

MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY REGULAR MEETING MINUTES

November 10, 2016

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday November 10, 2016; at 6:00 P.M. Chairman Thiessen called the meeting to order with the following roll call:

PRESENT: Mr. Jules Thiessen, Chairman
Mr. Jason Jones, Commissioner
Mr. Christopher Banks, Commissioner
Mr. Joshua Brown, Commissioner

ALSO PRESENT: Robert Maybury, Executive Director
Katelyn McElmoyl, Esq., Solicitor Parker McCay
David Skibicki, R. A. Alaimo Associates, Engineer
Michael Dehoff, Finance Administrator / Treasurer
Anthony Stagliano, Safety Director and Special Projects
Brandy C. Boyington, Secretary

ABSENT: Mr. Robert Silcox, Vice Chairman
Mr. Joel Hervey, Operations Superintendent

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 16, 2016 and the Courier Post on February 15, 2016. On Monday, November 07, 2016 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 None

APPROVAL OF MINUTES

Commissioner Brown moved for the approval of Regular Meeting Minutes of October 13, 2016. Commissioner Banks seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Brown

NAYES:

ABSTAIN: Commissioner Jones

ABSENT: Commissioner Silcox

OLD BUSINESS

RESOLUTION 2016-101 RESOLUTION APPROVING THE S-1 APPLICATION FOR THE LOFTS AT RIVERWALK.

RESOLUTION 2016-102 RESOLUTION APPROVING THE S-2 APPLICATION FOR THE LOFTS AT RIVERWALK.

Commissioner Brown asked if the MHMUA has everything needed to move forward. Executive Director Maybury confirmed the MHMUA has everything needed for the purpose of the application and sewer service agreements.

Commissioner Jones moved for the approval of Resolution 2016-101 and Resolutions 2016-102. Commissioner Banks seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones

NAYES:

ABSTAIN: Commissioner Brown

ABSENT: Commissioner Silcox

NEW BUSINESS

PUBLIC NOTICE: IPP (Industrial Pretreatment Program Permit) Modification

Executive Director Maybury stated that this is for a change in our Industrial Pre-treatment Program (“IPP”). David Reich, the MHMUA’s administrator of the IPP Program has completed the required background work and Public Notices for this modification. The modification requires the MHMUA to have an agreement in place to stop any IPP discharger from releasing any flow to the MHMUA during catastrophic emergencies, such as Super Storm Sandy or other high flow events that could cause overflows of the treatment works. This notice and public hearing will be held as a formality and it is required. It is unlikely that anyone will show up because of the notification or modification. If anyone does show up for public comment, the comments will be recorded and Dave Reich will handle any comments received.

RESOLUTION 2016-108 RESOLUTION APPROVING THE S-1 APPLICATION FOR LENNAR AT RANCOCAS

RESOLUTION 2016-109 RESOLUTION APPROVING THE S-2 APPLICATION FOR LENNAR AT RANCOCAS

Chairman Thiessen asked if the MHMUA had everything that was needed. Executive Director Maybury confirmed the MHMUA has everything needed for the purpose of the S-1 application and S-2 sewer service agreement application, but as far as the S-3 application, there is an upcoming meeting to finalize the plans prior to approval of the S-3 application. Executive Director Maybury continued stating that in our audience tonight are members from Lennar. Chairman Thiessen asked the audience members if they had any comments, there was none. Commissioner Brown asked where the project would be located. Executive Director Maybury stated that this is a large project on an existing sod farm in Eastampton, close to the intersection at Olde World Bakery and around Misha’s Auto Body off Smithville Road. The project is for approximately 450 age-restricted homes with some commercial, to be built in six phases over a five to six year time span.

Commissioner Brown moved for the approval of Resolution 2016-108 and Resolutions 2016-109. Commissioner Jones seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones, Commissioner Brown

NAYES:

ABSTAIN:

ABSENT: Commissioner Silcox

RESOLUTION 2016-110 RESOLUTION APPROVING THE S-3 APPLICATION FOR LENNAR AT RANCOCAS ~Tabled

Commissioner Brown moved for the approval to table Resolution 2016-110. Commissioner Jones seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones, Commissioner Brown

NAYES:

ABSTAIN:

ABSENT: Commissioner Silcox

RESOLUTION 2016-111 RESOLUTION ADOPTING THE REVISIONS TO THE EMPLOYMENT PRACTICES LIABILITY & PERSONNEL MANUAL

Ms. Katelyn McElmoyl stated there were some minor changes and the Commissioners should approve Resolution 2016-111 pending final attorney review, she continued stating she would forward the changes to Mrs. Brandy C. Boyington. Commissioner Brown moved for the approval pending final attorney review of Resolution 2016-111. Commissioner Jones seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones, Commissioner Brown

NAYES:

ABSTAIN:

ABSENT: Commissioner Silcox

RESOLUTION 2016-112 A RESOLUTION APPROVING THE S-1 APPLICATION FOR EASTAMPTON PLACE WEST URBAN RENEWAL (previously GREGORY'S)

RESOLUTION 2016-113 A RESOLUTION APPROVING THE S-2 APPLICATION FOR EASTAMPTON PLACE WEST URBAN RENEWAL (previously GREGORY'S)

Commissioner Brown moved for the approval of Resolution 2016-112 and Resolutions 2016-113. Commissioner Jones seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones, Commissioner Brown

NAYES:

ABSTAIN:

ABSENT: Commissioner Silcox

RESOLUTION 2016-114 A RESOLUTION APPROVING THE S-3 APPLICATION FOR EASTAMPTON PLACE WEST URBAN RENEWAL (previously GREGORY'S) ~Tabled

Commissioner Brown moved for the approval to table Resolution 2016-114. Commissioner Jones seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones, Commissioner Brown

NAYES:

ABSTAIN:

ABSENT: Commissioner Silcox

RESOLUTION 2016-115 AWARD OF CONTRACT 14-16 SODIUM BISULFITE TO GEORGE S. COYNE CHEMICAL CO, INC.

Commissioner Jones moved for the approval of Resolution 2016-115. Commissioner Banks seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones, Commissioner Brown

NAYES:

ABSTAIN:

ABSENT: Commissioner Silcox

RESOLUTION 2016-116 RESOLUTION APPROVING THE REVISED CORRECTIVE ACTION PLAN FOR 2015 AUDIT

Commissioner Jones moved for the approval of Resolution 2016-115. Commissioner Brown seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones, Commissioner Brown

NAYES:

ABSTAIN:

ABSENT: Commissioner Silcox

RESOLUTION 2016-117 RESOLUTION ADOPTING THE MHMUA'S 2017 BUDGET

Chairman Thiessen stated there was a meeting held with Executive Director Maybury, Commissioner Banks and Mr. Dehoff to discuss the 2017 budget, Chairman Thiessen then asked Executive Director Maybury to please go over the highlights of the budget. Executive Director Maybury stated at the October 2016 board meeting the resolution to approve the 2017 budget was passed. The approved 2017 budget was sent to the State for their approval. The MHMUA received a couple of questions from the State that needed to be resolved. The questions have since been resolved and is now ready to be adopted.

Commissioner Brown moved for the approval of Resolution 2016-117. Commissioner Jones seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones, Commissioner Brown

NAYES:

ABSTAIN:

ABSENT: Commissioner Silcox

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 2016-104 A RESOLUTION APPROVING THE OPERATING EXPENSES FOR THE MONTH OF OCTOBER 2016**

***RESOLUTION 2016-105 A RESOLUTION APPROVING THE SEWER REFUNDS FOR THE MONTH OF OCTOBER 2016**

***RESOLUTION 2016-106 A RESOLUTION APPROVING THE ESCROW EXPENSES FOR THE MONTH OF OCTOBER 2016**

***RESOLUTION 2016- 107 A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF OCTOBER 2016 FROM THE IMPROVEMENT AND REPLACEMENT FUND**

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

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Jones, Commissioner Brown

NAYS:

ABSTAIN:

ABSENT: Commissioner Silcox

COMMUNICATIONS

Executive Director Maybury stated that the commissioners should have received a packet from the Municipal Excess Liability Fund. There is an explanation of a combined savings of \$1.1 Billion since its inception in 1985 and the savings to the Utility Authorities of \$62.7 Million since 1991. They also note the Employee Accident Rate declined from 5.73 lost time accidents per 100 employees in 1991 to 2.20 accidents per 100 employees in 2016.

MATTERS TO BE PRESENTED BY THE PUBLIC None

REPORT OF THE EXECUTIVE DIRECTOR The Report of the Executive Director was received.

REPORT OF THE ENGINEER The Report of the Engineer was received.

REPORT OF THE OPERATIONS SUPERINTENDENT The Report of the Operations Superintendent was received.

REPORT OF THE SAFETY DIRECTOR AND SPECIAL PROJECTS The Report of the Safety Director and Special Projects was received.

REPORT OF THE SOLICITOR The Report of the Solicitor was received.

REPORT OF FINANCE ADMINISTRATOR/BOARD TREASURER The Report of Finance Administrator/Board Treasurer was received.

OTHER NEW BUSINESS None

MATTERS TO BE PRESENTED BY COMMISONERS None

Executive Session

MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
RESOLUTION 2016-118

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 6:25 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;
- X 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:);
- 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;
- X 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 pending or anticipated litigation, the matter

is: _____)

(If contract negotiation the nature of the contract and interested party is _____)

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 Authority 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 Authority to take the appropriate action to effectuate the terms of this resolution.

I, Brandy 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 November 10, 2016.

ADJOURNMENT

Commissioner Jones moved for adjournment. Commissioner Banks seconded the motion. Chairman Thiessen adjourned the meeting at 6:57 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary