

Willingboro Municipal Utilities Authority

Regular Meeting Minutes

August 16, 2023

The meeting of the Willingboro Municipal Utilities Authority was held on Wednesday, August 16, 2023, via Zoom Webinar. Chair Lindsay-Harvey called the meeting to order at 6:05PM 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, 1 st Alternate, William Weston	X	
Commissioner, 2nd Alternate, Diallyo Diggs	X	

Commissioner McIntosh 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	Ben Weller, Environmental Resolutions, Inc.
Sharon Anderson, Board Secretary	Greg Rosario, Schneider
Rhonda Gigliotti, Director of Finance	Tom Lisse, Pennoni
Chris Felthaus, System Maintenance Supt.	Jason Holt, CSG Law
Jim Lallo, Water Trtmt Plant Superintendent	Mike Oppici, Labor Solicitor, DeCotiis
Rich Linke, Acting Sewer Superintendent	Ryan Scerbo, Special Solicitor, DeCotiis
Kara Weekly, WMUA Lab Manager	Steven Graham, PCH Technologies
Lionel Galipot, Alaimo Engineering	

Open Public Meetings Act Reading

The Secretary read:

This meeting, which conforms with the provisions of the Senator Byron M. Baer Open Public Meetings Act, P.L. 1975, Chapter 231, adequate notice having been given to the public, is an official regular meeting of the Willingboro Municipal Utilities Authority. Notices of this meeting have been filed, posted or published in excess of forty-eight hours prior to the meeting 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 two newspapers - the Burlington County Times and Courier-Post.

D. Posting notice of the meeting on the WMUA website.

E. Directing the Secretary to enter this public announcement into the minutes of this meeting.

The public may participate at this meeting. Formal action may be taken by the WMUA.

Chair'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.

Executive Director's Resolution Summary

The Executive Director read the names of the resolutions and provided a summary of the information contained in the written resolutions. He added that connection fees will be discussed in the Finance section of the meeting.

Public Comment - Agenda Items Only - None

Minutes

Motion to Adopt July 19, 2023, Regular Meeting Minutes

Moved: Cmmr. Boyer

Seconded: Cmmr. Weston

Discussion: None

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

Administration

Executive Director's Report

ED Mackie reported that two emails of appreciation were received. The resident at 146 Country Club thanked the WMUA for the notification letter noting excess water usage. The insurance they had purchased covered repair of the underground leak. A letter from 31 Mariner Lane commended Mr. Linke and Anthony Allen for their assistance in holding a contractor responsible for properly completing a sewer lateral issue. They asked that their email be put in the employees' personnel file.

Personnel and Professional Services Committee

Cmmr. Boyer summarized the committee report provided in the meeting packet. ED Mackie added an explanation of the resolution to increase the Board Secretary's hours. It was observed that the Bylaws need to include a section addressing the ED's hiring authority.

Policies and Procedures Committee

Chair Lindsay-Harvey summarized the committee report provided in the meeting packet. The Board raised questions about two sections of the Bylaws. There were differing recollections of a prior resolution appointing the previous Director of Finance as Treasurer. It was suggested the prior resolution(s) be provided for Commissioner review. (Attached to these minutes.) Further discussion in closed session is necessary regarding the Executive Director's hiring authority.

Two sections of the Bylaws were tabled.

Motion to Table Article IV, Section 4, Treasurer.

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

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

Motion to Table Article VII, Section 1.5, Executive Director's Hiring Parameters

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

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

Motion to Approve Resolution 2023-08-16-04: Approving New Bylaws with Corrections, Two Sections Tabled

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

Discussion: Article 9, Sections 9 and 10 (Code of Ethics) section provides for complaints to be undertaken by the Board as a whole. A policy will be established to provide a procedure where individual concerns are brought to the Board as a whole.

Article 9, Section 10, 4th sentence is edited to add the underlined: "All formal communications of the official position of the WMUA shall be done with notice to the Chair or Board of Commissioners as facts may dictate."

Article 9, Section 11, 2nd sentence is edited to add the underlined: "A Commissioner shall report any alleged breach of the Code of Ethics by an employee, staff member, ~~or~~ professional service provider, or Commissioner, to the Board of Commissioners for preliminary determinations to be followed by the appropriate action."

Article 1, Section 1.5, establishes a standing committee titled Environmental Committee responsible for addressing all environmental issues and emerging contaminants to take the place of the ad hoc PFOS committee.

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

Treasurer's Report

Motion to receive and file the Treasurer's report.

Moved: Cmmr. Boyer Seconded: Cmmr. Turner

Discussion: SREC has a loss of production. The monitoring company, Vanguard, was contacted to identify the issues and what needs to be done to correct the situation. They could not explain why the monitoring company had not notified WMUA of the reduction. Commissioners are concerned that the company is not performing the services for which WMUA is paying. Staff will review performance under the contract and meet with the company. Schneider also assessed the system two months ago. Results have not been received.

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

Budget Committee

A sample 2024 budget is expected to be ready for Board review at the September meeting. It would be officially introduced in October and up for adoption in November or December. The audit is scheduled for field testing approx. Sept. 20 – 29. The Edgewater Park sewer contract calls for a different method of calculating connection fees that must be done by the WMUA auditor. This was not done in the past. ED Mackie has commissioned the auditor to complete the necessary analysis. The Finance Committee recommends a policy be established that the rates be reviewed annually by the auditor. The Chair referred to the Policy Committee. The Finance Committee recommends that management prepare water bills for the pools to be reviewed by the Commissioners prior to being sent to the Township.

Resolution 2023-08-16-01: Authorizing Adjustment of Service Charges

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

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

Resolution 2023-08-16-02: Authorizing Adjustment of Sewer Service Charges

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

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

Resolution 2023-08-16-03: Approval of Payment of Bills

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

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

Operations Reports

Operations and Maintenance Staff Report

No discussion

Operations Committee Report

The monthly report was reviewed. The Operation Committee recommended passage of the Edge Lane Tank resolution.

Cmmr. Turner departed at 7:37pm following the Operations Committee Report. The Chair called upon Cmmr Diggs to step into a voting position.

Consulting Engineers' Reports

Consulting Engineers Report - Alaimo

No discussion

Consulting Engineers Report – Pennoni

No discussion

Schneider ESIP Report

No discussion

Consulting Engineers Report - ERI

Update since the report was submitted: all of the primary and secondary settling basins are all back up and running.

Unfinished Business – postpone to after Executive Session

New Business

Resolution 2023-08-16-05: Authorizing the Award of Leases for the Co-Location of Cellular Antennas on the Authority's Holyoke and Edge Lane Water Storage Tank Facilities

Moved: Cmmr. Holley Seconded: Cmmr. Boyer

Discussion: This is for the maximum duration of 25 years, 1 five-year term, 4 five-year renewal periods. There is an audit of cell leases, revenue, and cell equipment underway. There may be equipment that is expired and should be removed by the carrier. Once removed, there will be a better understanding of available space.

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

Resolution 2023-08-16-06: Adopting Connection Fees for 2023/2024

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

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

Resolution 2023-08-16-07: Authorizing Advertisement of Bids for Painting of Edge Lane Tank

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

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

Comments From the Public – none

Resolution 2023-08-16-08: Authorizing Executive Session

Moved: Cmmr. Boyer Seconded: Cmmr. Holley

Discussion: Solicitor reviewed the resolution provided in the packet.

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

Executive Session: 7:50pm thru 9:15 pm

Chair Lindsay-Harvey	Bd. Secretary Anderson
Cmmr. Boyer	DOF Gigliotti
Cmmr. Weston	Solicitor Holt
Cmmr. Diggs	Labor Attorney Oppici
ED Mackie	Energy Attorney Scerbo

Motion to Exit Executive Session

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

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

Resolution 2023-08-16-09: Authorizing the Provisional Appointment of Director of Operations and Maintenance, CSC #07549

Moved: Cmmr. Boyer Seconded: Cmmr. Diggs

Discussion: Kara L. Weekly, Director of Operations and Maintenance, August 26, 2023, Salary: \$105,000

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

Resolution 2023-07-19-13: Authorizing Execution of Memorandum of Agreement Amending Terms of Collective Negotiations Agreement Between the Willingboro Municipal Utilities Authority and Teamsters Local 676

Moved: Cmmr. Boyer Seconded: Cmmr. Holley

Discussion: Noting that financial impact information was provided at this meeting rather than distributed in advance for review.

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

Motion to extend the Board Secretary position hours from 20 to 28 per week with resolution to ratify at the next meeting.

Moved: Cmmr. Boyer Seconded: Cmmr. Weston

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

Commissioner Comments

Cmmr. Diggs: Appreciate commissioners' and staff time. Congratulations to Kara Weekly for promotion to Director of Operations and Maintenance.

Cmmr. Weston: Congratulations to Kara. Good things happened today.

Cmmr. Boyer: Congratulations to Kara. Appreciate the Solicitor, Attorneys, Union, Executive Director, Board Secretary

Cmmr. Holley: Congratulations to Kara for the promotion. Congratulations for completing the Union Contract.

Chair Lindsay-Harvey: Thank you to all joining the meeting. Congratulations to Kara.

Motion to Adjourn

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

Voice vote: Unanimous.

Meeting Adjourned: 9:25pm

Certification of Minutes

I hereby certify the above to be a true and correct copy of the approved Minutes of the August 16, 2023, Regular Meeting of the Willingboro Municipal Utilities Authority.



Sharon L. Anderson
Secretary to the Board

APPROVED BY THE BOARD: 9/20/23