

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 negotiation 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):

Paulinskill Basin Water Reclamation Project Contract PRC-101

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):

(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):

Personnel Matter

(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):

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, October 19, 2016.



Andrea Cocula, Secretary

Pmc:M:Minutes:executivesessionresol

RESOLUTION RE: AUTHORIZING EXECUTION OF AMENDMENT #1 TO EXISTING GRANT AGREEMENT BETWEEN SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY / WALLKILL RIVER WATERSHED MANAGEMENT GROUP AND THE NATURE CONSERVANCY FOR PARTICIPATION IN THE NEW JERSEY HIGHLANDS CLUSTER PARTNERSHIP AND CONSERVATION PROJECTS IN THE NEW JERSEY HIGHLANDS CLUSTER UPPER PAULINS KILL FOCUS

WHEREAS, the Sussex County Municipal Utilities Authority - Wallkill River Watershed Management Group (SCMUA / WRWMG) is currently coordinating a grant agreement from the New Jersey Department of Environmental Protection (NJDEP) to implement the Upper Paulins Kill Watershed Restoration Plan; and

WHEREAS, since April 2013 the SCMUA / WRWMG has been an active partner with The Nature Conservancy (TNC) and many other organizations in a watershed planning initiative sponsored by The William Penn Foundation for the Delaware River Watershed, and specifically what has been called the New Jersey Highlands sub-watershed Cluster; and

WHEREAS, since May 2014, the SCMUA / WRWMG and The Nature Conservancy have had a grant agreement in place to provide the means for the SCMUA / WRWMG to participate in the New Jersey Highlands Cluster partnership and to assist TNC with specific projects in the Upper Paulins Kill Watershed that are parallel in scope with existing project activities the SCMUA / WRWMG is coordinating as part of the grant agreement with the NJDEP; and

WHEREAS, additional funding has been secured to continue cluster collaboration activities and complete Phase 2 Planning for the NJ Highlands Cluster of the William Penn Foundation Delaware River Watershed Initiative; and

WHEREAS, TNC has agreed to provide the SCMUA / WRWMG with an additional funding amount up to \$76,500, for said work, for a total agreement amount not to exceed \$140,080; and

WHEREAS, as part of this Amendment #1 the SCMUA / WRWMG is authorized by TNC to use \$30,000 of the \$76,500 for grants to others for the purpose of this Grant Agreement without further permission of TNC; and

WHEREAS, the SCMUA / WRWMG will contribute these \$30,000 to the William Penn Foundation Delaware River Watershed Initiative New Jersey Highlands Cluster Pooled Planning Funds to be administered by The Land Conservancy of New Jersey, which be utilized to retain consultants and sponsor planning activities, as agreed upon by all the participating cluster partners, to assist with developing the Phase II Plan; and

WHEREAS, all other terms of the existing grant agreement between SCMUA / WRWVG and TNC executed on May 15, 2014 remain the same;

WHEREAS, NJDEP supports the SCMUA / WRWVG's involvement in the watershed initiative sponsored by The William Penn Foundation and recognizes the value and importance of leveraging resources and available funding to further ongoing watershed improvement projects in the Upper Paulins Kill Watershed; and

WHEREAS, this Amendment #1 to the existing grant agreement with TNC will extend the term of the agreement from May 14, 2017 to a new expiration date of January 31, 2018;


WHEREAS, the governing body of the SCMUA desires to further the public interest by accepting this Amendment to the existing grant agreement from TNC; and

WHEREAS, the governing body authorizes that John Hatzelis, SCMUA Administrator and Nathaniel Sajdak, Watershed Director, or the successor to either office, to execute this Amendment #1 to the existing grant agreement with TNC and to execute any amendments thereto which do not increase the Grantee's obligations; and

WHEREAS, the Grantee agrees to comply with all applicable federal, State and municipal laws, rules, and regulations in its performance pursuant to the agreement.

THEREFORE, BE IT RESOLVED, that the SCMUA Board of Commissioners authorizes the SCMUA / WRWVG to execute this Amendment #1 to the existing grant agreement with TNC.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, October 19, 2016.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – WALLKILL RIVER WATERSHED MANAGEMENT GROUP TO ENTER INTO A NEW COST-SHARE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE - NATURAL RESOURCE CONSERVATION SERVICE (NRCS) TO WORK COOPERATIVELY TO PROVIDE TECHNICAL ASSISTANCE TO LANDOWNERS IN SUSSEX COUNTY, NEW JERSEY ON PLANNING AND INSTALLING CONSERVATION PRACTICES AND WATER QUALITY IMPROVEMENT PROJECTS

WHEREAS, the Sussex County Municipal Utilities Authority (SCMUA) and the Wallkill River Watershed Management Group (WRWMG) are currently administering grants from the State of New Jersey, Department of Environmental Protection (NJDEP), for purposes of coordinating watershed planning initiatives and implementation projects associated with the Papakating Creek, Clove Acres Lake / Clove Brook, and Upper Paulins Kill Watershed Restoration Plans; and

WHEREAS, an ongoing objective of the SCMUA-WRWMG as part of these grant projects is to help raise awareness about the importance of implementing agricultural best management practices (BMP's) and promoting conservation activities and projects for purposes of improving water quality and the overall health of various Sussex County watersheds; and

WHEREAS, the SCMUA-WRWMG has a desire, a need, and a capability to both identify and plan agricultural BMP's and water quality improvement projects for which existing WRWMG grant funds could be used to help implement; and

WHEREAS both the SCMUA-WRWMG and USDA-NRCS have the common goals and needs of improving water quality and the health of watersheds, increasing awareness and participation in conservation programs, promoting environmental stewardship, and leveraging available technical and financial resources to accomplish these goals and needs; and

WHEREAS, in December 2011, the SCMUA-WRWMG entered into a no-cost shared services agreement with the USDA-NRCS to work cooperatively and share resources to identify, plan, and implement conservation program and water quality improvement projects; and

WHEREAS, in July 2013, the SCMUA-WRWMG and USDA-NRCS, with support provided by NJDEP, amended the 2011 Agreement to include a program for leveraging SCMUA-WRWMG 319(h) grant funds with NRCS funds for implementing BMP's on agricultural lands within Sussex County; and

WHEREAS, in September 2014 the SCMUA-WRWMG entered into two separate contribution agreements with the USDA-NRCS to increase the technical assistance to landowners within Sussex County and the Wallkill River, Papakating Creek, Clove Brook, and Paulins Kill Watersheds; and

WHEREAS, one of the two contribution agreements has now been successfully completed and administratively closed out; and

WHEREAS USDA-NRCS has offered the SCMUA-WRWMG a new cost share agreements for which the SCMUA-WRWMG will be reimbursed at a rate of 75% for technical assistance provided and documented; and

WHEREAS, the remaining 25% cost contribution will be provided by the SCMUA-WRWMG from previously approved NJDEP 319(h) grant funds, and / or other eligible non-federal match funding sources; and

WHEREAS the cost-share agreement will be for a period of two (2) years and a not to exceed contribution amount from USDA - NRCS of \$52,760; and

WHEREAS this cost-share agreement will provide the SCMUA-WRWMG with necessary resources to directly assist Sussex County watershed stakeholders and landowners with identified restoration work, compliment ongoing restoration work associated with existing 319(h) grant agreements, and assist in further developing opportunities to implement water quality improvement projects in Sussex County.

NOW THEREFORE BE IT RESOLVED that the SCMUA Chairman, Administrator and the Watershed Director are authorized to execute the cost-share agreement with USDA-NRCS; and


BE IT FURTHER RESOLVED that the agreement shall go into effect on the date of execution by all parties and will continue in effect until modified by agreement of the signatory agencies, or revoked by any signatory agencies upon 60 days written notice; and

BE IT FURTHER RESOLVED that modifications to this agreement may be made by mutual agreement and approval by all signatory agencies; and

BE IT FURTHER RESOLVED that a notice of this agreement shall be promoted publicly via press releases, website announcements; and presentations at public meetings; and

BE IT FURTHER RESOLVED one copy of this Resolution, and the shared services agreement itself, shall be made available at the Authority offices for public inspection; and

Certified as a true copy of the Resolution
Adopted by the Authority at their Meeting
of Wednesday, October 19, 2016.



Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZING EXECUTION OF A GRANT AGREEMENT BETWEEN SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY / WALLKILL RIVER WATERSHED MANAGEMENT GROUP AND THE NATURE CONSERVANCY FOR PARTICIPATION IN THE NEW JERSEY HIGHLANDS CLUSTER PARTNERSHIP AND CONSERVATION PROJECTS IN THE NEW JERSEY HIGHLANDS CLUSTER UPPER PAULINS KILL FOCUS

WHEREAS, the Sussex County Municipal Utilities Authority - Wallkill River Watershed Management Group (SCMUA / WRWMG) is currently coordinating a grant agreement from the New Jersey Department of Environmental Protection (NJDEP) to implement the Upper Paulins Kill Watershed Restoration Plan; and

WHEREAS, since April 2013 the SCMUA / WRWMG has been an active partner with The Nature Conservancy (TNC) and many other organizations in a watershed planning initiative sponsored by The William Penn Foundation for the Delaware River Watershed, and specifically what has been called the New Jersey Highlands sub-watershed Cluster; and

WHEREAS, since May 2014, the SCMUA / WRWMG and The Nature Conservancy have had a grant agreement in place to provide the means for the SCMUA / WRWMG to participate in the New Jersey Highlands Cluster partnership and to assist TNC with specific projects in the Upper Paulins Kill Watershed that are parallel in scope with existing project activities the SCMUA / WRWMG is coordinating as part of the grant agreement with the NJDEP; and

WHEREAS, TNC has recently received additional funding from The William Penn Foundation to coordinate research, planning, field-testing, and implementation to advance priority projects aimed at improving water quality and watershed health in the Upper Paulins Kill in the New Jersey Highlands Delaware River Initiative Cluster; and

WHEREAS, TNC has agreed to make a new subsequent grant agreement to the SCMUA / WRWMG to assist with specific projects in the Upper Paulins Kill Watershed outlined in TNC's grant agreement with The William Penn Foundation; and

WHEREAS, the project activities the SCMUA / WRWMG will be coordinating and responsible for are parallel in scope with existing project activities the SCMUA / WRWMG is coordinating as part of the grant agreement with the NJDEP; and

WHEREAS, NJDEP supports the SCMUA / WRWMG's involvement in the watershed initiative sponsored by The William Penn Foundation and recognizes the value and importance of leveraging resources and available funding to further ongoing watershed improvement projects in the Upper Paulins Kill Watershed; and

WHEREAS, the grant agreement from TNC will be for a project period starting on October 24th, 2016 and expiring on August 31, 2018 in an amount not to exceed \$99,000.00; and

WHEREAS, the governing body of the SCMUA desires to further the public interest by accepting this grant agreement from TNC; and

WHEREAS, the governing body authorizes that John Hatzelis, SCMUA Administrator and Nathaniel Sajdak, Watershed Director, or the successor to either office, to execute this grant agreement with TNC and to execute any amendments thereto which do not increase the Grantee's obligations; and

WHEREAS, the Grantee agrees to comply with all applicable federal, State and municipal laws, rules, and regulations in its performance pursuant to the agreement.

THEREFORE, BE IT RESOLVED, that the SCMUA Board of Commissioners authorizes the SCMUA / WRWMG to enter into this grant agreement with TNC.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, October 19, 2016.



Andrea Cocula, Secretary

RESOLUTION: AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE SCMUA AND THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2021

WHEREAS, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and


WHEREAS, the Sussex County Municipal Utilities Authority ("SCMUA") desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency to **renew** its membership in the MCCPC for the period of October 1, 2016 through September 30, 2021.

BE IT RESOLVED, by the SCMUA, County of Sussex, State of New Jersey as follows:

1. Ronald Petillo, Chairman of the SCMUA Board of Commissioners hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2016 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for **renewal** of membership in the MCCPC for a five (5) year period from October 1, 2016 through September 30, 2021.
2. The SCMUA Administrator is hereby directed to submit a copy of this Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate SCMUA officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

CERTIFICATION

I, Andrea Cocula, Secretary of the SCMUA Board of Commissioners, hereby certifies the foregoing to be a true copy of a Resolution adopted by the Sussex County Municipal Utilities Authority at a duly convened meeting held on October 19, 2016.



Andrea Cocula, Secretary