

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
June 11, 2015**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, June 11, 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. Christopher Banks, Commissioner
Mr. Joshua Brown, Commissioner

ALSO Robert Maybury, Executive Director
PRESENT: Stephen J. Mushinski, Esq., Solicitor
Albert Marmero, Esq., Long Marmero & Associates, LLP, Special Counsel
David Skibicki, R. A. Alaimo Associates, Engineer
Cheryl Wurst, (Interim) Finance Administrator
Anthony Stagliano, Deputy Director of Regulatory Affairs & Qualified Purchasing Agent
Joel Hervey, Deputy Director for Plant Operations
Brandy C. Boyington, Secretary
Richard Alaimo, Alaimo Associates

ABSENT:

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 19, 2015 and the Courier Post on February 19, 2015. On Monday, June 08, 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 Brown moved for the approval of Regular Meeting Minutes of May 19, 2015. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

APPROVAL OF EXECUTIVE MINUTES

Commissioner Brown moved for the approval of Executive Meeting Minutes of May 19, 2015. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN: Commissioner Silcox

OLD BUSINESS

1 .A proposal was received for the belt press filter installation from Alaimo.

Executive Director Maybury stated that at this time there is a second proposal coming from another Engineer.

2. Deerwood Country Club LP is requesting MHMUA to approve and adopt a Cost Reimbursement Sewer Extension policy to be a part of the Authority's rules and regulations.

Mr. Mushinski explained that during May's board meeting the board requested cost information from Mr. Alaimo. Mr. Alaimo hand delivered the information this evening. The information is for the Authority members to see what the ultimate cost might look like for somebody that would be connecting into the system. Mr. Alaimo stated that the idea is to install a 4400 foot force main for 7 lots. Two lots in one place and five in another. Mr. Alaimo stated that he decided to cut down the project to 1100 feet, covering the first two lots. The formula used by Evesham and Mt. Laurel basically; is established off flow and distance. The closer you are to the connection the less is the cost will be, and the further you are the more expensive. Based upon the number of linear feet you are using of the main and the combination of other people using the main. The cost is adjusted to all using the main. The problem is we don't know how many people will connect, currently the residents have septic systems. We do not anticipate many people connecting. Mr. Mushinski mentioned previously it was agreed (based upon the Rules and Regulations of the MHMUA) the residents would not be forced to connect to the force main, it would be a voluntary connection. Chairman Thiessen asked if the rates, in general, are in line with other projects of this nature. Mr. Mushinski stated that the formula was decided in Superior Court; establishing the formula and calculation that is used by Evesham and Mt. Laurel. Mr. Mushinski informed the board that he has a draft agreement, and if the Authority would like to move forward he can finalize the agreement with Mr. Alaimo, and the Authority should have it on next month's agenda as a resolution.

NEW BUSINESS

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

RESOLUTION 2015-54

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

Commissioner Silcox moved for the approval of Resolution 2015-54. Commissioner Jones seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

ABSTAIN: None

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.”

<u>*RESOLUTION 2015-49-</u>	A RESOLUTION APPROVING THE OPERATING EXPENSES FOR THE MONTH OF <u>MAY</u> 2015
<u>*RESOLUTION 2015-49-A-</u>	A RESOLUTION APPROVING THE SEWER REFUNDS FOR THE MONTH OF <u>MAY</u> 2015
<u>*RESOLUTION 2015- 50-</u>	A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF <u>MAY</u> 2015
<u>*RESOLUTION 2015-51-</u>	A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR AUDITOR CONTRACT #2015-8
<u>*RESOLUTION 2015-52-</u>	A RESOLUTION AUTHORIZING CHANGE ORDER TO CONTRACT #2014-13 PLANT 3 ROOF FOR REPLACING THE DAMAGED METAL AND INSTALLATION OF WALK-WAY PADS.
<u>**RESOLUTUION 2015-53</u>	A RESOLUTION AUTHORIZING THE INSTALLATION OF CURED-IN-PLACE PIPING AND MANHOLE REHABILITATION FOR EAYRESTOWN ROAD SEWER MAIN CONTRACT #2015-9

Chairman Thiessen asked for an explanation on the additional information added to the memo submitted to the board for the installation of the C.I.P.P for Eayrestown Road sewer main. Mr. Hervey, MHMUA Plant Operations, explained that the pipe was televised today, and they discovered the issue to be a gasket. The contractors plan to move forward is to cut out the gasket that is causing the obstruction and then proceed with the slip line.

****Indicates addendum to original agenda**

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

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

NAYS: None

ABSTAIN: None

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 stated that he had the pleasure of presenting the Ronald D. Nicholson Scholarship Award to Nicholas M. Testa. Mr. Maybury continued by saying he would like to recognize Cheryl Wurst for taking over the duties of the Finance Administrator and that she is doing a great job.

REPORT OF THE ENGINEER

The Report of the Engineer was received. Mr. Skibicki stated that the Lumberton Force Main specs should be done by the end of the month.

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.

**REPORT OF THE DEPUTY DIRECTOR OF
FINANCE AND ADMINISTRATION/BOARD TREASURER**

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

OTHER NEW BUSINESS

None

MATTERS TO BE PRESENTED BY COMMISONERS

Commissioner Silcox asked if Ms. Wurst was receiving compensation for taking on the work load of the Finance Administer. Mr. Maybury identified that would be suggested discussion in executive session.

Executive Session

Commissioner Silcox moved for approval of Resolution 2015-55. Commissioner Banks seconded the Motion. At the call of roll, the vote was:

AYES: All (Chairman Thiessen, Commissioner Silcox, Commissioner Brown, Commissioner Jones, Commissioner Banks)

NAYS: ---

ABSTAIN: ---

At 6:21 P.M. the Authority Commissioners retired to Executive Session for a discussion of the matter listed in the below resolution.

RESOLUTION 2015-55
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);

X 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: Hainesport Sewer Service Agreement and mandatory connection issue; professional contract matters.

(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 Finance Administrator;

_____ 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 C. Boyington, do hereby certify the above to be a true and correct copy of a resolution adopted by the Mount Holly Municipal Utilities Authority at its meeting held on June 11, 2015.

Brandy C. Boyington

ADJOURNMENT

Commissioner Silcox moved for adjournment. Commissioner Jones seconded the motion. Chairman Thiessen adjourned the meeting at 8:40 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary