

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 Facility Nitrate, Vernon Township - WMP Amendment
Endorsement

☐ (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):

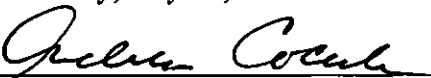
Personnel Matters

☐ (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, July 16, 2025.


Andrea Cocula, Secretary

RESOLUTION RE: ENDORSEMENT OF TWA APPLICATION FOR THE
RELOCATION OF SANITARY SEWER REQUIRED FOR A
MULTI-FAMILY RESIDENTIAL DEVELOPMENT IN
VERNON, NEW JERSEY BLOCK 402, LOTS 2 AND 3

WHEREAS, Red Hand LLC (applicant) has submitted to the Sussex County Municipal Utilities Authority (SCMUA) an application for the TWA endorsement for the sewer main relocation required for the construction of a multi-family residential development on Block 402, Lots 2 and 3 in Vernon Township; and

WHEREAS, the application package includes form SCMUA-1, TWA Application Form (TWA-1), Engineer's Report (WQM-006), Vernon Township statement of consent (WQM003-T), Vernon Township resolution (25-172), project specifications, USGS map, and review fee; and

WHEREAS, the project consists of the construction of 155 LF of 8-inch sanitary sewer and three (3) manholes; and

WHEREAS, this development includes three (3) 3-BR apartments, twelve (12) 2-BR apartments, and twelve (12) 1-BR apartments; and

WHEREAS, in accordance with N.J.A.C. 7:14A-23.3, this project results in an additional 5,400 gpd of wastewater to be treated at the SCMUA Upper Walkkill Facility; and

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

WHEREAS, the above project has received the prior approval and endorsement of Vernon Township on June 23, 2024 via resolution #25-172; and

WHEREAS, the above project requires the necessary approval and endorsement of the SCMUA for NJDEP Treatment Works Approval; and


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

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

- I. The application for a TWA for the construction of the referenced sanitary sewer infrastructure in accordance with the plans and specifications are found to be acceptable.

- II. In accordance with the Authority's Rules and Regulations, connection fee payment(s) to the SCMUA shall be made prior to the connection of the new building(s), at the then prevailing Connection Fee Rate.
- III. 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 and any other required form for the referenced application for NJDEP Treatment Works Approval.
- IV. A copy of this resolution shall be forwarded to Red Hand LLC., Vernon Township, and the NJDEP.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on July 16, 2025.



Andrea Cocula, Secretary

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**RESOLUTION RE: AUTHORIZE INCREASE IN BID THRESHOLD AND APPROVE
UPDATED PURCHASING POLICY**

WHEREAS, The Sussex County Municipal Utilities Authority (hereinafter the "Authority") has chosen to increase the bid threshold to the maximum permitted by law; and

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units with a qualified purchasing agent the ability to increase their bid threshold to \$53,000.00 and their quotation threshold to \$7,950.00; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Timothy Day, the Authority's Purchasing Agent, possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

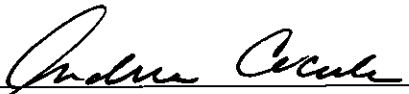
WHEREAS, the Authority desires to take advantage of the increased bid threshold; and

WHEREAS, the Authority also wishes to update its Purchasing Policy in accordance with the Local Public Law.

NOW, THEREFORE, BE IT RESOLVED, by the Sussex County Municipal Utilities Authority Board of Commissioners, hereby increases its bid threshold to the statutory maximum pursuant to the supplemental authority provided by N.J.S.A. 40a:11-3 and 40a:11-4.3; and

BE IT FURTHER RESOLVED, that the updated Purchasing Policy is hereby approved.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on July 16, 2025.


Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE PUBLIC SALE OF SUSSEX COUNTY
MUNICIPAL UTILITIES AUTHORITY (SCMUA)
WASTEWATER 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.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners that they hereby authorize the sale of Wastewater 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) SCMUA #1623 – 2007 Ford F-450 Utility Truck VIN/Serial#
1FDX47P97EA01728

(2) SCMUA #1624 – 2010 Ford F-350 Utility Truck VIN/Serial#
1FDW3B55AEA16858

; 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 the in the SCMUA's official newspaper informing the public as to the nature of items being

solid 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 July 16, 2025.



Andrea Cocula, Secretary