

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REORGANIZATION MEETING MINUTES FEBRUARY 11, 2016**

The reorganization meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, February 11th, 2015 at 6:00P.M. Executive Director Maybury called the meeting to order with the following roll call:

PRESENT: Mr. Jules Thiessen, Chairman
Mr. Robert Silcox, Commissioner
Mr. Christopher Banks, Commissioner
Mr. Jason Jones, Commissioner
Mr. Joshua Brown, Commissioner

ALSO

PRESENT: Robert Maybury, Executive Director
George Morris, Esq., Solicitor
Katelyn McElmoyl, Esq., Solicitor Parker McCay
Dave Skibicki, R. A. Alaimo Group, Engineer
Richard Alaimo, Alaimo Group
Anthony Stagliano, Safety Director & Special Projects
Brandy C. Boyington, Board Secretary
Michelle Nocito, Finance Administrator
Erin Campbell, Raymond/ Coleman/ Heinold/ Norman LLP.

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, February 8th, 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."

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS ON AGENDA ITEMS ONLY.

None

REORGANIZATION NOMINATION OF CHAIRMAN FOR A ONE YEAR TERM

The Executive Director requested nominations for the position of Chairman. Commissioner Silcox moved for the nomination of Jules Theissen for Chairman. Commissioner Jones seconded the motion. Executive Director moved to close the nominations. Motion carried. There being no other nominations for Chairman, the Executive Director declared that nominations for Chairman be closed. At the call of the roll, the vote was:

MOTION MADE BY Commissioner Silcox, SECONDED BY Commissioner Jones.

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

NAYS: None

The Executive Director turned the meeting over to Chairman Theissen.
Chairman Thiessen assumed the chair.

NOMINATION OF VICE CHAIRMAN FOR A ONE YEAR TERM

Chairman Thiessen requested nominations for the position of Vice Chairman. Commissioner Brown moved for the nomination of Commissioner Silcox. Commissioner Banks seconded the motion. Chairman Thiessen motioned to close the nominations. Motion carried. There being no further nominations for Vice Chairman, Chairman Thiessen declared the nominations for Vice Chairman be closed. At the call of the roll, the vote was:

MOTION MADE BY Chairman Thiessen, SECONDED BY Commissioner Jones.

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

NAYS: None

NOMINATION OF TREASURER

Chairman Thiessen requested nominations for the position of Treasurer. Commissioner Brown nominated Michelle Nocito for the position of Treasurer. Commissioner Silcox seconded the motion. Chairman Thiessen moved to close the nominations. Motion carried. There being no further nominations for Treasurer, Chairman Thiessen declared the nominations for Treasurer closed. At the call of the roll the vote was:

MOTION MADE BY Commissioner Brown, SECONDED BY Commissioner Silcox.

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

NAYS: None

NOMINATION OF SECRETARY

Chairman Thiessen requested nominations for the position of Secretary. Commissioner Brown nominated Brandy C. Boyington for the position of Secretary. Commissioner Silcox seconded the motion. Chairman Thiessen moved to close the nominations. Motion carried. There being no further nominations for Secretary, Chairman Thiessen declared the nominations for secretary closed. At the call of the roll the vote was:

MOTION MADE BY Commissioner Brown, SECONDED BY Commissioner Silcox.

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

NAYS: None

RESOLUTION 2016-06

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR RISK MANAGEMENT CONSULTANT FOR A 1 YEAR TERM (CONTRACT # CONT01-16)

RESOLUTION 2016-16 TABLED

RESOLUTION 2016-07

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR SOLICITOR FOR MHMUA FOR A 1-YEAR TERM (CONTRACT# CONT02-16)

Commissioner Silcox moved for the approval of Resolution 2016-07 authorizing professional services contract with Parker McCay as Solicitor for the Mount Holly Municipal Utilities Authority for a one-year term. Commissioner Jones seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

RESOLUTION 2016-08

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR ENGINEERING FIRM FOR MHMUA FOR A 1-YEAR TERM (CONTRACT # CONT03-16)

Commissioner Jones moved for the approval of Resolution 2016-08 authorizing professional services contract of Richard A. Alaimo Associates as Engineer for the Mount Holly Municipal Utilities Authority for a one-year term. Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

RESOLUTION 2016-09

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR SPECIAL COUNSEL FOR THE MHMUA FOR A 1-YEAR TERM (CONTRACT #CONT04-16)

Commissioner Silcox moved for the approval of Resolution 2016-09 authorizing professional services contract with Raymond, Coleman, Heinold, Norman LLP, as Special Counsel for the Mount Holly Municipal Utilities Authority for a one-year term at their Flat Rate. Commissioner Jones seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

RESOLUTION 2016-10

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR BOND COUNSEL FOR MHMUA FOR A 1-YEAR TERM (CONTRACT # CONT05-16)

Commissioner Jones moved for the approval of Resolution 2016-10 authorizing professional services contract with Parker McCay as Bond Counsel for Mount Holly Municipal Utilities Authority for a one-year term. Commissioner Silcox seconded the motion. At the call of the roll, the vote was:

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

NAYS: None

***RESOLUTION 2016-13**

A RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS OF THE MHMUA

Commissioner Silcox moved for the approval of Resolution 2016-13 designating the Courier Times and the Camden Courier-Post as official newspapers of the Mount Holly Municipal Authorities. Commissioner Jones seconded the motion. At the call of the roll, the vote was:

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

***RESOLUTION 2016-14**

A RESOLUTION DESIGNATING BANKING INSTITUTIONS FOR THE MHMUA

Executive Director Maybury explained that we currently use Beneficial Bank and this resolution provides a sixty day extension with the current Bank, as the MHMUA continues to interview and research the benefits of different banks and fee structures.

Commissioner Silcox moved for the approval of Resolution 2016-14 designating Beneficial Bank as the lead bank with the Mount Holly Municipal Authorities utilizing other banks in Burlington County from time to time. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

NAYS: None

***RESOLUTION 2016-15**

A RESOLUTION DESIGNATING THE PUBLIC AGENCY COMPLIANCE OFFICER (PACO) FOR THE AUTHORITY FOR THE CURRENT CALENDAR YEAR

Commissioner Silcox moved for the approval of Resolution 2015-21 designating Executive Director Robert Maybury as the Public Agency Compliance Officer for the Mount Holly Municipal Authority for the current calendar year. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

NAYS: None

***RESOLUTION 2016-16**

A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY AUTHORIZING MEETINGS FOR THE YEAR 2016 THROUGH THE 2017 REORGANIZATION MEETING

Commissioner Jones moved for the approval of Resolution 2016-16. Commissioner Silcox seconded the motion. At the call of the roll the vote was:

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

NAYS: None

***RESOLUTION 2016-17**

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
RE-ADOPTING THE AUTHORITY'S ANTI-DISCRIMINATION POLICY**

Commissioner Silcox moved for the approval of Resolution 2016-17. Commissioner Bank seconded the motion. At the call of the roll the vote was:

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

NAYS: None

***RESOLUTION 2016-18**

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING ACTIONS TO BE PERFORMED ON BEHALF OF THE MOUNT
HOLLY UTILITIES AUTHORITY.**

Commissioner Silcox moved for the approval of Resolution 2016-18. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

NAYS: None

***RESOLUTION 2016-19**

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
APPOINTING AN INSURANCE FUND COMMISSIONER**

Commissioner Silcox moved for the approval of Resolution 2016-19 appointing Executive Director Robert Maybury as Insurance Fund Commissioner. Commissioner Brown seconded the motion. At the call of the roll the vote was:

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

NAYS: None

***RESOLUTION 2016-20**

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
APPROVING THE CASH MANAGEMENT PLAN FOR FISCAL YEAR 2015**

Commissioner Silcox moved for the approval of Resolution 2016-20. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

NAYS: None

APPROVAL OF MINUTES

Regular Meeting January 14, 2016
Executive Session January 14, 2016 (RES 2016-05)

Commissioner Silcox moved for the approval the minutes from January 2016’s board meeting. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

OLD BUSINESS

RESOLUION 2015-106 a resolution amending policy entitled “Health Insurance Policy and Procedure,” Reference 4-4

Commissioner Silcox moved for the approval of Resolution 2015-106. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

NEW BUSINESS

PUBLIC NOTICE: For the purpose of approving a renewal Industrial Waste Service Agreement for treatment of non-domestic wastewater from Dey Farms

RESOLUION 2016-24 a resolution designating Michelle Nocito as signator on Authority checks.

Commissioner Silcox moved for the approval of Resolution 2016-24. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

RESOLUION 2016-25 a resolution mandating direct deposit for all employees of the MHMUA.

Commissioner Silcox moved for the approval of Resolution 2016-25. Commissioner Jones seconded the motion. At the call of the roll the vote was:

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

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.”

| | |
|----------------------------------|--|
| <u>RESOLUTION 2016-21</u> | a resolution approving the OPERATING EXPENSES for the month of January, 2016 |
| <u>RESOLUTION 2016-22</u> | a resolution approving the SEWER REFUNDS for the month of January, 2016 |
| <u>RESOLUTION 2016-23</u> | a resolution approving the expenditures for the month of January, 2016 from the IMPROVEMENT AND REPLACEMENT FUND |

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

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

COMMUNICATIONS

Executive Director Maybury shared that a developer, Lennar has proposed 450 age restricted homes on a sod farm in the area of Olde World Bakery in Eastampton. They intend to have plans submitted by April 2016 and break ground Sept 2016. This is the same developer that proposed Wellington Farms, the 211 acre parcel behind the Walmart in Lumberton. Executive Director Maybury stated that Eastampton seems to be the hot spot for development, with the possibility of 117 units behind the CVS and an additional 240 units at the former Gregory's site.

MATTERS TO BE PRESENTED BY THE PUBLIC

Erin Campbell from Raymond, Coleman, Heinold, Norman LLP thanks the board for the appointment for special counsel.

REPORT OF THE EXECUTIVE DIRECTOR

The report of the Executive Director was received. Executive Maybury added that outsourcing payroll could start as early as April 1, 2016. Executive Director Maybury stated 3 companies were interviewed; Casa, Pay Day and Prime Point. The MHMUA's payroll company has not been selected, but Prime Point will likely be the choice based on the technology support, service and cost. If outsourcing starts April 1, 2016, employees will continue with weekly checks until July 1, 2016 to ensure the transition goes smoothly. Finance Administrator, Mrs. Nocito, added that choosing to outsource payroll lowers the MUA's ACA reporting and the cost of outsourcing payroll is estimated at \$10,000 for the year with about \$2500 in startup fees. Chairman Thiessen asked if there was anything additional and Executive Director Maybury informed the board that the Belt Press Filter Installation Project has been advertised and the bid opening is scheduled for March 8th at 11:00 am. This is a large and necessary project with an estimated construction cost of \$500,000 or more.

REPORT OF THE ENGINEER

The Report of the Engineer was received. David Skibicki added that they have received a lot of interest on the proposal for the installation of the Belt Filter Press.

REPORT OF THE OPERATIONS SUPERINTENDENT

The report of Operations Superintendent was received.

REPORT OF THE SAFETY MANGER AND SPECIAL PROJECT

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

REPORT OF THE SOLICITOR

There was nothing further for the Solicitor to report.

REPORT OF THE FINANCE ADMINISTRATOR/TREASUER

The Finance Administrator’s report were received.

OTHER NEW BUSINESS

There was no other new business to be presented.

MATTERS TO BE PRESENTED BY THE COMMISSIONERS

None

Executive Session

Commissioner Silcox moved for approval of Resolution 2016-26. Commissioner Brown seconded the Motion. At the call of roll, the vote was:

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

NAYS: None

ABSTAIN: None

At 6:30 P.M. the Authority Commissioners retired to Executive Session for a discussion of the matter listed in the below resolution.

****RESOLUTION 2016-26
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 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 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);

_____ 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 _____);

_____ 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 C. 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 February 11, 2016.

Brandy C. Boyington, Secretary

ADJOURNMENT

Commissioner Thiessen moved for adjournment. Commissioner Jones seconded the motion. Chairman Theissen adjourned the meeting at 7:03P.M.

Respectfully submitted,

Brandy C. Boyington, Secretary