

**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):

Landfill Gas to Energy Agreement Negotiations; UST Inspection/settlement offer; Hampton Commons Draft Site Investigation ; St. Clare's Lease Agreement

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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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(8) 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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(9) 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):

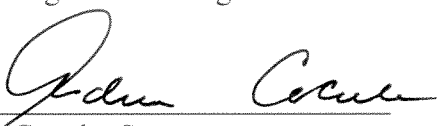
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NOW, THEREFORE, be it further resolved by the Sussex County Municipal Utilities Authority that pursuant to N.J.S.A. 10:4-13(b) the time when and the circumstances under which the discussion conducted in closed session of the public body can be disclosed 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 Meeting held on Wednesday, August 19, 2015.

  
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Andrea Cocula, Secretary

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RESOLUTION RE: AUTHORIZING THE EXECUTION OF A CONNECTION FEE FINANCIAL HARDSHIP AGREEMENT WITH TARA PROPERTIES, INC.

WHEREAS, the Township of Vernon/Vernon Township Municipal Utilities Authority (VTMUA) have required property owners within the Vernon Town Center to connect to the local sewage collection system; and

WHEREAS, the Township of Vernon/VTMUA has developed a policy through VTMUA's Resolution #13-16 to allow certain property owners which demonstrate a financial hardship to pay their connection fees over 5 yearly installments; and

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) Board Commissioners approved a Hardship Policy through Resolution #13-97 which authorizes the payment of SCMUA connection fee in 5 installments; and

WHEREAS, Tara Properties, Inc. has been approved by VTMUA Resolution #15-36 to participate in a hardship payment plan; and

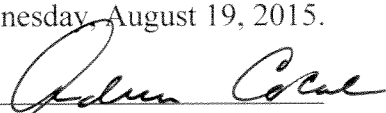
WHEREAS, Donna and James Hobson a.k.a. (d.b.a.) Tara Properties, Inc., has applied to the SCMUA for consideration of a SCMUA Connection Fee hardship payment plan; and

WHEREAS, Tara Properties, Inc. has paid to SCMUA the required Initial Connection Fee Payment (20% of the Total Connection Fee of \$9,985.50, plus \$20.00 filing cost) in the amount of \$2,017.10; and

WHEREAS, Tara Properties Inc, Inc. has executed a Property Owner's Agreement acknowledging the remaining connection fee amount due the SCMUA is \$7,988.40 (80%) and permits the SCMUA to file a Priority Lien on Tara Properties, Inc. (Block 141.01, Lot 12) real property located at 5 Church Street in Vernon Township until any outstanding balance is paid in full.

NOW, THEREFORE, BE IT RESOLVED, that the SCMUA Board of Commissioners authorizes the SCMUA Administrator to execute the Property Owner's Agreement and file the Priority Lien with Tara Properties, Inc.

Certified as a true copy of the Resolution adopted by the Authority at their Regular Meeting held on Wednesday, August 19, 2015.

  
Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE EXECUTION OF AMENDMENTS TO  
THE SEWER SERVICE AGREEMENTS WITH THE  
BOROUGH OF BRANCHVILLE AND TOWNSHIP OF  
FRANKFORD

WHEREAS, the SCMUA and Borough of Branchville entered into a Service Agreement on February 18, 2009; and

WHEREAS, the SCMUA and the Township of Frankford entered into a Service Agreement on November 24, 2010; and

WHEREAS, under both Service Agreements the SCMUA was obligated to construct a 200,000 GPD wastewater reclamation facility to serve Branchville Borough and a portion of Frankford Township; and

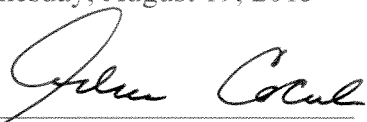
WHEREAS, subsequent to these Service Agreements execution it was determined through a Value Engineering Study that significant project cost reductions could be achieved through a treatment plant redesign; and

WHEREAS, the Value Engineering Study recommended, among other things, that the Paulinskill Basin Water Reclamation Facility's capacity be reduced from 200,000 GPD to 170,000 GPD; and

WHEREAS, both the Borough of Branchville and Township of Frankford have agreed to a reduction in allocations as set forth in their respective Service Agreement Amendments; and

NOW THEREFORE BE IT RESOLVED that the Chairman and Secretary are hereby authorized and directed to execute the Amendments to both the Borough of Branchville and Township of Frankford the Service Agreements.

Certified as a true copy of the  
Resolution adopted by the Authority  
at their Regular Meeting held on  
Wednesday, August 19, 2015

  
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Andrea Cocula, Secretary