

RESOLUTION RE: AUTHORIZING THE AWARD OF A ONE-YEAR CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND GARDEN STATE LABORATORIES, INC. FOR FIELD SAMPLING AND LABORATORY TESTING SERVICES AT WASTEWATER FACILITIES (CONTRACT 23-10)

WHEREAS, the SCMUA has a need for Field Sampling and Laboratory Services for its Wastewater Facilities; and

WHEREAS, Garden State Laboratories, Inc. submitted a proposal for said services dated March 1, 2023; and

WHEREAS, as part of the proposal solicitation process, SCMUA also contacted Agra Environmental and Laboratory Services and Integrated Analytical Laboratories, LLC but they were deemed non-responsive; and

WHEREAS, the SCMUA Staff concluded that Garden State Laboratories, Inc. have in its employ, individuals possessing the requisite licensure, knowledge and skills with which to perform the services encompassed by the proposed Agreement; and

WHEREAS, the unit bid prices for all analysis parameters has been reviewed and approved for the following locations: Upper Wallkill, Hampton Commons, Paulinskill, and Homestead Health Center, and it is in the best interest of the SCMUA to award a contract; and

WHEREAS, the contract award to Garden State Laboratories, Inc. is herein recommended by staff for a price of \$16,585.00 inclusive of one (1) year from April 1, 2023 through March 31, 2024 (cost is not inclusive of any resampling events deemed necessary as results dictate).

WHEREAS, the Authority's Qualified Purchasing Agent has reviewed and recommended approval of this contract award; and


WHEREAS, the Authority's Treasurer has certified that sufficient funds are available to finance the project.

NOW, THEREFORE, BE IT RESOLVED by the Sussex County Municipal Utilities Authority's Board of Commissioners that the bid for Contract No. 23-10 (1-year term) is hereby awarded to Garden State Laboratories, Inc. of Hillside, NJ, according to the prices stated within their Bid Proposal.

BE IT FURTHER RESOLVED, that Executive Director and SCMUA Staff are authorized to prepare and execute a one-year field sampling and laboratory testing services contract with Garden State Laboratories, Inc.

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, March 15, 2023.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE AWARD OF A ONE-YEAR CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND PACE ANALYTICAL INC. FOR LABORATORY TESTING SERVICES AT THE SOLID WASTE FACILITY (CONTRACT 23-20)

#23-087

WHEREAS, the SCMUA has a need for Laboratory Testing Services for its Solid Waste Facility; and

WHEREAS, Pace Analytical Inc. submitted a proposal for said services dated March 9, 2023; and

WHEREAS, as part of the proposal solicitation process, SCMUA also contacted Agra Environmental and Laboratory Services and Integrated Analytical Laboratories, LLC but they were deemed non-responsive; and

WHEREAS, the SCMUA Staff concluded that Pace Analytical Inc. have in its employ, individuals possessing the requisite licensure, knowledge and skills with which to perform the services encompassed by the proposed Agreement; and

WHEREAS, the unit bid prices for all analysis parameters has been reviewed and approved for the following locations for the Solid Waste Facility: End Manholes, Groundwater Monitoring Wells, Domestic Potable Water Wells, Lysimeters, Leachate Storage Tank, Stormwater Point DSN-004A, Detention Pond, and Non-Transient Public Water System, and it is in the best interest of the SCMUA to award a contract; and

WHEREAS, the contract award to Pace Analytical, Inc. is herein recommended by staff for a price of \$39,695.00 inclusive of one (1) year from April 1, 2023 through March 31, 2024 (cost is not inclusive of any resampling events deemed necessary as results dictate).

WHEREAS, the Authority's Qualified Purchasing Agent has reviewed and recommended approval of this contract award; and

WHEREAS, the Authority's Treasurer has certified sufficient funds are available for the contract award.

BE IT FURTHER RESOLVED, that the bid for Contract No. 22-20 (1-year term) is hereby awarded to Pace Analytical of East Brunswick, NJ according to the prices stated within their Bid Proposal.

BE IT FURTHER RESOLVED, that Executive Director and SCMUA Staff are authorized to prepare and execute a one-year laboratory testing services contract with Pace Analytical Inc..

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, March 15, 2023.



Andrea Cocula, Secretary

RESOLUTION RE: APPOINTMENT OF WIELKOTZ & CO. AS AUDITORS TO
THE SUSSEX COUNTY MUNICIPAL UTILITIES
AUTHORITY - MARCH 15, 2023 TO FEBRUARY 7, 2024

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 March 15, 2023 and ending February 7, 2024. Services include conducting the Financial Audit of the Authority's FY2023 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, March 15, 2023.


Secretary

RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH #23-089
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 2023

WHEREAS, there exists a need for professional auditing services and expertise to complete an audit of the Authority's financial records; and

WHEREAS, pursuant to N.J.S.A. 19:44A:20.4 et. seq. the SCMUA determined to utilize the Fair and Open Process to select an Auditor; and

WHEREAS, a notice was published on December 1, 2022 on the SCMUA's website soliciting such professional services to be received on January 12, 2023; and

WHEREAS, the Personnel Committee did hold a meeting for further information from Paul Cuva to make a recommendation for 2023 Auditing Services; and

WHEREAS, the Commissioners hereby appoint and authorize the execution of a contract with Paul Cuva, C.P.A. of the firm Wielkocz & Company, LLC as Auditors for the SCMUA on March 15, 2023 to conduct the Financial Audit, Deferred Compensation Plan Audit and the Post-Closure Care Fund Audit for the fiscal year ending November 30, 2023; and

WHEREAS, the amount of the contract aforesaid shall be for the annual audit not to exceed \$37,500; for the landfill closure escrow account audit for \$3,500; and an hourly rate for any additional work as provided in the attached proposal, funds are available and have been so certified by the Treasurer; and

WHEREAS, the SCMUA Treasurer has certified fund availability in the FY2023 Operating Budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the Resolution authorizing the award of contracts for professional services and the contract itself, must be available for public inspection.

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

1. The Chairman and Secretary of said Authority are hereby authorized to execute attached Agreement with Paul Cuva, CPA of the firm Wielkocz & Company, LLC, having its office at 401 Wanaque Avenue, Pompton Lakes, New Jersey 07442.
2. This contract is awarded under the Fair and Open Process as a professional service in accordance with N.J.S.A. 19:44A-20.4 et. seq. of the "New Jersey Local Unit Pay to Play" law because Wielkocz & Company, LLC are professional Certified Public Accountants, duly licensed by the State of New Jersey, and have a special knowledge with respect to municipal utilities authority auditing.
3. 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, March 15, 2023.


Andrea Cocula, Secretary
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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):

Vernon Township/ Vernon Twp. MUA Matters, U.W. Nitrate Permit Project, Solid Waste Rate Schedule Analysis

- (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, March 15, 2023.


Andrea Cocula, Secretary