

**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):

Sussex Borough Hardship Agreement

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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 Matters

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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 Tuesday, November 1, 2023.

  
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.COM PUBLIC ONLINE AUCTION**

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) is the owner of certain property which is no longer needed for public use; and

WHEREAS, N.J.S.A. 40A:11-36 authorizes municipalities to sell public property that is no longer needed for public use at a public sale to the highest bidder as surplus property; and

WHEREAS, the Board of Commissioners of the SCMUA are desirous of selling such surplus property in "as is" condition without express or implied warranties.

BE IT RESOLVED, by the Board of Commissioners that they hereby authorize the sale of Solid Waste Facility property no longer needed for public use; and

BE IT FURTHER RESOLVED, that the public auction shall be conducted through GovDeals.com public online auction pursuant N.J.S.A. 40A:11-36, Local Finance Notice 2008-9 of the New Jersey Department of Community Affairs, Division of Local Government Services. (The terms and conditions of the agreement entered into with GovDeals is available online at [www.govdeals.com](http://www.govdeals.com) and is also available at the Authority's Administration Offices); and

BE IT FURTHER RESOLVED, that the sale of surplus property to be sold in "as is" condition without expressed or implied warranties as follows:

SCMUA #1716 – 2016 Caterpillar 973D Track Loader Serial # CAT0973DJLCP00439

And,

BE IT FURTHER RESOLVED, that the SCMUA reserves the right to accept or reject any bid submitted; and

BE IT FURTHER RESOLVED, that the successful bidder(s) shall be required to pay the full amount of the sale, execute a Hold Harmless and Indemnification Agreement 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 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 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 November 1, 2023.

  
Andrea Cocula, Secretary

**RESOLUTION RE: AUTHORIZING THE IMPLEMENTATION OF ENHANCEMENTS TO THE EMPLOYEE BENEFITS PROGRAM**

**WHEREAS**, the Sussex County Municipal Utilities Authority (hereinafter, the Authority) provides Medical, Prescription, Dental & voluntary Vision coverage through a comprehensive Employee Health Benefits Program; and

**WHEREAS**, the Authority Administration Team directed the Authority's Health Benefits Consultant (hereinafter, the HBC), to conduct a comprehensive evaluation of the Benefits Program with an emphasis on providing meaningful benefit improvements within the financial constraints of the Authority and as such, through due diligence in the marketplace, the HBC has identified certain improvements to existing coverage and several coverage enhancements, as presented to Administration for consideration and action by the Commissioners; and

**WHEREAS**, the coverages, including benefits and limits would be secured through Metropolitan Life Insurance Company (hereinafter, MetLife) an A+ rated carrier, which offered the most attractive combination of benefit enhancements to the existing level of benefit and also provided additional coverage at a competitive price point, which will streamline the delivery of the existing and proposed additional coverage through a single carrier, thereby also maximizing multiline coverage pricing discounts available, which would include the following coverages & limits:

- Dental Benefits – Accept proposal for an improved Dental Benefits Program, offering eligible Employees the option of the PDP Plus Plan (improved coverages and benefits over existing Plan) or the Platinum Plan, which offers further coverage enhancements provided a MetLife Network Provider is utilized, with a 24-month Rate Guarantee.
- Group Life – Implementation of a Group Life Policy covering all Full-Time employees and Commissioners with a \$25,000 Life Benefit and an Accidental Death & Dismemberment (AD&D) component, also with a 24-month Rate Guarantee.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Sussex County Municipal Utilities Authority, County of Sussex, State of New Jersey, the HBC is hereby authorized and directed to effectuate with MetLife, the proposal set forth and illustrated through the spreadsheet analysis prepared by the HBC and made a part of this Resolution, for a **January 1, 2024** effective date; and

**BE IT FURTHER RESOLVED**, the Executive Director and Administrative Team are hereby authorized to complete the necessary underwriting to secure the coverages in cooperation with the HBC to ensure no lapse in coverage; and

**BE IT FURTHER RESOLVED,** a certified copy of this Resolution shall be forwarded to PIA Security Programs, A Division of World Insurance Associates, LLC, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Health Benefits Consultant to the Authority.

**BE IT FURTHER RESOLVED,** this resolution shall take effect and be in accordance with N.J.S.A. 40:14B-14(e) and N.J.S.A. 40A:11-4.5.

Certified as a true copy of the Resolution.  
adopted by the Authority at their Regular  
Meeting held on Wednesday, November 1, 2023.

A handwritten signature in cursive script, appearing to read "Andrea Cocula", written over a horizontal line.

Andrea Cocula, Secretary

RESOLUTION RE: ADOPTION OF SUSSEX COUNTY MUNICIPAL UTILITIES  
AUTHORITY'S SCHEDULE OF RATES, FEES AND CHARGES  
FOR FY2024

WHEREAS, N.J.S.A. 40:14B-1 et. seq. requires that every Authority shall prescribe and, from time to time when necessary, revise a schedule of all its service charges; and

WHEREAS, said Schedule of Rates, Fees and Charges ("Schedule") may be revised after holding a public hearing on the proposed revisions, which shall be held by the Authority at least 20 days after notice of the proposed revision is given in accordance with law; and

WHEREAS, the notice of proposed revision of the SCMUA Rates and Fees Schedule was published on September 27, 2023 in The Sunday New Jersey Herald and on September 27, 2023 in the Daily Record; and

WHEREAS, the Authority intends to revise its Schedule, has provided proper notice in accordance with law, and has held a public hearing thereon; and

WHEREAS, a public hearing was held on the proposed rates on October 17, 2023 at which time public comment was provided for with respect thereto; and

WHEREAS, after review and consideration of the public comment as well as the report and recommendations of the Authority's staff, the Commissioners have determined that the proposed adjustments to the Authority's rates are necessary and reasonable.

NOW, THEREFORE, BE IT RESOLVED that the attached "Sussex County Municipal Utilities Authority's Adopted FY2024 Schedule of Rates, Fees and Charges" is hereby approved, and will serve as the Authority's Schedule of Charges beginning December 1, 2023 or as otherwise provided for, and shall remain in effect until modified in accordance with applicable State statutes and regulations.

Certified as a true copy of the Resolution  
adopted by the Authority at their Regular  
Meeting held on Wednesday, November 1, 2023.

  
Andrea Cocula, Secretary



RESOLUTION RE: FY2023 BUDGET AMENDMENT - ADMINISTRATIVE SERVICES BUDGET

WHEREAS, the FY2023 Administrative Services Budget was adopted on November 30, 2022 as incorporated in the other SCMUA Facilities Operating and Capital Budgets; and

WHEREAS, the current FY2023 Administration Budget did not anticipate or provide funding for the additional Salary & Wages, Training, and Personal Services Expenses; and

WHEREAS, the SCMUA Board of Commissioners have determined to amend the FY2023 Administrative Budget to provide for sufficient funding for the additional unanticipated Salary & Wages, Training, and Personal Services Expenses.

NOW, THEREFORE, BE IT RESOLVED that the FY2023 Administrative Salary & Wages Line Item AS0101 shall increase 2.26% by \$42,000, from \$1,860,000 to \$1,902,000, all other line items shall remain unchanged.

BE IT FURTHER RESOLVED, that contributions to the Administrative Services Budget shall be allocated as follows:

Upper Wallkill Operating Fund	\$820,800
Solid Waste Facilities Operating Fund	\$820,800
Hampton Commons Operating Fund	\$ 48,300
Upper Wallkill Construction Fund II	\$ 68,800
Solid Waste Cell Closure Fund	\$ 83,700
Paulinskill Operating Fund	<u>\$ 59,600</u>
Total	\$1,902,000

BE IT FURTHER RESOLVED, that copies of this resolution shall be distributed to the SCMUA Treasurer, Accountant and Auditor.

Certified as a true copy of the Resolution  
Adopted by the Authority at their Regular  
Meeting held on November 1, 2023.

  
Andrea Cocula, Secretary

Tk/resols/admin serv transfer - 2023

Member	Aye	Recorded Vote		
		Nay	Abst.	Absent
R. Petillo	x			
T. Madsen				x
A. Cocula	x			
W. Dietz	x			
J. Drake	x			
J. Wesley	x			
K. Meyer	x			
J. Finkeldie				x
R. Dabinett				x