

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):

Vernon Township Sewer User Charges Collection Matter; NOVA Filter Unit Capacity Test - Contract #454; Commissioners Protocol

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):

(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 Authority Meeting held
on Wednesday, November 7, 2018.


Andrea Cocula, Secretary

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RESOLUTION RE: CONSENT FOR A PROPOSED WASTEWATER TREATMENT
PLANT FOR NORTH VILLAGE @ SPARTA PROJECT

WHEREAS, the North Village @ Sparta Project is consistent with both the Sparta Township Wastewater Management Plan and Sussex County Water Quality Management Plan; and

WHEREAS, said North Village @ Sparta Project has proposed a 120,000 gallon per day Wastewater Treatment Plant (WWTP) to be constructed, owned and operated by applicant developer Village Utility, LLC/CC Holdings, LLC within the District of the Sussex County Municipal Utilities Authority (SCMUA); and

WHEREAS, pursuant to N.J.A.C. 40:14B-61, SCMUA consent is required for construction of wastewater collection/treatment/disposal facilities within its district; and

WHEREAS, applicant Village Utility, LLC/CC Holdings, LLC did **not** seek SCMUA consent of endorsement, but instead went directly to the New Jersey Department of Environmental Protection (NJDEP) for necessary approvals; and

WHEREAS, NJDEP did issue both a NJPDES-DGW Permit (12/24/14) and Treatment Works Approval Permit (2/24/16) regarding the construction and operation of the proposed WWTP for North Village @ Sparta Project; and

WHEREAS, said proposed WWTP is currently under construction; and

WHEREAS, subsequent to NJDEP approvals, the applicant is seeking SCMUA consent for the North Village @ Sparta Project WWTP; and

WHEREAS, in light of the current permitting and construction status of the WWTP, SCMUA technical review of the plans is rendered inconsequential; and


WHEREAS, the SCMUA has reviewed the application package for North Village @ Sparta Project WWTP, including the Engineer's Report (9/20/15, Rev. 1) regarding same, and has provided commentary in an SCMUA review letter dated 11/7/18; and

WHEREAS, in furtherance of the above, the SCMUA neither approves or disapproves, nor endorses the WWTP plans and specifications.

NOW THEREFORE, BE IT RESOLVED, by the Commissioners of the SCMUA
that:

1. The SCMUA does hereby consent to the construction and operation of the proposed WWTP for North Village @ Sparta, subject to the narratives and commentary noted herein.
2. This Resolution shall be effective in accordance with applicable law.
3. A copy of this Resolution shall be provided to the Applicant, Sparta Township, and the County of Sussex (Water Quality Management Planning).

Certified as a true copy of the
Resolution adopted by the Authority
at their Regular Meeting held on
Wednesday, November 7, 2018.



Andrea Cocula, Secretary

RESOLUTION RE: SCMUA ENDORSEMENT OF THE SPARTA TOWNSHIP AMENDMENT TO THE SUSSEX COUNTY WATER QUALITY MANAGEMENT PLAN (WQMP)

WHEREAS, the Sparta Township Wastewater Management Plan (WMP) Amendment which, upon adoption, would amend the Sussex County WQMP that was prepared by Edwards Engineering Group, Inc. and dated September 4, 2018, revised October 18, 2018; and

WHEREAS, the WMP/WQMP Amendment proposes an addition to the sewer service area for Sparta High School to serve the stadium concession and restroom buildings, located on West Mountain Road (Block 26001 Lot 103); and

WHEREAS, the projected wastewater flow for the additional sewer area (3,955 square feet or 0.09 acres) is 5,319 gallons per day (21.5 EDU's), for the stadium with 1,773 seats (maximum attendance of 2,000 per event, excepting graduation (3,000), and the sewer system is served by Sussex County Municipal Utilities Authority (SCMUA); and

WHEREAS, applicant Sparta Township possesses sufficient flow allocation in the SCMUA Upper Walkkill System to service the proposed connection (subject to SCMUA Connection Fee at prevailing rates); and

WHEREAS, the WMP/WQMP Amendment has been endorsed by the Resolution of the Sparta Township Committee dated August 28, 2018; and

WHEREAS, a letter from the New Jersey Highlands Council dated June 14, 2018 stated that the Plan Amendment is consistent with their Regional Master Plan since Sparta Township is preparing a Water Use and Conservation Management Plan; and

WHEREAS, the applicant appeared before the Policy Advisory Committee (PAC) to the Sussex County Water Quality Management Agency (SCWQMA) at its regular meeting of September 13, 2018 and addressed the comments and questions of the PAC members and County staff; and

WHEREAS, the WMP/WQMP Amendment was preliminarily adopted by the PAC/SCWQMP via Resolution on October 11, 2018; and

WHEREAS, the Sussex SCMUA was identified as an "affected party" to this matter as defined in N.J.A.C. 7:15, and

WHEREAS, the SCMUA has been requested to provide consent/endorsement of the proposed WMP/WQMP Amendment, and has reviewed same.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the SCMUA that:

1. The Sparta Township WMP/WQMP Amendment is hereby endorsed by SCMUA, with consent given to the PAC/SCWQMA.
2. This Resolution shall be effective in accordance with applicable law.
3. A copy of this Resolution shall be forwarded to the Sussex County Board of Chosen Freeholders, Sparta Township, Sparta Township BOE, and the PAC/SCWQMA.

Certified as a true copy of the Resolution
adopted by the Authority at their Regular
Meeting held on Wednesday, November 7, 2018.



Andrea Cocula, Secretary