

RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PARTNERSHIP AGREEMENT WITH HALSTED MIDDLE SCHOOL / NEWTON TOWNSHIP BOARD OF EDUCATION TO ASSIST WITH THE IMPLEMENTATION OF 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-Walkkill River Watershed Management Group (SCMUA-WRWMG) has existing grant agreements from the New Jersey Department of Environmental Protection (hereinafter referred to as "NJDEP") and 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, NJDEP and NFWF have approved use of grant funds from the SCMUA-WRWMG's Sussex Countywide NJDEP grant and SCMUA-WRWMG's "Enhancing Green Infrastructure in the Upper Paulins Kill Watershed: Phase II" NFWF grant for construction of porous asphalt in the front parking lot and tree trenches in the paved playground area of Halsted Middle School; and

WHEREAS, the Newton Board of Education is scheduled to approve awarding contract to Crossroads Paving Maintenance LLC to complete porous asphalt installation in the Halsted Middle School front parking lot and tree trench installation in the Halsted Middle School paved playground area; and

WHEREAS, upon successful project completion and certification by Rutgers Cooperative Extension-Water Resources Program, and subsequent approval/release of funds by NJDEP and NFWF to the SCMUA-WRWMG for the aforementioned project construction and quality control, the SCMUA-WRWMG will provide a **Total Not-to-Exceed Reimbursement** to Halsted Middle School-Newton Township Board of Education of up to **\$154,155.00 (one hundred fifty-four thousand, one hundred and fifty-five 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 NJDEP and NFWF to the SCMUA-WRWMG for the porous asphalt and tree trench construction.

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 3, 2023.



Andres Cocula, Secretary

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,
Upper Wallkill Nitrate Appeal, Upper Wallkill Plant Upgrades

(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 Item

(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 3, 2023.



Andrea Cocula, Secretary