RESOLUTION RE: ENDORSEMENT OF TREATMENT WORKS APPROVAL (TWA) APPLICATION FOR SANITARY SEWER EXTENSION FOR THE SMS HAMBURG LLC DEVELOPMENT LOCATED AT BLOCK 36, LOT 2 IN HAMBURG BOROUGH

WHEREAS, SMS Hamburg LLC (the "Applicant") has submitted to the Sussex County Municipal Utilities Authority (SCMUA) an application for TWA endorsement for the sanitary sewer extension required for the proposed residential development located at Block 36, Lot 2 along Route 23 in Hamburg Borough; and

WHEREAS, the application package includes SCMUA-1, TWA Permit Application Form (TWA-1), Statement of Consent for TWA Application Form (WQM003-T), Engineering Design Plans, Hamburg Borough Resolution No. 2026-78, and the applicable review fee; and

WHEREAS, the project consists of the construction of approximately 1,006 linear feet of 6-inch sanitary sewer and ten (10) manholes to serve a residential development consisting of thirty (30) two-bedroom apartments; and

WHEREAS, the existing sanitary sewer system must be extended to provide service to the proposed development; and

WHEREAS, in accordance with N.J.A.C. 7:14A-23.3, the project will result in an anticipated additional 6,750 gallons per day of wastewater to be treated at the SCMUA Upper Wallkill Facility; and

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

WHEREAS, the above-referenced 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.

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

I. The application for TWA endorsement for the referenced sanitary sewer extension is hereby found to be acceptable.

II. In accordance with the Authority's Rules and Regulations, all applicable connection fee payments to the SCMUA shall be made prior to the connection of the new buildings, at the then-prevailing Connection Fee Rate.

III. The SCMUA hereby endorses the subject application, and the SCMUA Executive Director is hereby authorized and directed to execute and sign the applicable NJDEP Endorsement Form for the referenced application for Treatment Works Approval.

IV. A copy of this Resolution shall be forwarded to SMS Hamburg LLC, Hamburg Borough, and Dykstra Walker Design Group.

Certified as a true copy of the Resolution
Adopted by the Authority at their Regular
Meeting held on October 21, 2026.

Andrea Cocula, Secretary

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RESOLUTION RE: AMENDING THE SCMUA'S FY2026 SOLID WASTE AND HAMPTON COMMONS FACILITIES OPERATING AND CAPITAL OUTLAY BUDGETS

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) introduced and subsequently adopted its FY2026 Budget on November 26, 2025; and

WHEREAS, due to project status and revised program priorities, the SCMUA has determined it is necessary and proper to amend the Solid Waste Facility & Hampton Commons Operating Budgets to reallocate certain Capital Outlay expenditures (no increase in overall budget amount); and

WHEREAS, N.J.A.C. 5:31 – 2.8 provides that all budget amendments shall be approved by resolution.

THEREFORE, BE IT RESOLVED, that the adopted FY2026 SCMUA Solid Waste Operating Budget ending November 26, 2025 be amended as follows:

Expenses – Solid Waste	From	To
Capital Outlay		
LF3601 - Roll Off Containers	$20,000	$ 0
LF3607– GPS System Base & Equipment	$85,000	$ 0
LF3800 – Renewal Replacement Fund	$ 600,000	$705,000
Total	$705,000	$705,000

Operating Expenses – Hampton Commons	From	To
HA0505 – Engineering & Consultants	$20,000	$ 0
HA3800 – Renewal Replacement Fund	$45,000	$65,000
Total	$65,000	$65,000

BE IT FURTHER RESOLVED that two copies of this resolution shall be filed with the Director of the Division of Local Governmental Services.

Certified as a true copy of the
Resolution adopted by the Authority
At their Regular Authority Meeting
Held on Wednesday, October 21, 2026.

Andrea Cocula, Secretary

	Recorded Vote			
	Aye	Nay	Abstain	Absent
K. Meyer	x			
J. Drake	x			
R. Petillo	x			
T. Madsen	x			
A. Cocula	x			
W. Dietz	x			
J. Wesley	x			
M. Poggi	x			
J.Finkeldie	x			

RESOLUTION RE: ESTABLISH VISITING HOURS AND SPACES AVAILABLE TO THE PUBLIC

WHEREAS, pursuant to the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., the Authority is empowered to manage, operate, maintain, and protect its facilities and property, including establishing reasonable rules governing public access consistent with applicable law; and

WHEREAS, certain portions of Authority buildings and other areas owned and operated by the Authority require that public access be restricted and that only authorized Authority employees, agents or invitees be able to gain access. The reasons for this include, but are not limited to:

1. Security and safety of Authority employees;
2. The security and protection of equipment, materials, supplies, and of continual operations at all Authority facilities;
3. Security and safety of visitors to the Authority's buildings or facilities. The Authority continually operates numerous systems including, but not limited to, pumps, valves, various machinery, high-voltage electrical services, and open tanks. Each system poses a set of hazards that are incompatible with public access;
4. The protection and security of records that are not available to the public, such as, but not limited to, medical records, attorney-client communications, draft documents, personal information of employees such as financial records, birth dates, and social security numbers; and any documents exempt from disclosure under the Open Public Records Act ("OPRA");
5. The protection and preservation of money, checks and financial account information; and

WHEREAS, the reasons and concerns set forth above require that portions of every Authority building and facility have public access restricted, and further that certain portions of public areas have public access restricted during certain times; and

WHEREAS, the following areas are designated as areas where the public may have access during the Authority's regular visiting hours at the Upper Wallkill Facility:

1. Facility access through the front gate on Route 94;
2. The Administrative Building parking lot;
3. The Administration Office main entrance foyer; and

WHEREAS, the Paulinskill Facility is not staffed at all times during the Authority's regular visiting hours, and therefore all visitation to the Paulinskill Facility must be coordinated in advance with the Authority; and

WHEREAS, the Hampton Commons Facility is not staffed at all times during the Authority's regular visiting hours, and therefore all visitation to the Hampton Commons Facility must be coordinated in advance with the Authority; and

WHEREAS, the following areas are deemed to be areas where the public does have access within the Solid Waste Facility:

1. Facility access through the front gate on Route 94;
2. The Administrative Building parking lot;
3. The Administration Office main entrance foyer;
4. The Conference Room, only during regular Authority meetings, as posted and advertised;
5. Residents' convenience and recycling centers; and

WHEREAS, the Contractor Area at the Solid Waste Facility is designated for authorized access by contractors and other persons conducting business with or on behalf of the Authority; and

WHEREAS, the regular visiting hours of the Authority are Monday through Friday, 8:00 A.M. to 4:00 P.M., excluding holidays; and

WHEREAS, Authority Personnel are authorized to post signage on or near areas designated as restricted from public access;

NOW, THEREFORE, Be It Resolved by the Sussex County Municipal Utilities Authority as follows:

1. The foregoing recitals are hereby incorporated by reference and made a part of this Resolution.
2. The Authority is hereby authorized to designate certain areas within Authority buildings and facilities, as specified herein, as restricted from public access, and to restrict public access to certain areas during certain times.
3. Public access to Authority buildings and facilities shall be limited to the areas and times designated herein, unless otherwise authorized or coordinated in advance with the Authority.
4. Authority personnel are authorized to post and maintain signage identifying areas that are restricted from public access and any applicable limitations on public access.
5. Nothing in this Resolution shall be construed to restrict public attendance at meetings required to be open under the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., access to government records under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., or any other right of access established by applicable law, nor shall it restrict access otherwise authorized by the Authority, its Executive Director, or designee.
6. The Executive Director, or designee, is authorized to establish and implement reasonable visitor registration, identification, escort, and security procedures, including procedures governing access by contractors, vendors, and other authorized visitors, and to take all reasonable and necessary actions consistent with this Resolution and applicable law.
7. All restrictions on public access shall be administered in a reasonable, uniform, and nondiscriminatory manner, with appropriate accommodations for persons with disabilities as required by applicable law.
8. Persons entering restricted areas without authorization, or failing to comply with lawful and reasonable facility safety and security requirements, may be directed to leave those areas, subject to applicable law.

Certified as a true copy of action taken
at the October 7, 2026 Regular Meeting
and of the memorializing Resolution
of Approval adopted by the
Commissioners at their Regular Meeting
on Wednesday, October 21, 2026.

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):

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☐ (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):

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☐ (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):

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☐ (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):

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☐ (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):

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☐ (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):

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☒ (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 Rehabilitation Project, Hampton Commons Facility Total Dissolved Solids

_____

☐ (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):

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☐ (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):

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☐ (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):

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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 October 21, 2026

Andrea Cocula

Andrea Cocula, Secretary