

WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

Regular Meeting Minutes

Wednesday, March 20, 2013

The regular meeting of the Willingboro Municipal Utilities Authority was held on Wednesday, March 20, 2013 in the Authority office.

Chairman Walker called the meeting to order at 4:31 PM, and Pledge of Allegiance by the Board.

Roll Call: Cmmr. Eddie Campbell, Jr., (Present), Cmmr. Anthony Clemons, Sr. (Present), Cmmr. James H. Gray (Arrived at 4:40), Cmmr. Dennis W. Reiter (Present), Cmmr. Christopher Walker (Present), Alt. Cmmr. T. Wayne Scott (Present) and Alt. Cmmr. Jacqueline Jennings (Arrived at 4:38) .

Others attending were L. Russell Trice, PE of Alaimo & Associates, Consulting Engineer, Michael A. Armstrong, Secretary, Nicholas F. Talvacchia, Solicitor, Joseph S. Bateman, Executive Director, and James Mackie, Director of Operations.

Chairman Walker instructed the Secretary to read the following statement:

Public notice of the meeting, pursuant to the Open Public Meetings Act, has been given by the Authority in the following manner:

- A. Posting written notice on the official bulletin board of the Authority building.
- B. Mailing written notice to the Municipal Clerks of the Willingboro and Westampton Townships, Secretary of Edgewater Park Sewage Authority, and the Executive Director of the Mount Laurel Municipal Utilities Authority.
- C. Publishing a Public Notice in the Burlington County Times.
- D. Directing the Secretary to enter into the minutes of this meeting this public announcement.

Cmmr. Walker, for the record Alt Cmmr. Jennings arrived at 4:38, and Cmmr. Gray arrived at 4:40.

Motion: Motion made by Cmmr. Campbell and seconded by Cmmr. Reiter to approve the Minutes of the Reorganization meeting held, February 1, 2013.

Discussion: None.

Roll Call Vote: Cmmr. Campbell; AYE, Cmmr. Gray; AYE, Cmmr. Walker; AYE, Cmmr. Reiter; AYE, Cmmr. Clemons; AYE.

Motion: Motion made by Cmmr. Clemons, and seconded by Cmmr. Campbell to receive and file the Treasurer's report for February.

Discussion: Dates in report should be changed from 2012 to 2013.

Roll Call Vote: Cmmr. Campbell; AYE, Cmmr. Gray; AYE, Cmmr. Reiter; AYE, Cmmr. Clemons; AYE, Cmmr. Walker; AYE.

Motion: Motion is made by Cmmr. Clemens and seconded by Cmmr. Campbell to receive and file the Operations and Maintenance Report for February.

Roll Call Vote: Cmmr. Campbell; AYE, Cmmr. Gray; AYE, Cmmr. Reiter; AYE, Cmmr. Clemens; AYE, Cmmr. Walker; AYE.

Comments from the public:

Raymond Findley of 28 Newberry. Mr. Findley noticed Hydro fluoric acid (fluoride) is in the Township water supply, and toured the MUA facilities with the assistance of the MUA staff. He requested that the Board address the issue of utilizing fluoride in the Township's water supply. Also, Mr. Findley wanted to know why the creek along Milcreek and Beverly-Rancocas Roads is dry.

Joyce Abrams 14 Twin Hill Drive concurs with Mr. Findley about the water supply.

Robert Ellis resides at 5 Vulcan Lane and he addressed his concern regarding the rate increase, and asked the Board for an explanation.

Ms. Jacqueline Paul of 202 Millbrook Drive addressed the Board about water bills. Ms. Paul notice problem with February bill for over \$2,000. She received a credit for sewage, and spoke with Mr. Bateman regarding the \$1,400 bill. Mr. Bateman acknowledged there was an issue with her bill due to a leak on her property which she had since repaired. Cmmr. Walker advised her that Mr. Bateman will contact her to address her concerns further at a later time.

Mr. Curtis Lackland of CEB, LLC addressed the Board and introduced his employees Ms. Kim Williams, Sr. VP of Operations, and Ms. Vanessa Monroe. Ms. Williams, thanked the Board for the opportunity to provide their services, asked if there were any questions, and distributed their business cards to the Board. Chairman Walker commended them on their detailed RFQ, and professionalism. Alt. Cmmr. Jennings welcomed them.

Motion: Motion is made by Cmmr. Reiter and seconded by Cmmr. Campbell to consider Resolution #2013 - authorizing award of a professional services contract for Laboratory analyses.

WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

RESOLUTION 2013 - _____

AUTHORIZING CONTRACT FOR PROFESSIONAL SERVICES; LAB

WHEREAS, the Willingboro Municipal Utilities Authority owns and operates a waste-water treatment plant which discharges treated effluent into the Rancocas Creek, as well as a water treatment and distribution system, and

WHEREAS, both facilities are regulated by the New Jersey Department of Environmental Protection, and

WHEREAS, this regulation requires extensive testing and analyses to be performed by a New Jersey Certified laboratory, and

WHEREAS, the New Jersey Department of Environmental Protection is mandated to issue fines and penalties for any violation of various permits and it is imperative that the Authority have full confidence in the professional ability of the laboratory performing such analyses, and

WHEREAS, the Solicitor has rendered an opinion that laboratory services can be construed as a professional service within the context of the Local Public Contracts Law (NJSA 40A: 11-2 (6))

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1, et seq.) requires that the Resolution authorizing the awarding of contracts for "Professional Services" without competitive bids must be publicly advertised, and

WHEREAS, the Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.5 et seq.) requires that a municipality or any agency or instrumentality thereof, shall not enter into a contract having an anticipated value in excess of \$17,500, as determined in advance and certified in writing by the municipality, agency or instrumentality, with a business entity, except a contract that is awarded pursuant to a fair and open process, and

WHEREAS, the Willingboro Municipal Utilities Authority has by resolution 2005-54 as amended, established such a process, and

WHEREAS, the request for proposals and criteria for awarding such contracts was posted on the internet website maintained by the Authority on, March 6, 2013 and

WHEREAS, proposals were received and have been reviewed for the various professional appointments

NOW, THEREFORE BE IT RESOLVED by the Willingboro Municipal Utilities Authority assembled in regular session this 20th day of March 2013 as follows:

1. QC Inc., Southampton, Pa. and Benchmark Analytics Inc. Central Valley, PA are hereby authorized to conduct certain tests and analysis as noted in Exhibit A, which is attached to and made a part of this resolution.
2. The Executive Director is hereby authorized to execute contracts with QC Inc. and Benchmark Analytics Inc. on behalf of the Authority.
3. These awards are made without Competitive bidding as a Professional Service under the provisions of NJSA 40:11 et seq., the Local Public Contracts Law.
4. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. Notice of appointment be published in the Burlington County Times as required by law within ten (10) days of the award.

CERTIFICATION OF AVAILABILITY OF FUNDS

CONTRACTS UP TO TWELVE MONTHS NOT COINCIDING WITH THE FISCAL YEAR

As required by N.J.S.A. 40A: 4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, I, Joseph Jacobs, Treas. of the Willingboro MUA has ascertained that there are available sufficient uncommitted appropriations in the 2013 Authority Budget to award a contracts to QC INC. and Benchmark Analytics Inc. for Various Laboratory Analyses in the

amount of \$22,000. Funds for certification are therefore being made available and certified against the appropriation for OPERATING FUND, LABORATORY ANALYSES (WATER AND SEWER).

Pursuant to N.J.A.C. 5:30-14.5(c) 3, contracts awarded for a period of exceeding twelve (12) months not coinciding with the local unit's fiscal year, shall have funds certified and charged to the respective years' appropriations as required by N.J.A.C. 5: 3 0-14. 5 (c) 3. ii

Contract Period: From April 1, 2013 to March 31, 2014. Total Amount of Contract: \$22,000.

Amount Certified from April 1 to December 31, 2013: \$11,000;

Remaining Balance to be certified from, January 1, 2014 to March 31, 2014: \$11,000.

Joseph Jacobs, Treasurer

Discussion: Cmmr. Reiter asked how the contracts were split and Mr. Bateman explained it to the Board.

Roll Call Vote: Cmmr. Campbell; AYE, Cmmr. Gray; AYE, Cmmr. Reiter, AYE, Cmmr. Clemons; AYE, Cmmr. Walker, AYE.

Motion: Motion is made by Cmmr. Reiter and seconded by Cmmr. Campbell authorizing the Executive Director to send out requests for qualifications for professional appointments (financial advisor and authority physician). The Motion is withdrawn by Cmmr. Reiter.

Discussion: Cmmr. Walker addressed the Board about the current Board's ability to decide about these appointments unlike many years ago. Cmmr. Clemons; Question about the background and success record of the financial advisor, what will be the role of this individual? Cmmr. Walker; this issue tabled until reviewing RFQ's.

Motion: Motion is made by Cmmr. Campbell and seconded by Cmmr. Gray to receive and file Engineer's Monthly Status Report.

Discussion: The Engineer summarized his monthly written report.

Roll Call Vote: Cmmr. Campbell; AYE, Cmmr. Gray; AYE, Cmmr. Reiter, AYE, Cmmr. Jennings; AYE, Cmmr. Clemons; AYE, Cmmr. Walker, AYE.

Motion: Motion is made by Cmmr. Reiter and seconded by Cmmr. Campbell to enter Executive Session.

Roll Call Vote: Cmmr. Campbell; AYE, Cmmr. Gray; AYE, Cmmr. Reiter, AYE, Cmmr. Jennings; AYE, Cmmr. Clemons; AYE, Cmmr. Walker, AYE.

Motion: Motion is made by Cmmr. Campbell and seconded by Cmmr. Gray to come out of Executive Session.

Roll Call Vote: Cmmr. Campbell; AYE, Cmmr. Gray; AYE, Cmmr. Reiter, AYE, Cmmr. Jennings; AYE, Cmmr. Clemons; AYE, Cmmr. Walker, AYE.

Motion: Motion is made by Cmmr. Reiter and seconded by Cmmr. Campbell to amend Salary Resolution 2012-67.

WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

SALARY RESOLUTION AMENDING RESOLUTION 2012-67

WHEREAS, on December 19, 2012, the Willingboro Municipal Utilities Authority adopted Resolution 2012-67, which established salaries, wages and other compensation for officials and certain employees of the Authority, and

WHEREAS, the Civil Service Commission had not fully processed certain title changes and/or promotions for the positions of account clerk and water treatment plant superintendent at the time of the adoption of resolution 2012 – 67.

NOW, THEREFORE, BE IT RESOLVED by the Willingboro Municipal Utilities Authority assembled in regular session this 13th day of February 2013 that the following positions shall have the following salaries for 2013:

- 1. The account clerk's salary be \$41,500.**
- 2. The provisional water treatment plant superintendent's salary shall be \$81,000.**
- 3. A copy of this Resolution be made a part of the minutes of this public meeting.**

Christopher P Walker, Chairman

ATTEST:

Michael A. Armstrong, Secretary

Discussion: None.

Roll Call Vote: Cmmr. Campbell; AYE, Cmmr. Gray; AYE, Cmmr. Reiter; AYE, Cmmr. Clemons; AYE, Cmmr. Walker, AYE.

Motion: Motion is made by Cmmr. Reiter and seconded by Cmmr. Campbell to authorize the Executive Director to submit an RFQ for Special Auditor (only) at \$20,000 contract cap and Consulting Engineer on an as needed basis.

Roll Call Vote: Cmmr. Campbell; AYE, Cmmr. Gray; AYE, Cmmr. Reiter, NO, Cmmr. Clemons; AYE, Cmmr. Walker, AYE.

Motion: Motion to Adjourn by Cmmr. Reiter and seconded by Cmmr. Campbell.

Meeting Adjourned:

Certification of Minutes

I hereby certify the above to be a true and correct copy of the approved Minutes of the March 20, 2013 Regular Meeting of the Willingboro Municipal Utilities Authority.

Michael A. Armstrong, Secretary

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