

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):

Upper Wallkill NJPDES Nitrate Permit Litigation

(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 the Authority
at their Regular Authority Meeting held
on Wednesday, December 15, 2021.



Andrea Cocula, Secretary

RESOLUTION RE: APPROVAL AND ADOPTION OF CALCULATION OF ACTUAL ANNUAL CHARGES FOR SEWER SERVICE FOR FISCAL YEAR 2021 - UPPER WALLKILL SYSTEM

WHEREAS, per the requirements of the Sussex County Municipal Utilities Authority's Bond Resolution and Service Agreements, it is necessary that the Authority develop, and issue to its participants, prior to December 15 of each Fiscal Year, an estimate of the amounts of the Annual Charges to become payable by each participant for services to be rendered by SCMUA to each participant for sewage treatment services; and

WHEREAS, it is also required that subsequent to the completion of each Fiscal Year, a calculation of the amounts of the actual Annual Charge for the prior Fiscal Year must be carried out for each participant, and that a charge be requisitioned, based upon the difference between the estimated and actual charges; and

WHEREAS, the SCMUA Comptroller has prepared a report entitled "Calculation of Actual Annual Charges for Sewage Treatment Services - Fiscal Year 2021", which calculates the Actual Charges to be payable by each participant for Fiscal Year 2021 a copy of which is attached hereto and shall be incorporated as part hereof; and

WHEREAS, the Commissioners have reviewed said report and concur with the development of Actual Annual Charges contained therein; and

WHEREAS, the Commissioners desire to approve and adopt said report and formally submit said Actual Annual Charges to each participant as per the terms of the Service Agreements.

NOW, THEREFORE, BE IT RESOLVED by the Sussex County Municipal Utilities Authority that the attached report entitled "Calculation of Actual Annual Charges for Sewage Treatment Services - Fiscal Year 2021" is hereby approved, and is adopted as the Authority's calculation of actual Annual Charges for Fiscal Year 2021.

AND BE IT FURTHER RESOLVED that the Chairman of the Sussex County Municipal Utilities Authority is hereby authorized to issue a certificate to each Upper Wallkill participant containing the amount of the credit or additional payment resulting from the calculation of the Actual Fiscal Year 2021 Annual Charges.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect in accordance with N.J.S.A. 40:14B – 14(e).

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, December 15, 2021.


Andrea Cocula, Secretary

RESOLUTION RE: APPROVAL AND ADOPTION OF CALCULATION OF ACTUAL ANNUAL CHARGES FOR SEWER SERVICE FOR FISCAL YEAR 2021 – PAULINS KILL BASIN WATER RECLAMATION SYSTEM

WHEREAS, per the requirements of the Sussex County Municipal Utilities Authority's Bond Resolution and Service Agreements, it is necessary that the Authority develop, and issue to its participants, prior to December 15 of each Fiscal Year, an estimate of the amounts of the Annual Charges to become payable by each participant for services to be rendered by SCMUA to each participant for sewage treatment services; and

WHEREAS, it is also required that subsequent to the completion of each Fiscal Year, a calculation of the amounts of the actual Annual Charge for the prior Fiscal Year must be carried out for each participant, and that a charge be requisitioned, based upon the difference between the estimated and actual charges; and

WHEREAS, the SCMUA Comptroller has prepared a report entitled "Calculation of Actual Annual Charges for Sewage Treatment Services - Fiscal Year 2021", which calculates the Actual Charges to be payable by each participant for Fiscal Year 2021 a copy of which is attached hereto and shall be incorporated as part hereof; and

WHEREAS, the Commissioners have reviewed said report and concur with the development of Actual Annual Charges contained therein; and

WHEREAS, the Commissioners desire to approve and adopt said report and formally submit said Actual Annual Charges to each participant as per the terms of the Service Agreements.

NOW, THEREFORE, BE IT RESOLVED by the Sussex County Municipal Utilities Authority that the attached report entitled "Calculation of Actual Annual Charges for Sewage Treatment Services - Fiscal Year 2021" is hereby approved, and is adopted as the Authority's calculation of actual Annual Charges for Fiscal Year 2021.

AND BE IT FURTHER RESOLVED that the Chairman of the Sussex County Municipal Utilities Authority is hereby authorized to issue a certificate to each Paulinskill System participant containing the amount of the credit or additional payment resulting from the calculation of the Actual Fiscal Year 2021 Annual Charges.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect in accordance with N.J.S.A. 40:14B-14(e).

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, December 15, 2021.


Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING AWARD FOR SCMUA CONTRACT #22-01
HOUSEHOLD HAZARDOUS WASTE DISPOSAL EVENT(S)
TO MAUMEE EXPRESS, INC

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) advertised for bids in the New Jersey Herald on January 30, 2020 for Household Hazardous Waste Disposal Event(s); and

WHEREAS, sealed bids were received and opened by the Authority on February 6, 2020 at 11:00 a.m., pursuant to the provision of said legal advertisement; and

WHEREAS, the Authority's Bid Specifications for Contract #20-01 & #21-01 are comprised the following bid proposal Items: #20-01 proposal bid price per net pound of hazardous materials for the June 6, 2020 and November 7, 2020 events; #21-01 proposal bid price per net pound of hazardous waste materials for the 2021 and 2022 events at SCMUA discretion; and

WHEREAS, at the bid opening, the Authority acknowledged receipt of a bid from Maumee Express, Inc. for \$1.39/pound (net) for Contract #20-01 and optional Contract #21-01 (1 or 2 year Extension); and

WHEREAS, the apparent low bidder, as based upon bid pricing is Maumee Express, Inc. being the only bidder; and

WHEREAS, the bid package submitted by Maumee Express, Inc. was reviewed by SCMUA Staff and legal counsel and found to be satisfactory and in conformance with all legal requirements; and

WHEREAS, it is the recommendation of staff and legal counsel to award the bid to Maumee Express, Inc.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Sussex County Municipal Utilities Authority as follows:

- Contract #22-01, is a one-year extension of Contract #21-01 with Maumee Express, Inc. for the transportation and disposal of wastes generated from Sussex County Household Hazardous Waste Disposal Events is hereby awarded to Maumee Express, Inc. in the amount of \$1.39/net pound for up to two(2) scheduled events for 2022 (June 4, 2022 and November 5, 2022), subject to SCMUA discretion and availability of funds.
- The officers of this Authority, its employees and professionals are hereby authorized and empowered to proceed with the preparation and execution of a formal contract with Maumee Express, Inc. as set forth above, pursuant to the terms and conditions of this resolution and pursuant to terms and conditions of the bid previously submitted by Maumee Express, Inc. and the specifications in connection therewith.

- This Resolution shall take effect in accordance with NJSA 40:14B-14(e).
- The Authority Treasurer has certified the availability of funds for one (1) and up to two (2) Household Hazardous Waste Events for 2022, per SCMUA discretion.

Certified as a true copy of the
Resolution adopted by the Authority
at their Regular Meeting held on
Wednesday, December 15, 2021.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING SUSSEX COUNTY MUNICIPAL UTILITIES
AUTHORITY'S MANDATORY DIRECT DEPOSIT PER
N.J.S.A.52:14-15(F)(2)(B)

WHEREAS, P.L. 1981, c. 385 (C.52:14-15a) was amended by the Senate and General Assembly of the State of New Jersey to provide that certain State entities, including Authorities, may provide for mandatory direct deposit of net pay for all employees on or after July 1, 2014; and

WHEREAS, the Comptroller of the Sussex County Municipal Utilities Authority (SCMUA) recommends that the SCMUA adopt this requirement for mandatory direct deposit of net pay because it will increase the productivity of the SCMUA. It will decrease or eliminate costs associated with producing checks and replacing lost checks; and

WHEREAS, this policy will require those SCMUA employees and Commissioners who do not already have direct deposit to submit specific banking/account information to designate deposit; and

WHEREAS, the Comptroller of the SCMUA may provide for any special exceptions that may be permitted by law.

NOW, THEREFORE, BE IT RESOLVED that, effective January 1, 2022 pursuant to N.J.S.A. 52:14-15, mandatory direct deposit of net pay for all SCMUA employees and Commissioners shall take effect and their specific banking information shall be provided to the SCMUA.

Certified as a true copy of the Resolution
Adopted by the Commissioners at their
Regular Authority meeting held on
Wednesday, December 15, 2021.



Andrea Cocula, Secretary

RESOLUTION RE: ADOPTION OF AMENDED SUSSEX COUNTY MUNICIPAL UTILITIES
AUTHORITY ORGANIZATIONAL STRUCTURE, STAFF POSITION
DESCRIPTION, SALARY STRUCTURE AND PERSONNEL AND EMPLOYEE
POLICIES (EFFECTIVE JANUARY 1, 2022)

WHEREAS, the SCMUA Board of Commissioners has established the SCMUA Personnel Policies, Organizational Structure, Position Descriptions and Salary Guide, herein known as the "SCMUA Personnel Policy Manual"; and

WHEREAS, annually the Commissioners review the SCMUA Personnel Policy Manual to determine necessary changes for economics, efficiencies, compliance with public laws and administrative and operational needs; and

WHEREAS, the SCMUA Board of Commissioners, in consultation with the Personnel Committee and SCMUA Staff, have determined certain amendments to the SCMUA Personnel Policy Manual are warranted which will further serve the mission of the SCMUA.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Sussex County Municipal Utilities Authority, that:

1. The SCMUA hereby adopts the following revised employee Personnel Policies.
2. The SCMUA hereby adopts the following revised "Employee Salary Guide" – Appendix A.
3. The SCMUA hereby adopts the following "Professional Consulting Services" policies – Appendix B.
4. The SCMUA hereby adopts the following Job Descriptions – Appendix C.
5. The SCMUA hereby adopts the following Organizational Structure – Appendix D.
6. The SCMUA hereby adopts the 2022 Holiday Calendar.

BE IT FURTHER RESOLVED THAT THIS "Personnel Policy Manual" shall supersede all previous personnel policy manuals; and

BE IT FURTHER RESOLVED that a copy of the SCMUA Personnel Policy Manual shall be distributed to the SCMUA Board of Commissioners, Executive Director, Superintendents and all employees of the SCMUA.

This Resolution shall take effect on January 1, 2022.

Certified as a true copy of the
Resolution as adopted by the Authority
at their Regular Meeting held on
Wednesday, December 15, 2021.


Andrea Cocula, Secretary