

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, Hampton Commons Nitrate, LFG Agreement Modification
Request

- ☐ (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 Matter

- ☐ (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, March 19, 2025.


Andrea Cocula, Secretary

RESOLUTION RE: ENDORSEMENT FOR THE CONNECTION OF HIGH END GARDENS CULTIVATION FACILITY IN SUSSEX BOROUGH, NEW JERSEY

WHEREAS, Applicant, High End Gardens LLC, has submitted a sewer connection endorsement application for their proposed Cannabis Cultivation Facility at 25 Brookside Avenue, Sussex Borough, New Jersey (Block 104, Lot 17); and

WHEREAS, this project consists of the utilization of the site's existing wastewater connection but increasing the average daily wastewater flow by 422 gpd for a total site usage of 1,072 gpd; and

WHEREAS, the above project requires the endorsement of the Sussex County Municipal Utilities Authority (SCMUA) due to the change in use of the site from a used car dealership to a cannabis cultivation facility; and

WHEREAS, the application, engineer's design report, and design drawings for this project have been reviewed by and are acceptable to the Sussex County Municipal Utilities Authority; and

WHEREAS, the above project final endorsement is contingent upon receipt and review of the items listed in the SCMUA review letter dated March 18, 2025 that includes the following: (1) receipt of connection fee and (2) effluent sampling during normal operation after 90-days and 12-months of operation; and

WHEREAS, the appropriate initial 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 a connection of the facility to sanitary sewer is conditionally approved/endorsed by the SCMUA, contingent upon agreement to provide the following information and compliance with SCMUA Upper Wallkill Service Rules:
 - A. Receipt of connection fee.
 - B. Effluent sampling during normal operation (90-days and 12-months).
- II. A certified copy of this resolution shall be forwarded to the project Applicant (High End Gardens LLC), Sussex Borough, and Civilized Engineering LLC.
- III. The above-referenced provisions and conditions are incorporated herein by reference.

- IV. SCMUA Staff and Professionals are directed and empowered to take any and all action necessary to affect this Resolution.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on March 19, 2025.



Andrea Cocula, Secretary