

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
JULY 20, 2011**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Wednesday, July 20, 2011; at 6:00 PM. Chairman Edwards called the meeting to order with the following roll call:

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

ALSO William G. Dunn, Executive Director
PRESENT: Stephen J. Mushinski, Esq., Solicitor
Tracey Giordano, Deputy Director of Finance and Administration
Andrew Doyle, Assistant Executive Director
Anthony Stagliano, Deputy Director of Regulatory Affairs
Robert Maybury, Operations Manager
Richard A. Alaimo, Engineer, R.A. Alaimo Associates
Keith Weisman, Engineer, R.A. Alaimo Associates
Debra E. Fortner, Secretary

ABSENT: Mr. Jason Carty, Commissioner

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 Burlington County Times on February 14th, 2011 and April 20th, 2011, and the Courier Post on February 15th, 2011 and April 20th, 2011. On Tuesday, July 18th, 2011, 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 ALLIEGIENCE TO THE FLAG

APPROVAL OF MINUTES

Commissioner Silcox moved for the approval of regular minutes of June 9, 2011. Commissioner Thiessen seconded the motion. Motion carried.

OLD BUSINESS

RESOLUTION 2011-66

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
APPROVING EXPENSE AND TRAVEL POLICY**

Chairman Edwards asked if there are significant changes to the travel policy. Deputy Director of Regulatory Affairs Stagliano explained the language of the policy has basically remained the same. Mr. Stagliano stated the change is a breakdown in the deviation between the Board, the Executive Director, and other employees, along with the sixty mile window being removed. Chairman Edwards asked who is categorized as an "employee." Mr. Stagliano stated that includes anyone from plant management and below; the Executive Director falls under the criteria of the Board. Mr. Stagliano reported the Executive Director's travel would require prior Board approval unless it is for one day travel or an emergency situation.

Commissioner Silcox moved for the approval of Resolution 2011-66. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

NEW BUSINESS

RESOLUTION 2011-70

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
APPROVING THE FIRST AMENDMENT TO EMPLOYMENT AGREEMENT
BETWEEN THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY AND
WILLIAM G. DUNN**

Chairman Edwards asked for an explanation of this amendment. Executive Director Dunn stated the amendment is for his vehicle allowance. Solicitor Mushinski clarified this allowance has always been part of the Executive Director's contract, this amendment just codifies it.

Commissioner Silcox moved for the approval of Resolution 2011-70. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

SOLAR POWER DISCUSSION

Executive Director Dunn reported that he has talked to a minimum of twelve solar power professionals regarding solar power opportunities for the Authority. Mr. Dunn stated that he continues to have a lot of questions which go beyond our in house ability to handle. Therefore, the Authority needs a professional in this area to put together an entire package including financing, evaluation, contacts, expertise, etc. for solar power. Currently he has three professionals in the running with both the experience and the ability to create a package including an initial evaluation and the preparation of bid documents. Executive Director Dunn stated he has spent time recently studying the ramifications of using solar power and has found that the Authority would be saving approximately \$50,000 per year based on current numbers. Mr. Dunn stated that the Authority would be looking at an initial investment of about \$25,000

that would eventually become part of the total contract. Chairman Edwards asked why the Authority is exploring the use of solar power. Commissioner Silcox voiced his concern regarding investing \$25,000 for a study that may not work out. Solicitor Mushinski clarified that at this point the Executive Director is only asking for permission to get proposals. This request does not require an investment and the Authority does not have to accept any of the proposals. Mr. Mushinski explained it boils down to the fact that the power system provider builds and manages the power supply at no out of pocket cost to the Authority. The only time the Authority would spend the \$25,000 is if an agreement is entered in to and then the Authority chooses to not move forward.

Commissioner Thiessen moved for a motion to allow the Authority to solicit proposals for solar power. Commissioner Silcox seconded the motion. Motion carried.

AGENDA MODIFICATION FOR PUBLIC SESSION

Chairman Edwards discussed the request in the previous meetings board meeting to move "Matters to be Presented by the Public" before "Old Business." Commissioner Silcox stated he does not believe there is any reason to make the change. Commissioner Thiessen stated he believes the some members of the public may want the ability to question things before they are passed but since the heading can only be on the agenda once, the public would then not have the opportunity to comment on a heading after it was passed. Chairman Edwards stated there would be no motion for the change at this time. The agenda will remain as it is.

RESOLUTION 2011-65

A RESOLUTION APPROVING THE OPERATING EXPENSES FOR THE MONTH OF JUNE 2011

Commissioner Silcox moved for the approval of Resolution 2011-65. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYES: None

RESOLUTION 2011-65A

A RESOLUTION APPROVING THE SEWER REFUNDS FOR THE MONTH OF JUNE 2011

Commissioner Thiessen moved for the approval of Resolution 2011-65A Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

RESOLUTION 2011-67

A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF JUNE 2011 FROM THE IMPROVEMENT AND REPLACEMENT FUND

Commissioner Silcox moved for the approval of Resolution 2011-67. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

RESOLUTION 2011-68

**A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF
JUNE 2011 FROM THE 2007-2010 PROJECT CONSTRUCTION FUND
(PLANT EXPANSION)**

Commissioner Silcox moved for the approval of Resolution 2011-68. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

RESOLUTION 2011-69

**A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF
JUNE 2011 FROM THE 2007-2010 CONSTRUCTION FUND
(EDWARD STREET PUMP STATION)**

Commissioner Silcox moved for the approval of Resolution 2011-69. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

COMMUNICATIONS

Executive Director Dunn reported he received a letter of appreciation from the State in which a comment was made that the DEP wishes they could bring the city of Trenton operators to the Mount Holly Municipal Utilities Authority to be trained.

Executive Director Dunn discussed the contract the Authority has with Hainesport Township regarding the Hainesport Project. When the contract was settled it was agreed that residents had seven years to hook up to the public sewer system. That time has now passed and the Authority has approximately 100 residents who have never hooked up. Recently, the Authority sent letters to those residents advising them they have ninety days to hook up. Chairman Edwards asked Executive Director Dunn if he has spoken to Hainesport Township about the remaining residents. Mr. Dunn stated he has. Chairman Edwards asked what recourse the Authority has for the residents not hooked up. Solicitor Mushinski explained he needs to review a copy of the agreement so that the Authority can come up with a plan of action.

Chairman Edwards asked if all employees who had been addressed in the DEP letter of appreciation previously mentioned had received a copy in their files. Executive Director Dunn responded they had. Chairman Edwards said thank you and good work to Assistant Executive Director, Doyle, and Operations Manager, Maybury.

MATTERS TO BE PRESENTED BY THE PUBLIC

There were no matters to be presented by the public.

REPORT OF THE EXECUTIVE DIRECTOR

There was nothing further for the Executive Director 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 for Plant Operations was received.

REPORT OF THE DEPUTY DIRECTOR FOR REGULATORY AFFAIRS

The Report of the Deputy Director for Regulatory Affairs was received. Deputy Director for Regulatory Affairs Stagliano reported July was a busy month for inspections thus far. The results of those inspections will be available on the July report which will be presented at the August 2011 Board Meeting. Mr. Stagliano reported Edward Street and Maple Avenue have met all criteria and are closing.

REPORT OF THE SOLICITOR

Solicitor Mushinski stated he has one item for closed session.

REPORT OF THE DEPUTY DIRECTOR OF FINANCE AND ADMINISTRATION

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

REPORT OF TREASURER

There was nothing further to report.

AUTHORITY STATUS REPORT OF NEW TREATMENT FACILITY

There was nothing further to report in regards to the status of the new treatment facility.

OTHER NEW BUSINESS

There was no other new business.

MATTERS TO BE PRESENTED BY THE COMMISSIONERS

Commissioner Thiessen asked what the emergency repairs on Branch Street were. Executive Director Dunn reported a repair had been made years ago and subsequently there have been settlement issues.

EXECUTIVE SESSION

Commissioner Silcox moved for the approval of Resolution 2011-71. Commissioner Thiessen seconded the motion.

At 6:45 PM the Authority Commissioners retired to Executive Session for a discussion involving contract matters.

RESOLUTION 2011-71

**AUTHORIZING EXECUTIVE SESSION OF THE
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
FOR THE PURPOSE OF DISCUSSION OF A
CONTRACT MATTER**

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 pertaining to the procedure to conduct a hearing on a grievance filed under the Collective Bargaining Agreement with the Construction and General Laborer's Union.

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 Perinchief, Commissioner Thiessen, Commissioner Silcox,
Chairman Edwards

NAYS: None

The Authority Commissioners returned to regular session at 6:59 P.M.

ADJOURNMENT

Commissioner Silcox moved for adjournment. Commissioner Thiessen seconded the motion. Chairman Edwards adjourned the meeting at 6:59 P.M

Respectfully submitted,

Debra E. Fortner