

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):

Nitrate Permit Appeal, Vernon Twp/Vernon Twp. MUA Litigation, IT Services

(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, June 15, 2022.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT WITH KIRK RANDALL STEPHENS, LIVESTOCK (BEEF AND SHEEP) FARM IN VERNON TOWNSHIP TO IMPLEMENT BEST MANAGEMENT PRACTICES IN COLLABORATION WITH THE USDA-NRCS FARM BILL FUNDING PROGRAM (EQIP)

WHEREAS, the Sussex County Municipal Utilities Authority – Walkkill River Watershed Management Group (SCMUA-WRWMG) has an existing Memorandum of Understanding (MOU) - Shared Services Agreement with the USDA – Natural Resources Conservation Service (USDA-NRCS) dated July 17, 2013; and

WHEREAS, under the MOU the SCMUA-WRWMG would partner with the USDA - NRCS in funding 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 NRCS has agreed to provide funding to Kirk Randall Stephens Jr. residing at 99 Sand Hill Road, tenant operator of a Sheep and Beef Farm Property located at 435 Route 94, Vernon New Jersey, Tax Parcel Block 58, Lot 2, Block 59, Lot 8, and Block 228, Lot 8 of Vernon, New Jersey, to implement Best Management Practices which meet the USDA-NRCS standards and specifications under USDA contract Number EQIP 2018 742B29210BS; and

WHEREAS, the SCMUA-WRWMG has received an application from Kirk Randall Stephens Jr. 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 (BEARS) for project funding.

NOW, THEREFORE, BE IT RESOLVED that the Chairman is authorized to execute the Cost Sharing Agreement with Kirk Randall Stephens Jr. and

BE IT FURTHER RESOLVED, that said Cost Sharing Agreement shall not exceed \$4,657.28 – Four Thousand – Six Hundred – Fifty-Seven Dollars and Twenty-Eight cents; and

BE IT FURTHER RESOLVED, that dispersing of the grant funds shall be contingent upon certification by the USDA-NRCS 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, June 15, 2022.


Andrea Cocula, Secretary

RESOLUTION RE: AWARD OF CONTRACT NO. 22-05 FOR FERRIC CHLORIDE SOLUTION DELIVERY

WHEREAS, on June 3, 2022 in The New Jersey Herald, the Notice to Bidders was published for Contract No. 22-05 for Delivery of Ferric Chloride, with Bids being received and publicly opened on June 14, 2022; and

WHEREAS, SCMUA received bids from Coyne Chemical Co. Inc. of Croydon, PA in the amount of \$116,870.00 (\$2.3374/gal) and from Kemira Water Solutions Inc. of Lawrence, KS in the amount of \$149,000.00 (\$2.98/gal); and

WHEREAS, Coyne Chemical Co. Inc. was the low bidder for Contract No. 22-05; and

WHEREAS, the bid is for one (1) calendar year and is effective as of July 1, 2022 through June 30, 2023; and

WHEREAS, SCMUA staff review has determined that the bid from Coyne Chemical Co. Inc. of Croydon, PA is in conformance with the specifications; 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. 22-05 (1-year term) is hereby awarded to Coyne Chemical Co. Inc. of Croydon, PA for a unit cost of \$2.3374/gal (estimated annual cost of \$116,870.00).

BE IT FURTHER RESOLVED, that Executive Director and SCMUA Staff are authorized to prepare and execute the applicable contract with Coyne Chemical Co. Inc.

BE IT FURTHER RESOLVED 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 June 15, 2022.


Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING DISPOSAL OF VARIOUS SCMUA RECORDS

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) is required to retain certain public records according to the schedule as provided by the State of New Jersey, Department of Treasury, Division of Revenue and Enterprise Services - Records Management Services; and

WHEREAS, pursuant to N.J.S.A. 47:3-15 et. seq. there is a standardized procedure for the disposal of public records; and

WHEREAS, the SCMUA through its Executive Director and Staff has processed a request through the State of New Jersey, Department of Treasury, Division of Revenue and Enterprise Services - Records Management Services to dispose of various records, (from Retention Schedules C550000-002, C820000-015); and

WHEREAS, the State of New Jersey, Division of Archives and Records Management has approved and authorized said request for disposal (Authorization #s 583159, 583160); and

WHEREAS, the SCMUA Board of Commissioners has been advised by the Executive Director that these public records have been audited, the audit approved and said records are not required for future audits and have ceased to have sufficient value to warrant further retention; and

NOW THEREFORE BE IT RESOLVED by the SCMUA Board of Commissioners as follows:

1. The public records as listed on the attached "Request and Authorization for Records Disposal" forms to be disposed of in the proper manner.
2. The request and authorizations (#583159, #583160), as approved by the State of New Jersey, Department of Treasury, Division of Revenue and Enterprise Services - Records Management Services shall be retained in the official records of the SCMUA.

Certified as a true copy of the
Resolution as adopted by the Authority
at their Regular Meeting held on
Wednesday, June 15, 2022.


Andrea Cocula, Secretary