

MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
July 09, 2015

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday July 09, 2015; 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. Banks, Commissioner
Mr. Joshua Brown, Commissioner

ALSO

PRESENT: Robert Maybury, Executive Director
Liz Garcia, Solicitor- Parker McCay
Albert Marmero, Esq., Long Marmero & Associates, LLP, Special Counsel
David Skibicki, R. A. Alaimo Associates, Engineer
Cheryl Wurst, (Interim) Finance Administrator/Treasurer
Joel Hervey, Deputy Director for Plant Operations
Brandy C. Boyington, Secretary
Richard Alaimo, Alaimo Associates

ABSENT: Anthony Stagliano, Deputy Director of Regulatory Affairs & Qualified Purchasing Agent

VERIFICATION OF NOTICE

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 19, 2015 and the Courier Post on February 19, 2015. On Tuesday, July 07, 2015, 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 Silcox moved for the approval of Regular Meeting Minutes of June 11, 2015. Commissioner Brown seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Jones, Commission Brown, Commissioner Silcox, Commissioner Banks
NAYES:
ABSTAIN:

Commissioner Silcox moved for the approval of Executive Meeting Minutes of June 11, 2015. Commissioner Brown seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Jones, Commission Brown, Commissioner Silcox, Commissioner Banks
NAYES:
ABSTAIN:

OLD BUSINESS

A proposal was received for the belt press filter installation from Alaimo (*proposed Resolution 2015-63*)

A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY AUTHORIZING ENGINEERING SERVICES CONTRACT WITH ALAIMO FOR THE BELT FILTER PRESS INSTALLATION

Commissioner Silcox moved for the approval of Resolution 2015-63. Commissioner Brown seconded the motion. At the call of the roll the vote was:

AYES: Commissioner Jones, Commissioner Banks, Commissioner Silcox

NAYES: Chairman Thiessen

ABSTAIN: Commissioner Jones

NEW BUSINESS

PUBLIC NOTICE

RESOLUTION 2015-61- Renewal of Industrial Waste Service Agreement with Landfill & Development Co., Inc. for treatment of non-domestic wastewater.

Commissioner Silcox moved for the approval of Resolution 2015-61. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN:

RESOLUTION 2015-64 A RESOLUTION APPROVING S-1 APPLICATION FOR SEWERAGE SERVICE BETWEEN THE MHMUA AND MT. HOLLY TOWNSHIP FOR WEST RANCOCAS REDEVELOPMENT PHASE 3B TOWNSHIP OF MT. HOLLY, BLOCK 12.03,12.04, & 12.05 LOTS 3-14,40-45 1-35, 27 (PHASE 3A)

Commissioner Silcox moved for the approval of Resolution 2015-64. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN: Commissioner Jones

RESOLUTION 2015-65 A RESOLUTION APPROVING S-2 APPLICATION FOR SEWERAGE SERVICE BETWEEN THE MHMUA AND MT. HOLLY TOWNSHIP FOR WEST RANCOCAS REDEVELOPMENT PHASE 3B TOWNSHIP OF MT. HOLLY, BLOCK 12.03,12.04, & 12.05 LOTS 3-14,40-45 1-35, 27 (PHASE 3A)

Commissioner Silcox moved for the approval of Resolution 2015-65. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN: Commissioner Jones

RESOLUTION 2015-66 A RESOLUTION APPROVING S-1NR APPLICATION FOR SEWERAGE SERVICE BETWEEN THE MHMUA AND MT. HOLLY TOWNSHIP WITH PSE&G FOR THE PURPOSE OF TEMPORARY CONSTRUCTION DE-WATERING DURING PSE&G SUB-STATION IMPROVEMENTS.

Executive Director Maybury explained that the Public Service relay system located in the parking lot on Rancocas Road in the County Buildings parking lot. The station has been there since the mid 1940's, they are working towards a total upgrade. They are going to be constructing a building to match the current jail and county facilities, so it looks like it belongs there. They will need to do some de-watering for the foundation and have put in sheet piling. For about two to three months they are requesting to discharge into the sanitary sewer system and the S-1NR would grant them permission to do so. The cost they would incur would be about \$77 dollars a day for 90 days estimated at \$7000 for the entire project time.

Commissioner Silcox moved for the approval of Resolution 2015-66. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN: Commissioner Jones

****RESOLUTION 2015-67-A** RESOLUTION APPROVING S-1 APPLICATION FOR SEWERAGE SERVICE BETWEEN THE MHMUA AND EASTAMPTON TOWNSHIP FOR EASTAMPTON VILLAGE II-III TOWNSHIP OF EASTAMPTON , BLOCK 600 LOTS 5.01, 5.02, 5.03, and 6

Executive Director Maybury explained this development will be constructed of 63 dwellings. It will be 7 proposed 4-bedroom single family homes and 56 3-bedroom townhouses. Chairman Thiessen asked where this would be located. Executive Director stated it is located on Woodlane Road right before Olde World Bakery.

Commissioner Silcox moved for the approval of Resolution 2015-67. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN:

****RESOLUTION 2015-68** A RESOLUTION APPROVING S-2 APPLICATION FOR SEWERAGE SERVICE BETWEEN THE MHMUA AND EASTAMPTON TOWNSHIP FOR EASTAMPTON VILLAGE II-III TOWNSHIP OF EASTAMPTON, BLOCK 600 LOTS 5.01, 5.02, 5.03, and 6

Commissioner Jones moved for the approval of Resolution 2015-68. Commissioner Silcox seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN:

****RESOLUTION 2015-69** A RESOLUTION APPROVING S-3 APPLICATION FOR SEWERAGE SERVICE BETWEEN THE MHMUA AND EASTAMPTON TOWNSHIP FOR EASTAMPTON VILLAGE II-III TOWNSHIP OF EASTAMPTON, BLOCK 600 LOTS 5.01, 5.02, 5.03, and 6 C

Commissioner Silcox moved for the approval of Resolution 2015-69. Commissioner Jones seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Brown, Commissioner Silcox, Commissioner Jones
NAYES:
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 2015-56** A RESOLUTION APPROVING THE OPERATING EXPENSES FOR THE MONTH OF JUNE 2015.

***RESOLUTION 2015-56 A-** A RESOLUTION APPROVING THE SEWER REFUNDS FOR THE MONTH OF JUNE 2015.

***RESOLUTION 2015-57** A RESOLUTION APPROVING THE ESCROW EXPENSES FOR THE MONTH OF JUNE 2015.

***RESOLUTION 2015-58** A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF JUNE 2015 FROM THE IMPROVEMENT AND REPLACEMENT FUND.

***RESOLUTION 2015-62** A RESOLUTION APPROVING WAIVER OF CONNECTION FEES FOR COURT-MANDATED HOME RELOCATION PROJECT IN WEST RANCOCAS DEVELOPMENT.

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 Brown, Commissioner Silcox, Commissioner Jones
NAYS:
ABSTAIN:

***RESOLUTION 2015-59** A RESOLUTION APPROVING DEVELOPERS SANITARY SEWER OFF-TRACT IMPROVEMENT AND RECAPTURE AGREEMENT.
(Removed from consent agenda and acted on separately.)
Commissioner Banks moved for the approval of Resolution 2015-59. Commissioner Jones seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Banks, Commissioner Brown, Commissioner Jones
NAYES:
ABSTAIN: Commissioner Silcox

***RESOLUTION 2015-60** A RESOLUTION APPROVING THE REVISED JOB DESCRIPTIONS FOR THE POSITIONS OF ASSISTANT TO THE EXECUTIVE DIRECTOR, FINANCE ADMINISTRATOR-CFO, ASSISTANT TO THE FINANCE ADMINISTRATOR AND THE ORGANIZATIONAL CHART. (Removed from consent agenda by request of Commissioner Silcox and acted on separately after executive session.)

Executive Director Maybury stated that this was previously discussed in closed session and added to agenda for approval. This does not change salaries, it is a few minor changes from the Finance Administrator-CFO to the Assistant to the Executive Director position. Three line items were transferred from the Finance Administrator-CFO's position and added to the Assistant to the Executive Director's job description.

*(*Responsible for supervising the day to day functions of the Business Office for the Mt. Holly Municipal Utilities Authority*

**Oversee and administer the hiring, discipline and firing processes in accordance with the Employment Practices Liability & Personnel Manual and the Collective Bargaining Agreements as directed by the Executive Director*

**Assist with creating, reviewing and maintaining policies and procedures and ensure compliance with Authority Chain of Command by reviewing written complaints, grievances and suggestions for improvement with the Executive Director and Deputy Director for Regulatory)*

Commissioner Brown moved for the approval of Resolution 2015-60. Commissioner Silcox seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN:

COMMUNICATIONS

None

MATTERS TO BE PRESENTED BY THE PUBLIC

None

REPORT OF THE EXECUTIVE DIRECTOR

The report of the Executive Director was received. Executive Director Maybury did inform the board that the MHMUA had an audit on contracts/bids and we received a letter of satisfactory from the state.

REPORT OF THE ENGINEER

The Report of the Engineer was received. Mr. Skibicki stated he received comments from the MHMUA on the Lumberton Force Main Insertion Valve Project to insert an insurance certificate form to the bid specifications and was posted this past Monday and bids are due July 23rd, 2015.

REPORT OF THE DEPUTY DIRECTOR FOR PLANT OPERATIONS

The Report of the Deputy Director of Plant Operations was received.

REPORT OF THE DEPUTY DIRECTOR FOR REGULATORY AFFAIRS AND QUALIFIED PURCHASING AGENT

The Report of the Deputy Director for Regulatory Affairs and Qualified Purchasing Agent was received.

REPORT OF THE SOLICITOR

The Report of the Solicitor was received. Request for closed session.

REPORT OF THE DEPUTY DIRECTOR OF FINANCE ADMINISTRATOR/ TREASURER

The Report of the Finance Administrator/ Treasurer was received.

OTHER NEW BUSINESS

None

MATTERS TO BE PRESENTED BY COMMISONERS

None

Executive Session

Commissioner Silcox moved for approval of Resolution 2015-70. Commissioner Banks seconded the Motion. At the call of roll, the vote was:

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

NAYS: ----

ABSTAIN: ----

At 6:25 P.M. the Authority Commissioners retired to Executive Session for a discussion of the matter listed in the below resolution.

**RESOLUTION 2015-70
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 Mount Holly Municipal Utilities Authority (“MHMUA”) 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 the MHMUA will reconvene following the end of the closed session.

NOW, THEREFORE, BE IT RESOLVED that the MHMUA 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 purchase, 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;

X_____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 entitled: belt filter press contract.

(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 MHMUA’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);

X_____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 hiring of Deputy Director of Finance and Administration); change of job descriptions for various employment positions, harassment complaint investigation.

_____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 MHMUA hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the MHMUA Attorney advises the MHMUA 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 MHMUA, 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 Executive Director 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 July 9, 2015.

Brandy C. Boyington

**RESOLUTION 2015-63 - A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITES
AUTHORITY AUTHORIZING ENGINEERING SERVICES CONTRACT WITH ALAIMO
FOR THE BELT FILTER PRESS INSTALLATION**

Commissioner Silcox moved for the approval of Resolution 2015-63. Commissioner Brown seconded the motion. At the call of the roll the vote was:

- AYES: Commissioner Jones, Commissioner Banks, Commissioner Silcox
- NAYES: Chairman Thiessen
- ABSTAIN: Commissioner Jones

****RESOLUTION 2015-71- A RESOLUTION APPROVING THE SALARY INCREASE FOR
BRANDY C. BOYINGTON**

Commissioner Silcox moved for the approval of Resolution 2015-71. Commissioner Jones seconded the motion. At the call of the roll the vote was:

- AYES: Chairman Thiessen, Commissioner Jones, Commissioner Banks, Commissioner Silcox, Commissioner Jones
- NAYES:
- ABSTAIN:

ADJOURNMENT

Commissioner Jones moved for adjournment. Commissioner Silcox seconded the motion. Chairman Thiessen adjourned the meeting at 8:15 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary