

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 Permit

☐ (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 Matters

☐ (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, May 21, 2025.


Andrea Cocula, Secretary

RESOLUTION RE: ENDORSEMENT OF TWA APPLICATION FOR THE
CONSTRUCTION OF A SEWER CONNECTION AS PART OF
PFAS TREATMENT UPGRADES FOR THE BRANCHVILLE
BOROUGH POTABLE WATER WELLS

WHEREAS, Applicant/Owner, Branchville Borough, has submitted to the Sussex County Municipal Utilities Authority (SCMUA) an application for the endorsement of the construction of a new sanitary sewer connection for PFAS and arsenic media backwash wastes from the Borough's potable water wellhouse in Branchville; and

WHEREAS, this project consists of the construction of new 4" ductile iron backwash line from the well house to a new sanitary sewer manhole near the westerly end of Second Street; and

WHEREAS, in accordance with the Engineers application, the average anticipated flow is 67 gallons per day which is equivalent to 0.32 EDU; and

WHEREAS, in accordance with the letter from AdEdge Water Technologies (PFAS treatment manufacturer), based on historical data from comparable sites, it is not anticipated that any detectable concentration of PFAS compounds will be within the waste stream; and

WHEREAS, the engineers design report, construction plans, and specifications for this project have been reviewed by and are acceptable to SCMUA; and

WHEREAS, the above project has received prior approval and endorsement from the Borough; and

WHEREAS, the Borough is required and has consented to performing PFAS testing after startup in accordance SCMUA's response letter dated May 16, 2025; and

WHEREAS, the appropriate SCMUA review fee has been paid by the applicant; and

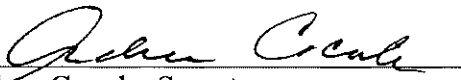
WHEREAS, the above project requires the necessary approval and endorsement of the SCMUA for NJDEP Treatment Works Approval per NJAC 7:14A-22.3(a); and

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

- I. The application for a TWA permit for the construction of the referenced project and associated plans and specifications are found to be acceptable.
- II. In accordance with the Authority's Rules and Regulations, connection fee payment to the SCMUA shall be made prior to the connection of the sanitary line, at the then prevailing Connection Fee Rate.

- III. The Borough is required to perform PFAS testing after startup in accordance with SCMUA's response letter dated May 16, 2025.
- IV. The SCMUA hereby endorses the subject application, and the SCMUA's Executive Director is hereby authorized and directed to sign the Endorsement Form WQM-003 for the referenced application for NJDEP Treatment Works Approval.
- V. A certified copy of this resolution shall be forwarded to the project Applicant/Owner Branchville Borough, Harald Pellow and Associates, and the NJDEP.
- VI. The above-referenced provisions and conditions are incorporated herein by reference.
- VII. SCMUA Staff and Professionals are directed and empowered to take any and all action necessary to effect this Resolution.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on May 21, 2025.


Andrea Cocula, Secretary