

**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):

Hampton Commons Facility, County Fleet Wash Facility, Potential Property Acquisition, Nitrate Litigation

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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, July 20, 2022.



Andrea Cocula, Secretary

RESOLUTION RE: AMENDING THE SCMUA'S FY2022 SOLID WASTE FACILITIES BUDGET

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) introduced and subsequently adopted its FY2022 Budget and Five Year Capital Plan on November 24, 2021; and

WHEREAS, due to project status and revised program priorities, the SCMUA has determined it is necessary and proper to amend the Solid Waste Facilities Operating Budget to reallocate certain Capital Outlay expenditures (no increase in overall budget amount); and

WHEREAS, due to further project status and revised program priorities, the SCMUA has determined it is necessary and proper to additionally amend its Solid Waste Five Year Capital Plan, including R&R Fund Budget to reallocate certain expenditures (no increase in overall budget amount).

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the SCMUA that the following budgetary reallocations (no increase in overall budget amounts) are hereby approved:

<b>R&amp;R Fund Expenses</b>	<b><u>From</u></b>	<b><u>To</u></b>
Admin. Bldg. Flooring Replacement	\$ 20,000	\$ 20,000
Scale Replacement	\$ 120,000	\$ 120,000
New Roll-off Truck	\$ 0	\$ 265,000
New Dirt Roller		\$ 125,000
Replace Crew Cab	\$ 50,000	\$ 50,000
Morbark Tub Grinder (Lease)	\$ 630,000	\$ 240,000
Replace 2016 Cat 973D Track Loader	\$ 700,000	\$ 700,000
<b>Total R&amp;R</b>	<b>\$ 1,520,000</b>	<b>1,520,000</b>

BE IT FURTHER RESOLVED, that two copies of this resolution shall be filed with the Director of the Division of Local Governmental Services.

Certified as a true copy of the Resolution adopted by the Authority at their regular meeting held on Wednesday, July 20, 2022.

  
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 Andrea Cocula, Secretary

<b><u>Member</u></b>	<b>Recorded Vote</b>			
	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
R. Petillo	<b>X</b>			
T. Madsen	<b>X</b>			
A. Cocula	<b>X</b>			
W. Dietz	<b>X</b>			
J. Drake	<b>X</b>			
K. Meyer	<b>X</b>			
J. Wesley	<b>X</b>			
J. Finkeldie	<b>X</b>			
R. Dabinett	<b>X</b>			

RESOLUTION RE: DATES AND TIME OF REGULAR AUTHORITY MEETINGS  
AUGUST 3, 2022 TO FEBRUARY 1, 2023

**WHEREAS**, due to the continuing COVID-19 pandemic and declared Health Emergency, the Sussex County Municipal Utilities Authority did establish and publish procedures and dates for remote virtual (teleconference) public attendance at its Regular Meetings in 2022; and

**WHEREAS**, the lessening in severity of the COVID-19 pandemic and Health Emergency conditions allow for the reconsideration of Regular Open Public Meetings.

**NOW, THEREFORE, BE IT RESOLVED** that the Sussex County Municipal Utilities Authority's Regular Meetings listed below shall return to Open Public Meeting at 3:00 p.m. and shall be hosted at the Solid Waste Facility Administration Building, in conformance with applicable regulations and requirements.

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)

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](mailto:tvarro@scmua.org), cc: Tara Kronski, Recording Secretary [tkronski@scmua.org](mailto: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](http://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 Regular Authority Meeting  
Held on Wednesday, July 20, 2022.

  
Secretary

RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PLANET NETWORKS TO PROVIDE SPECIALIZED INFORMATION TECHNOLOGY (IT) SUPPORT MANAGED SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) has a need for specialized support managed services for Information Technology, a notice thereof was advertised for RFP/RFQ on the SCMUA official webpage; and

WHEREAS, Planet Networks of Newton, NJ has submitted a proposal dated May 13, 2022 (attached) for Specialized IT Support Managed Services to SCMUA and possesses a staff having requisite training, expertise and experience required to provide such services; and

WHEREAS, SCMUA thereby determined to award \$73,000.00 for Specialized IT Support Managed Services under the "Fair and Open Process" for one year; and

WHEREAS, the Professional Services Agreement shall be executed for one year for Specialized IT Support Managed Services to be provided by Planet Networks for the period commencing August 1, 2022 and ending July 31, 2023; and

WHEREAS, the local public contracts law requires that the Resolution authorizing the award of a contract for Professional Services and the Agreement itself, must be available for public inspection.

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

1. That the Chairman and Secretary of the Authority are hereby authorized and directed to execute a Professional Services Agreement with Planet Networks for the provision of Specialized IT Support Managed Services, a true copy of which contract is annexed hereto as Attachment A, contingent upon SCMUA attorney review/approval.
2. The Professional Services Agreement with Planet Networks shall further be effective August 1, 2022 and ending July 31, 2023.
3. That said 2022 contract is hereby awarded utilizing the "Fair and Open" process pursuant to N.J.A.S. 19:44-20.4 et. seq.

4. That one (1) copy of this Resolution, together with the contract itself, upon the execution thereof, shall be made available at the SCMUA's offices for public inspection during the normal business hours of said office.
5. 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 Authority Meeting  
held on Wednesday, July 20, 2022.

  
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Andrea Cocula, Secretary



RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PLANET NETWORKS TO PROVIDE BROADBAND SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) has a need for specialized support services for Information Technology, a notice thereof was advertised for RFP/RFQ on the SCMUA official webpage; and

WHEREAS, Planet Networks of Newton, NJ has submitted a proposal dated May 13, 2022 (attached) for Broadband Services to SCMUA and possesses a staff having requisite training, expertise and experience required to provide such services; and

WHEREAS, SCMUA thereby determined to award \$15,564.00 for Broadband Services under the "Fair and Open Process" for one year; and

WHEREAS, the Professional Services Agreement shall be executed for one year for Specialized IT Support Services to be provided by Planet Networks for the period commencing August 1, 2022 and ending when complete approximately July 31, 2022; and

WHEREAS, the local public contracts law requires that the Resolution authorizing the award of a contract for Professional Services and the Agreement itself, must be available for public inspection.

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

1. That the Chairman and Secretary of the Authority are hereby authorized and directed to execute a Professional Services Agreement with Planet Networks for the provision of Broadband Services, a true copy of which contract is annexed hereto as Attachment A, contingent upon SCMUA attorney review/approval.
2. The Professional Services Agreement with Planet Networks shall further be effective August 1, 2022 and ending when complete approximately July 31, 2023.
3. That said 2022 contract is hereby awarded utilizing the "Fair and Open" process pursuant to N.J.A.S. 19:44-20.4 et. seq.
4. That one (1) copy of this Resolution, together with the contract itself, upon the execution thereof, shall be made available at the

SCMUA's offices for public inspection during the normal business hours of said office.

5. This resolution shall take effect in accordance with N.J.S.A. 40:14B-14(e).

Certified as a true copy of the Resolution  
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Andrea Cocula, Secretary

RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY DECLARING CERTAIN PROPERTY NO LONGER NEEDED FOR PUBLIC USE, AND AUTHORIZATON TO REMOVE FROM FIXED ASSETS

WHEREAS, the Sussex County Municipal Utilities Authority (“SCMUA”) has been advised by its staff and does hereby confirm that certain personal property in the possession of the Authority is not now or reasonably in the future needed for Authority purposes; and

WHEREAS, N.J.S.A. 40A:11-36 authorizes the Authority to the dispose the below noted SCMUA equipment and software in the most cost effective manner; and

WHEREAS, the Authority has reviewed said SCMUA equipment and software as put forth below, and has determined that said obsolete equipment is not needed for Authority purposes and is no longer available.

NOW THEREFORE, BE IT RESOLVED by the Sussex County Municipal Utilities Authority that the equipment and software put forth below, shall be and is hereby determined to be obsolete equipment not needed for public use.

BE IT FURTHER RESOLVED that the Authority hereby directs the Treasurer and Staff to delete the listed item from the fixed asset inventory list.

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

<u>Year</u>	<u>Description</u>	<u>Acquisition Date</u>	<u>Value</u>
2022	U.W. Composting System	June 29, 1996	\$144,507.00

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, July 20, 2022

  
Andrea Cocula, Secretary