

Willingboro Municipal Utilities Authority

Regular Meeting Minutes

July 17, 2024

The meeting of the Willingboro Municipal Utilities Authority was held on Wednesday, July 17, 2024, via Zoom Webinar. Chair Lindsay-Harvey called the meeting to order at 6:00 pm. The pledge of allegiance to the flag was said. Roll Call was taken.

Roll Call

Title, Name	Present	Absent
Chair Patricia Lindsay-Harvey	x	
Cmmr. Kevin McIntosh	x	
Commissioner Carl Turner		x
Commissioner James Boyer	x	
Commissioner Diallyo Diggs	x	
Alternate #1, Commissioner William Weston		x
Alternate #2, Commissioner Kimbrali Davis		x

Commissioners Turner, Weston and Davis were not in attendance at the time the roll was called. Chair Lindsay-Harvey asked that the record show that Commr. Weston joined at 6:05 pm and Cmmr. Turner joined at 6:10 pm.

Others Attending as Panelists

James Mackie, Executive Director Sharon Anderson, Board Secretary Rhonda Gigliotti, Director of Finance Kara Weekly, Director of Op. and Maint. Jason Holt, CSG Law, Solicitor Kevin Kinsella, Special Solicitor Douglas Borger, Sewer Superintendent Lionel Galipot, Alaimo Engineering Jennifer Harris, Environmental Resolutions, Inc.	Tom Lisse, Pennoni Greg Rosario, Schneider Electric John Chayko, Suburban Chuck Bernheimer, Mt. Laurel MUA Samantha Wittenberger, Mt. Laurel MUA Michael Cragin, Jr., Bowman & Company Laura, Hudson Court Reporting
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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 and published in excess of forty-eight hours prior to the meeting in the following manner:

- A. Notice was posted on the official bulletin board of the Authority building.

- B. Notice of the meeting was posted on the WMUA website.
- C. Notice was mailed 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.
- D. Public Notice was published in the designated official newspapers - the Burlington County Times and Courier-Post.

The Acting Secretary is directed to enter this public announcement into the minutes of this meeting.

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

Chair's Statement Regarding Well 5A PFOS Status

Since 2021, in compliance with the New Jersey Department of Environmental Protection and DEP, the WMUA has been required to send its customers frequent notifications regarding Well 5A's compliance with PFOS and PFOA. The notices received by the public did not reflect the current satisfactory status of Well 5A. The language and notice were based on a general template mandated for use by NJDEP which, in turn, caused misperceptions within the customer base. We sincerely apologize for this, yet we were obligated to follow NJDEP guidelines. We are working to complete our PFOS remediation system for Well 5A. Since the latest notification date, March 5th, 2024, we are pleased to report that the new system is online, approved by NJDEP and that, through weekly testing, there are no findings of PFOS contamination above the New Jersey maximum contaminant levels in the water being delivered to our customers from Well 5A.

Proclamations

None

Public Hearing – Adjust and Establish Water & Sewer Connection Fees for the WMUA

Special Solicitor, Kevin Kinsella presided over the hearing. CFO Rhonda Gigliotti and Michael Cragin, Jr. of Bowman & Company testified.

Mr. Cragin gave a brief description of his educational background and credentials, explained his duties as the auditor to the WMUA and explained the purpose of connection fees. He then explained how the connection fees were calculated and went over what the recommended connection fees were.

CFO Rhonda Gigliotti gave a brief description of her educational background and credentials and explained her duties as the Finance Director for the WMUA. She testified that the connection fee rates in the Bowman report were necessary and reasonable.

There were no questions. The hearing was transcribed by Hudson Court Reporting. A copy will be made available upon request.

Approximately 6:04 pm – 6:16 pm

Executive Director's Resolution Summary

The Executive Director read the names of the resolutions and provided a summary for each.

Public Comment - Agenda Items Only - None

Minutes

Motion to Adopt May 15, 2024, Regular Meeting Minutes

Moved: Cmmr. McIntosh Seconded: Cmmr. Boyer

Discussion: Commr. Boyer stated that the title on the agenda shows May 24th, but the meeting was on May 15th. He also advised that his copy of the minutes said draft. He asked the Board Secretary if this was a draft or the actual meeting minutes. The Board Secretary advised that this was the final copy of the minutes. Commr. Boyer recommended that the "Draft" watermark be removed, and the agenda be revised to reflect the correct date in May.

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

Executive Updates

Executive Director Report

Discussion: Cmmr. Boyer asked if Director Mackie could explain the federal challenge related to underestimated costs and the affordability determination related to the PFAS EPA final rule in layman terms. Director Mackie explained that the EPA develops a rule based on the costs of the number of victims versus the cost to remediate over years and they provide a cost analysis. He went on to further explain the challenge. Commr. Boyer then asked if the fence decision for Well 5 came to members yet. Director Mackie advised that it did not come to members yet. Commr. Boyer then asked what is being done about the hospital meter because he did not see it in the report. Director Mackie advised that the hospital is being billed correctly now and they are almost at the 1-year anniversary for reviewing a trend towards potential back billing. Commr. Boyer asked if he could include that in his next report.

Cmmr. McIntosh asked if he could expound on the customer service issues. Director Mackie advised that in the 1st round of shut offs they had 220 physical shut offs and another 115 after that. Because of the volume of all the shut offs the office has been overwhelmed. It is busy and the phones are ringing off the hook. They have asked the customers who are coming in to pay their bills after being shut off to be patient with them. Today he tried to move some of the employee parking to fit customers into the property. A discussion was then held regarding hiring more individuals with experience to assist in that regard.

Director Mackie announced that the State Health Benefits Plan Commission posted their draft of the recommended rate increases to the plan for 2025. It is effectively a 17% increase in health premiums. A 16.3% increase for active employees and 17.9% for retirees. That will be a huge increase in the expenditure that they will have to match. They are looking to see what their options are. A brief discussion was then held with regards to what that looks like in dollars instead of percentages. Director Mackie advised that they applied for congressionally directed spending. Congressman Kim was able to secure the interior appropriations. The Well 1 PFAS treatment plant project is listed at \$1,105,800. He then went on to further explain same.

Motion to be a sponsor at the Jazz Festival

Moved: Cmmr. Turner Seconded: Cmmr. McIntosh

Discussion: Chair Lindsay-Harvey asked what the Commissioners pledge was on the Jazz Festival? Director Mackie advised that they have a table and purchased additional handouts for the festival. Cmmr. Weston asked how much the WMUA would be sponsoring and was advised that it would be \$2,500.

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

Policy, Procedures & Communications Committee

None

Chair Lindsay-Harvey advised that the committee did not meet but they received prices for the PR campaign which is not in the packet so it will be moved to the next meeting.

Res. 2024-07-17-01: Authorizing the Adoption of new Water and Wastewater Connection Fees

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

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

6:40 pm

Res. 2024-07-17-02: Amending Resolution 2024-01-07-11 Appointing a Safety Representative to the New Jersey Utility Authority Joint Insurance Fund

Moved: Cmmr. Turner Seconded: Cmmr. Boyer

Discussion: Cmmr. Turner indicated that the resolution read like they are replacing the Director of Operations with the Human Resources Personnel. Solicitor Holt advised that he could add a sentence to remove any ambiguity if the Board authorizes. He was directed to do so.

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

Finance Committee

There were no questions regarding the report from the Finance Committee.

Res. 2024-07-17-04: Approval of Payment of Bills

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

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

Res. 2024-07-17-05: Authorizing the Adjustment of Sewer Service Charges

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

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

Res. 2024-07-17-06: Approving a Change Order and Authorizing an increase to the not to exceed amount for Chiesa Shahinian & Giantomasi PC Professional Services Contract for Attorney (Solicitor)

Moved: Cmmr. Boyer Seconded: Cmmr. Turner

Discussion: Cmmr. Turner asked if they could explain what the change order is for. CFO Gigliotti advised that she assigned a lesser value to the contract at the beginning of the year than what it should have been. Last year it was \$80,000, this year she only assigned \$60,000. Then when she looked at the volume, she realized that \$130,000 would be necessary to cover the contract through January 31, 2025.

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

Human Resources Report

There were no questions regarding the report from the Director of Human Resources.

Personnel Committee Report

Cmmr. Boyer stated that as of this date, even though they have reached out to Civil Service for assistance, they have not provided any assistance in getting an engineer. Also, the Executive Director's contract will be up at the end of this term. Based on his contract if he will not be renewed, he must be notified by November 1st. The Personnel Committee is going to send out the evaluation of the Executive Director at the end of August. Then they will do their data evaluation which should be ready for the October Board Meeting. The Personnel Committee has a recommendation to open a position for a new engineer in training, a recent graduate, so they can have some knowledge transfer and retention. There are individuals that were hired with the understanding that they would obtain licenses, and they have not obtained them. So, the recommendation is that they start enforcing that. He advised that there was a recommendation to use LinkedIn, but they are unable to have a credit card to support that. There may be a special meeting around item number 4. The Personnel Committee is working with the Director of Human Resources to come up with a policy for promotions and pay increases. Cmmr. Weston added that he would like to talk about number 4 in executive session. Cmmr. Turner then advised that he had a concern over 3 promotions that have already been instituted. Solicitor Holt advised that they will hold a special meeting and will Rice Notice the individuals to address all of the concerns that they are raising. Cmmr. Turner added in summary that the special meeting will address the token appreciation award plus the other things that are now popping up. The meeting will be held at 6 pm on Wednesday, July 31, 2024.

Ad-Hoc Training Committee Report

None

Res. 2024-07-17-07: Authorizing the Provisional Appointment of the position of Sewage Plant Superintendent/Sewer Superintendent and Fixing his salary

Moved: Cmmr. Boyer Seconded: Cmmr. McIntosh

Discussion: Cmmr. Turner had a concern with the process. Why it took so long and why couldn't this be done after the fact as this was in response to a Notice of Violation. Cmmr. Boyer responded by stating that the process of posting jobs, receiving resumes, interviews, etc. takes time. He advised that the only way it could have been faster was to have a special meeting. A brief discussion was then held with regards to same.

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

Operations Reports

Cmmr. Turner had a question regarding the outsourced red zone. Director Mackie advised that Jennifer Harris will give an update in the engineering report. Cmmr. Boyer asked what Windsor Force main needs a new air relief valve and is shut off temporarily means? Director Mackie advised that it was leaking so the valve is shut off. Cmmr. Boyer asked if the air pressure that is relieved is greater than the pressure that the system is seeing? He asked for some information on what the relief valve is doing and what its purpose is. Cmmr. McIntosh asked if they could explain the report on the Edgewater Park sewage. Director Weekly stated that the operator reported that the flow meter was replaced in an email to Director Mackie which was forwarded to her. She just commented on the report because in her last report it stated that the meter needed to be replaced. Now that it has been replaced the total can be reflected properly. Director Weekly then thanked the staff for doing a tremendous job.

Consulting Engineers Report - Alaimo

Chair Lindsay-Harvey asked if the HEC-RES analysis has been completed and if not, when? Mr. Galipot stated that he was advised that it is going out for proposals. Director Mackie added that due to the dollar volume of the estimate, that is correct. Chair Lindsay-Harvey asked the Finance Committee to put the threshold request of Director Mackie on the Finance agenda. Cmmr. Boyer asked if they were waiting for the Board to look at building front renderings for Well 6? Mr. Galipot advised that he believes the plan was to go to the public to get their input and then go to the Board. A decision was made to add the review of the renderings to the meeting on the 31st of July. A discussion was held regarding expired permits. Cmmr. Boyer recommended that they put the updates for the expired permits in the report so that they are not questioned.

Consulting Engineers Report - ERI

Jennifer Harris advised that they went over the 13 potential repairs and 9 are candidates for an actual repair project. The estimated costs is \$250,000 and they are working on preparing plans and specifications.

Consulting Engineers Report - Pennoni

Cmmr. Turner asked for the status of the roof at the PCP Plant. Mr. Leisse advised that everything except the metal has been installed. They anticipate that being done in 2-3 weeks. He then spoke about the Windsor Lane Air Release Valve. He advised that it is air release not pressure release. He stated that they were thinking about shutting off the line to do the repair, but the pump station runs so frequently that

there is no time for the air to accumulate. They are going to revisit some options on how to fix the air release valve instead of shutting off the flows to the station. They have solicited contractors to go to the site to review the work at the Country Club pool, but no offers have been submitted yet. Pennypacker repairs were done in June, but they are still doing additional leak detection.

Consulting Engineers Report - Suburban

Mr. Chayko advised that they are wrapping up the metal work and will be starting the interior blasting next week. Cmmr. Turner asked for the total cost of the project and was told it was \$1.6 million.

Schneider ESIP Report

Cmmr. Boyer asked for an update on the Solar Panels. Mr. Rosario advised that the only hold up on parts is the lighting inverters. They had a tentative date of the 3rd of the month but have been reaching out to the supplier who has no update from their vendor. He then gave an update on what was up and running but advised that the big hold up is the light inverters. He advised that no suppliers were able to commit to a delivery date. Chair Lindsay-Harvey asked how the new scope of work that was requested by the WMUA is going to impact on the cost? He advised that the ESIP includes the replacement of the pump. They also provide an addition pump that will act as a lead lag but that has not been approved by the WMUA. A discussion was then had regarding the benefits of the additional pump. Chair Lindsay-Harvey advised that this will be put on the agenda for the next meeting.

Operations Committee

There were no questions for the Operations Committee.

Environmental Committee

None

Res. 2024-07-17-08: Authorizing the purchase of One (1) Pickup Truck through the State of New Jersey Cooperative Pricing System with Hertrich Fleet Services, Inc. a contract participant in the State of New Jersey Cooperative Pricing System, Contract #17-FLEET-00210 (T2099)

Moved: Cmmr. Boyer

Seconded: Cmmr. Turner

Discussion: None

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

Unfinished Business

None

New Business

None

Resolution 2024-07-17-09: Authorizing Executive Session

7:49 pm

Moved: Cmmr. Turner Seconded: Cmmr. McIntosh

Discussion: For the purpose of discussing contractual matters dealing with the following:

- Res. 2024-07-17-03: Authorizes the Settlement of Litigation
- Cost of Service Study
- Possible HR discussion

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

Comments From the Public

Chuck Bernheimer, Operations Director for Mt. Laurel MUA

Came on to introduce his replacement Samantha Wittenberger, Water Systems Manager because he is retiring and thanked the Board for all their effort.

Samantha Wittenberger introduced herself and advised that she looked forward to working with the WMUA in the future.

7:43 pm

Commissioner Comments

7:46 pm

Cmmr. Weston: It's always nice to have the public in attendance. We are working hard to improve the WMUA and are advocating for our organization.

Cmmr. Diggs: Thanked everyone for attending. We are working to improve the public's experience at the main building. We are going through some difficulties at this time but are hoping to improve the overall customer service experience.

Cmmr. Boyer: Appreciates the support from the public in attending the meeting. Wished Chuck best wishes in retirement. Welcomed Samantha. Appreciates the hard work by each commissioner, the public and the support staff.

Cmmr. Turner: Agreed with the previous comments. Congratulated Chuck on his retirement and welcomed Samantha. Thanked all the staff, administrators, Commissioners and the workforce of the WMUA.

Cmmr. McIntosh: Thanked all the customers and concurred with the previous announcements. Thanked everyone for their participation. The professionals as well as administrative staff and line workers.

Chair Lindsay-Harvey: Dittoed all comments made by fellow Commissioners. Thanked everyone who has anything to do with the WMUA.

Executive Session: approximately 7:49 pm to 9:03 pm

Motion to Exit Executive Session 9:03 pm

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

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

Res. 2024-07-17-03: Authorizes the Settlement of Litigation

Moved: Cmmr. McIntosh Seconded: Cmmr. Turner

Discussion: With the caveat that there is no mention of liability

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

Motion to Adjourn

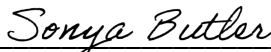
Moved: Cmmr. Turner Seconded: Cmmr. McIntosh Discussion: None

Voice vote: Unanimous.

Meeting Adjourned 9:04 pm

Certification of Minutes

I hereby certify the above to be a true and correct copy of the approved Minutes of the July 17, 2024, Regular Meeting of the Willingboro Municipal Utilities Authority. These minutes are of necessity condensed and abridged and do not purport to contain the full contents of the matters discussed.



Sonya Butler
Transcriber

Approved By The Board: 18 Sept 2024