

Willingboro Municipal Utilities Authority
Regular Meeting Minutes
February 15, 2023

The meeting of the Willingboro Municipal Utilities Authority was held on Wednesday, February 15, 2023, via Zoom Webinar. Chair Lindsay-Harvey called the meeting to order at 6:00 PM and requested that the Secretary lead the pledge of allegiance to the flag of the United States.

Roll Call

All member commissioners were in attendance: Chair, Commissioner, Pat Lindsay-Harvey; Vice Chair, Commissioner, Kevin McIntosh; Commissioner, Carl Turner; Commissioner Darvis Holley; Commissioner James Boyer; Commissioner, First Alternate, William Weston; Commissioner, Second Alternate, Diallyo Diggs

Others Attending as Panelists

James Mackie, Executive Director
Rhonda Gigliotti, Director of Finance
Sharon Anderson, Board Secretary
Richard Alaimo, Alaimo Engineering
Lionel Galipot, Alaimo Engineering
Ben Weller, Environmental Resolutions, Inc.
Tom Leisse, Pennoni
Jim Biluck, Garmin / Schneider Electric

Brad Hamm, Schneider Electric
Bryan McGair, Schneider Electric
Mark Moore, PCH Technologies
Mike Riley, Solicitor
Gregori Rosario, Schneider Electric
Michael Riley, Solicitor
Ryan Scerbo, Special Counsel

Open Public Meetings Act Reading

The Secretary read:

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 Willingboro and Westampton Townships; the Secretary of the Edgewater Park Sewerage Authority and the Executive Director of the Mount Laurel Township Municipal Utilities Authority.
- C. Publishing a Public Notice in the Burlington County Times and Courier-Post.
- D. Directing the Secretary to enter this public announcement into the minutes of this meeting.

Chair's Statement Regarding Well 5A PFOS Status

Minutes

Motion to Adopt January 18, 2023, Regular Meeting Minutes

Moved: Cmmr. McIntosh Seconded: Cmmr. Holley Discussion: None

Roll Call: Cmmr McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes; Chair Turner: Yes. 5 affirmative, 0 negative. Motion passed.

Motion to Adopt January 25, 2023, Special Meeting Minutes

Moved: Cmmr. Boyer Seconded: Cmmr. McIntosh Discussion: None

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes; 5 affirmative, 0 negative. Motion passed.

Motion to Adopt February 1, 2023, Special Meeting Minutes

Moved: Cmmr. Boyer Seconded: Cmmr. Holley Discussion: None

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Motion to Adopt February 4, 2023, Special Meeting Minutes as Amended

Moved: Cmmr. Boyer Seconded: Cmmr. McIntosh

Discussion: Cmmr. Holley corrected the minutes to show he did not attend the meeting.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Abstained; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 4 affirmative, 1 abstention, 0 negative. Motion passed.

Public Comment - Agenda Items Only

Committee Reports

There were no Committee meetings since the last Board meeting.

Treasurer's Report

Motion to receive and file the Treasurer's report for January, 2023 that had been tabled in the prior meeting.

Moved: Cmmr. McIntosh Seconded: Cmmr. Boyer

Discussion: ED Mackie introduced Rhonda Gigliotti, new Director of Finance. Ms. Gigliotti has multiple years' experience as a Finance Director with the Gloucester County Improvement Authority, preparing their budgets since 2013 with five years of senior accountant work at that authority as well. Cmmr. Boyer noted that solar renewable at the water plant appears low. ED Mackie compared the revenue with the sewer. Both reflected weather conditions of the time.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Motion to receive and file the Treasurer's report for February, 2023 that had been tabled in the prior meeting.

ED Mackie provided a verbal report / summarize the written report.

Moved: Cmmr. McIntosh Seconded: Cmmr. Boyer

Discussion: ED Mackie noted that this month's report is longer than usual because it contains expenditures from two years, 2022 followed 2023.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Operations & Maintenance Report

Moved: Cmmr. McIntosh Seconded: Cmmr. Holley

Discussion: ED Mackie summarized the written report. Congratulations were expressed to Jim Lallo for his new license changing the letterhead for the report. Thank you to the Department heads on the call. Cmmr. Boyer asked if it is typical for the recycled backwash water expense to be 0. ED Mackie reported that it has been off for several years for repairs and will be restarted soon. Cmmr. Boyer inquired about reason that the Mt. Laurel billing is double last year. ED Mackie said that it reflects a strategic decision by Mt. Laurel as to whether to use their own production, our water or water from American Water. It is not something that we control.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Abstain; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 4 affirmative, 1 abstention, 0 negative. Motion passed.

Engineers Report - Alaimo

Moved: Cmmr. Boyer Seconded: Cmmr. Turner Discussion: None

Mr. Lionel Galipot answered questions with Mr. Alaimo also attending. Cmmr. Boyer, status of Collection System Resiliency Improvements, item #11 of page 5? ED Mackie reported that a meeting was held on-site and location was accepted. Cmmr. Boyer, status of #12? Submitted report on Feb. 5, subsequent revision sent to ED Mackie, pending final approval of design. Requested necessary prospective owners list in December. Will get contact person at Township for follow up. Cmmr. Boyer noted that the project list includes completed projects that no longer need reporting. Mr. Galipot agreed to removed outdated information. Cmmr. Turner asked, Chair Lindsay-Harvey agreed, that the list of completed projects should be placed on the website. Cmmr. Boyer observed that the cradle-to-grave reports have exceptional detail that goes beyond what is necessary. He suggested that the report be limited to milestones. A request was made for a list of outstanding and expired permits with a list of actions needed to be taken and who owns the actions. A grit dumpster cover alternative has been presented to ED Mackie. There is a question about the labor required for its use.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Motion to accept – Special Project Engineers Report - Pennoni

Moved: Cmmr. Turner Seconded: Cmmr. Holley Discussion: None

Mr. Thomas Pennoni summarized the written report.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Motion to accept – Schneider ESIP Report

Moved: Cmmr. Holley Seconded: Cmmr. McIntosh

Discussion: Mr. McGair and Mr. Rosario summarized the written report. The meter project is 99% complete. Two of the remaining 39 meters are in properties owned by the same person who is not cooperating. It may be necessary to enforce a mandatory changeover.

Cmmr. Turner requested an update on the ESIP project. Mr. McGair will see that a full presentation is provided in the April Board meeting.

Cmmr. Turner inquired about rebates that had been planned and whether they are at risk due to delays. Rebates are still in effect and available. Cmmr. Turner commented about project costs are going up due to rising interest rates. Mr. Ryan will reach out for a meeting with DEP about delays that are resulting in this increase.

Cmmr. McIntosh asked if it is now possible for residents to monitor their water usage. Mr. McGair: Yes. Cmmr. McIntosh: has it been advertised, can something go into bills. Mr. McGair: There was to be a campaign rolled out by park to avoid overwhelming the staff. Training information was provided in the beginning which was before some of the current commissioners joined. Mr. Turner requested Customer Portal Training and a video for the website. Mr. McGair indicated that it will be provided, working with Core & Main.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Motion to accept - Special Project Engineers Report - ERI

Moved: Cmmr. Holley Seconded: Cmmr. McIntosh

Discussion: Mr. Ben Weller summarized items 24-27, the changes for the month. Item #24, Secondary #4 is repaired and back on-line. Item #25, On January 23, Mr. Weller and Mr. Linke met with Evoqua and Iron Horse to review outstanding items. They will be providing a final parts list in order. Item #26, the cross-collector for Secondary #5 was repaired and brought back on-line by C. Stevenson & Sons. Item #27, Primary 1, with the exception of the cross-collector which requires parts to be ordered, was repaired by Municipal Maintenance. A start-up was completed on January 8-9. Since writing of the report, we were able to get Secondary #2 operational. Unfortunately, today, Secondary #5 was brought down due to a broken flight. Mr. Linke uncovered a new issue, a broken Teflon strip which broke the flight. C. Stevenson & Sons will be on-site tomorrow morning to address the issue. As it stands today, 3 of the primary tanks are on-line and 4½ secondary tanks are on-line. All the parts for the primary tanks and are being delivered. Should be able to start on Primary #6 by next week. Cmmr. Boyer asked which Primaries are now on-line. Mr. Weller reported that Primaries 1, 2 and 5 are operational. Parts are ordered for 3, 4 and 6. Cmmr. Turner asked about parts being an outstanding issue. Mr. Weller agreed it has been an issue. He brought this up with Evoqua and Iron Horse who assured Mr. Weller that all parts have been shipped from warehouse and are two days out. Tracking information was not available. New issue at #5 needs to be defined, potentially 3 weeks to get it back up and running. ED Mackie passed along report from Mr. Linke that they started pumping down Primary #6 today. Secondary #5 is pumped down. It appears that just the top rails need to be replaced on #5. Mr. Weller will coordinate repair with Municipal Maintenance.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Unfinished Business – None

New Business

Resolution 2023-02-15-01 Professional Services Appointments for Auditors, Insurance and Computer Services

Moved: Cmmr. Holley Seconded: Cmmr. McIntosh Discussion: None

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Resolution 2023-02-15-02 Professional Services Appointments for Engineering Services: Consulting Engineering Services.

At the request of Cmmr. Holley, the Secretary read the **respondents for Consulting Engineering Service:** Alaimo, Environment Resources Inc. (ERI), Pennoni, Remington & Vernick, Suburban Consulting Engineering.

Cmmr. Turner **nominated** Alaimo, Environmental Resources and Pennoni. Second: Cmmr. Boyer.

Discussion: Chair Lindsay-Harvey confirmed that this would be voting for or against a pool of engineers comprised of Alaimo, ERI and Pennoni. Cmmr. Weston stated that past performance should weigh.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Resolution 2023-02-15-03 Professional Services Appointments for Engineering Services: Special Projects Engineer

The Secretary read the **respondents for Special Engineering Service:** ERI, Pennoni, PS&S, Remington & Vernick, and Suburban Consulting Engineering.

Cmmr. Turner **nominated** a pool of Suburban and PS&S. Motion to close nominations: Cmmr. Turner. Second: Cmmr. Boyer.

Cmmr. Holley inquired about whether these were separate resolutions. ED Mackie noted that a mirror resolution can be written to document as two separate actions. Cmmr. McIntosh asked about being able to vote separately. The Secretary confirmed ED Mackie that two resolutions can be created. Mr. Riley indicated that few resolutions is better and wondered why there would be separate votes. Mr. Scerbo observed that from a procedural approach, separating into two resolutions can be done through revision.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Resolution 2023-02-15-04 Professional Services Appointments for Financial Advisory Services

The Secretary read the **respondents:** Acacia Financial Group, Inc., NW Financial Group, LLC. and Phoenix Advisors, LLC.

Cmmr. Turner **nominated** Northwest and Phoenix. Motion to close by Cmmr. Holley. Second: Cmmr. Turner.

New Business – continued

Resolution 2023-02-15-05 Professional Services Appointments for Certain Legal Services: Bond Counsel

Moved: Cmmr. McIntosh Seconded: Cmmr. Boyer Discussion: None

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Secretary read the **respondents** for **Bond Counsel**: Malamut & Associates, McManimon, Scotland and Baumann (“McManimon”), Parker McCay. Cmmr. Holley **nominated** McManimon, Scotland and Baumann (MS&B). Seconded by Cmmr. Turner. Motion to close nominations: Cmmr. Turner. Second: Cmmr. McIntosh.

Roll call: Cmmr. McIntosh: McManimon; Cmmr. Turner: McManimon; Cmmr. Holley: McManimon; Cmmr. Boyer: McManimon; Chair Lindsay-Harvey: McManimon. 5 for McManimon. **McManimon selected.**

Resolution 2023-02-15-06 Professional Services Appointments for Certain Legal Services: Labor Counsel

Secretary read the **respondents** for **Labor Counsel**: DeCotiis, Fitzpatrick, Cole & Giblin, Malamut & Associates, Marmero Law LLC, Platt Group. Cmmr. Holley **nominated** Malamut. Cmmr. McIntosh **nominated** DeCotiis. Cmmr. Turner **nominated** Platt. Motion to close nominations: Cmmr. Holley. Second: Cmmr. McIntosh.

Roll call: Cmmr. McIntosh: DeCotiis; ; Cmmr. Turner: Platt; Cmmr. Holley: Malamut; Cmmr. Boyer: DeCotiis; Chair Lindsay-Harvey: DeCotiis. Three (3) for DeCotiis. **DeCotiis selected.**

Resolution 2023-02-15-07 Professional Services Appointments for Certain Legal Services: Energy / Rate Counsel

Secretary read the sole **respondent** for **Rate Counsel**: DeCotiis, Fitzpatrick, Cole & Giblin. Motion to appoint DeCotiis by Cmmr. Boyer. Cmmr. McIntosh seconded.

Roll call: Cmmr. McIntosh: DeCotiis; Cmmr. Turner: not in attendance at the time; Cmmr. Holley: DeCotiis; Cmmr. Boyer: DeCotiis; Chair Lindsay-Harvey: DeCotiis. Alternate #1 Weston: DeCotiis. Five (5) for DeCotiis. **DeCotiis selected.**

Resolution 2023-02-15-08 Rejecting and Reissuing Requests for Proposals for Professional Service Agreements for Attorney (Solicitor) and Conflict/Special Counsel

Motion to amend by removing “Rejecting and Reissuing Requests for Proposals for Professional Service Agreement for Attorney (Solicitor) and Conflict/Special Counsel” and replacing with two resolutions “Professional Services Appointments for Certain Legal Services: Attorney (Solicitor) and Conflict/Special Counsel” with body of resolution to match Resolution 2023-02-15-07 with the exception of referring to Attorney (Solicitor) and Conflict / Special Counsel.

Motion: Cmmr. McIntosh. Seconded: Cmmr. Boyer.

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

**Resolution 2023-02-15-08 Professional Services Appointments for Certain Legal Services:
Conflict/Special Counsel**

Secretary read the **respondents** for Conflict/Special Counsel: DeCotiis, McManimon, and Platt. Counsel: Cmmr. Boyer **nominated** Platt. Cmmr. Holley nominated McManimon. Motion to close nominations: Cmmr. McIntosh. Second Cmmr. Holley.

Roll Call to close nominations: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Roll call: Cmmr. McIntosh: Platt; Cmmr. Turner: Platt; Cmmr. Holley: McManimon; Cmmr. Boyer: Platt; Chair Lindsay-Harvey: Platt. Four (4) for Platt. **Platt selected.**

Resolution 2023-02-15-09 Professional Services Appointments for Certain Legal Services: Attorney (Solicitor)

Respondents for Attorney (Solicitor): Chiesa Shahinian & Giantomasi PC (“CSG”), Malamut, Riley & Riley. Cmmr. McIntosh **nominated** CSG. Cmmr. Boyer nominated Riley & Riley. Cmmr. Holley nominated Malamut. Motion to close nominations: Cmmr. McIntosh. Second: Boyer.

Roll Call to close nominations: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed.

Roll call: Cmmr. McIntosh: CSG; Cmmr. Turner: Riley & Riley; Cmmr. Holley: Malamut; Cmmr. Boyer: CSG; Chair Lindsay-Harvey: CSG. Three (3) votes for CSG. **CSG selected.**

Resolution 2023-02-15-___ Establishing and Implementing a Fair and Open Process for the Selection of Various Professional Service Agreements for Attorney (Solicitor) and Conflict/Special Counsel

Motion to Amend by removing Resolution from the Agenda.

Moved: Cmmr. Boyer Seconded: Cmmr. McIntosh Discussion: None

Roll Call: Cmmr. McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Holley: Yes; Cmmr. Boyer: Yes; Chair Lindsay-Harvey: Yes. 5 affirmative, 0 negative. Motion passed as amended.

Commissioner Comments

Cmmr. Diggs: Thank you to everyone attending the meeting.

Cmmr. Weston: Thank you to residents attending the meeting. I hope we can promote our meetings to get more residents involved. Thank you to the employees because they are the ones that keep us rocking. James Lallo, congrats. The employees do their part. I want us as a Board need to do our part, including compensating employees for their progress. I want us to become a better organization.

Cmmr. Boyer: Thank you to the residents for attending. Thank you to Mt. Laurel staff for joining the meetings. Welcome to new Director of Finance, Rhonda Gigliotti. I look forward to a good year.

Chair Holley: Thank you to everyone for attending. Look forward to moving the organization forward. Warm welcome to our new Director of Finance.

Chair Turner: Thank you to everyone for attending. Welcome Ms. Gigliotti.

Cmmr. McIntosh: Thank you for attending for your interest. Thank you to the professionals who responded to the RFP, to those who have been chosen and those who have helped us over the years. There are good work opportunities on the web site. We need good people to help us move to higher heights. Really excited about where we are headed.

Cmmr. Lindsay-Harvey: Thank you to residents for coming out tonight. Thank you to my fellow commissioners for all the good work we got done tonight. We got a lot done. Welcome Rhonda.

Motion to Adjourn

Moved: Cmmr. McIntosh

Seconded: Cmmr. Holley

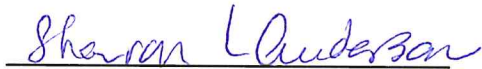
Discussion: None

Voice vote: Unanimous.

Meeting Adjourned 10:20 pm

Certification of Minutes

I hereby certify the above to be a true and correct copy of the approved Minutes of the February 15, 2023, Regular Meeting of the Willingboro Municipal Utilities Authority.



Sharon L. Anderson
Secretary to the Board

APPROVED BY THE BOARD (date): 3/22/23