

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

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, November 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. Joshua Brown, Commissioner
Mr. Christopher Banks, Commissioner

ALSO Robert Maybury, Executive Director
PRESENT: Katelyn McElmoyl, Esq., Solicitor Parker McCay
George Morris, Esq., Solicitor Parker McCay
Timothy O'Donnell, Esq., Long Marmero & Associates, LLP, Special Counsel
David Skibicki, R. A. Alaimo Associates, Engineer
Cheryl Wurst, MHMUA Interim Finance Administrator/Treasurer
Michelle Nocito, MHMUA Finance Administrator/Treasurer
Anthony Stagliano, Deputy Director of Regulatory Affairs
Joel Hervey, Deputy Director for Plant Operations
Brandy C. Boyington, Secretary
Timothy Kiel, CPA, RMA, CMFO Bowman and Company
Kenneth Pearson, Retiree of MHMUA

ABSENT: Mr. Jason Jones, Commissioner

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 19, 2015 and the Courier Post on February 19, 2015. On Monday, November 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 & Executive Meeting Minutes of October 08, 2015. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

OLD BUSINESS:

NONE

NEW BUSINESS:

RESOLUTION 2015-100 A RESOLUTION ADAPTING THE MT.HOLLY MUNICIPAL UTILITIES AUTHORITY 2016 BUDGET.

Tim Kiel from Bowman and Company was present to explain the proposed budget. Executive Director Maybury clarified in 2015 the total annual budget was \$14,919,000 and the 2016 purposed budget is \$14,919,000, a difference of \$771,000 that includes the following: (\$500,000 for a debt service balloon payment, approximately \$114,000 additional for health care coverage and other increases were for contractual requirements)

Commissioner Brown moved for the adapting of the Mt. Holly Municipal Utilities Authority 2016 Budget. Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

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

RESOLUTION 2015-101 A RESOLUTION APPROVING S-1 APPLICATION FOR A BETTER LUMBERTON.

Commissioner Silcox moved for the approval of the S-1 application for A Better Lumberton. Commissioner Brown seconded the motion. At the call of the roll, the vote was:

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

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 2015-102**

A RESOLUTION APPROVING THE OPERATING EXPENSES FOR THE MONTH OF OCTOBER 2015 @ \$335,000.00

***RESOLUTION 2015-102A**

A RESOLUTION APPROVING THE SEWER REFUNDS FOR THE MONTH OF OCTOBER 2015 @ \$1,657.55

***RESOLUTION 2015-103**

A RESOLUTION APPROVING THE ESCROW EXPENSES FOR THE MONTH OF OCTOBER 2015 @ \$9,496.55

***RESOLUTION 2015-104**

A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF OCTOBER 2015 FROM THE IMPROVEMENT AND REPLACEMENT FUND @ \$ 36,303.36

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: Chairman Thiessen, Commissioner Silcox, Commissioner Banks, Commissioner Brown
NAYES:
ABSTAIN:
ABSENT: Commissioner Jones

COMMUNICATIONS

None

MATTERS TO BE PRESENTED BY THE PUBLIC

None

REPORT OF THE EXECUTIVE DIRECTOR

The Report of the Executive Director was received. Executive Director Maybury mentioned that he would like to welcome the MHMUA’s new CFO Michelle Nocito.

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.

REPORT OF THE SOLICITOR

The Report of the Solicitor was received.

REPORT OF FINANCE AND ADMINISTRATION/BOARD TREASURER

The Report of Interim Finance and Administration /Board Treasurer was received.

OTHER NEW BUSINESS

None

MATTERS TO BE PRESENTED BY COMMISONERS

None

Executive Session

Commissioner Silcox moved for approval of Resolution 2015-105. Commissioner Silcox seconded the Motion. At the call of roll, the vote was:

- AYES: Commissioner Silcox, Commissioner Brown, Commissioner Banks, Chairman Thiessen
- NAYS: ----
- ABSTAIN: ----
- ABSENT: Commissioner Jones

At 6:25 P.M. the Authority Commissioners retired to Executive Session for a discussion of the matter listed in the below resolution.

MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY

RESOLUTION 2015-105

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 7:00 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, 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; discussion on the possible sale of 37 Washington Street.

_____ 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: Hainesport Township connection fee matter, Gardens Redevelopment project and waiving of certain connection fees, and contract negotiations with an accounting software company.

(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 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 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 November 12, 2015.

Brandy C. Boyington

ADJOURNMENT

Commissioner Brown moved for adjournment. Commissioner Banks seconded the motion. Chairman Thiessen adjourned the meeting at 7:03P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary