeting on February 1, 2023, and until such time as successors are appointed by the Authority.
3. The Authority hereby appoints Tara Kronski, Executive Secretary, as Recording Secretary to the Purchasing Board. Recording Secretary shall record minutes of the activities of the Purchasing Board Meetings and act as custodian of bid documents.

4. The members of the Purchasing Board are authorized and directed to perform all acts necessary to effectuate the purposes of this Resolution.
5. These appointments shall be effective as of February 2, 2022 and as per Statute N.J.S.A. 40:14B-14(e).

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Resolution adopted by the Authority
At their Annual Reorganization
Meeting held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: APPOINTMENT OF A SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY RECORDS CUSTODIAN - 2022

WHEREAS, the New Jersey Public Records Act (OPRA) N.J.S.A. 47:1A-1 et seq. requires the appointment of a Records Custodian to provide information requested by the public; and

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) Board of Commissioners recognize the need to appoint a Records Custodian to meet the requirements of the OPRA; and

WHEREAS, the Commissioners have determined to appoint the SCMUA Executive Director Thomas Varro to serve as Records Custodian.

NOW, THEREFORE, BE IT RESOLVED, that the SCMUA Executive Director Thomas Varro is hereby appointed the SCMUA's Records Custodian.

BE IT FURTHER RESOLVED, that this appointment shall be effective as per Statute N.J.S.A. 40:14B-14(e), and run until the Authority's next Reorganization Meeting on February 1, 2023.

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Resolution adopted by the Authority
At their Annual Reorganization Meeting
Held on Wednesday, February 2, 2022.


Secretary

RESOLUTION RE: AUTHORIZATION FOR EXECUTIVE DIRECTOR OR CHIEF ENGINEER TO EXECUTE CHANGE ORDERS TO SCMUA CONTRACT NO. 551, TOMCO CONSTRUCTION INC.

WHEREAS, the Sussex County Municipal Utilities (SCMUA) and Tomco Construction Inc. (Tomco) entered into Contract 551 in the amount of \$25,477,636.59 for the construction of the Stage 2 Landfill Expansion; and

WHEREAS, Change Order Nos. 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15, 17, 19, 19A, 20, 21, 22, 24, 25, 26.1, 28, 29, and 32 have been approved which increased the original awarded amount to \$26,744,018.85; and

WHEREAS, Change Order Number 8 has been prepared by Tomco for additional milling and paving in the vicinity of the existing Scalehouse for an amount of \$174,133.78; and

WHEREAS, Change Order Number 26.2 has been prepared by Tomco for critical path overtime work (delta only - hours 11 and 12) through October 2, 2021 for an amount of \$25,303.11; and

WHEREAS, Change Order Number 31 has been prepared by Tomco for landfill gas relocation of existing lines not shown on Contract Documents for an amount of \$28,075.25; and

WHEREAS, Change Order Number 31B has been prepared by Tomco for or critical path overtime work associated with the landfill gas header relocation (delta only - hours 11 and 12) for an amount of \$3,677.06; and

WHEREAS, Change Order Number 35 has been prepared by Tomco for Cell 6B MSE Wall DGA import and handling for an amount of \$334,914.85; and

WHEREAS, Change Order Number 36 has been prepared by Tomco for sanitary design changes for an amount of \$28,925.81; and

WHEREAS, Change Order Number 40 has been prepared by Tomco for P4-1 & P4-2 structure design changes for an amount of \$6,824.95; and

WHEREAS, Change Order Number 41B has been prepared by Tomco for electrical work modifications around the contractor drop-off area for an amount of \$11,781; and

WHEREAS, Change Order Number 44 has been prepared by Tomco for Cell 6B trench drain and drainage blanket installation for an amount of \$96,762.16; and

WHEREAS, Change Order Number 45 has been prepared by Tomco for additional 3D modeling and surveying for Contract Drawings revisions for an amount of \$1,156.68; and

WHEREAS, Change Order Number 47 has been prepared by Tomco for ledge rock removal within Cell 6B for an amount of \$17,730.35; and

WHEREAS, Change Order Number 48 has been prepared by Tomco for the procurement of pressure gauges for the trash compactors an amount of \$1,533.28; and

WHEREAS, Change Order Number 49 has been prepared by Tomco for the modification to the installation of the gate operator power feed and sign fiberoptic wiring for an amount of \$60,829.35; and

WHEREAS, Change Order Number 51 has been prepared by Tomco for the procurement and installation of retaining wall no. 2 unsuitable material for an amount of \$967.73; and

WHEREAS, Change Order Number 54A has been prepared by Tomco for the procurement of the drainage blanket aggregate in lieu of the specified drainage sand for Cell 6B for an estimated amount of \$25,136.46; and

WHEREAS, Change Order Number 54B has been prepared by Tomco for the additional handling of the drainage aggregate along the side slope of Cell 6B for an amount of \$71,039.98; and

WHEREAS, Change Order Number 58A has been prepared by Tomco for the installation of a DGA pad between contractor area and bulky waste recycling building for an amount of \$6,487.91; and

WHEREAS, Change Order Number 59 has been prepared by Tomco for the bulky waste recycling building rehabilitation for an amount of \$1,475,586; and

WHEREAS, Said proposed Contract increases includes increased labor time, material cost and subcontractor costs only; and

WHEREAS, SCMUA Staff, ARM Group, and SCMUA's Construction Review Committee have reviewed said Change Orders and found them to be necessary and the price to be reasonable; and

WHEREAS, the SCMUA Treasurer has certified sufficient funds are available for change order approvals; and

WHEREAS, the Contract Change Order final approval is contingent on New Jersey Infrastructure Bank (NJIB) review and approval.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the SCMUA that the Executive Director is hereby authorized and directed to approve the above referenced change orders to Contract No. 551 contingent upon NJIB approval, which reflects the work outlined above and contained within said Change Orders, for a total increase in Contract Price of \$2,370,865.71 thereby changing the contract price from \$26,744,018.85 to \$29,114,884.56.

AND BE IT FURTHER RESOLVED that SCMUA resolution and copies of aforementioned Change Orders for Contract No. 551 shall be provide to the NJIB for final authorization.

AND BE IT FURTHER RESOLVED that this resolution shall be effective in accordance with applicable law.

Certified as a true copy of the Resolution
Adopted by the Authority at their Annual
Reorganization Meeting held on Wednesday, February 2, 2022.


Andrea Cocula, Secretary

RESOLUTION RE: APPOINTMENT OF WIELKOTZ & CO. AS AUDITORS TO
THE SUSSEX COUNTY MUNICIPAL UTILITIES
AUTHORITY - FEBRUARY 2, 2022 TO FEBRUARY 1, 2023

BE IT RESOLVED by the Commissioners of the Sussex County Municipal Utilities Authority, that Wielkocz & Company are hereby appointed as Auditors to the Sussex County Municipal Utilities Authority for the period commencing February 2, 2022 and ending February 1, 2023. Services include conducting the Financial Audit of the Authority's FY2022 financial records, Audit of the Authority's Post-Closure Care Fund, and Deferred Compensation Fund as required by New Jersey Statutes.

Certified as a true copy of the
Resolution adopted by the Authority
At their Annual Reorganization Meeting
Held on Wednesday, February 2, 2022.


Secretary