

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
September 10, 2015**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, September 10, 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
Mr. Joshua Brown, Commissioner

ALSO Robert Maybury, Executive Director
PRESENT: Stephen J. Mushinski, Esq., Solicitor
Albert Marmero, Esq., Long Marmero & Associates, LLP, Special Counsel
David Skibicki, R. A. Alaimo Associates, Engineer
Cheryl Wurst, Interim Finance Administrator/Treasurer
Anthony Stagliano, Deputy Director of Regulatory Affairs & Qualified Purchasing Agent
Joel Hervey, Deputy Director for Plant Operations
Brandy C. Boyington, Board Secretary
Kenneth Pearson, Plant Operator Supervisor
Timothy Kiel CPA, Bowman & Co.
Peter Damato, Lumberton Resident (18 Municipal Drive)

ABSENT: Mr. Christopher Banks, 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 Tuesday, September 8, 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 AGENDA ITEMS

APPROVAL OF MINUTES

Commissioner Brown moved for the approval of Regular Meeting Minutes and Executive Meeting Minutes of August 20, 2015. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

August 26, 2015 Special Meeting Minutes and Special Executive Session will be tabled until October meeting for quorum.

OLD BUSINESS

RESOLUTION 2015-88: A RESOLUTION AWARDDING De Zurik Inc. contract 2015-11.

Motion made by Commissioner Silcox, Seconded by Commissioner Jones.

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

NAYES:

ABSTAIN:

ABSENT: Commissioner Banks

Executive Director Maybury recommended De Zurik Inc to supply the Mt. Holly MUA with four new De Zurik 6' PEC eccentric plug valves, model Q2G2-3 for the Rancocas Road facility. Executive Director Maybury explained that last time the valves where replaced was approximately 1982. The contract is for \$24,568.00 and the MUA will be doing in the install.

RESOLUTION 2015-78: A RESOLUTION RECOGNIZING KENNETH PEARSON FOR HIS DEDICATION FOR THE LAST 32+ YEARS AT THE MHMUA.

Motion made by Commissioner Brown, Seconded by Commissioner Silcox.

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

NAYES:

ABSTAIN:

ABSENT: Commissioner Banks

Chairman Thiessen stated that with great pleasure and regret, we would like to present Mr. Kenneth Pearson with this resolution. Executive Director Maybury said that both he and Kenneth started the MUA at the same time. (1983) and it is quite an honor to make it to retirement. Executive Director Maybury continued saying Kenneth Pearson worked the 3-11 shift for the last 32 years and we would like to recognize him with resolution 2015-78 and a plaque for his service to the MUA.

~ Thank you Kenneth Pearson, we wish you a long and heathy retirement.

THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY

RESOLUTION 2015-78

*WHEREAS, **Kenneth Pearson** has been employed by the Mount Holly Municipal Utilities Authority since 1983 as the Operations Supervisor; and*

*WHEREAS, **Kenneth Pearson** has served the Authority with uncompromising dedication; and*

*WHEREAS, **Kenneth Pearson** has shown a great interest in his work and his fellow employees, and*

*WHEREAS; the Authority, it's members and employees wish to express their thanks to **Kenneth Pearson**, for his dedication as an employee.*

*NOW, THEREFORE, BE IT RESOLVED this 10th day of September 2015, that **Kenneth Pearson** is hereby recognized and commended for 32+ years of devoted service to the Mount Holly Municipal Utilities Authority.*

*BE IT FURTHER RESOLVED that **Kenneth Pearson**, is hereby extended the heartfelt thanks and congratulations from the Authority and its members and employees for a job well done.*

BE IT FURTNER RESOLVED that a copy of this Resolution be spread upon the minutes of the Authority.

THE MOUNT HOLLY MUNICIPAL UTILITIES

AUTHORITY

RESOLUTION 2015-79: A RESOLUTION APPROVING THE USE OF THE COMPETITIVE CONTRACTING PROCEDURE FOR LABORATORY TESTING SERVICES.

Motion made by Commissioner Silcox, Seconded by Commissioner Brown.

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

NAYES:

ABSTAIN:

ABSENT: Commissioner Banks

RESOLUTION 2015-84: A RESOLUTION OF MT. HOLLY MUA AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE THROUGH AN ONLINE AUCTION (GOVDEALS)

Motion made by Commissioner Silcox, Seconded by Commissioner Brown.

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

NAYES:

ABSTAIN:

ABSENT: Commissioner Banks

RESOLUTION 2015-85: A RESOLUTION APPROVING S-1 APPLCATION FOR SEWERAGE SERVICE BETWEEN THE MHMUA AND WESTAMPTON TOWNSHIP FOR HAMPTON BEHAVIORAL HEALTH CENTER BLOCK 202, LOT 4.01

RESOLUTION 2015-86: A RESOLUTION APPROVING S-2 APPLCATION FOR SEWERAGE SERVICE BETWEEN THE MHMUA AND WESTAMPTON TOWNSHIP FOR HAMPTON BEHAVIORAL HEALTH CENTER BLOCK 202, LOT 4.01

RESOLUTION 2015-85: A RESOLUTION APPROVING S-3 APPLCATION FOR SEWERAGE SERVICE BETWEEN THE MHMUA AND WESTAMPTON TOWNSHIP FOR HAMPTON BEHAVIORAL HEALTH CENTER BLOCK 202, LOT 4.01

Motion made by Commissioner Jones, Seconded by Commissioner Silcox.

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

NAYES:

ABSTAIN:

ABSENT: Commissioner Banks

NEW BUSINESS

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 2015-80**
A RESOLUTION APPROVING THE OPERATING EXPENSES FOR
THE MONTH OF SEPTEMBER 2015

***RESOLUTION 2015-81**
A RESOLUTION APPROVING THE SEWER REFUNDS FOR
THE MONTH OF SEPTEMBER 2015

***RESOLUTION 2015-82**
A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF SEPTMEBER
2015 FROM THE IMPROVEMENT AND REPLACEMENT FUND

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 Brown, Commissioner Jones, Commissioner Silcox

NAYS:

ABSTAIN:

ABSENT: Commissioner Banks

COMMUNICATIONS

NO

MATTERS TO BE PRESENTED BY THE PUBLIC

Peter Damato of 18 Municipal Drive, Lumberton.

Mr. Damato expressed that he is upset with the 2nd meter charge of \$36.00. Mr. Damato continued explaining that he has been a part of the 2nd meter program for about 20 years. Since the program began he has watched the charges increase. When the program began it was FREE and the meter was read by the MHMUA. Sometime later, an \$18 fee was put in to effect and the MHMUA still read the meter. Now the program has a \$36.00 annual fee and he has to fill read his own meter and out a post card. The program now cost money to save money, but only if you use enough gallons will you benefit. Last year I did not use enough gallons thru my second meter, so it was a loss for me. It just seems that every time the consumer gets a leg up, we get knocked back down. I understand there are costs to the program, but I am doing the work of reading my own meter and mailing it back. The MUA doesn't even provided return envelops with the quarterly bills. I just wanted to express that I feel it is unfair and I have cut my usage back. I have to say the office staff has always been very helpful. Chairman Thiessen stated that Mr. Damato had some valid points and we will run the numbers and look into the 2nd meter program. Executive Director Maybury agreed and said we could possibly adjust for customers who read their own second meter. A cost analysis will be implemented.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Maybury added that he attended the SNJHIF meeting today and they plan to roll out a wellness program for some their municipal members near the end of this year or early 2016. The MHMUA will likely participate since there are many benefits and little or no cost to the MHMUA. Executive Director Maybury further stated he would like to recognize the business office staff for their hard work. Over the past 3 months the office has been working with less staff and they have remained efficient and productive while taking on additional job duties.

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 AND QUALIFIED PURCHASING AGENT

The Report of the Deputy Director for Regulatory Affairs and Qualified Purchasing Agent was received.

REPORT OF THE SOLICITOR

The Report of the Solicitor was received.

REPORT OF THE FINANCE ADMINISTRATOR/BOARD TREASURER

The Report of the Deputy Director of Finance and Administration/Board Treasurer was received.

Timothy Kiel CPA, Bowman & Co., discussed budget items, Mr. Kiel mentioned through all the jobs he has taken on as temporary CFO, he has to say that this one was the easiest because most of the work was already finished by the MHMUA Staff. Ms. Cheryl Wurst has kept up on all ledgers, bank statements, accounting and required reporting. She had done a very good job for the MHMUA. Mr. Kiel continued saying he sees an increase in operating expenses due to, an estimated increase of \$ 140,000 in health care insurance and the cost of living salary increases. The increase will be about \$ 300,000 in the 2016 budget. The rate increase from last year will cover the expense and debt. The offset is when operating expenses go up, the available capital improvement money goes down dollar for dollar. Mr. Kiel mentioned he foresees a 2017 rate increase. Mr. Kiel explained the "N4" form he needs the board members to fill out before the presenting the proposed budget at the October meeting. Chairman Thiessen specified he would like to see the proposed budget prior to voting on it. Mr. Kiel clarified he would email the board members in a week.

OTHER NEW BUSINESS

MATTERS TO BE PRESENTED BY COMMISONERS

Chairman Thiessen stated he understands there will be a savings in reducing the office staff by one employee and he feels the entire organizational chart should be looked at. He directed Executive Director Maybury to review and recommend subtractions and additions to staffing as needed.

Executive Session

Commissioner Silcox moved for approval of Resolution 2015-89. Commissioner Jones seconded the Motion. At the call of roll, the vote was:

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

NAYS: ----

ABSTAIN: ----

ABSENT: Christopher Banks

At 6:40 P.M. the Authority Commissioners retired to Executive Session for a discussion of the matter listed in the below resolution.

**RESOLUTION 2015-89
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: Hainesport Township connection fee matter.

(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);

X 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 hiring of Deputy Director of Finance and Administration); change of job descriptions for various employment positions, harassment complaint investigation.

_____ 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 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 10, 2015.

Brandy C. Boyington

ADJOURNMENT

Chairman Jones moved for adjournment. Commissioner Silcox seconded the motion. Chairman Thiessen adjourned the meeting at 7:14 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary