

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):

Sparta Township Connection Fee, SCMUA Contract #20-12 Concrete Deck
Truck Scale Bids, Leachate Pump Station/Force Main Project Contract

(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):

(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, October 21, 2020.



Andrea Cocula, Secretary

RESOLUTION RE: CONDITIONALLY AUTHORIZE SCMUA TO ADVERTISE
STAGE 2 LANDFILL EXPANSION CONTRACT #551

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) desires to advertise the Stage 2 Landfill Expansion that includes but is not limited to construction of Landfill Cell 6B, Landfill Cell 4, Leachate Pump Stations and relocation of Convenience Center, Recycling Center, Compost Facility, Contractor Area, and other associated infrastructure; and

WHEREAS, this Project is anticipated to be funded by the New Jersey Infrastructure Bank (NJIB) funding program through NJDEP; and

WHEREAS, the package is in the process of being reviewed for the purposes of conformance by NJIB, NJDEP Bureau of Solid Waste Permitting, NJDEP Office of Equal Opportunity and Public Contract Assistance, and NJ State Comptroller; and

WHEREAS, SCMUA staff, consulting engineer, and legal counsel have completed preliminary review of construction documents; and

WHEREAS, SCMUA received approval of consent of the Sussex County Board of Chosen Freeholders authorizing project financing on September 10, 2020; and

WHEREAS, NJ State Comptroller requires resolution from SCMUA authorizing conditional advertisement and procurement prior to approval of construction documents.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Sussex County Municipal Utilities Authority, that:

1. Contract #551 of the SCMUA Stage 2 Landfill Expansion Project is hereby authorized for advertisement conditioned/contingent upon #3, below.
2. The SCMUA Chairman and Secretary and SCMUA staff are herein authorized to advertise Contract #551 for the Stage 2 Landfill Expansion on behalf of the SCMUA, and to pertain to any other necessary activities involved with project implementation and progression, as contingent upon #3, below.
3. The advertisement of SCMUA Contract #551 is contingent upon the review and approval and any other necessary authorizations of NJIB, NJDEP Bureau of Solid Waste Permitting, NJDEP Office of Equal Opportunity and Public Contract Assistance, and NJ State Comptroller.

4. Copies of this Advertisement Resolution shall be provided to all required review agencies listed above.
5. This resolution shall be effective as provided for under applicable NJ State Statutes.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, October 21, 2020.



Andrea Cocula, Secretary

RESOLUTION RE: CONDITIONAL AWARD OF SCMUA CONTRACT #20-12 TO ATLANTIC SCALE COMPANY, INC. FOR ONE NEW CONCRETE DECK MOTOR TRUCK SCALE

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) desires to replace existing truck scale with new Concrete Deck Motor Truck Scale for its Solid Waste Facility Operations; and

WHEREAS, the SCMUA has advertised for bids for Contract No. 20-12 on September 29, 2020 in the New Jersey Herald for furnishing and installation of one (1) New Concrete Deck Motor Truck Scale for the Authority's Solid Waste Facility in Lafayette, New Jersey; and

WHEREAS, sealed bids therefore were received and opened via teleconference by the Authority on October 20, 2020 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, the apparent low bidder for Contract 20-12 is determined to be Atlantic Scale Company of Nutley, NJ with a Total Bid Price (Item 1A and Item 1B) of \$75,862.00; and

WHEREAS, SCMUA staff and legal counsel, are in the process of reviewing said bid package for the purposes of evaluating award thereof to Atlantic Scale, Inc.; and

WHEREAS, due to the urgency and need for this project to ensure the continued and proper management of solid waste for Sussex County residents and businesses, it is recommended that the contract be conditionally awarded subject to staff and legal counsel review; and

WHEREAS, the Treasurer has certified that there are existing sufficient funds for this contract award.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Sussex County Municipal Utilities Authority, that:

1. SCMUA Contract #20-12 for one (1) Concrete Deck Motor Scale is hereby awarded to Atlantic Scale, Inc. in the amount of \$75,862.00 as conditioned/contingent upon #3, below.
2. The SCMUA Chairman and Secretary are authorized to execute Award Contract #20-12 for One Concrete Deck Motor Scale on behalf of the SCMUA, as contingent upon #3, below.

3. The award of SCMUA Contract #20-12 is contingent upon the review and concurrence of SCMUA staff, and legal counsel.
4. Copies of this Award Resolution shall be provided to Atlantic Scale, Inc.
5. This resolution shall be effective as provided for under applicable NJ State Statutes.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, October 21, 2020.



Andrea Cocula, Secretary

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