

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):

Hazen and Sawyer Hourly Rate for Nitrate Upgrades Design
Upper Walkkill Nitrate Upgrades – Dynamic Models Results
PFAS Regulations

(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 Matter

(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, April 17, 2024.


Andrea Cocula, Secretary

**RESOLUTION RE: AUTHORIZING CONSTRUCTION REVIEW COMMITTEE
AND/OR CHAIRMAN TO MAKE PROJECT MANAGEMENT
DECISIONS DURING SUSSEX COUNTY MUNICIPAL UTILITIES
AUTHORITY'S SOLID WASTE AND WASTEWATER PROJECTS**

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) has the need to pursue capital improvement projects to maintain successful operation of all facilities; and

WHEREAS, these projects have scheduling milestones which are imperative to attain for successful project completion; and

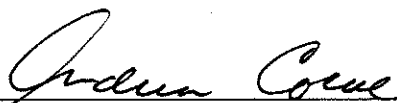
WHEREAS, throughout a project, the contractor and/or engineer may have requests for change orders as well as other project scope modifications; and

WHEREAS, the Board of Commissioners meet twice a month, therefore the Board's approvals can delay certain project decisions that could detrimentally effect project completion schedule; and

THEREFORE, BE IT RESOLVED, in order to properly and successfully manage project progress, the Board of Commissioners authorize the Construction Review Committee (CRC), and/or its Chairman to make certain project management decisions, including negotiations and approval of construction and engineering change orders, for projects associated at both the Solid Waste and Wastewater Facilities.

BE IT FURTHER RESOLVED, that is resolution shall become effective according to NJ Statute N.J.S.A. 40:14B-14(e).

Certified a true copy of the resolution
adopted by the Board of Commissioners at
their regular meeting held on April 17, 2024.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ONE WATER CONSULTING LLC TO PROVIDE DYNAMIC MODEL SERVICES FOR THE SCMUA UPPER WALLKILL FACILITY

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) has a need for engineering assistance for the Upper Wallkill Facility effluent modeling; and

WHEREAS, SCMUA on December 11, 2023 had duly noticed and solicited a Request for Qualifications/Request for Proposals (RFQ/RFP) for solid waste consulting engineering services utilizing a "Fair and Open" Process pursuant to N.J.S.A. 19:44 – 20.4 et seq.; and

WHEREAS, One Water of 101 Poor Farm Road, Princeton, NJ 08540, responded to said RFQ/RFP with a Proposal including 2024 Rate Schedule, and possesses a staff having requisite training, expertise and experience required to provide such services; and

WHEREAS, SCMUA reviewed the RFQ/RFP proposals and thereby awarded a contract for Specialized Water Quality Studies Consultant Services to One Water for 2024; and

WHEREAS, the Authority is further desirous of retaining One Water for this water quality analysis; and

WHEREAS, One Water has submitted a cost proposal and scope of work, dated April 11, 2024 for the Upper Wallkill Facility Dynamic Modeling Approach, including NJDEP meetings, stream sampling, data management and analysis, report, and NJDEP negotiations for a total cost of not-to-exceed \$63,200; and

WHEREAS, One Water has individuals possessing the requisite licensure, knowledge and skills with which to perform the services encompassed by the proposed Agreement; and

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

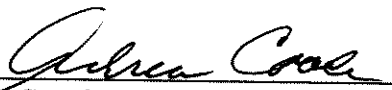
WHEREAS, the Treasurer has certified that there are sufficient funds available; and

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

1. That the Board of Commissioners approve, via this Resolution, a Professional Services Agreement with One Water.

2. That one (1) copy of this Resolution, together with the agreement itself, shall be made available electronically for public inspection upon request.
3. That One Water is hereby authorized to proceed with the Work Scope Tasks.
4. This resolution shall be effective as provided for under applicable NJ State Statutes.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular Authority Meeting
held on Wednesday, April 17, 2024



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING AWARD TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER TO FURNISH AND DELIVER LANDFILL COVER SOIL (CONTRACT NO. 24-04) FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Sussex County Municipal Utilities Authority, hereinafter "Authority" has sought bids for Contract No. 24-04 for the Furnishing and Delivery of Landfill Cover Soil for the Authority's Solid Waste Facility in Lafayette, New Jersey; and

WHEREAS, Contract No. 24-04 was advertised in the New Jersey Herald on March 17, 2024 in conformance with NJ Public Contracts Law; and

WHEREAS, sealed bids therefore were received and opened by the Authority on April 2, 2024 at 11:00 a.m. in accordance with the provisions of said legal advertisement; and

WHEREAS, the low bid unit price for furnishing and delivery of Landfill Cover Soil was provided by Braen Stone, 217 Limecrest Road, Lafayette, New Jersey 07848; and

WHEREAS, all stipulations outlined in the bidding documents shall be followed; and

WHEREAS, Braen Stone submitted a proposal for Landfill Cover Soil in the amount of \$4.75 per ton for approximately 40,000 tons through November 30, 2024 for a total estimated price of \$190,000.

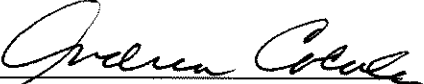
WHEREAS, Braen Stone is required to provide soil sampling and independent testing results thereof; and

WHEREAS, the Authority's legal counsel and Staff have reviewed the Bid Package and associated documentation and recommend award of said contract to Braen Stone of Lafayette, New Jersey as the lowest responsive and responsible bidder.

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

1. The proper officers of this Authority, its employees and attorney are hereby authorized to proceed with the execution of a formal contract agreement with Braen Stone in the amount of \$4.75 per ton which is a total contract amount of \$190,000 for SCMUA the remainder of Fiscal Year 2024, as set forth above, pursuant to the terms and conditions of Contract No. 24-04.
2. The Bid Bonds of the remaining unsuccessful bidders shall be returned pursuant to the requirements of Contract No. 24-04.
3. The award is subject to the contractor's compliance with the requirements of P.L. 1975, Ch. 127 and the regulation adopted there under.
4. This Resolution shall take effect per NJ Statutes.

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adopted by the Authority at their Regular
Meeting held on Wednesday, April 17, 2024.



Andrea Cocula, Secretary