

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
MARCH 12, 2015**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, March 12, 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 (arrived at 6:02 pm)
Ms. Jacquelyn Perinchief, Commissioner
Mr. Joshua Brown, Commissioner

ALSO Robert Maybury, Interim Executive Director
PRESENT: George Morris, Parker McCay, Solicitor
Albert Marmero, Esq., Long Marmero & Associates, LLP, Special Counsel
David Skibicki, R. A. Alaimo Associates, Engineer
Tracey Giordano, Deputy Director of Finance and Administration/Treasurer
Anthony Stagliano, Deputy Director of Regulatory Affairs & Qualified Purchasing Agent
Joel Hervey, Deputy Director for Plant Operations
Brandy C. Boyington, Secretary

ABSENT:

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, March 09, 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 Silcox moved for the approval of Regular Meeting Minutes of February 12, 2015. Commissioner Brown seconded the motion. At the call of the roll the vote was:

AYES: Commissioner Jones, Commissioner Perinchief, Commissioner Silcox
Chairman Thiessen, Commissioner Brown
NAYES: None
ABSTAIN: None

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

AYES: Commissioner Jones, Commissioner Perinchief, Commissioner Silcox,
Chairman Thiessen, Commissioner Brown
NAYES: None
ABSTAIN: None

OLD BUSINESS

None

NEW BUSINESS

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.”

***RESOLUTION 2015-29**
A RESOLUTION APPROVING THE OPERATING EXPENSES FOR
THE MONTH OF FEBRUARY 2015

***RESOLUTION 2015-29A**
A RESOLUTION APPROVING THE SEWER REFUNDS FOR
THE MONTH OF FEBRUARY 2015

***RESOLUTION 2015-30**
A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF FEBRUARY
2015 FROM THE IMPROVEMENT AND REPLACEMENT FUND

***RESOLUTION 2015-31**
A RESOLUTION REDUCING THE PERFORMANCE POND FOR NAVY BUILDING P-237
BUILDING ADDITION

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

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

NAYS: None

ABSTAIN: None

COMMUNICATIONS

Interim Executive Director Mayburt stated that John Kornick, from K-2 Consulting Engineering is in the process of completing the S-1, S-2 and S-3 application for the 63 units in Eastampton Township (Eastampton Village also known as Sharbel) located on the corner of Woodlane Road and Smithville Road.

MATTERS TO BE PRESENTED BY THE PUBLIC

None

REPORT OF THE INTERIM EXECUTIVE DIRECTOR

The Report of the Interim Executive Director was received. The Interim Executive Director Maybury added there is continued progress with inventorying and archiving the files and plans located at 37 Washington Street. Records have been moved to the Business Office, some records be boxed for destruction while others will go to Maple Ave for secure storage. We did have a showing on the 37 Washington Street Property on February 23rd @ 3:00 to an interested party and there is another showing scheduled for March 20, 2015 at 11:00am. The property will need to be sold through an open auction because of public bidding laws if the MUA does not sell to Mt. Holly Township.

REPORT OF THE ENGINEER

The Report of the Engineer was received. Dave Skibicki stated that West Rancocas Phase 3A has started construction.

REPORT OF THE DEPUTY DIRECTOR FOR PLANT OPERATIONS

The Report of the Deputy Director of Plant Operations was received. Nothing further to report

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. Nothing further to report

REPORT OF THE SOLICITOR

The Report of the Solicitor was received. Suggested a brief executive session.

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. The Deputy Director of Finance and Administration/Treasurer stated that the auditors have finished their field work as of March 11, 2015. Chairman Thiessen asked when should we expect the report, and Deputy Director of Finance and Administration/ Treasurer answered stating we should have a draft report by next board meeting.

OTHER NEW BUSINESS

None

MATTERS TO BE PRESENTED BY COMMISONERS

None

Executive Session

Commissioner Jones moved for approval of Resolution 2015-32. Commissioner Silcox seconded the Motion. At the call of roll, the vote was:

AYES: Commissioner Jones, Commissioner Perinchief, Commissioner Silcox
Chairman Thiessen, Commissioner Brown
NAYS: None
ABSTAIN: None

At 6:06 P.M. the Authority Commissioners retired to Executive Session for a discussion of the matter listed in the below resolution.

RESOLUTION 2015-32
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);

_____ 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: Mr. Marmero updated the Commissioners on the status of the Hainesport Township’s efforts to enforce mandatory connection fees required from various residents and the potential for litigation of the same. Staffing/personnel/collective bargaining matters including the potential hire of new employees and the selection of counsel to engage in labor negotiations (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);

_____ 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 _____);

_____ 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 March 12, 2015.

Brandy C. Boyington, Secretary

ADJOURNMENT

Commissioner Silcox moved for adjournment. Commissioner Jones seconded the motion. Chairman Thiessen adjourned the meeting at 6:33 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary