

Mount Holly Municipal Utilities Authority  
Regular Meeting Minutes August 13, 2020

The regular meeting of the Mount Holly Municipal Utilities Authority was held telephonically on Thursday, August 13, 2020 at 6:00P.M. Chairman Thiessen called the meeting to order with the following roll call:

PRESENT: Mr. Jules Thiessen, Chairman  
Mr. Robert Silcox, Commissioner  
Mr. Jay Springer, Commissioner  
Mr. Robert G. Maybury, Executive Director  
Mr. Tom Coleman, Raymond, Coleman Heinold, LLP  
Mr. Dave Skibicki, R. A. Alaimo Associates, Engineer  
Mr. Anthony Stagliano, Safety Director & Special Projects  
Ms. M. Lou Garty, Esq The Garty Law Firm  
Mr. Michael B. Dehoff, Finance Administrator/Treasurer  
Ms. Brandy C. Boyington, Board Secretary  
Mr. Lou Manchello, Certified Court Reporter, Manchello Reporting

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 Burlington County Times on February 20, 2020 and the Courier Post on February 21, 2020. On Monday, August 10, 2020 advanced written notice of this meeting was mailed to all persons who, according to the records of the Authority, requested such notice."

**Pledge of Allegiance**

**Public Comments on Agenda Items Only** None

**Approval of Minutes**

Regular Meeting Minutes July 09, 2020  
Executive Session Minutes July 09,2020 (Resolution 2020-75)

Commissioner Silcox moved for the approval of the Minutes and Executive Session from the July 09<sup>th</sup> meeting. Commissioner Springer seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Springer, Commissioner Silcox  
Nays:  
Absent: Commissioner Banks  
Abstain:

**Old Business**

Resolution 2020-73 A resolution of the Mt. Holly Municipal Utilities Authority stating the Authority will waive interest penalty payments during a public health emergency. After discussion among the Commissioner and Solicitors Resolution 2020-73 will be permanently removed from the agenda. Commissioner Silcox moved for the approval of removing the resolution 2020-73. Commissioner Springer Seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Springer, Commissioner Silcox  
Nays:  
Absent: Commissioner Banks  
Abstain:

**New Business**

**RATE HEARING:** Chairman Thiessen turned the meeting over to Special Counsel Lou Garty, Esq., who conducted the Public Hearing. A court stenographer, Lou Manhella, was present to record the hearing. A copy of the transcript is inserted below and made part of the minutes.

**MOUNT HOLLY MUNICIPAL UTILITY AUTHORITY  
2020 RATE HEARING  
August 13, 2020**

CHAIRMAN THIESSEN: I would like to call the 2020 Rate Hearing of the Mt. Holly Municipal Utility Authority to order. As advertised in the official newspapers and we have the Authority's Rate hearing scheduled for 6 PM this evening.

Public Notice has been served as follows: (Sunshine Statement)

Special Counsel M. Lou Garty will be conducting the hearing tonight and will handle most of the questions and testimony tonight. I will now turn the meeting over to SPECIAL COUNSEL GARTY.

SPECIAL COUNSEL GARTY: Thank you. Chairman and Commissioners the following exhibits have been pre-marked and entered into evidence and I will read them into the record as they have been marked:

EXHIBIT A - NOTICE OF PUBLIC HEARING TO THE PUBLIC Affidavit of Publication from the Courier Post

EXHIBIT B - NOTICE OF PUBLIC HEARING TO THE PUBLIC Affidavit of Publication from the Burlington County Times

EXHIBIT C - NOTICE OF PUBLIC HEARING TO CUSTOMER MUNICIPALITIES Certified Letters and Receipts to the Township Clerks of Mount Holly, Eastampton, Lumberton, Hainesport, Westampton, and Moorestown dated July 13, 2020

SPECIAL COUNSEL GARTY: Several Witnesses will be called this evening. The first is Ms. BRANDY BOYINGTON, Assistant to the Executive Director, she will testify about the public notices in the official newspapers and the notices to the customer Municipalities.

Next will be Mr. ROBERT MAYBURY, Executive Director who will testify as to the Authority's Budget and the current schedule of service charges to the customer municipalities.

Finally, Mr. MICHAEL DEHOFF, Finance Administrator, will then testify as to his review of the Authority's Budget and the current schedule of service charges to the customer municipalities

The first witness I will call is Ms. BRANDY BOYINGTON (witness is sworn)

**Q: Are you employed by the Authority?**

A: Yes.

**Q: In what capacity?**

A: I am Assistant to the Executive Director and Board Secretary

**Q: How long have you been the Assistant to the Executive Director and Board Secretary?**

A: Since December, 2014.

**Q: In that capacity and particularly in connection with this rate hearing, at the request and direction of the Executive Director, did you prepare and cause a notice of the hearing on the proposed rate adjustments to be published in the newspapers?**

A: Yes.

**Q: There was a Public Notice which you personally arranged to be published in the Courier Post; is that correct?**

A: Yes

**Q: I'm showing you a document that has been marked as EXHIBIT "A." Do you recognize the document marked as EXHIBIT "A" to be a true copy of the Public Notice which you had published in the Courier Post?**

A: Yes

**Q: What is the date of Publication of the Notice marked as EXHIBIT "A" for publication in the Courier Post?**

A: July 16, 2020.

**Q: There was a Public Notice which you personally arranged to be published in the Burlington County Times, is that correct?**

A: Yes

**Q: I'm showing you a document that has been marked as EXHIBIT "B." Do you recognize the document marked as EXHIBIT "B" to be a true copy of the Public Notice which you caused to be published in the Burlington County Times?**

A: Yes

**Q: What is the date of Publication of the Notice marked as EXHIBIT "B" for the Burlington County Times?**

A: July 16, 2020.

**Q: Were you directed by Mr. Maybury to personally arrange for official notice of this hearing to be served on the customer municipalities? And if so, how did you accomplish that task?**

A: Yes, I did that by preparing a letter for signature by Mr. Maybury. I then sent a copy of the letter signed by Mr. Maybury by certified mail to each Township Clerk of the customer municipalities.

**Q: I refer you to EXHIBIT C. Is the letter marked as EXHIBIT "C" a true copy of the letter signed by Mr. Maybury that was mailed to all of the Customer Municipalities?**

A: Yes, it is a copy of Mr. Maybury's letter dated July 13, 2020, which I personally sent to all of the customer Municipalities.

**Q: For the record, the document marked as EXHIBIT "C" indicates that Certified Letters were sent to the Township Clerks of Mount Holly, Eastampton, Lumberton, Westampton, Hainesport and Moorestown. Is that true and correct?**

A: Yes, that is correct.

SPECIAL COUNSEL GARTY: That is all I have for Ms. BOYINGTON. If there is anyone from the audience that has any questions for Ms. BOYINGTON, this would be the time to ask a question of Ms. BOYINGTON.

Seeing none,

Next witness is Mr. ROBERT MAYBURY (witness is sworn)

**Q: Are you employed by the Authority?**

A: Yes

**Q: In what capacity?**

A: I am the Executive Director

**Q: How long have you been Executive Director?**



Resolution 2020-83                    A resolution of the Mt. Holly Municipal Utilities Authority awarding contract #2020-14 for supply and delivery of WHIPPS, Inc Model 900 series stainless steel gate or equivalent. Executive Director Maybury stated this resolution is for three stainless slide steel gates to control the flow near the discharge point of the Rancocas Road treatment facility the original gates were installed approximately ten years ago, unfortunately with the use of the chlorine broke down the metal. The cost is \$17,365 for all three and recommended for approval. Commissioner Springer moved for the approval of resolution 2020-83 Commissioner Silcox seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Springer, Commissioner Silcox

Nays:

Absent: Commissioner Banks

Abstain:

Resolution 2020-84                    A resolution of the Mt. Holly Municipal Utilities Authority awarding contract #2020-15 for short circuit, overcurrent device evaluation, overcurrent device coordination and Arc Flash Analysis of two water pollution control facilities. Executive Director Maybury explain Arc flash an assessment of the energy available in the electrical cabinets providing a rating per cabinet. The cost for this is \$43,250 and recommended for approval. Commissioner Springer moved for the approval of resolution 2020-84. Commissioner Silcox seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Springer, Commissioner Silcox

Nays:

Absent: Commissioner Banks

Abstain:

Resolution 2020-85                    A resolution approving the **S-3** application for approval of sewer plans between the Mt. Holly M.U.A and Smithville Road Maintenance Facility for sanitary sewerage service in the township of Eastampton. Executive Director Maybury stated the county built a maintenance building approximately 12,000 square feet at the intersection of Powell Road and Smithville Road, this facility is already paid the connection fee and has been connected since December of 2019. A letter was sent to the County because this parcel is not in our service area and needs to be added to our service area Commissioner Silcox moved for the approval of resolution 2020-85 Commissioner Springer seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Springer, Commissioner Silcox

Nays:

Absent: Commissioner Banks

Abstain:

Resolution 2020-86                    A resolution approving the **S-3** application for approval of sewer plans between the Mt. Holly M.U.A and Hainesport Commerce Center for sanitary sewerage service in the township of Hainesport. Executive Director Maybury stated this application is for another warehouse approximately 250,000 square foot. This proposed warehouse be built near the Sonic on Route 38 and construction has begun and is recommended for approval. Commissioner Springer moved for the approval of resolution 2020-86 Commissioner Silcox seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Springer, Commissioner Silcox

Nays:

Absent: Commissioner Banks

Abstain:

Resolution 2020-87                    A resolution of the Mt. Holly MUA authorizing non-fair and open purchase of HVAC system for the Rancocas Road Laboratory. Executive Director Maybury explained this is a replacement system for the laboratory employees at Rancocas Road. Executive Director Maybury stated the current system has been failing over time. Chairman Thiessen asked what the reason for non-fair and open. Mr. Stagliano stated four separate vendors came in, three of which did not provide a quote, and the Authority's position with a failing system not ready for the season change ahead. The cost is below the bid threshold and in a window contract. We went with a non-fair and open and we recommend Air Comfort as the vendor to replace the system. Commissioner Silcox moved for the approval of resolution 2020-87. Commissioner Springer seconded the motion. At the call of the roll the vote was:

Ayes: Chairman Thiessen, Commissioner Springer, Commissioner Silcox

Nays:

Absent: Commissioner Banks

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 2020-78 A resolution approving the operating expenses for the month of July
- \*Resolution 2020-79 A resolution approving the sewer refunds for the month of July
- \*Resolution 2020-80 A resolution approving the expenditures for the month of July from the escrow fund.
- \*Resolution 2020-81 A resolution approving the expenditures for the month of July from the improvement replacement fund.

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

Ayes: Chairman Thiessen, Commissioner Springer, Commissioner Silcox

Nays:

Absent: Commissioner Banks

Abstain:

**Communications** None

**To be presented by the public** None

**Report of the Executive Director** The Report of the Executive Director was received. Executive Director Maybury informed the board that there will be some computer upgrades throughout the Authority that have been planned for but is being fast tracked because of warning from FBI about potential hackers targeting Windows 7. Executive Director continued stating Ms. Garty supplied the Authority with a telecommunicating policy for review, in the near future we will be adopting a telecommunicating policy for any future emergencies like the current. Executive Director Maybury continued by informing the board about a webinar scheduled for September 15<sup>th</sup> called Facing and Embracing Crisis. Tts two hours long, they are pretty informative and willing to send out the information to those interested.

**Report of the Engineer** The Report of the Engineer was received.

**Report of the Operations Superintendent** The Report of the Operations Superintendent was received. Mr. Young praised all the Essential Employees at the Authority, thanking them for their dedication and hard work through the pandemic.

**Report of the Safety Director and Special Projects** The Report of the Safety Director was received. Nothing to add.

**Report of the Solicitor** Nothing to add.

**Report of the Finance Administrator/Treasurer** The Report of the Finance Administrator was received. Nothing additional.

**Other new business** None

**Matters to be presented by the Commissioners** None

**Executive Session** None

Commissioner Springer moved for the adjournment. Commissioner Silcox seconded the motion. At the call of The roll the vote was:

Ayes: Chairman Thiessen, Commissioner Springer, Commissioner Silcox

Nays:

Absent: Commissioner Banks,

Abstain:

Adjournment Time 6:42 PM

\*\* **Indicates addendum to original agenda**

Respectfully submitted,

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Brandy C. Boyington, Secretary