

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
OCTOBER 11, 2012**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, October 11th; at 6:00 PM. Chairman Edwards called the meeting to order with the following roll call:

PRESENT: Mr. Jason Carty, Commissioner
Mr. Robert Silcox, Commissioner
Mr. Jules Thiessen, Vice Chairman
Mr. John R. Edwards, Chairman

ALSO William G. Dunn, Executive Director
PRESENT: Stephen J. Mushinski, Esq., Solicitor
Edward A Kondracki, Esq., Special Counsel
Tracey Giordano, Deputy Director of Finance & Administration/Treasurer
Joel Hervey, Deputy, Director of Plant Operations
Anthony Stagliano, Deputy Director of Regulatory Affairs
Keith M. Weismann, R.A. Alaimo Associates, Engineer
Debra E. Fortner, Secretary

ABSENT: Ms. Jacquelyn Perinchief, 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 Courier Times on February 20, 2012, August 12, 2012, and September 10, 2012, and the Courier Post on February 20, 2012, August 12, 2012, and September 10, 2012. On Tuesday, October 9, 2012, 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

There were no public comments on action items.

APPROVAL OF MINUTES

Commissioner Silcox moved for the approval of regular minutes of September 13, 2012. Commissioner Thiessen seconded the motion. Motion carried.

Commissioner Silcox moved for the approval of the executive session minutes of September 13, 2012. Commissioner Thiessen seconded the motion. Motion carried.

OLD BUSINESS

PUBLIC HEARING

RESOLUTION 2012-60

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
APPROVING A SERVICE AGREEMENT WITH
YAWGA ENERGY PRODUCTS, LLC**

The Commissioners received information in their packets regarding the proposed service agreement with Yawga Energy Products, LLC. Chairman Edwards asked if any comments had been received. The Executive Director stated that no written or oral comments were received. Chairman Edwards asked if there were any comments from the public. There were no comments from the public. Chairman Edwards asked if there were any comments from the Commissioners. There were no comments from the Commissioners. Chairman Edwards declared the public hearing closed.

Commissioner Silcox moved for the approval of Resolution 2012-60. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYS:

NEW BUSINESS

Deputy Director of Regulatory Affairs, Stagliano, explained there was a public bid for custodial services but the Authority also had the option of extending the current contract for one more year. The bid prices received were well above the existing price structure with the existing vendor. Mr. Stagliano recommended extending the last year of the current contract, and then next year, the Authority will have to go out for a public bid again. Commissioner Thiessen asked why the current contract holder did not submit a bid. Deputy Director of Regulatory Affairs Stagliano stated it was because the current contract holder is aware of the extension option. Solicitor Mushinski stated he would prepare a resolution reflecting the decision to reject the new bids and extend the current contract.

RESOLUTION 2012-61

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REJECTING CERTAIN BIDS FOR CUSTODIAL SERVICES AND EXTENDING
CURRENT CONTRACT OF ABLE CLEANING SERVICE**

Commissioner Carty moved for the approval of Resolution 2012-61. Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

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

NAYS:

RESOLUTION 2012-56

**A RESOLUTION APPROVING THE OPERATING EXPENSES
FOR THE MONTH OF SEPTEMBER, 2012.**

Commissioner Silcox moved for the approval of Resolution 2012-56. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Silcox, Commissioner Thiessen, Chairman Edwards

NAYS: Commissioner Carty

RESOLUTION 2012-56A

**A RESOLUTION APPROVING SEWER REFUND EXPENDITURES
FOR THE MONTH OF SEPTEMBER 2012**

Commissioner Silcox moved for the approval of Resolution 2012-56A. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYS:

RESOLUTION 2012-57

**A RESOLUTION APPROVING THE ESCROW EXPENSES FOR
THE MONTH OF SEPTEMBER**

Commissioner Silcox moved for the approval of Resolution 2012-57. Commissioner Thiessen, seconded the motion. At the call of the roll, the vote was:

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

NAYS:

RESOLUTION 2012-58

**A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF
SEPTEMBER 2012 FROM THE IMPROVEMENT AND REPLACEMENT FUND.**

Commissioner Silcox moved for the approval of Resolution 2012-58. Commissioner Thiessen, seconded the motion. At the call of the roll, the vote was:

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

NAYS:

RESOLUTION 2012-59

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN
AMENDMENT ENTITLED: BURLINGTON COUNTY FUTURE
WASTEWATER SERVICE AREA MAP**

Executive Director Dunn reported he has contacted Hainesport Township, regarding the Water Quality Management Plan, however they have not filed their copy with the County as of yet. Executive Director Dunn has also made several attempts to contact Lumberton Township with no success. There have been several discussions with Moorestown resulting in the agreement the area near Hartford Road on the plan could go to either their Township or to the Authority. Westampton has an area between the turnpike and Route 295 which Willingboro has the right to however, if they do not want it, the Authority would take it. The County plan is to develop the 206 service area which includes portions of Pemberton that would be well serviced by our Authority. Executive Director Dunn stated overall the plan is in good shape and in another month or so it will be advancing to the Tri-State area.

Commissioner Silcox moved for the approval of Resolution 2012-59. Commissioner Thiessen, seconded the motion. At the call of the roll, the vote was:

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

NAYS:

COMMUNICATIONS

Executive Director Dunn reported he has received union communication offering four dates to choose from to meet regarding the upcoming contract with the Authority commissioners who serve on the Union Contract Committee. Chairman Edwards voiced his preference and Secretary Fortner will coordinate dates with Commissioner Perinchief via e-mail as well as the response to the union. The current contract expires December 31, 2012.

Executive Director Dunn stated he has attended five Lumberton Township Planning Board Meetings in regards to the solar power project. At the July meeting an agreement was reached. A resolution was to be written and approved by their board. Executive Director Dunn explained that since that time the Authority has had a go-round with PSE&G. Currently PSE&G is claiming the issue will be resolved shortly, therefore the Authority will be able to obtain permits once the resolution is approved. The Lumberton Board voted on it; they just never adopted the approval.

Executive Director Dunn discussed the memo prepared Deputy Director of Plant Operations, Hervey, regarding possible radiation contamination of equipment sold by the Authority on Govdeals.

Executive Director Dunn reported currently the Authority is utilizing a Bioair unit on rental. The Authority is in the process of negotiating the price with the current owner and retaining the warranties. An RFP is being prepared to cover the rules and regulations. A bid is also being prepared for the removal of concrete pads and retaining walls.

MATTERS TO BE PRESENTED BY THE PUBLIC

There were no matters to be presented by the public.

REPORT OF THE EXECUTIVE DIRECTOR

The Executive Director had nothing further to report.

REPORT OF THE ENGINEER

The report of the Engineer was received. Mr. Weisman reported he will be meeting with Executive Director Dunn next week to clean up old, outstanding, items.

REPORT OF THE DEPUTY DIRECTOR FOR PLANT OPERATIONS

The Report of the Deputy Director of Plant Operations was received

Commissioner Thiessen asked how the odor problem referred to in the report is progressing. Deputy Director of Plant Operations stated the Authority is continuing to work with the chemical supplier; readings have been reduced. Currently, how the process can be fine tuned and chemicals can be saved, is being investigated.

REPORT OF THE DEPUTY DIRECTOR FOR REGULATORY AFFAIRS

The Report of the Deputy Director for Regulatory Affairs was received.

REPORT OF THE SOLICITOR

The solicitor had nothing further to report for public session.

REPORT OF THE DEPUTY DIRECTOR OF FINANCE AND ADMINISTRATION

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

Deputy Director of Finance and Administration, Giordano, reported she met with Commissioner Silcox earlier this week regarding the budget, after which time she forwarded a copy of it along to the other Commissioners. She advised the Commissioners the budget is due to the State by the 1st of November. Commissioner Thiessen asked what happens if it is late. Special Counsel, Kondracki, explained a resolution would have to be adopted explaining the reasons the budget is being submitted late and the Authority would have to continue under the old operating budget until the new one is approved.

OTHER NEW BUSINESS

There was no other new business.

MATTERS TO BE PRESENTED BY THE COMMISSIONERS

Solicitor Mushinski stated he has a matter for closed session regarding personnel matters.

EXECUTIVE SESSION

Commissioner Thiessen moved for the approval of Resolution 2012-62. Commissioner Carty seconded the motion.

At 6:35 PM the Authority Commissioners retired to Executive Session for a discussion involving personnel matters.

RESOLUTION 2012-62

**AUTHORIZING EXECUTIVE SESSION OF THE
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS**

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 personnel matters involving the status of the Executive Director's contract; search for a new Executive Director and collective negotiations with the 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 Carty, Commissioner Silcox, Commissioner Thiessen,
Chairman Edwards

NAYS:

The Authority Commissioners returned to regular session at 7:03 P.M.

ADJOURNMENT

Commissioner Silcox moved for adjournment. Commissioner Carty seconded the motion. Chairman Edwards adjourned the meeting at 7:03 PM.

Respectfully submitted,

Debra E. Fortner