

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):

Vernon Township/VTMUA Litigation, Stage 2 Landfill Expansion Project (#551),
Leachate Pump Station/Force Main Project (#446)

(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 Matters

(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, August 18, 2021.


Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE AWARD OF CONTRACT AGREEMENT #458 BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND MUNICIPAL MAINTENANCE CO, FOR THE UPPER WALLKILL SEPTAGE RECEIVING AND STORMWATER IMPROVEMENTS

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) contacted Rapid Pump and Metering Co., Inc. and Municipal Maintenance Co. to provide cost proposals through the North Jersey Wastewater Cooperative for the Upper Wallkill Septage Receiving and Stormwater Improvements Project; and

WHEREAS, proposed improvements include the following: temporary power, piping/valving/appurtenance replacements, control upgrades, pump upgrades, lighting upgrades, building upgrades, and electrical upgrades; and

WHEREAS, SCMUA received a cost proposal from Rapid Pump and Metering Co. Inc. of Paterson, New Jersey in the amount of \$251,975.00 and from Municipal Maintenance Co. of Cinnaminson, NJ in the amount of \$250,448.00; and

WHEREAS, all labor and equipment included in the proposal are included in North Jersey Wastewater Cooperative; and

WHEREAS, pursuant to review by SCMUA Staff, it was determined that Municipal Maintenance Co. of Cinnaminson, NJ proposal met all SCMUA requirements, and its proposal was cost efficient and fiscally responsible; and

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

WHEREAS, the proposed project was budgeted to be funded by the Upper Wallkill R&R fund; and

WHEREAS, the Treasurer has certified that sufficient funds are available to finance the project; and

NOW, THEREFORE, BE IT RESOLVED by the Sussex County Municipal Utilities Authority's Board of Commissioners that the proposal for Contract No. #458 is hereby awarded to Municipal Maintenance Co. of Cinnaminson, NJ according to the prices stated within their proposal dated August 4, 2021 at an estimated cost of not to exceed \$250,448.00.

BE IT FURTHER RESOLVED, that Executive Director and SCMUA Staff are authorized to prepare and execute the applicable contract with Municipal Maintenance Co.

BE IT FURTHER RESOLVED, that 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, August 18, 2021.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EMERGENCY AWARD OF A CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND HIGH POINT ELECTRIC INC. FOR REPLACEMENT OF FIVE (5) UTILITY POLES AND REPLACEMENT OF THREE (3) LIGHTNING ARRESTERS AT THE UPPER WALLKILL WATER RECLAMATION FACILITY

WHEREAS, the Authority has been advised by its Chief Engineer via written Certification that as of July 30, 2021, an emergency situation has developed due to lightning strike and the condition of existing utility poles and possibility of failure; and

WHEREAS, it was necessary to retain an emergency contractor to purchase and install five (5) new utility poles and three (3) new lightning arresters; and

WHEREAS, the Authority is desirous of authorizing the Emergency Procurement by the Executive Director; and

WHEREAS, the Authority contacted High Point Electric, Kieffer Electric, Miller & Miller Pole Line and Electrical Contractor, and Boz Electrical Contractors; and

WHEREAS, it was determined after review by Authority Staff that based on performance, reliability, and price, that proceeding with High Point Electric would best resolve the Authority's emergency condition;

WHEREAS, a resolution shall be prepared to transfer available budget from UW3601 – Franklin PS Upgrade to finance this project; and

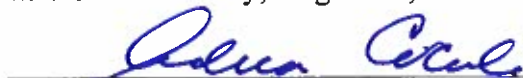
WHEREAS, the SCMUA's Treasurer has certified sufficient funds are available for the contract award.

NOW THEREFORE, BE IT RESOLVED, that the Authority finds that, in accordance with the attached certification of its Chief Engineer, that an emergency situation exists and that it is necessary to proceed with the procurement and retention of a contractor to complete the purchase and installation of electrical utility poles and arresters on an emergency basis.

BE IT FURTHER RESOLVED, the contract for emergency procurement is hereby confirmed and awarded to High Point Electric Inc. of Wantage, New Jersey for the procurement and installation of five (5) utility poles and three (3) lightning arresters for a proposed cost of \$29,970.00, contingent upon the referenced Resolution amending the Upper Wallkill FY2021 Capital Budget.

BE IT FURTHER RESOLVED, that 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, August 18, 2021.



Andrea Cocula, Secretary

RESOLUTION NUMBER 164**RESOLUTION OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (THE "AUTHORITY"), IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, ACKNOWLEDGING THE REVIEW AND POSITIVE FINDINGS CONTAINED IN THE LOCAL FINANCE BOARD RESOLUTION DATED FEBRUARY 10, 2021 IN CONNECTION WITH THE AUTHORITY'S ISSUANCE OF NOT EXCEEDING \$39,000,000 SOLID WASTE REVENUE BONDS (LANDFILL EXPANSION PROJECT)**

WHEREAS, The Sussex County Municipal Utilities Authority (the "Authority"), in the County of Sussex, a public body politic and corporate of the State of New Jersey, authorized (a) the issuance of not exceeding \$39,000,000 Solid Waste Revenue Bonds (Landfill Expansion Project) (the "Bonds") for the purpose of (i) financing the construction and undertaking of the Landfill Expansion Project and (iii) paying the costs of issuance and other expenses incurred by the Authority in connection with the authorization, offering, sale, issuance and delivery of the Bonds (items (i) and (ii) above shall be collectively referred to as the "Financing"); and

WHEREAS, prior to such authorization, the Authority was required, pursuant to N.J.S.A. 40A:5A-6 and 7, to submit said Financing proposal to the Local Finance Board (as hereinafter defined); and

WHEREAS, the Authority authorized said submission to the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs (the "Local Finance Board"), by a resolution duly approved December 16, 2020; and

WHEREAS, the Local Finance Board held the required hearing on such application on February 10, 2021, pursuant to N.J.S.A. 40A:5A-7; and

WHEREAS, as a result thereof the Local Finance Board adopted resolution setting forth its findings and conclusions with respect to the Authority's proposed Financing; and

WHEREAS, as a result thereof the Local Finance Board adopted a resolution setting forth its findings and conclusions with respect to the Authority's proposed Financing, which resolution is attached hereto as Exhibit A, and incorporated by this reference herein; and

WHEREAS, N.J.S.A. 40A:5A-7 requires the Authority to adopt a resolution certifying that each member of the Authority has reviewed the findings of the Local Finance Board and that each member evidenced same by the execution of an affidavit by all Authority members.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY, as follows:

1. We have each reviewed the resolution of the Local Finance Board, dated February 10, 2021 attached hereto as Exhibit A (the "LFB Resolution") setting forth the positive findings of the Local Finance Board and approving the proposed issuance of not exceeding \$39,000,000 Solid Waste Revenue Bonds (Landfill Expansion Project).

2. We each hereby acknowledge the approvals and positive findings of the Local Finance Board contained in the aforesaid LFB Resolution.

3. Each of the Members of the Authority are hereby authorized and directed to execute the attached Certification acknowledging their review of the approvals and findings of the Local Finance Board contained in the LFB Resolution and Archer & Greiner P.C., bond counsel, on behalf of the Authority, is hereby authorized and directed to file this resolution with the attached affidavit with the Local Finance Board in satisfaction of the requirements of N.J.S.A. 40A:5A-7.

4. A copy of the attached LFB Resolution is incorporated herein by reference.

5. The governing body of The Sussex County Municipal Utilities Authority hereby states that it has complied with the requirements of N.J.S.A. 40A:5A-7 and does hereby submit a certified copy of this resolution and the required affidavit to the Local Finance Board to evidence such compliance.

6. This resolution shall take effect immediately.

**AFFIDAVIT ACKNOWLEDGING THE FINDINGS OF
THE LOCAL FINANCE BOARD RESOLUTION
DATED FEBRUARY 10, 2021**

We, Karl Meyer, John Drake, Andrea Cocula, Wayne Dietz, Thomas Madsen, Ronald Petillo, John Wesley, John Finkeldie and Robert Dabinett, the undersigned members of The Sussex County Municipal Utilities Authority (the "Authority"), being duly sworn according to law upon our oaths, depose and say that:

1. We are the duly appointed and acting officials of the Authority.
2. We have each reviewed the findings of the Local Finance Board contained in the LFB Resolution, a copy of which is attached hereto and incorporated by reference herein.
3. We each hereby acknowledge the findings of the Local Finance Board contained in the LFB Resolution and agree to undertake the contemplated transaction in accordance therewith.


Karl Meyer, Chairman


John Drake, Vice-Chairman


Andrea Cocula, Secretary


Wayne Dietz, Commissioner


Thomas Madsen, Commissioner

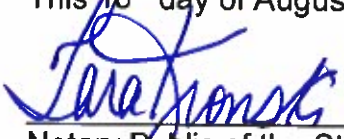

Ronald Petillo, Commissioner

- Absent -
John Wesley, Commissioner


John Finkeldie, Commissioner


Robert Dabinett, Commissioner

Sworn to and subscribed before me
This 18th day of August, 2021.


Notary Public of the State of New Jersey

TARA KRONSKI
Notary Public of New Jersey
Commission Expires 8/5/24



Exhibit A

**CERTIFICATE AS TO RESOLUTION ACKNOWLEDGING
LOCAL FINANCE BOARD FINDINGS**

I, ANDREA COCULA, Secretary of The Sussex County Municipal Utilities Authority (the "Authority"), in the County of Sussex, a public body corporate and politic of the State of New Jersey, DO HEREBY CERTIFY as follows:

Attached hereto is a copy of a resolution entitled, "RESOLUTION OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (THE "AUTHORITY"), IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, ACKNOWLEDGING THE REVIEW AND POSITIVE FINDINGS CONTAINED IN THE LOCAL FINANCE BOARD RESOLUTION DATED FEBRUARY 10, 2021 IN CONNECTION WITH THE AUTHORITY'S ISSUANCE OF NOT EXCEEDING \$39,000,000 SOLID WASTE REVENUE BONDS (LANDFILL EXPANSION PROJECT)" (the "Resolution"), which Resolution was duly adopted at a meeting of the Authority duly called, advertised and held on August 18, 2021 in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout, which copy of said Resolution has been compared by me with the original thereof as officially recorded in the Minute Book of the Authority and that said copy is a true, complete and correct copy of said Resolution, and that said Resolution has been duly adopted and has not been modified, amended or repealed and is in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Authority hereto this 18th day of August, 2021.

**THE SUSSEX COUNTY MUNICIPAL
UTILITIES AUTHORITY**

[SEAL]



**ANDREA COCULA,
Secretary of The Sussex County Municipal
Utilities Authority**

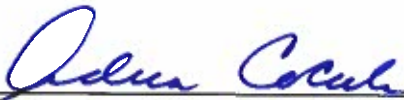
AFFIDAVIT CERTIFICATE

I, ANDREA COCULA, Secretary of The Sussex County Municipal Utilities Authority (the "Authority"), in the County of Sussex, a public body corporate and politic of the State of New Jersey, DO HEREBY CERTIFY as follows:

Attached hereto is a copy of an affidavit entitled, "AFFIDAVIT ACKNOWLEDGING THE FINDINGS OF THE LOCAL FINANCE BOARD RESOLUTION DATED FEBRUARY 10, 2021" (the "Affidavit"), which Affidavit was executed in connection with a resolution entitled "RESOLUTION OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (THE "AUTHORITY"), IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, ACKNOWLEDGING THE REVIEW AND POSITIVE FINDINGS CONTAINED IN THE LOCAL FINANCE BOARD RESOLUTION DATED FEBRUARY 10, 2021 IN CONNECTION WITH THE AUTHORITY'S ISSUANCE OF NOT EXCEEDING \$39,000,000 SOLID WASTE REVENUE BONDS (LANDFILL EXPANSION PROJECT)" (the "Resolution"), which Resolution was adopted at a regular meeting of the governing body of the Authority duly called, advertised and held on August 18, 2021, in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout, and that said copies of the Affidavit and Resolution have been compared by me with the originals thereof as officially recorded in the records of the Authority and that they are correct, true and complete copies thereof and of the whole of the Affidavit and Resolution, and that said Affidavit and Resolution have not been altered, amended or repealed but remain in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Authority this 18th day of August, 2021.

**THE SUSSEX COUNTY MUNICIPAL
UTILITIES AUTHORITY**



ANDREA COCULA,
**Secretary of The Sussex County Municipal
Utilities Authority**

[SEAL]





State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

LOCAL FINANCE BOARD
RESOLUTION

WHEREAS, a proposed project financing has been submitted to the Local Finance Board for review pursuant to N.J.S.A. 40A:5A-6 by the Sussex County Municipal Utilities Authority; and

WHEREAS, the Local Finance Board has held a hearing pursuant to N.J.S.A. 40A:5A-7 on February 10, 2021, to review a proposed project financing in an amount not to exceed \$39,000,000 for the issuance of its Solid Waste Revenue Bonds (Landfill Expansion Project); and

WHEREAS, the Local Finance Board has given consideration to those matters, to the extent applicable, as provided for by Law, and has examined estimates, computations or calculations made in connection with such submissions and has required the production of such papers, documents, witnesses or information and taken such action which it has deemed necessary for its review of such submission;

NOW, THEREFORE, BE IT RESOLVED that the Local Finance Board does hereby make the following findings:

- a) that the project cost has been determined by reasonable and accepted methods;
- b) that the method proposed for the funding of the project cost, proposed or maximum terms and provision of the financing and of a proposed service contract are not unreasonable nor impracticable, and would not impose an undue and unnecessary financial burden on the local inhabitants within the Authority's jurisdiction or would not materially impair the ability to pay promptly the principal of and the interest on the outstanding indebtedness thereof or to provide essential public services to the inhabitants thereof;
- c) that the proposed or maximum terms and conditions of the sale are, in light of current market conditions for obligations of similar quality, reasonable;

BE IT FURTHER RESOLVED that the Local Finance Board does not deem it necessary to make any of the recommendations with regard to this project financing which the Board is authorized to make pursuant to N.J.S.A. 40A:5A-8; and



Local Finance Board
Sussex County Municipal Utilities Authority
February 10, 2021

BE IT FURTHER RESOLVED that the Sussex County Municipal Utilities Authority shall, within 30 days of the closing date of the financing that is the subject of this resolution, file with the Executive Secretary of the Local Finance Board a statement setting forth a complete accounting of the actual issuance costs incurred by the Sussex County Municipal Utilities Authority in undertaking the financing which statement shall include the following: the name of the Sussex County Municipal Utilities Authority; the closing date of the financing; the total amount of the financing; the name of the professionals or others who provided services to the Sussex County Municipal Utilities Authority in undertaking the financing; the estimated dollar amount for each type of issuance cost as set forth in the application submitted by the Sussex County Municipal Utilities Authority to the Local Finance Board with regard to the financing; and the actual dollar amount for each type of issuance cost incurred by the Sussex County Municipal Utilities Authority in undertaking the financing; and

BE IT FURTHER RESOLVED that the details of the issuance of any permanent bonds associated with this application as included in the term sheet (closing statement) shall be promptly provided to the Executive Secretary by forwarding a copy of said term sheet (closing statement); and

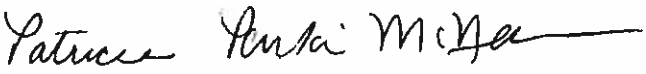
BE IT FURTHER RESOLVED that the Executive Secretary of the Local Finance Board is hereby authorized and directed to certify or endorse such documents or instruments as may be necessary, convenient or desirable in order to carry out the purpose and provisions of the Law and this Resolution; and

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:5A-7, the governing body of the Authority shall provide to the Executive Secretary within 45 days of receipt of this resolution, the required Authority resolution and affidavit; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

APPROVED BY:
THE LOCAL FINANCE BOARD

DATE: February 10, 2021


PATRICIA PARKIN MCNAMARA
EXECUTIVE SECRETARY
LOCAL FINANCE BOARD

RESOLUTION RE: AUTHORIZATION TO EXECUTE CONTRACT AND
RELATED DOCUMENTS WITH SUBURBAN PROPANE

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) has a need for the installation and rental of one (1) 100 gallons propane tank from Suburban Propane as part of the Leachate Pump Station and Force Main Project; and

WHEREAS, Suburban Propane will perform the following scope of work: installation and startup of 100-gallon propane tank, delivery of 100 gallons of propane, and monthly rental fee; and

WHEREAS, the proposed work is being charged to SCMUA by Suburban Propane per the March 17, 2021 Proposal at a cost of \$486.75; and

WHEREAS, the monthly rental fee is \$5.00/month; and

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

1. The SCMUA Executive Director is authorized to execute the March 17, 2021 Agreement with Suburban Propane for the proposed work at a cost of \$486.75.
2. The SCMUA Executive Director is authorized to execute any other endorsement or approvals necessary, in regard to Suburban Propane work associated with Contract 446 – Leachate Pump Station and Force Main.
3. SCMUA Staff is authorized to execute the monthly rental agreement and process the required monthly payment of \$5.00/month.
4. SCMUA Staff is authorized to process the required payment of \$486.75
5. This Resolution shall be effective in accordance with NJSA 40:14B-14(e).
6. A copy of the Resolution shall be provided to Suburban Propane.

Certified as a true copy of the
Resolution adopted by the Commissioners
at their Regular Authority meeting held on
Wednesday, August 18, 2021.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE CHANGE ORDERS TO SCMUA CONTRACT NO. 446, TOMCO CONSTRUCTION INC.

WHEREAS, the Sussex County Municipal Utilities (SCMUA) and Tomco Construction Inc. (Tomco) entered into Contract 446 in the amount of \$5,498,098.00 for the construction of the Leachate Pump Station and Force Main; and

WHEREAS, Change Order Nos. 1, 5, 6, 8, 11, and 18 have been approved which increased the original awarded amount to \$5,929,539.83; and

WHEREAS, Change Order Number 9 has been prepared by Tomco for HDD1 modifications due to differing site conditions in the amount of \$130,041.38; and

WHEREAS, Change Order Number 13 has been prepared by Tomco for rock excavation by air hammering due to differing site conditions (rock) along Route 94 for a not to exceed amount of \$370,617.30; and

WHEREAS, Change Order Number 15 has been prepared by Tomco for installation of 12-inch manhole riser section for MH A/R #1 at SCMUA's request due to health and safety concerns in the amount of \$2,492.64; and

WHEREAS, Change Order Number 17 has been prepared by Tomco for additional cost for police traffic control along Route 94 due to differing side conditions (rock) in the amount of \$50,158.93; and

WHEREAS, Change Order Number 19 has been prepared by Tomco for Underground Electric Conduit Crossing Unknown Concrete Encasement in the amount of \$1,715.85; and

WHEREAS, Change Order Number 20 has been prepared by Tomco for Storm Drain Conflict at STA 77+17 due to differing site conditions in the amount of \$2,908.47; and

WHEREAS, Said proposed Contract increases includes increased labor time, material cost and subcontractor costs only; and

WHEREAS, SCMUA Staff, Mott Macdonald, and SCMUA's Construction Review Committee have reviewed said Change Orders and found them to be necessary and the price to be reasonable; and

WHEREAS, the above Contract Change Order final approvals are contingent on New Jersey Infrastructure Bank (NJIB) review and approval and can be funded from the Project Contingency Line Item; and


WHEREAS, the SCMUA Treasurer herein certifies availability of sufficient funds, including County of Sussex Authorizations for the proposed change orders.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the SCMUA that the Executive Director is hereby authorized and directed to contingently approve aforementioned Change Orders to Contract No. 446, subject to NJIB review/approval, which reflects the work outlined above for a total increase in Contract Price of \$557,934.57 thereby changing the contract price to \$6,487,474.30.

AND BE IT FURTHER RESOLVED that this SCMUA resolution and copies of Change Orders for Contract No. 446 shall be provide to the NJIB for final authorization.

AND BE IT FURTHER RESOLVED that this SCMUA resolution shall be effective in accordance with applicable law.

Certified as a true copy of the
Resolution adopted by the Authority
At their Regular Authority Meeting
Held on Wednesday, August 18, 2021.


Secretary

RESOLUTION RE: AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE CHANGE ORDERS TO SCMUA CONTRACT NO. 551, TOMCO CONSTRUCTION INC.

WHEREAS, the Sussex County Municipal Utilities (SCMUA) and Tomco Construction Inc. (Tomco) entered into Contract 551 in the amount of \$25,477,636.59 for the construction of the Stage 2 Landfill Expansion; and

WHEREAS, Change Order Nos. 1, 2, 3, 5, 7, 9, 10, 12, 13, 14, 15, 19, 21, and 22 have been approved which increased the original awarded amount to \$26,544,223.17; and

WHEREAS, Change Order Number 4 has been prepared by Tomco for Existing Roadway Millings Phase 6B Construction for an amount of \$15,894.58; and

WHEREAS Change Order 11 has been prepared by Tomco for Compost Area Modifications to achieve required slopes for an amount of \$6,100.94; and

WHEREAS, Change Order Number 17 has been prepared by Tomco for Temporary Road Plate Installation for an amount of \$46,394.73; and

WHEREAS, Said proposed Contract increases includes increased labor time, material cost and subcontractor costs only; and

WHEREAS, SCMUA Staff, ARM Group, and SCMUA's Construction Review Committee have reviewed said Change Orders and found them to be necessary and the price to be reasonable; and

WHEREAS, the SCMUA Treasurer has certified sufficient funds are available for change order approvals; and

WHEREAS, the Contract Change Order final approval is contingent on New Jersey Infrastructure Bank (NJIB) review and approval.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the SCMUA that the Executive Director is hereby authorized and directed to approve the above referenced change orders to Contract No. 551 contingent upon NJIB approval, which reflects the work outlined above and contained within said Change Orders, for a total increase in Contract Price of \$68,390.25 thereby changing the contract price from \$26,544,223.17 to \$26,612,613.42.

AND BE IT FURTHER RESOLVED that SCMUA resolution and copies of aforementioned Change Orders for Contract No. 551 shall be provide to the NJIB for final authorization.

AND BE IT FURTHER RESOLVED that this resolution shall be effective in accordance with applicable law.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular Meeting
Held on Wednesday, August 18, 2021.



Andrea Cocula, Secretary

Declaration of Appreciation
~Peter F. Cerenzio~

WHEREAS, the Sussex County Municipal Utilities Authority was established in August 1971 and this month celebrates its 50th Anniversary; and

WHEREAS, Peter F. Cerenzio was hired and served as SCMUA's first Executive Director and Founding Father; and

WHEREAS, Peter F. Cerenzio guided SCMUA through its initial years with regard to wastewater management planning, eventually culminating in the design, construction and operation of the Upper Wallkill Regional Water Pollution Control Facilities; and

WHEREAS, under Peter F. Cerenzio's leadership, guidance and professionalism, the SCMUA proceeded to establish additional wastewater conveyance, treatment and discharge facilities for the Hampton Commons, and Paulinskill Sewer Service Areas; and

WHEREAS, Peter F. Cerenzio and SCMUA assumed the responsibilities of Countywide Solid Waste Management, eventually culminating in the design, construction and operation of the SCMUA Solid Waste Facilities, including Sanitary Landfill and Recycling Facilities; and

WHEREAS, Peter F. Cerenzio did establish his own Consulting Engineering Firm and continued to provide valuable professional services and guidance to the SCMUA in this new capacity; and

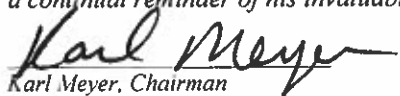
WHEREAS, over the course of his professional career, Peter F. Cerenzio (Pete) provided four decades of faithful service to the SCMUA; and

WHEREAS, on this 50th Anniversary, the Commissioners, Professionals and Staff wish to express their sincere appreciation and gratitude to Peter F. Cerenzio for his many years of leadership, service, dedication, and unwavering faithfulness.

NOW, THEREFORE BE IT RESOLVED that the SCMUA Board of Commissioners hereby express their deepest gratitude and appreciation to Peter F. Cerenzio for his decades of service to the SCMUA and to the citizens of Sussex County.

BE IT FURTHER RESOLVED that the SCMUA Board of Commissioners, Professionals and Staff hereby extend to Pete and his family our many thanks and best regards.

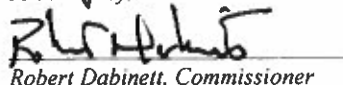
BE IT FURTHER RESOLVED that this Resolution shall be presented to Pete and his family as a continual reminder of his invaluable service to the SCMUA.


Karl Meyer, Chairman


Andrea Cocula, Secretary


Ronald Petillo, Commissioner


John Wesley, Commissioner


Robert Dabinett, Commissioner




John Drake, Vice Chairman


Wayne Dietz, Commissioner


Thomas Madsen, Commissioner


John Finkeldie, Commissioner

Date: August 18, 2021

RESOLUTION RE: AMENDING THE SCMUA'S FY2021 UPPER WALLKILL FACILITIES BUDGET

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) introduced and subsequently adopted its FY2021 Budget on November 25, 2020; and

WHEREAS, due to project status and revised program priorities, the SCMUA has determined it is necessary and proper to amend the Upper Wallkill Facilities Operating Budget to reallocate certain Capital Outlay expenditures (no increase in overall budget amount); and

WHEREAS, N.J.A.C. 5:31 - 2.8 provides that all budget amendments shall be approved by resolution.

THEREFORE, BE IT RESOLVED, that the adopted FY2021 SCMUA Upper Wallkill Facilities Budget ending November 30, 2021 be amended as follows:

<u>Expenses</u>	<u>From</u>	<u>To</u>
Capital Outlay		
UW3601 - Franklin P.S. Upgrades	\$64,000	\$32,000
UW3602 - Maintenance Bldg. Impr.	\$20,000	\$20,000
UW3603 - Repl. Elect. Poles/Equip	\$-0-	\$32,000
Total	\$84,000	\$84,000

BE IT FURTHER RESOLVED, that two copies of this resolution shall be filed with the Director of the Division of Local Governmental Services.

Andrea Cocula

Date: August 18, 2021

Approved _____, 2021

Director, Division of Local Governmental Services

(recorded vote - attached)

Date: August 18, 2021

Member	Aye	Recorded Vote		
		Nay	Abstain	Absent
K. Meyer	x			
T. Madsen	x			
J. Drake	x			
A. Cocula	x			
W. Dietz	x			
J. Wesley				x
R. Petillo	x			
J. Finkeldie	x			
R. Dabinett	x			

Tk/budgets/2021/budget/budget amendment FY2021 upper walkkill

RESOLUTION RE: AMENDING THE SCMUA'S FY2021 SOLID WASTE FACILITIES
BUDGET

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) introduced and subsequently adopted its FY2021 Budget and Five Year Capital Plan on November 25, 2020; 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:

Capital Outlays

<u>Expenses</u>	<u>From</u>	<u>To</u>
LF3601 – Roll off Containers	\$15,000	\$25,000
LF3602 – BWRF Roof Repair & Beam Upgrades	\$470,000	\$235,000
LF3603 – Shop Natural Gas Heater	\$20,000	\$30,000
LF3604 – Bird Control	\$20,000	\$20,000
LF3605 – New SUV Vehicle	\$30,000	\$30,000
LF3606 – New Scale	\$-0-	\$90,000
LF3607 – Building AC Improv.	\$-0-	\$25,000
LF3608 – Grapple Bucket JD624K	\$-0-	\$20,000
LF3609 – Fire Pump Replacement	\$-0-	\$80,000
Total	\$555,000	\$555,000

R&R Fund

<u>Expenses</u>	<u>From</u>	<u>To</u>
Scale Replacement	\$75,000	\$-0-
Replace Walking Beam Trailer (1752)	\$-0-	\$110,000
Replace Mason Dump w/ Plow Sander	\$70,000	\$70,000
Replace 2008 Cat973 Track Loader(1712)	\$500,000	\$-0-
Replace JD 750K Dozer (1715)	\$400,000	\$475,000
Articulated Dump Truck - Rebuild	\$-0-	\$390,000
Total R&R	\$1,045,000	\$1,045,000

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 Wednesday, August 18, 2021.



Andrea Cocula, Secretary

<u>Member</u>	Recorded Vote			
	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			