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Lumberton files complaint against MUA

It says the Mount Holly Municipal Utilities Authority did not consult with the township before approving its 2017 spending plan.

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LUMBERTON — The township has filed a formal complaint against the Mount Holly Municipal Utilities Authority, continuing its fight to be involved in the MUA's decisions that impact the town's ratepayers.

The complaint filed with the New Jersey Local Finance Board argues that the MUA failed to "consult and review" with Lumberton officials before approving its 2017 capital budget and programs, and that officials also

were not briefed on previous budgets.

The township was not invited to participate in the development of the capital plan, and did not review or approve the proposal, according to the complaint.

The complaint alleges the MUA certified that it had reviewed the documents with Lumberton and other towns it serves in its submission to the New Jersey Department of Community Affairs.

The municipality is requesting a full audit

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of the authority's budgets and capital plans from 2012 to 2017 and of all payments made by the MUA to Mount Holly Township during that same period, as well as full monitoring of the 2018 budget process.

Township officials have made multiple requests to the MUA for Lumberton to be recognized as a host community with appointment power and representation on the authority's board, and for residents to receive the same discounts as Mount Holly ratepayers. Lumberton entered a sewer service agreement with the MUA in 1986.

The discount enjoyed by Mount Holly residents, paired with rising rates, has divided the MUA and some of the towns it serves, particularly Lumberton, Eastampton, Hainesport, Westampton and parts of Moorestown also have sewer service agreements with the MUA.

Mount Holly residents receive a 33 percent discount on sewer connection and



NANCY ROKOS / PHOTOJOURNALIST

As part of its budget documentation, the Mount Holly Municipal Utilities Authority is asked to confirm whether each affected municipality or county had participated in the development of the budget.

meter fees, and a 25 percent discount on sewer flow rates, compared with the other towns serviced by the MUA, according to Lumberton Mayor Sean Barlen.

"It's very troubling that the Mount Holly MUA has repeatedly approved budgets, rate increases and capital improvement plans without proper notification to Lumberton and other affected communities, thus circumventing public participation," Barlen said. "Equally troubling is that for several years the Mount Holly MUA falsely certified that proper notification was made."

As part of its capital

budget documentation, the MUA is asked to confirm whether each municipality or county affected by the actions of the authority had participated in the development of the capital budget and reviewed or approved the plans. The MUA indicated that the towns it serves were involved and approved the 2017 budget, but Lumberton officials said they were never consulted.

The MUA's attorney, Tom Coleman, said in a letter to Lumberton's attorney on May 12 that he could officially confirm that "no special notification was provided to the Township of

Lumberton or any other municipality served by the Authority at or before the budget was adopted."

Coleman added that MUA Executive Director Robert Maybury was planning to implement a new policy to ensure that affected towns receive information prior to the adoption of future budgets.

Coleman declined to comment Thursday.

"So basically, they knew they needed to consult with the townships on an annual basis, and they didn't," Lumberton Township Administrator Brandon Umba said. "So how can we be sure that they are going to change this behavior if they knowingly didn't do it in the past and the fact that they refused to contact us before we hired an attorney?"

Maybury said towns served by the MUA receive notification by mail of rate hearings every year.

Lumberton chose to reach out to the Local Finance Board because it is the only body that can force the MUA to abide by regulations and properly audit and monitor the authority. Officials hope the board's review will prevent future conflicts.

The Mount Holly MUA has repeatedly said its township ratepayers are entitled to discounts because the municipality is a host community to the authority's facilities. Representatives have also said Mount Holly has bonded for the construction and multi-million-dollar upgrades of those facilities since the plant was built in 1948.

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