

RESOLUTION RE: ADOPTION OF AMENDMENT #1 TO THE SUSSEX COUNTY
MUNICIPAL UTILITIES AUTHORITY'S SCHEDULE OF RATES,
FEES AND CHARGES FOR FY2021

WHEREAS, N.J.S.A. 40:14B-1 et. seq. requires that every Authority shall prescribe and, from time to time when necessary, revise a schedule of all its service charges; and

WHEREAS, said Schedule of Rates, Fees and Charges ("Schedule") may be revised after holding a public hearing on the proposed revisions, which shall be held by the Authority at least 20 days after notice of the proposed revision is given in accordance with law; and

WHEREAS, the notice of proposed revision of the SCMUA Rates and Fees Schedule was published on June 26, 2021 in The New Jersey Herald and on June 29, 2021 in The Daily Record; and

WHEREAS, the Authority intends to revise its Schedule, has provided proper notice in accordance with law, and has held a public hearing thereon; and

WHEREAS, a public hearing was held on the proposed rates on July 21, 2021 at which time the opportunity for public comment was provided with respect thereto; and

WHEREAS, after review and consideration of any public comment as well as the report and recommendations of the Authority's staff, the Commissioners have determined that the proposed adjustments to the Authority's rates are necessary and reasonable.

NOW, THEREFORE, BE IT RESOLVED that the attached "Amendment #1 to Sussex County Municipal Utilities Authority's Adopted FY2021 Schedule of Rates, Fees and Charges" is hereby approved, and will serve as the Authority's Schedule of Charges beginning August 2, 2021 or as otherwise provided for, and shall remain in effect until modified in accordance with applicable State statutes and regulations.

BE IT FURTHER RESOLVED, that said "Amendment #1" be distributed via mail to all Upper Wallkill septage haulers prior to August 2, 2021.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, July 21, 2021.



Andrea Cocula, Secretary



Sussex County Municipal Utilities Authority

34 South Route 94, Lafayette, NJ 07848

www.scmua.org

Date: July 28, 2021

FY2021 RATE SCHEDULE AMENDMENT #1 EFFECTIVE AUGUST 2, 2021

To Sussex County Municipal Clerks/Wastewater Hauler Customers:

The Sussex County Municipal Utilities Authority held a Public Hearing on July 21, 2021 at 2:15 p.m. to present Amendment No.1 to the FY2021 Rate Schedule. It was duly adopted at the July 21, 2021 Commissioners' Meeting. The Amendment #1 rates are effective as of **August 2, 2021**. A complete copy of the FY2021 Rate Schedule with Amendment #1 is available at www.scmua.org

The approved Amendment #1 to the Adopted FY2021 Rate Schedule includes:

Wastewater

- Septage and sludge treatment rates are to remain at 2021 rates currently charged, except for additional charges per Amendment #1, herein (Section 1.A.4).
 1. Penalty/Surcharge
 - a. SCMUA (at its discretion) shall assess a penalty/surcharge for septage loads which have excessive amounts of prohibited materials, including grease, grit, textiles, and/or debris.
 - b. First Offense: Written warning (unless prior written notification(s) exist).
 - c. Second Offense: \$0.25/gallon
 - d. Third Offense: \$0.50/gallon
 - e. Fourth Offense: \$1.00/gallon and suspension of septage disposal privileges [length of suspension at discretion of the SCMUA].
- No other changes.

Solid Waste/Other General Charges

- No changes.

A complete copy of the FY2021 Adopted Rate Schedule including Amendment #1 is posted on the Authority's website at www.scmua.org. If you have any questions regarding the FY2021 Adopted Rate Schedule or approved Amendment #1, please feel free to call myself or Chief Engineer Joseph Sesto at 973-579-6998.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Varro", is written over a light blue horizontal line.

Thomas Varro
Executive Director

RESOLUTION RE: AUTHORIZING THE ESTABLISHMENT OF POLICIES AND PROCEDURES FOR A PROCUREMENT CARD FOR THE SUSSEX COUNTY MUA

WHEREAS, by this resolution, the Sussex County Municipal Utilities Authority (SCMUA) authorizes the use of a Procurement Card (P-Card), and

WHEREAS, the SCMUA wishes to establish policies and procedures for the use of the P-Card as required by law.

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the SCMUA that the following policies and procedures for the use of P-Cards for purchases by the SCMUA be adopted.

PROCUREMENT CARDS (P-Cards)

I. UTILIZATION OF P-CARDS

- a. P-Cards can be used for supplies or services under the following circumstances:
 - i. When payment to vendors is required in advance of the delivery of goods or services and the goods or services cannot be obtained from any other source at a comparable price.
 - ii. When vendor only accepts payment via credit card for goods or services and the goods and services cannot be obtained from any other source at a comparable price, and/or in a comparable time frame.
 - iii. When placement of orders for goods and services is made through an electronic computerized transaction (i.e. order is placed from computer to computer via the internet or similar computer network) as authorized by N.J.S.A. 40A:5-16.
- b. P-Cards cannot be used for the purchase of items or services of a personal nature for employees or officials. Travel, dining, and room and board expenses are also not permitted.

II. CARD ELIGIBILITY AND USE

- a. The Executive Director shall designate a person or persons who is authorized to use a P-Card for departmental purchases of goods and services. All authorized cardholders must comply with the P-Card policies outlined herein and ALL other procedures and requirements.
- b. The individual whose name is on the card is the only person authorized to make purchases using the card. The cardholder will be held accountable for any policy infractions. The cardholder shall follow proper procedures in order to obtain authorization to make a purchase.
- c. The cardholder is responsible to determine that the price quoted for a product or service is the best price that can be obtained.
- d. Cardholders should be certain that the total amount, including shipping and handling charges, will not exceed the single purchase limit on the P-Card.

III. RESTRICTIONS AND CONTROL

- a. Use of the P-Card to purchase any product or service must comply with those permitted by the SCMUA's Procurement Policies and be in compliance with Local Public Contract Laws.
- b. The P-Card must never be used to purchase items for personal use or for non-SCMUA purposes.
- c. Any unauthorized or inappropriate use of a P-Card will result in cancellation of the P-Card and will subject the cardholder to disciplinary action including possible termination of employment and criminal prosecution.

IV. SPENDING LIMITS

- a. The monthly spending limit is the maximum available credit for the billing cycle. The card will reject any transaction that exceeds this limit.
- b. The SCMUA has established a limit on the card at \$10,000 per month.
- c. Only in approved instances by both the Comptroller and Executive Director can a procurement reach the maximum of 15% of bid threshold by conducting a one-time approval based upon the circumstances.

V. CARD SECURITY/LIABILITY

- a. Cards must be strictly safeguarded. It is the responsibility of each cardholder to secure the card at all times. If a card is used infrequently, it must be stored in a secure location in the Administrative safe.
- b. In case of loss, theft or misappropriation of the card account number, immediately contact the Executive Director.
- c. The cardholder will not be liable for the unauthorized use of a stolen card by a third party as long as the card is reported stolen within 24 hours of when loss is detected by the individual.

VI. CARD MAINTENANCE

- a. Card Activation – Once the cardholder has successfully completed training, the P-Card Administrator (SCMUA Comptroller) will activate the card for immediate use.
- b. Cancellation
 - i. Upon termination of employment, transfer to another department, or if the cardholder's responsibilities change within the Department and the P-Card is no longer required in the newly assigned position, the cardholder must return the P-Card to the approving manager. The approving manager must notify the Purchasing Card Program Administrator will deactivate the P-Card.
 - ii. The Purchasing Card Program Administrator will also require the cardholder to return the P-Card in the case of misuse. In addition, the approving manager may require a cardholder to turn in a P-Card for any reason.
- c. Card Changes – If a Cardholder needs to make changes to name, address, phone, or account numbers, use the Cardholder Maintenance Form or send an e-mail to the Purchasing Card Program Administrator.
- d. Assignment – A P-Card may not be transferred or assigned to another person. P-Cards are the property of the SCMUA and the Designated Financial Institution and must be turned in to the Purchasing Card Program Administrator upon changing departments or leaving the SCMUA.

VII. P-CARD ORDER/PURCHASE PROCESS

- a. Purchases of appropriate items using the P-Card may be made from any vendor who accepts the VISA® card.
- b. An approved requisition based upon written quote or screen shot needs to be obtained prior to ordering.
- c. Notifying the vendor that the purchase is exempt from New Jersey State sales tax, use tax and Federal excise tax. Provide the vendor with the SCMUA's New Jersey State Tax Exempt Number (printed on the card). If a cardholder is charged tax on a purchase item, it is the cardholder's responsibility to obtain credit from the vendor for the imposed tax.
- d. Contact the Administration Office if the vendor requests a copy of the SCMUA's Exempt Use Certificate Form ST-4.

VIII. PURCHASING CARD ADMINISTRATOR/PROGRAM MANAGER

- a. The Comptroller shall be responsible for overall oversight of the P-Card program.
 - i. Processes payment to Designated Financial Institution.
 - ii. Reevaluate Program on an as needed basis, but not less frequently than annually.
- b. The Qualified Purchasing Agent shall be responsible for day-to-day oversight and management of procurement in accord with this policy and the LPCL.
- c. The SCMUA Comptroller/Treasurer will be the designated Program Manager with the following responsibilities.
 - i. Card Acquisition – All cards are imprinted with both the users' names and the name of the local unit.
 - ii. Ensure Program participants are fully trained to be in compliance with the Procurement Card use.
 - iii. Responsible for administering and overseeing all policies and procedures of the Purchasing Card Program.
 - iv. Reviews monthly statements and conducts an audit of P-Card transactions.
 - v. Performs regular reviews of transactions and cardholder activity and reports any activity that does not comply with the Program's guidelines to the cardholder and the approving manager.
 - vi. Reviews vendor activity for compliance with general procurement policies and procedures.
 - vii. Helps resolve transactions that cannot be reconciled by the cardholder or approving manager.
 - viii. Tracks card expiration dates and issues replacement cards. Tracks termination of cardholders. Cancels cards as required.

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, July 21, 2021.


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):

Vernon Township/VTMUA Litigation, Stage 2 Landfill Expansion Project

(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.

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Resolution adopted by the Authority
at their Regular Authority Meeting held
on Wednesday, July 21, 2021.



Andrea Cocula, Secretary