

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):

Sparta Stop & Shop Lien, Mt. Creek Bankruptcy Contract #454 Nova Filter Unit Filter Warranty, and Access Agreement with County of Sussex

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, May 16, 2018.


Andrea Cocula, Secretary

RESOLUTION RE: GRANT AGREEMENT BETWEEN SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY / WALLKILL RIVER WATERSHED MANAGEMENT GROUP AND THE NATURE CONSERVANCY FOR PHASE II CONSERVATION PROJECTS IN THE NEW JERSEY HIGHLANDS CLUSTER UPPER PAULINS KILL FOCUS AREA IMPLEMENTATION OF THE UPPER PAULINS KILL WATERSHED RESTORATION PLAN

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 multiple grant agreements in place to provide the means for the SCMUA / WRWMG to participate in the New Jersey Highlands Cluster partnership and to coordinate 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 NJDEP; and

WHEREAS, additional funding has been awarded to TNC by the William Penn Foundation, to be sub-awarded to the SCMUA / WRWMG to continue cluster collaboration activities and sponsor specific conservation project work aimed at improving water quality and watershed health in the New Jersey Highlands Cluster, as part of Phase II for the NJ Highlands Cluster of the Delaware River Watershed Initiative; and

WHEREAS, TNC has agreed to make a subaward grant agreement to the SCMUA / WRWMG to coordinate and assist with project activities associated with agricultural restoration, stormwater restoration, and overall Cluster communications and collaboration efforts; and

WHEREAS, the new project activities the SCMUA / WRWMG will be coordinating and responsible for continue to be 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 new subaward agreement from TNC will be a three year agreement, back dated to begin on February 16, 2018 and expire on February 19, 2021 in an amount not to exceed \$118,240; and

WHEREAS, the governing body of the SCMUA desires to further the public interest by accepting this new subaward 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, May 16, 2018.



Andrea Cocula, Secretary