

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 Twp. Litigation, Frankford Twp. Town Center Project, County Homestead Plant Operations

(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.

Certified as a true copy of the
Resolution adopted by the Authority
at their Regular Authority Meeting held
on Wednesday, October 20, 2021.



Andrea Cocula, Secretary

RESOLUTION RE: GRANT AGREEMENT BETWEEN SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION RE: ECOLOGICAL UPLIFT OF THE FORMER CULVER LAKE GOLF COURSE IN THE UPPER PAULINS KILL WATERSHED

WHEREAS, the Wallkill River Watershed Management Group, under the administrative auspices of the Sussex County Municipal Utilities Authority, has previously been awarded grant funding from the New Jersey Department of Environmental Protection to develop and implement Watershed Restoration Plans for the Papakating Creek, Clove Brook, and Upper Paulins Kill Watershed, to coordinate stewardship projects across Sussex County; and most recently to fund the Upper Paulins Kill Lakes Initiative;

WHEREAS, the governing body of the Sussex County Municipal Utilities Authority desires to further the public interest by obtaining an additional grant from the State of New Jersey DEP Office of Natural Resource Restoration's (ONRR) Paulins Kill Pequest Watershed Restoration Grant Program in the amount of \$78,587.65 to fund the Ecological Uplift of the Former Culver Lake Golf Course in the Upper Paulins Kill Watershed; and

WHEREAS, the governing body authorizes that Thomas Varro, SCMUA Executive Director, Timothy Day, SCMUA Comptroller / Treasurer, and Nathaniel Sajdak, Watershed Director, or the successor to these offices, are authorized to make application for such a grant, and if awarded, to execute an agreement with the State, and to execute any amendments thereto which do not increase the Grantee's obligations; and

WHEREAS, the SCMUA Board of Commissioners authorizes and hereby agrees to match 29.8% of the total project amount in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property is hereby certified up to 100% of the match will be made of in-kind services.

WHEREAS, the Grantee agrees to comply with all applicable federal, State and municipal laws, rules, and regulations in its performance pursuant to the agreement.

THEREFORE, BE IT RESOLVED, that the SCMUA Board of Commissioners authorize filing an application for, and executing said Grant.

Certified as a true copy of the Resolution
adopted by the Authority at their scheduled
Meeting held on Wednesday, October 20, 2021.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH THEODORE R. STEPHENS, OPERATOR OF AN ORGANIC DAIRY FARM IN WANTAGE TOWNSHIP TO INSTALL MANURE STORAGE STRUCTURES AND ASSOCIATED BEST MANAGEMENT PRACTICES IN COLLABORATION WITH NORTH JERSEY RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL THRU GRANT FUNDING FROM THE NEW JERSEY DEPARTMENT OF AGRICULTURE

WHEREAS, the SCMUA-WRWMG facilitates a cost-share program for the funding of eligible agricultural operators to implement best management practices which would improve water quality and natural resources, and which have been approved by the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, the NJ RC&D / NJDA similarly facilitates a cost-share program for the funding of eligible agricultural operators to implement best management practices which would improve water quality and natural resources, and which have been approved by the governing Boards; and

WHEREAS, the NJ RC&D / NJDA has agreed to provide funding to THEODORE R. STEPHENS operator of an Organic Dairy Farm located at 467 State Route 284, Wantage New Jersey, Tax Parcel Block 26, Lot 6.04 of Wantage, New Jersey, to implement Best Management Practices which meet the NJ RC&D/NJDA standards and specifications under NJ RC&D contract Number NJDA #13-02-2021-01; and

WHEREAS, the SCMUA WRWMG has received an application from THEODORE R. STEPHENS to receive 319(h) Non-point Source Grant funding for a portion of the project to be implemented under the USDA-NRCS Farm Bill Funding Program (EQIP); and

WHEREAS, said 319(h) grant application appears to meet all eligibility criteria and has been previously approved by the NJDEP for project funding.

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to execute the Cost Sharing Agreement with THEODORE R. STEPHENS; and

BE IT FURTHER RESOLVED, that said Cost Sharing Agreement shall not exceed \$6,073.82 Six-Thousand Seventy-Three Dollars and Eighty-two cents; and

BE IT FURTHER RESOLVED, that dispersing of the grant funds shall be contingent upon certification by the SCMUA/WRWMG and NJ RC&D/NJDA at the completion of the project.

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, October 20, 2021.


Andrea Cocula, Secretary

RESOLUTION RE: CLOSURE OF SOLID WASTE FACILITIES' PHASE 2B
PLANNING & DESIGN FUND AND TRANSFER OF FUNDS
TO SOLID WASTE CELL CLOSURE ESCROW

WHEREAS, the SCMUA did establish the Solid Waste Facilities Phase 2B Planning & Design Fund; and

WHEREAS, the Solid Waste Facilities' Phase 2B Planning & Design Fund is no longer necessary for SCMUA purposes; and

WHEREAS, the Solid Waste Facilities' Phase 2B Planning & Design Fund has a balance of \$54,458.85; and

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Facilities' Phase 2B Planning & Design Fund be closed.

BE IT FURTHER RESOLVED, that the Fund balance be transferred and designated to Solid Waste Facilities Cell Closure Escrow Account.

Certified as a true copy of the
Resolution adopted by the Authority
At their Regular Authority Meeting
Held on Wednesday, October 20, 2021.



Andrea Cocula, Secretary