

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):

U.W. NJPDES Nitrate Litigation, Vernon Twp./Vernon Twp. MUA Litigation,
Permanent North Side Landfill Cap, U.W. Grease Surcharge

(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 Items

(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, May 17, 2023.


Andrea Cocula, Secretary

RESOLUTION RE: CONDITIONAL ENDORSEMENT OF TWA APPLICATION FOR THE SUSSEX COUNTY HOMESTEAD WWTP CONVERSION TO A PUMPING STATION AND ASSOCIATED FORCE MAIN CONSTRUCTION

WHEREAS, Applicant/Owner, Sussex County, has submitted to the Sussex County Municipal Utilities Authority (SCMUA), an application for the endorsement of the decommissioning of the existing Homestead WWTP and replacing it with a pumping station to convey wastewater flow for ultimate treatment at the SCMUA Paulinskill Basin Water Reclamation Facility; and

WHEREAS, the scope of work includes decommissioning the existing WWTP, installation of a complete packaged pumping station (including control system appurtenances), installation of approximately 11,111 LF of 3" diameter force main, and installation of approximately 50 LF of 8" PVC gravity pipe, thereby connecting to the Branchville Borough wastewater collection system and ultimately to the SCMUA Paulinskill System via SCMUA force main pipe; and

WHEREAS, the construction plans and specifications for this project have been reviewed and SCMUA provided comments in a letter dated May 17, 2023, to be addressed by the Applicant; and

WHEREAS, the Project limits of construction are within an existing Sussex County sanitary easement; and

WHEREAS, the above project requires the necessary approval and endorsement of the SCMUA for NJDEP Treatment Works Approval; and

WHEREAS, the appropriate SCMUA review fee has been paid by the applicant.

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

- I. The SCMUA's Chief Engineer or Executive Director are hereby authorized and directed to sign Endorsement Form WQM-003 for the referenced application for NJDEP Treatment Works Approval conditioned upon the Applicant's satisfactory response to the SCMUA review comments dated May 17, 2023.
- II. A certified copy of this resolution shall be forwarded to the project Applicant/Owner (Sussex County), Boswell Engineering, and the NJDEP.
- III. SCMUA Staff and Professionals are directed and empowered to take any and all action necessary to effect this Resolution.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on May 17, 2023.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PARTNERSHIP AGREEMENT WITH HALSTED MIDDLE SCHOOL / NEWTON TOWNSHIP BOARD OF EDUCATION TO ASSIST WITH THE PROJECT LAYOUT AND CONSTRUCTION OVERSIGHT FOR A POROUS ASPHALT PROJECT IN THE SCHOOL'S FRONT PARKING LOT AND A TREE TRENCH PROJECT IN THE SCHOOL'S PAVED PLAYGROUND AREA

WHEREAS, the Sussex County Municipal Utilities Authority-Wallkill River Watershed Management Group (SCMUA-WRWMG) has an existing grant agreement from the National Fish and Wildlife Foundation (hereinafter referred to as "NFWF") to sponsor "green infrastructure" stormwater management projects in the Upper Paulins Kill Watershed; and

WHEREAS, the SCMUA-WRWMG has previously worked with the Newton Board of Education to construct a rain garden stormwater management project on the Halsted Middle School campus in July 2019, a porous asphalt strip in the Halsted Middle School paved playground area in November 2020, a rain garden at Newton High School in July 2021, a rain garden at Merriam Avenue Elementary School in April 2022, and a porous paver courtyard at Newton High School in April 2022; and

WHEREAS, Rutgers Cooperative Extension-Water Resources Program identified specific areas for strategic porous asphalt and tree trench installation on the Halsted Middle School campus and prepared a set of formal engineering design plans that includes a porous asphalt project within Halsted Middle School's front parking lot and tree trenches in Halsted Middle School's paved playground area; and

WHEREAS, NFWF has approved use of grant funds from the SCMUA-WRWMG's "Enhancing Green Infrastructure in the Upper Paulins Kill Watershed: Phase II" grant for project layout and construction oversight for the porous asphalt and tree trench projects at Halsted Middle School; and

WHEREAS, the Newton Board of Education is scheduled to enter into an agreement with Rutgers Cooperative Extension-Water Resources Program to complete the project layout and construction oversight for the porous asphalt and tree trench installation at Halsted Middle School; and

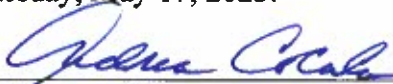
WHEREAS, upon successful project completion and certification by Rutgers Cooperative Extension-Water Resources Program, and subsequent approval/release of funds by NFWF to the SCMUA-WRWMG for the aforementioned project layout and construction oversight, the SCMUA-WRWMG will provide a **Total Not-to-Exceed Reimbursement** to Halsted Middle School-Newton Township Board of Education of up to **\$17,134.00 (seventeen thousand, one hundred thirty-four dollars and 0 cents).**

NOW, therefore, BE IT RESOLVED that the Chairman is authorized to execute the Partnership Agreement with Halsted Middle School-Newton Township Board of Education; and

BE IT FURTHER RESOLVED, that the reimbursement payment of grant funds to Halsted Middle School shall be contingent upon certification by Rutgers Cooperative Extension-Water Resources Program at completion of the project and the subsequent approval/ release of funds by NFWF to the SCMUA-WRWMG for the project layout and construction oversight for the porous asphalt and tree trench projects.

AND BE IT FURTHER RESOLVED that this Resolution should become effective as provided by statute/law.

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, May 17, 2023.



Andres Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE PUBLIC SALE OF SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) SOLID WASTE AND UPPER WALLKILL FACILITY 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 Co-op, 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.

Wastewater Facility

Description

SCMUA#1621- 1995 John Deere 644G Loader (VIN#DIN644GD552680)	Auction
SCMUA #1612- 2002 FORD F-250 (VIN#1FTNF21L92EB53913)	Auction
SCMUA#1622- 2005 FORD RANGER (VIN#1FTYR11U55PA58278)	Auction
SCMUA#1613- 2004 John Deere GX345 Mower (VIN#MOG345E120736)	Auction
SCMUA #1614 -2000 John Deere 425Mower (VIN#MO48HDA131156)	Auction
SCMUA – X MARK WALK BEHIND MOWER	Auction

Solid Waste Facility

Description

SCMUA#1706- 2018 Caterpillar Loader (VIN#8HW2008)	Auction
SCMUA #1743 1993 Morbark Tub Grinder (VIN#565235)	Auction
SCMUA – Caterpillar Sweeper for 908 Loader	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 published the in the SCMUA's official newspaper 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, May 17, 2023.



Andrea Cocula, Secretary

**Declaration of Appreciation
Retirement of
~ Russell Teague ~**

WHEREAS, Russell Teague was hired by the Sussex County Municipal Utilities Authority on July 30, 1990 as a Solid Waste Site Attendant; and

WHEREAS, Russell Teague was shortly thereafter promoted as a Heavy Equipment Operator I for the Solid Waste Facility; and

WHEREAS, he was subsequently promoted as a Heavy Equipment Operator II on December 25, 1995, and currently serves at said position for the Solid Waste/Recycling Facilities which are owned and operated by the SCMUA; and

WHEREAS, Russell Teague has, for the past 33 years been a loyal and dedicated employee of the SCMUA in regard to the daily operations of its Solid Waste and Recycling Facilities; and

WHEREAS, Russell Teague has determined to retire effective May 31, 2023, with 33 years of service with the Sussex County Municipal Utilities Authority; and

WHEREAS, the Commissioners, Professionals and Staff wish to express their appreciation to Russell Teague for his years of service, dedication, and unwavering faithfulness.

NOW, THEREFORE BE IT RESOLVED that the SCMUA Board of Commissioners hereby express their deepest gratitude to Russell Teague for his service to the SCMUA and citizens of Sussex County.

BE IT FURTHER RESOLVED that the SCMUA Board of Commissioners, Professionals and Staff hereby wish Russell Teague the "Best of Luck, Health and Happiness" during his retirement and all future endeavors.

BE IT FURTHER RESOLVED that this Resolution shall be presented to Russell Teague as a continual reminder of his invaluable service to the Sussex County Municipal Utilities Authority.

May 17, 2023

Ronald Pettito, Chairman

John Drake, Vice-Chairman

Andrea Cocula, Secretary

Wayne Dietz, Commissioner

Karl Meyer, Commissioner

Thomas Madsen, Commissioner

John Finkeldie, Commissioner

Robert Dabinett, Commissioner

John Wesley, Commissioner

Thomas Varro, Executive Director

