

RESOLUTION RE: AUTHORIZATION TO AWARD SCMUA CONTRACT 17-5,
FERRIC CHLORIDE SOLUTION

WHEREAS, the SCMUA duly advertised for bids for Ferric Chloride Solution Contract 17-5; and

WHEREAS, sealed bids were received on June 15, 2017 and reviewed by the Purchasing Committee thereafter; and

WHEREAS, the SCMUA Purchasing Committee recommends contract award to Kemira Water Solutions of Lawrence, Kansas as the lowest responsible bidder; and

WHEREAS, the SCMUA Treasurer has certified there are sufficient funds available to award this contract.

NOW THEREFORE, BE IT RESOLVED, that Kemira Water Solutions is hereby awarded a two-year contract for the furnishing of Ferric Chloride Solution for Contract Year 2017/2018 at \$1.123 per gallon and Contract Year 2018/2019 at \$1.142 per gallon.

BE IT FURTHER RESOLVED that SCMUA Staff and Legal Counsel are authorized to prepare said contract with Kemira Water Solutions, and that the Chairman and Secretary are hereby authorized to execute same.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, July 19, 2017.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION TO AWARD SCMUA CONTRACT 17-6
POTASSIUM PERMANGANATE POWDER

WHEREAS, the SCMUA duly advertised for bids for Contract 17-6; and

WHEREAS, the SCMUA Purchasing Committee opened and reviewed bids on June 15, 2017; and

WHEREAS, after review by General Counsel, it was determined that the lowest responsive bid price was submitted by Coyne Chemical of Croyden PA; and


WHEREAS, the Purchasing Committee recommends contract award to the lowest responsible and responsive bidder, which is determined to be the bid submitted by Coyne Chemical of Croyden PA; and

WHEREAS, the SCMUA Treasurer has certified there are sufficient funds available to award this contract.

NOW THEREFORE, BE IT RESOLVED, that Coyne Chemical of Croyden, PA is hereby awarded a two-year contract for the furnishing of Potassium Permanganate Powder for Contract Year 2017/2018 at \$1.6323 per pound and Contract Year 2018/2019 at \$1.6323 per pound.

BE IT FURTHER RESOLVED, that SCMUA Staff and Legal Counsel are authorized to prepare said contract with Coyne Chemical of Croyden PA and that the Chairman and Secretary are hereby authorized to execute same.

Certified as a true copy of the Resolution
adopted by the Commissioners at their Regular
Meeting held on Wednesday, July 19, 2017.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION TO AWARD SCMUA CONTRACT 17-7
HYDROGEN PEROXIDE 50% SOLUTION

WHEREAS, the SCMUA duly advertised for bids for Contract 17-7; and

WHEREAS, the Purchasing Committee opened and reviewed bids on June 15, 2017 and thereafter; and

WHEREAS, the Purchasing Committee recommends contract award to Coyne Chemical of Croyden, PA was the lowest responsive and responsible bidder; and

WHEREAS, the SCMUA Treasurer has certified there are sufficient funds available to award this contract.

NOW THEREFORE, BE IT RESOLVED, that Coyne Chemical is hereby awarded a contract for the furnishing of Hydrogen Peroxide 50% Solution for Contract Year 2017/2018 at \$2.2846 per gallon and Contract Year 2018/2019 at \$2.2846 per gallon.

BE IT FURTHER RESOLVED, that SCMUA Staff and Legal Counsel are authorized to prepare said contract with Coyne Chemical of Croyden PA, and that the Chairman and Secretary are hereby authorized to execute same.

Certified as a true copy of the Resolution
adopted by the Commissioners at their Regular
Meeting held on Wednesday, July 19, 2017.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH ROY SOVA, OPERATOR OF ROY SOVA BEEF FARM IN WANTAGE TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABORATION WITH A USDA-NRCS FARM BILL FUNDING PROGRAM (EQIP)

WHEREAS, the Sussex County Municipal Utilities Authority – Wallkill River Watershed Management Group (SCMUA-WRWMG) has an existing Memorandum of Understanding (MOU) - Shared Services Agreement with the USDA – Natural Resources Conservation Service (USDA- NRCS) dated July 17, 2013; and

WHEREAS, under the MOU the SCMUA-WRWMG would partner with the USDA - NRCS in funding eligible agricultural operators to implement best management practices which would improve water quality and natural resources, and which have been approved by the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, the NRCS has agreed to provide funding to Roy Sova, operator of Roy Sova Beef Farm, of Tax Parcel 1924-136-11.01 of Wantage, New Jersey, owned by Andrew and Elizabeth Sova et al., to implement certain Best Management Practices which meet the USDA-NRCS standards and specifications under USDA Contract Number EQIP 2014 742B291502D; and

WHEREAS, the SCMUA WRWMG has received an application from Roy Sova to receive 319(h) Non-point Source Grant funding for a portion of the project to be implemented under the USDA-NRCS Farm Bill Funding Program (EQIP); and


WHEREAS, said 319(h) grant application appears to meet all eligibility criteria and has been previously approved by the NJDEP for project funding.

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to execute the Cost Sharing Agreement with Roy Sova; and

BE IT FURTHER RESOLVED, that said Cost Sharing Agreement shall not exceed \$14,384.04 Fourteen Thousand - Three Hundred - Eighty-Four Dollars and Four cents; and

BE IT FURTHER RESOLVED, that dispersing of the grant funds shall be contingent upon certification by the USDA-NRCS at the completion of the project.

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, July 19, 2017.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH JAN T. JORRITSMA, OPERATOR OF IDEAL FARM AND GARDEN IN LAFAYETTE TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABORATION WITH A USDA-NRCS FARM BILL FUNDING PROGRAM (EQIP)

WHEREAS, the Sussex County Municipal Utilities Authority – Walkkill River Watershed Management Group (SCMUA-WRWMG) has an existing Memorandum of Understanding (MOU) - Shared Services Agreement with the USDA – Natural Resources Conservation Service (USDA- NRCS) dated July 17, 2013; and

WHEREAS, under the MOU the SCMUA-WRWMG would partner with the USDA - NRCS in funding eligible agricultural operators to implement best management practices which would improve water quality and natural resources, and which have been approved by the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, the NRCS has agreed to provide funding to Jan T. Jorritsma, operator of Ideal Farm and Garden, of Tax Parcels 1913-17-1.01, 1.02, 1.03 and 1913-5-1.03, 5 of Lafayette, New Jersey, to implement certain Best Management Practices which meet the USDA-NRCS standards and specifications under USDA Contract Number EQIP 2014 742B29160H6; and

WHEREAS, the SCMUA-WRWMG has received an application from Jan T. Jorritsma to receive 319(h) Non-point Source Grant funding for a portion of the project to be implemented under the USDA-NRCS Farm Bill Funding Program (EQIP); and

WHEREAS, said 319(h) grant application appears to meet all eligibility criteria and has been previously approved by the NJDEP for project funding.

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to execute the Cost Sharing Agreement with Jan T. Jorritsma; and

BE IT FURTHER RESOLVED, that said Cost Sharing Agreement shall not exceed \$1082.60 One Thousand - Eighty-Two Dollars and sixty cents; and

BE IT FURTHER RESOLVED, that dispersing of the grant funds shall be contingent upon certification by the USDA-NRCS at the completion of the project.

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, July 19, 2017.


Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE AWARD TO THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER FOR CONTRACT NO. 17-03 FOR THE FURNISH AND DELIVERY OF ONE NEW HEAVY DUTY LUBE/FUEL TRUCK AND ONE NEW HEAVY DUTY WATER TANK TRUCK FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S SOLID WASTE FACILITY

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "Authority") has advertised for bids for Contract No. 17-03 on June 30, 2017 in the New Jersey Herald for the furnishing and delivery of one (1) New Heavy Duty Lube/Fuel Truck and one (1) New Heavy Duty Water Tank Truck for the Authority's Solid Waste Facility in Lafayette, New Jersey; and

WHEREAS, sealed bids therefore were received and opened by the Authority on July 13, 2017 at 11:00 a.m. after notice and solicitation in accordance with the provisions of the Local Public Contracts Law (N.J.S.A.40A:11-1, et.seq.); and

WHEREAS, Cambria Automotive of Elizabeth, N.J. was the lone bidder with a bid for One New Heavy Duty Lube/Fuel Truck at \$212,226.00 (Item 1), less a Trade-In Allowance of \$2,000, for a Total Bid Price of \$210,226.00; and

WHEREAS, Cambria Automotive of Elizabeth, N.J. was the lone bidder with a bid for One New Heavy Duty Water Tank Truck at \$142,072.00 (Item 2), less a Trade-In Allowance of \$2,000, for a Total Bid Price of \$140,072.00; and

WHEREAS, the bid proposed by Cambria Automotive and all bid documents being in order, with the only exception is backlog of 210 days for delivery of Lube Truck (versus 180 days specified); and

WHEREAS, the Authority's staff and Attorney have reviewed the Bid Proposal and recommends award thereof to Cambria Automotive as based upon the accepted Bid Price for One New Heavy Duty Lube/Fuel Truck at \$212,226.00 (Item 1), less a Trade-In Allowance of \$2,000, for a Total Bid Price of \$210,226.00 and for One New Heavy Duty Water Tank Truck at \$142,072.00 (Item 2), less a Trade-In Allowance of \$2,000, for a Total Bid Price of \$140,072.00; and

WHEREAS, the Treasurer has certified that there are sufficient funds in the Solid Waste Renewal & Replacement Fund for equipment procurement and contract award.

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

1. Contract No. 17-03 for the furnishing and delivery of One New Heavy Duty Lube/Fuel Truck at a Total Bid Price of \$210,226.00 and One Heavy Duty Water Tank Truck for a Total Bid Price of \$140,072.00; and
2. The proper officers of this Authority, and its employees are hereby authorized to proceed with the preparation and execution of a formal contract and Purchase Order with Cambria Automotive as set forth above, pursuant to the terms and conditions of this resolution and pursuant to terms and conditions of the Bid previously submitted by Cambria Automotive and the specifications in connection therewith.
3. This resolution shall take effect in accordance with applicable NJ laws and statutes.

Certified as a true copy of the
Resolution adopted by the Authority
at their Regular Meeting held on
Wednesday, July 19, 2017.


Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION FOR CHAIRMAN TO EXECUTE CHANGE ORDER NUMBER 1 TO SCMUA CONTRACT NO. 444 – A.SERVIDONE/B.ANTHONY/BARBELLA JOINT VENTURE

WHEREAS, the Sussex County Municipal Utilities (SCMUA) and A. Servidone/B.Anthony/Barbella Joint Venture, (Servidone JV) entered into Contract #444 in the amount of \$6,634,000 for the construction of the SCMUA Stage 1 Landfill Life Extension Project (Stage 1 Project); and

WHEREAS, The Stage 1 Project is approved and funded by the New Jersey Environmental Infrastructure Financing Program (NJEIFP); and

WHEREAS, over the course of the current project, various changes to the project were either requested or required, resulting in several executed Work Change Directives (WCD's); and

WHEREAS, the following WCD's with corresponding costs have been aggregated into Change Order Number 1:

- WCD#3 – Stormwater Structure Reinforcement @ \$72,729.57
- WCD#4 – Temporary Leachate Forcemain @ \$9,997.90
- WCD#5 – Manhole 9A Extension @ \$1,965.33
- WCD#6 – CMP Replacement @ \$39,264.85

WHEREAS, Change Order Number 1 has been prepared by Cornerstone Environmental Group in consultation with SCMUA, after negotiations with Servidone JV, to provide for an appropriate Contract increase in the total amount of \$123,957.65; and

WHEREAS, in acknowledgement of differing site conditions, additional work and the Contractor's efforts thereto, the Contract Interim Completion Date of August 15, 2017 is hereby changed to September 1, 2017 (with no change to overall contract Substantial and Final Completion Dates); and

WHEREAS, the SCMUA Staff, Cornerstone, and SCMUA's Construction Review Committee have reviewed said Change Order and found it to be necessary, beneficial and reasonable; and

WHEREAS, the referenced Contract Change Order is NJEIFP eligible, and can be funded from the Stage 1 Project Contingency Line Item.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the SCMUA that the Chairman is hereby authorized and directed to execute Change Order Number 1 to Contract No. 444, which reflects the work outlined above and contained in Change Order Number 1, for an increase in Contract Price of One Hundred Twenty Three Thousand, Nine Hundred and Fifty-seven Dollars, and Sixty-five Cents (\$123,957.65) thereby changing the contract price from \$6,634,000.00 to \$6,757,957.65; along with a change to the Contract Interim Completion Date from August 15, 2017 to September 1, 2017.

AND BE IT FURTHER RESOLVED that executed copies of Change Order Number 1 to Contract No. 444 shall be distributed by Cornerstone, to all appropriate parties, including NJDEP.

AND BE IT FURTHER RESOLVED 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, July 19, 2017.


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):

Mt. Creek Bankruptcy

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, July 19, 2017.



Andrea Cocula, Secretary

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