

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):

Access Agreement with County of Sussex, Sussex ShopRite Connection Fee, Vernon Township Sewer User Charges , Sparta Stop and Shop Connection Fee

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):

(8) 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

(9) 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, September 19, 2018.



Andrea Cocula, Secretary

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RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZES THE EXECUTION OF AN EXTENSION OF A
SHARED SERVICES AGREEMENT WITH THE TOWNSHIP
OF HARDYSTON FOR THE PROVISION OF DESIGNATED
CLASS A FIBER RECYCLABLE MATERIAL HANDLING
AND MARKETING WITH PROFIT SHARING

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "SCMUA"), among other things, operates a recycling program 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, the SCMUA and Township of Hardyston entered into a Shared Services Agreement on September 1, 2010 for the performing of designated Class A Fiber recyclable material handling and marketing with profit sharing; and

WHEREAS, the Shared Services Agreement provides for annual extension(s) upon agreement by both parties; and

WHEREAS, Hardyston Township has, by resolution dated August 22, 2018, indicated their interest in extending the Shared Services Agreement; and

WHEREAS, the Board of Commissioners are agreeable to extending the Shared Services Agreement to August 31, 2019.

NOW THEREFORE, BE IT RESOLVED, by the Sussex County Municipal Utilities Authority, in the County of Sussex, and State of New Jersey to extend the Shared Services Agreement until August 31, 2019.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, September 19, 2018.



Andrea Cocula, Secretary

2019 AUTHORITY BUDGET RESOLUTION

SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA)

FISCAL YEAR: FROM: DECEMBER 1, 2018 TO: NOVEMBER 30, 2019

WHEREAS, the Annual Budget and Capital Budget for the Sussex County MUA for the fiscal year beginning December 1, 2018 and ending, November 30, 2019 has been presented before the governing body of the Sussex County MUA at its open public meeting of September 19, 2018; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$18,639,700, Total Appropriations, including any Accumulated Deficit if any, of \$18,645,700 and Total Unrestricted Net Position utilized of \$6,000; and

WHEREAS, the Capital Budget as introduced reflects total Capital Appropriations of \$7,050,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$0; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and


WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the SCMUA, at an open public meeting held on September 19, 2018 that the Annual Budget, including all related schedules, and Capital Budget/Program of the SCMUA for the fiscal year beginning, December 1, 2018 and ending, November 30, 2019 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the SCMUA will consider the Annual Budget and Capital Budget/Program for adoption on November 28, 2018.

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, September 19, 2018.


Andrea Cocula, Secretary

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<u>Governing Body</u>	<u>Recorded Vote</u>			
	Aye	Nay	Abstain	Absent
R. Petillo	X			
T. Madsen	X			
W. Dietz				X
A. Cocula	X			
K. Meyer				X
J. Drake	X			
D. Perez	X			

RESOLUTION RE: AUTHORIZING AN AGREEMENT NOT TO EXCEED \$15,000.00 BETWEEN THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY AND THE CANNING GROUP LLC, FOR EXECUTIVE SEARCH SERVICES

WHEREAS, there is a need for Professional Services to provide Executive Search Services for the position of Administrator of the Sussex County Municipal Utilities Authority (Authority); and

WHEREAS, it is the desire of the Commissioners of the Authority to authorize a contract in an amount not to exceed \$15,000.00 to The Canning Group, LLC, for Executive Search Services for the position of Sussex County Municipal Utilities Authority Administrator; and

WHEREAS, the Authority's Chief Financial Officer has certified that funds are available for this purpose; and

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

1. A contract is hereby awarded in accordance with N.J.S.A. 40A:11-1 et. Seq., of the Local Public Contracts Law to The Canning Group, LLC in an amount not to exceed \$15,000.00 to provide Sussex County Municipal Utilities Authority Administrator.

2. The appropriate Authority officials are authorized and directed to execute the contract as awarded pursuant to N.J.S.A. 40A :11 -1 et. Seq.,

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Andrea Cocula, Secretary