The Regular Meeting of the Willingboro Municipal Utilities Authority was held on Wednesday, February 15, 2012 in the Authority Office with the following Commissioners present:

Mr. Eddie Campbell, Jr., Mr. Anthony Clemons, Sr: Mr. James H. Gray; Mr. Dennis W. Reiter, Ms. Jacqueline Jennings, and Mr. Christopher Walker.

Others attending were Mr. L. Russell Trice, PE of Richard A. Alaimo Assoc., Consulting Engineers, Mr. Michael A. Armstrong, Solicitor; Mr. Joseph S. Bateman, Executive Director; Mr. James Mackie, Director of Operations and Mr. Harry F. Killian, Secretary/Treasurer,

Chairman Gray called the meeting to order at 4:30 PM and 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 on Wednesday, February 2, 2012.
- B. Mailing written notice to the Municipal Clerks of Willingboro and Westampton Townships; the Secretary of the Edgewater Park Sewerage Authority and the Executive Director of the Mount Laurel Municipal Utilities Authority on February 2, 2012 by Certified Mail
- C. Publishing a Public Notice in the Burlington County Times and Courier-Post on February 4, 2012.
- D. Directing the Secretary to enter into the minutes of this meeting this public announcement.

The Secretary advised that Mr. Hall would not be attending the Meeting; therefore Ms. Jennings is the voting Alternate.

Mr. Reiter moved and Mr. Campbell seconded that the minutes of the January Regular Meeting be approved as printed and distributed.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, ABSTAIN and; and Mr. Dennis W. Reiter, AYE.

Mr. Reiter moved and Mr. Clemons seconded that the minutes of the Reorganization Meeting held on February 1, 2012 be approved as printed and distributed.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, AYE; Mr. James Gray, AYE; Ms. Jacqueline Jennings, ABSTAIN; and Mr. Dennis W. Reiter, AYE..

Mr. Campbell moved that the minutes of the Special Meeting held on February 13, 2012 be approved as amended.

Mr. Walker arrived at this time and will be the voting alternate.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE., and Mr. Christopher Walker, AYE..

The Treasurer's Report for January 201 was received and filed on a motion made by Mr. Reiter that was seconded by Mr. Campbell.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

The Director of Operations Report for January 2012 was received and filed as printed and distributed on a motion by Mr. Campbell that was seconded by Mr. Walker.

Mr. Clemons asked if there were other towns that we could provide with water service.

The Executive Director and Consulting Engineer discussed the possible communities and difficulties in providing service to them. Moorestown is being pursued as a possible customer.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

The Chairman asked for comments from the public.

The Secretary noted for the record that no members of the pubic were in attendance.

The Executive Director asked for confirmations from the Commissioners regarding attendance at the New Jersey Association of Environmental Authorities Spring Workshop in Atlantic City scheduled for April 24th and 25th. The Commissioners provided their intentions.

The Executive Director requested that he be authorized to prepare specifications and advertise for bids for Laboratory Services for 2012 and 2013.

Mr. Campbell moved that he be so authorized. Mr. Clemons seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

Mr. Bateman then distributed two graphs. The first was a graph had been previously discussed concerning the decrease in the amount of water being consumed by residential customers over the past five years. There were comments that the decrease could be accounted for by the increase in the number of customers disconnected. Mr. Bateman checked the underlying mathematics and said that the increase in the number of disconnected customers was accounted for when the graph was developed. He reiterated his concerns about the impact upon revenue.

The second graph showed the history of electric consumption from 2005 through 2011. He noted that even with substantially higher rates over the past several years, there has been a significant reduction in cost since the implementation of 'third party electricity providers' and the installation and operation of the solar panels and micro-turbines. Mr. Walker complimented Mr. Bateman on his efforts to control costs.

Mr. Clemons suggested that this would be an excellent story to include in future newsletters to show how the Authority is on the cutting edge of solar energy as a method of reducing electrical costs.

Mr. Bateman provided an update with regard to the connection fees for Willingboro Walk. Mr. Bateman said that he had been in discussion with representatives from Weiss Properties and that those individuals continued to seek concessions from the Authority. Mr. Bateman rejected those requests. Weiss Properties is paying the current connection fee rate without any deferrals. Mr. Clemons commended Mr. Bateman for his actions related to Willingboro Walk.

The Treasurer presented the list of bills due for payment as follows:

	•		the list of bills due for payment as follows.	
#	DATE	#	VENDOR	CHECK AMOUNT
1353	2/03/2012	4444	VINCENZO'S PIZZA	341.02
			A C SCHULTES INC	13275.00
1381			ABS ELECTRIC INC	2450.00
1382	2/16/2012	73	ADVANCED AUTO PARTS	448.58
			AGWAY OF BURLINGTON	198.52
			ALL INDUSTRIAL SAFETY	203.16
			ALLIED METER SERVICE INC	60.00
			APS SUPPLY CO.	28.00
			ARMSTRONG, MICHAEL A	3679.50
1388	2/16/2012	2432	B F M C INC.	11403.16
1389	2/16/2012	3 L	BARBER, ROBERT	62.00
1390 1201	2/16/2012	530	BARLOW CHEVROLET INC. BLAUM, CHRISTOPHER	180.08 119.99
			BURLINGTON COUNTY BOARD OF FREEHOLDERS	
			CARROLL, MICHAEL	141.00
120/	2 /16 /2012	703	CPM	106 05
1395	2/16/2012	874	CHAMPION UNIFORM SUPPLY INC.	727 20
1396	2/16/2012	964	COMCAST	121.95
1397	2/16/2012	1000	CONSTELLATION NEWENERGY INC.	44094.88
1398	2/16/2012	1050	COURIER POST	141.90
				818.55
1400	2/16/2012	2763	DELUCA, MICHAEL	186.99
1401	2/16/2012	1270	DEMAISE, VICTOR	248.00
1402	2/16/2012	1495	ENVIRONMENTAL EXPRESS LTD	855.30
1403	2/16/2012	1493	ENVIRONMENTAL RESOURCE ASSOC.	644.71
1404	2/16/2012	1690	COYNE CHEMICAL CO. INC., GEORGE DELUCA, MICHAEL DEMAISE, VICTOR ENVIRONMENTAL EXPRESS LTD ENVIRONMENTAL RESOURCE ASSOC. FOX HEATING & A/C GOVDEALS INC.	135.00
1405	2/16/2012	1905	GOVDEALS INC.	234.45

1406 1407 1408 1409 1410 1411 1412 1413 1414 1415 1416 1421 1422 1423 1424 1426 1427 1431 1435 1436 1437 1438 1438 1439 1444 1445 1446 1447 1448 1449 1451 1451 1451 1451 1451 1451 1451	2/16/2012 2/16/2012 2/16/2012 2/16/2012 2/16/2012 2/16/2012 2/16/2012 2/16/2012 2/16/2012 2/16/2012	2331 4410 3195 2730 3213 4446 2260 4535 4605 4880	GRAINGER INC, W W HACH COMPANY HAINESPORT ENTERPRISES INC HD SUPPLY WATERWORKS LTD HOOVER TRUCK CENTERS IDEXX DISTRIBUTION CORPORATION JC CONTROLS INC. JCI JONES CHEMICALS INC KILLIAN, HARRY F. KINGS JANITORIAL SERVICE MAGELLAN HILL TECHNOLOGIES MIDDLESEX WELDING SALES MILLER FORD MUNICIPAL MAINTENANCE CO. N.J. MANUFACTURERS INSURANCE CO NETWORK MANAGEMENT CONSULTANTS NEW JERSEY AMERICAN WATER NEWTOWN OFFICE & COMPUTER SUPPLY ONE CALL CONCEPTS ONORATO, RICHARD P S E & G PATRIOT ROOFING INC. PEDRONI FUEL COMPANY PETROLEUM TRADERS CORP PHILADELPHIA INSURANCE COMPANIES PITNEY BOWES PROCOPIO, JAMES Q.C. LABORATORIES REED & PERRINE SALES INC. RIO SUPPLY INC. RIVERSIDE NAPA AUTO PARTS SCALES INDUSTRIAL TECHNOLOGIES SERVICE MASTER OF CHERRY HILL SERVICE TRUCK CENTERS INC. SHARP, GARY SNELL JR., JAMES STA SEAL INC STAPLES STEVENSON SUPPLY CO INC TELEDYNE ISCO INC. TERMINIX TREASURER STATE OF NJ UNIVAR USA INC. USA MOBILITY WIRELESS INC. VIRTUA AT WORK WASTE MANAGEMENT OF WILLIAM SCOTSMAN INC. WOOLSTON COMPANY INC. ZEE MEDICAL SERVICE CO. CONSTELLATION NEWENERGY INC.	30.34 808.17 949.58 991.00 3546.54 166.41 3583.61 9967.80 44.99 300.00 2094.32 10.70 935.80 67257.42 7794.00 1997.50 412.50 594.76 133.28 62.00 26462.61 3080.00 996.30 1717.05 12881.39 180.00 125.00 125.00 184.50 2724.00 19070.00 272.19 2140.00 495.30 2153.40 124.00 14.97 57.93 45.07 641.94 1151.50 314.00 62994.28 2898.00 87.00 134.30 306.57 307.69 462.00 150.68 2042.28
			TOTALS:	328018.34

Mr. Reiter moved that the list of bills as presented be paid. Mr. Campbell seconded the motion.

Ms. Jennings asked about printing services. She asked if this item was put out to bid. The Executive Director said that the amount was under the bid threshold and despite being under the bid threshold the MUA occasionally obtains quotes from other suppliers.

Ms. Jennings said that she felt we should obtain quotes to insure we are getting the best prices. Mr. Walker agreed. No action was taken by the Board.

Mr. Walker questioned the reimbursement made to Mr. Killian in the amount of \$44.99.

The Executive Director said that this was for internet services so that the Secretary/Treasurer can connect to the Authority computers and do Authority work from his home.

Ms. Jennings asked what the payment to Miller Ford was for.

The Executive Director said that they were for routine vehicle repairs.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

Mr. L. Russell Trice, PE of Richard A. Alaimo, Assoc., Consulting Engineer, presented the Engineers Monthly Status Report as follows:

SEWER MAIN CLEANING AND TELEVISING, PHASE III

The contract was awarded to New England Pipe Cleaning Company in the amount of \$74,200.00. Authority personnel are providing inspection services.

DIGESTER SLUDGE TRANSFER PUMP

The new clutch that was installed on the pump/motor worked satisfactorily for a short time, but is now slipping similar to the original clutch.

The contractor and the pump manufacturer's representative are on site today to disassemble and the pump and determine if the pump is defective or clogged and causing the clutch to slip.

SOLAR ELECTRIC GENERATING SYSTEM- WATER TREATMENT PLANT AND WATER POLLUTION CONTROL PLANT

The Authority awarded this contract to APS Contracting Incorporated, in the amount of \$6,641,500.00

All work has been completed for the solar project at the WPCP and the contract can now be closed out. The generator has been delivered to the WTP and set in place. The transfer switch has been installed and the contractor has provided a schedule for the final activities necessary to tie in the generator to the plant's electrical service. All work is scheduled to be completed by the end of February.

WINDSOR PARK INTERCEPTOR MAIN CLEANING AND LINING

Bids for this project were rejected at the Authority's January meeting because they were substantially higher than the budget estimate. We are investigating various options to modify the scope of work and reduce the project cost. The proposed project schedule is to readvertise the project, receive bids and award the project in the late spring/early summer.

WELL NO. 6 REDEVEOPMENT AND PUMP REPLACEMENT

A. C. Schultes was awarded the contract in the amount of \$77,250.00. The Contractor has removed the pump and performed the initial pumping test.

A televised inspection of the well by the contractor indicates that the well screen is in good condition and redevelopment of the well will not be required. This will result in a savings of \$16,000. The contractor has inspected the existing well pump motor and has provided a quote

in the amount of \$3,867 to repair and rehabilitate the motor. The Authority has decided to have this work performed so that a backup motor is on hand if needed.

WPCP SETTLING TANK REPAIR

We are inspecting the condition of the concrete settling tanks at the WPCP to identify repairs such as sealing cracks, and replacing deteriorated concrete and rebar that are needed to preserve the integrity of the tanks. After the repairs are competed, a protective coating will be applied to the interior concrete surfaces of the tanks.

The plan is to bid the repair and coating of one or more tanks each year, depending on the repair cost and the Authority's budget for the work.

It was moved by Mr. Reiter and seconded by Mr. Campbell to receive and file the Engineer's Monthly Status Report.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

The members then discussed the Change Order required for Well # 6 rehabilitation.

Chairman Gray instructed the Secretary to introduce the following resolution:

RESOLUTION 2012-6

CHANGE ORDER # 1 TO CONTRACT 2011 - 4

WELL #6 WELL REDEVELOPMENT & PUMP REPLACEMENT

WHEREAS, the Willingboro Municipal Utilities Authority has complied with the requirements of the Local Public Contracts Law (P.L. 1971, Ch. 198) and received sealed bids for WELL #6 REDEVLEOPMENT & PUMP REPLACEMENT on November 18, 2011 at 10:00 A.M. and,

WHEREAS, the contract was awarded to A. C. Schultes, and

WHEREAS, the consulting engineer has reviewed and is recommending rebuilding the existing pump motor to act as a spare as well as deleting the strainer, and

WHEREAS, the contractor has submitted a change order in the amount of \$3,407, and WHEREAS, the Consulting Engineer is recommending approval of the change order as submitted A. C. Schultes.

NOW, THEREFORE, BE IT RESOLVED by the Willingboro Municipal Utilities Authority assembled in regular session this 15th day of February 2012 that:

- 1. This change order is approved in the amount of \$3,407.
- 2. The consulting engineer is authorized to take all steps necessary to effectuate this change order.

A copy of this resolution be spread upon the minutes of this public meeting
 CERTIFICATE OF AVAILABILITY

OF FUNDS FOR CONTRACTS

As required by NJSA 40A: 4-57, NJAC 5:30-14.5, and any other applicable requirements, I, Harry F. Killian, Treasurer of the WILLINGBORO MUNICIPAL UTILITIES AUTHORITY have ascertained that there are available sufficient funds to fund said change order in the amount of \$3,407. The funds shall be charged to the following fund or account number: RENEWAL & REPLACEMENT FUND.

These funds are not being certified as being available for more than one pending contract.

Harry F. Killian

Mr. Campbell moved that the resolution be approved. Mr. Walker seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

Chairman Gray asked the Solicitor if there were any legal matters to be discussed.

Mr. Armstrong said that there were several matters to be discussed in closed session.

The Chairman instructed the Secretary to read the following resolution:

RESOLUTION 2012 - 6

CLOSED MEETING TO DISCUSS CONTRACT NEGOTIATIONS

WHEREAS, the Members of the Willingboro Municipal Utilities Authority are desirous of discussing certain matters that may involve contractual matters involving professional services as well as vendors, and

WHEREAS, it is specifically provided in N.J.S.A. 10:4-12 (7) that the public may be excluded from attendance at such a discussion by this body.

NOW, THEREFORE, BE IT RESOLVED by the Willingboro Municipal Utilities Authority assembled in regular session this fifteenth day of February 2012 that:

- 1. The Authority convene in closed session to discuss the matters referred to herein above.
- 2. All members of the public be excluded from attendance at this closed session.
- 3. Such matters as are discussed in this closed session may be disclosed at such time as this Authority shall undertake any formal action with reference to the

matters discussed, and then only to the extent that the matters discussed are pertinent and directly related to any such formal action which may be taken.

 BE IT FURTHER RESOLVED that this resolution be made a part of the minutes of this public meeting.

Mr. Reiter moved that the resolution be approved. Mr. Campbell seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

At the conclusion of the closed session, Mr. Reiter moved and Mr. Campbell seconded that the Board re-enter public session.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

Mr. Clemons said that he felt that we do need Bond Counsel now and he noted that at a previous meeting Mr. Campbell had discussed appointing a firm as a consultant until a final decision is made. He therefore moved that the firm of DeCotiis, Fitzpatrick and Cole LLP be appointed as Bond Counsel Consultant. Mr. Walker seconded the motion.

Mr. Armstrong said that he would have to research the definition of "Consultant" as it pertains to professional contracts as all professionals are considered consultants.

Mr. Clemons said that being the case, he would withdraw his original motion. Mr. Walker said that he would agree to the withdrawal.

After a thorough discussion, Chairman Gray instructed the Secretary to introduce the following resolution:

RESOLUTION 2012 - 7

PROFESSIONAL SERVICES APPOINTMENTS

WHEREAS, N.J.S.A. 40A: 11-5 (1) (a) (i) provides for the appointment of persons who shall render professional services, and

WHEREAS, there exists a need for a Bond Counsel for, and

WHEREAS, the Treasurer has certified that funds are available and have been budgeted for these purposes, and

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 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 Willingboro Municipal Utilities Authority on December 22, 2011 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 Reorganization Session, this 15th day of February 2012 at the Administrative Office, 433 John F. Kennedy Way, Willingboro, New Jersey that the following appointments be made:

- 1. Bond Counsel DeCotiis Fitzpatrick and Cole LLC
- 2. Term of appointments shall be February 16, 2012 to February 1, 2013 or until their successors shall have been duly appointed.
- 3. They shall receive such compensation as set forth in the contract:

Bond Counsel - not to exceed \$25,000 per annum

- 4. The Chairperson and Secretary are hereby authorized to execute the contracts on behalf of the Authority.
- 5. These awards are made without competitive bidding as a "Professional Service" under the provisions of NJSA 40A: 11 Local Public Contracts Law and in accordance with the provision of NJSA 19:44A-20.5 et seq...
- 6. Notice of Appointment be published in the Burlington County Times as required by law within ten (10) days of appointment.

CERTIFICATE OF AVAILABILITY OF FUNDS FOR CONTRACTS

As required by NJSA 40A: 4-57, NJAC 5:30-14.5 and any other applicable requirements, I, Harry F. Killian, Treasurer of the WILLINGBORO MUNICIPAL UTILITIES AUTHORITY have ascertained that there are available sufficient uncommitted appropriations

in the 2012 Authority Operating Budgets to award contracts to DeCotiis Fitzpatrick and Cole LLC, in amounts not to exceed that which has been budgeted for the purposes above cited.

Harry F. Killian Treasurer

Horny F. Zim

Mr. Clemons moved that the resolution be adopted. Mr. Walker seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., ABSTAIN; Mr. Antho if you ny Clemons, Sr., AYE; Mr. James Gray, ABSTAIN Mr. Dennis W. Reiter, NO; and Mr. Christopher Walker, AYE.

In another matter, Mr. Campbell moved that the Solicitor be authorized to prepare a resolution that authorizes the Consulting Engineer to prepare the necessary detailed specifications for competitive bidding of services for an asset management program that will assist the Authority with its goal of rehabilitating selected areas of the sanitary sewer system as discussed in closed session. Mr. Clemons seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

In accordance with recommendations made by the Solicitor in closed session, Mr. Reiter moved that the Executive Director be authorized to proceed to advertise bids once the current contract is terminated as recommended by the Solicitor in the matter of the Concrete Restoration Contract. Mr. Campbell seconded the motion.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

There being no other business to transact, the meeting was adjourned at 7:20 PM on a motion made by Mr. Walker that was seconded by Mr. Campbell.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Mr. Anthony Clemons, Sr., AYE; Mr. James Gray, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Christopher Walker, AYE.

Respectfully submitted,

Harry F. Killian, Secretary