

**ELK TOWNSHIP  
MUNICIPAL UTILITIES AUTHORITY  
REORGANIZATION MINUTES  
FEBRUARY 8, 2010**

The reorganization meeting of the Elk Township Municipal Utilities Authority was called to order by Vice Chairman Rainey at 7:33PM.

The Open Public Meeting Notice Statement was read.

The Salute to the Flag and the Lord's Prayer were recited in unison.

Mr. Ken DiMuzio, Esq., swore Mr. Carmen Visalli as a member of the board.

Roll Call: Mr. Haynicz, Mr. Larkin, Mr. Pantaleo, Mr. Rainey, Mr. Sawyer arrived at 7:38pm, Mr. Visalli, Mr. DiMuzio, Mr. Brunermer, Mr. Biermann and Mrs. Pine were present. Mr. Hubbs was absent.

Motion by Mr. Rainey to nominate Mr. Hubbs as MUA Chairman for 2010, seconded by Mr. Visalli. There were no other nominations.

Mr. Haynicz moved to close the nominations, seconded by Mr. Rainey.

All were in favor of appointing Mr. Hubbs as Chairman of the MUA for the year 2010.

Motion by Mr. Visalli to nominate Mr. Rainey as MUA Vice Chairman for 2010, seconded by Mr. Larkin. There were no other nominations.

Mr. Haynicz moved to close the nominations, seconded by Mr. Larkin.

All were in favor of appointing Mr. Rainey as Vice Chairman of the MUA for the year 2010.

Motion by Mr. Visalli to nominate Mrs. Pine as MUA Secretary for 2010, seconded by Mr. Larkin. There were no other nominations.

Mr. Haynicz moved to close the nominations, seconded by Mr. Larkin. Motion carried.

All were in favor of appointing Mrs. Pine as Secretary of the MUA for the year 2010.

Motion by Mr. Visalli to nominate Mr. Haynicz as MUA Treasurer for 2010, seconded by Mr. Larkin. There were no other nominations.

Mr. Rainey moved to close the nominations, seconded by Mr. Larkin. Motion carried.

All were in favor of appointing Mr. Haynicz as Treasurer of the MUA for the year 2010.

**Resolution 1-2010**

Motion by Mr. Visalli, seconded by Mr. Larkin to appoint Kenneth DiMuzio as MUA Solicitor for 2010. There were no other nominations.

Upon roll call all were in favor of appointing Mr. DiMuzio as MUA Solicitor.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

**Resolution 2-2010**

Motion by Mr. Visalli, seconded by Mr. Larkin to appoint Mark Brunermer of Sickels and Associates as MUA Engineer for 2010.

Mr. Pantaleo stated there was a process for this appointment. Several proposals were received and all were reviewed. This appointment is being made based on the completeness and detail of the proposals.

Mr. Visalli feels that Sickels & Associates experience is invaluable to the MUA.  
Upon roll call Mr. Brunermer of Sickels and Associates is appointed the MUA Engineer.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

### **Resolution 3-2010**

Motion by Mr. Visalli, seconded by Mr. Larkin to appoint Nick Petroni as MUA Auditor for 2010.  
Upon roll call all were in favor of appointing Mr. Petroni as MUA Auditor.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

### **Resolution 4-2010**

Motion by Mr. Visalli, seconded by Mr. Larkin to appoint Stephen Considine as MUA Chief Financial Officer to Administer Developer Escrow Accounts for 2010.

Upon roll call all were in favor of appointing Mr. Considine as MUA CFO.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

### **Resolution 5-2010**

Motion by Mr. Visalli, seconded by Mr. Larkin to approve the Gloucester County Times and Sentinel as the official newspapers of the MUA for 2010, all were in favor motion carried.

Upon roll call all were in favor, motion carried.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

### **Resolution 6-2010**

Motion by Mr. Larkin, seconded by Mr. Visalli to approve the MUA regular monthly meetings as listed in Resolution No. 6-2010, all were in favor motion carried.

Upon roll call all were in favor, motion carried.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

### **Resolution 7-2010**

Motion by Mr. Visalli, seconded by Mr. Larkin to approve The First National Bank of Elmer as Official Depository for the MUA, all were in favor motion carried.

Upon roll call all were in favor, motion carried.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

**Resolution 8-2010**

Memorializing and Modifying the Authority of the Chief Financial Officer of the Elk Township Municipal Utilities Authority to Pay New Jersey – American Water Company, Inc. Water Bills from the “Shortfall Reserve Trust Account” Established by Developers in Elk Township, Gloucester County, New Jersey

Mr. DiMuzio felt this resolution is necessary to cover the water bills that come in and make sure they are paid in a timely fashion. The money in this account is to be used for paying the NJAW bills and any costs associated with water.

Motion by Mr. Visalli, seconded by Mr. Larkin to approve Resolution 8-2010.

Upon roll call all were in favor, motion carried.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

**Resolution 9-2010**

Authorizing Officers of the Elk Township Municipal Utilities Authority to Pay Time-Sensitive Bills that are Due Before the Regularly Scheduled Quarterly Meetings of the Authority

Mr. DiMuzio stated this resolution will allow the signers of the account to pay bills, not to exceed \$500, and are time sensitive, in between meetings. The bills will need to be approved at the next meeting.

Motion by Mr. Visalli, seconded by Mr. Larkin to approve Resolution 9-2010.

Upon roll call all were in favor, motion carried.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

**APPROVAL OF MINUTES**

Motion by Mr. Visalli to approve the December 14, 2009 minutes, seconded by Mr. Larkin, all were in favor, motion was carried.

**TREASURER’S REPORT AND PAYMENT OF BILLS**

The Treasurer’s Report was presented for approval. There is a balance of \$510.66 in the MUA Operational Account and \$10,816.46 in the Operations/Savings Account.

Motion made by Mr. Visalli to approve the Treasurer’s Report. Motion seconded by Mr. Larkin.

Upon roll call vote, motion carried.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

There was discussion on the replenishment of escrow accounts. Mr. Rainey thinks it is in the by-laws that escrow accounts are to maintain a minimum balance of \$1500. The professionals have not been doing any work for the last few months since there is not enough money to pay their bills. Mr. Haynicz does not think one developer should suffer if the other developer's escrow accounts are not paid up to date. Currently the developers are all grouped together. They are all billed individually and should be considered and held accountable separately.

Mr. Casey, from Silvergate, stated the developers did not want to be grouped together.

Mr. Brunermer bills the developers separately in reference to their application. If it pertains to WMP the invoice is split based on the percentage break down between the 3 developers.

Mr. DiMuzio stated this came about when the amended and restated developer's agreement was enacted.

Mr. DiMuzio further stated by regulation when a bill is sent to the MUA, a copy of the bill is also to be sent to the developer.

Mr. Brunermer stated Canuso has his agreements for water and sewer through Glassboro and he does not feel he should be part of this agreement.

Motion by Mr. Haynicz, seconded by Mr. Visalli to pay the outstanding escrow bills, subject to deposit of money into escrow and the maintaining of a \$1500 minimum balance, upon roll call motion carried.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

Motion made by Mr. Visalli to pay the outstanding bills, seconded by Mr. Haynicz. Upon roll call motion carried.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

Mr. DiMuzio will look into the possibility of placing a lien on properties and the \$1500 minimum balance requirement.

## **CORRESPONDENCE**

The board was copied with the GCUA Minutes of November 10, 2009 and December 9, 2009. Correspondence responding to COAH from Leah Bruder, Planner and Erik Biermann, Engineer to Dennis Funaro, of the NJ Council on Affordable Housing. This was in response to a request for additional information on the Elk Township Fair Share Plan third round plan.

## **DEVELOPERS REPORTS**

Mr. Casey stated the documents were delivered to Silvergate attorney and Mr. DiMuzio. The documents were used in the consideration of their approval of the GCUA Waster Water Management Plan. There are several inconsistencies in the plans.

## **REPORT OF ENGINEER**

Mr. Brunermer received a letter dated January 20<sup>th</sup>, summarizing the breakdown and approval of the WMP. Churchill Engineering did try to correct problems but it still has to go through the county GCUA

**REPORT OF SOLICITOR**

Mr. DiMuzio did not have anything to report. He agreed with Mr. Casey in regards to the inconsistencies of the plan. The plans states the developments are not in either plan.

**UNFINISHED BUSINESS**

The board discussed the expenditures of the MUA. Mr. DiMuzio and Mr. Brunermer will only be paid for meeting attendance. The only other place to cut will be the secretary salary. Mr. Haynicz thinks the salary should remain the same, there is still work that needs to be done. Mr. Visalli said the salary for the secretary has remained the same for the last 10 years. Mr. Pantaleo stated the meetings are only a part of the salary.

Mr. Visalli, stated the engineer and solicitor are paid for meetings, but also get paid for work they do for the individual developer’s from the escrow accounts. He feels the salary for the secretary should remain the same.

Mr. Rainey just wanted to get the boards thoughts on the issue.

Mr. Sawyer, stated if the MUA is going to continue to exist as a board this is a small portion to continue to do business.

Motion by Mr. Haynicz to keep the salary the same for the secretary, seconded by Mr. Visalli, upon roll call, motion carried.

Roll Call:	Mr. Haynicz	Yes
	Mr. Larkin	Yes
	Mr. Rainey	Yes
	Mr. Sawyer	Yes
	Mr. Visalli	Yes

**NEW BUSINESS**

Mr. Pantaleo stated there has been a master plan revision.

**PUBLIC PORTION:**

Motion made by Mr. Visalli to open the meeting to the public. Motion seconded by Mr. Larkin all were in favor, motion carried.

Mayor Barbaro wished everyone a Happy New Year.

Motion made by Mr. Haynicz to close the public portion. Motion seconded by Mr. Visalli. All were in favor motion carried.

Mr. DiMuzio and Mr. Brunermer thanked the board for their reappointments.

**ADJOURNMENT**

Motion made by Mr. Visalli to adjourn the meeting at 9:05pm. Motion seconded by Mr. Larkin all were in favor motion carried.

Respectfully submitted,

Debbie Pine  
Secretary