

# Willingboro Municipal Utilities Authority

## Regular Meeting Minutes

### March 22, 2023

The meeting of the Willingboro Municipal Utilities Authority was held on Wednesday, March 22, 2023, via Zoom Webinar. Chair Lindsay-Harvey called the meeting to order at 6:00 PM and requested that everyone pledge allegiance to the flag.

**Roll Call**

Title, Name	Present	Absent
Chair Patricia Lindsay-Harvey	X	
Vice Chair Kevin McIntosh	X	
Commissioner, Carl Turner	X	
Commissioner Darvis Holley		X
Commissioner James Boyer	X	
Commissioner, First Alternate, William Weston	X	
Commissioner, Second Alternate, Diallyo Diggs		X

Commissioner Holley was not in attendance. Chair Lindsay-Harvey called upon First Alternate, William Weston, to stand in as a voting member.

**Others Attending as Panelists**

James Mackie, Executive Director	Joe Biluck, GraMin / Schneider Electric
Sharon Anderson, Board Secretary	Lionel Galipot, Alaimo Engineering
Rhonda Gigliotti, Director of Finance	Brad Hamm, Schneider Electric
James Lallo, Water Superintendent	Jason Holt, CSG Law
Richard Linke, Acting Sewer Superintendent	Tom Lisse, Pennoni
Kara Weekly, Laboratory Manager	Mark Moore, PCH Technologies
Chris Felthaus, Systems Maint. Supervisor	Ryan Scerbo, Special Solicitor
Richard Alaimo, Alaimo Engineering	Ben Weller, Environmental Resolutions, Inc.

**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.

***Commissioner's Statement Regarding Well 5A PFOS Status***

In compliance with the New Jersey Department of Environmental Protection, the WMUA is obligated to send their customers frequent notification regarding the same November, 2021 incident, previously reported.

The notices received are only for the status at that time and not the current status since that incident.

Since the latest notification, there has been no additional findings of PFOS contamination above the New Jersey Maximum Contaminant level in the water being delivered to customers.

***Proclamations***

**Proclamations 2023-01 Recognizing March 22, 2023, as World Water Day**

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

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

***Executive Director Report***

ED Mackie reviewed the Operations report with staff available for specific questions. Cmmr. McIntosh asked about employee changes. ED Mackie reported that 3 staff left the wastewater side since the last meeting leaving 6 positions to be filled. Chair Lindsay-Harvey inquired about exit interviews. ED Mackie reported that compensation was an issue, another looked for a facility with fewer repair needs, and another looked for not having to work B shift.

Cmmr. McIntosh inquired whether a submission for Congressionally Directed Spending was made. ED Mackie reported requests were made to Congr. Kim and Senators Booker and Menendez.

Today was the first of two days of diversity training that will be attended by all staff. Selected staff members are being enrolled in the NJ Learning Management System through state Civil Service. Wide variety of classes and opportunity to track participation.

Clerk 1 hired for the office. Interviews continuing with many openings in the field. Superintendents have applications for review. They do the initial contacts and are in process.

Customer service is exploring costs and details for accepting credit cards at the window. The question is how to cover the transaction fees. We have a 3<sup>rd</sup> party service that charges a transaction fee on-line. Cmmr. Turner inquired as to whether this will go through Finance. ED Mackie: yes.

***Public Comment - Agenda Items Only - None***

***Minutes***

**Motion to Adopt February 15, 2023, Regular Meeting Minutes**

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

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

### **Motion to Adopt February 25, 2023, Special Meeting Minutes**

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

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

### ***Treasurer's Report***

#### **Motion to receive and file the Treasurer's report.**

ED Mackie summarized the written report.

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

Cmmr. Weston: any particular reason why there is a difference between projected and actual SRECs?  
ED Mackie: Total is 4% over expected for February. Cmmr. Weston: the estimates were revised 6 months ago?  
ED Mackie: Yes. Cmmr. Weston: any outages anticipated? ED Mackie: Yes, ongoing maintenance and repairs.  
Cmmr. Boyer: What is the status of the problematic panels. ED Mackie: the ESIP contract will include some replacement of panels. Mr. Scerbo noted that Schneider is putting in a fix to accidental inverter tripping.  
Cmmr. Boyer: Need to track that repairs occur. ED Mackie: this will be addressed in Schneider update scheduled for April.

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

### ***Committee Reports***

#### **Motion to accept and file all Committee reports.**

Moved: Cmmr. Boyer      Seconded: Cmmr. Weston      Roll call follows reports

#### **Budget Committee**

Cmmr. Boyer noted that ED Mackie met the deadline for the Congressionally Directed Spending grant application. In response to a question from Cmmr. Weston, Cmmr. McIntosh reported that there is no conclusion on the decision whether to have Treasurer. Cmmr. McIntosh asked about status of 2021 audit. ED Mackie said that the report is due to be published in April.

#### **Personnel and Professional Services Committee**

Chair Lindsay-Harvey noted an error on #8 says manager. It should say coordinator. Cmmr. Boyer: report was submitted by both Cmmr. Boyer and Cmmr. Weston.

#### **Policies and Procedures Committee**

Chair Lindsay-Harvey reported that the committee is looking at a policy for accepting credit cards for payment. The committee is working on distribution of work to the contracted engineers. Policies and procedures are being consolidated into one manual. The Bylaws will be reviewed.



### **Operations Committee**

Cmmr. Turner summarized the written report. There is concern with TMobile about who pays for them to take the equipment down for tank painting. Attorney Scerbo will be communicating with TMobile. Other leases are specific in this matter. For this location, the original version of the master lease does not appear to be in our file. Getting a copy from TMobile. New procurement will be needed as lease is nearing the end. Other carriers are interested. Expect to get multiple responses to an RFP.

The dehumidifier project bid will be going out for a third time. Engineers are checking specifications.

Cmmr. Turner inquired about the smaller Meribrook WTP high service pump that is not being used. Mr. Hamm reported for Schneider that there is no definitive date as to when DEP will release the bids. Permit has been held up for 1½ yrs.

All secondary tanks are fully functional.

Operations Committee meeting is scheduled for Friday, March 31. Cmmr. Turner would like the Superintendent and Engineer to have a maintenance SOP so that we know that equipment is being maintained as replacements are undertaken.

There are 7 – 8 homes remaining without smart meters. Mr. Scerbo reported that a letter has been drafted. Mr. Scerbo reported that permission is not required for installation of the meters.

The WMUA is requesting timeline and action plan from the Township for the repair of Country Club pool. Pennoni is the Town's engineer. Tom Lisse reported that he spoke with Pennoni's assigned engineer. They are actively soliciting contractors to develop a scope and complete the repair. There are complications regarding the age and condition of the pool and the depth of the pipe which may be 18' underground. No timeline until a contractor has been selected.

Cmmr. McIntosh: How much of the system has not been video'd? Ed Mackie: Last recorded numbers were 80% of 8", 20% of the 6" had not been video'd. Overall 40% of the system has not been video'd. \$1 million needed to put a dent in the outstanding work. Cmmr. Turner: Committee recommendation is to move ahead with repairing bad areas that are known to exist, then go back to video other areas. Cmmr. McIntosh said this was understandable.

### **PFAS Task Force**

Per Attorney Scerbo, discussion requires closed Executive session.

### **Roll Call on Motion to accept and file all Committee reports.**

Vice Chair McIntosh: Yes; Cmmr. Turner: Yes; Cmmr. Boyer: Yes; Cmmr. Weston: Yes; Chair Lindsay-Harvey: 5 affirmative, 0 negative. Motion passed.

### **Consultants' Reports**

Moved: Cmmr. Turner

Seconded: Cmmr. McIntosh

Roll call follows reports

### **Consulting Engineers Report - Alaimo**

Mr. Galipot summarized the written report. The completion date for Well 5A has been pushed out one month due to delay in getting tanks. The estimated completion is now July 26, 2023. Cmmr. Turner: we expect presentation at next Operation Committee. Mr. Galipot: yes.

Cmmr. Boyer: What is our drop dead date to the state? Mr. Scerbo: 3<sup>rd</sup> Q, 2023. Cmmr. Boyer: Alaimo, please remain aware of commitment to the state. Mr. Galipot: Understood.

Summary of report as written continued. Regarding the explosion proof lighting, Chair Lindsay-Harvey asked that the Operations Committee include follow up on their agenda.

Cmmr. McIntosh: When is Laurel Run expected to start actually connecting to the system? Mr. Galipot: Sewer is approx. 60% complete in townhomes, 100% complete in apartments. Water is 78 meters installed in townhomes. Apartments are 100% connected. Cmmr. McIntosh: does that qualify for connection fees? ED Mackie: Connection fees have been deposited. WMUA can treat as revenue when Certificates of Occupancy is issued. Estimated June 1 subject to completion of electrical capacity.

#### **Consulting Engineers Report - ERI**

Mr. Weller summarized the written report. Items 28-32 provide detail for getting Primary Tank 6 and Secondary Tanks 3 and 5 back online. Chair Lindsay-Harvey: how old are the tanks? ERI: 30+ years. Four tanks have passed their useful life. Cmmr. Turner: replacement is in the Capital plan. ED Mackie: Concrete is not an issue. Mechanical parts are the issue. Correction is in capital plan. Cmmr. Turner said that capital and other debt needs to be managed to reduce the swings in year-to-year changes. DOF Gigliotti will look into this with the Budget Committee.

#### **Consulting Engineers Report - Pennoni**

Mr. Leisse summarized the written report. Resurfacing of the water treatment parking lot will be done in phases to accommodate the future PFOS treatment equipment. Value engineering the dehumidifier project to get it back into budget. PCP roof replacement is progressing. Will follow up with Township engineer on the Country Club Pool and provide updates as the project goes along.

Cmmr. Boyer: Who has the authority to review the engineering reports? ED Mackie: Plant superintendents have input into design to assure that operation consideration are considered. Cmmr. Boyer: might be good to have 3<sup>rd</sup> party looking at reports until Chief Engineer is hired.

Cmmr. Turner: GIS webmapping needs to integrate both Alaimo and Pennoni web mapping. ED Mackie: agreed.

#### **Schneider ESIP Report**

Project manager having technical difficulties getting into the meeting. Planning a detailed presentation at next month's meeting. Mr. Hamm passed along highlights. ED Mackie noted that the current PFOS contract will accomplish Well 5A work which makes part of the 2019 ESIP contract section not necessary. A change order is needed to eliminate this section in the ESIP contract. ED Mackie further requests a definitive answer on whether the contract includes water plant high service pumps and water plant VFDs for high service vice pumps in the ESIP contract. Superintendent Lallo understood that work for these was included in the ESIP contract. ED Mackie cannot locate this information. Mr. Scerbo requested change order information. Cmmr. Turner suggested this wait until permits are approved by the state.

Cmmr. Turner: expected a presentation to the public in this meeting on how to use Smart Meter system. Mr. Hamm: not aware of the status of the presentation. Chair Lindsay-Harvey indicated that the presentation on the portal and Smart Meters is scheduled for May. ESIP will be presented at the April Meeting.



### ***Unfinished Business***

Vice Chair McIntosh: What is the status of confirming accurate revenue on the Edgewater Sewer Agreement? DOF Gigliotti: working with auditors to fill in back records. ED Mackie: EPSA provided an updated list of commercial accounts. Next step will be to update internal records. Reached out to Ryan's Homes on connection fees. Understanding there has been no payment. Will be following up. Next item to get is new residential over a 5-year history. They understand there will be retroactive payments due.

They have installed telemetry for their system and provided spontaneous access to their flow meter. There is an understanding that if underbilled, there will be a catch up billing.

### ***New Business***

#### **Resolution 2023-03-22-01 A Resolution Authorizing the Issuance of a Request for Bids for the Co-Location of Cellular Antennas on the Authority's Holyoke and Edge Lane Water Storage Tank Facilities**

Moved: Cmmr. Turner                      Seconded: Cmmr. Weston

Discussion: Mr. Scerbo reported offering up to 12 antenna locations per tenant. There are about 4-5 carriers at each of 2 locations. Cmmr. Turner inquired about the revenue from towers. Cmmr. Weston recommended mapping the existing equipment to identify what can be removed as well as what is being kept. Cmmr. Turner: what is the highest cost we are collecting? ED Mackie: don't have this information. Will the new leases be multi-year? Mr. Scerbo: Yes. Typically 5 year with 5 year renewals, 3% annual increase is in current leases and will be asked in new. Mr. Scerbo reports that records have significant gaps that he and ED Mackie are trying to backfill. ED Mackie: cash flow has not been identified. The WMUA has billed ~\$25,000 / month that appears to include overbilling. Auditing the records as time permits.

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

#### **Resolution 2023-03-22-02: A Resolution Authorizing Application for Congressionally Directed Spending for the Meribrook Water Treatment PFOS Treatment System Upgrade**

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

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

#### **Resolution 2023-03-22-03: A Resolution Authorizing Adjustment of Service Charges**

Moved: Cmmr. McIntosh                      Seconded: Cmmr. Weston

Discussion: Overbilling based on an incorrect association – off by a factor of 100. 800 gallons based on 80,000 gallons. Two years of credits given to the account. No issue since new meter installed.

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

#### **Resolution 2023-03-22-04: Resolution Authorizing Payment of Bill List for March 2023**

Moved: Cmmr. Turner                      Seconded: Cmmr. Boyer

Discussion: ED Variance between bill list and check register is difference in electronic payment to the state.

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

**Resolution 2023-03-22-05: Resolution Authorizing the Settlement of Litigation**

Referred to Executive Session

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

***Comments From the Public***

Tom Lyon, Teamsters Union 676 , 101 W. Crescent Blvd. Collingswood. NJ

Workers' contract ended at the end of 2021. Proposals were sent in November, 2021. Have sent multiple proposals. We met only once on 5/3/22. We've communicated many times requesting dates to meet. The Executive Director has said that getting the contract done is important. So far, that hasn't occurred. The employees did get some money, retroactive to 1/1/22 but still no contract. My comment is: who is going to contact us and actually meet face-to-face so we can discuss our proposals. We've been fair and patient, working together since 2008. My patience is wearing thin. We need to get a successor agreement in place.

Beulah Williams, 8 Botany Circle, Willingboro

Conflicting information that the water is good, then a letter saying the water is not good. Chair Lindsay-Harvey spoke at the Town Council which was helpful. The Buckingham plant was shut down over a year ago, but now it is taking more than a year and a half. Contractors should have requirements to meet a schedule. Is there another tank down, or is this the same tank?

ED Mackie reported the Union Representative is correct. The contract needs to be restructured to reflect the position titles rather than laborer and non-laborer. Sample contracts have been collected. It is a matter of fitting it into the ED schedule. The intent is to have market rate wages to encourage people to come to work at the WMUA and stay. Cmmr. Turner asked if there is a possibility of completing this by the next meeting. ED Mackie said yes, and that he had provided the sample contracts to the Personnel Committee for their review.

ED Mackie reported that Well 5A has been off for 15 months. The Baldwin Lane building of the filter facility is on schedule for the goal of being on-time for completion by October 1. There may be a delay in the treatment equipment due in April. Even so, the full completion date is expected to be met. There is only one facility that is and has been off-line. We have three other water treatment plants that produce safe, complaint, water. Unfortunately, we have been unsuccessful in our request to the state that we not have to send an anniversary letter that has been confusing to the public. Unfortunately, the state would not accommodate the residents of Willingboro. The required language would only apply if the well had not been turned off in November. Since it is off, the conditions described in the letter do not apply. It



cost \$16,000 to send this misleading letter. But it was mandatory language from the state. The water being produced is safe and compliant.

**Resolution 2023-03-22-06: Resolution Authorizing Executive Session for Pending or Anticipated Litigation**

Moved: Cmmr. Boyer                      Seconded: Cmmr. Turner

Discussion: Read into the record

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

***Executive Session: 8:41 pm thru 9:51pm***

**Motion to Exit Executive Session**

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

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

**Resolution 2023-03-22-05: Resolution Authorizing the Settlement of Litigation**

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

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

***Commissioner Comments***

Cmmr. Weston: Thank you to any public who remain. Thank you to the Board Secretary with packet improvements. My vision for the WMUA is have water quality that exceeds EPA requirements and be cutting edge. I hope we can compensate our employees for recruitment and retention. I hope we can promote these meetings and promote what we do. We may need investments so that we can operate efficiently with a strong infrastructure.

Cmmr. Boyer: Thank you to the public for their good questions. Thank you to the Mt. Laurel MUA for attending. Welcome to our new solicitor. I hope the issue with the union can be addressed before the next meeting. Thank you to the Board secretary for quality of the package. Also, recognize our chemist and their work.

Cmmr. Turner: Welcome our solicitor to Willingboro. Thank the public for coming out. In response to public concern about water quality, the well that was an issue is being addressed. The quality of water is not an issue.

Cmmr. McIntosh: thank you to the public and professionals who are attending our meetings. Welcome solicitor Holt and Director of Finance Gigliotti. We are working through issues systematically. We will continue to work hard for you.



WMUA Regular Meeting Minutes of March 22, 2023  
As Prepared by Board Secretary, Sharon Anderson

Chair Lindsay-Harvey: Thank you to the public for coming out, and to Chuck from Mt. Laurel for staying to the end. I hope more. Thank you, Jim for addressing the PFAS question.

***Motion to Adjourn***

Moved: Cmmr. McIntosh

Seconded: Cmmr. Weston

Discussion: None

Voice vote: Unanimous.

***Meeting Adjourned 10:00 pm***

**Certification of Minutes**

I hereby certify the above to be a true and correct copy of the approved Minutes of the March 22, 2023, Regular Meeting of the Willingboro Municipal Utilities Authority.



Sharon L. Anderson  
Secretary to the Board

APPROVED BY THE BOARD: 4/19/23