

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
DECEMBER 13, 2012**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, December 13, at 6:00 PM. Chairman Edwards called the meeting to order with the following roll call:

PRESENT: Ms. Jason Carty, Commissioner
Ms. Jacquelyn Perinchief, Commissioner
Mr. Robert Silcox, Commissioner
Mr. Jules Thiessen, Vice Chairman
Mr. John R. Edwards, Chairman

ALSO William G. Dunn, Executive Director
PRESENT: Stephen J. Mushinski, Esq., Solicitor
Edward A Kondracki, Esq., Special Counsel
Tracey Giordano, Deputy Director of Finance & Administration/Treasurer
Andrew Doyle, Assistant Executive Director
Joel Hervey, Deputy Director of Plant Operations
Robert Maybury, Operations Manager
Anthony Stagliano, Deputy Director of Regulatory Affairs
Keith M. Weismann, R.A. Alaimo Associates, Engineer
Debra E. Fortner, Secretary

VERIFICATION OF NOTICE

Executive Director Dunn 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 20, 2012, and the Courier Post on February 20, 2012. On Tuesday, December 11, 2012, 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

APPROVAL OF MINUTES

Commissioner Carty moved for the approval of regular minutes of November 8, 2012. Commissioner Thiessen seconded the motion. Motion carried. Commissioner Perinchief and Commissioner Silcox abstained.

Commissioner Carty moved for the approval of the executive session minutes of November 8, 2012. Commissioner Thiessen seconded the motion. Motion carried. Commissioner Silcox and Commissioner Perinchief abstained.

Commissioner Carty moved for the approval of regular minutes of November 20, 2012. Commissioner Thiessen seconded the motion. Motion carried. Commissioner Silcox abstained.

Commissioner Carty moved for the approval of the executive session minutes of November 20, 2012. Commissioner Thiessen seconded the motion. Motion carried. Commissioner Silcox abstained.

Commissioner Carty moved for the approval of regular minutes of December 3, 2012. Commissioner Silcox seconded the motion. Motion carried. Commissioner Thiessen abstained.

Commissioner Carty moved for the approval of the executive session minutes for December 3, 2012. Commissioner Silcox seconded the motion. Motion carried. Commissioner Thiessen abstained.

OLD BUSINESS

NEW BUSINESS

RESOLUTION 2012-74

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
HONORING WILLIAM G. DUNN, SR.**

Executive Director Dunn thanked the Commissioners for an enjoyable experience and being able to produce things for the community during that time period! Commissioner Silcox thanked Executive Director Dunn for all he did for both the Authority and the Township of Mount Holly during the course of the last 30-50 years. Chairman Edwards thanked Mr. Dunn for his years of service to the Authority. Chairman Edwards said he has experienced nothing but cooperation from Executive Director Dunn nor has he ever seen a more committed employee in his life.

Commissioner Silcox moved for the approval of Resolution 2012-74. Commissioner Thiessen seconded the motion with pleasure. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Thiessen,
Commissioner Silcox, Chairman Edwards.

NAYS:

RESOLUTION 2012-75

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
APPOINTING A TEMPORARY QUALIFYING PURCHASING AGENT**

Commissioner Thiessen moved for the approval of Resolution 2012-75. Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2012-76

**A RESOLUTION APPROVING THE OPERATING EXPENSES
FOR THE MONTH OF NOVEMBER 2012**

Commissioner Silcox moved for the approval of Resolution 2012-76. Commissioner Carty seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2012-76A

**A RESOLUTION APPROVING SEWER REFUND EXPENDITURES
FOR THE MONTH OF NOVEMBER 2012**

Commissioner Carty moved for the approval of Resolution 2012-76A. Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2012-77

**A RESOLUTION APPROVING THE ESCROW EXPENSES
FOR THE MONTH OF NOVEMBER 2012**

Commissioner Silcox moved for the approval of Resolution 2012-77. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2012-78

**A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF
NOVEMBER 2012 FROM THE IMPROVEMENT AND REPLACEMENT FUND.**

Commissioner Thiessen moved for the approval of Resolution 2012-78. Commissioner Carty, seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

RESOLUTION 2012-79

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING CHANGE ORDER NUMBER ONE TO CONTRACT 2012-13 FOR THE
DEMOLITION AND DEBRIS REMOVAL OF CONCRETE PADS AND RETAINING WALLS**

Commissioner Silcox moved for the approval of Resolution 2012-79. Commissioner Perinchief, seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

Commissioner Thiessen asked for a brief explanation of the change order. Deputy Director of Regulatory Affairs, Stagliano, stated the carbon silo provided a visual indicator to operators turning into the overhead bay door of Plant 3. The change is due to the lack of a visual indicator upon the removal of the carbon silo. Now a 5 x 5 foot triangle has been cut so the area can be used for storage without the potential for damage to vehicles or equipment entering or exiting the building through the bay door.

RESOLUTION 2012-80

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
ADOPTING THE 2013 BUDGET**

Commissioner Silcox moved for the approval of Resolution 2012-80. Commissioner Thiessen, seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

COMMUNICATIONS

Executive Director Dunn discussed information in regards to the Moody's situation which arose from the Authority not carrying the coverage that should have been, resulting in a lowered rating. Moody's surveyed the Authority and the Authority has now been contacted for the same type of survey with Standard and Poor's who will email questions to Deputy Director of Finance and Administration, Giordano. Commissioner Silcox commented the Moody's situation is very serious and one that all board members should be concerned about. Commissioner Silcox stated he would like to set up a meeting with the auditor, Deputy Director of Finance and Administration, Giordano, and anyone else that might be appropriate to go through the downgrade information. Commissioner Silcox stated downgrades are not pretty. He stated bad things can happen if changes are not made in an attempt to rectify the situation. Deputy Director of Finance and Administration, Giordano, reported the auditors will be in the office next week to conduct preliminary work for the yearly audit and she has already forwarded the Moody's report to Kevin Frenia (auditor). Commissioner Carty stated his understanding from the information provided is pretty simple; the Authority needs to raise rates since that is where the majority of our income comes from. Ms. Giordano explained connection fees are not considered a rate increase because, although they are raised yearly statutorily, they are not a guaranteed source of income. Bonds are secured by meter service revenues. Deputy Director of Finance and Administration Giordano stated if the Authority loses outside waste tomorrow, we would have to generate income. Connection fees help with debt ratio but as they are dropping off, it is beginning to hurt us. Chairman Edwards said this issue will be followed up on.

Executive Director Dunn stated the next subject that needs to be addressed is insurance. There have been negotiations with the HIF beginning with an 80% increase in rates down to a 15-20% increase. By the end of negotiations the increase is down to an increase of 10%. Deputy Director of Finance and Administration, Giordano, stated when the budget was prepared she anticipated an 18% increase; so to be down to 10% is pretty reasonable overall.

RESOLUTION 2012-81

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING CONTINUATION WITH THE HIF EFFECTIVE JANUARY 1, 2013**

Commissioner Silcox moved for the approval of Resolution 2012-81. Commissioner Carty, seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

NAYS:

Executive Director Dunn discussed recent communication with Hainesport Township regarding the homes in the project that are still not connected to public sewer. Mr. Dunn reported there are approximately 70 homes that still need to connect. Chairman Edwards said the Authority will accept no more excuses since there has already been more time than anyone deserves to hook up.

Executive Director Dunn reported he met with the County regarding the gas pumps. The County would like to enter into a shared service agreement with the Authority for fuel services.

MATTERS TO BE PRESENTED BY THE PUBLIC

Mr. Rich DeFalco of 18 Winding Way in Mount Holly, stated he would like to speak to the Commissioners in closed session if possible. The commissioners agreed.

REPORT OF THE EXECUTIVE DIRECTOR

The Executive Director had nothing further to report.

REPORT OF THE ENGINEER

The report of the Engineer was received.

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

The Report of the Deputy Director for Regulatory Affairs was received.

REPORT OF THE SOLICITOR

The solicitor had nothing further to report.

REPORT OF THE DEPUTY DIRECTOR OF FINANCE AND ADMINISTRATION

The Report of the Deputy Director of Finance and Administration was received. Deputy Director of Finance and Administration, Giordano, stated she has been contacted by Standard and Poors to participate in a survey similar to that of Moody's a few weeks ago. That phone survey should take place some time next week. Deputy Director of Finance and Administration Giordano also reported her computer system was hacked into this week and she is going through the process of setting up new online accessibility with Beneficial Bank.

OTHER NEW BUSINESS

There was no other new business.

MATTERS TO BE PRESENTED BY THE COMMISSIONERS

EXECUTIVE SESSION

Commissioner Silcox moved for the approval of Resolution 2012-82. Commissioner Thiessen seconded the motion.

At 6:35 PM the Authority Commissioners retired to Executive Session for a discussion involving personnel, negotiations, and contract matters.

RESOLUTION 2012-82

**AUTHORIZING EXECUTIVE SESSION OF THE
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
FOR THE PURPOSE OF DISCUSSING PERSONNEL,
NEGOTIATIONS AND CONTRACT MATTERS**

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 has deemed it necessary to go into closed session to discuss certain matters which are exempted from public discussion; and

WHEREAS, the regular meeting of this Authority will reconvene following closed session;

NOW, THEREFORE, BE IT RESOLVED that the Mount Holly Township Municipal Utilities Authority will go into closed session for the following reasons as outlined in N.J.S.A. 10:4-12:

Discussions with respect to contract matters with the Township of Mount Holly, collective bargaining negotiations with employee unions and discussions concerning the appointment of an Executive Director.

BE IT FURTHER RESOLVED that the Authority hereby declares that its discussion of the aforementioned subject may be made public at a time when the Authority Attorney advises the Authority 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 Authority, 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 Secretary to take the appropriate action to effectuate the terms of this resolution.

AYES: Commissioner Carty, Commissioner Perinchief, Commissioner Silcox,
Commissioner Thiessen, Chairman Edwards

The Authority Commissioners returned to regular session at 7:40 P.M.

Respectfully submitted,

Debra E. Fortner, Secretary

ADJOURNMENT

Commissioner Thiessen moved for adjournment. Commissioner Carty seconded the motion. Chairman Edwards adjourned the meeting at 7:40 PM.

Respectfully submitted,

Debra E. Fortner