

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):

Upper Wallkill Nitrate, Vernon Township/Vernon Twp. MUA Matters

(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, September 6, 2023.


Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING ISSUANCE OF OFFICERS CERTIFICATES
RELATED TO AUTHORITY BONDS – OCTOBER 1, 2023
TO FEBRUARY 7, 2024

BE IT RESOLVED that Authority Chairman Ronald Petillo, Vice Chairman John Drake, Authority Secretary Andrea Cocula, Authority Interim Executive Director Joseph Sesto, Comptroller/Treasurer Timothy Day and Assistant Treasurer Valerie Olm are hereby designated to provide Officer's Certificates to the Authority's Trustee relating to all Authority Bond Issues, and are authorized to direct, and instruct the Authority's Trustee on all matters related to Authority Bonds, provided such directions and instruction comply with all requirements of the pertinent Bond Resolutions.

BE IT FURTHER RESOLVED that this shall be effective through the Authority's next Reorganization Meeting on February 7, 2024, 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, September 6, 2023.



Andrea Cocula, Secretary

RESOLUTION RE: APPOINTMENT OF A SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY RECORDS CUSTODIAN

WHEREAS, the New Jersey Public Records Act (OPRA) N.J.S.A. 47:1A-1 et seq. requires the appointment of a Records Custodian to provide information requested by the public; and

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) Board of Commissioners recognize the need to appoint a Records Custodian to meet the requirements of the OPRA; and

WHEREAS, current Records Custodian Thomas Varro will be retiring effective October 1, 2023; and

WHEREAS, the Commissioners have determined to appoint the SCMUA Comptroller Timothy Day to serve as Records Custodian for the remainder of 2023.

NOW, THEREFORE, BE IT RESOLVED, that the SCMUA Comptroller Timothy Day is hereby appointed the SCMUA's Records Custodian.

BE IT FURTHER RESOLVED, that this appointment shall be effective as per Statute N.J.S.A. 40:14B-14(e), and run until the Authority's next Reorganization Meeting on February 7, 2024.

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Resolution adopted by the Authority
At their Regular Meeting
Held on Wednesday, September 6, 2023.


Secretary

RESOLUTION RE: APPOINTMENT OF FUND COMMISSIONER TO THE
STATEWIDE INSURANCE FUND

#23-142

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "SCMUA") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, pursuant to the governing Bylaws of the Fund, each member is required to appoint a Commissioner to represent them in the Fund; and

WHEREAS, current Fund Commissioner and Executive Director Thomas Varro will be retiring effective October 1, 2023.

NOW, THEREFORE, BE IT RESOLVED that the SCMUA Board of Commissioners appoint Comptroller Timothy Day as Fund Commissioner for the SCMUA for the remainder of year 2023; and

BE IT FURTHER RESOLVED, that Executive Director Joseph Sesto is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the remainder of year 2023; and

BE IT FURTHER RESOLVED that the SCMUA's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Certified as a true copy of the
Resolution adopted by the Authority
at their Regular Meeting held
on Wednesday, September 6, 2023.


Secretary

<u>Board Member</u>	<u>Yea</u>	<u>Vote Results</u>		
		<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Petillo	x			
J. Drake	x			
T. Madsen				x
W. Dietz	x			
A. Cocula	x			
K. Meyer	x			
J. Wesley	x			
J. Finkeldie	x			
R. Dabinett	x			