

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):

Paulinskill Contract PRC-101

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):

(8) 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

(9) 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 5, 2017.


Andrea Cocula, Secretary

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RESOLUTION RE: AUTHORIZING EXECUTION OF A CONSULTING AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY / WALLKILL RIVER WATERSHED MANAGEMENT GROUP AND NEW JERSEY FUTURE FOR SERVICES RELATED TO NEW JERSEY FUTURE'S GREEN INFRASTRUCTURE DEMONSTRATION SHOWCASE FOR WORK AT THE MARIAN E. MCKEOWN SCHOOL

WHEREAS, the Sussex County Municipal Utilities Authority - Wallkill River Watershed Management Group (SCMUA / WRWVG) has an active grant agreement from the New Jersey Department of Environmental Protection (NJDEP) to implement the Upper Paulins Kill Watershed Restoration Plan; and

WHEREAS, since April 2013 the SCMUA / WRWVG has been an active partner with The Nature Conservancy (TNC) and many other organizations in a watershed planning initiative sponsored by The William Penn Foundation for the Delaware River Watershed, and specifically the New Jersey Highlands sub-watershed Cluster; and

WHEREAS, since May 2014, the SCMUA / WRWVG has been in a grant agreement with TNC to assist with specific projects in the Upper Paulins Kill Watershed as part of the grant agreement between TNC and The William Penn Foundation; and

WHEREAS, in October 2016, the SCMUA / WRWVG successfully coordinated and implemented a rain garden project at Hampton Township's Marian E. McKeown School that combined numerous partners and funding resources including NJDEP, William Penn, Rutgers Cooperative Extension (RCE) Water Resources Program, NJ Audubon, Hampton Township, and the McKeown School Board of Education; and

WHEREAS also in 2016, the SCMUA / WRWVG entered into a consulting agreement with New Jersey Future for \$1,500.00 to assist the RCE Water Resources Program with stormwater planning work in the Town of Newton; and

WHEREAS, New Jersey Future is now offering the SCMUA / WRWVG a consulting agreement to provide \$8,500.00 for planning and engineering efforts to initiate additional green infrastructure / stormwater projects on the McKeown School grounds; and

WHEREAS, the McKeown School Board of Education has expressed support of the SCMUA / WRWVG's efforts to plan and design such projects; and

WHEREAS, the SCMUA / WRWVG plans to contract with RCE Water Resources Program to perform the planning and design work and intends to use a portion of the New Jersey Future funds to sub-contract with RCE; and

WHEREAS, this agreement is supportive of the SCMUA / WRWMG's ongoing water quality improvement activities within the Paulins Kill Watershed; and

WHEREAS, the new consulting agreement from New Jersey Future will be for a period commencing as of the execution date on the agreement through November 30, 2018; and

WHEREAS, the Commissioners of the SCMUA desires to further the public good by authorizing this consulting agreement from New Jersey Future; and

WHEREAS, the governing body authorizes that John Hatzelis, SCMUA Administrator and Nathaniel Sajdak, Watershed Director, or the successor to either office, to execute this agreement with New Jersey Future and to execute any amendments thereto which do not increase the SCMUA / WRWMG's obligations; and

WHEREAS, the SCMUA / WRWMG agrees to comply with all applicable federal, State and municipal laws, rules, and regulations in its performance pursuant to the agreement.

THEREFORE, BE IT RESOLVED, that the SCMUA Board of Commissioners authorizes the SCMUA / WRWMG to enter into this consulting agreement with New Jersey Future.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, April 5, 2017.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SCS ENGINEERS FOR REQUIRED CONSTRUCTION QUALITY ASSURANCE ENGINEERING SERVICES

WHEREAS, the Authority has a need for Construction Quality Assurance engineering services incidental to the Stage 1 Landfill Life Extension Project at its Solid Waste Facilities; and

WHEREAS, on November 13, 2015 SCMUA duly noticed and solicited a Request for Qualifications/Request for Proposals (RFQ/RFP) for said 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, Stearns, Conrad, and Schmidt Consulting Engineers Inc., d.b.a. SCS Engineers of 4 Executive Boulevard, Suite 303, Suffern, NY 10901, responded to said RFQ/RFP on December 11, 2015 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 qualified several firms regarding the performance of solid waste consulting engineering services, including SCS Engineers; and

WHEREAS, SCMUA on February 14, 2017 has duly noticed and solicited an additional Request for Proposals (RFP) for Construction Quality Assurance (CQA) Services utilizing continuing solicitation through a "Fair and Open" Process pursuant N.J.S.A. 19:44 – 20.4 et seq.;

WHEREAS, SCS responded to said RFP with a Proposal and Rate Schedule dated February 28, 2017, and possess a staff having the requisite training, expertise, and experience to provide such services; and

WHEREAS, the SCMUA has established a Scope of Services for the contract period (enumerated herein under Article 1.1) with respect to CQA engineering services incidental to the State 1 Landfill Life Extension Project at its Solid Waste Facilities; and

WHEREAS, the Commissioners and the Authority's staff have reviewed the aforementioned documents including SCS 2017 Rate Schedule and have determined that acceptance thereof would be in the best interest of the SCMUA; and

WHEREAS, the Board of Commissioners has determined to herein award the Professional Services Agreement through the "fair and open" process pursuant to N.J.S.A. 19:44A – 20.4 et seq.; and

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the of the SCMUA as follows:

1. That the Chairman and Secretary of the Authority be and are hereby authorized and directed to execute a Professional Services Agreement with SCS Engineers for provision of Construction Quality Assurance Engineering Services, a true copy of which contract is annexed hereto as Attachment A.
2. That said contract be and is hereby awarded utilizing the “Fair and Open” process pursuant to N.J.S.A. 19:44 – 20.4, et seq.
3. 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.
4. That one (1) copy of the Resolution, together with the contract itself, upon execution thereof, shall be transmitted to NJDEP in support of the SCMUA Landfill Life Extension Project and NJEIFP funding requirements thereto.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular Meeting
held on Wednesday, April 5, 2017.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT WITH COUNTY OF SUSSEX SKYLANDS RIDE

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) provides various group tours of the Solid Waste Facilities' solid waste disposal and recycling programs/activities; and

WHEREAS, the various groups who request tours require transportation services around the Solid Waste Facilities for both safety and convenience; and


WHEREAS, the SCMUA and County of Sussex-Skylands Ride have developed a Shared Services Agreement wherein Skylands Ride will provide the required services at a rate of \$60 per hour; and

WHEREAS, the SCMUA Board of Commissioners approve of executing a Shared Services Agreement for provision of this service.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman and Secretary are authorized to execute this Shared Services Agreement.

BE IT FURTHER RESOLVED, that a copy of this Agreement will be distributed to the SCMUA Recycling Coordinator, and County of Sussex – Skylands Ride.

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on held on Wednesday, April 5, 2017.



Andrea Cocula, Secretary