

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):

Contract #20-01 Household Hazardous Waste Bid, Landfill Life Extension/Infrastructure Relocation Project, Hampton Commons Permit Appeal, Landfill Gas to Energy 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):

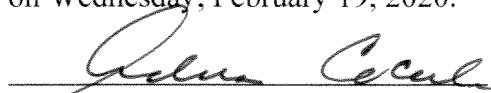
Personnel Items

(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 Annual Reorganization Meeting held
on Wednesday, February 19, 2020.


Andrea Cocula, Secretary

RESOLUTION RE: AWARD OF CONTRACT NO. 20-11 TO SPECTRASERV, INC. FOR TWO-YEAR SLUDGE CAKE AND LIQUID SLUDGE HAULING AND DISPOSAL

WHEREAS, on January 15, 2020 in The New Jersey Herald, the Notice to Bidders was published for Contract No. 20-11 for Sludge Cake and Liquid Sludge hauling and Disposal, with Bids being received and publicly opened on January 30, 2020; and

WHEREAS, Spectraserv, Inc. was the apparent low bidder for Contract No. 20-11; and

WHEREAS, Staff and Attorney reviews determined that Spectraserv, Inc. of Kearny, N.J. submitted a bid in conformance with the specifications and submitted the lowest responsible and responsive bid for all Contract #20-11 bid options/items; and

WHEREAS, the bid price has been reviewed and Bid Item 1b in conjunction with Bid Item 2 is determined to be in the best interest of the SCMUA for Sludge Cake and Liquid Sludge Hauling and Disposal: Two Year Contract of Sludge Cake at \$120/ton (haul & disposal) and Liquid Sludge at \$0.146/gallon (haul and disposal); not-to-exceed \$1,752,000.00 inclusive of both years; and


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

NOW, THEREFORE, BE IT RESOLVED by the Sussex County Municipal Utilities Authority's Board of Commissioners that the bid for Contract No. 20-11 (2-year term) is hereby awarded to Spectraserv, Inc. of Kearny, N.J., according to the price stated within their Bid Proposal.

BE IT FURTHER RESOLVED, that Executive Director and SCMUA Staff are authorized to prepare and execute a two-year sludge cake and liquid sludge hauling contract with Spectraserv, Inc.

BE IT FURTHER RESOLVED, that this Resolution shall be effective in accordance with applicable laws and statutes.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on February 19, 2020.



Andrea Cocula, Secretary

RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT(S) WITH VARIOUS SUSSEX COUNTY MUNICIPALITIES FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2019 RECYCLING TONNAGE REPORT TO NJDEP

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "SCMUA"), among other things, employs a District Recycling Coordinator as the designated operating agency within Sussex County as provided in the Sussex County District Solid Waste Management Plan; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1, et. seq.) (hereinafter, "the Act") provides that local units of government may enter into a contract to provide or receive any service that either local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A. 40A:65-4); and

WHEREAS, all Sussex County Municipalities are required by the NJDEP to annually prepare a Municipal Recycling Tonnage Report; and

WHEREAS, the NJDEP requires that each Municipal Recycling Tonnage Report be certified by a NJ Certified Recycling Professional; and

WHEREAS, various Sussex County Municipalities have requested the services of the SCMUA in the form of the District Recycling Coordinator as a Certified Recycling Professional to certify and submit the required 2019 Recycling Tonnage Reports to NJDEP by April 30, 2020; and

WHEREAS, the SCMUA has previously performed this service for a number of Sussex County Municipalities through a Shared Services Agreement; and


WHEREAS, the SCMUA Board of Commissioners has set a rate of \$250 per municipality wishing to utilize this shared service opportunity.

NOW THEREFORE, BE IT RESOLVED, by the Sussex County Municipal Utilities Authority, in the County of Sussex, and State of New Jersey as follows:

1. The Chairman and Secretary are hereby authorized and directed to execute Shared Services Agreements, copies of which this resolution will be attached hereto, with participating Sussex County municipalities for the provision of a Certified Recycling Professional Services to certify and submit their 2019 Recycling Tonnage Reports to NJDEP.

2. This Resolution shall take effect as per Statute.
3. All SCMUA Staff and Professionals are authorized to take any and all necessary actions to see to the implementation of this Resolution.

Certified as a true copy of the
Resolution adopted by the Authority
At their Regular Authority Meeting
Held on Wednesday, February 19, 2020



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING AWARD FOR SCMUA CONTRACT #20-01
HOUSEHOLD HAZARDOUS WASTE DISPOSAL EVENT(S)
TO MAUMEE EXPRESS, INC

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) advertised for bids in the New Jersey Herald on January 30, 2020 for Household Hazardous Waste Disposal Event(s); and

WHEREAS, sealed bids were received and opened by the Authority on February 6, 2020 at 11:00 a.m., pursuant to the provision of said legal advertisement; and

WHEREAS, the Authority's Bid Specifications for Contract #20-01 & #21-01 are comprised the following bid proposal Items: #20-01 proposal bid price per net pound of hazardous materials for the June 6, 2020 and November 7, 2020 events; #21-01 proposal bid price per net pound of hazardous waste materials for the 2021 and 2022 events at SCMUA discretion; and

WHEREAS, at the bid opening, the Authority acknowledged receipt of a bid from Maumee Express, Inc. for \$1.39/pound (net) for Contract #20-01 and optional Contract #21-01; and

WHEREAS, the apparent low bidder, as based upon bid pricing is Maumee Express, Inc. being the only bidder; and

WHEREAS, the bid package submitted by Maumee Express, Inc. was reviewed by SCMUA Staff and legal counsel and found to be satisfactory and in conformance with all legal requirements; and


WHEREAS, it is the recommendation of staff and legal counsel to award the bid to Maumee Express, Inc.

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

- The bid of Maumee Express, Inc. is herein accepted as the low responsive and responsible bidder, and SCMUA Contract #20-01 is therefore awarded to Maumee Express, Inc. in the amount of \$1.39/pound (net).
- The officers of this Authority, its employees and professionals are hereby authorized and empowered to proceed with the preparation and execution of a formal contract with Maumee Express, 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 Maumee Express, Inc. and the specifications in connection therewith.

- The rights of the Authority regarding Contract #21-01 are hereby reserved and subject to further action for Household Hazardous Waste Events in 2021 and 2022 via separate Resolution by the Board of Commissioners.
- This Resolution shall take effect in accordance with NJSA 40:14B-14(e).
- The Authority Treasurer has certified the availability of funds.

Certified as a true copy of the
Resolution adopted by the Authority
at their Regular Meeting held on
Wednesday, February 19, 2020.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING EXCEPTION PURCHASE FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S SOLID WASTE FACILITY FOR SCALEHOUSE SYSTEM SOFTWARE

WHEREAS, the Sussex County Municipal Utilities Authority is in need of specialized software replacement for the Solid Waste Facility's scale weigh station/billing system; and

WHEREAS, this facility requires certain software that can work with the current and necessary weigh station scales/equipment; and

WHEREAS, it is necessary to utilize the Paradigm Software, and incorporate same into the current equipment already in use at the weight stations, said software is to be a purchase exception; and

WHEREAS, "Exception" is to be defined in N.J.S.A. 40A:11-5(dd), is relevant to the provision of performance of goods or services for the support or maintenance of proprietary computer hardware and software, of a specialized nature which are necessary for the conduct of the contracting unit's affairs; and

NOW THEREFORE, BE IT RESOLVED, by the Commissioners of the Sussex County Municipal Utilities Authority, County of Sussex, State of New Jersey, that: Paradigm Software is of a specialized nature for the reasons set forth in this resolution, and its purchase is hereby authorized; and

BE IT FURTHER RESOLVED, that the software purchase shall not exceed \$90,000 to Paradigm Software, LLC for scope of services and that the SCMUA Treasurer has certified fund availability in the FY2020 Solid Waste Operating 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 this Resolution
Adopted by the Authority at their Regular
Meeting held on February 19, 2020


Andrea Cocula, Secretary