

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
MARCH 09, 2017**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday March 09, 2017; at 6:00 P.M. Chairman Thiessen called the meeting to order with the following roll call:

PRESENT: Jules Thiessen, Chairman
Robert Silcox, Vice Chairman
Jason Jones, Commissioner
Gina LaPlaca, Commissioner

ALSO

PRESENT: Robert Maybury, Executive Director
Tom Coleman, Raymond Coleman Heinold, LLP
David Skibicki, R. A. Alaimo Associates, Engineer
Michael Dehoff, Finance Administrator/ Treasurer.
Anthony Stagliano, Safety Director & Special Projects
Brandy C. Boyington, Board Secretary
Carol Berlin, Rainine Coughlin Minchello, LLC; Special Counsel

ABSENT: Christopher Banks, Commissioner
Joel Hervey, Operations Superintendent

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 March 06, 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 MHMUA, 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.

NOMINATION OF VICE CHAIRMAN FOR A ONE YEAR TERM

Chairman Thiessen requested nominations for the position of Vice Chairman. Commissioner Jones moved for the nomination of Commissioner Silcox. Chairman Thiessen seconded the motion. There being no further nominations for Vice Chairman, Chairman Thiessen declared the nominations for Vice Chairman be closed Chairman Thiessen motioned to close the nominations. Motion carried. At the call of the roll, the vote was:

MOTION MADE BY Commissioner Jones, SECONDED BY Chairman Thiessen.

AYES: Commissioner Jones, Commissioner LaPlaca, Commissioner Silcox, Chairman Thiessen.
NAYS: None
ABSENT: Commissioner Banks

APPROVAL OF MINUTES

Commissioner Silcox moved for the approval of Regular Meeting Minutes and Executive Session Minutes of February 09, 2017. Commissioner LaPlaca seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Banks
AYES: Chairman Thiessen, Commissioner LaPlaca, Commissioner Silcox
NAYES:
ABSTAIN: Commissioner Jones

OLD BUSINESS

RESOLUTION 2017-15 A resolution authorizing a professional services contract for Risk Management Consultant for Mt. Holly Municipal Utilities Authority for a 1-year term (Contract #2017-08) Executive Director Maybury stated this resolution was on February's Re-organization Meeting Agenda and was tabled until this meeting. Each Commissioner has a tabulation sheet in front of them for review. Chairman Thiessen asked Executive Director Maybury for his recommendation. Executive Director Maybury stated he recommends our current Risk Manager, Insurance Management Inc. who performed well throughout the previous contract. Commissioner Silcox moved for the approval of the Insurance Management Inc. as Risk Manager for the MHMUA.

Commissioner Jones seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Banks

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

NAYS:

ABSTAIN:

RESOLUTION 2017-25 A resolution releasing performance bond for Laurel Creek Mews #C18125573. Executive Director explained to the Commissioners that we need to hold this resolution, there are still some outstanding items that need to be taken care of. Executive Director Maybury asked Mr. Dave Skibicki if he has had any communication with Toll Brothers. Mr. Skibicki said he has not had any communication until today when he received an email requesting an update on the release. There are still items that are outstanding after myself and Mr. Young from the MHMUA did the inspection. Commissioner Silcox moved to table resolution 2017-25. Commissioner Jones seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Banks

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

NAYS:

ABSTAIN:

RESOLUTION 2017-03 A resolution releasing performance bond for Eastampton Village II. Executive Director Maybury explained this one is similar to resolution 2017-25 and needs to be tabled until the punch list items are complete. Commissioner Silcox moved to **table** resolution 2017-03. Commissioner LaPlaca seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Banks

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

NAYS:

ABSTAIN:

NEW BUSINESS

RESOLUTION 2017-35 A resolution approving the S-1NR for 150 Mt. Holly By-Pass with Chrysalis Ventures LLC. Commissioner Jones moved for the approval of resolution 2017-35. Commissioner LaPlaca seconded the motion. The vote at the call of the roll was:

ABSENT: Commissioner Banks

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

NAYS:

ABSTAIN:

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 2017-31** A resolution approving the operating expenses for the month of February 2017.

***RESOLUTION 2017-32** A resolution approving the sewer refunds for the month of February 2017

***RESOLUTION 2017-33** A resolution approving the expenditures for the month of February 2017 from the escrow fund

***RESOLUTION 2017-34** A resolution approving the expenditures for the month of February 2017 from the improvement replacement fund

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

ABSENT: Commissioner Banks

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

NAYS:

ABSTAIN:

COMMUNICATIONS

Executive Director Maybury explained the on-line elected official's seminar is pending and available until May 1, 2017. The MHMUA will receive a two-hundred-and-fifty-dollar credit from the liability insurance for each commissioner that signs up and completes the video. The video is focused on Ethics in Local Government. If the commissioners have any questions or issues, please contact Mrs. Boyington or myself. Executive Director recognized that Carol Berlin is sitting in tonight for Special Counsel, Mr. Minchello. Chairman Thiessen welcomed Ms. Berlin.

MATTERS TO BE PRESENTED BY THE PUBLIC

None.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Maybury stated the NJDEP permit is moving forward and the conditions of the permit are being completed on time and within the schedule established by the NJDEP. At the last meeting, approval was granted to study a new method of disinfection and bid specifications for this trial have been drafted. The bid results should be on the Agenda for approval consideration at the April meeting. Executive Director continued stating that Alaimo has conducted a site tour of the Garden Street Pump Station in preparation for an upgrade or complete replacement. Chairman Thiessen asked if we would be sticking with the same footprint as the existing one. Executive Director Maybury explained we will be going with a slightly different layout and Alaimo is currently performing a site survey of the lot for that purpose. Executive Director continued by confirming the Belt Press Filter installation project is coming along, the new press has been operational for over a month now and the second press is getting close to being complete. This project should be significantly complete within the next month and a half. The billing office has started the transition into Edmunds Accounting and Billing Software and training starts for the office employees next week. The transition is expected to be complete by the end of May 2017. The 2016 financial Audit has been underway for the past two weeks and is expected to be complete tomorrow.

REPORT OF THE ENGINEER

The report of the Engineer was received. Mr. Skibicki stated Alaimo has taken a look at the Garden Street Pump Station and will get a draft letter out next week with the percent of flow to the future flow and percent of financial obligation is for the developments it affects.

REPORT OF THE OPERATIONS SUPERINTENDENT

The report Operations Superintendent was received.

REPORT OF THE SAFETY DIRECTOR AND SPECIAL PROJECTS

The report from Safety Director and Special Projects was received. Mr. Stagliano stated on Friday a tree fell at the Garden Street pump station and has been turned over to Qual-Lynx as a claim. Mr. Stagliano continued explaining the MHMUA's burden is the tree removal, fencing damage and the deductible.

REPORT OF THE SOLICITOR

None.

REPORT OF FINANCE ADMINISTRATOR/BOARD TREASURER

The Finance Administrator report was received. Nothing to add,

OTHER NEW BUSINESS

None.

MATTERS TO BE PRESENTED BY COMMISONERS

None.

EXECUTIVE SESSION (2017-35)

RESOLUTION 2017-35 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 6:20 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 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 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 _____);

_____ 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 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 MHMUA 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 MHMUA 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 09, 2017.

ADJOURNMENT

Commissioner LaPlaca moved for adjournment. Commissioner Silcox seconded the motion. Chairman Thiessen adjourned the meeting at 6:48 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary