

MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
July 13, 2017

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

PRESENT: Mr. Jules Thiessen, Chairman
Mr. Robert Silcox, Vice Chairman
Mr. Jason Jones, Commissioner
Mr. Christopher Banks, Commissioner
Ms. Gina LaPlaca, Commissioner

ALSO

ABSENT: Robert Maybury, Executive Director
Tom Coleman, Raymond Coleman Heinold, LLP
David Minchello, Rainine Coughlin Minchello, LLC; Special Counsel
Armando Riccio, Labor/Employment Counsel
Richard Alaimo, R. A. Alaimo Associates, Engineer
Dave Skibicki, R. A. Alaimo Associates, Engineer
Joel Hervey, Operations Superintendent
Anthony Stagliano, Safety Director & Special Projects
Michael B. Dehoff, Finance Administrator/Treasurer
Brandy C. Boyington, Board Secretary
Brent Lee, Auditor
Louis A Manchello, C.C.R Manchello Reporting, L.L.C

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 July 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

Approval of Minutes

Commissioner Jones moved for the approval of Regular Meeting Minutes and Executive Meeting Minutes of June 08, 2017. Commissioner Silcox seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Silcox, Commissioner Jones, Commissioner Banks, Commissioner LaPlaca

Nays:

Abstain:

Absent:

Old Business

None

New Business

Chairman Thiessen explained the proposed rate hearing tonight is for connection fees and does not affect current sewer bills then turns the meeting over to David Minchello, Rainine Coughlin Minchello, LLC; Special Counsel. Mr. Minchello thanked Chairman Thiessen and proceeded to explain exhibits have been pre-marked and entered into evidence and proceeded by reading them into the public record as they have been marked:

EXHIBIT A- Notice of Public Hearing to the Public/Affidavit of Publication from Courier Post

EXHIBIT B- Notice of Public Hearing to the Public/Affidavit of Publication from Burlington County Times

EXHIBIT C- Notice of Public Hearing to Customer Municipalities/ Certified letters and receipts to Township Clerks of Mount Holly, Eastampton, Hainesport, Lumberton, Westampton, and Moorestown dated May 23,2017.

EXHIBIT D- Mount Holly MUA Connection Fee Calculation

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BEFORE THE
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY

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IN RE: :
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ADJUSTMENT TO RATE SCHEDULE :
:
- - - - - x

Thursday, July 13, 2017

COMMISSION MEMBERS PRESENT:

- JULES K. THIESSEN - CHAIRMAN
- ROBERT C. SILCOX - COMMISSIONER
- CHRISTOPHER BANKS - COMMISSIONER
- GINA LaPLACA - COMMISSIONER
- JASON JONES - COMMISSIONER

- ROBERT G. MAYBURY - EXECUTIVE DIRECTOR
- BRANDY C. BOYINGTON - SECRETARY

R E P O R T E D B Y:

LOUIS A. MANCHELLO, Certified Court
Reporter (N.J. License No. 30XI00141800), on the
above date, commencing at 6:00 p.m., at the Mount
Holly Municipal Utilities Authority, 37 Washington
Street, Mount Holly, New Jersey.

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1 APPEARANCES:
 2 RAYMOND COLEMAN HEINOLD NORMAN
 3 BY: THOMAS J. COLEMAN, III, ESQUIRE
 4 325 New Albany Road
 5 Moorestown, New Jersey 08057
 6
 7 Authority Board Solicitor
 8
 9 RAINONE, COUGHLIN & MINCHELLO
 10 BY: DAVID L. MINCHELLO, ESQUIRE
 11 One Woodbridge Center
 12 Suite 515,
 13 Woodbridge, New Jersey 07095
 14
 15 Special Counsel
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1 (The reading of the Open Public
 2 Meetings Act notice and Roll Call are not a
 3 part of the printed transcript.)
 4 (Whereupon Exhibits A through D were
 5 marked for identification and received into
 6 evidence.)
 7 CHAIRMAN THIESSEN: New
 8 business, rate hearing and consideration
 9 of Resolution 2017-51, adjustment to the
 10 rate schedule.
 11 There are a few formalities we
 12 will have to go through first, and then we
 13 will open it up for public comment. Just
 14 to make sure everybody is clear, this rate
 15 hearing is for new connection fees only.
 16 It does not affect your current sewer
 17 bill. This is a new rate hearing for all
 18 connection fees throughout the service
 19 district of the Mount Holly MUA. It does
 20 not affect your everyday sewer bill.
 21 So with that, let's turn it over
 22 to the professionals for the first part.
 23 MR. MINCHELLO: Thank you,
 24 Mr. Chairman, Commissioners. The

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1 INDEX TO TESTIMONY
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 3 BRANDY BOYINGTON 6
 4 ROBERT MAYBURY 8
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 6 INDEX TO EXHIBITS
 7 EXHIBITS MARKED/ADMITTED
 8 Exhibit A Notice of Hearing to the 4
 9 Public, Affidavit of
 10 Publication from the Courier
 11 Post
 12 Exhibit B Notice of Hearing to the 4
 13 Public, Affidavit of Publication
 14 from the Burlington County Times
 15 Exhibit C Notice of Hearing to Customer
 16 Municipalities
 17 Exhibit D Mount Holly MUA Connection 4
 18 Fee Calculation
 19 -----
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1 following exhibits have been pre-marked
 2 and entered into evidence, and I will read
 3 them into the record as they have been
 4 marked.
 5 Exhibit A, Notice of Hearing to
 6 the Public, Affidavit of Publication from
 7 the Courier Post; Exhibit B, Notice of
 8 Hearing to the Public, Affidavit of
 9 Publication from the Burlington County
 10 Times; Exhibit C, Notice of Hearing to
 11 Customer Municipalities, specifically
 12 certified letters and receipts, to the
 13 township clerks of Mount Holly,
 14 Eastampton, Hainesport, Lumberton,
 15 Westampton, and Moorestown, dated
 16 May 23rd, 2017; and Exhibit D, which is
 17 the Mount Holly MUA Connection Fee
 18 Calculation.
 19 Several witnesses will be called
 20 this evening. The first is Mrs. Brandy
 21 Boyington. She will testify about the
 22 public notices in the official newspapers,
 23 and the notices to customer
 24 municipalities.

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1 Next will be Executive Director
 2 Robert Maybury, who will testify as to the
 3 Authority's budget and charges to customer
 4 municipalities.
 5 And finally, Mr. Michael Dehoff,
 6 who will then testify as to the review of
 7 the Authority's budget and schedule of
 8 service charges to the customer
 9 municipalities.
 10 And the first witness I will
 11 call is Ms. Brandy Boyington, and I'd ask
 12 that she be sworn.
 13 BRANDY BOYINGTON, having been duly
 14 sworn as a witness, was examined and
 15 testified as follows . . .
 16 BY MR. MINCHELLO:
 17 Q. Ms. Boyington, are you employed by the
 18 MHMUA?
 19 A. Yes.
 20 Q. And in what capacity?
 21 A. **I am the assistant to the executive**
 22 **director, and the board secretary.**
 23 Q. And how long have you been the
 24 assistant to the director and board secretary?

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1 A. **Since December, 2014.**
 2 Q. In that capacity, and particularly in
 3 connection with this rate hearing, have you caused
 4 notice to be published in the newspapers?
 5 A. **Yes, I have.**
 6 Q. There was a public notice that was
 7 published in the Courier Post that has been marked
 8 as Exhibit A; is that correct?
 9 A. **Yes.**
 10 Q. There was a public notice that was
 11 published in the Burlington County Times that has
 12 been marked as Exhibit B; is that correct?
 13 A. **Yes.**
 14 Q. Has official notice been served on the
 15 customer municipalities?
 16 A. **Yes, by Certified Mail sent to each township**
 17 **clerk.**
 18 Q. I refer you to Exhibit C, which is
 19 Mr. Maybury's letter to all customer municipalities,
 20 and it shows that you served a notice to each of the
 21 customer municipalities of the proposed rates; is
 22 that correct?
 23 A. **Yes, that's correct.**
 24 MR. MINCHELLO: That is all for

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1 Ms. Boyington. If there is anyone from
 2 the audience who has any questions
 3 regarding Ms. Boyington's testimony, this
 4 would be the time to ask a question of
 5 her.
 6 Seeing none, we will move
 7 forward.
 8 (Witness excused.)
 9 MR. MINCHELLO: The next witness
 10 is Mr. Robert Maybury, and I ask that he
 11 be sworn.
 12 ROBERT MAYBURY, having been duly sworn
 13 as a witness, was examined and testified as
 14 follows . . .
 15 BY MR. MINCHELLO:
 16 Q. Mr. Maybury, are you employed with the
 17 MHMUA?
 18 A. **Yes.**
 19 Q. And in what capacity?
 20 A. **I am the executive director.**
 21 Q. And how long have you been the
 22 Executive Director?
 23 A. **I was appointed interim Executive Director**
 24 **October, 2014, and Executive Director in May of**

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1 **2015. I have been employed with the MUA since 1983.**
 2 Q. And in that capacity, in connection
 3 with this rate hearing, are you familiar with the
 4 Authority's budget?
 5 A. **Yes.**
 6 Q. Are you able to give a total
 7 calculation, with a breakdown in charges, to the
 8 customer municipalities?
 9 A. **Yes.**
 10 Q. Have you had an opportunity to review
 11 Exhibit D, the MHMUA Connection Fee Calculation?
 12 A. **Yes.**
 13 Q. And based on your knowledge of the
 14 budget and the Connection Fee Calculation, do you
 15 believe the proposed adjustment to the Schedule of
 16 Rates is necessary and reasonable?
 17 A. **Yes, I do.**
 18 Q. Based on your knowledge of the budget
 19 and the proposed adjustment to its Schedule of
 20 Rates, do you recommend the Authority adopt these
 21 rates?
 22 A. **Yes.**
 23 MR. MINCHELLO: That is all I
 24 have for Mr. Maybury.

<p style="text-align: right;">10</p> <p>1 If anyone from the audience has</p> <p>2 a question for Mr. Maybury in regards to</p> <p>3 his testimony, now would be a time to ask</p> <p>4 that question.</p> <p>5 MR. TED COSTA: Good evening,</p> <p>6 gentlemen. Ted Costa. I'm a resident of</p> <p>7 Hainesport Township.</p> <p>8 CHAIRMAN THIESSEN: Ted, for the</p> <p>9 record, your address, please.</p> <p>10 MR. TED COSTA: 81 Parry Drive.</p> <p>11 I was coming to that.</p> <p>12 CHAIRMAN THIESSEN: Thank you.</p> <p>13 MR. TED COSTA: All right.</p> <p>14 Mr. -- the person who just testified, your</p> <p>15 name is again, Maybury?</p> <p>16 THE WITNESS: Maybury, that's</p> <p>17 exactly correct.</p> <p>18 MR. TED COSTA: Just a matter of</p> <p>19 clarification, you indicated that these</p> <p>20 are just and reasonable charges, in the</p> <p>21 aggregate; you're not talking about the</p> <p>22 allocation per town; is that correct?</p> <p>23 THE WITNESS: That is correct.</p> <p>24 MR. TED COSTA: Okay. That's</p>	<p style="text-align: right;">12</p> <p>1 think will answer your question as to how</p> <p>2 that calculation has come about.</p> <p>3 MR. COLEMAN: And you will have</p> <p>4 additional time to ask additional</p> <p>5 questions to follow up on that. I think</p> <p>6 we will answer your question.</p> <p>7 MR. FRANK MASCIOCCHI: Frank</p> <p>8 Masciocchi, 91 Parry Drive in Hainesport.</p> <p>9 My question is how much this</p> <p>10 appropriation or this increase relates to</p> <p>11 the PILOT program, where money just goes</p> <p>12 back to Mount Holly government, as opposed</p> <p>13 application or for the purposes of</p> <p>14 services or the connection rates?</p> <p>15 CHAIRMAN THIESSEN: Absolutely</p> <p>16 none.</p> <p>17 MR. MINCHELLO: Sir, I don't</p> <p>18 believe your question is really germane to</p> <p>19 the testimony that has been given.</p> <p>20 We will have additional</p> <p>21 testimony from Mr. Dehoff, which will</p> <p>22 explain how the rate is calculated, but I</p> <p>23 think your question goes beyond the scope</p> <p>24 of the testimony that has been provided.</p>
<p style="text-align: right;">11</p> <p>1 all I wanted to know. Thank you.</p> <p>2 MR. MINCHELLO: Are there any</p> <p>3 other questions?</p> <p>4 MR. ABRAHAM LOPEZ: Abraham</p> <p>5 Lopez, 59 Amara Lane, Westampton,</p> <p>6 New Jersey.</p> <p>7 What are the justifications for</p> <p>8 the next round of increases, or this term</p> <p>9 it's just the connection, what are the</p> <p>10 justifications?</p> <p>11 THE WITNESS: This is a</p> <p>12 statutory requirement to be done annually</p> <p>13 and has been done annually at the</p> <p>14 Authority historically.</p> <p>15 MR. ABRAHAM LOPEZ: What are the</p> <p>16 intentions? Do you just increase to</p> <p>17 increase? What are the intentions? What</p> <p>18 are the funds going to?</p> <p>19 CHAIRMAN THIESSEN: Does</p> <p>20 somebody else want to explain to Mr. Lopez</p> <p>21 how the calculation is arrived at, the</p> <p>22 requirement and/or the calculation?</p> <p>23 MR. MINCHELLO: Mr. Lopez, we</p> <p>24 will have additional testimony which I</p>	<p style="text-align: right;">13</p> <p>1 I will defer to general counsel</p> <p>2 on this.</p> <p>3 MR. COLEMAN: Yes.</p> <p>4 MR. JOHN MUMBOWER: John</p> <p>5 Mumbower, 29 Lancaster Drive, Westampton.</p> <p>6 MR. MINCHELLO: Thank you, Mr.</p> <p>7 Mumbower.</p> <p>8 MR. JOHN MUMBOWER: What you're</p> <p>9 saying is, the comments that you are</p> <p>10 asking us if we have are in particular to</p> <p>11 what Mr. Maybury just said?</p> <p>12 MR. MINCHELLO: That's correct.</p> <p>13 There will be an opportunity at the end of</p> <p>14 the testimony for general public comment</p> <p>15 as it pertains to the rate hearing. You</p> <p>16 will have that opportunity.</p> <p>17 Thank you, Mr. Maybury.</p> <p>18 (Witness excused.)</p> <p>19 MR. MINCHELLO: The next witness</p> <p>20 we will call is Mr. Michael Dehoff. I ask</p> <p>21 that he be sworn.</p>

<p style="text-align: right;">14</p> <p>1 MICHAEL DEHOFF, having been duly sworn 2 as a witness, was examined and testified as 3 follows . . . 4 BY MR. MINCHELLO: 5 Q. Mr. Dehoff, what is your position with 6 the MHMUA? 7 A. I'm the finance administrator and board 8 treasurer. 9 Q. And would you give us the benefit of 10 your education and work experience? 11 A. Graduated from Rutgers University with a 12 degree in accounting and have spent the last 10 13 years working in governmental accounting. 14 Q. And how long have you been affiliated 15 with the MHMUA? 16 A. I have been employed by the MHMUA since 17 August 11th, 2016. 18 Q. Are you familiar with the operations 19 of the Authority? 20 A. Yes. 21 Q. Are you familiar with the proposed 22 changes to the Authority's Schedule of Rates? 23 A. Yes. 24 Q. Did you recompute the connection fees</p>	<p style="text-align: right;">16</p> <p>1 Township. 2 There is a special sewer 3 connection fee for hotels and motels. The 4 connection fee for motels and motels is a function 5 of the number of rooms, plus the amenities offered 6 in the hotel or the motel. 7 The connection fee is calculated 8 by multiplying the number of guest rooms by the rate 9 per guest room, which is one half of the residential 10 rate. However, any office space, convention, or 11 meeting rooms, restaurants, laundry areas, et 12 cetera, that are on the premises are calculated 13 separately at the nonresidential rate per gallon of 14 estimated usage. 15 Q. And is it your opinion that the 16 charges have been calculated in accordance with the 17 terms of NJSA 40:14B-22? 18 A. Yes. 19 Q. Based on your review of the document 20 entitled Mount Holly MUA Connection Fee Calculation 21 and your experience, do you find the document to be 22 accurate in its calculations? 23 A. Yes. 24 Q. I would like the record to reflect the</p>
<p style="text-align: right;">15</p> <p>1 in accordance with N.J.S.A. 40:14B-22 for the 2 Mount Holly Municipal Utilities Authority at the end 3 of the previous fiscal year? 4 A. Yes. The connection fee calculation for 5 each service unit within Mount Holly Township and 6 outside Mount Holly Township are reflected in a 7 document entitled Mount Holly MUA Connection Fee 8 Calculation. 9 The study area was comprised 10 exclusively of single-family residences in our 11 service area. For nonresidential customers within 12 Mount Holly and outside of Mount Holly the 13 connection fee per service unit was divided by the 14 calculated average number of gallons per day for a 15 single-family residence to determine the connection 16 fee per gallon per day. 17 The minimum connection fee for 18 all nonresidential customers is equal to the 19 connection fee that is charged to residential users. 20 The service agreement between the Authority and the 21 municipalities that are serviced by the Authority 22 provide that connectors in those townships are to 23 pay one and one-half times the charge for connection 24 fees established for users within Mount Holly</p>	<p style="text-align: right;">17</p> <p>1 document entitled Mount Holly MUA connection fee 2 calculation has been marked as Exhibit D. 3 What were the calculated 4 residential sewer connection fees, per equivalent 5 dwelling unit, as stated in Exhibit D? 6 A. The residential sewer connection fee within 7 Mount Holly Township came to \$4,949 per equivalent 8 dwelling unit and \$7,424 per equivalent dwelling 9 unit outside of Mount Holly Township. 10 Q. And what were the calculated sewer 11 connection fees, per gallon per day, for 12 nonresidential users as stated in Exhibit D? 13 A. The nonresidential sewer connection fee 14 within Mount Holly Township came to \$26.44 per 15 gallon per day and \$39.67 per gallon per day for 16 nonresidential users outside of Mount Holly 17 Township. 18 Q. It is my understanding that the 19 Authority's proposing an increase in the connection 20 fee as calculated in Exhibit D and as stated in 21 Schedule 1, Connection Fees, which were included and 22 set forth in the public notices, which have 23 previously been marked as Exhibits A and B; is that 24 correct?</p>

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1 **A. That is correct.**
 2 Q. And the effective date of these new
 3 proposed connection fee changes would be August 1st,
 4 2017?
 5 **A. Yes.**
 6 Q. Are there any other proposed changes
 7 to Schedule 1 of the Authority's Schedule of Rates?
 8 **A. No.**
 9 Q. Are there any proposed changes to
 10 Schedule 14 of the Authority's Schedule of Rates?
 11 **A. Yes. We are proposing a 25-dollar tenant**
 12 **and landlord authorization agreement application**
 13 **fee. This is to be charged when a landlord**
 14 **authorizes the MUA to issue bills directly to the**
 15 **tenant.**
 16 Q. And the effective date of the new
 17 proposed fee would be August 1st, 2017?
 18 **A. Yes.**
 19 Q. Are there any additional proposed
 20 changes to the Authority's Schedule of Rates?
 21 **A. No.**
 22 MR. MINCHELLO: At this time I
 23 have no further questions for Mr. Dehoff.
 24 Are there any members of the

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1 public who wish to ask any questions of
 2 Mr. Dehoff germane to his testimony?
 3 MR. ABRAHAM LOPEZ: Can you
 4 elaborate a little bit on the tenant fee?
 5 THE WITNESS: It will be a
 6 one-time fee. The landlord or the owner
 7 of the property can allow the tenant to
 8 receive the bills and pay them directly,
 9 essentially putting the account in the
 10 name of the tenant. The property owner is
 11 still responsible at the end of the day
 12 for the taxes on the property, for the
 13 sewer rates on the property.
 14 If you change the tenant, and
 15 you want to fill out another agreement, it
 16 will be another 25 dollars, but it's for
 17 administrative fees.
 18 MR. MINCHELLO: Could we have
 19 your name and address once again for the
 20 record?
 21 MR. ABRAHAM LOPEZ: Abraham
 22 Lopez, 59 Amara Lane, Westampton, New
 23 Jersey.
 24 MR. MINCHELLO: Any additional

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1 questions for Mr. Dehoff?
 2 MR. LEWIS JACKSON: Yes, Lew
 3 Jackson, 511 Hamilton Avenue, Lumberton.
 4 In English, I was trying to
 5 understand what you were saying about the
 6 rates changing and the justification for
 7 the change of rates to increase.
 8 As I was listening to your
 9 testimony, it seemed to indicate that
 10 there is, is that you're going to get more
 11 flow from houses, or is it because the
 12 rate that you are charging for the flow
 13 from the houses is causing this increase?
 14 THE WITNESS: The Connection Fee
 15 Calculation is based on the state statute,
 16 add the flows of the water usage from
 17 2016, we based it off of the 2016 year.
 18 MR. LEWIS JACKSON: That's not
 19 what I'm asking. What I'm asking is, it
 20 says you do it based on the calculation of
 21 the flow. Is the rate that you are
 22 charging for flow part of that
 23 calculation?
 24 THE WITNESS: No, the --

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1 MR. MINCHELLO: Can you answer
 2 the question?
 3 THE WITNESS: That's the basis
 4 for it.
 5 CHAIRMAN THIESSEN: You plug the
 6 numbers into a formula, and the formula
 7 spits out the number.
 8 MR. LEWIS JACKSON: So is this a
 9 change in the formula that's causing this?
 10 CHAIRMAN THIESSEN: No. It's
 11 just a year review of the numbers from
 12 2016 that's required by statute.
 13 THE WITNESS: The fee is the
 14 result of the calculation based off the
 15 flow.
 16 MR. COLEMAN: The formula is set
 17 right in the statute.
 18 MR. LEWIS JACKSON: I understand
 19 that. It's a calculation based on the
 20 statute, but the problem that I'm trying
 21 to understand is, the rate that you are
 22 charging for flow does not fit into that,
 23 right? It's just the amount of flow?
 24 THE WITNESS: Correct.

<p style="text-align: right;">22</p> <p>1 MR. LEWIS JACKSON: And so based 2 on the formula and based on the flow and 3 the difference between the Mount Holly 4 rate and the rate for everybody else has 5 nothing to do with the flow; it just has 6 to do on where you live? 7 THE WITNESS: And the service 8 agreements within the townships, yes. 9 MR. MINCHELLO: Any additional 10 questions for Mr. Dehoff? 11 MR. TED COSTA: Mr. Dehoff, and 12 I'm not sure if you are the right person 13 to answer this, but I have to ask since 14 you mentioned it, you mentioned that the 15 citizens of other towns pay approximately, 16 I believe, one and a half times the rate 17 that the citizens of Mount Holly pay, 18 right? 19 THE WITNESS: Mm-hmm. 20 MR. TED COSTA: Okay. Do you as 21 you sit here now have any rational -- any 22 reason for that, other than because you're 23 a monopolistic enterprise that can do it? 24 MR. MINCHELLO: Sir, that's an</p>	<p style="text-align: right;">24</p> <p>1 charged one and a half times the same 2 amount that Mount Holly Township is 3 paying. And I merely asked the gentleman 4 if he has any rationale, other than the 5 fact that he can do it because this is a 6 monopolistic enterprise? 7 MR. MINCHELLO: Sir, I think he 8 mentioned that it was subject to the 9 agreements with the customer 10 municipalities. 11 MR. TED COSTA: Right. But 12 beside the agreements, and I know they're 13 there; they exist, but is there any other 14 rational reason? 15 MR. MINCHELLO: I think the 16 agreement speaks for itself. 17 CHAIRMAN THIESSEN: That's not 18 for him to answer. I think we can 19 definitely answer that question later, and 20 we may disagree on the answer, but we will 21 discuss it. 22 MR. TED COSTA: Thank you. 23 MR. MINCHELLO: Any additional 24 questions? We had someone right here in</p>
<p style="text-align: right;">23</p> <p>1 argumentative question. Do you have a 2 specific question? 3 MR. COLEMAN: And, Ted, of 4 anybody in this crowd, as the former 5 Hainesport solicitor, who interpreted 6 these agreements, who read these 7 agreements, I'm shocked that you would ask 8 that question. 9 MR. TED COSTA: Sir, my question 10 is not directed to you. I certainly as a 11 private citizen have a right, and I have 12 no official capacity whatsoever, I'm 13 merely a rate paying person of 14 Hainesport Township wanting to know why 15 I'm paying one and a half times the amount 16 that the residents of Mount Holly are 17 paying. 18 MR. COLEMAN: That's a great 19 question, but you should have asked your 20 predecessors -- 21 MR. TED COSTA: And the 22 gentleman has testified that he complied 23 with all statutes, but I don't believe the 24 statutes mandate that other towns be</p>	<p style="text-align: right;">25</p> <p>1 the front that has been waiting. Thank 2 you, ma'am. 3 MS. MARGARET BUPP: Marge Bupp. 4 I'm at 22 Shamrock Road in Lumberton. 5 My question is, the rate 6 increase is to support the overall budget 7 of the a MUA, or is it to support 8 specifically connection charges only of 9 the budget? 10 THE WITNESS: Debt service and 11 the infrastructure of the actual sewerage 12 system. 13 MS. MARGARET BUPP: Debt service 14 and actual infrastructure. Okay. Thank 15 you. 16 MR. MINCHELLO: Are there any 17 additional questions? The gentleman right 18 there. 19 MR. JOHN MUMBOWER: John 20 Mumbower, 29 Lancaster Drive. 21 Mr. Dehoff, you had mentioned 22 that I believe under 40:14B-22, this 23 allows you to increase the rates in such a 24 way. Doesn't it also say something about</p>

26	<p>1 it has to be equitable in accordance with</p> <p>2 the class of the users? In other words,</p> <p>3 if you have a resident in Westampton and a</p> <p>4 resident in Mount Holly, the rate has to</p> <p>5 be equitable?</p> <p>6 MR. MINCHELLO: Sir, once -- I'm</p> <p>7 sorry, can you answer that? If not, I</p> <p>8 will take it.</p> <p>9 Sir, once again, any difference</p> <p>10 in rates is subject to the agreements that</p> <p>11 exist between the MHMUA and the customer</p> <p>12 municipalities.</p> <p>13 MR. JOHN MUMBOWER: Let me ask</p> <p>14 you this, then. Since you did mention</p> <p>15 that authority, is that the authority that</p> <p>16 you used to justify the inequality in the</p> <p>17 rates?</p> <p>18 MR. MINCHELLO: Sir, I take</p> <p>19 objection with you referring to it as</p> <p>20 inequality. Once again, it's subject to</p> <p>21 the agreements that have already been</p> <p>22 struck.</p> <p>23 MR. JOHN MUMBOWER: Okay. But</p> <p>24 under state guidance, code, law, whatever,</p>	28	<p>1 there is there any clause that talks about</p> <p>2 or distinguishes around rates for</p> <p>3 residents and nonresidents of Mount Holly</p> <p>4 Township.</p> <p>5 MR. MINCHELLO: Sir, if you</p> <p>6 would like to make a public statement,</p> <p>7 this is the question period. If there is</p> <p>8 a question --</p> <p>9 MR. ABRAHAM LOPEZ: My question</p> <p>10 is, please highlight where in Westampton</p> <p>11 Township's service agreement does it</p> <p>12 stipulate that you can discriminate</p> <p>13 against Westampton Township residents for</p> <p>14 being nonresidents of Mount Holly</p> <p>15 Township.</p> <p>16 MR. MINCHELLO: Sir, I take it</p> <p>17 you're -- I don't really hear a question.</p> <p>18 I hear more of a public statement that is</p> <p>19 being made, and I don't believe it's</p> <p>20 germane to the testimony that has been</p> <p>21 provided.</p> <p>22 MR. ABRAHAM LOPEZ: It is his</p> <p>23 testimony, the gentleman stated --</p> <p>24 MR. COLEMAN: Committeeman</p>
27	<p>1 is that agreement legal in accordance with</p> <p>2 that?</p> <p>3 MR. COLEMAN: Yes.</p> <p>4 MR. MINCHELLO: Yes. Okay.</p> <p>5 MR. JOHN MUMBOWER: Okay. So</p> <p>6 maybe another time I can hear where you</p> <p>7 believe that --</p> <p>8 CHAIRMAN THIESSEN: Again, I</p> <p>9 don't think that's necessarily a question</p> <p>10 for Mr. Mike here, but we can</p> <p>11 definitely -- you know, we will discuss</p> <p>12 that matter, you know, under regular</p> <p>13 comments by the public.</p> <p>14 MR. JONES: Okay.</p> <p>15 MR. MINCHELLO: Any additional</p> <p>16 questions? Yes, sir.</p> <p>17 MR. ABRAHAM LOPEZ: Abraham</p> <p>18 Lopez, 59 Amara Lane, Westampton,</p> <p>19 New Jersey.</p> <p>20 The testimony keeps pointing to</p> <p>21 the service agreements between the</p> <p>22 townships and the inequality of the rates.</p> <p>23 I've reviewed time and time again</p> <p>24 Westampton's agreement, and nowhere in</p>	29	<p>1 Lopez, I'd be more than willing, as</p> <p>2 Ms. Boyington would, to provide you with a</p> <p>3 copy. Your clerk has a copy of the</p> <p>4 agreement. It specifically says in there</p> <p>5 one and a half times.</p> <p>6 I'd be more than willing -- I</p> <p>7 don't have a copy with me now. I'd be</p> <p>8 more than willing to --</p> <p>9 MR. ABRAHAM LOPEZ: I'll pull it</p> <p>10 up again.</p> <p>11 MR. MINCHELLO: Yes, sir.</p> <p>12 MR. FRANK MASCIOCCHI: Frank</p> <p>13 Masciocchi, 91 Parry Drive, Hainesport.</p> <p>14 My question again goes back to</p> <p>15 appropriations such as payments in lieu of</p> <p>16 taxes. In conducting or figuring out the</p> <p>17 increase, is that appropriation considered</p> <p>18 or taken into account when calculating</p> <p>19 this increase?</p> <p>20 THE WITNESS: No.</p> <p>21 MR. MINCHELLO: I'm sorry, you</p> <p>22 can answer that.</p> <p>23 THE WITNESS: No.</p> <p>24 MR. FRANK MASCIOCCHI: Then you</p>

<p style="text-align: right;">30</p> <p>1 also made reference, counsel, to the 2 service agreements. Where in the service 3 agreements does it say it's okay to pass 4 as appropriations on to the member 5 townships? 6 MR. MINCHELLO: Sir, that's not 7 germane to the testimony. 8 MR. FRANK MASCIOCCHI: Oh, yes, 9 it is. You opened the door to -- 10 MR. MINCHELLO: Sir, I'm not 11 testifying. I'm deeming whether your 12 question is germane -- 13 MR. FRANK MASCIOCCHI: Let me 14 ask you a question. Are we here to allow 15 to make public comment and ask a question, 16 or are we on trial? Because you seem to 17 be raising objections to questions made, 18 bona fide questions made by residents in 19 the communities, participating 20 communities. I mean, it's a fair 21 question. 22 MR. MINCHELLO: Sir, but it has 23 to be germane to what we are here about. 24 This is a rate hearing to do with the</p>	<p style="text-align: right;">32</p> <p>1 THE WITNESS: Repeat that 2 question. 3 CHAIRMAN THIESSEN: The general 4 rate, sir? The general rate -- 5 MR. FRANK MASCIOCCHI: The 6 general rate. You have a basic rate. 7 Does any part of the rate include a 8 portion of that payment, that PILOT 9 payment back to Mount Holly? 10 CHAIRMAN THIESSEN: Again, it's 11 not germane to this part of the rate 12 hearing, but, again, we can talk about 13 that in the public portion a little bit 14 later. 15 MR. MINCHELLO: You will have an 16 opportunity for public comment. 17 Seeing no additional 18 questions -- 19 MR. SEAN EARLEN: I have one, 20 sir. 21 MR. MINCHELLO: Yes. 22 MR. SEAN EARLEN: Sean Erlen, 11 23 Flemish Way in Lumberton. 24 I just wanted to confirm for the</p>
<p style="text-align: right;">31</p> <p>1 sewer connection fee and the rate 2 calculation. 3 MR. FRANK MASCIOCCHI: And I 4 submit that it is germane, because the 5 question is, how did you calculate the 6 rate? And I'm sure you had to take into 7 account what your expenditures are in 8 calculating the rate, and one of those 9 expenditures is appropriations paid back 10 to the municipality of Mount Holly. 11 It's a simple question, is that 12 part of the calculation or not? 13 MR. MINCHELLO: I believe the 14 answer was no. Is that correct? 15 THE WITNESS: No, correct. 16 MR. MINCHELLO: Go ahead. The 17 answer was no. 18 MR. FRANK MASCIOCCHI: The basic 19 rate itself, does that contain, take into 20 account the appropriations paid back to 21 Mount Holly? Let's put the increase 22 aside. 23 MR. MINCHELLO: Do you 24 understand the question?</p>	<p style="text-align: right;">33</p> <p>1 record one more time, none of these 2 increased fees are going towards any 3 additional funds that are going to go 4 towards the Mount Holly Township budget; 5 is that correct? 6 THE WITNESS: These fees 7 specifically, no. 8 MR. SEAN EARLEN: No? I'll ask 9 one more time, because one of your 10 predecessors made that same testimony at a 11 previous rate hearing, and some months 12 later it was found that those, there was 13 testimony those funds were actually going 14 to be used to increase the PILOT payment 15 to Mount Holly Township. 16 THE WITNESS: I'm not aware of 17 that. 18 MR. SEAN EARLEN: I want to be 19 clear one more time that these increased 20 funds are not going to be turned around 21 and we're going to be hoodwinked here, and 22 this money is going to end up going back 23 to the budget in the Mount Holly Township? 24 THE WITNESS: Not to my</p>

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1 knowledge.
 2 MR. MINCHELLO: I think Mr.
 3 Dehoff has answered that.
 4 MR. SEAN EARLEN: Thank you.
 5 MR. MINCHELLO: At this point
 6 we've now concluded the -- oh, I'm sorry.
 7 MS. MARGARET BUPP: Marge Bupp,
 8 22 Shamrock Road in Lumberton.
 9 So your budget is actually
 10 separate? I'm just trying to understand.
 11 Like, your debt service is not included in
 12 your overall budget? Because if you are
 13 caught -- you know, I'm an accountant by
 14 trade, so if your revenue is coming in and
 15 your expenses, this money is earmarked
 16 strictly for debt service, or -- I'm not
 17 understanding.
 18 Is it a separate fund? Is it
 19 going into a separate fund, or is it going
 20 into your general fund, which funds all of
 21 your expenditures within your
 22 organization?
 23 That's what I'm trying to
 24 understand. With my fund accounting

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1 background, it's not really registering.
 2 THE WITNESS: Is that germane to
 3 the testimony?
 4 MR. MINCHELLO: Can you answer
 5 the question?
 6 THE WITNESS: It's not
 7 necessarily germane.
 8 MS. MARGARET BUPP: It goes into
 9 your general fund, which funds your debt
 10 service and all of your other
 11 expenditures?
 12 THE WITNESS: It goes into our
 13 debt service.
 14 MS. MARGARET BUPP: Just debt
 15 service strictly? I thought you said it
 16 was debt service and infrastructure?
 17 THE WITNESS: A renewal and
 18 replacement fund that receives a little
 19 bit for the infrastructure. Renewal and
 20 replacement.
 21 MS. MARGARET BUPP: So all the
 22 money for connections goes to only those
 23 two funds, not your general fund?
 24 THE WITNESS: Correct.

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1 MR. MINCHELLO: We've now
 2 reached the point in the rate hearing
 3 where any member of the public may make a
 4 public statement with regard to the
 5 entirety of the rate hearing.
 6 If there is anyone who wishes to
 7 make a public statement, they may do so at
 8 this time.
 9 CHAIRMAN THIESSEN: Just a
 10 reminder that, you know, it needs to be
 11 germane to the rate hearing, and to give
 12 everybody the ability to speak, we'd like
 13 to limit it to five minutes.
 14 So just with those words, we'll
 15 accept anybody from the public who wishes
 16 to make a statement.
 17 Ted?
 18 MR. TED COSTA: Ted Costa, 81
 19 Parry Drive, Hainesport, New Jersey.
 20 Gentlemen and ladies, we've just
 21 celebrated July 4th, and that meant
 22 something special to me. I'm sure it
 23 meant something to you. And what it
 24 meant, you can just hear the slogans going

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1 up now, no taxation without
 2 representation. But even more than that,
 3 all of our laws in this country are based
 4 on basically the golden rule, and that
 5 golden rule means equal justice for all,
 6 and the golden rule means thy shall treat
 7 thy neighbor as you would have that
 8 neighbor treat you.
 9 We'll all equal under the law,
 10 and I think your rates violate that
 11 concept entirely.
 12 I wouldn't mind if it's
 13 1.02 percent, maybe for some
 14 administration fees. But 1.5 percent?
 15 That's -- I'm sorry, 150 percent? That's
 16 ridiculous, under any circumstance.
 17 So, the gentleman from
 18 Westampton, Abe -- last name, sir?
 19 MR. ABRAHAM LOPEZ: Lopez.
 20 MR. TED COSTA: (Continuing) --
 21 Abe Lopez had a good point, it's not in
 22 anybody's contracts that Mount Holly
 23 Sewerage Authority has the right to
 24 overcharge us by that extent. That's made

<p style="text-align: right;">38</p> <p>1 up on your own rate hearings when you have 2 them.</p> <p>3 And so we would respectfully ask 4 you all to be mindful of what the country 5 is all about, equal justice under the law, 6 and to treat us, the residents of 7 Hainesport, Westampton, all of us, 8 Eastampton -- who have I left out? -- 9 Lumberton, and, of course, Hainesport, my 10 town, my favorite town, to treat us on an 11 equal footing, because we would treat you 12 on an equal footing.</p> <p>13 And thank you very much.</p> <p>14 CHAIRMAN THIESSEN: Thank you, 15 sir.</p> <p>16 MR. MINCHELLO: Any additional 17 public comment?</p> <p>18 MR. ABRAHAM LOPEZ: Abraham 19 Lopez 59 Amara Lane, Westampton, New 20 Jersey.</p> <p>21 On July 6th of 2017 a letter was 22 drafted and sent -- pardon, let me rewind. 23 Thank you to the chair. Thank 24 you to the board for listening to all the</p>	<p style="text-align: right;">40</p> <p>1 fees will mostly and gravely impact is the 2 business community.</p> <p>3 Westampton, as many towns in the 4 RD district, have seen a construction 5 boom. Eastampton is going through it, as 6 well. Westampton, we are going through, 7 as well. Mount Holly I think you guys 8 still have a lot of activity in the 9 downtown area.</p> <p>10 What does this tell the business 11 community? What does this say to the 12 business community?</p> <p>13 We know that budgets are moral 14 documents between governing bodies, like 15 this, and your customers that you serve 16 and the residents that you serve. What 17 are you telling us? What are you telling 18 the business community in 19 Burlington County and all those that are 20 considering doing business from even 21 outside the State of New Jersey?</p> <p>22 Why is it that Westampton 23 ratepayers and all of the rest of the 24 township ratepayers are paying among the</p>
<p style="text-align: right;">39</p> <p>1 residents at tonight's hearing. I know 2 it's not easy work. We do appreciate your 3 time you're giving. And also five 4 minutes, I think that's really generous, 5 as well. Thank you, Mr. Chairman.</p> <p>6 On July, 6, 2017 a letter was 7 sent out to the mayor and town council of 8 Mount Holly. I promised to my residents 9 that I would give a copy of this letter to 10 every member of the Mount Holly Municipal 11 Utilities Authority, and the letter is 12 simply stating and requesting Westampton 13 Township representation on the Mount Holly 14 Municipal Utilities Authority board.</p> <p>15 CHAIRMAN THIESSEN: Mr. Lopez, 16 just to let you know, I believe all 17 members of the MUA board, it was passed 18 along from Mount Holly Township to the 19 Executive Director. The Executive 20 Director distributed via e-mail to all the 21 members. So we have that copy.</p> <p>22 MR. ABRAHAM LOPEZ: Thank you. 23 So the concerns we do have regarding this, 24 it goes without saying that the connection</p>	<p style="text-align: right;">41</p> <p>1 highest, the highest rates, not in 2 Burlington County, but all of 3 South Jersey, and I have not heard that 4 answer tonight, and I'm hoping that 5 someone can explain this to us. Why?</p> <p>6 I'm also hoping tonight that we 7 can hear a commitment from the Mount Holly 8 Municipal Utilities Authority, every 9 member on this board, that you intend to 10 pass a recommendation to the town council 11 of Mount Holly that every township should 12 have representation on this board. We 13 would like to hear that tonight from the 14 members of this board. Those are our 15 greatest concerns.</p> <p>16 Moving forward we ask, and I 17 officially ask as deputy mayor of 18 Westampton Township, that you engage us. 19 Our agreement does state that you should 20 be engaging us when it comes to long-term 21 capital planning, when it comes to 22 expenditures relating, extensions to the 23 current sewer connections, maintenance of 24 the sewer connections.</p>

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1 I've requested from my township
 2 clerk any report, any capital update, a
 3 copy of the capital plan, and none is on
 4 file in Westampton Township.
 5 I said, you know, maybe it's
 6 just the last couple of years. Can you
 7 show me any since we've had this service
 8 agreement, and there is nothing on file.
 9 Nothing on file.
 10 So I respectfully ask, to the
 11 chair, to the board, please engage
 12 Westampton Township when it comes to your
 13 long-term capital expenditure plans. We
 14 want to be equal partners. We want to be
 15 a sounding board.
 16 Feel free to send us any and all
 17 reports that you guys come up with,
 18 justifications for any capital
 19 expenditures that you feel you need to
 20 take. We will review it in full time.
 21 We know the final say rests on
 22 this board, and we respect your authority,
 23 but we ask you to please consider us and
 24 share any and all information that you

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1 have that could affect the ratepayers that
 2 reside in Westampton Township.
 3 Thank you for your time. Thank
 4 you for listening to us.
 5 CHAIRMAN THIESSEN: Thank you,
 6 Mr. Lopez.
 7 MR. MINCHELLO: Sir?
 8 MR. DONALD TALLO: My name is
 9 Don Tallo, 20 Azalea Drive, in Lumberton.
 10 I've heard several times
 11 mentioned the agreements give you guys the
 12 right to do this. I work a lot with
 13 agreements, and I'm sure you work a lot
 14 with agreements professionally, and
 15 there's something that's overriding for
 16 all agreements. Just because an agreement
 17 gives one party the opportunity to treat
 18 another party unfairly, doesn't give them
 19 the right to. You're still bound by
 20 ethics.
 21 So just because the agreement
 22 allows you to do this to us doesn't mean
 23 you should.
 24 Consider that. Thanks.

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1 MS. ANNA EVANS: Anna Evans, 63
 2 Parry Drive, Hainesport.
 3 I just want to say one thing,
 4 which is that, in some towns this seems to
 5 be coming a partisan issue. In Hainesport
 6 it's very much a bipartisan issue.
 7 I'm one of the Democrat
 8 candidates for township. We see the
 9 Republican candidates for township here,
 10 we have Republican committeemen here; it's
 11 a bipartisan issue because it effects
 12 everyone in Hainesport. That's it.
 13 MR. MINCHELLO: Thank you.
 14 MR. FRANK MASCIOCCHI: Frank
 15 Masciocchi, 91 Parry Drive.
 16 I happen to be the deputy mayor
 17 of the township, and I want to follow up
 18 on one of my colleague's comments.
 19 And again, the agreements, they
 20 are what they are, and as has been
 21 accurately pointed out, that doesn't mean
 22 we should be stepped on.
 23 We respect this board. We
 24 understand the job you guys have to do.

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1 It's a difficult one. That doesn't mean
 2 we all can't be treated fairly.
 3 And that's why I have been
 4 relating back repeatedly to the PILOT
 5 program, where the payment in lieu of
 6 taxes gets sent back to Mount Holly.
 7 Mount Holly, as a governing
 8 authority, it only can tax its own
 9 residents. It can't tax the rest us. And
 10 it can't hide an appropriation or tax in
 11 our sewer bill in order to get more money
 12 to fund whatever it is that they're doing
 13 in Mount Holly. Clearly that's not fair.
 14 And that has been going on, I think, since
 15 2013.
 16 So you have two real issues that
 17 really smell of unfairness, the one I just
 18 pointed out, and the inequity I believe
 19 Mr. Costa pointed out with regard to the
 20 billing practices.
 21 I hope you take that into
 22 account so we can have some fairness
 23 across the boards to all the towns
 24 involved.

<p style="text-align: right;">46</p> <p>1 MR. MINCHELLO: Any additional 2 public comment? 3 MS. DEE SCHNEIDER: Yes, my name 4 is Dee Schneider, 611 Broad Street in 5 Hainesport. 6 Hainesport sent a letter on 7 March 14th, and then a follow-up e-mail on 8 June 21st, and there was -- it went 9 unanswered, and I just feel that you guys 10 should have responded or at least 11 acknowledged the letter in a follow-up 12 e-mail. Because there is no reason to 13 ignore -- 14 CHAIRMAN THIESSEN: I will take 15 full responsibility for that. I've had a 16 draft in my desk for about six weeks that, 17 I will just perfectly honest, I have not 18 gotten to. 19 MS. DEE SCHNEIDER: You don't 20 have an assistant for that? 21 CHAIRMAN THIESSEN: No, I do not 22 have an assistant, and my 17-dollar a week 23 salary sometimes doesn't go very far. 24 MS. DEE SCHNEIDER: I see five</p>	<p style="text-align: right;">48</p> <p>1 made the same points that I'm about to 2 make here, and I apologize if I'm 3 long-winded, but it won't take more than 4 five minutes. 5 First, we strongly object to the 6 fact that Lumberton residents are not 7 represented on the MUA board and the 8 subsequent failure of the board to 9 consider the concerns of the Lumberton 10 residents. 11 While we do understand that 12 there is a Lumberton resident on the 13 board, Lumberton leadership, nor the 14 Lumberton Township Committee, were not 15 consulted or even given a chance to make a 16 recommendation to that seat on the board. 17 Second, we object to the board's 18 practice of increasing rates for 19 nonutility purposes. 20 On June 13th, 2013, at a public 21 hearing like this, the MUA board explained 22 the then-proposed 40 percent rate increase 23 was needed for MUA operations and 24 infrastructure improvements, just as we</p>
<p style="text-align: right;">47</p> <p>1 of you up there. 2 CHAIRMAN THIESSEN: I do 3 apologize for not getting it to you, but 4 you will get a response in very short 5 order. 6 MR. MINCHELLO: Any additional 7 public comment. Sir? 8 MR. SEAN EARLEN: Good evening. 9 Sean Earlen, 11 Flemish Drive, Lumberton. 10 I've resided in Lumberton 11 Township for about 12 years. As I'm sure 12 most of you know, I currently serve as the 13 mayor there. I've held that position for 14 two years. Before that I was township 15 committeeman for four years. 16 As you are all aware, for about 17 a year now I've made repeated requests, 18 through directly to the board and through 19 your counsel, to meet with you guys to 20 discuss sewer rate and connection fee 21 increases imposed by the board on 22 Lumberton residents and businesses. 23 Had I been given that 24 opportunity prior to tonight, I would have</p>	<p style="text-align: right;">49</p> <p>1 heard earlier. 2 Some months later, on August 8, 3 2013, the MUA amended its budget, through 4 Resolution 2013-67, to increase payment to 5 Mount Holly Township. 6 At the meeting, MUA Deputy 7 Director of Finance Administration 8 Giordano stated the recent rate increase 9 would cover the additional appropriation 10 to Mount Holly. 11 Through an Open Public Records 12 Act request Lumberton officials obtained 13 audits of MUA accounts from 2013 to 14 present. These audits indicate that the 15 MUA board has increased the PILOT to 16 Mount Holly by \$135,000 a year, and now 17 pays a total of \$365,000 a year. 18 We understand that this is legal 19 and that MUA may legally appropriate an 20 amount not to exceed 5 percent of the 21 annual cost of the MUA operations for use 22 in Mount Holly's budget. 23 However, consumers and residents 24 do not have to do an OPRA request to</p>

<p style="text-align: right;">50</p> <p>1 understand those facts. That should be 2 something we should know about when rates 3 are increased.</p> <p>4 Third, we object to the process 5 in which the MUA board has operated, 6 including during the time in which the 7 recent rate increases were approved.</p> <p>8 Each year, with the exception of 9 this year, this is the first year, the MUA 10 is required by the Department of Community 11 Affairs to consult and review the capital 12 budget and program proposed for the 13 upcoming fiscal year with the officials 14 from each town that it serves. We've 15 heard from multiple towns tonight who have 16 not received that notice.</p> <p>17 Not only has the MUA failed to 18 invite solicitation of Lumberton officials 19 or representatives in this process, the 20 MUA has failed to even notify us that the 21 process is taking place. Again, this year 22 being the exception only because it was 23 raised by from letters from us to your 24 counsel.</p>	<p style="text-align: right;">52</p> <p>1 treated all those communities equitably. 2 Fifth, we object to the negative 3 economic impact of the actions this MUA 4 board has had and will continue to have on 5 the communities it serves.</p> <p>6 While Mount Holly residents 7 enjoy a lower rate for service and lower 8 connection fees, the MUA customers 9 residing outside of Mount Holly pay the 10 highest rates for service and connection 11 fee in the region.</p> <p>12 The higher rates for service 13 connection fees act as a direct 14 disincentive to businesses choosing to 15 locate in Lumberton.</p> <p>16 Finally, we specifically object 17 to the increase in connection fees here 18 tonight for the same reasons. The 19 increase is unfair and a disincentive to 20 new businesses and residents.</p> <p>21 We have yet to learn why it 22 costs so much more to process waste by 23 this utility authority than others in this 24 region.</p>
<p style="text-align: right;">51</p> <p>1 Fourth, we object to the 2 inequitable treatment of Lumberton with 3 respect to reimbursement for loss of 4 taxable property. A significant portion 5 of the MUA's sewer service assets, 6 including a treatment plant covering 10 7 acres, are located in Lumberton. Yet 8 Lumberton receives no compensation for the 9 loss of ratables.</p> <p>10 At the same time, this MUA board 11 has in successive years, starting at least 12 as early as 2010, and maybe earlier, voted 13 to pay a PILOT payment to Mount Holly, 14 presumably in recognition that the MUA 15 facilities located in Mount Holly are not 16 subject to local property tax and will not 17 be returned to the local tax rolls for an 18 indefinite period of time.</p> <p>19 The board has never made, nor 20 offered, PILOTs to other municipalities in 21 which facilities are located.</p> <p>22 A board truly devoted to the 23 best interests of all communities and all 24 ratepayers it serves would surely have</p>	<p style="text-align: right;">53</p> <p>1 If there's too much equipment in 2 the ground for the current customer base 3 and you need more customers, then raising 4 rates is not the way to earn more 5 customers.</p> <p>6 Thank you for this opportunity 7 to present my concerns tonight. I hope we 8 can reach a just resolution.</p> <p>9 MR. MINCHELLO: Yes, sir.</p> <p>10 MR. JONATHAN WRIGHT: Jonathan 11 Wright, 18 Glasgow Road, Westampton, 12 New Jersey.</p> <p>13 There's been a lot of good 14 points brought up tonight, unequal 15 payments by towns, the rate increase.</p> <p>16 The one thing I have been 17 thinking about lately, it seems ridiculous 18 to me that you guys are hurting for money 19 so bad, but why the hell are residents 20 paying for their bills -- like, we're 21 being charged for the bills you guys sent 22 us. There's like a shipping and 23 handling -- there's like a handling fee on 24 that.</p>

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1 Who does that? Like, you really
 2 need that much money that you are going to
 3 charge us for our bill? Not only that,
 4 you don't give us an envelope; we use our
 5 own envelope.
 6 So you are charging us to use
 7 our own envelope to get our bill, to pay
 8 our bill. Like, it just seems like it's
 9 greediness and not fair.
 10 It seems -- it might just be a
 11 small amount of money, but you count up
 12 all the residents of the RD districts,
 13 it's like absolutely insane.
 14 It's just something I wanted to
 15 tell you guys.
 16 CHAIRMAN THIESSEN: Just a
 17 reminder, this is a public comment about
 18 the rate hearing, statement about the rate
 19 hearing. That's a great comment, but
 20 that's more appropriate under the public
 21 portion to come.
 22 So if anybody else has any
 23 comments, you know, please keep it to the
 24 rate hearing. You will get five minutes

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1 at the end of the meeting to express your
 2 opinion about other items.
 3 MR. JOHN MUMBOWER: John
 4 Mumbower, 29 Lancaster Drive.
 5 Earlier when we were asking our
 6 questions they had to be germane to the
 7 testimony of the executive director and
 8 Mr. Dehoff, I believe it is. So we were
 9 kind of -- you know, we had a very narrow
 10 lane of things that we could ask.
 11 And now we are at a point where
 12 we can say comments about anything
 13 regarding the rate increase, but I don't
 14 see any response on your part because it's
 15 called comments.
 16 I want to hear your comments
 17 regarding what we're saying.
 18 I don't want to see a bunch of
 19 gentlemen and ladies just sitting there.
 20 I want you to address the questions. And
 21 that's the tricky part when you say
 22 "comments." Because that means you guys
 23 aren't on the hook to answer our
 24 questions.

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1 So with that being said, beside
 2 on the agreement --
 3 CHAIRMAN THIESSEN: You want
 4 comments --
 5 MR. COLEMAN: You want comments
 6 on what?
 7 MR. JOHN MUMBOWER: What I'm
 8 about to say.
 9 MR. COLEMAN: Is it germane to
 10 the connection fee?
 11 MR. JOHN MUMBOWER: Yes.
 12 CHAIRMAN THIESSEN: Most of the
 13 questions that have been asked so far, we
 14 will definitely address those in comments,
 15 but most of the questions that have been
 16 asked aren't germane to the rate increase
 17 tonight.
 18 MR. JOHN MUMBOWER: So aside
 19 from the agreement between my township and
 20 the MUA, whatever it may be, what
 21 New Jersey code or law allows for this
 22 disparity in the connection fees, say
 23 between my township and a
 24 Mount Holly Township resident? Is it

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1 40:14B-22? And if it is, is it solely
 2 that, or is there something else that
 3 allows for that disparity?
 4 MR. MINCHELLO: Sir, this is the
 5 public comment section. If you have
 6 something you want this board to consider,
 7 they will do that. This is the public
 8 comment.
 9 MR. JOHN MUMBOWER: And that's
 10 why I led with what I led, because I knew
 11 you guys wouldn't answer the question.
 12 MR. MINCHELLO: Mr. Chairman,
 13 seeing no one wishing to make any further
 14 statements -- I'm sorry. Please stand and
 15 give your name and address, sir.
 16 MR. LOUIS LOPEZ: My name is
 17 Louis Lopez, 98 Levis Drive,
 18 Mount Holly Township, New Jersey.
 19 I want to know, is that new
 20 increase going to affect a new house in
 21 Mount Holly Gardens?
 22 MR. MINCHELLO: Sir, this is the
 23 public comment section. If you'd like to
 24 make a statement, you can do so.

<p>58</p> <p>1 MR. LOUIS LOPEZ: The new rate, 2 will it affect the Mount Holly Gardens, 3 the new houses? 4 CHAIRMAN THIESSEN: No. It's 5 for new connection fees only, Louis. 6 MR. LOUIS LOPEZ: Okay. Thank 7 you. 8 MR. MINCHELLO: Thank you. 9 Seeing no further statements, I 10 would recommend that the public portion of 11 the rate hearing be closed. 12 CHAIRMAN THIESSEN: Motion to 13 that effect? 14 MR. JONES: So moved. 15 CHAIRMAN THIESSEN: All in 16 favor? 17 MR. SILCOX: Second. 18 CHAIRMAN THIESSEN: Moved and 19 seconded. All in favor? 20 (Motion passed.) 21 CHAIRMAN THIESSEN: All right. 22 Do we have a motion on Resolution 2017-51, 23 the adjustment to the rate schedule as 24 we've had testimony?</p>	
<p>59</p> <p>1 MR. JONES: So moved. 2 COMMISSIONER LaPLACA: Second. 3 CHAIRMAN THIESSEN: Moved and 4 seconded. Can we have a roll call, 5 please? 6 MS. BOYINGTON: Commissioner 7 Banks? 8 COMMISSIONER BANKS: Yes. 9 MS. BOYINGTON: Commissioner 10 Jones? 11 COMMISSIONER JONES: Yes. 12 MS. BOYINGTON: Commissioner 13 LaPlaca? 14 COMMISSIONER LaPLACA: Yes. 15 MS. BOYINGTON: Commissioner 16 Silcox? 17 COMMISSIONER SILCOX: Yes. 18 MS. BOYINGTON: Chairman 19 Thiessen? 20 CHAIRMAN THIESSEN: Yes. 21 Resolution 2017-51 is passed. 22 (Hearing concluded at 6:45 p.m.) 23 - - - - - 24</p>	

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I, LOUIS A. MANCHELLO, Certified
Court Reporter (License No. 30XI00141800) and Notary
Public of Pennsylvania, do hereby certify the
foregoing to be a true and correct transcript of the
proceedings held in this matter as transcribed from
the stenographic notes taken by me on July 13, 2017.

Louis A. Manchello
Certified Court Reporter
(N.J. License No. 30XI00141800)

Date: July 31, 2017

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Resolution 2017-51 A resolution approving the adjustments to the MHMUA's Rate Schedule.

Commissioner Jones moved for the approval of the Resolution 2017-51. Commissioner LaPlaca seconded the motion. At the call of the roll, the vote was:

Ayes: Chairman Thiessen, Commissioner Silcox, Commissioner Jones, Commissioner Banks, Commissioner LaPlaca

Nays:

Abstain:

Absent:

Resolution 2017-61 A resolution approving the S-1NR application with Hainesport Associates/E.I. Realty Corporation 5100 Delaware, Hainesport NJ. Executive Director Maybury explained this is an existing commercial building in the Hainesport Industrial Park and they would like to connect to the sewer system, approving this application would allow them to proceed. Commissioner Silcox moved for the approval of the Resolution 2017-61. Commissioner Jones seconded the motion. At the call of the roll, the vote was:

Ayes: Chairman Thiessen, Commissioner Silcox, Commissioner Jones, Commissioner Banks, Commissioner LaPlaca

Nays:

Abstain:

Absent:

Resolution 2017-62 A resolution authorizing the award of a non-fair and open contract for S.C.A.D.A. Equipment Upgrades. Executive Director Maybury explained this is for S.C.A.D.A (Supervisory Control and Data Acquisition) all of the computers that monitor and control both Maple Avenue in Lumberton & Rancocas Road Facility in Mt. Holly which encompasses the original equipment from the 2009-2010 upgrade which is three servers, nine workstations and the licenses for the equipment supplied by Alan Bradley. Executive Director Maybury suggested the award to go to Tri-Jay. Commissioner LaPlaca moved for the approval of award to Tri-Jay. Commissioner Banks seconded the motion. At the call of the roll, the vote was:

Ayes: Chairman Thiessen, Commissioner Silcox, Commissioner Jones, Commissioner Banks, Commissioner LaPlaca

Nays:

Abstain:

Absent:

Resolution 2017-67 A resolution of the Mount Holly Municipal Utilities Authority Authorizing Engineering Services with Alaimo for Sanitary Sewer Replacement-Monmouth Road. Mr. Skibicki, from Alaimo explained this is for about three hundred feet of eighteen-inch main that is suffering and needs to be replaced. Alaimo will submit a design and proposal for the replacement. Chairman Thiessen asked how much this would cost. Executive Director Maybury explained the cost is \$158,000.00 for design, bid and construction and continued explaining this main is located in Eastampton Township by Sherwood Village. Commissioner Silcox moved for the approval of the Resolution 2017-67. Commissioner Jones seconded the motion. At the call of the roll, the vote was:

Ayes: Chairman Thiessen, Commissioner Silcox, Commissioner Jones, Commissioner Banks, Commissioner LaPlaca

Nays:

Abstain:

Absent:

CONSENT AGENDA:

“All items listed with an asterisk (*) are considered routine by the MHMUA 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 2017-63 A resolution approving the operating expenses for the month of June 2017.

*Resolution 2017-64 A resolution approving the sewer refunds for the month of June 2017.

*Resolution 2017-65 A resolution approving the expenditures for the month of June 2017 from the escrow fund.

*Resolution 2017-66 A resolution approving the expenditures for the month of June 2017 from the improvement replacement fund.

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

Ayes: Chairman Thiessen, Commissioner Silcox, Commissioner Jones, Commissioner Banks, Commissioner LaPlaca

Nays:

Abstain:

Absent:

Communications

None

Matters to be presented by the Public

Chairman Thiessen explained there will be a five-minute window for each person so everyone has chance to speak from the audience and we would proceed by starting with the first row. Chairman Thiessen asked that before you speak that you please state your name and address for the record.

Louis Lopez 98 Levis Drive, Mt. Holly

Mr. Lopez asked about the solar field, a copy of the progress from the solar field, and when are physical connections for the rest of West Rancocas Redevelopment is going to happen. Executive Director Maybury answered stating the MHMUA is looking into obtaining an actuary to determine the efficiency and where we stand with the solar project, and at this time there is no progress to report. Chairman Thiessen informed Mr. Lopez that the connections for West Rancocas Redevelopment will be made as they are built.

Maureen Smith-Hartman 36 St. Andrews Ct., Westampton

Mrs. Smith-Hartman asked about the postage and handling charge on the quarterly invoices, she wanted to know why the MHMUA charged \$2.50 for postage and handling. Chairman Thiessen explained to Mrs. Smith-Hartman that this is not a new charge, it was previously built into the bill and the new MHMUA software itemizes out the billing service charge. Chairman Thiessen continued stating this is also built into your Comcast bill, Verizon bill etc. and again, this is not something that is new, it's now just a separate line item and the amount is \$2.25.

Margaret Bupp- 22 Shamrock, Lumberton

Mrs. Bupp asked if the postage and handling fee of \$2.50 per house was going into the MHMUA's general fund. Chairman Thiessen stated he assumes it is as it always has. Mrs. Bupp continued asking if it always been a charge does that make it right because she didn't quite understand that. Chairman Thiessen confirmed that it's a normal processing fee that we have always charged this much like other utilities and the amount is \$2.25. Mrs. Bupp asked again if that makes it right. Chairman Thiessen confirmed it covers the MHMUA's costs.

Abraham Lopez 59 Amara Lane, Westampton

Mr. Lopez asked if the MHMUA Board thought it was abusive and excessive to charge \$2.25 per bill, second if there could be a motion for resolution that the Mt. Holly Township Council provide every township represented here tonight with a seat at the table before we leave and third just because the MHMUA can charge the postage and handling does that justify it and has there ever been a year when the MHMUA has not raised rates. Chairman Thiessen answered stating to note that the Mt. Holly Council appoints the MHMUA Board, and from his perspective there will not be a resolution that he will introduce or will he vote in favor of. Chairman Thiessen continued explaining there was a four-year span when there were no rate increases. Executive Director Maybury stated from 2008 to 2013 there was no increases. Commissioner Silcox thanked everyone for coming out and informed everyone the board is listening and the audience has made some excellent points. Commissioner Silcox continued stating he has been on the committee for 10 years or so. Commissioner Silcox stated to keep in mind he was speaking for one commissioner not all, and since the Lumberton project it has been his opinion that some type of P.I.L.O.T program should happen. Commissioner Silcox continued stating he is uncertain what those numbers would be, but he thinks it should be discussed, and as far as the seat on the board that's a long road simply because you have to understand the history, and it's just not that easy. Commissioner Silcox continued affirming he is aware that the townships are growing but that doesn't give reason for a seat on the board. Commissioner Silcox finished explaining there would need to be a lot more work and outside understanding of the debt of MHMUA before giving up seats. Commissioner LaPlaca stated as the newest member she freely admits that she is not educated enough on the postage handling to give an appropriate answer and apologized, but as far as representation she felt it was pretty clear and spelled out by statute and ordinance that it is the purview of the Mt. Holly Township Council to decide how members are appointed to the MHMUA Board. Commissioner Banks stated as far as Mr. Lopez's postage and handling question he needs to be transparent and that he needs to understand that himself, this was the first time he heard about it and in regards to representation on the board, that's something that we all have discussed at some point, it's hard to wrap our heads around the fairest and equal way to make it happen but have not come to a conclusion. Commissioner Banks continued stating that the board has been listening and heard the complaints tonight, as far as a resolution Commissioner Banks does not think it will happen tonight and we appreciate everyone coming out.

Solicitor Coleman stated in terms of the postage and handling; historically it's important to know each of the municipalities serviced by the MHMUA use to do their own billing and each of these municipalities came to the MHMUA and said we want the MHMUA to do the billing and there was a cost associated with that and there was an amendment to the agreements and that's how the MHMUA became the biller.

Margaret Bupp- 22 Shamrock, Lumberton

Mrs. Bupp commented that she appreciates and respects the fact that Mt. Holly Township does appoint the positions and she understood that to be the case for R.V.R.H.S (Rancocas Valley Regional High School) when it first started, but as time changed and populations changed, they have changed and now have representation from all parts of the serviced group; please keep that in mind.

John Mumbower 29 Lancaster, Westampton

Mr. Mumbower piggybacked on the statement made from Mr. Don Tallo, 20 Azalea Drive, Lumberton and asked why everyone outside of Mt. Holly pays \$2.25 for postage and handling and Mt. Holly residents only pay \$1.50 when they are right down the street. Chairman Thiessen stated that we will take look into it. Mr. Mumbower continued by asking aside from the agreement with my township by what code or law allows the MHMUA the right to charge the disparity in rates both in residential and commercial sewer rates, is it 40:14B-22 and if it is, is it solely that or what code allows that. Solicitor Coleman interjected that the general statute 40:14B-22 allows Authorities to enter into an arm's length agreement with other municipalities as a contracting power in your town forty some years ago this took place and established the one-and-a-half-time difference. Chairman Thiessen stated that a little history on the MHMUA may answer some of these questions. In 1946 the MHMUA was formed and then in 1948 the plant was built. At the time of the plant being built, Mt. Holly went to the four surrounding townships and asked if they would participate in the building of the plant. The surrounding township chose to not take part and so Mt. Holly Township bonded and founded the original plant in 1948 and have bonded and founded the plant every day since. In 1978 major upgrades were needed to the original plant as it was 30 years old. At that time, a process called ZIMPRO was installed at seventeen million dollars and the Engineer at that time is still the MHMUA's Engineer and can testify stating that the Solicitor of the MHMUA, at that time, met with the four surrounding towns. Chairman Thiessen explained the Maple Avenue Facility was built in 2010 because of the increased flow from the surrounding townships. Chairman Thiessen continued stating the MHMUA took a contaminated piece of property and cleaned it up and built a plant to offset the additional flow from the surrounding townships. Chairman Thiessen then offered his seat to the surrounding townships for a fifth of the debt plus a fifth of the entity. Chairman Thiessen continued stating the check for that can be made payable to the Mt. Holly Tax Payers. Chairman Thiessen stated to note if for any reason the MHMUA defaulted the Mt. Holly Township rate payers would take the hit. Chairman Thiessen asked is this not reward for the extreme risk that Mt. Holly has incurred for over the last seventy years.

Abraham Lopez 59 Amara Lane, Westampton

Abraham Lopez stated that he is trying to make crystal clear that the MHMUA has not honored the service agreements. The Board of Public Utilities stated the MHMUA should be talking with the townships about your major capital expenditures on all communications, reports, and long term strategic capital planning for the MHMUA, but there is none. Mr. Lopez pleaded with the board to hear his cries for open communications. Chairman Thiessen assured Mr. Lopez there will be communication moving forward. Commissioner Jones stated he has minutes of the MHMUA from 1978 stating Mr. Kondracki, Solicitor at the time, held a hearing and gave a report to the four surrounding townships about an agreement for upgrades for the new plant and then asked Mr. Lopez if he was present tonight as a Westampton resident or the Deputy Mayor of Westampton. Mr. Lopez stated both. Commissioner Jones pointed out to Mr. Lopez that he is not in the MHMUA service area, and wanted clarity on his position tonight. Commissioner Banks asked if we could keep the meeting civil and get back to the purpose of this meeting.

Lee Schneider- 611 Broad Street, Hainesport

Ms. Schneider stated she feels the board is antagonizing Mr. Lopez and not answering his questions. Commissioner Banks stated he feels both sides are guilty and they both should apologize. Commissioner Jones apologized to Mr. Lopez.

Anna Evans 63 Parry Drive, Hainesport

Mrs. Evans stated she wanted to respond to what Commissioner Banks had said about Mr. Lopez having an agenda, she stated she has seen this in everything she has read on this issues and people want to make it a partisan issue, but it is not a partisan. Mrs. Evans continued stating it's not about democrats, it's not about republicans, it is about people. Commissioner Banks agreed.

Jeff Epstein-Journalist-Citizens Media TV

Mr. Epstein stated he is not serviced by the MHMUA but has a question. Mr. Epstein asked if there is documentation regarding the \$2.25 postage and handling, he thought it would be comforting to know that it was indeed always a part of the rate payer's invoices and not a new charge. Chairman Thiessen stated the MHMUA would get that information out.

Report of the Executive Director

The Report of the Executive Director was received. Nothing to add

Report of the Engineer

The Report of the Engineer was received. Nothing to add

Report of the Operations Superintendent

The Report of the Operations Superintendent was received. Nothing to add

Report of the Safety Director and Special Projects

Nothing to add.

Report of the Solicitor

Nothing to add.

Report of the Finance Administrator/Board Treasurer

The Report of the Finance Administrator/Board Treasurer was received. Nothing to add.

Other New Business

None

Matters to be presented by Commissioners

Commissioner Silcox stated that there was some good points brought up tonight, and he feels that we all should work on opening up some more dialogue with the surrounding townships and he personally has no issue with that. Commissioner Banks stated he agrees with Commissioner Silcox and since he has been on the MHMUA board he thinks we are moving in the right direction of being more transparent. Commissioner Banks continued stating he is open to sit down and discuss the best solution for all the townships that the MHMUA services.

Resolution 2017-68 A resolution approving Executive Session for contract negotiations, no action to be taken, at 7:28 P.M. - Commissioner Jones moved for the approval to go into Executive Session, Resolution 2017-68. Commissioner LaPlaca seconded the motion. At the call of the roll, the vote was:

Ayes: Chairman Thiessen, Commissioner Silcox, Commissioner Jones, Commissioner Banks, Commissioner LaPlaca

Nays:

Abstain:

Absent:

Adjournment

Commissioner Silcox moved for adjournment. Commissioner LaPlaca seconded the motion. Chairman Thiessen adjourned the meeting at 8:25 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary