

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
JUNE 13, 2013**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, June 13, 2013; at 6:00 PM. Chairman Edwards called the meeting to order with the following roll call:

PRESENT: Mr. Jason Carty, Commissioner
Ms. Jacquelyn Perinchief, Commissioner
Mr. Robert Silcox, Commissioner
Mr. Jules Thiessen, Vice Chairman
Mr. John Edwards, Chairman

ALSO Joseph V. Rizzuto, Executive Director
PRESENT: Stephen J. Mushinski, Esq., Solicitor
Albert K. Marmero, Esq., Long Marmero & Associates, LLP, Special Counsel
Tracey Giordano, Deputy Director of Finance & Administration/Treasurer
Joel Hervey, Deputy Director of Plant Operations
Robert Maybury, Operations Manager
Anthony Stagliano, Deputy Director of Regulatory Affairs
Keith Weisman, R.A. Alaimo Associates, Engineer
Michael Holt, Holman, Frenia, Allison, PC
Debra E. Fortner, Secretary

ABSENT:

VERIFICATION OF NOTICE

Executive Director Rizzuto verified that "In compliance with the Open Public Meetings Act, this is to announce that adequate notice of this meeting was provided in the following manner: Notice of this meeting was published in the Courier Times on March 3, 2013, and May 17th, 2013, and the Courier Post on March 2, 2013, and May 16th, 2013. On Tuesday, June 11, 2013, advanced written notice of this meeting was posted on the Administrative Bulletin Board at the Township Building and advanced written notice of this meeting was mailed to all persons who, according to the records of the Authority, requested such notice."

MANDATORY AFFIRMATIVE ACTION COMPLIANCE NOTICE

Any contracts awarded tonight, and between now and the next meeting, the contractor, company or firm must comply with the requirements of N.J.S.A. 10:5-31 et seq. (P.L. 1975, C.127) N.J.A.C. 17:27.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS ON ACTION ITEMS

There were no public comments on action items.

APPROVAL OF MINUTES

Commissioner Thiessen moved for the approval of regular minutes of May 9, 2013.
Commissioner Silcox seconded the motion. Motion carried.

Commissioner Thiessen moved for the approval of executive session minutes of May 9, 2013.
Commissioner Silcox seconded the motion. Motion carried.

OLD BUSINESS

RATE HEARING

Chairman Edwards turned the meeting over to Special Counsel Albert Marmero, Esq., who conducted the Public Hearing. A court stenographer was present to record the hearing. A copy of the transcript is attached and made part of the minutes.

RESOLUTION 2013-54

A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY APPROVING THE AMENDED RATE SCHEDULE

Chairman Edwards asked if there were any public comments in regards to the Rate Hearing. Mr. Luis Lopez of 370 South Martin in Mount Holly asked what percentage of an increase the new connection fee is. Deputy Director of Finance and Administration, Giordano, responded it is a 4% increase from last year, and, in regards to metered service, this will be the first increase since 2007.

Commissioner Silcox moved for the approval of Resolution 2013-54. Commissioner Carty seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

Commissioner Thiessen commented that no one wants a rate increase, but due to debt and bonding requirements, it is necessary. He stated that the Authority's budget was looked at first to see where or if any cuts could be made.

NEW BUSINESS

RESOLUTION 2013-55

A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY TO APPROVE AN S2 AGREEMENT BETWEEN THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY AND KEATING URBAN PARTNERS, LLC FOR PARKERS MILL BOULEVARD WEST

Commissioner Thiessen moved for the approval of Resolution 2013-55. Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2013-56

A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY TO APPROVE THE S3 AGREEMENT BETWEEN THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY AND KEATING URBAN PARTNERS, LLC FOR PARKERS MILL BOULEVARD WEST

Commissioner Thiessen moved for the approval of Resolution 2013-56. Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2013-48

A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY DESIGNATING MORGAN STANLEY WEALTH MANAGEMENT AS INVESTMENT BROKER AND AMENDING THE AUTHORITY'S CASH MANAGEMENT PLAN FOR FISCAL YEAR JANUARY 1, 2013 TO DECEMBER 31, 2013

Commissioner Silcox reported he and Commissioner Perinchief met with the Morgan Stanley representative. Commissioner Silcox stated, by making this designation, the Authority should be able to earn more interest in a very safe way.

Commissioner Silcox moved for the approval of Resolution 2013-48. Commissioner Carty Thiessen seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2013-49

A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY AUTHORIZING APPOINTMENT OF HOLMAN, FRENIA, ALLISON P.C., AS AUDITOR FOR THE AUTHORITY FOR A ONE-YEAR TERM BEGINNING JULY 1, 2013 THROUGH JUNE 30, 2014

Commissioner Silcox moved for the approval of Resolution 2013-49. Commissioner Perinchief seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2013-50

A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY ADOPTING PERSONNEL POLICIES AND PROCEDURES AND APPROVING ADOPTION OF EMPLOYMENT PRACTICES LIABILITY AND PERSONNEL MANUAL

Deputy Director of Regulatory Affairs, Stagliano, reported that he worked with Executive Director Rizzuto reviewing the Employment Practices Liability and Personnel Manual and discovered a couple of areas that needed updating. For example, the interview questions needed updating to ensure the Authority stays within the perimeters of appropriate questions and background checks were firmed up as they were previously somewhat of a gray area.

Commissioner Silcox moved for the approval of Resolution 2013-50. Commissioner Perinchief seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Perinchief, Commissioner Carty, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYES:

RESOLUTION 2013-51

**A RESOLUTION APPROVING THE OPERATING EXPENSES
FOR THE MONTH OF MAY, 2013.**

Commissioner Silcox moved for the approval of Resolution 2013-51. Commissioner Perinchief seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2013-51A

**A RESOLUTION APPROVING SEWER REFUND EXPENDITURES
FOR THE MONTH OF MAY, 2013**

Commissioner Silcox moved for the approval of Resolution 2013-51A. Commissioner Perinchief seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2013-52

**A RESOLUTION APPROVING EXPENDITURES FOR THE MONTH OF
MAY 2013 FROM THE ESCROW FUND**

Commissioner Thiessen moved for the approval of Resolution 2013-52. Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2013-53

**A RESOLUTION APPROVING EXPENDITURES FOR THE MONTH OF
MAY 2013 FROM THE IMPROVEMENT AND REPLACEMENT FUND**

Commissioner Silcox moved for the approval of Resolution 2013-53. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

COMMUNICATIONS

Executive Director Rizzuto presented to the Commissioners the New Jersey Water Environment Association's George W. Burke, Jr. Facility Safety Award which was awarded to the Mount Holly Municipal Utilities Authority for the excellence of its active and effective safety program and safety record. Executive Director Rizzuto acknowledged the job well done and stated it is reflective of all of the Authority's staff.

MATTERS TO BE PRESENTED BY THE PUBLIC

Mr. Luis Lopez of 370 S. Martin Street in Mount Holly asked how much of Moorestown the Authority services. Executive Director Rizzuto reported the Authority services the Laurel Creek section.

Mr. Lopez asked the amount of money the Township of Mount Holly can request from the Authority. Deputy Director of Finance and Administration, Giordano, stated up to 5% of the operating appropriations of the budget, or, \$516,245.00. Mr. Lopez asked when the next payment to the Township is scheduled. Executive Director Rizzuto responded the Authority will be adhering to the service agreement for payments.

Mr. Lopez asked for the status of the solar power project. Executive Director Rizzuto reported the project is significantly near completion; it is up and running. Currently site restoration needs to be completed and there are a few outstanding deliverables.

REPORT OF THE EXECUTIVE DIRECTOR

The Report of the Executive Director was received.

Commissioner Thiessen asked Executive Director Rizzuto to quantify “deliverables.” Executive Director Rizzuto listed items such as photos of site preconditions, information that is not centrally located, some plans, O & M manuals, etc.

REPORT OF THE ENGINEER

The Report of the Engineer was received.

REPORT OF THE DEPUTY DIRECTOR FOR PLANT OPERATIONS

The Report of the Deputy Director of Plant Operations was received

Chairman Edwards asked Deputy Director for Plant Operations, Hervey, how long it has been since the Authority received a violation. Mr. Hervey responded it has been since approximately 1996 or 1997.

REPORT OF THE DEPUTY DIRECTOR FOR REGULATORY AFFAIRS

The Report of the Deputy Director for Regulatory Affairs was received.

REPORT OF THE SOLICITOR

The solicitor had nothing further to report.

REPORT OF THE DEPUTY DIRECTOR OF FINANCE AND ADMINISTRATION

The Report of the Deputy Director of Finance and Administration was received.

OTHER NEW BUSINESS

MATTERS TO BE PRESENTED BY THE COMMISSIONERS

There were no matters to be presented by the Commissioners.

EXECUTIVE SESSION

Commissioner Silcox moved for the approval of Resolution 2013-57. Commissioner Carty seconded the motion.

At 6:30PM the Authority Commissioners retired to Executive Session for a discussion involving personnel and contract matters.

RESOLUTION 2013-57

**AUTHORIZING EXECUTIVE SESSION OF THE
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
FOR THE PURPOSE OF PERSONNEL AND
CONTRACT MATTERS**

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Mount Holly Municipal Utilities Authority has deemed it necessary to go into closed session to discuss certain matters which are exempted from public discussion; and

WHEREAS, the regular meeting of this Authority will reconvene following closed session;

NOW, THEREFORE, BE IT RESOLVED that the Mount Holly Township Municipal Utilities Authority will go into closed session for the following reasons as outlined in N.J.S.A. 10:4-12:

Discussions with respect to matters involving personnel salary adjustments, in-kind services and request to utilize Authority property.

BE IT FURTHER RESOLVED that the Authority hereby declares that its discussion of the aforementioned subject may be made public at a time when the Authority Attorney advises the Authority that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Authority or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Authority, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Secretary to take the appropriate action to effectuate the terms of this resolution.

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox, Vice Chairman Thiessen, Chairman Edwards

NAYS:

The Authority Commissioners returned to regular session at 7:00 P.M.

Respectfully submitted,

Debra E. Fortner, Secretary

ADJOURNMENT

Commissioner Carty moved for adjournment. Commissioner Silcox seconded the motion. Chairman Edwards adjourned the meeting at 7:00 P.M.

Respectfully submitted,

Debra E. Fortner