



Willingboro Municipal Utilities Authority

**433 John F. Kennedy Way
Willingboro, New Jersey 08046-2119
(609) 877-2900, Fax (609) 835-4645
www.wmua.info**

Commissioners

**Patricia Lindsay-Harvey, Chair
Diallo H. Diggs, JD, MBA, Vice Chair
Carl Anthony Turner
Kevin M. McIntosh, MBA
James Boyer
William A. Weston, Alt. 1
Kimbrali Davis, Alt. 2**

Executive Director

Emmanuel Stuppard

Board Secretary

Bernadette Green, RMC

CERTIFICATION OF RESOLUTIONS

I, Bernadette Green, do hereby certify that the Resolutions that follow are a true and correct copy of the resolutions approved by the Board of Commissioners at the regular meeting of the Willingboro Municipal Utilities Authority on January 17, 2024

Bernadette Green

Bernadette Green, RMC
Board Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-01

A Resolution Authorizing Payment of Bill List for January 2024

Whereas a Monthly Bill List, a copy of which is attached hereto, has been presented to the Willingboro Municipal Utilities Authority ("WMUA") Board of Commissioners by the Executive Director for payment; and

Whereas the WMUA Board of Commissioners has reviewed the Bill List and has authorized payment; and

Whereas funds for this purpose are available as set forth in the Certification of Funds of the Certifying Finance Officer.

Now, Therefore, Be It Resolved by the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Certifying Director of Finance is hereby authorized to pay the items set forth on the Monthly Bill List which attached hereto as Exhibit and made a part hereof.
3. A copy of this Resolution shall be available for public inspection at the offices of the WMUA.
4. This Resolution shall take effect immediately.

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh		X	X			
Commissioner Carl Turner	X		X			
Commissioner Darvis Holley			X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston			X			
Commissioner, 2nd Alternate, Diallyo Diggs						

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th day of January 2024.

Dated: _____, 2024

Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024 -01-17-03

Ratifying and Authorizing the Extension of a Contract with Jersey Environmental Solutions to Provide S-3 Licensed Operator Services to the Pollution Control Plant on an Emergent Basis

Whereas there exists a need to supplement the workforce at the Willingboro Municipal Utilities Authority Pollution Control Plant (“WMUA PCP”) with a licensed S-3 Sewage Treatment Operator as required to facilitate the operation of the WMUA PCP; and

Whereas the WMUA has received a directive from the NJDEP that a licensed S-3 Sewage Treatment operator is required or fines may be imposed; and

Whereas Jersey Environmental Solutions (“JES”) is qualified to supply the services of a licensed S-3 Sewage Treatment Operator and has provided the service on a per diem basis since December 6, 2023; and

Whereas WMUA employees have not been able to obtain their S-3 Sewage Treatment Operator license to date and it has become necessary for the service to continue with JES; and

Whereas as per the attached memorandum, the Executive Director has determined that the WMUA must stay in compliance with the directives of the NJDEP and protect the public health, safety, and welfare of the WMUA clients by immediate delivery of the service; and

Whereas the lack of an S3 Sewage Treatment Operator creates an emergent condition as set out in the attached memorandum; and

Whereas funds are available for this purpose as indicated in the Certificate of Availability of Funds executed by the Director of Finance that is attached hereto.

Now, therefore, be it resolved by the Board of Commissioners of the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, accepts the recommendation of the Executive Director to retain the services of JES on an emergent basis and hereby ratifies and authorizes the continuation of those services in an amount not to exceed \$70,000.

Be It Further Resolved that the Executive Director is authorized to execute a contract extension with JES consistent with this resolution and otherwise extend the contract for a period not to extend beyond May 1, 2024.

Further Be It Resolved that this resolution shall take effect immediately upon passage.

Continued . . .

Resolution 2024-01-17-03

Ratifying and Authorizing the Extension of a Contract with Jersey Environmental Solutions to Provide S-3 Licensed Operator Services to the Pollution Control Plant on an Emergent Basis
Page 2 of 2

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh	X		X			
Commissioner Carl Turner			X			
Commissioner Darvis Holley		X	X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston			X			
Commissioner, 2nd Alternate, Diallyo Diggs						

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th day of January 2024.

Dated: _____, 2024

Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-04

Authorizing a Fair and Open Process for the Selection and Appointment of an S3 Sewage Treatment Operator

Whereas the Willingboro Municipal Utilities Authority (“WMUA”) requires the services of a professional to fulfill the duties of an S3 Sewage Treatment Operator; and

Whereas the WMUA continues to find it advisable to select professionals on the basis of qualifications including qualifications uniquely suited to the needs of the WMUA; and

Whereas the WMUA has determined that it is appropriate to implement a fair and open process for the awarding of professional service contracts consistent with the Local Public Contracts Law; and

Whereas the WMUA has determined that a fair and open process requires public advertisement of Request for Qualifications for the appointment of an S3 Sewage Treatment Operator; and

Whereas the WMUA will publicly open and announce each entity submitting a proposal and thereafter that the appointment shall be made at a public meeting of the WMUA and then published in accordance with the applicable provisions of the Local Public Contracts Law including N.J.S.A.40A:11-5.

Now, Therefore, Be It Resolved, that the Board of Commissioners of the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, approves the following:

1. The Request for Qualifications of the professional service appointment of an S3 Sewage Treatment Operator contained on Schedule A attached is part of a fair and open process.
2. The Executive Director shall cause a legal notice to be published in a newspaper authorized to publish legal notices for the WMUA, stating that the criteria established for the consideration of qualifications will be posted on the WMUA’s Internet website as well as the Burlington County Times and Courier Post.
3. The website posting shall inform potential applicants that all submissions must be made to the WMUA and received not later than 12:00 p.m. on February 8, 2024.
4. Commencing at 12:01 p.m. on February 8, 2024, or as soon thereafter as may be possible, the WMUA Secretary to the Board of Commissioners or their designee shall publicly open and announce all submissions by the name of the entity in the WMUA’s public meeting room.
5. The Commissioners shall thereafter review all submissions.

Resolution 2024-01-17-04

Authorizing a Fair and Open Process for the Selection and Appointment of an S3 Sewage Treatment Operator

January 17, 2024, Page 2 of 3

6. The appointment of a S3 Sewage Treatment Operator shall thereafter be made at a public meeting of the Commissioners.

7. Subsequent to appointment, appropriate notices shall be published in accordance with the requirements of the applicable provisions of the Local Public Contracts Law including N.J.S.A. 40A:11-5.

Be It Further Resolved that all such appointments are subject to the availability of funds and the needs of the WMUA.

Be It Further Resolved that the Board of Commissioners have determined that the terms of this Resolution constitute a fair and open process.

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh	X		X			
Commissioner Carl Turner			X			
Commissioner Darvis Holley			X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston		X	X			
Commissioner, 2nd Alternate, Diallyo Diggs						

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th of January 2024.

Dated: _____

Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-05

Authorization To Advertise Information Technology Request For Qualifications

Whereas the Board of Commissioners of the Willingboro Municipal Utilities Authority ("Board") received one response to the request for qualifications for information technology from Wintsec Technologies dba Networks Plus; and

Whereas the specifications in the Information Technology Request for Qualifications have been reviewed by the Board; and

Whereas the Board has determined that the specifications of this RFQ shall be substantially revised in order to better meet the needs of the Willingboro Municipal Utilities Authority; and

Whereas the Board has decided to solicit new RFQ's based on the revised specifications and substantial revisions of the request for qualifications; and

Whereas accordingly the submission by Wintsec Technologies dba Network Plus is hereby rejected; and

Whereas the Board is authorizing the attached request for qualifications be advertised with a prompt return date; and

Now, therefore, be it resolved by the Board of Commissioners of the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, that the Executive Director or his designee is hereby authorized to advertise the attached Information Technology Request for Qualifications and to set a prompt return date.

Be It Further Resolved that this resolution shall take effect immediately.

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh	X		X			
Commissioner Carl Turner			X			
Commissioner Darvis Holley			X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston		X	X			
Commissioner, 2nd Alternate, Diallyo Diggs						

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th day of January 2024.

Dated: January 18, 2024

Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-06

Establishing and Implementing a Fair and Open Process for the Selection of Treasurer

Whereas the Willingboro Municipal Utilities Authority (“WMUA”) requires the services of professional Treasurer services; and

Whereas professional services are exempt from the requirement of public bidding pursuant to N J S A 40A:11-5; and

Whereas the WMUA continues to find it advisable to select professionals primarily on the basis of qualifications including qualifications uniquely suited to the needs of the WMUA; and

Whereas the WMUA has determined that it is appropriate to implement a fair and open process for the awarding of professional service contracts; and

Whereas to receive statements of qualification in a manner that fosters a fair and open process it is necessary and advisable to establish advance general criteria and specific minimum requirements for so many of those appointments as possible; and

Whereas the WMUA has determined that a fair and open process requires public advertisement of professional appointments in a manner and with sufficient time to provide notice in advance of the contemplation of the appointment and the criteria to be considered in making the appointment; and

Whereas the WMUA will publicly open and announce each entity submitting a proposal and thereafter that all appointments be made at a public meeting of the WMUA and then published in accordance with N.J.S.A.40A:11-5.

Now, Therefore, Be It Resolved, that the Board of Commissioners of the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, approves the following:

1. The professional service appointments contained on Schedule A attached to and made a part hereof shall be subject to a fair and open process as set forth below.
2. The Executive Director shall cause a legal notice to be published in a newspaper authorized to publish legal notices for the WMUA, stating that the criteria established for the consideration of qualifications will be posted on the WMUA’s Internet website as well as the Burlington County Times and Courier Post.
3. The website posting shall inform potential applicants that all submissions must be made to the WMUA and received not later than 12:00 p.m. on February 8, 2024.
4. Commencing at 12:01 p.m. on February 8, 2024, or as soon thereafter as may be possible, the WMUA Secretary to the Board of Commissioners or their designee shall publicly open and announce all submissions by the name of the entity in the WMUA’s public meeting room.

Continued . . .

5. The Commissioners shall thereafter have the opportunity to review all submissions which will be in the Executive Director's Office during regular business hours.

7. Appointments shall thereafter be made at a regular public meeting of the Commissioners.

8. Subsequent to appointment, appropriate notices shall be published in accordance with the requirements of N.J.S.A. 40A:11-5.

Be It Further Resolved that this position would be an appointment for the year 2024. However, all such appointments are subject to the availability of funds and the needs of the WMUA. Accordingly, the inclusion of a position is not a representation or warranty that such position will be filled, but that if filled it will be subject to the process contained herein.

Be It Further Resolved that the Commissioners have determined that the terms of this Resolution constitute a fair and open process as to all positions included herein.

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh	X		X			
Commissioner Carl Turner		X	X			
Commissioner Darvis Holley			X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston			X			
Commissioner, 2nd Alternate, Diallyo Diggs						

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th of January 2024.

Dated: _____

 Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-07

Establishing and Implementing a Fair and Open Process for the Selection of Purchasing Agent Services

Whereas the Willingboro Municipal Utilities Authority (“WMUA”) requires the services of professional purchasing services; and

Whereas professional services are exempt from the requirement of public bidding pursuant to N J S A 40A:11-5; and

Whereas the WMUA continues to find it advisable to select professionals primarily on the basis of qualifications including qualifications uniquely suited to the needs of the WMUA; and

Whereas the WMUA has determined that it is appropriate to implement a fair and open process for the awarding of professional service contracts; and

Whereas to receive statements of qualification in a manner that fosters a fair and open process it is necessary and advisable to establish advance general criteria and specific minimum requirements for so many of those appointments as possible; and

Whereas the WMUA has determined that a fair and open process requires public advertisement of professional appointments in a manner and with sufficient time to provide notice in advance of the contemplation of the appointment and the criteria to be considered in making the appointment; and

Whereas the WMUA will publicly open and announce each entity submitting a proposal and thereafter that all appointments be made at a public meeting of the WMUA and then published in accordance with N.J.S.A.40A:11-5.

Now, Therefore, Be It Resolved, that the Board of Commissioners of the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, approves the following:

1. The professional service appointments contained on Schedule A attached to and made a part hereof shall be subject to a fair and open process as set forth below.
2. The Executive Director shall cause a legal notice to be published in a newspaper authorized to publish legal notices for the WMUA, stating that the criteria established for the consideration of qualifications will be posted on the WMUA’s Internet website as well as the Burlington County Times and Courier Post.
3. The website posting shall inform potential applicants that all submissions must be made to the WMUA and received not later than 12:00 p.m. on February 8, 2024.

Resolution 2024-01-17-07

Establishing And Implementing a Fair and Open Process for the Selection of Purchasing Agent Services

January 17, 2024, Page 2 of 3

4. Commencing at 12:01 p.m. on February 8, 2024, or as soon thereafter as may be possible, the WMUA Secretary to the Board of Commissioners or their designee shall publicly open and announce all submissions by the name of the entity in the WMUA's public meeting room.

5. The Commissioners shall thereafter have the opportunity to review all submissions which will be in the Executive Director's Office during regular business hours.

7. Appointments shall thereafter be made at a regular public meeting of the Commissioners.

8. Subsequent to appointment, appropriate notices shall be published in accordance with the requirements of N.J.S.A. 40A:11-5.

Be It Further Resolved that this position would be an appointment for the year 2024. However, all such appointments are subject to the availability of funds and the needs of the WMUA. Accordingly, the inclusion of a position is not a representation or warranty that such position will be filled, but that if filled it will be subject to the process contained herein.

Be It Further Resolved that the Commissioners have determined that the terms of this Resolution constitute a fair and open process as to all positions included herein.

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh	X		X			
Commissioner Carl Turner					X	
Commissioner Darvis Holley		X	X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston			X			
Commissioner, 2nd Alternate, Diallyo Diggs						

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th of January 2024.

Dated: _____

Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-08

Authorizing the Adoption of New Water and Wastewater Connection Fees

Whereas the Willingboro Municipal Utilities Authority (“WMUA”) is a public body duly formed pursuant to and in accordance with the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq. (the “MUA Law”), and possesses the powers set forth therein; and

Whereas WMUA is empowered to adopt the within Resolution pursuant to and in accordance with the MUA Law generally and N.J.S.A. 40:14B-23 specifically; and

Whereas the WMUA owns and operates a potable water supply and treatment system and wastewater collection and treatment system (the “WMUA Systems”); and

Whereas the WMUA charges connection fees for new developments seeking to connect to the WMUA Systems; and

Whereas sufficient and appropriate connection fees are necessary for the smooth and efficient operation, maintenance, and repair of the MUA Systems; and

Whereas to ensure that the WMUA properly determines sufficient connection fees for the WMUA Systems, the WMUA retained an accountant consultant, Bowman & Company (“Bowman”) to develop an update to the WMUA’s connection fee calculation as of December 31, 2022; and

Whereas Bowman has completed a connection fee calculation report, a copy of which is attached hereto as **Exhibit A**; and

Whereas the WMUA properly advertised and held a public hearing concerning the new connection fees on January 17, 2024; and

Whereas for the reasons set forth in the connection fee calculation report, the WMUA desires to revise its connection fees, effective February 1, 2024, as set forth in **Exhibit B**.

Now, Therefore, Be It Resolved by the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, that the connection fees set forth in Exhibit B are hereby authorized and adopted as the WMUA’s connection fees, effective February 1, 2024; and

Be It Further Resolved that no further action of the WMUA shall be required; and

Be It Further Resolved that this resolution shall take effect immediately.

Continued . . .

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh	X		X			
Commissioner Carl Turner					X	
Commissioner Darvis Holley		X	X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston			X			
Commissioner, 2nd Alternate, Diallyo Diggs						

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th day of January 2024.

Dated: _____, 2024

Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-09

Authorizing The Execution Of An Amendment To The Energy Services Agreement With Schneider Electric All In Connection With The Authority's Energy Savings Improvement Program

Whereas, the Willingboro Municipal Utilities Authority (the "MUA") owns and operates water and wastewater production, treatment, and conveyance facilities located in the Township of Willingboro; and

Whereas on November 22, 2017, the MUA, pursuant to the competitive contracting provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 et seq., and the Energy Savings Improvement Program Law, N.J.S.A. 40A:11-4.6 et seq., issued a *Request for Proposals to Select an Energy Services Company to Develop and Implement an Energy Savings Plan through an Energy Savings Improvement Program for the Willingboro Municipal Utilities Authority* (the "RFP"); and

Whereas On June 20, 2018, as recommended in the evaluation report, dated June 15, 2016, the MUA selected, via Resolution, Schneider Electric Buildings Americas, Inc. ("Schneider") to serve as the MUA's Energy Services Company in connection with its Energy Savings Improvement Program ("ESIP"); and

Whereas, on April 16, 2020, Schneider provided the MUA with a final Energy Savings Plan, which has been reviewed and accepted by the New Jersey Board of Public Utilities and the MUA's independent third-party reviewer, Gabel Associates; and

Whereas, Schneider and the MUA have established three (3) distinct phases of the MUA's Energy Savings Plan: Phase I – Smart Meters; Phase II – ESIP and Other Process Improvements; and Phase III – Increase of High Strength Waste for Increased Methane Production; and

Whereas, the MUA and Schneider executed a Master Energy Services Contract, dated October 1, 2020, a copy of which is attached hereto as **Exhibit A**, to implement Phase I (Smart Meters) and Phase II (ESIP and Other Process Improvements) of the approved Energy Savings Plan (the "Energy Services Contract"); and

Whereas, the Energy Services Contract value of the Phase I improvements totals approximately \$7.2 million and the value of the Phase II improvements totals approximately \$17.2 million; and

Whereas, Schneider was required, pursuant to Article 1 (Substantial Completion) of the Energy Services Contract, to complete all Phase I and Phase II work, as stated in the Scope of Work, by February 1, 2023; and

Whereas despite working diligently to complete all Phase I and Phase II work by February 1, 2023, Schneider has been subject to significant delays related to certain work being financed through the New Jersey Infrastructure Trust and the associated review of contract documents by the New Jersey Department of Environmental Protection; and

Resolution 2024-01-17-09

Authorizing The Execution Of An Amendment To The Energy Services Agreement With Schneider Electric All In Connection With The Authority's Energy Savings Improvement Program

Page 2 of 3

Whereas the MUA and Schneider wish to complete the Phase I and Phase II work as stated in the Scope of Work of the Energy Services Contract; and

Whereas the MUA desires to grant Schneider an extension of time to complete said work, in accordance with the terms of an amendment to the Energy Services Contract, a copy of which is attached hereto as **Exhibit B** (the "Amended Energy Services Contract").

Now, Therefore, Be It Resolved by the Board of Commissioners of the Willingboro Municipal Utilities Authority in the Township of Willingboro, County of Burlington, State of New Jersey, as follows:

1. That the Board hereby authorizes and directs the Executive Director, with the advice and counsel of Special Legal Counsel, Special and General Project Engineers, Energy Consultant, and Financial Advisor to amend to the Energy Services Contract in a form substantially similar to the form attached hereto to as **Exhibit B**.
2. That the Board further authorizes and directs the Executive Director to execute any and all documents and agreements necessary to effectuate the amendment to the Energy Services Contract, including those required by the New Jersey Infrastructure Bank and the New Jersey Department of Environmental Protection.

Further, Be It Resolved that this resolution shall take effect immediately upon passage.

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh			X			
Commissioner Carl Turner		X	X			
Commissioner Darvis Holley	X		X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston					X	
Commissioner, 2nd Alternate, Diallyo Diggs						

Resolution 2024-01-17-09

Authorizing The Execution Of An Amendment To The Energy Services Agreement With
Schneider Electric All In Connection With The Authority's Energy Savings Improvement
Program

Page 3 of 3

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby
certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority
at the regular meeting held on the 17th day of January 2024.

Dated: _____

Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-10

to Join the New Jersey Utility Authority Joint Insurance Fund Subject to Approval of Assessment

Whereas a number of municipalities and agencies in the state of New Jersey have joined together to form a Joint Insurance Fund as permitted by chapter 372 Laws of 1983 (40A:10-36); and

Whereas said Fund was approved to become operational by New Jersey Department of Banking & Insurance and the Department of Community Affairs and has been in operation since that date; and

Whereas the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund.

Now, Therefore, Be It Resolved that the Board of Commissioners of the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, do hereby agree to join the Fund subject only to the right to approve the initial assessment when the same is received from the Fund following processing of the application; and

Be It Further Resolved that the Willingboro Municipal Utilities Authority is applying to the Fund for the following types of coverages:

1. Workers' Compensation and Employer's Liability;
2. General & Auto Liability;
3. Property Damage, other than Motor Vehicle;
4. Motor Vehicle;
5. Public Officials Liability/Employment Liability/Land Use/ Cyber;
6. Pollution.

Be It Further Resolved that the Authority hereby adopts and approves of the bylaws of the Fund.

Be It Further Resolved that the Chairman is authorized to execute the application for membership and the accompanying certification on behalf of the Authority.

Be It Further Resolved that the Chairwoman and Secretary are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund as are required by the Fund's bylaws and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon the applicant's admission to the Fund following approval by the Fund, passage by the Authority of a Resolution Accepting Assessment and approval by the New Jersey Department of Banking & Insurance and the Department of Community Affairs.

Continued . . .

Willingboro Municipal Utilities Authority

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh		X	X			
Commissioner Carl Turner	X		X			
Commissioner Darvis Holley			X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston			X			
Commissioner, 2nd Alternate, Diallyo Diggs					X	

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th of January 2024.

Dated: January 23, 2024


Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-11

Appointing a Fund Commissioner and Safety Representative to the New Jersey Utility Authority Joint Insurance Fund

Whereas the Willingboro Municipal Utilities Authority has joined the New Jersey Utility Authorities ("NJUA") Joint Insurance Fund to provide Liability, Auto, Workers' Compensation, Property, Public Officials, Land Use, Cyber, and Pollution insurance coverage as part of our insurance program; and

Whereas each year the governing body must identify a Fund Commissioner, alternate, and safety representative.

Now, Therefore, Be It Resolved that the Board of Commissioners of the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, that the following be appointed:

1. Executive Director shall serve as the fund commissioner for the year 2024.
2. Chair of Board of Commissioners shall serve as the alternate fund commissioner.
3. Director of Operations and Maintenance shall serve as the safety delegate to the JIF.

Be It Further Resolved that a certified copy of this Resolution shall be provided by the Secretary to the NJUA Joint Insurance Fund.

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh			X			
Commissioner Carl Turner			X			
Commissioner Darvis Holley			X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston			X			
Commissioner, 2nd Alternate, Diallyo Diggs					X	

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th of January 2024.

Dated: January 23, 2024


Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-12

Powers, Duties and Responsibilities for the Authorization and Approval of Change Orders

Whereas the Board of Commissioners of the Willingboro Municipal Utilities Authority (“Board”) shall solely authorize all change orders with exception as set out below; and

Whereas, minor field (site) modifications (for example, additional fill stone needed, modifications of footings, additional rock blasting) may be authorized, provided that they do not affect the overall scope of work of the contract, by the Executive Director who shall first obtain written approval from the Chairperson of the Board of Commissioners (Chairperson) prior to the authorization; and

Whereas the aforementioned minor field (site) modifications shall not be excessive and shall result only in minor price increases to the originally awarded contract price but in no event shall exceed \$7,500; and

Whereas the Executive Director shall file with the Board through the Board Secretary with a copy to the Chairperson, a request in writing for the change order, stating the facts involved and indicating that the proposed change order may be allowed pursuant to N.J.A.C. 5:30-11 et seq (attached) as may be amended and supplemented, and if the request and justification are prepared by other than the Executive Director, they must be countersigned by the Executive Director; and

Whereas no change orders for changes in quantities, work performed, services rendered, materials, supplies or equipment delivered or provided shall be authorized, permitted, or accepted unless in accordance with the “Local Public Contracts Law” and by the attached procedures established in N.J.A.C.5:30-11 et seq (which may be amended and supplemented from time to time or unless otherwise directed by a Local Finance Notice); and

Whereas change orders may be executed by the Executive Director, however, the responsibility for the authorization of change orders shall remain with the Board except for minor field (site) modifications; and

Whereas purchase orders shall not be used to circumvent the procedures outlined in this resolution

Now, therefore, be it resolved by the Board of Commissioners of the Willingboro Municipal Utilities Authority, in the Township of Willingboro, County of Burlington, State of New Jersey, that the within resolution shall govern the procedures for authorizing and adopting change orders pursuant to N.J.A.C. 5:30-11 et seq (attached) in accordance with the Local Public Contracts Law and Local Finance Notices.

Be It Further Resolved that all change orders shall be approved by the Board excepting that minor field (site) modifications not to exceed \$7500 may be authorized by the Executive Director upon written approval from the Chairperson prior to authorization,

Be It Further Resolved that this resolution shall be attached in its entirety to the By-laws of the Willingboro Municipal Utilities Authority as Addendum 1 to Article III (Board Duties, Powers & Responsibilities).

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh		X	X			
Commissioner Carl Turner	X		X			
Commissioner Darvis Holley			X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston			X			
Commissioner, 2nd Alternate, Diallyo Diggs						

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the 17th day of January 2024.

Dated: _____, 2024

Sharon L. Anderson, Secretary

Willingboro Municipal Utilities Authority

Resolution 2024-01-17-13

Authorizing Executive Session

Whereas N.J.S.A. 10:4-13 allows for a Public Body to go into closed session after adopting a resolution during a Public Meeting; and

Whereas the Board of the Willingboro Municipal Utilities Authority (“WMUA”) has deemed it necessary to go into closed session to discuss certain matters which are exempt from the Public; and

Whereas the regular meeting of this Board will reconvene at the conclusion of closed session;

Now, Therefore, Be It Resolved by the WMUA, in the Township of Willingboro, County of Burlington, State of New Jersey, that the Board of Commissioners will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12b:

- ☐ 1 Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from the provisions of subsection a of NJSA 10:4-12; and
- ☐ 2 Any matter in which the release of information would impair a right to receive funds from the Government of the United States; and
- ☐ 3 Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by an institution or program, including but not limited to, information relative to the individual’s personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress, or condition of any individual, unless the individual concerned (or, in the case of a minor or an incapacitated individual, the individual’s guardian) shall request in writing that the material be disclosed publicly; and
- ☐ 4 Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body; and
- ☐ 5 Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; and

Continued . . .

- ☐ 6 Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair that protection, or investigations of violations or possible violations of the law; and
- ☐ 7 Any pending or anticipated litigation or contract negotiation, excluding collective bargaining, in which the public body is, or may become, a party, or matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer; and
- ☐ 8 Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected in writing that such matter or matter be discussed at public meeting; and
- ☐ 9 Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party of the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.

BE IT FURTHER RESOLVED that the Commissioners hereby declare that its discussion of the aforementioned subject(s) may be made public at a time when the Solicitor advises the Board that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the WMUA or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Board, for the aforementioned reasons, hereby declares that the public is excluded from the portion or the meeting during which the above discussion shall take place and here by directs the WMUA to take the appropriate action to effectuate the terms of this resolution.

Title, Name	Motion	Second	Aye	Nay	Not Voting	Absent
Chair, Commissioner Pat Lindsay-Harvey			X			
Vice Chair, Commissioner Kevin McIntosh	X		X			
Commissioner Carl Turner			X			
Commissioner Darvis Holley		X	X			
Commissioner James Boyer						X
Commissioner, 1st Alternate, William Weston			X			
Commissioner, 2nd Alternate, Diallyo Diggs						

Certification By Secretary

I, Sharon L. Anderson, Secretary of the Willingboro Municipal Utilities Authority do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Authority at the regular meeting held on the ____ day of _____, 2023.

Dated: _____, 2023

Sharon L. Anderson, Secretary