

**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 Contract Matters, Sparta Stop & Shop Collection  
Matter

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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 Items

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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, July 1, 2020.

  
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Andrea Cocula, Secretary

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**RESOLUTION RE: PRELIMINARY ADOPTION OF THE WASTEWATER PLAN AMENDMENT TO THE SUSSEX COUNTY WASTEWATER MANAGEMENT PLAN FOR JCM INVESTORS 1012 LLC, MUNSONHURST ROAD, BOROUGH OF FRANKLIN**

**WHEREAS**, the proposed development known as "Milly's Court" (Block 2701, Lot 2) is located on 110 Munsonhurst Road in the Franklin Borough, and owned by Silk City Rentals 102 LLC and to be developed by JCM Investors 1012; and

**WHEREAS**, as part of NJDEP re-adoption process of the County's wastewater management plan, a significant portion of the subject site (over 61 acres) was removed from the sewer service area; and

**WHEREAS**, a Wastewater Management Plan (WMP) Amendment was prepared by Bowman Consulting Group and proposes that the property be served by the Sussex County Municipal Utilities Authority (SCMUA) ; and

**WHEREAS**, the site-specific plan amendment of the Sussex County WQMP includes expansion of the sewer service area from 8.56 acres to 11.4 acres and utilize the existing sewer main (located along Munsonhurst Rd) owned by Franklin Borough for transport to the SCMUA wastewater treatment facility in Hardyston Township as shown in Bowman Consulting Group Milly's Court Sewer Service Area Exhibit dated March 6, 2020; and

**WHEREAS**, the WMP Amendment states that the wastewater flow for the Milly's Court development will be 53,368 gallons per day (GPD) based on 112 one-bedroom units, 120 two-bedroom units, 28 three-bedroom units, 2,376 square feet of clubhouse space, and a pool for 62-people; and

**WHEREAS**, Applicant/Owner has been made aware and shall be responsible to pay for the required SCMUA Connection Fee for the total **194.25 EDU's** at the prevailing rate (prior to Certificate of Occupancy by Borough of Franklin) as calculated by the Upper Walkkill Rate Schedule and outlined below; and

112 x 1-BR @ 140 gpd =	15,680 gpd	=	62.72 EDU's	=	62.75 EDU's
120 x 2-BR @ 200 gpd =	24,000 gpd	=	96.0 EDU's	=	96 EDU's
28 x 3-BR @ 250 gpd =	7,000 gpd	=	28.0 EDU's	=	28 EDU's
Clubhouse @ 2,376 SF. x 0.100 gpd/SF =	237.6 gpd	=	0.95 EDU's	=	1 EDU
Pool @ 62 people x 25 gpd/pp.	1,550 gpd	=	6.2 EDU's	=	6.5 EDU's
					Total = 194.25 EDU's

**WHEREAS**, a wastewater capacity analysis was performed by Bowman Consulting Group which showed existing Franklin Borough usage of 0.406 MGD, future residential demand (including subject property) of 0.257 MGD, future nonresidential demand of 0.058, which equates to 0.721 MGD which is 0.064 MGD less than the

Borough's current allocation of 0.785 MGD, therefore it appears sufficient allocation is available to serve Milly's Court development; and

**WHEREAS**, the proposed Plan Amendment has been endorsed in a Resolution by the Franklin Borough Council dated March 10, 2020; and

**WHEREAS**, the SCMUA is both the Designated Approval Agency and the receiving entity with respect to the proposed wastewater project.

**NOW, THEREFORE, BE IT RESOLVED** by the Sussex County MUA that it hereby recommends to the Sussex County Board of Chosen Freeholders, that the proposed WMP Amendment is preliminarily approved and is to be forwarded to the NJDEP for review and processed in accordance with the Sussex County Plan Amendment Procedure; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Sussex County Board of Chosen Freeholders, Borough of Franklin, and the applicant.

**BE IT FURTHER RESOLVED** that this resolution shall take effect in accordance with N.J.S.A. 40: 14B—14 (e).

**Certified as a true copy of the Resolution  
Adopted by the Authority at their Regular  
Meeting held on July 1, 2020**

  
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**Andrea Cocula, Secretary**

**RESOLUTION RE: APPROVAL OF TWA APPLICATION FOR THE MODIFICATION OF GROUNDWATER TREATMENT PROCESS AT AMES RUBBER CORPORATION IN WANTAGE, NEW JERSEY**

**WHEREAS**, JM Sorge Environmental Consultants on behalf of Ames Rubber Corporation has submitted to the Sussex County Municipal Utilities Authority (SCMUA) an application for the approval of groundwater treatment process modification to treat 1,4 Dioxane as mandated by the New Jersey Department of Environmental Protection (NJDEP); and

**WHEREAS**, the site is located at 1440 Route 565 Wantage, New Jersey (Block 7, Lot 7.03); and

**WHEREAS**, all wastewater at the site is either discharged to the onsite septic system (plant sanitary discharge) or to the existing onsite NJPDES outfall; and

**WHEREAS**, all treated groundwater is directed to either: the facility, a 300,000-gallon existing holding tank for fire suppression, or to the existing permitted NJDPES Outfall DSN-001 (Permit No. NJ0085561); and

**WHEREAS**, the location of the existing building, and the proposed location of the additional self-contained movable container treatment unit structure (320 SF) are not located within any Land Use regulated features (wetlands or surface water); and

**WHEREAS**, there are no new connections or wastewater flow generated by this proposed project (relocation of existing facilities only); and

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

**WHEREAS**, the above project has received TWA Consent from Wantage Township dated June 17, 2020; 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 SCMUA consents to the proposed treatment for 1,4 Dioxane as outlined in Engineer's and Environmental Report prepared by JM Sorge, Inc. dated June 2020.
- II. No connection fees are incurred as a result of this proposed project.
- III. The SCMUA hereby consents to the subject TWA application, and the SCMUA's Administrator is hereby authorized and directed to sign the

Consent Form WQM-003 for the referenced application for NJDEP Treatment Works Approval.

- IV. A certified copy of this resolution shall be forwarded to the project Applicant, JM Sorge Environmental Consultants and the NJDEP.

**BE IT FURTHER RESOLVED** that this resolution shall take effect in accordance with N.J.S.A. 40: 14B—14 (e).

Certified as a true copy of the Resolution  
Adopted by the Authority at their Regular  
Meeting held on July 1, 2020.

  
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Andrea Cocula, Secretary