

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 U.W. Nitrate Upgrades Project, Vernon Township, PFAS Regulations, Homeowner SW Exemption

(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):

(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, May 1, 2024.


Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE AWARD OF A ONE-YEAR CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND GARDEN STATE LABORATORIES, INC. FOR LABORATORY TESTING SERVICES AT WASTEWATER FACILITIES (CONTRACT #24-10)

WHEREAS, the SCMUA has a need for Laboratory Services for its Wastewater Facilities; and

WHEREAS, Garden State Laboratories, Inc. submitted a proposal for said services dated March 19, 2024; and

WHEREAS, the Garden State Laboratories Inc. proposal is for \$19,745.00 for one (1) year from April 1, 2024 through March 31, 2025 (cost is not inclusive of any resampling events deemed necessary as results dictate); and

WHEREAS, the SCMUA Staff concluded that Garden State Laboratories, Inc. have in its employ, individuals possessing the requisite licensure, knowledge and skills with which to perform the services encompassed by the proposed Agreement; and

WHEREAS, the unit bid prices for all analysis parameters has been reviewed and approved for the following locations: Upper Walkkill, Hampton Commons, Paulinskill, and Homestead Health Center, and it is in the best interest of the SCMUA to award a contract; and

WHEREAS, contract award to Garden State Laboratories, Inc. is herein recommended by staff for a price of \$19,745.00 inclusive of one (1) year from April 1, 2024 through March 31, 2025 (cost is not inclusive of any resampling events deemed necessary as results dictate).

WHEREAS, the SCMUA has determined to enter into an agreement under the Non-Fair and Open Process for Professional Services in accordance with N.J.S.A. 19:44A-20.4 et. seq. commencing April 1, 2024, and continuing through March 31, 2025; and


WHEREAS, the Authority's Qualified Purchasing Agent has reviewed and recommended approval of this contract award; and

WHEREAS, the Authority's Treasurer has certified that sufficient funds are available to finance the project.

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

1. Executive Director and SCMUA Staff are hereby authorized and directed to execute Contract 24-10 with Garden State Laboratories, Inc. of Hillside, NJ, according to the prices stated within their Bid Proposal.
2. The contract is awarded under the Non-Fair and Open Process as a professional service in accordance with N.J.S.A. 19:44A-20.4 et. seq. of the "New Jersey Local Unit Pay to Play" law because the work required is to be done by a licensed laboratory in the State of New Jersey.
3. 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 meeting
held on Wednesday, May 1, 2024.



Andrea Cocula, Secretary

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RESOLUTION RECOMMENDING THE AWARD OF A ONE-YEAR CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND PACE ANALYTICAL INC. FOR LABORATORY TESTING SERVICES AT THE SOLID WASTE FACILITY (CONTRACT #24-20)

WHEREAS, the SCMUA has a need for Laboratory Testing Services for its Solid Waste Facility; and

WHEREAS, SCMUA received proposals from the following laboratories: Pace Analytical Inc., Agra Environmental and Laboratory Services, and Integrated Analytical Laboratories, LLC; and

WHEREAS, the Agra Environmental and Laboratory Services and Integrated Analytical Laboratories, LLC proposals exceeded the budgeted value for the Contract and it is in the best interest of the SCMUA to reject those bids; and

WHEREAS, the Pace Analytical March 15, 2024 proposal is for \$42,939.00 for one (1) year from April 1, 2024 through March 31, 2025 (cost is not inclusive of any resampling events deemed necessary as results dictate); and

WHEREAS, the SCMUA Staff concluded that Pace Analytical have in its employ, individuals possessing the requisite licensure, knowledge and skills with which to perform the services encompassed by the proposed Agreement; and

WHEREAS, the unit bid prices for all analysis parameters has been reviewed and approved for the following locations for the Solid Waste Facility: End Manholes, Groundwater Monitoring Wells, Domestic Potable Water Wells, Lysimeters, Leachate Storage Tank, Stormwater Point DSN-004A, Detention Pond, and Non-Transient Public Water System, and it is in the best interest of the SCMUA to award a contract; and

WHEREAS, contract award is herein recommended by staff for a price of \$42,939.00 inclusive of one (1) year from April 1, 2024 through March 31, 2025 (cost is not inclusive of any resampling events deemed necessary as results dictate).

WHEREAS, the SCMUA has determined to enter into an agreement under the Non-Fair and Open Process for Professional Services in accordance with N.J.S.A. 19:44A-20.4 et. seq. commencing April 1, 2024, and continuing through March 31, 2025; and

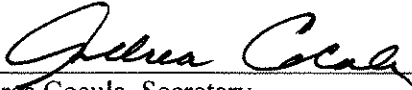
WHEREAS, the Authority's Qualified Purchasing Agent has reviewed and recommended approval of this contract award; and

WHEREAS, the Authority's Treasurer has certified sufficient funds are available for the contract award.

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

1. Executive Director and SCMUA Staff are hereby authorized and directed to execute Contract 24-20 with Pace Analytical of Fairfield, NJ, according to the prices stated within their Bid Proposal.
2. The contract is awarded under the Non-Fair and Open Process as a professional service in accordance with N.J.S.A. 19:44A-20.4 et. seq. of the "New Jersey Local Unit Pay to Play" law because the work required is to be done by a licensed laboratory in the State of New Jersey.
3. This resolution shall take effect in accordance with N.J.S.A. 40: 14B—14 (e).

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Andrea Cocula, Secretary