

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
APRIL 09, 2015**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, April 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. Joshua Brown, Commissioner **arrived at 6:07pm**

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

ABSENT: Ms. Jacquelyn Perinchief, Commissioner
Tracey Giordano, Deputy Director of Finance and Administration/Treasurer

VERIFICATION OF NOTICE

Interim 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, April 06, 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 Jones moved for the approval of Regular Meeting Minutes of March 12, 2015. Commissioner Silcox seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Silcox, Commissioner Jones
NAYES: None
ABSTAIN: None
ABSENT: Commissioner Perinchief, Commissioner Brown (had not arrived yet)

Commissioner Silcox moved for the approval of Executive Session Minutes of March 12, 2015. Commissioner Brown seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Silcox, Commissioner Jones,
NAYES: None
ABSTAIN: None
ABSENT: Commissioner Perinchief, Commissioner Brown (had not arrived yet)

OLD BUSINESS

NONE

NEW BUSINESS

RESOLUTION 2015-38

Interim Executive Director Maybury stated this project was previously discussed and it's located in Lumberton Township. Two separate sewer force mains with considerable flow join as one at the proposed valve insertion location. A force main break occurred on one of these two mains in the early 90's. Former Superintendent Ronald D. Nicholson recommended these valves be installed at that time. The Hollybrook Pump Station, which is more than 40 years old, is in need of extensive upgrades. Replacement of the entire pump station will likely be needed within five years. On tonight's agenda please see resolution 2015-37 approving the contract of the Franklin Miller Grinder, which is one of the many items the Hollybrook Pump Station needs at this time. The isolation valves will allow the MUA to continue to operate the pump stations and force mains independently while these future upgrades take place.

Commissioner Silcox moved for the approval of Resolution 2015-38. Commissioner Jones seconded the motion. At the call of the roll the vote was:

AYES: Chairman Thiessen, Commissioner Silcox, Commissioner Jones,

NAYES:

ABSTAIN:

ABSENT: Commissioner Perinchief, Commissioner Brown (had not arrive yet)

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 2015-33**

A RESOLUTION APPROVING THE OPERATING EXPENSES FOR THE MONTH OF MARCH 2015

***RESOLUTION 2015-33A**

A RESOLUTION APPROVING THE SEWER REFUNDS FOR THE MONTH OF MARCH 2015

- [Account numbers 110873 & 207344 were removed and tabled until May's Board Meeting](#)

***RESOLUTION 2015-34**

A RESOLUTION APPROVING THE ESCROW EXPENSES FOR THE MONTH OF MARCH 2015

***RESOLUTION 2015-35**

A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF MARCH 2015 FROM THE IMPROVEMENT AND REPLACEMENT FUND

***RESOLUTION 2015-36**

A RESOLUTION OF MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE APPROVAL OF THE 2014 AUDIT & CORRECTIVE ACTION PLAN

***RESOLUTION 2015-37-**

A RESOLUTION OF MOUNT HOLLY MUNICIPAL UTILITES AUTHORITY AUTHORIZING THE APPROVAL OF CONTRACT 2015-7 FRANKLIN MILLER GRINDER

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

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

NAYES:

ABSTAIN:

ABSENT: Commissioner Perinchief

COMMUNICATIONS

Interim Executive Director, Maybury stated that the final audit report was delivered at 4:30 this afternoon; the board members should have received electronic copies earlier this week, and the final is in your packet this evening. Chairman Thiessen questioned if there were any comments on the report and Interim Executive Director Maybury stated that the only comment was the same as it has been in the past years.

MATTERS TO BE PRESENTED BY THE PUBLIC

None

REPORT OF THE INTERIM EXECUTIVE DIRECTOR

The Report of the Interim Executive Director was received. No additional comments

REPORT OF THE ENGINEER

The Report of the Engineer was received. Mr. Skibicki stated that he thought this week he would be able to finish the draft proposal for the belt press project, but we have some issues that need to be ironed out. It looks like we are going to need a few more weeks to get it prepared for the Authorities review. Mr. Skibicki also stated he just received the Phase II plans for Laurel Creek to review.

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

No new business.

MATTERS TO BE PRESENTED BY COMMISONERS

Executive Session

Commissioner Silcox moved for approval of Resolution 2015-39. Commissioner Jones seconded the Motion. At the call of roll, the vote was:

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

NAYS:

ABSTAIN:

ABSENT: Commissioner Perinchief

At 6:13 P.M. the Authority Commissioners retired to Executive Session for a discussion of the matter listed in the below resolution.

RESOLUTION 2015-39 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: _____);

_____ 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;

_____ 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: _____).

(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 personnel matters);

_____ 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 April 9, 2015.

Brandy C. Boyington, Secretary

ADJOURNMENT

Commissioner Jones moved for adjournment. Commissioner Silcox seconded the motion. Chairman Thiessen adjourned the meeting at 6:24 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary