

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
September 08, 2016**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday September 08, 2016; 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 PRESENT: Robert Maybury, Executive Director
Katelyn McElmoyl., 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, Board Secretary

ABSENT: Joel Hervey, Operations Superintendent

VERIFICATION OF NOTICE

In compliance with the Open Public Meetings Act, 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, September 05, 2016 advanced written notice of this meeting was (1) posted on the Administrative Bulletin Board at the Township Building and (2) advanced written notice of this meeting was mailed to all persons who, according to the records of the MUA, 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 and Executive Session Minutes of August 11, 2016. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN: Commissioner Silcox

ABSENT:

OLD BUSINESS

RESOLUTION 2016-77-RESOLUTION AUTHORIZING CHANGE ORDER No.1 TO CONTRACT 2015-14 FOR BELT FILTER PRESS INSTALLATION WITH MBE MARK III ELECTRIC, INC.

Commissioner Brown moved for the approval of resolution 2016-78. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN: Commissioner Silcox

ABSENT:

RESOLUTION 2016-78-RESOLUTION AUTHORIZING CHANGE ORDER No.2 TO CONTRACT 2015-14 FOR RICHARD A. ALAIMO & ASSOCIATES ENGINEERING SERVICES.

Commissioner Jones moved for the approval of resolution 2016-78. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN:

ABSENT:

NEW BUSINESS

RESOLUTION 2016-89 RESOLUTION AWARDING CONTRACT NUMBER 11-16 TO COBURN CHEMICALS.

AWARD OF CONTRACT FLOCCULENT POLYMER -tabled (contract 12-16 Resolution 2016-90)

RESOLUTION 2016-91 RESOLUTION AWARDING CONTRACT NUMBER 13-16 TO EVOQUA WATER TECHNOLOGIES.

Commissioner Silcox moved for the approval of resolution 2016-89, 2016-91 and to table resolution 2016-90 Executive Director Maybury explained we received bids from a new supplier and requested a bench test for the flocculent polymer. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN:

ABSENT:

****RESOLUTION 2016-92** RESOLUTION RELEASING PERFORMANCE GUARANTEES.

Executive Director Maybury explained this is an amended resolution to be consistent with the amount of the bond for Eastampton Village II for the bond reduction. Commissioner Jones moved for the approval of resolution 2016-92. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN:

****RESOLUTION 2016-93** RESOLUTION APPROVING THE S-1 APPLICATION FOR ATLANTICARE HEALTH SERVICES, INC.

****RESOLUTION 2016-94** RESOLUTION APPROVING THE S-2 APPLICATION FOR ATLANTICARE HEALTH SERVICES, INC.

****RESOLUTION 2016-95** RESOLUTION APPROVING THE S-3 APPLICATION FOR ATLANTICARE HEALTH SERVICES, INC.

Executive Director Maybury asked Mr. Skibicki if we are ready to pass the resolution for the S-3 application. Mr. Skibicki stated we approved the plans as corrected, we have a sketch and they need to verify with plans.

Commissioner Silcox moved for the approval of resolution 2016-93, 2016-94 and 2016-95. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

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 2016- 85** A RESOLUTION APPROVING THE OPERATING EXPENSES FOR THE MONTH OF AUGUST 2016

***RESOLUTION 2016-86** A RESOLUTION APPROVING THE SEWER REFUNDS FOR THE MONTH OF AUGUST 2016

***RESOLUTION 2016-87** A RESOLUTION APPROVING THE ESCROW EXPENSES FOR THE MONTH OF AUGUST 2016

***RESOLUTION 2016- 88** A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF AUGUST 2016 FROM THE IMPROVEMENT AND REPLACEMENT FUND

Commissioner Silcox 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 Silcox, Commissioner Jones, Commissioner Browns, Commissioner Banks

NAYS:

ABSTAIN:

ABSENT:

COMMUNICATIONS: None

MATTERS TO BE PRESENTED BY THE PUBLIC: None

REPORT OF THE EXECUTIVE DIRECTOR: Executive Director Maybury stated that as of our last meeting we have not received any further connections for the Hainesport Project there is 42 outstanding, Executive Director Maybury continued Hainesport Township will be sending out a letter in spring of 2017. Executive Director Maybury mentioned a storm water conflict on Woodlane Road by the library with the county, the MHMUA has sent a letter and requested a meeting. At this time the county has not responded. Executive Director Maybury stated that he reached out to an advocate at the NJDEP to help resolve this issue, we are hoping to get some relieve their and if not our next move is to talk about mediation. Mr. Skibicki stated that number one they sent us a document package dated August 8th but emailed it to me on August 18th, second they documented the installation of the storm sewer main some time mid-year 1970, but there is no documentation or field notes of the install. Mr. Skibicki continued stating that the letter references an 18 inch main not the 24 inch main, Mr. Skibicki continued stating their documentation does not line up. I have reached out for a meeting with them on Tuesday. Executive Director Maybury explained the MHMUA should have the budget ready for the October meeting and wanted to know if the board members like to have a sub-committee to review prior to presentation.

REPORT OF THE ENGINEER: The Report of the Engineer was received. Mr Skibicki stated that the slabs for the belt filter press would be delivered October 10th, 2016 and waiting on a date for the conveyer

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: None.

REPORT OF FINANCE ADMINISTRATOR/ TREASURER: The Report of Finance Administrator-Treasurer was received.

OTHER NEW BUSINESS: None.

MATTERS TO BE PRESENTED BY COMMISONERS: Commissioner Silcox asked if the budget was ready for review. Executive Director Maybury explained that the budget is not ready at this time. The MHMUA is having a meeting with Bowman and Associates to help prepare the 2017 on Friday, September 16, 2016. Executive Maybury asked if the board would like to assign a board member to review. Commissioner Silcox asked if the board members usually get the budget to review previous to the meeting in October. Chairman Thiessen volunteered to take part in the pre-screening of the budget and Commissioner Banks also volunteered to also meet.

Executive Session

MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY

RESOLUTION 2016-96

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 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 6:23 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;

_____ 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;

_____ 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: proposed host benefits to Lumberton Twp.)

(If contract negotiation the nature of the contract and interested party is belt filter press bids/contract)

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 terms & conditions of employment.

_____ 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;

_____ Also, discussed matters falling under attorney –client privilege.

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 September 08, 2016.

ADJOURNMENT

Commissioner Silcox moved for adjournment. Commissioner Banks seconded the motion. Chairman Thiessen adjourned the meeting at 6:36 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary