

RESOLUTION RE: AUTHORIZING THE SUBMITTAL OF THE SCMUA'S FY2018
AUDIT CORRECTIVE ACTION PLAN

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) is required under NJDCA-DLGS rules to have an annual financial audit; and


WHEREAS, the SCMUA's FY2018 Annual Audit had a finding/recommendation;
and

WHEREAS, Local Finance Notice 92-15 requires that any finding or recommendation in an audit be addressed in a Corrective Action Plan; and

WHEREAS, SCMUA Staff has prepared a Corrective Action Plan (attached hereto) to address said finding.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners approve the Corrective Action Plan prepared and authorize submittal to the NJDCA-DLGS.

Certified as a true copy of the
Resolution adopted by the Authority
At their Regular Authority Meeting
Held on Wednesday, July 17, 2019.



Andrea Cocula, Secretary

**SUSSEX COUNTY MUA
CORRECTIVE ACTION PLAN
2018 - AUDIT**

As required by Local Finance Notice #92-15

Section II – Financial Statement Findings

2018-1

Condition: The Authority's OPEB information has not been updated to reflect current amounts as required by GASB Statement No. 75.

Criteria: Governmental Accounting Standards Board (GASB) Statement No. 75 requires that the new OPEB liability be measured as a of a date no earlier than the end of the employer's fiscal year and no later than the end of the employer's current fiscal year.

Effect: The Authority's net OPEB liability and other information has not been updated for current amounts.

Cause: Updated OPEB information was not available at the time of the audit.

Recommendation: That the Authority's 2018 net OPEB liability and other OPEB amounts be updated to reflect current amounts.

Management Response: The Authority will implement procedures to report updated OPEB information in the financial statements.

Corrective Action/Implementation Date: The Sussex County MUA will wait for the State of NJ (NJSHB) to provide the amount to be included in the annual financials.

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):

Leachate Pump Station/ Force Main Right-of-Way, Mountain Creek Bankruptcy,
Hampton Commons Draft NJPDES Permit, Sparta Plaza Plant Sewer Connection

(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 Rescheduled Regular Authority Meeting held
on Wednesday, July 17, 2019.


Andrea Cocula, Secretary

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RESOLUTION RE: APPROVAL OF TWA APPLICATION FOR THE CONSTRUCTION OF SANITARY SEWER EXTENSION FACILITIES TO SERVE MOUNTAIN RIDGE – RIDGEFIELD COMMONS PROJECT IN HARDYSTON, NJ

WHEREAS, Applicant/Owner Aqua New Jersey has submitted to the Sussex County Municipal Utilities Authority (SCMUA) an application for the approval of construction of a sewer extension in Hardyston Township, Block 67.21, Lot 1.01, along with the necessary engineering report and plans and specifications; and

WHEREAS, the wastewater generated by the residential development will be conveyed via pumping station/force main (on site facilities) and gravity piping to the Aqua New Jersey sewer system and then to the SCMUA's Upper Wallkill Pollution Control Facility; and

WHEREAS, the construction plans and specifications for these projects have been received and reviewed by the Sussex County Municipal Utilities Authority; and

WHEREAS, the Consulting Engineers (Suburban Consulting Engineers, Inc. and Dykstra Walker Design Group), on behalf of the Applicant/Owner, has committed to address and resolve all SCMUA technical and administrative review concerns, pursuant to SCMUA correspondence dated 7/17/19, and Suburban Consulting Engineers correspondence dated 7/17/19; and

WHEREAS, the wastewater generated by the proposed project consists of the following mixed residential uses:

4 x 1-BR @ 140 gpd =	560 gpd =	2.24 EDU's =	2.25 EDU's
71 x 2-BR @ 200 gpd =	14,200 gpd =	56.8 EDU's =	57 EDU's
5 x 3-BR @ 250 gpd =	1,250 gpd =	5 EDU's	
40 x 2-BR @ 200 gpd =	8,000 gpd =	32 EDU's	
40 x 2-BR @ 200 gpd =	8,000 gpd =	32 EDU's	

Office/Gym	1500 s.f. x 0.100 gpd/s.f. =	150 gpd =	0.6 EDU's =	1 EDU
Maintenance	1440 s.f. x 0.100 gpd/s.f. =	144 gpd =	0.576 EDU's =	1 EDU

Total = 130.25 EDU's; and

WHEREAS, the Applicant/Owner Aqua New Jersey has been made aware and shall be responsible to pay for the required SCMUA Connection Fee for the total 130.25 EDU's at the prevailing rate (prior to Certificate of Occupancy by Hardyston Township); and

WHEREAS, the above project has received the approval and endorsement of Hardyston Township (Resolution #28-19); and


WHEREAS, the above projects require the necessary approval and endorsement of the SCMUA for NJDEP Treatment Works Approval; and

WHEREAS, the appropriate SCMUA review fees have been paid by the Applicant.

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

- I. The applications for a TWA permit for the construction of the referenced projects and associated plans and specifications are found to be acceptable, pending Item II.A (below).
- II. The SCMUA hereby endorses the subject applications, and the SCMUA's Executive Director is hereby authorized and directed to sign the Endorsement Form WQM-003 for the referenced application for NJDEP Treatment Works Approval, contingent upon the following:
 - A. Review and acceptance of revised plans and specifications, and engineer's report which address and satisfy SCMUA review concerns, as per SCMUA correspondence dated 7/17/19.
- III. A certified copy of this resolution shall be forwarded to the project Applicant/Owner Aqua New Jersey, Suburban Consulting Engineers, Inc., Dykstra Walker Design Group, Hardyston Township, and NJDEP.
- IV. The above-referenced provisions and conditions are incorporated herein by reference.
- V. SCMUA Staff and Professionals are directed and empowered to take any and all action necessary to affect this Resolution, which shall become effective in accordance with applicable NJ Law and Statute.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on July 17, 2019.



Andrea Cocula, Secretary