

**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):

Hampton Commons Wastewater Facility, NJPDES Nitrate Permit Appeal

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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):

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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, October 19, 2022.

  
Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF COST SHARING AGREEMENTS WITH INDIVIDUAL HOMEOWNERS AS PART OF THE SCMUA – WRWMG’S UPPER PAULINS KILL LAKES COMMUNITY RAIN GARDEN ASSISTANCE PROGRAM

WHEREAS, the Sussex County Municipal Utilities Authority – Wallkill River Watershed Management Group (SCMUA-WRWMG) has an existing grant agreement with the New Jersey Department of Environmental Protection titled “Implementation of the Paulins Kill Lakes Initiative; and

WHEREAS, this grant agreement is providing funding for the SCMUA-WRWMG to develop a Community Rain Garden Assistance Program for homeowners within the Upper Paulins Kill Watershed that will lead to the construction of residential rain gardens that will capture and infiltrate stormwater, reduce and/or abate nonpoint source pollution and improve surface water quality; and

WHEREAS, the SCMUA-WRWMG has been working with the Rutgers Cooperative Extension Water Resources Program (Rutgers WRES) to develop this homeowner rain garden program similar to such programs they have established and implemented throughout many areas of New Jersey; and

WHEREAS, the goal of these programs is to encourage individual residents to construct rain gardens at their homes by providing specific cost sharing funding assistance for use towards the purchase of necessary materials and supplies for the rain garden; and

WHEREAS, a key requirement for participation in the program is for a participant to attend a rain garden training program hosted jointly by the SCMUA-WRWMG and Rutgers WRES to learn about the purpose and benefits of rain gardens, and to receive training and instruction for where and how to build them; and

WHEREAS, the SCMUA-WRWMG currently has funding available to assist with the installation of ten (10) residential / homeowner rain gardens within the Paulins Kill Watershed if done so in accordance with the terms of the program and cost-sharing agreement.

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to execute the various Cost Sharing Agreements with eligible homeowner applicants from the Paulins Kill Watershed who have met the necessary requirements of the SCMUA-WRWMG’s to Community Rain Garden Assistance Program and for whom the SCMUA-WRWMG is recommending receive such funding assistance; and

BE IT FURTHER RESOLVED, that said Cost Sharing Agreements shall not exceed \$1,000.00 (One Thousand Dollars) for each constructed rain garden; and

BE IT FURTHER RESOLVED, that dispersing of the grant funds to each homeowner shall be contingent upon certification by the SCMUA-WRWMG of successful and satisfactory completion of the project.

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, October 19, 2022.

  
Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF A RECYCLING AGREEMENT WITH TERRACYCLE FOR THE INITIATION OF THE SCMUA-WRWMG'S TREE TUBE REMOVAL AND RECYCLING PROGRAM

WHEREAS, for the past ten years, the Sussex County Municipal Utilities Authority – Wallkill River Watershed Management Group (SCMUA-WRWMG) has been coordinating a floodplain reforestation program that has resulted in the planting tens of thousands of trees throughout Sussex County; and

WHEREAS, to aid in the survival of these trees, the SCMUA-WRWMG has regularly protected each tree with rigid tree tubes made out of polypropylene and which have become a well-recognized, publicly visible identification sign of such reforestation projects in the local area; and

WHEREAS, the trees at many of these project locations have now become big enough to no longer need the tree tubes, or in many cases the tree tubes have begun to split as they are designed to do; and

WHEREAS, the SCMUA-WRWMG, as part of active maintenance and stewardship of these project locations has started removing and collecting the tree tubes in order to properly recycle them, and has initiated a packaging system at SCMUA Solid Waste Facility to prepare them for shipping to a recycling facility; and

WHEREAS, a recycling / reuse company named TerraCycle, founded in Princeton, NJ, and which prides itself in providing brand-sponsored recycling programs for “hard-to-recycle” materials has offered to accept and recycle these tree tubes from the SCMUA-WRWMG; and

WHEREAS, TerraCycle has provided the SCMUA-WRWMG with a quote for said recycling services, and provided instructions for how the tree tubes need to be packaged and delivered to the TerraCycle Facility in order to be properly processed; and

WHEREAS, the SCMUA-WRWMG has various grant funding sources to cover the shipping and recycling costs for the tree tubes, as well as other conservation partners interested in assisting to help facilitate and fund the tree tube recycling program; and

WHEREAS, it is in the best interests of the SCMUA-WRWMG to enter into this recycling agreement with TerraCycle as the removal and disposal of the tree tubes will be a necessary watershed stewardship activity for years to come.

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

1. The Agreement between the SCMUA-WRWMG and TerraCycle for the proper recycling of tree tubes authorizing is hereby approved, in accordance with the quote and terms provided by TerraCycle.
2. The SCMUA Executive Director and Watershed Director are hereby authorized to execute the Agreement contingent upon Attorney review.
3. 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, October 19, 2022.

  
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Andrea Cocula, Secretary