

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):

Pace Glass, IT Services Supplemental Agreement

(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, August 3, 2022.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH APTIMIZED TO PROVIDE SPECIALIZED INFORMATION TECHNOLOGY (IT) SERVICES AND SUPPLEMENTAL SUPPORT 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, Aptimized of Wayne, NJ has submitted a proposal dated July 29, 2022 (attached) for Specialized IT Services and Supplemental Support to SCMUA and possesses a staff having requisite training, expertise and experience required to provide such services; and

WHEREAS, SCMUA thereby determined to award \$13,000.00 for Specialized IT Services and Supplemental Support for Vulnerability / Penetration Testing under the "Fair and Open Process" for one year, along with options for additional IT services at the discretion of the SCMUA; and

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

WHEREAS, the Authority will be charged an Hourly Rate by Aptimized for Specialized IT Services and Supplemental Support provided hereunder, on an as-needed basis for SCMUA.

\$85/hr. - Associate
\$115/hr. - Consultant
\$135/hr - Sr. Consultant
\$150/hr. – Architect; 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 Aptimized for the provision of Specialized IT Services and Supplemental Support, a true copy of which contract

is annexed hereto as Attachment A, contingent upon SCMUA attorney review/approval.

2. The Professional Services Agreement with Aptimized shall further be effective September 1, 2022 and ending August 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, August 3, 2022.


Andrea Cocula, Secretary

**RESOLUTION RE: RELEASE OF RETAINAGE TO TOMCO CONSTRUCTION
INC., CONTRACT NO. 551A, NORTHERN MSE BERM
CONSTRUCTION PROJECT, BY THE SUSSEX COUNTY
MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, The Sussex County Municipal Utilities Authority, Owner and Tomco Construction, Inc., Contractor, entered into an Agreement, dated July 2, 2020, for the construction of the Northern MSE Berm; and

WHEREAS, the Contractor has completed the project in accordance with the Contract requirements and the SCMUA Agreement; and

WHEREAS, the Contractor has provided their final Application and Certification for Payment, being satisfactory evidence for closeout, and;

WHEREAS, the Authority's Chief Engineer and Solid Waste Superintendent have approved the contract closeout and the release of retainage,

NOW THEREFORE, BE IT RESOLVED by the Sussex County Municipal Utilities Authority to authorize release of final contract retainage in the amount of \$38,906.98 to Tomco Construction, Inc.

Certified as a true copy of
the Resolution adopted by the
Authority at their meeting
held on Wednesday, August 3, 2022.


Andrea Cocula, Secretary

RESOLUTION RE: RELEASE OF RETAINAGE TO MUNICIPAL MAINTENANCE CO., CONTRACT NO. 458, UPPER WALLKILL SEPTAGE RECEIVING AND STORMWATER IMPROVEMENTS PROJECT, BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, The Sussex County Municipal Utilities Authority, Owner and Municipal Maintenance Co., Contractor, entered into an Agreement, dated October 14, 2021, for the construction of the Upper Wallkill Septage Receiving and Stormwater Improvements; and

WHEREAS, the Contractor has completed the project in accordance with the Contract requirements, proposal dated August 13, 2021, and the SCMUA Agreement; and

WHEREAS, the Contractor has provided their final Application and Certification for Payment, being satisfactory evidence for closeout. and;

WHEREAS, the Authority's Chief Engineer and Wastewater Superintendent have approved the contract closeout and the release of retainage,

NOW THEREFORE, BE IT RESOLVED by the Sussex County Municipal Utilities Authority to authorize release of final contract retainage in the amount of \$4,768.96 to Municipal Maintenance Company.

Certified as a true copy of
the Resolution adopted by the
Authority at their meeting
held on Wednesday, August 3, 2022.


Andrea Cocula, Secretary