

**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):

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- (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):

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- (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):

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- (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):

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- (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):

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- (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):

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- (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):

Leachate Pump Station/ Force Main Right-of-Way, Mountain Creek Bankruptcy,  
Hampton Commons Draft NJPDES Permit, Professional Services Agreement

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(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):

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(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 Items

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(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):

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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 7, 2019.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PARTNERSHIP AGREEMENT WITH MARIAN E. MCKEOWN SCHOOL / HAMPTON TOWNSHIP BOARD OF EDUCATION TO ASSIST WITH THE IMPLEMENTATION OF GREEN INFRASTRUCTURE PROJECTS ON THE SCHOOL CAMPUS

WHEREAS, the Sussex County Municipal Utilities Authority – Wallkill River Watershed Management Group (SCMUA-WRWMG) has an existing a grant agreement from the National Fish and Wildlife Foundation (hereinafter referred to as, “NFWF”) as part of the Delaware River Restoration Fund to sponsor the planning, coordination, and implementation of multiple “green infrastructure” stormwater management projects in the Paulins Kill Watershed; and

WHEREAS, one of the projects specifically identified in the NFWF grant agreement is to install porous asphalt in strategic sections of the front parking lot at Hampton Township’s Marian E. McKeown School; and

WHEREAS, the SCMUA – WRWMG has previously worked with McKeown School to successfully build a rain garden on the school campus in 2016 and has continued to coordinate efforts with the school administration, faculty, and student body to maintain it; and

WHEREAS, the Hampton Township Board of Education, working with their consulting engineers (Gianforcaro Architects, Engineers, & Planners of Chester, NJ) prepared formal design plans for renovations to the front parking lot that included installing porous asphalt in select sections, as well as accompanying stormwater dry wells to handle additional stormwater run-off; and

WHEREAS, in February 2019, the Hampton Board of Education approved the awarding of a contract to Paving Materials & Contracting, LLC of Montville, NJ to complete the renovations of the front parking lot in summer 2019, including the installation of porous asphalt in select sections and the stormwater dry wells; and

WHEREAS, the SCMUA-WRWMG’s current NFWF grant agreement includes a funding allocation of up to \$67,500.00 for use towards Porous Asphalt at McKeown School; and


WHEREAS, upon successful project completion and certification by Gianforcaro Architects, Engineers, & Planners, and subsequent approval / release of funds by NFWF to the SCMUA-WRWMG for the porous asphalt and dry well project components, the SCMUA-WRWMG will provide a **Total Not-to-Exceed Re-imbusement Potential** to McKeown School - Hampton Township BOE of up to **\$67,500.00 (Sixty Seven Thousand - Five Hundred Dollars and 0 cents).**

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to execute the Partnership Agreement with McKeown School / Hampton Township Board of Education; and

BE IT FURTHER RESOLVED, that the reimbursement payment of grant funds to McKeown School shall be contingent upon certification by the school's consulting engineer at the completion of the project and the subsequent approval / release of funds by NFWF to the SCMUA-WRWMG for the porous asphalt and dry well project components.

AND BE IT FURTHER RESOLVED that this Resolution shall become effective as provided by statute/law.

Certified as a true copy of the Resolution adopted  
by the Authority at their Regular Meeting held on  
Wednesday, August 7, 2019.

  
Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE PUBLIC SALE OF SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) SOLID WASTE PROPERTY NO LONGER NEEDED FOR PUBLIC USE THROUGH GOVDEALS.COM PUBLIC ONLINE AUCTION

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) is the owner of certain property which is no longer needed for public use; and

WHEREAS, N.J.S.A. 40A:11-36 authorizes municipalities to sell public property that is no longer needed for public use at a public sale to the highest bidder as surplus property; and

WHEREAS, the Board of Commissioners of the SCMUA are desirous of selling such surplus property in "as is" condition without express or implied warranties.

BE IT RESOLVED, by the Board of Commissioners that they hereby authorize the sale of Solid Waste Facility property no longer needed for public use; and

BE IT FURTHER RESOLVED, that the public auction shall be conducted through GovDeals.com public online auction pursuant N.J.S.A. 40A:11-36, Local Finance Notice 2008-9 of the New Jersey Department of Community Affairs, Division of Local Government Services. (The terms and conditions of the agreement entered into with GovDeals is available online at [www.govdeals.com](http://www.govdeals.com) and is also available at the Authority's Administration Offices); and

BE IT FURTHER RESOLVED, that the sale of surplus property to be sold in "as is" condition without expressed or implied warranties as follows:

(1)SCMUA #1720-1990 Ford Tandem Dump Truck L9000 VIN#1FDZY90W9LVA06407

(1)SCMUA #1734-1992 Steco Walking Floor Trailer 1510 VIN#1S9WAR2T5N1252821

(1)SCMUA #1738-1992 Ford Tractor Truck LTL9000 VIN#1FTYA90X9NVA21697

(1)SCMUA #1740-1990 Cummins Genset #6000 SERIAL# 89A1708;

And,


BE IT FURTHER RESOLVED, that the SCMUA reserves the right to accept or reject any bid submitted; and

BE IT FURTHER RESOLVED, that the successful bidder(s) shall be required to pay the full amount of the sale, execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property, and shall be required to make arrangements for the pick-up of sold property from the SCMUA within 10 business days of the auction; and

BE IT FURTHER RESOLVED, that a legal advertisement shall be published in the SCMUA's official newspaper informing the public as to the nature of items being sold and how to obtain more information on the sale as required by N.J.S.A. 40A:11-36; and

BE IT FURTHER RESOLVED, that SCMUA staff is hereby authorized and directed to take all actions necessary and appropriate to effectuate the terms of this resolution, which 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 August 7, 2019.

  
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Andrea Cocula, Secretary

RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY  
DECLARING CERTAIN PROPERTY NO LONGER  
SERVICEABLE FOR S.C.M.U.A. USE

WHEREAS, the Board of Commissioners have been advised by the SCMUA staff and does hereby confirm that certain property in the possession of the SCMUA has both exceeded its useful life and is not now or reasonably in the future needed for SCMUA purposes; and

WHEREAS, the Lafayette Township Fire Department has requested the property be donated to the Fire Department for training purposes; and


WHEREAS, the SCMUA has reviewed those items of property set forth below, and shall be and are hereby determined to be no longer serviceable for SCMUA use.

BE IT FURTHER RESOLVED that the Board of Commissioners hereby directs that said property be donated to the Lafayette Fire Department for training purposes, and that the Administrator of the Authority, the Treasurer and Staff may delete the listed items from the fixed asset inventory.

AND BE IT FURTHER RESOLVED that this Resolution shall become effective as provided by statute/law.

	<u>Description</u>	<u>Vin#</u>	<u>Value</u>
SCMUA#1747	2002 Chevy Blazer	1GNDT13W32K222271	\$100
SCMUA#1705	1998 GMC 515 Utility Truck	1GTCT1424J2543067	\$100

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Andrea Cocula, Secretary



RESOLUTION RE: AUTHORIZING THE AWARD TO THE LOWEST RESPONSIBLE  
AND RESPONSIVE BIDDER FOR CONTRACT NO. 19-10 FOR THE  
SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "Authority") has sought bids for Contract No. 19-10 for the furnishing and delivery of one (1) New Automatic Landfill Tarping Machine 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 10, 2019 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, Tarpomatic, Inc. is the sole and therefore lowest bidder with a bid for Item #1 of \$90,000, minus Item #1A Trade-in of \$2,000 for a Total Bid Item #1 of \$88,000; and

WHEREAS, the bid proposed by Tarpomatic, Inc. and all bid documents being in order, takes a singular exception to the bid documents; and

WHEREAS, said exception to the bid documents (3/8" chain) is non-material in nature and acceptable to the Authority; and

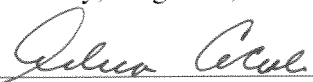
WHEREAS, the Authority's General Counsel and Staff have reviewed the Bid Proposal and recommends award thereof to Tarpomatic, Inc.; and

WHEREAS, sufficient funds exist in the Solid Waste Operating Budget for the contract procurement.

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

1. Contract No. 19-10 for the furnishing and delivery of one (1) New Automatic Landfill Tarping Machine is hereby awarded to Tarpomatic, Inc. as the low responsible and responsive bidder pursuant to the Total Bid Price of \$88,000.00.
2. The proper officers of this Authority, its employees and attorney are hereby authorized to proceed with the preparation and execution of a formal contract with Tarpomatic, Inc., 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 Tarpomatic, Inc., and the specifications in connection therewith.
3. This resolution shall take effect in accordance with all applicable laws and statutes.

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Andrea Cocula, Secretary