

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):

Energy Aggregate Meeting/Bid, Upper Walkkill Permit Conference

(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 Rescheduled Regular Authority Meeting held
on Wednesday, October 2, 2019.



Andrea Cocula, Secretary

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RESOLUTION RE: AMENDING THE SCMUA'S FY2019 UPPER WALLKILL FACILITIES BUDGET

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) introduced and subsequently adopted its FY2019 Budget on November 28, 2019; and


WHEREAS, due to project status and revised program priorities, the SCMUA has determined it is necessary and proper to amend the Upper Wallkill Facilities Operating Budget to reallocate certain Capital Outlay expenditures (no increase in overall budget amount); and

WHEREAS, N.J.A.C. 5:31 – 2.8 provides that all budget amendments shall be approved by resolution.

THEREFORE, BE IT RESOLVED, that the adopted FY2019 SCMUA Upper Wallkill Facilities Budget ending November 30, 2019 be amended as follows:

<u>Expenses</u>	<u>From</u>	<u>To</u>
Capital Outlay		
UW3601 – Replacement Pumps	\$20,000	\$20,000
UW3602 - Various Paving to U/C Dishwasher & Inj.	\$40,000	\$8,500
UW3603 – SCADA System	\$50,000	\$50,000
UW3604 – Franklin Pump Station	\$-0-	\$31,500
Total	\$110,000	\$110,000

BE IT FURTHER RESOLVED, that two copies of this resolution shall be filed with the Director of the Division of Local Governmental Services.



Andrea Cocula

Date: October 2, 2019

Approved _____, 20__

Director, Division of Local Government Services

(recorded vote - attached)

Date: October 2, 2019

Member	Aye	Recorded Vote		
		Nay	Abstain	Absent
K. Meyer	X			
T. Madsen	X			
J. Drake	X			
A. Cocula	X			
W. Dietz				X
D. Perez	X			
R. Petillo	X			
J. Finkeldie	X			
R. Dabinett	X			

Tk/budgets/2019budget/budget amendment FY2019 upper wallkill

RESOLUTION RE: AMENDING THE SCMUA'S FY2019 SOLID WASTE FACILITIES BUDGET

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) introduced and subsequently adopted its FY2019 Budget on November 28, 2019; and

WHEREAS, due to project status and revised program priorities, the SCMUA has determined it is necessary and proper to amend the Solid Waste Facilities Operating Budget to reallocate certain Capital Outlay expenditures (no increase in overall budget amount); and

WHEREAS, N.J.A.C. 5:31 – 2.8 provides that all budget amendments shall be approved by resolution.

THEREFORE, BE IT RESOLVED, that the adopted FY2019 SCMUA Solid Waste Facilities Budget ending November 30, 2019 be amended as follows:

<u>Expenses</u>	<u>From</u>	<u>To</u>
Capital Outlay		
LF3601 - Commercial Mower	\$15,000	\$15,000
LF3602 - BWRP Road Repair to Odor Control	\$40,000	\$40,000
LF3603 – Landfill Gas Improv.	\$120,000	\$120,000
LF3604 – Replace A/C Unit	\$30,000	\$30,000
LF3605 – Fuel Facilities/Generators	\$550,000	\$155,000
LF3606 – Channel Grates	\$-0-	\$275,000
LF3607 – Security Cameras	\$-0-	\$25,000
LF3608 - Compressor	\$-0-	\$25,000
LF3609 – Shop Heater	\$-0-	\$15,000
LF3610 – Blower Upgrades	\$-0-	<u>\$55,000</u>
Total	\$755,000	\$755,000

BE IT FURTHER RESOLVED, that two copies of this resolution shall be filed with the Director of the Division of Local Governmental Services.



Andrea Cocula

Date: October 2, 2019

Approved _____, 2019

Director, Division of Local Government Services

(vote record – attached)

RESOLUTION RE: APPOINTMENT OF MARGUERITE NEMETH AS SCMUA
CERTIFYING OFFICER THROUGH TO FEBRUARY 5, 2020

WHEREAS, there exists the need within the Authority for the appointment of a "Certifying Officer" to execute and authorize certain documents relating to daily operations.

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Municipal Utilities Authority (SCMUA) appoints Marguerite Nemeth as "Certifying Officer" for the purpose of execution and authorization of documents relating to the New Jersey Division of Pensions and Benefits, Public Employees Retirement System and State Health Benefits Program reports/remittances.

BE IT FURTHER RESOLVED that the Certifying Officer be authorized to execute and authorize documents as relating to the following: NJ Motor Vehicle Commission transactions.

BE IT FURTHER RESOLVED that in the absence of the Certifying Officer, Valerie Olm, SCMUA Accountant, may serve as Alternate Certifying Officer.

BE IT FURTHER RESOLVED that SCMUA Comptroller shall serve as Supervisor to Certifying Officer.

BE IT FURTHER RESOLVED that this Resolution supersedes the prior SCMUA Resolution dated 9/4/19, and shall be effective through February 5, 2020, and as per Statute 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 Wednesday, October 2, 2019.



Secretary