

**MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
JUNE 14, 2012**

The regular meeting of the Mount Holly Municipal Utilities Authority was held at 37 Washington Street on Thursday, June 14, 2012; at 6:00 PM. Chairman Edwards called the meeting to order with the following roll call:

PRESENT: Mr. Robert Silcox, Commissioner
Ms. Jacquelyn Perinchief, Commissioner
Mr. Jason Carty, 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
Andrew Doyle, Assistant Executive Director
Joel Hervey, Deputy Director of Plant Operations
Robert Maybury, Operations Manager
Anthony Stagliano, Deputy Director of Regulatory Affairs
Keith M. Weismann, R.A. Alaimo Associates, Engineer
Debra E. Fortner, Secretary

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 20, 2012, and May 14, 2012, and the Courier Post on February 20, 2012, and May 14, 2012. On Tuesday, June 12, 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 May 10, 2012, Commissioner Thiessen seconded the motion. Motion carried.

Commissioner Silcox moved for the approval of Executive Session minutes of May 10, 2012. Commissioner Thiessen seconded the motion. Motion carried.

OLD BUSINESS

PUBLIC HEARING

RATE HEARING

Chairman Edwards turned the meeting over to Special Counsel Edward A. Kondracki, who conducted the Public Hearing. A court stenographer was present to record the hearing. A copy of the transcript is attached and made part of the minutes.

RESOLUTION 2012-39

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
APPROVING THE AMENDED RATE SCHEDULE**

Chairman Edwards asked if there were any public comments in regards to the Rate Hearing.

Commissioner Silcox moved for the approval of Resolution 2012-39. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Silcox, Commissioner Perinchief, Chairman Edwards

NAYS: Commissioner Thiessen, Commissioner Carty

RESOLUTION 2012-40

**A RESOLUTION OF THE MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING APPOINTMENT OF HOLMAN & FRENIA, P.C., AS AUDITOR
FOR THE AUTHORITY FOR A ONE-YEAR TERM BEGINNING
JULY 1, 2012 THROUGH JUNE 30, 2013**

Chairman Edwards asked Executive Director Dunn who he recommends for the position of auditor. Executive Director Dunn recommended Holman & Frenia, P.C. Commissioner Thiessen asked Executive Director Dunn besides history, what is his recommendation based on. Mr. Dunn stated workload, and knowledge of the Authority's operations. Commissioner Thiessen pointed out that the Bowman proposal is 10% cheaper than Holman & Frenia's. Deputy Director of Finance and Administration, Giordano, added that since the Authority is currently processing the Township's payroll and Holman & Frenia is also their auditor, it makes working with their company easier. Commissioner Carty asked what the total cost of Holman & Frenia was for 2011. Deputy Director of Finance and Administration, Giordano, reported the cost had gone up \$200.00 to \$26,500.00. She went on to report for operational purposes the cost for Holman & Frenia has never been more than the proposed price.

Commissioner Silcox moved for the approval of Resolution 2012-40. Commissioner Perinchief seconded the motion. At the call of the roll, the vote was:

AYES: Commissioner Silcox, Commissioner Perinchief, Chairman Edwards

NAYS: Commissioner Thiessen, Commissioner Carty

NEW BUSINESS

RESOLUTION 2012-36

**A RESOLUTION APPROVING THE OPERATING EXPENSES
FOR THE MONTH OF MAY 2012**

Commissioner Carty asked what the procedure for Emergency Repairs, specifically in regards to the recent Garden Street repair is? He asked if the Authority has a list of contractors to call. Executive Director Dunn explained the Authority sees who is available, and based on a rate schedule we have received from those contractors, we know basically what the cost will be. However, the price may change once work begins if additional work is involved. Mr. Dunn reported currently the Authority uses a list of three contractors that can be depended upon, two of which can typically respond within hours.

Commissioner Silcox moved for the approval of Resolution 2012-36. Commissioner Perinchief seconded the motion. At the call of the roll, the vote was:

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

NAYS: Commissioner Carty

RESOLUTION 2012-36A

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

Commissioner Thiessen moved for the approval of Resolution 2012-36A. Commissioner Carty seconded the motion. At the call of the roll, the vote was:

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

NAYS:

RESOLUTION 2012-37

**A RESOLUTION APPROVING THE EXPENDITURES FOR THE MONTH OF
MAY 2012 FROM THE ESCROW FUND.**

Commissioner Silcox moved for the approval of Resolution 2012-37. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYS:

RESOLUTION 2012-38

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

Commissioner Silcox moved for the approval of Resolution 2012-38. Commissioner Thiessen seconded the motion. At the call of the roll, the vote was:

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

NAYS:

COMMUNICATIONS

Chairman Edwards pointed out there is a copy of a letter from Rancocas Valley Regional High School in the packets. The letter gives the name of the student receiving the award and thanks the Authority for the annual scholarship.

Executive Director Dunn reported that there will be a meeting with Lumberton Township on June 20th in regards to the solar project as long as Lumberton Township has a quorum for the meeting.

MATTERS TO BE PRESENTED BY THE PUBLIC

There were no matters to be presented by the public.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Dunn stated he has nothing further 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 of Plant Operations was received

Deputy Director of Plant Operations Hervey stated during the last board meeting an issue was discussed in regards to a property located at 113 Garden Street in Mount Holly. Mr. Hervey reported that at the time of the last meeting he thought it was a possible main break. After talking with Robert Young and Jason Corn, road crew members of the Authority, it became apparent that it was not a main break; all repairs that were made were on the lateral. Deputy Director of Plant Operations, Hervey, said this means the cost of the repair is the responsibility of the homeowner. Commissioner Thiessen asked what the cost was. Deputy Director of Plant Operations, Hervey, stated the cost was approximately \$12,000.00.

REPORT OF THE DEPUTY DIRECTOR FOR REGULATORY AFFAIRS

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

REPORT OF THE SOLICITOR

Special Counsel Kondracki informed the Commissioners he has been advised the plaintiff is dropping the matter in the Benn litigation. Mr. Kondracki has seen correspondence and received telephone calls to that affect but has not seen any signed copies as of yet.

REPORT OF THE DEPUTY DIRECTOR OF FINANCE AND ADMINISTRATION

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

OTHER NEW BUSINESS

There was no other new business.

MATTERS TO BE PRESENTED BY THE COMMISSIONERS

Commissioner Carty asked what the past practice of the Authority is for situations such as 113 Garden Street. He wanted to know if the Authority is asking the homeowner to pay for the repairs and has that been communicated to them? Deputy Director of Plant Operations, Hervey, stated the homeowners were not aware they had a problem, but the system was malfunctioning. Executive Director Dunn confirmed the homeowners have since been advised. Commissioner Carty clarified then that the homeowners had no idea of the problem until they got a \$12,000.00 bill? Special Counsel Kondracki asked Deputy Director of Plant Operations what the cost would have been if the homeowners had been able to hire a plumber themselves. Mr. Hervey responded that it would have been much cheaper since the cost to the homeowner now includes overtime for Authority employees along with the contractors fees. Commissioner Carty asked what past practice is if the homeowner does not pay the bill. Solicitor Mushinski stated the Authority would pursue payment. Special Counsel Kondracki said he assumes there will be some discussion before the bill is paid.

Commissioner Silcox stated since he was involved in the Benn lawsuit, and he has been contacted by his attorney with a settlement, he would like to thank most of the other commissioners for their support. Mr. Silcox said it is a shame that such frivolous, politically motivated lawsuits take place, which cost the tax payers and rate payer's money. He said the people behind it should be embarrassed and ashamed of that cost.

Commissioner Carty had a question for counsel. Mr. Carty stated he was told at his first meeting that information discussed in Executive Session is confidential and wanted to know if that applies to Commissioners talking to Township Council members as well. Solicitor Mushinski confirmed that the discussion is confidential, including with Township Council members. Special Counsel Kondracki added there is a caveat. Minutes are taken during Executive Session and they are eventually made available to the public, once the reason for Executive Session is terminated. Commissioner Carty stated yes, eventually, but not 48 hours later.

ADJOURNMENT

Commissioner Silcox moved for adjournment. Commissioner Thiessen seconded the motion. Chairman Edwards adjourned the meeting at 6:45 PM.

Respectfully submitted,

Debra E. Fortner

