

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
APRIL 13, 2017**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday April 13, 2017; at 6:00 P.M. Chairman Thiessen called the meeting to order with the following roll call:

PRESENT: Jules Thiessen, Chairman
Chris Banks, Commissioner
Jason Jones, Commissioner
Gina LaPlaca, Commissioner

ALSO

PRESENT: Robert Maybury, Executive Director
Tom Coleman, Raymond Coleman Heinold, LLP
David Skibicki, R. A. Alaimo Associates, Engineer
Joel Hervey, Operations Superintendent
Michael Dehoff, Finance Administrator/ Treasurer
Brandy C. Boyington, Board Secretary
Carol Berlin, Rainine Coughlin Minchello, LLC; Special Counsel

ABSENT: Robert Silcox, Vice Chairman
Anthony Stagliano, Safety Director & Special Projects

VERIFICATION OF NOTICE

Executive Director Maybury 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 February 15, 2017 and the Courier Post on February 15, 2017. On Monday April 10, 2017, 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 MHMUA, 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

None.

APPROVAL OF MINUTES

Commissioner Jones moved for the approval of Regular Meeting Minutes and Executive Session Minutes of April 13, 2017. Commissioner LaPlaca seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Silcox
AYES: Chairman Thiessen, Commissioner LaPlaca, Commissioner Silcox, Commissioner Banks
NAYES:
ABSTAIN:

OLD BUSINESS

RESOLUTION 2017-25 A resolution releasing performance bond for Laurel Creek Mews #C18125573. Executive Director Maybury requested to the Commissioners this resolution be held, since there are outstanding items. Chairman Thiessen asked if this resolution was a carryover from previous meeting. Executive Director Maybury confirmed it was. Chairman Thiessen suggested we remove this resolution from the agenda until all items are complete.

Commissioner Jones moved to remove resolution 2017-25. Commissioner LaPlaca seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Silcox
AYES: Chairman Thiessen, Commissioner Jones, Commissioner LaPlaca, Commissioner Banks
NAYS:
ABSTAIN:

RESOLUTION 2017-03 A resolution releasing performance bond for Eastampton Village II. Executive Director Maybury explained this resolution is appropriate to release and will be replaced with a two-year maintenance bond. Commissioner LaPlaca moved to approve resolution 2017-03. Commissioner Banks seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Silcox
AYES: Chairman Thiessen, Commissioner Jones, Commissioner LaPlaca, Commissioner Banks
NAYS:
ABSTAIN:

NEW BUSINESS

PUBLIC NOTICE: PN1702 Renewal for Industrial Waste Service Agreement Parklands Landfill and the former Agway Site in Mount Holly. Executive Director Maybury explained this is a public notice requirement for renewal purposes and there are no changes with the service agreements.

RESOLUTION 2017-40 A resolution approving the renewal of Industrial Waste Agreement with GROWS North/ TRRF/ Fairless Landfills for treatment of non-domestic wastewater. Executive Director Maybury explained this is water from the landfill that would be delivered by truck to MHMUA's treatment facility. Commissioner Jones moved to approve resolution 2017-40. Commissioner LaPlaca seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Silcox
AYES: Chairman Thiessen, Commissioner Jones, Commissioner LaPlaca, Commissioner Banks
NAYS:
ABSTAIN:

RESOLUTION 2017-41 A resolution approving the award of Contract #2017-11 Peracetic Acid Disinfection to PeroxyChem. Executive Director Maybury explained Pennoni Associates has reviewed the bid documents for completeness and have approved awarding it. This resolution, if approved, would allow Contract # 2017-11 to move forward. Executive Director Maybury continued stating the MHMUA is required to remove chlorine and compounds that are produced by chlorine disinfection under the new NJPDES Permit. This Peracetic Acid pilot test will be approximately six month in duration. If the pilot test is successful, the MHMUA will convert from the existing use of sodium hypochlorite to Peracetic Acid to achieve the required disinfection limits. Chairman Thiessen asked if this pilot was full scale. Executive Director Maybury confirmed that this is a full-scale pilot study. Executive Director Maybury continued explaining that if the pilot study is not successful, the next option for disinfection is ultra-violet light disinfection. Ultra-violet disinfection is commonly used in the wastewater industry, but it is energy intensive and had a high capital installation cost. Commissioner LaPlaca moved to approve resolution 2017-41. Commissioner Banks seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Silcox
AYES: Chairman Thiessen, Commissioner Jones, Commissioner LaPlaca, Commissioner Banks
NAYS:
ABSTAIN:

RESOLUTION 2017-42 A resolution of the MHMUA authorizing the sale of surplus property no longer needed for public use through an online auction (GOVDEALS). Commissioner Jones moved to approve resolution 2017-40. Commissioner LaPlaca seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Silcox
AYES: Chairman Thiessen, Commissioner Jones, Commissioner LaPlaca, Commissioner Banks
NAYS:
ABSTAIN:

CONSENT AGENDA:

"All items listed with an asterisk (*) are considered routine by the Authority and will be enacted by one motion. Should a Commissioner wish to discuss a consent agenda item separately, that item can be removed from the consent agenda and considered in its normal sequence."

***RESOLUTION 2017-36** A resolution approving the operating expenses for the month of April 2017.

***RESOLUTION 2017-37** A resolution approving the sewer refunds for the month of April 2017.

***RESOLUTION 2017-38** A resolution approving the expenditures for the month of April 2017 from the escrow fund.

***RESOLUTION 2017-39** A resolution approving the expenditures for the month of April 2017 from the improvement replacement fund.

Commissioner LaPlaca moved for the approval of the consent agenda. Commissioner Jones seconded the motion. The vote at the call of the roll was:

- ABSENT: Commissioner Silcox
- AYES: Chairman Thiessen, Commissioner Jones, Commissioner LaPlaca, Commissioner Banks
- NAYS:
- ABSTAIN:

COMMUNICATIONS

Executive Director Maybury shared there are two additional items for approval consideration:

1.) RESOLUTION 2016-110 A resolution approving the S-3 application with Lennar, a Developer. Executive Director Maybury described the development project as 450 age-restricted homes located in Eastampton Township on one of the existing sod farms. One of the representatives from Lennar is with us this evening if the Commissioners have any specific questions. His name is Mitchell Newman. Chairman Thiessen asked Mr. Newman to state his name and address for the record. Mitchell Newman 2465 Kuser Road, Hamilton, NJ 08690. Chairman Thiessen asked Mr. Newman when they plan to start building. Mr. Newman stated that Lennar hopes to have all the approvals by September and plan to break ground late fall. Mr. Newman explained the project includes building a sewer pumping station and new sewer lines. Mr. Newman continued stating he foresees foundations in January and about seven to eight years for the final project buildout. Chairman Thiessen asked if all 450 homes are all age-restricted. Mr. Newman confirmed.

Commissioner Jones moved for the approval of resolution 2016-110. Commissioner LaPlaca seconded the motion. The vote at the call of the roll was:

- ABSENT: Commissioner Silcox
- AYES: Chairman Thiessen, Commissioner Jones, Commissioner LaPlaca, Commissioner Banks
- NAYS:
- ABSTAIN:

2.) RESOLUTION 2016-114 A resolution approving the S-3 application for Eastampton Place West (previously Gregory’s). Commissioner Banks moved for the approval of resolution 2016-114. Commissioner Jones seconded the motion. The vote at the call of the roll was:

- ABSENT: Commissioner Silcox
- AYES: Chairman Thiessen, Commissioner Jones, Commissioner LaPlaca, Commissioner Banks
- NAYS:
- ABSTAIN:

MATTERS TO BE PRESENTED BY THE PUBLIC

None.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Maybury welcomed Carol Berlin from Minchello. Executive Director Maybury explained he received communication from Quaker Group for an addition of thirty two townhomes in Hainesport Township off of Bancroft Lane. They have prepared a preliminary site plan and have requested the costs to connect to the sanitary sewer line. Executive Director Maybury continued saying two years ago a company named Woodmont was proposing to build approximately 450 apartments behind the Home Depot in Westampton Township. Recently, another company has contacted the MHMUA about the same parcel, so there is an interest in developing housing this area as well. Chairman Thiessen asked with all this development what the MHMUA’s excess capacity is. Executive Director responded explaining the MHMUA Treatment Facilities are at approximately fifty percent capacity. Executive Director Maybury stated a dividend check was received from the SNJHIF in the amount of fifty eight thousand dollars. The health insurance fund is doing well financially and they were able to give some of the premium paid back to the MHMUA. Executive Director Maybury explained that Burlington County met with the MHMUA on Monday April 10th to discuss the White Street Bridge reconstruction project. White Street would have a limited closure and they plan to have the repairs complete on or before Halloween of 2017. Executive Director Maybury continued stating Alaimo sent out letters defining pump station improvement contributions to two housing developers doing projects in Eastampton Township, Lennar and Eastampton Place West. The contributions from these developers will be set aside to offset the cost to the MHMUA for the upcoming Garden Street Pump Station upgrade.

REPORT OF THE ENGINEER

The report of the Engineer was received. Mr. Skibicki stated the MHMUA and Alaimo will be meeting to go over the Garden Street pump station.

REPORT OF THE OPERATIONS SUPERINTENDENT

The report Operations Superintendent was received.

REPORT OF THE SAFETY DIRECTOR AND SPECIAL PROJECTS

The report from Safety Director and Special Projects was received.

REPORT OF THE SOLICITOR

None.

REPORT OF FINANCE ADMINISTRATOR/BOARD TREASURER

The Finance Administrator report was received. Mr. Dehoff stated the field work for the 2016 audit is complete. We are waiting on the GASB 68 report from the state. The auditor will make the adjustments and then we should be able to submit.

OTHER NEW BUSINESS

None.

MATTERS TO BE PRESENTED BY COMMISONERS

None.

EXECUTIVE SESSION (2017-43)

RESOLUTION 2017-35 AUTHORIZING EXECUTIVE SESSION

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 Board of the Mount Holly MUA has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Board will reconvene at the conclusion of closed session, at approximately 6:30 p.m. this evening.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Mount Holly Municipal Utilities Authority, in the Township of Mount Holly, County of Burlington, and State of New Jersey will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

_____Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public (Provision relied upon: _____);

_____Any matter in which the release of information would impair a right to receive funds from the federal government;

_____Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;

☒ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body (Specify contract: negotiations with bargaining units);

_____Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

_____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;

☒ Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. 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 (If contract negotiation the nature of the contract and interested party is contract negotiations & letters from two townships the MHMUA services.

Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Authority's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact);

_____Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, 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 individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting (Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing*, 124 N.J. 478, the employee(s) and nature of discussion is _____);

_____Any deliberation 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 of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED that the Commissioners hereby declare that its discussion of the aforementioned subject(s) may be made public at a time when the Solicitor advises the Board that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the MHMUA or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Board, 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 MHMUA to take the appropriate action to effectuate the terms of this resolution.

I, Brandy C. Boyington, do hereby certify the above to be a true and correct copy of a resolution adopted by the Mount Holly Municipal Utilities Authority at its meeting held on April 13, 2017.

ADJOURNMENT

Commissioner LaPlaca moved for adjournment. Commissioner Silcox seconded the motion. Chairman Thiessen adjourned the meeting at 7:34 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary