

RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S (SCMUA) ENDORSEMENT OF THE AMENDMENT TO THE SUSSEX COUNTY WASTEWATER QUALITY MANAGEMENT PLAN (WMP) FOR VERNON TOWNSHIP EXPANSION OF THEIR SEWER SERVICE AREA

WHEREAS, Vernon Township is requesting a consenting resolution for endorsement of the proposed amendment to the Sussex County Wastewater Quality Management Plan (WMP) for the expansion of their sewer service area; and

WHEREAS, the WMP Amendment and supporting documentation was prepared by Dewberry Engineers and is dated April 2025; and

WHEREAS, Vernon Township has a total allocation at the SCMUA Upper Wallkill Facilities of 645,000 gpd, of which 265,000 gpd is discharge to groundwater, and 380,000 gpd is discharge to surface water; and

WHEREAS, Vernon Township conveyed 234,000 gpd to SCMUA for treatment in 2023; and

WHEREAS, the estimated additional flow from the proposed expanded sewer service area is 975,000 gpd for a total of 1.209 MGD which would result in an allocation deficit of 564,000 gpd based on 2023 treated flows; and

WHEREAS, although the proposed buildout indicates a potential future need for additional wastewater treatment capacity, the actual realization of the projected development flow may not occur for some time; and

WHEREAS, due to proposed buildout wastewater treatment deficit, Vernon Township will carry out all the below listed actions:

- (1) Actively monitor plant flow.
- (2) Continue sewer collection system inspection as issues arise and address inflow/infiltration as needed.
- (3) Actively track Town population.
- (4) Monitor the development status of the properties within the sewer service area.
- (5) Track new development proposals or modifications to exiting proposals.

and;

WHEREAS, Vernon Township issued a resolution on September 9, 2024 authorizing the submission of the Township of Vernon chapter amendment of the Sussex County WMP; and

WHEREAS, the applicant has presented the amendment before the Sussex County Water Quality Management Plan Policy Advisory Committee (PAC) at its regular meeting on July 10, 2025; 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 WMP 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 Sussex County Wastewater Quality Management Plan (WMP) for the expansion of their sewer service area is endorsed by SCMUA.
- 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 Commissioners, Vernon Township, Dewberry Engineers, and the Sussex County PAC.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on August 6, 2025.


Andrea Cocula, Secretary

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 Legal Discussion, Vernon Township MUA
Unpaid Service Charges Legal Discussion

- ☐ (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, August 6, 2025.


Andrea Cocula, Secretary