

**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, U.W. Permit Appeal for Nitrate Limitations, Resident's suggestions

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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 19, 2022.

  
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Andrea Cocula, Secretary

RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT(S) WITH VARIOUS SUSSEX COUNTY MUNICIPALITIES FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2021 RECYCLING TONNAGE REPORT TO NJDEP

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "SCMUA"), among other things, employs a District Recycling Coordinator as the designated operating agency within Sussex County as provided in the Sussex County District Solid Waste Management Plan; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1, et. seq.) (hereinafter, "the Act") provides that local units of government may enter into a contract to provide or receive any service that either local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A. 40A:65-4); and

WHEREAS, all Sussex County Municipalities are required by the NJDEP to annually prepare a Municipal Recycling Tonnage Report; and

WHEREAS, the NJDEP requires that each Municipal Recycling Tonnage Report be certified by a NJ Certified Recycling Professional; and

WHEREAS, various Sussex County Municipalities have requested the services of the SCMUA in the form of a Certified Recycling Professional to certify and submit the required 2021 Recycling Tonnage Reports to NJDEP by April 30, 2022; and

WHEREAS, the SCMUA has previously performed this service for a number of Sussex County Municipalities through a Shared Services Agreement; and

WHEREAS, the SCMUA Board of Commissioners has set a rate of \$300 per municipality wishing to utilize this shared service opportunity.

NOW THEREFORE, BE IT RESOLVED, by the Sussex County Municipal Utilities Authority, in the County of Sussex, and State of New Jersey as follows:

1. The Chairman and Secretary are hereby authorized and directed to execute Shared Services Agreements, copies of which this resolution will be attached hereto, with participating Sussex County municipalities for the provision of a Certified Recycling Professional Services to certify and submit their 2021 Recycling Tonnage Reports to NJDEP.

2. This Resolution shall take effect as per Statute.
3. All SCMUA Staff and Professionals are authorized to take any and all necessary actions to see to the implementation of this Resolution.

Certified as a true copy of the  
Resolution adopted by the Authority  
At their Regular Authority Meeting  
Held on Wednesday, January 19, 2022

  
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Andrea Cocula, Secretary

RESOLUTION RE: AUTHORIZATION TO SUBMIT A FRESHWATER WETLANDS GENERAL PERMIT APPLICATION TO NJDEP SEEKING PERMISSION TO IMPLEMENT VARIOUS WETLANDS RESTORATION AND ENHANCEMENT ACTIVITIES / PROJECTS AT THE SCMUA'S PAULINS KILL WASTEWATER FACILITY PROPERTY

WHEREAS, the Wallkill River Watershed Management Group (WRWMG), under the administrative auspices of the Sussex County Municipal Utilities Authority (SCMUA), has a current grant agreement from the National Fish and Wildlife Foundation (NFWF) entitled Community Driven Wetlands Restoration in the Upper Paulins Kill Watershed; and

WHEREAS, this grant agreement is providing funding to sponsor various restoration and stewardship activities on the wetlands portion of the SCMUA's Paulins Kill Wastewater Facility Property; and

WHEREAS, the WRWMG has been working in close partnership with the United States Fish and Wildlife Service to identify and plan these restoration activities, as well as prepare a general wetlands permit application to NJDEP in order to seek approval to implement these activities; and

WHEREAS, a freshwater wetlands general permit is required because some of the proposed activities will take place in regulated wetlands and will have short-term soil disturbance impacts; and

WHEREAS, the permanent benefits to the wetlands and wildlife habitat to be achieved by the work, will far outweigh the temporary soil disturbance; and

WHEREAS, the SCMUA and WRWMG agrees to comply with all applicable federal, State and municipal laws, rules, and regulations in its performance pursuant to the application; and

NOW, THEREFORE, BE IT RESOLVED that this Resolution hereby authorizes that Thomas Varro, PE, SCMUA Executive Director, and Nathaniel Sajdak, Watershed Director, to sign and submit the NJDEP freshwater wetlands application and all required supporting materials on behalf of the SCMUA.

Certified as a true copy of the Resolution  
adopted by the Authority at their Regular  
Meeting held on Wednesday, January 19, 2022.

  
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Andrea Cocula, Secretary