

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):

Vernon Twp. Legal Fees, Hardship Program - UW, WQMP St. Paul's Abby
Endorsement, NJDOT temporary construction easement, Vernon Twp. site
meeting and WQMP Amendment

(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, June 5, 2024.



Andrea Cocula, Secretary

RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S (SCMUA) ENDORSEMENT OF SITE-SPECIFIC AMENDMENT TO THE SUSSEX COUNTY WATER QUALITY MANAGEMENT PLAN (WQMP) FOR THE ST. PAUL'S ABBEY LOCATED AT BLOCK 151, LOTS 22 AND 22.02 AND BLOCK 153, LOT 35 IN ANDOVER TOWNSHIP

WHEREAS, Westview Group is requesting a consent resolution for endorsement of the proposed site-specific amendment to the Sussex County Water Quality Management Plan (WQMP) for the development of the St. Paul's Abbey property in Andover Township (Block 151 Lot 22 & 22.02 & Block 153 Lot 35); and

WHEREAS, the Westview Group has applied to the NJDEP for a site-specific wastewater management plan amendment to increase the allowable discharge from 20,000 gpd to 50,000 gpd; and

WHEREAS, the NJDEP WQMP Amendment and Revision General Application was prepared by Dykstra Associates PC and is dated May 15, 2024; and

WHEREAS, the project's site plan was prepared by Dykstra Associates, PC and is dated January 30, 2024; and

WHEREAS, the project's Engineering Report and Treatment System Overall Layout Plan was done by Houser Engineering, LCC and are dated May 8, 2024, and May 15, 2024, respectively; and

WHEREAS, the proposed development includes the following: 30-1BR units, 38-2BR units, 4-3BR units, 60-1BR Age restricted units, 62 bed rehabilitation facility, 2200 SF gift shop, 60 bed monastery, 5 bed worker lodging, 220 seat catering facility, 32 unit hotel, 121,000 SF warehouse, and a 20,000 SF warehouse; and

WHEREAS, the design flows as calculated based on the population and building uses, was calculated to be 40,000 gpd, however the permit and capacity of the system is being proposed to be 50,000 gpd; and

WHEREAS, all wastewater generated onsite will be treated onsite by a discharge to groundwater wastewater treatment system; and

WHEREAS, Andover Township issued a resolution on May 2, 2024 supporting the site specific wastewater management plan amendment to increase the allowable discharge from 20,000 gpd to 50,000 gpd; and

WHEREAS, the applicant has applied to present the amendment before the Sussex County Water Quality Management Plan Policy Advisory Committee (PAC) at its regular meeting on June 6, 2024; and

WHEREAS, the WQMP Amendment is required to be adopted by the PAC via Resolution; and

WHEREAS, the SCMUA was identified as an “affected party” to this matter as defined in N.J.A.C 7:15; and

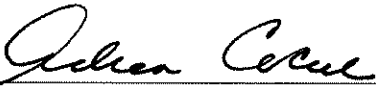
WHEREAS, the SCMUA has reviewed the proposed WQMP Amendment documents provided; and

WHEREAS, the SCMUA application review fee has been paid by the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Sussex County Municipal Utilities Authority that:

- I. The application for WQMP Amendment for the construction of the referenced project is conditionally endorsed by the SCMUA, subject to receipt of WQMP Amendment adoption by the PAC via Resolution.
- II. This Resolution shall be effective in accordance with applicable law.
- III. SCMUA Staff and Professionals are directed and empowered to take any and all action necessary to affect this Resolution.
- IV. A copy of this resolution shall be forwarded to the Sussex County Board of County Commissioners, Andover Township, Westview Group, Dykstra Associates PC, and the Sussex County PAC.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on June 5, 2024.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION TO EXECUTE AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR TEMPORARY CONSTRUCTION EASEMENT ALONG ROUTE 94 IN VERNON TOWNSHIP

WHEREAS, the New Jersey Department of Transportation (NJDOT) is planning to undertake a guide rail improvements projects along Route 94 in Vernon Township (proximity of Route 94 and Hamburg McAfee Rd); and

WHEREAS, the Sussex County MUA Vernon Regional Pumping Station is proximal in location to the proposed NJDOT Project and the SCMUA owns the property where the NJDOT is to provide construction staging for said guide rail improvements project; and

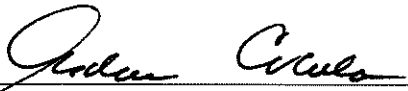
WHEREAS, the NJDOT has a proposed agreement for said referenced NJDOT Project which provides apportionment of responsibilities and reimbursement of costs and services for the SCMUA for the proposed 120 SF area within Block 605, Lot 15 in Vernon Township; and

WHEREAS, SCMUA staff and legal counsel have reviewed the proposed NJDOT documentation and recommends execution of the temporary construction easement for construction staging purposes.

NOW THEREFORE, BE IT RESOLVED, by the Commissioners of the SCMUA that:

1. The Executive Director is hereby authorized to execute the NJDOT Agreement for temporary usage of said property in Vernon Township.
2. The SCMUA Executive Director will remain as the SCMUA contact person to coordinate any necessary activities during NJDOT Project construction.
3. A certified copy of this Resolution will be sent along with two copies of the Agreement to the NJDOT as soon as it becomes available.

Certified as a true copy of the
Resolution adopted by the Commissioners
at their Regular Authority meeting held on
Wednesday, June 5, 2024.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE CHANGE ORDER TO SCMUA CONTRACT NO. 459, RAPID PUMP AND METER SERVICE COMPANY

WHEREAS, the Sussex County Municipal Utilities (SCMUA) and Rapid Pump and Meter Service Company (Rapid) entered into Contract 459 in the amount of \$1,332,280.00 for the Franklin Pump Station Rehabilitation Project; and

WHEREAS, Change Order Numbers 1-6 have been approved which increased the original awarded amount from \$1,332,280.00 to \$1,375,709.01; and

WHEREAS, Change Order Number 7 has been prepared by Rapid for the installation of program updates which includes HOA status monitoring for four (4) HOA hardwired switches for an amount of \$6,795.00; and

WHEREAS, Said proposed Contract increases includes increased labor time, material cost and subcontractor costs only; and

WHEREAS, SCMUA Staff and SCMUA's Construction Review Committee Chairman have reviewed said Change Orders and found them to be necessary and the price to be reasonable; and

WHEREAS, the SCMUA Treasurer has certified sufficient funds are available for change order approvals; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the SCMUA that the Executive Director is hereby authorized and directed to approve the above referenced change order to Contract No. 459 which reflects the work outlined above and contained within said Change Order, for a total increase in Contract Price of \$6,795.00 thereby changing the contract price from \$1,375,709.01 to \$1,382,504.21.

AND BE IT FURTHER RESOLVED that this resolution shall be effective in accordance with applicable law.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular Meeting
Held on Wednesday, June 5, 2024.



Andrea Cocula, Secretary

RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY
DECLARING CERTAIN PROPERTY NO LONGER
SERVICEABLE FOR S.C.M.U.A. USE

WHEREAS, the Board of Commissioners have been advised by the SCMUA staff and does hereby confirm that certain property in the possession of the SCMUA has both exceeded its useful life and is not now or reasonably in the future needed for SCMUA purposes; and

WHEREAS, the Lafayette Township Fire Department has requested the property be donated to the Fire Department for training purposes; and


WHEREAS, the SCMUA has reviewed those items of property set forth below and shall be and are hereby determined to be no longer serviceable for SCMUA use.

BE IT FURTHER RESOLVED that the Board of Commissioners hereby directs that said property be donated to the Lafayette Township Fire Department for training purposes, and that the Comptroller of the Authority, the Treasurer, and Staff may delete the listed items from the fixed asset inventory.

AND BE IT FURTHER RESOLVED that this Resolution shall become effective as provided by statute/law.

<u>Asset</u>	<u>Description</u>	<u>Vin#</u>	<u>Value</u>
#1724	2006 Dodge Durango	1D4H838N96F138773	\$250.00
#1702	2008 Dodge Durango	1D8HB38N48F121428	\$350.00

Certified as a true copy of the Resolution adopted
by the Authority at their Regular Authority
Meeting to be held on Wednesday, June 5, 2024.



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 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:

1. Overhead Mechanical Chain Hoist (Budgit 3-ton 25 foot Unit) and,

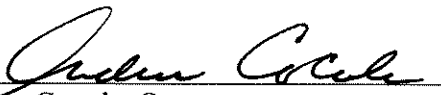
BE IT FURTHER RESOLVED, that the SCMUA reserves the right to accept or reject any bid submitted; and

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 June 5, 2024.


Andrea Cocula, Secretary