

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING MINUTES  
September 14, 2017**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday September 14, 2017; 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. Robert G. Maybury, Executive Director  
Mr. Tom Coleman, Raymond Coleman Heinold, LLP  
Ms. Carol Berlin, Rainine Coughlin Minchello, LLC; Special Counsel  
Mr. Armando Riccio, Labor/Employment Counsel  
Mr. Dave Skibicki, R. A. Alaimo Associates, Engineer  
Mr. Michael B. Dehoff, Finance Administrator/Treasurer  
Mrs. Brandy C. Boyington, Board Secretary

ABSENT: Mr. Robert Silcox, Vice Chairman  
Ms. Gina LaPlaca, Commissioner  
Mr. Joel Hervey, Operations Superintendent  
Mr. Anthony Stagliano, Safety Director & Special Projects

**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, September 11, 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 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**

Luis Lopez 98 Levis Drive, Mt. Holly, N.J. 08060

Mr. Lopez requested clarity on Resolution 2017-83 and 2017-84. Chairman Thiessen stated that 2017-83 is an S-3 application for a proposed Starbucks in Lumberton Township. The S-3 application is the last phase of the application process and is on tonight's agenda for approval consideration and the proposed location is the Lone Wolf farm stand located at the corner of Route 38 and the Mt. Holly By-Pass. Executive Director Maybury explained approval of resolution 2017-84 allows the MHMUA to receive a credit for the recently completed Belt Press Filter installation project at the Rancocas Road Facility. The resolution is a change order to the original bid amount since the project finished under budget.

**Approval of Minutes**

Commissioner Jones moved for the approval of the Regular Meeting Minutes and the Executive Meeting Minutes of August 10, 2017. Commissioner Banks seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Jones, Commissioner Banks

Nays:

Abstain:

Absent: Commissioner Silcox, Commissioner LaPlaca

**\*\*The board went into Executive Session at 6:30 P.M. resolution 2017-85.**

## New Business

Resolution 2017-82 A resolution awarding the High Street Sanitary Sewer Main Improvements contract # 2017-14.

Executive Director Maybury explained to the board this project is to install a liner and other necessary repairs to the sanitary sewer line located on High Street, Mount Holly and the project spans from Garden Street to Mill Street. Alaimo prepared bid tabulations from the September 07, 2017 public bid opening. The MHMUA received three sealed bids, the lowest bidder withdrew their bid and the second bidder has been recommended, since the second bidder is also less than the Engineers estimate. It is recommended to award this project to North American Pipe Line Services.

Commissioner Jones moved for the approval of the resolution 2017-82. Commissioner Banks seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Jones, Commissioner Banks

Nays:

Abstain:

Absent: Commissioner Silcox, Commissioner LaPlaca

Resolution 2017-83 A Resolution approving an S-3 Application for sewerage service between the Mount Holly Municipal Utilities Authority and Frontier Development, LLC/ Starbucks, Township of Lumberton, Block 14.03; Lot 4.01, 4.02 & 4.03.

Executive Director Maybury stated resolution 2017-83 is to approve the S-3 application for the sewer service plans for the proposed Starbucks.

Commissioner Jones moved for the approval of the resolution 2017-83. Commissioner Banks seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Jones, Commissioner Banks

Nays:

Abstain:

Absent: Commissioner Silcox, Commissioner LaPlaca

Resolution 2017-84 A resolution authorizing change order No. 2 contract 2015-14 for the Belt Filter Press.

Executive Director Maybury stated that resolution 2017-84 is to approve the reduction in cost for contract 2015-14 to the MHMUA as the project came in lower than the contractors bid estimate.

Commissioner Jones moved for the approval of the resolution 2017-84. Commissioner Banks seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Jones, Commissioner Banks

Nays:

Abstain:

Absent: Commissioner Silcox, Commissioner LaPlaca

**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 2017-78 A resolution approving the operating expenses for the month of August 2017.

\*Resolution 2017-79 A resolution approving the sewer refunds for the month of August 2017.

\*Resolution 2017-80 A resolution approving the expenditures for the month of August 2017 from the escrow fund.

\*Resolution 2017-81 A resolution approving the expenditures for the month of August 2017 from the improvement replacement fund.

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

Ayes: Chairman Thiessen, Commissioner Jones, Commissioner Banks

Nays:

Abstain:

Absent: Commissioner Silcox, Commissioner LaPlaca

**Communications:** Executive Director Maybury explained notification was received for re-development of # 30 Church Street Mount Holly. The applicant plans on converting an existing warehouse facility into multiple uses including; catering, theater and some retail. Executive Director Maybury also received a communication from Mr. Josh Brown, Mt. Holly Township's Manager announcing the reappointment of Mr. Robert Silcox to the MHMUA board to a five-year term ending February 2022.

**Matters to be presented by the Public**

Luis Lopez 98 Levis Drive, Mt. Holly

Mr. Lopez asked for an overview of the August board meeting and how many people attended, a progress update on the Solar panels at Maple Avenue, if the MHMUA has a disaster plan in place, if the MHMUA has any interaction with Mt. Laurel MUA and/or Willingboro MUA, and is the MHMUA moving towards paperless billing. Commissioner Jones informed Mr. Lopez there was a hand full of attendees and the approved minutes from August 10<sup>th</sup> meeting will be on the website tomorrow. Executive Director Maybury answered Mr. Lopez stating that Summit Water Nexus owns the solar field and the MHMUA has a Power Purchase Agreement (PPA) with them. Executive Director Maybury stated the MHMUA is currently working with T & M Associates on options to study the solar savings compared to Public Service Electric. Executive Director Maybury confirmed the MHMUA has a disaster plan in place and continued stating that we do not interconnect directly with the Willingboro MUA, but the MHMUA does have interconnect possibility with Mt. Laurel MUA. Chairman Thiessen explained to Mr. Lopez that the MHMUA is looking into the paperless billing option.

Andrew Huber 706 Henderson Road, Lumberton NJ

Mr. Huber asked has the MHMUA completed the verification of the water meter sizes with NJ American Water for the six Streets he identified with likely incorrect service charge billing? Chairman Thiessen confirmed that we are working on verifying each and every account with NJAM database. Mr. Huber then asked how many properties were determined to be billed for incorrect water meter sizes? Chairman Thiessen explained the 101 properties found in Country Estates were incorrect. Mr. Huber then asked has any research been completed on how much revenue was realized by the MHMUA from the incorrect billing, either recently (1-5 years) or historically (20+ years) since the properties were constructed. Executive Director Maybury stated not at this time. Mr. Huber continued asking what is the MHMUA policy on reimbursing property owners for past incorrect invoicing. Executive Director Maybury explained what the MHMUA has done in the past is correct the account when notified. Executive Director explained the procedure to setup billing accounts at the MHMUA is based off the information provided to the MHMUA on the sewer service application by either the home owner, plumber or developer. Mr. Huber asked why of the 49 of the 150 properties he researched had correct billing. Chairman Thiessen stated that is a question for the person who filled out the application. Mr. Huber asked does the MHMUA currently have, or have intention to develop in the future, protocols for assuring the correct water meter size is used in the service charge billing. Executive Director Maybury stated we do not have a mechanism in place but we are working on it. Executive Director Maybury explained there are a lot of variables involved in confirming the meter size. Mr. Huber asked if the MHMUA could rely on NJAW for that information. Chairman Thiessen stated why would we check if we were unaware of a problem. Mr. Huber asked if the factor to change the invoice style was a software upgrade. Chairman Thiessen confirmed.

Michael Sawaka 216 Delaware Avenue Hainesport NJ

Mr. Sawaka stated he is one of the customers that is being overcharged for a ¾ meter since the purchase in 2005, Mr. Sawaka stated the MHMUA bill never told us what meter size we were being billed for until the past two invoices. Mr. Sawaka asked why should the customer be responsible for the mistake. Mr. Sawaka stated there is no way for a customer to verify a meter size without research. Mr. Sawaka continued stating it's once that the meter size is shown on the invoices, and then questioned if the MHMUA will be crediting anyone after the next bill comes out knowing there is errors in the MHMUA's billing system. Chairman Thiessen stated the developer made the mistake not the MHMUA. Commissioner Banks asked how can the MHMUA audit every home, this falls back on the developer or homeowner. Mr. Sawaka stated he contacted NJAW and they informed him the meter size has been on the water bills for several years now all the MHMUA had to do was ask for it. Chairman Thiessen commented why would we ask for it when we did not know there was an issue. Mr. Sawaka stated to audit your bills, it's called business. Commissioner Jones stated there would be many hours checking up on something the contractor who built the home should have filled out properly. Commissioner Jones continued we updated our software to make it more transparent and because of this process, some issues have been identified and we are now working to make corrections. Solicitor Coleman stated that Executive Director Maybury laid out the policy very clearly that said once the discrepancy, not an error, or as you say in your email "ripping off"- the bill is corrected and there is no refund back for the discrepancy.

Jeff Epstein-Maple Shade

Mr. Epstein asked Executive Director Maybury about the discrepancy from Eastampton and the MHMUA checked the neighborhood and found other discrepancies, so now you have some idea that this may be a bigger issue, he continued, I am wondering what will the MHMUA do now that it might be a grander issue. Chairman Thiessen stated we answered that earlier and we are working to review our estimated 15,000 rate payers against the NJAW database and actively pursuing the corrections. Mr. Epstein asked if there is a timeline of how long it will take. Commissioner Banks stated it is manual process. Chairman Thiessen stated we haven't come up with a timeline at this point. Mr. Epstein asked why the process would be manual. Chairman Thiessen stated it's a visual process. Mr. Epstein sought clarity on the count of homes from Country Estates. Chairman Thiessen stated the vast majority of the homes did have discrepancies. Mr. Epstein asked if there would be a retroactive credit given because it was the builders mistake. Solicitor Coleman stated the board and Executive Director Maybury both stated there will not be a refund for back charges but moving forward the bill would change. Solicitor Coleman continued explaining there are many variables to consider. Mr. Epstein stated understanding that it is going to take a while and there will not be a refund, will there be a consideration for the time that it takes to do this analysis. Chairman Thiessen stated the timeframe we are discussing is a short timeframe. Executive Director Maybury it should be done by the next meeting.

Beverly Marinelli 28 Flemish Way, Lumberton NJ

Mrs. Marinelli stated this is not a new issue, I purchased a home in Lumberton in 1998 a few years later we discovered a discrepancy. Chairman Thiessen said that was before my time and as I said before there was no reason to survey the 15,000 accounts. Mrs. Marinelli asked if we knew which builders the greatest offenders and as a public utility I hold you responsible and correct this immediately.

**Report of the Executive Director:** Report of the Executive Director was received. Executive Director Maybury stated the owner of the property on the corner of Maple Ave/Jones Blvd located directly in front of the MHMUA Treatment Facility asked if the MHMUA had any interested in purchasing it. Executive Director Maybury stated the owner wants \$400,000.00. Executive Director Maybury along with Vice Chairman Silcox researched the parcel and determined there is no interest in the property at this time, but wanted to inform the board members in case they are contacted by the owner. Executive Director Maybury continued stating the draft budget will be ready for the commissioners to review and there is plan to send a notice to our surrounding township to notify them of the date it will be introduced.

**Report of the Engineer:** Report of the Engineer was received. Mr. Skibicki stated the review of the Sanitary Sewer Replacement on Monmouth Road is finished and will be submitting to the MHMUA this month for review.

**Report of the Operations Superintendent:** Report of the Operations Superintendent was received.

**Report of the Safety Director and Special Projects:** Report of the Safety Director and Special Projects was received.

**Report of the Solicitor:** Report of the Solicitor was received.

**Report of the Finance Administrator/Board Treasurer:** Report of the Finance Administrator/Board Treasurer was received. Mr. Dehoff stated the State forms came out this week and last year we had a two-person committee and he was unsure if the board wanted to do that again. Chairman Thiessen and Commissioner Banks stated they would be willing to do that.

**Other New Business:**

**Matters to be presented by Commissioners:**

**The board went into a second Executive Session at 7:15P.M. resolution 2017-86:**

Return to public session 8:24pm

**Adjournment:**

Commissioner Jones moved for adjournment. Commissioner Banks seconded the motion. Chairman Thiessen adjourned the meeting at 8:26 P.M.

Respectfully submitted,

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Brandy C. Boyington, Secretary