

**Willingboro Municipal Utilities Authority
Regular Meeting Minutes
December 20, 2023**

The meeting of the Willingboro Municipal Utilities Authority was held on Wednesday, December 20, 2023, via Zoom Webinar. Chair Lindsay-Harvey called the meeting to order at 6:04 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, 1 st Alternate, William Weston	X	
Commissioner, 2nd Alternate, Diallyo Diggs	X	

Cmmr. Turner attending via telephone.

Others Attending as Panelists

James Mackie, Executive Director
 Sharon Anderson, Board Secretary
 Rhonda Gigliotti, Director of Finance
 Kara Weekly, Director of Operations & M
 Jim Lallo, Water Trtmt Plant Superintendent
 Rich Linke, Acting Sewer Superintendent
 Chris Felthaus, System Maintenance Supt.
 Eric Williams, Temp. S-3 Licensed Operator
 Jason Holt, CSG Law, Solicitor
 Kevin Kinsella, DeCotiis, Special Solicitor

Michael Oppici, DeCotiis, Labor Counsel
 Richard Alaimo, Alaimo Engineering
 Lionel Galipot, Alaimo Engineering
 Ben Weller, Environmental Resolutions
 Tom Lisse, Pennoni
 Jennifer Barrett, Schneider Electric
 Bryan McGair, Schneider Electric
 Greg Rosario, Schneider Electric
 Mark Moore, PCH Technologies

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.

Public Comment - Agenda Items Only

Minutes

Motion to Adopt November 8, 2023, Regular Meeting Minutes

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

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

Motion to Adopt November 29, 2023, Special Meeting Minutes

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

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

Administration

Executive Director's Report

ED Mackie summarized the written report. The current S-3 operator has been contracted through Jersey Environmental Solutions and is attending the meeting. Week 5A will be going online in 2024. Commissioners expressed disappointment with the report being received the day of the meeting.

Personnel Committee

Cmmr. Boyer summarized the written report. Recommendation 1: Executive Session discussion regarding an AEA salary and benefits wage scale and salary adjustments for non-union employees.

See the report for all 7 recommendations from the Committee. Recommendation 1: Review and approved salary adjustments – to be discussed in Executive Session. Recommendation 2: Re: question of extending vacation time expiring 12/31 to end of first quarter at the discretion of the ED. There was concern that staff need to be able to take their vacation. Recommend referral to Policy Committee. **Recommendation 3: Recommend engaging recruiting company for outstanding positions including accountant and engineer. Recommendation 4: Policy Committee consider suggestion boxes at Main office and plants. (ED Mackie reported already done.) Recommendation 5: Recommend Treasurer position be contracted out. Recommendation 6: Use of the Canning Group for procurement services. Recommendation 7: Use scoring sheet to review Professional Services RFQs.**

Noting that Commissioner Turner's phone connection was lost, the Chair designated Cmmr. Weston as a voting member.

Motion to approve Personnel recommendations 3, 4, 6, and 7

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

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

Policies Committee

No committee meeting. No Report.

Finance and Budget

Treasurer's Report

Director Gigliotti summarized the written report. Project revenue is on target at 92% at the end of November. Operating expenses are at 76%, below budget projection of 92%. Reduced aging by \$305,000 from prior month.

Finance Committee

Commissioner McIntosh summarized the written report. The committee met a few times during the month. Discussed the implementation of a tax sale even as water cannot be shut off. Recommend notifying residents that tax sale is an option. Connection Rate Hearing will be held on January 17, 2024, at 5pm. Have not received detailed report from Raftelis. Nothing new to report on Country Club or Pennypacker pool billing situation. Agree with Personnel that Treasurer position should be a contractor and not a board member. ED Mackie reported that, starting in January, bills will be printed with a standard statement that accounts in arrears are subject to the lien process through tax sale.

Motion to approve Connection Rate Hearing and that notices be sent letting people know that tax sales will be resuming.

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

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

Resolution 2023-12-20-01 Authorizing Adjustment of Sewer Service Charges

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

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

Resolution 2023-12-20-02 Approval of Payment of Bills

Moved: Cmmr. Holley Seconded: Cmmr. Boyer

Discussion: DOF Gigliotti noted that the resolution has two bill lists for a combined total of \$999,244.17

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

Resolution 2023-12-20-03: Authorizing the Adoption and Implementation Of New Water and Sewer Rates For 2024

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

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

Resolution 2023-12-20-04: 2024 Adopted Budget Resolution

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

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

Resolution 2023-12-20-05: Approving A Change Order and Authorizing an Increase to the Not To Exceed amount for The Platt Law Group, P.C. Professional Services Contract for Conflict / Special Counsel

Moved: Cmmr. Holley Seconded: Cmmr. McIntosh

Discussion: The original budgeted amount was \$20,000. The resolution will increase the line item to \$40,000 to cover costs associated with representing or defending the authority in two ongoing lawsuits.

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

Resolution 2023-12-20-06: Adopting Amended Capital Budget for 2023

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

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

Operations and Management Department Report

Director of Operations and Management Weekly reported that field employees are preparing for inclement weather. A new employee was added to the PCP crew as laborer being trained to be an

operator. The annual employee dinner occurred with employee recognition for employee of the year for each department and for longevity. Members of the fire department toured the Pollution Control Plant and will be touring the Water Plant. Will be partnering with fire department for training. The solar renewables will be added to the report in the future. The easement machines are expected end of April to early May. Rich Linke reported the inverters in the first field at the PCP are working as of yesterday.

Operations Committee

Cmmr. Turner summarized the written report. The remaining smart meters to be installed are down to 4 commercial locations. The last ones require plumbing alterations and scheduling. There are no refusals. Red Zone funding has not yet been addressed by the Finance Committee. It is part of a multi-faceted plan that must be undertaken with DEP's involvement. The first step is to send an RFP to our engineers for their services. Windsor Force Main needs repair that requires detailed planning, hoping to find a shut-off valve upstream. Must heavily prepare and have a contingency plan. Well 6 architectural plans are pending staking out the corners to give a visual on how close the building will be to the adjoining property.

Regarding billing for the hospital, a discrepancy had to be resolved in the hospital billing and number of meters. Current usage and past usage have not been reconciled in part due to a lack of billing since 2016 for 2 of the meters. Consumption is being monitored for a trend to determine what, if any, back billing should be done. ED Mackie will have hospital data for the next Finance Committee meeting.

Regarding smaller high-service pump number 4, change out should be done with additional information and a game plan for the pumping room as a whole. The ED will arrange an update on the Township plans for repairs to both Country Club and Pennypacker pools at the next Board meeting.

Environmental Committee

Chair Lindsay-Harvey summarized the written report. There were no questions. Meeting tomorrow at 10:30pm.

Consulting Engineers Report - Alaimo

Mr. Galipot summarized the written report. Everything at Well 5A is progressing properly. Edge Lane Tank executed contracts are due with a notice to proceed expected in January.

Consulting Engineers Report - ERI

Mr. Weller summarized the written report. Primary #6 repairs expected to be completed today. Primary #5 due on Dec. 26. On schedule for having all tanks online and operational by the end of the year. Red Zone notice to proceed has been received. Work expected to be completed by Feb. 1.

Consulting Engineers Report - Pennoni

ED Mackie summarized the written report on Mr. Pennoni's behalf. Work on the parking lot at the Water Plant is underway. Awaiting breakdown from roofers working on the Wastewater Plant roof. There were no bids received for the dehumidifier project. It will be going back out to bid.

ESIP Consultant's Report – Schneider

Mr. Rosario summarized the written report. Still waiting to hear from DEP on approvals requested in May 2022. More information will be reported with resolutions.

Unfinished Business

Resolution 2023-12-20-05: Authorizing the Board of Commissioners for the Willingboro Municipal Utilities Authority to Execute the Collective Negotiations Agreement Between the Willingboro Municipal Utilities Authority and Teamsters Local 676

Discussion: Refer to Executive Session.

New Business

Resolution 2023-12-20-07: Authorizing the Board Secretary to Correct Grammatical and Non-Material Errors in Legislation

Moved: Cmmr. Boyer Seconded: Cmmr. Holley

Discussion: This is a common resolution for municipalities so that legitimate corrections can be made.

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

Resolution 2023-12-20-08: Authorizing a Professional Service Contract with Jersey Environmental Solutions to Provide S-3 Licensed Operator Services to the Pollution Control Plant

Moved: Cmmr. Boyer Seconded: Cmmr. Holley

Discussion: This is an interim service until staff have acquired licenses.

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

Resolution 2023-12-20-09: Authorizing Schneider Electric Contract To Repair Solar Facilities In Connection With The Authority's Energy Savings Improvement Program

Moved: Cmmr. McIntosh Seconded: Cmmr. Weston

Discussion: Change order for 4 new inverters, 3 at the Wastewater Plant, 1 at the Water Plant. Expect to be underway 2nd week of January. The expected life after the replacement of the inverters is estimated to be 15 years. This is an appropriate short-term remedy while studying whether the efficiency of today's panels justifies replacing the current panels even though they are only 15 years into their 25-year project life.

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

Resolution 2023-12-20-10: Authorizing Contract Modification No. 5 and 6, Contract No. 2020-2, Well 5A PFOS Treatment System Upgrade

Moved: Cmmr. Holley Seconded: Cmmr. Weston

Discussion: Problem surfaced recently due to an increase in flow rates. The upgrade will not delay the completion of the project as the work has already been done. The Board expressed concern about work having been done before it had been authorized by the Board.

Roll Call: Cmmr. Weston: Yes; Cmmr. Boyer: No; Cmmr. Holley: Yes; Cmmr. McIntosh: No; Chair Lindsay-Harvey: No. 2 affirmative, 3 negative. Motion fails.

Motion to finish a complete, long-term, study comparing a complete replacement of the solar farm with updated design and replacing the inverters, including legal and energy consultant aspects.

Moved: Cmmr. Boyer Seconded: Cmmr. McIntosh

Discussion: There is a Talva study with a future total concept. The next step is input from the legal and energy consultant aspect. These things, together, will make a complete study. This is already underway by Schneider.

Roll Call: Cmmr. Weston: Yes; Cmmr. Boyer: Yes; Cmmr. Holley: Yes; Cmmr. McIntosh: Yes; Chair Lindsay-Harvey: No. 5 affirmative, 0 negative. Motion fails.

Comments From the Public – none

Commissioner Comments

Cmmr. Diggs: Enjoyed the employee holiday dinner.

Cmmr. Weston: Thankful to any of the public are still here.

Cmmr. Boyer: Appreciate public who supported our meeting tonight. Appreciated the employee dinner.

Cmmr. Holley: Excellent time at the employee dinner. Looking forward to moving the organization forward. Happy Holiday and look forward to seeing everyone in the new year.

Cmmr. McIntosh: Merry Christmas and Happy Holiday to employees and professional staff. Appreciate the collaboration of Board members.

Chair Lindsay-Harvey: Congratulate our solicitor, Mr. Holt, to be one of 14 attorneys profiled in NJ Law Journal's Diverse Attorneys of the Year. Full house at the employee appreciation dinner. Happy holidays.

Executive Session

Resolution 2023-12-20-11: Authorizing Executive Session for the purpose of discussing the collective bargaining agreement, attorney client privilege, and matters of personnel.

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

Roll Call: Cmmr. Weston: Yes; Cmmr. Boyer: Yes; Cmmr. Holley: Yes; Cmmr. McIntosh: Yes; Chair Lindsay-Harvey: No. 5 affirmative, 0 negative. Motion fails.

Executive Session:

James Mackie, Executive Director

Sharon Anderson, Board Secretary

Jason Holt, CSG Law, Solicitor
Kevin Kinsella, DeCotiis, Energy / Rate Solicitor

Mike Oppici, DeCotiis, Labor Solicitor
Steve Graham, PCH Technologies

Motion to Exit Executive Session

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

Roll Call: Cmmr. Weston: Yes; Cmmr. Boyer: Yes; Cmmr. Holley: Yes; Cmmr. McIntosh: Yes; Chair
Lindsay-Harvey: No. 5 affirmative, 0 negative. Motion fails.

The Board revisited **Resolution 2023-12-20-10** after Cmmr. Boyer, who had been on the prevailing side that defeated the resolution, withdrew his original motion.

Resolution 2023-12-20-10: Authorizing Contract Modification No. 5 and 6, Contract No. 2020-2, Well 5A PFOS Treatment System Upgrade

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

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

Resolution 2023-12-20-12: Authorizing Market Rate Salary Adjustments to Applicable Non-Union Officers and Employees

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

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

Motion to Adjourn

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

Voice vote: Unanimous.

Meeting Adjourned 10:12 pm

Certification of Minutes

I hereby certify the above to be a true and correct copy of the approved Minutes of the December 20, 2023, Regular Meeting of the Willingboro Municipal Utilities Authority.



Sharon L. Anderson
Secretary to the Board

APPROVED BY THE BOARD: March 20, 2024