

**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):

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(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):

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(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):

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- (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):

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- (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):

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- (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):

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- (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):

Georgia EPD/Care Environmental Matter, SCMUA Contract #21-21 for Specialized Personnel Consulting Services; Air Permit; Contract #446 Leachate Pump Station/Force Main Project

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(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):

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(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

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(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):

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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 the Authority  
at their Regular Authority Meeting held  
on Wednesday, May 5, 2021.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION TO SUBMIT APPLICATION PACKAGE FOR AMENDMENT TO NJDEP AIR PERMITS PCP960001 AND PCP960003 AND SUBMIT APPLICATION PACKAGE FOR EMISSION CONTROL REPLACEMENT FOR THE LEACHATE TANKS AT THE SCMUA SOLID WASTE FACILITY

WHEREAS, the following NJDEP Permits for the leachate tanks at the SCMUA Solid Waste Facility are required to be amended as a result of proposed work associated with Leachate Force Main and Pump Station Project:

NJDEP – PCP960001  
NJDEP – PCP960003

and;

WHEREAS, due to proposed replacement of the existing carbon units with one single carbon vessel/adsorber (i.e., both tanks will vent to the new carbon system), a separate application package, in concurrence with amendment application, must be submitted to the NJDEP for emission control replacement; and

WHEREAS, the necessary application packages are being prepared for the referenced NJDEP Permit amendment and control replacement.

NOW, THEREFORE, BE IT RESOLVED by the SCMUA Commissioners that:

1. SCMUA Staff is hereby authorized to submit the herein referenced permit applications for the amendment and emission control replacement.
2. Executive Director Varro is hereby designated as a general contact; Chief Engineer Sesto is hereby designated as the formal contact person and permit signatory; and Compliance Monitoring/Data System Technician Zappa is hereby designated as permit invoice/billing contact person.
3. Copies of this Resolution shall be submitted to NJDEP with the appropriate application package(s).
4. This Resolution shall become effective pursuant to applicable law.

Certified as a true copy of the Resolution  
adopted by the Authority at their Regular Meeting  
held on Wednesday, May 5, 2021.

  
Andrea Cocula, Secretary

RESOLUTION RE: AWARD OF CONTRACT #21-21 COMPETITIVE CONTRACTING FOR SPECIALIZED PERSONNEL CONSULTING SERVICES TO AEROTEK, INC.

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) has a need for Specialized Personnel Consulting Services to provide Construction Inspector/Expeditor services for its Landfill Stage 2 Construction Project; and

WHEREAS, Contract #21-21 Request for Proposals documents were duly advertised in the NJ Herald on March 22, 2021; and

WHEREAS, proposals were opened on April 13, 2021 with Aerotek, Inc. of Hanover, Maryland being the sole bidder; and

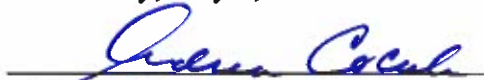
WHEREAS, SCMUA Personnel Committee, staff and legal counsel having reviewed said proposal find that all is in order and Aerotek, Inc. to meet all salient requirements; and

WHEREAS, SCMUA Personnel Committee and staff have further reviewed the Aerotek, Inc. proposal and recommend Award for RFP Item #2A (Contract Employment by Aerotek).

NOW THEREFORE BE IT RESOLVED, by the SCMUA Board of Commissioners that:

1. Contract #21-21 is hereby awarded to Aerotek, Inc. contingent upon staff and attorney review comments relative to the proposed Contract Employment Agreement.
2. SCMUA Chairman and Secretary are hereby authorized to sign the Contract Employment Agreement with Aerotek subject to #1, above.
3. The SCMUA Personnel Committee, Executive Director, and Chief Engineer are authorized to coordinate and work with Aerotek, Inc. in the furtherance of these matters.
4. This Resolution shall take effect in accordance with applicable law/statute.

Certified as a true copy of the  
Resolution adopted by the Authority  
at their Regular Meeting held on  
Wednesday, May 5, 2021.

  
Andrea Cocula, Secretary

RESOLUTION: AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE SCMUA AND THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2026

WHEREAS, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Sussex County Municipal Utilities Authority ("SCMUA") desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency to **renew** its membership in the MCCPC for the period of October 1, 2021 through September 30, 2026.

BE IT RESOLVED, by the SCMUA, County of Sussex, State of New Jersey as follows:

1. Karl Meyer, Chairman of the SCMUA Board of Commissioners hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2021 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for **renewal** of membership in the MCCPC for a five (5) year period from October 1, 2021 through September 30, 2026.
2. The SCMUA Administrator is hereby directed to submit a copy of this Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate SCMUA officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

#### CERTIFICATION

I, Andrea Cocula, Secretary of the SCMUA Board of Commissioners, hereby certifies the foregoing to be a true copy of a Resolution adopted by the Sussex County Municipal Utilities Authority at a duly convened meeting held on May 5, 2021.

  
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Andrea Cocula, Secretary