

**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):

Vernon Township/ Vernon Twp. MUA Litigation, Sparta Township White Deer Plaza Conversion

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(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):

Personnel Matters

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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 Wednesday, January 5, 2022.



Andrea Cocula, Secretary

RESOLUTION RE: CONDITIONAL APPROVAL OF TWA APPLICATION FOR  
THE CONSTRUCTION OF CELIA DRIVE PUMP STATION  
AND FORCE MAIN IN SPARTA TOWNSHIP, NEW JERSEY

WHEREAS, Applicant/Owner, Sparta Township, has submitted to the Sussex County Municipal Utilities Authority (SCMUA), an application for the approval of the construction of the new sanitary sewer Celia Drive Pump Station and Force Main in Sparta Township, along with the necessary plans and specifications; and

WHEREAS, this project consists of the replacement of the existing gravity main which crosses the Wallkill River with construction of a pump station and 662 LF of 2-inch HDPE force main which terminates into an existing Sparta Township manhole on Main Street for subsequent conveyance to the SCMUA's Upper Wallkill Valley Water Pollution Control Facility; and

WHEREAS, the construction plans and specifications for this project have been reviewed by and are acceptable to the Sussex County Municipal Utilities Authority; and

WHEREAS, the above limits of construction are within an existing Sparta Township sanitary easement; and

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

WHEREAS, the above project is contingent upon receipt of Sparta Township Resolution approving and endorsing said project; and

WHEREAS, the above project proposes to provide sewer service to an additional nine (9) residential homes; 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 a TWA permit for the construction of the referenced project and associated plans and specifications are conditionally approved/endorsed by the SCMUA, subject to satisfactory resolution of the following item:
  - A. Receipt of Sparta Township Resolution approving and endorsing said project.
- 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 proposed additional nine (9) residential dwellings at the then prevailing Connection Fee Rate.

- III. The SCMUA hereby endorses the subject application and endorsing said project, and the SCMUA's Chief Engineer or Executive Director are hereby authorized and directed to sign the Endorsement Form WQM-003 for the referenced application for NJDEP Treatment Works Approval, as conditioned upon item I.A, above:
- IV. A certified copy of this resolution shall be forwarded to the project Applicant/Owner Sparta Township, CP Engineers, and the NJDEP.
- V. The above-referenced provisions and conditions are incorporated herein by reference.
- VI. 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 January 5, 2022.

  
Andrea Cocula, Secretary