

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):

Landfill Gas to Energy Contract

(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, September 21, 2022.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE PUBLIC SALE OF SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) SOLID WASTE PROPERTY NO LONGER NEEDED FOR PUBLIC USE THROUGH GOVDEALS PUBLIC ONLINE AUCTION

WHEREAS, the Sussex County Municipal Utilities Authority (“SCMUA”) has been advised by its staff and does hereby confirm that certain personal property in the possession of the Authority is not now or reasonably in the future is needed for Authority purposes; and

WHEREAS, N.J.S.A. 40A:11-36 authorizes the Authority to dispose of the equipment in the most cost effective manner. SCMUA assets listed and noted as such for auction, or disposal are put forth below; and

NOW THEREFORE, BE IT RESOLVED by the Sussex County Municipal Utilities Authority that the equipment put forth below, shall be and are hereby determined to be surplus personal property and not needed for public use and shall be put up for auction, or disposed of in the most cost effective manner.

BE IT FURTHER RESOLVED that the Authority, as a member of the Passaic County Cop, shall use GovDeals, a public online auction conducted pursuant to N.J.S.A. 40A:11-36, Local Finance Notice 2019-15 of the New Jersey Department of Community Affairs, Division of Local Government Services.

Solid Waste Facility

Description

SCMUA#1715 2013 John Deere 750K
(Serial#1TO750KXCCE235680)

Auction

BE IT FURTHER RESOLVED, that the successful bidder(s) shall be required to pay the full amount of the sale, no express warranties will be provided concerning use of said surplus property, and shall be required to make arrangements for the pick-up of sold property from the SCMUA within 10 business days of the auction; and

BE IT FURTHER RESOLVED, that a legal advertisement shall be posted on the SCMUA’s official website, www.scmua.org, informing the public as to the nature of items being sold and how to obtain more information on the sale as required by N.J.S.A. 40A:11-36; and

BE IT FURTHER RESOLVED that the Authority hereby directs the Treasurer and Staff to remove the listed items on the fixed asset inventory.

BE IT FURTHER RESOLVED, that SCMUA staff is hereby authorized and directed to take all actions necessary and appropriate to effectuate the terms of this resolution, which shall take effect in accordance with applicable NJ laws and statutes.

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, September 21, 2022.


Andrea Cocula, Secretary

2023 AUTHORITY BUDGET RESOLUTION

SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA)

FISCAL YEAR: FROM: DECEMBER 1, 2022 TO: NOVEMBER 30, 2023

WHEREAS, the Annual Budget and Capital Budget for the Sussex County Municipal Utilities Authority (SCMUA) for the fiscal year beginning December 1, 2022 and ending, November 30, 2023 has been presented before the governing body of the SCMUA at its open public meeting of September 21, 2022; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$21,347,000, Total Appropriations, including any Accumulated Deficit if any, of \$22,372,000 and Total Unrestricted Net Position utilized of \$1,025,000; and

WHEREAS, the Capital Budget as introduced reflects total Capital Appropriations of \$2,329,500 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 21, 2022 that the Annual Budget, including all related schedules, and Capital Budget/Program of the SCMUA for the fiscal year beginning, December 1, 2022 and ending, November 30, 2023 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 30, 2022.

Certified as a true copy of the
Resolution adopted by the Authority
at their Regular Meeting held on
Wednesday, September 21, 2022.


Andrea Cocula, Secretary

Governing Body

R. Petillo
T. Madsen
W. Dietz
A. Cocula
K. Meyer
J. Drake
J. Wesley
J. Finkeldie
R. Dabinett

Aye	<u>Recorded Vote</u>		
	Nay	Abstain	Absent
x			
x			
x			
x			
x			
x			
x			
x			
x			