

PEMBERTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

REGULAR MEETING

OF

TUESDAY, MAY 7, 2019 MINUTES

A Regular Meeting of the Pemberton Township Municipal Utilities Authority was held on Tuesday, May 7, 2019, 6:30 P.M., at the Municipal Building, 500 Pemberton-Browns Mills Road, Pemberton, New Jersey.

Pledge of Allegiance was recited.

A roll call was taken:

PRESENT: Corine Kemp	Chairperson
Jason Allen	Vice-Chairperson
Robert L. Bailey	Secretary
Donna Lefebvre	Assistant Secretary
Adrienne B. Leonard	Treasurer
Kara C. Schnure	Alternate #1

ABSENT: Dan Hullings	Alternate #2
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ALSO PRESENT: Jennifer Rivera	Administrator
Bill Butler	Administrator
Bud Doyle	System Advisor
John Gillespie	Solicitor
Jerry Harris	Engineer

Chairperson Kemp announced and had entered into the minutes that “in accordance with the Open Public Meetings Act, adequate notice of this meeting has been made with the Burlington County Times, Central Record, filed with the Clerk of Pemberton Township and posted in the office of the MUA.”

Chairperson Kemp announced and had entered into the minutes that “if awarded a contract your company/firm will be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

Chairperson Kemp asked if there were any additions, corrections and for approval of the minutes of the Regular Meeting of April 2, 2019.

Mr. Allen moved. Mr. Bailey seconded.

ROLL CALL: Mr. Allen – yes
Mr. Bailey – yes
Ms. Leonard – yes
Ms. Lefebvre – yes
Chairperson Kemp – yes

Chairperson Kemp declared the motion approved.

RESOLUTION OF CLAIMS #25-2019 – Operating Fund – \$615,122.38. The Board reviewed the list. Mr. Allen questioned check # 23511 paid to CME Associates. Mr. Butler explained that the payment covers the engineering cost for the Generator 15 & 16 project along with additional engineering services. Mr. Bailey questioned check # 23540, payable to Pemberton Township. Ms. Rivera explained the payment covers the semi-annual rental payment to the Township according to the Farmers Home Loan agreement. She stated that the loan will be paid in full in 2020. Chairperson Kemp asked for a motion to approve Resolution of Claims #25-2019 – Operating Fund – \$615,122.38. Mr. Allen moved. Mr. Bailey seconded.

ROLL CALL: Mr. Allen – yes
Mr. Bailey – yes
Ms. Leonard – yes
Ms. Lefebvre – yes
Chairperson Kemp – yes

Chairperson Kemp declared the motion approved.

ADMINISTRATION & OPERATIONS REPORT – Mr. Butler informed the Board that the Lab Technician resigned and he is looking to hire a replacement as soon as possible. Chairperson Kemp stated that unfortunately the MUA lost a good long-term employee because of the threat of a possible dissolution by the Township. Chairperson Kemp asked Mr. Butler how he will manage the lab testing until a new Lab Technician is hired.

Mr. Butler said they will have to send the lab samples out for testing which is going to cost the Authority between \$5,000.00 - \$7,000.00. Mr. Butler said that the MUA received one bid for the purchase of the ray rake for \$555.00. He said that the other item that was advertised for sale had no bids.

Ms. Rivera asked for a motion to approve the signatures for the statement of MUA Credit & Obligees for Pemberton Township. Ms. Rivera stated that she was advised by the Financial Advisor to list the amounts due as of December 31, 2018. Chairperson Kemp asked for a motion to approve signatures for the statement of MUA Credit & Obligees. Chairperson Kemp stated that this statement is needed by Pemberton Township for the dissolution application. Ms. Lefebvre moved. Mr. Bailey seconded.

ROLL CALL: Ms. Lefebvre – yes
Mr. Bailey – yes
Mr. Allen – Abstain
Ms. Leonard – yes
Chairperson Kemp – yes

Chairperson Kemp declared the motion approved.

Ms. Rivera asked for approval to advertise for Chemical Bids. She stated that the two chemicals for bid are Liquid Aluminum Sulfate and Hydrated Lime. She said that the current contracts expire 7/31/19. Chairperson Kemp asked for a motion to approve to advertise for chemical bids. Mr. Allen moved. Ms. Leonard seconded.

ROLL CALL: Mr. Allen – yes
Ms. Leonard – yes
Mr. Bailey – yes
Ms. Lefebvre – yes
Chairperson Kemp – yes

Chairperson Kemp declared the motion approved.

ENGINEER'S REPORT – Mr. Harris from CME Associates stated that they continued to monitor the contractor on the Generator Project for the Pump Station #'s 15 & 16. The work at Pump Station # 16 is complete and the generator was installed, started up, and training on the unit was performed. The contract is moving on to Pump Station # 15. CME continued the preparation of the Asset Management Plan based on information collected during the site visits to each of the facilities. CME attended a meeting with Authority Staff to review the draft plan.

SOLICITOR'S REPORT – Chairperson Kemp asked Mr. Gillespie to explain the Local Finance Board process relating to the dissolution of the MUA by Pemberton Township. Mr. Gillespie stated that the Local Finance Board looks at two things. 1. Whether or not it makes fiscal sense to dissolve the Authority. 2. Will the operation be able to maintain so the public health, safety, and welfare issues are adequately provided for by the dissolving party in which this case is Pemberton Township. As part of the fiscal analysis, certification of debt statement from the MUA is needed for the application process that the Local Finance Board has to take into consideration. Once the Township adopted the ordinance to dissolve the MUA, and submitted the application, it becomes an extensive process. Mr. Gillespie stated that the application was sent to him on April 18th and it consisted of a one and one-half inch packet of documents. The request from Township Council and Administration was to have the Local Finance Board vote on the dissolution at their May 8th meeting, only giving the MUA a few weeks to review the documents. Mr. Gillespie read the letter that he sent to the Local Finance Board asking for the application to be deferred being that the existence as an independent governmental

entity is at stake by virtue of the application. The letter reads, "The Municipal Utilities Authority needs sufficient time to carefully review the findings, studies and reports provided within the Application and, in that review, will require outside professional assistance to do so. That review and rebuttal will take significant time to complete. Moreover, the Municipal Utilities Authority does not meet until May 7th." Mr. Gillespie stated that the Local Finance Board has granted that request. He stated that the Township opposed that request. He stated that this is a very serious matter. He said that it's not about us against them, but what is good for the users and taxpayers. Even if the MUA is set as a rate paying self-liquidating utility, when funds run low, it will affect the taxpayers. Mr. Gillespie said that his letter dated April 24th to the Local Finance Board requesting a reasonable extension to evaluate the application was met by a response from the Township. The Township letter states, "The PTMUA's request amounts to nothing more than a delay tactic and the Local Finance Board should consider the Township's application as scheduled." Mr. Gillespie said that it is not a delay tactic, but it is something that the MUA is obligated to do and the Township should respect the request to review the documentation and find where you may agree and disagree. It's not about whether the MUA stays alive, it's about what the impact is to the users of the Township and that is a serious discussion. Chairperson Kemp said that Mr. Allen had a concern whether he should be included in the discussion being that he has abstained from the dissolution. Mr. Gillespie said that the application is a public document and he is commenting on that public document. He said he has more to discuss in closed session regarding the document. Mr. Gillespie and the Board continued discussion on some of

the items listed in the application.

OLD BUSINESS – None.

NEW BUSINESS – Ms. Lefebvre wanted to verify the July meeting. Ms. Rivera stated that the meeting is on July 2, 2019.

RECOGNITION OF VISITORS – Chairperson Kemp welcomed Council President, Norma Trueblood to the meeting. She stated that the Board is grateful to have her attend the meeting.

Chairperson Kemp asked for a motion to approve Resolution #26-2019 - To Close the Meeting to the Public to discuss Attorney-Client-Privilege. Mr. Bailey moved. Ms. Lefebvre seconded.

AYES: All
NAYES: None

Chairperson Kemp declared the motion approved and closed the meeting to the public.

Chairperson Kemp opened the meeting to the public.

COMMENTS FROM THE BOARD MEMBERS – The Board had no comments.

Chairperson Kemp asked for a motion to adjourn the meeting.

Mr. Bailey moved. Ms. Lefebvre seconded.

AYES: All
NAYES: None

Chairperson Kemp declared the motion approved and adjourned the meeting at 7:00 P.M.

Robert L. Bailey