



# Sussex County Municipal Utilities Authority

34 South Route 94, Lafayette, NJ 07848

[www.scmua.org](http://www.scmua.org)

## **AGENDA** **Regular Authority Meeting** **of Wednesday, February 15, 2023 at 3:00 p.m.**

1. Call to Order: Roll Call: Pledge of Allegiance
2. Public Statement Regarding Sunshine Law
3. Open to Public Comment
4. Approval of Agenda
5. Approval of Consent Agenda

All matters listed below are considered routine in nature and have been provided to the Commissioners prior to this Regular Authority Meeting and may be enacted by one motion. There will be no separate discussion of the items not requiring Commissioners' action or direction. If any discussion is desired by a Commissioner, that particular item will be removed from the Consent Agenda and placed on the meeting Agenda to be discussed and considered separately.

- a. Executive Director's Activity Report
  - b. Comptroller's Activity Report
  - c. Chief Engineer's Activity Report
  - d. Wastewater Superintendent's Activity Report
  - e. Solid Waste Superintendent's Activity Report
  - f. Walkkill River Watershed Management Group Director's Activity Report
6. Minutes - Distribution/\*Approval of February 1, 2023 Meeting Pending Action Summary Sheets (PASS)

For Approval:           Open and Closed Meeting Minutes for January 4, 2023  
                                  Open and Closed Meeting Minutes for January 18, 2023

For Distribution:       None

7. Business

a. Closed Executive Session

b. Wastewater Program

**Attorney's Report**

- No Report

**Superintendent's Report**

- Report Re: Sussex Borough Force Main Replacement Project

**Executive Director's Report**

- No Report

**Chief Engineer's Report**

- \*Resolution Re: NJPDES Permit Renewal for Homestead Facility
- \*Resolution Re: NJPDES Permit Renewal for Upper Walkkill Facility

**Watershed Director's Report**

- Report Re: Virtual Raingarden Workshops

**Comptroller's Report**

- Report Re: Septage, Sludge and Hauled Sewage

c. Solid Waste Program

**Attorney's Report**

- No Report

**Superintendent's Report**

- Report Re: Equipment & Operations

**Executive Director's Report**

- No Report

**Comptroller's Report**

- Report Re: Tonnages & Revenues
- \*Resolution Re: Change Order Exceeding 20% of Original Contract – Stage 2 Landfill Expansion Project

**Chief Engineer's Report**

- Status Report Re: Stage 2 Landfill Expansion Project (#551)
- \*Resolution Re: Stage 2 Landfill Expansion Project Change Order

d. General Authority Business

**Attorney's Report**

- No Report

**Executive Director's Report**

- No Report

**Comptroller's Report**

- Report Re: Statewide Insurance Reorg. Meeting/ Award

e. Personnel Matters

**Wastewater Superintendent's Report**

- Personnel Action

**Solid Waste Superintendent's Report**

- Personnel Actions

**Executive Director Report**

- No Report

8. Financial Transactions

- \*Resolution Re: Authorizing Passage of the Financial Consent Agenda

9. Open to Public Comment

10. Commissioners' Comments/Requests

11. Adjourn

**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):

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(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):

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(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):

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- (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):

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- (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):

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- (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):

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- (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):

Hardyston Township MUA Meeting, Nitrate Effluent Litigation, and Landfill Expansion Project

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(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):

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(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

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(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):

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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, February 15, 2023.

  
Andrea Cocula, Secretary

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