

RESOLUTION RE: AMENDING THE SCMUA'S FY2023 SOLID WASTE FACILITIES BUDGET

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) introduced and subsequently adopted its FY2023 Budget and Five Year Capital Plan on November 30, 2022; 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:

R&R Fund Expenses	<u>From</u>	<u>To</u>
Replace Cable/Wiring Phone & Internet	\$ 60,000	\$ 0
Replace 2016 Cat 973D Track Loader (Lease)	\$ 725,000	\$ 683,000
Replace JD 624K Loader	\$ 350,000	\$ 336,000
Replace CAT908M	\$ 175,000	\$ 169,000
Leachate Tank Upgrades	\$ 0	\$ 122,000
Total R&R	\$ 1,310,000	\$1,310,000

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 Tuesday, July 18, 2023.



 Andrea Cocula, Secretary

Recorded Vote

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

RESOLUTION RE: AUTHORIZING THE UTILIZATION OF THE COMPETITIVE CONTRACTING PROCESS FOR SPECIALIZED SERVICES

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) has a need for specialized consulting services for IT Managed Services and Broadband access to two locations, Solid Waste and Upper Walkkill facilities; and

WHEREAS, the SCMUA has determined to utilize the Competitive Contracting Process per 40A:11 – 4.1, et seq to obtain said specialized IT Managed and Consulting services; and

WHEREAS, the SCMUA plans on utilizing its Qualified Purchasing Agent (QPA) Timothy Day, and its Executive Director, Thomas Varro, to administer this process.

NOW THEREFORE, BE IT RESOLVED, by the SCMUA Commissioners that:

1. The SCMUA, its QPA, Executive Director and Staff are authorized to proceed with the Competitive Contracting Process pursuant to 40A:11 – 4.1 et seq. to obtain the necessary specialized consulting services herein.
2. This Resolution shall take effect in accordance with applicable laws.

Certified as a true copy of the
Resolution adopted by the Authority
At their Regular Authority Meeting
Held on Tuesday, July 18, 2023.



Andrea Cocula, Secretary

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):

U.W. Nitrate Permit Litigation, Vernon Township/Vernon Township MUA

(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 Items

(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.

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Resolution adopted by the Authority
at their Regular Authority Meeting held
on Tuesday, July 18, 2023.


Andrea Cocula, Secretary