

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
January 14, 2016**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday January 14, 2016; 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. Christopher Banks, Commissioner
Mr. Joshua Brown, Commissioner

ALSO Robert Maybury, Executive Director
PRESENT: George Morris, Esq., Solicitor Parker McCay
Ms. Katelyn McElmoyl, Esq., Solicitor Parker McCay
Brain Shotts, Esq., Long Marmero & Associates, LLP, Special Counsel
David Skibicki, R. A. Alaimo Associates, Engineer
Michelle Nocito, Finance Administer / Treasurer
Anthony Stagliano, Safety Manager & Special Projects
Brandy C. Boyington, Board Secretary

ABSENT: 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 19, 2015 and the Courier Post on February 19, 2015. On Monday January 11, 2016 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

APPROVAL OF MINUTES

Commissioner Silcox moved for the approval of Regular Meeting Minutes of December 10, 2015. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

OLD BUSINESS

RESOLUTION 2015-106 A RESOLUTION APPROVING THE HOURLY MINIMUM OF HOURS FOR BENEFITS ON THE BEHALF OF THE CFO POSITION.

(Tabled at December's Mtg.) (Moved to Executive Session)

NEW BUSINESS

RESOLUTION 2016-04- A RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR THE RECEIPT OF BIDS FOR THE RANCOCAS ROAD BELT FILTER PRESS INSTALLATION (CONTRACT 2014-14)

Executive Director Maybury explained this is for the construction related to installing the Belt Filter Press already purchased by the MHMUA. Bid specifications are currently being prepared by Alaimo. All drawings and draft specifications have been reviewed and discussed between MHMUA Staff and Alaimo. There are a couple of changes that need to be made and it's anticipated that this will be ready to advertise by the 28th of January. Executive Director Maybury explained this is going to be an expensive project and \$600,000 dollars was previously budgeted for the entire project. Dave Skibicki may have additional details to discuss with the Engineer's Report.

Commissioner Silcox moved for the approval of Resolution 2016-04. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

NAYES:

ABSTAIN:

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 2016-01**

A RESOLUTION APPROVING THE OPERATING EXPENSES FOR THE MONTH OF DECEMBER 2016

***RESOLUTION 2016-01A**

A RESOLUTION APPROVING THE SEWER REFUNDS FOR THE MONTH OF DECEMBER 2016

***RESOLUTION 2016-02**

A RESOLUTION APPROVING THE ESCROW EXPENSES FOR THE MONTH OF DECEMBER 2016

***RESOLUTION 2016-03**

A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF DECEMBER 2016 FROM THE IMPROVEMENT AND REPLACEMENT FUND

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

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

NAYS:

ABSTAIN:

COMMUNICATIONS

Executive Director Maybury described several development inquiries that were received over the past month. One project is Eastampton Place on Woodlane Road near the CVS consisting of 117 units and another Eastampton project is proposed on the Gregory's property, consisting of 240 stacked town homes. The same Engineer is working on developing both projects. There is a smaller project proposed in Hainesport on Route 38 at the corner of Bancroft Lane for a Pep Boys Automotive Store. There have not been any updates on the 211 acre Wellington Farms Project behind the Walmart in Lumberton.

MATTERS TO BE PRESENTED BY THE PUBLIC

None

REPORT OF THE EXECUTIVE DIRECTOR

The Report of the Executive Director was received. Executive Director Maybury added there will likely be a change in the MHMUA's accounting software within calendar year 2016. The change would move the office out of Microsoft Great Plains and into to Edmunds. Edmunds is designed for municipal finance and the MHMUA's business model, creating a more efficient office overall.

REPORT OF THE ENGINEER

The Report of the Engineer was received. Dave Skibicki added that for the Belt Filter Press Project, Alaimo received the comments from the MUA, Alaimo is doing the drafting on the changes and revising the specs and follow up on some questions with Mr. Maybury.

REPORT OF THE OPERATIONS SUPERINTENDENT

The Report of the Operations Superintendent was received.

REPORT OF THE SAFETY DIRECTOR AND SPECIAL PROJECTS

The Report of the Safety Director and Special Projects was received.

REPORT OF THE SOLICITOR

The Report of the Solicitor was received. Mr. Morris added that as per last meeting he was given authority to work on the Eastampton Connection Issue, and it has been resolved.

REPORT OF FINANCE ADMINISTRATION/BOARD TREASURER

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

OTHER NEW BUSINESS

None.

MATTERS TO BE PRESENTED BY COMMISONERS

None.

Executive Session

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
RESOLUTION 2016-05
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 6:15 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;

__XX__ 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: Local 172 Union Contract and Supervisor's Collective Bargaining Agreement_);

_____ 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;

__XX__ Any investigations of violations or possible violations of the law; (Ongoing Personnel Investigation follow-up from Attorney)

__XX__ 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 Sewer Service Agreement)

(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);

__XX__ 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 benefit discussions regarding single employee; sick leave request _____)

_____ 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 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 January 14, 2016.

Brandy C. Boyington

ADJOURNMENT

Commissioner Jones moved for adjournment. Commissioner Brown seconded the motion. Chairman Thiessen adjourned the meeting at 7:26 P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary