

**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):

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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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(8) 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 Items

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(9) 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 Rescheduled Regular Authority Meeting held  
on Wednesday, May 15, 2019.

  
Andrea Cocula, Secretary

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RESOLUTION RE: AUTHORIZATION TO AWARD SCMUA CONTRACT 19-5,  
FERRIC CHLORIDE SOLUTION

WHEREAS, the SCMUA duly advertised for bids for Ferric Chloride Solution Contract 19-5; and

WHEREAS, sealed bids were received on May 2, 2019 and reviewed by the Purchasing Committee thereafter; and

WHEREAS, the SCMUA Purchasing Committee recommends contract award to Coyne Chemical of Croydon, Pa. as the lowest responsible bidder; and


WHEREAS, the SCMUA Treasurer has certified there are sufficient funds available to award this contract.

NOW THEREFORE, BE IT RESOLVED, that Coyne Chemical is hereby awarded a two-year contract for the furnishing of Ferric Chloride Solution for Contract Year 2019/2020 at \$1.3908 per gallon and Contract Year 2020/2021 at \$1.4823 per gallon.

BE IT FURTHER RESOLVED that SCMUA Staff and Legal Counsel are authorized to prepare said contract with Coyne Chemical, and that the Chairman and Secretary are hereby authorized to execute same.

BE IT FURTHER RESOLVED this resolution shall take effect in accordance with applicable NJ laws and statutes.

Certified as a true copy of the Resolution  
adopted by the Authority at their Rescheduled Regular  
Meeting held on Wednesday, May 15, 2019.

  
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Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION TO AWARD SCMUA CONTRACT 19-6  
POTASSIUM PERMANGANATE POWDER

WHEREAS, the SCMUA duly advertised for bids for Contract 19-6; and

WHEREAS, the SCMUA Purchasing Committee opened and reviewed bids on May 2, 2019; and

WHEREAS, after review by General Counsel, it was determined that the lowest responsive bid price was submitted by Marubeni Specialty Chemicals of White Plains, NY; and

WHEREAS, the Purchasing Committee recommends contract award to the lowest responsible and responsive bidder, which is determined to be the bid submitted by Marubeni Specialty Chemicals; and

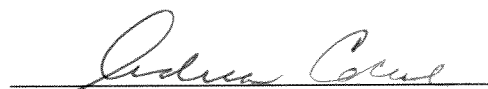
WHEREAS, the SCMUA Treasurer has certified there are sufficient funds available to award this contract.

NOW THEREFORE, BE IT RESOLVED, that Marubeni Specialty Chemicals is hereby awarded a two-year contract for the furnishing of Potassium Permanganate Powder for Contract Year 2019/2020 at \$1.595 per pound and Contract Year 2020/2021 at \$1.595 per pound.

BE IT FURTHER RESOLVED, that SCMUA Staff and Legal Counsel are authorized to prepare said contract with Marubeni Specialty Chemicals and that the Chairman and Secretary are hereby authorized to execute same.

BE IT FURTHER RESOLVED this resolution shall take effect in accordance with applicable NJ laws and statutes.

Certified as a true copy of the Resolution  
adopted by the Commissioners at their Rescheduled Regular  
Meeting held on Wednesday, May 15, 2019.

  
Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION TO AWARD SCMUA CONTRACT 19-7  
HYDROGEN PEROXIDE 50% SOLUTION

WHEREAS, the SCMUA duly advertised for bids for Contract 19-7; and

WHEREAS, sealed bids were received on May 2, 2019 and reviewed by the Purchasing Committee thereafter; and

WHEREAS, the Purchasing Committee recommends contract award to Coyne Chemical of Croyden, PA as the lowest responsive and responsible bidder; and

WHEREAS, the SCMUA Treasurer has certified there are sufficient funds available to award this contract.

NOW THEREFORE, BE IT RESOLVED, that Coyne Chemical is hereby awarded a contract for the furnishing of Hydrogen Peroxide 50% Solution for Contract Year 2019/2020 at \$2.3054 per gallon and Contract Year 2020/2021 at \$2.3271 per gallon.

BE IT FURTHER RESOLVED, that SCMUA Staff and Legal Counsel are authorized to prepare said contract with Coyne Chemical of Croyden PA, and that the Chairman and Secretary are hereby authorized to execute same.

BE IT FURTHER RESOLVED this resolution shall take effect in accordance with applicable NJ laws and statutes.

Certified as a true copy of the Resolution  
adopted by the Commissioners at their Rescheduled Regular  
Meeting held on Wednesday, May 15, 2019.

  
Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF A LEASE OF REAL PROPERTY AT 3500 ROUTE 94 HAMBURG, NJ FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A WIRELESS COMMUNICATION FACILITY AT THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S UPPER WALLKILL WPCF

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "Authority") advertised for bids for Contract No. 18-12 for the Lease of Real Property at 3500 Route 94, Hamburg, NJ for the Construction, Operation and Maintenance of a Wireless Communication Facility; and

WHEREAS, sealed bids, therefore, were received and opened by the Authority on March 15, 2018 at 11:00 a.m. after notice and solicitation in accordance with the provisions of the Local Public Contracts Law (N.J.S.A.40A:11-1, et.seq.); and

WHEREAS, Cellco Partnership d/b/a Verizon Wireless was awarded the bid of a Monthly Lease Price of \$3,000/month (Item 1.A), and Extended Annual Lease Price of \$36,000/year (Item 1.B), and a Percentage of Future Monthly Sub-Leases of Wireless Communication Facility of 50% (Item 2.A); and

WHEREAS, pursuant to the bid, the Lease Agreement and Memorandum of Lease has been prepared and been signed by Cellco Partnership d/b/a Verizon Wireless as LESSEE.

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

1. The Chairman and Secretary of the Authority is hereby authorized to execute the Lease Agreement/Memorandum of Lease, as LESSOR.
2. This resolution shall take effect in accordance with applicable NJ laws and statutes.
3. A copy of the Lease Agreement shall be provided to Cellco Partnership d/b/a Verizon Wireless.
4. Copies of the Lease Agreement shall remain on file with the SCMUA (LANDLORD) and Cellco Partnership (TENNANT).

Certified as a true copy of the Resolution adopted by the Authority at their Rescheduled Regular Authority Meeting held on Wednesday, May 15, 2019.

  
Andrea Cocula, Secretary