

**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):

Landfill Gas to Energy Agreement Negotiations; St. Clare's MIC Unit Lease Agreement

---

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 Meeting held on Wednesday, August 5, 2015.

  
\_\_\_\_\_  
Andrea Cocula, Secretary

C:\Documents and Settings\TKronski\Desktop\CLOSED SESS RESOL.DOC

RESOLUTION RE: AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN TWO-YEAR PROFESSIONAL SERVICES CONTRACT AGREEMENT BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) AND QC, INC. FOR LAB ANALYSIS SERVICES

WHEREAS, the SCMUA has a need to perform required Laboratory Analysis Services for the SCMUA Solid Waste and Wastewater programs for Calendar Years 2015 and 2016 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the SCMUA has determined and herein certifies in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract extends through SCMUA Calendar Years 2015 and 2016, subject to the availability of budgeted funds; and

WHEREAS, QC, Inc. has submitted a proposal dated January 1, 2015, indicating they will provide annual professional laboratory analysis services to meet SCMUA Solid Waste and Wastewater requirements in a projected amount of \$32,951.00; and

WHEREAS, QC, Inc. of Southampton, Pennsylvania has completed and is submitting a Business Entity Disclosure Certification which certifies that QC, Inc. has not made any reportable contributions to a political candidate or committee in the County of Sussex in the previous one year, and that the contract will prohibit QC, Inc. from making any reportable contributions throughout the term of the contract; and

WHEREAS, the SCMUA Treasurer has certified as to availability of funds for the Laboratory Analysis Services for FY2015;

NOW THEREFORE, BE IT RESOLVED, that:

1. The SCMUA authorizes its Administrator and staff to finalize and to enter into a contract with QC, Inc. as described herein; and
2. The SCMUA Chairman and Secretary are authorized to sign and execute the Agreement; and
3. The Agreement shall be effective in accordance with applicable law, and subject to the filing of the Business Entity Certification forms by QC, Inc.; and
4. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
4. QC, Inc. shall proceed with the Scope of Services as noted in their proposal as per direct authorization and notice(s) to proceed by SCMUA, and shall receive payment only for such services authorized and performed.

Certified as a true copy of the Resolution  
adopted by the Authority at their regular meeting  
held on Wednesday, August 5, 2015.

  
\_\_\_\_\_  
Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING AMENDMENT #1 TO THE COST SHARING AGREEMENT WITH JAMES KUPERUS, OPERATOR OF KUPERUS MEADOWS 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 has partnered 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 increase funding for USDA/NRCS Contract # 2014742B291402Z in the amount of \$5,909.00 from the original contract amount of \$13,539.00 to a revised contract amount of \$19,448.00 to James Kuperus of 47 Unionville Road, Sussex, New Jersey to implement certain Best Management Practices which meet the USDA-NRCS standards and specifications; and

WHEREAS, the USDA has provided for and approved this Contract modification and explanation has been submitted for the additional costs; and

WHEREAS, the original SCMUA commitment and Total Contracted amount (Includes USDA/NRCS Contracts # 2014742B291402Z and #2014742B29140BW) was for \$4,519.02, and a revised budget page has been submitted for an increase of \$1,003.59, for a revised total contract amount of \$5,522.61.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners recognize and approve Amendment #1 of the Cost Sharing Agreement with James Kuperus; and

BE IT FURTHER RESOLVED, that said Cost Sharing Agreement shall not exceed \$5,522.61, Five Thousand - Five Hundred - Twenty Two Dollars and Sixty one cents; and

BE IT FURTHER RESOLVED, that an Amendment page shall be attached to Original Contract and signed by all parties; 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, August 5, 2015.



Andrea Cocula, Secretary