

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

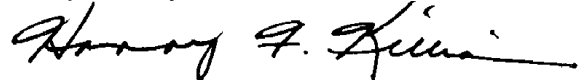
A Public Hearing on the proposed 2010 Rate Schedule Revisions of the Willingboro Municipal Utilities Authority was held on Tuesday, June 15, 2010 in the Authority Office with the following Members present:

Mr. Thomas M. Scholtis, Chairman; Mr. Eddie Campbell, Jr.; Ms. Ayisha Gordon; Mr. James Gray; Mr. William S. Hall; Mrs. Selia McFadden, and Mr. Dennis W. Reiter,

Others attending were Mr. L. Russell Trice, PE of Richard A. Alaimo Assoc., Consulting Engineers; Mr. Michael Armstrong, Solicitor; Mr. Joseph S. Bateman., Executive Director; Russell F. Mackel, Operations Manager, and Harry F. Killian, Secretary/Treasurer.

The transcription of this Hearing is attached to and made a part of these minutes.

Respectfully submitted,



Harry F. Killian  
Secretary

MUNICIPAL UTILITIES AUTHORITY  
TOWNSHIP OF WILLINGBORO  
COUNTY OF BURLINGTON  
STATE OF NEW JERSEY

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RE: PUBLIC HEARING : PROPOSED RATE SCHEDULE REVISION  
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Willingboro Municipal Utilities Authority  
423 John F. Kennedy Way  
Willingboro, New Jersey  
June 15, 2010  
3:30 p.m.

B E F O R E:

COMMISSIONERS:

THOMAS M. SCHOLTIS, Chairman  
HON. EDDIE CAMPBELL, Jr., Mayor  
AYISHA GORDON  
WILLIAM S. HALL  
DENNIS W. REITER  
THOMAS H. GRAY, Alternate  
SELIA A. McFADDEN, Alternate

A L S O P R E S E N T:

JOSEPH S. BATEMAN, Executive Director  
RUSSELL F. MACKEL, Operations Manager  
RUSSELL TRICE, Township Engineer  
HARRY K. KILLIAN, Secretary/Treasurer  
MICHAEL A. ARMSTRONG, Solicitor

LEA A. LUMPKIN  
Certified Shorthand Reporter,  
(N.J. License No. XI001054)

MUNICIPAL UTILITIES AUTHORITY  
TOWNSHIP OF WILLINGBORO  
COUNTY OF BURLINGTON  
STATE OF NEW JERSEY

RE: PUBLIC HEARING : PROPOSED RATE SCHEDULE REVISION

Willingboro Municipal Utilities Authority  
423 John F. Kennedy Way  
Willingboro, New Jersey  
June 15, 2010  
3:30 p.m.

BEFORE:

COMMISSIONERS:

THOMAS M. SCHOLTIS, Chairman  
HON. EDDIE CAMPBELL, Jr., Mayor  
AYISHA GORDON  
WILLIAM S. HALL  
DENNIS W. REITER  
THOMAS H. GRAY, Alternate  
SELIA A. McFADDEN, Alternate

ALSO PRESENT:

JOSEPH S. BATEMAN, Executive Director  
RUSSELL E. MACKEL, Operations Manager  
RUSSELL TRICE, Township Engineer  
HARRY K. KILLIAN, Secretary/Treasurer  
MICHAEL A. ARMSTRONG, Solicitor

LEA A. LUMPKIN  
Certified Shorthand Reporter,  
(N.J. License No. X1001054)

CAMPISE REPORTING, INC.  
273 W. Main St., Moorestown, NJ 08057  
(856) 234-6646

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MR. SCHOLTIS: 3:30. Call our public hearing to order. Secretary will announce the public hearings are to be held in accordance with the provisions of N.J.S.A. 40:14B-23 --  
MR. KILLIAN: I can just give this. Oh, okay. Rather than me read all this, it's in what Joe had already given you.  
MR. SCHOLTIS: -- by mailing notices of Public Hearing to the township clerks of Willingboro and Westampton by certified mail respectively to the secretary of Edgewater Park Sewage Authority by certified mail, number listed, by posting a notice on the official bulletin board of the Authority and by publishing a notice of the proposed rate schedule revisions in the *Burlington County Times* and *Courier Post* on the 25th day of May 2010 which is at least 20 days prior to the hearing. Secretary will call the roll.  
MR. KILLIAN: Commissioner Campbell.  
MR. CAMPBELL: Yes.  
MR. KILLIAN: Commissioner Gordon.  
MS. GORDON: Present.  
MR. KILLIAN: Commissioner Hall.  
MR. HALL: Here.  
MR. KILLIAN: Commissioner Reiter.

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1 MR. REITER: Here.  
2 MR. KILLIAN: Commissioner Scholtis.  
3 MR. SCHOLTIS: Here.  
4 MR. KILLIAN: Alternate Commissioner  
5 McFadden.  
6 MS. McFADDEN: Here.  
7 MR. KILLIAN: Alternate Commissioner Gray.  
8 MR. GRAY: Here.  
9 MR. KILLIAN: All members are present.  
10 MR. SCHOLTIS: Receive testimony regarding  
11 the need for proposed rate increase.  
12 MR. BATEMAN: As both the treasurer and  
13 myself have reported on over the past several  
14 months, Willingboro MUA experienced a number of  
15 negative changes in its financial position over  
16 the course of the last year and a half. These  
17 changes were compounded by the downturn in the  
18 national and regional economy. Locally one of the  
19 factors that has impacted our finances is the  
20 number of vacant homes and businesses within  
21 Willingboro. Currently that number stands above  
22 325. Under current rules and regulations, we do  
23 not collect any revenue from these structures.  
24 The fact that the Authority does not bill  
25 the owners of these vacant structures is unfair on

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1 all the other rate payers. The debt incurred by  
2 the MUA to maintain and improve its water and  
3 wastewater system provides an infrastructure that  
4 is capable of service -- servicing these homes and  
5 businesses, and the costs should be borne equally  
6 among all of our customers.  
7 The purpose of this resolution is to change  
8 our rules and regulations to begin charging the  
9 owners of the vacant homes and businesses in order  
10 for them to pay their proportionate share of this  
11 debt. It is estimated the revenue generated from  
12 this change will ultimately be in the neighborhood  
13 of \$75,000 per year.  
14 Are there any questions by any of the  
15 commissioners?  
16 MS. GORDON: The houses that are  
17 foreclosed, we're expecting the bank to pay?  
18 MR. BATEMAN: We're looking to the bank to  
19 pay.  
20 MR. CAMPBELL: In some of the instances the  
21 bank has people there that does use the water from  
22 time to time.  
23 MR. BATEMAN: In some instances, the banks  
24 have people there that will utilize the water from  
25 time to time.

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1 MR. SCHOLTIS: Okay. Comments from the  
 2 public? Comments from Authority members? Mayor  
 3 Campbell?  
 4 MR. CAMPBELL: Okay.  
 5 MR. SCHOLTIS: Ms. Gordon?  
 6 MS. GORDON: Okay.  
 7 MR. SCHOLTIS: Mr. Hall?  
 8 MR. HALL: What?  
 9 MR. SCHOLTIS: Any comments?  
 10 MR. HALL: No.  
 11 MR. SCHOLTIS: Mr. Reiter?  
 12 MR. REITER: No.  
 13 MR. SCHOLTIS: Alternate McFadden?  
 14 MS. McFADDEN: No.  
 15 MR. SCHOLTIS: Mr. Gray?  
 16 MR. GRAY: No.  
 17 MR. SCHOLTIS: I have only one. I think  
 18 this is a good idea and it's fair to our current  
 19 rate payers and citizens in town. Okay.  
 20 Entertain a motion that the public hearing on the  
 21 rate schedule revision be closed.  
 22 MR. REITER: So moved.  
 23 MR. HALL: Second.  
 24 MR. SCHOLTIS: Moved and second. All in  
 25 favor?

1 MR. KILLIAN: I have to -- Commissioner  
 2 Campbell?  
 3 MR. CAMPBELL: Yes.  
 4 MR. KILLIAN: Commissioner Gordon?  
 5 MS. GORDON: Yes.  
 6 MR. KILLIAN: Commissioner Hall?  
 7 MR. HALL: Aye.  
 8 MR. KILLIAN: Mr. Reiter?  
 9 MR. REITER: Yes.  
 10 MR. KILLIAN: Commissioner Scholtis?  
 11 MR. SCHOLTIS: Five members voting, all  
 12 voting in the affirmative.  
 13 Chair will entertain a motion to consider  
 14 Resolution 2010-26 amending the authority's rates  
 15 rules and regulations.  
 16 MS. GORDON: So moved.  
 17 MR. CAMPBELL: Second.  
 18 MR. SCHOLTIS: Moved and seconded. Roll  
 19 call vote.  
 20 MR. KILLIAN: Commissioner Campbell?  
 21 MR. CAMPBELL: Yes.  
 22 MR. KILLIAN: Commissioner Gordon?  
 23 MS. GORDON: Yes.  
 24 MR. KILLIAN: Commissioner Hall?  
 25 MR. HALL: Aye.

1 MR. KILLIAN: Commissioner Reiter?  
 2 MR. REITER: Yes.  
 3 MR. KILLIAN: Commissioner Scholtis.  
 4 MR. SCHOLTIS: All members voting, all  
 5 voting in the affirmative.  
 6 Chair will entertain a motion to adjourn  
 7 the public hearing.  
 8 MR. HALL: So moved.  
 9 MR. CAMPBELL: Second.  
 10 MR. SCHOLTIS: All in favor?  
 11 (Simultaneous aye.)  
 12 MR. SCHOLTIS: Meeting closed. Thank you.

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 2 CERTIFICATE OF OFFICER  
 3  
 4 I, LEA A. LUMPKIN, a Certified Court Reporter of  
 5 the State of New Jersey, do hereby certify that prior to  
 6 the commencement of the examination, the witness was duly  
 7 sworn by me.  
 8 I DO FURTHER CERTIFY that the foregoing is a true  
 9 and accurate transcript of the testimony as taken  
 10 stenographically by and before me at the date, time and  
 11 place aforementioned.  
 12 I DO FURTHER CERTIFY that I am neither a relative,  
 13 nor employee, nor attorney or counsel to any parties  
 14 involved; that I am neither related to nor employed by any  
 15 such attorney or counsel, and that I am not financially  
 16 interested in the action.  
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 19 \_\_\_\_\_ C.C.R.  
 20 NJ C.C.R. License No. XI-01054  
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## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

The Regular Meeting of the Willingboro Municipal Utilities Authority was held on Tuesday, 15 June, 2010 in the Authority Office at the conclusion of the water and sewer rate hearing. The following Members were present:

Mr. Thomas M. Scholtis; Chairman; Mr. Eddie Campbell, Jr., Ms. Ayisha Gordon; Mr. James H. Gray; Mr. William S Hall; Mrs. Selia McFadden, and Mr. Dennis W. Reiter.

Others attending were Mr. L. Russell Trice, PE of Richard A. Alaimo Assoc., Consulting Engineers, Michael A. Armstrong, Solicitor; Ronald J. Ianoale, Esq., Leslie London, Esq. Bond Counsel; Mr. Joseph S. Bateman, Executive Director; Mr. Russell F. Mackel, Operations Manager, and Mr. Harry F. Killian, Secretary/Treasurer.

The Chairman called the meeting to order and instructed the Secretary to read the following statement:

Public notice of the meeting, pursuant to the Open Public Meetings Act, has been given by the Authority in the following manner:

A. Posting written notice on the official bulletin board of the Authority building on Wednesday, February 5, 2010.

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 Municipal Utilities Authority on February 5, 2010 by Certified Mail 7009-0080-0001-8397-6815, 7009-0080-0001-8397-6822, 7009-0080-0001-8396-9107, 7009-0080-0001-8397-6808, 7009-0080-0001-8396-9084 respectively.

C. Publishing a Public Notice in the Burlington County Times and Courier-Post on February 5, 2010.

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

The Minutes of the 18 May 2010 Meeting were presented for approval. Mr. Bateman suggested a change to page 84 by inserting the following "The Executive Director presented a draft strategic plan for the years 2011 through 2013. He requested the Commissioners to review the draft and be prepared to discuss it at the June meeting."

The minutes were approved as amended on a motion made by Ms. Gordon and seconded by Mr. Reiter.

Roll Call Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

The Treasurer's Financial Report for May 2010 were received and filed as printed and distributed on a motion by Mr. Hall and seconded by Mr. Campbell.

Mr. Bateman spoke about the report by advising that the Edgewater Park Sewerage Authority is up to date on all payments.

He also said that, as can be seen, sewer revenues are in good shape but that water revenues are significantly lower due mostly to the reduction in water taken by the Mount Laurel Municipal Utilities Authority. It is anticipated that they will only meet their minimum requirements for the second quarter and of course the balance of the year will be dependent on weather conditions. Mr. Bateman stated that he and his staff have taken measures to curtail expenses for the remainder of the year.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

The Operations Manager's Report for May 2010 was received and filed as printed and distributed on a motion by Ms. Gordon that was seconded by Mr. Hall.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

Chairman Scholtis asked for comments from the public. The Secretary noted for the record that no members of the public were in attendance.

The Chairman said that we would be requesting proposals from attorneys to serve as Labor Counsel in the not to distant future and then introduced Mr. Ronald J. Ianoale, of the firm of McManimon & Scotland, Bond Counsel.

Mr. Ianoale then introduced Ms. Leslie London of his firm.

Ms. London introduced herself and said that she had been practicing with the McManimon and Scotland firm for twenty-three (23) years mostly in labor law. She said she was also Solicitor for the Plainfield MUA for fifteen (15) years; Special Counsel to the Passaic Valley Water Commission, Township of Old Bridge; Bayonne MUA and Franklin Township. She said that about ninety-eight percent of her work was with public entities. Chairman Scholtis thanked Mr. Ianoale and Ms. London for attending.

The Executive Director discussed a proposed resolution to appoint Edward Kondracki, Esq., as Special Counsel; Virtua At Work as Authority Physician; Brown & Brown as Actuary, and June Madden, Accounting Consultant.

Mr. Campbell said that he would like to discuss this resolution in closed session before any action is taken.

Chairman Scholtis directed that the matter be removed from the agenda at this time.

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

Mr. Bateman reviewed the updated Strategic Plan for the years 2011 through 2013 with the members. Mr. Scholtis asked the commissioners to re-read the plan and make suggestions for next month's meeting. Mr. Campbell said that he read it and he said that the Executive Director is on the right track. Mr. Hall asked if there was anything that was to be gained by waiting another month. He thought it was a good plan. Ms. Gordon agreed. The consensus of the board was to accept the plan has presented.

The Treasurer presented the following list of bills due for payment as follows

-----CHECK----- #	DATE	-----VENDOR----- #	NAME	CHECK AMOUNT
1010	6/01/2010	2150	STATE OF NJ HEALTH BENEFITS PROGRAM	11833.43
1011	6/01/2010	2030	STATE OF NJ HEALTH BENEFITS POGRAM	46795.38
5875	6/01/2010	1290	DELTA DENTAL PLAN OF NJ	5218.03
5878	6/16/2010	73	ADVANCED AUTO PARTS	289.11
5879	6/16/2010	150	ALAIMO ASSOC., RICHARD A.	30381.05
5880	6/16/2010	160	ALL INDUSTRIAL SAFETY	983.58
5881	6/16/2010	221	AMERICAN AGIP CO INC HAINESPORT	169.80
5882	6/16/2010	2341	ARMSTRONG, MICHAEL A	1584.00
5883	6/16/2010	10	AT&T	78.72
5884	6/16/2010	2627	AVAYA FINANCIAL SERVICES	60.40
5885	6/16/2010	2625	AVAYA INC.	125.10
5886	6/16/2010	330	AWWA	190.00
5887	6/16/2010	31	BARBER, ROBERT	69.00
5888	6/16/2010	500	BILLOWS ELECTRIC SUPPLY	84.08
5889	6/16/2010	540	BOWMAN & COMPANY LLP	34000.00
5890	6/16/2010	570	BROADVIEW NETWORKS INC.	1065.62
5891	6/16/2010	620	BUCKLEY, VINCENT	455.00
5892	6/16/2010	430	BURLINGTON COUNTY TIMES	490.36
5893	6/16/2010	3159	BURLINGTON COUNTY TREASURER	8197.90
5894	6/16/2010	670	BURLINGTON MEDICAL CENTER	428.00
5895	6/16/2010	793	CBM	97.37
5896	6/16/2010	2953	CDW GOVERNMENT INC	301.71
5897	6/16/2010	820	CERTIFIED LABORATORIES	273.22
5898	6/16/2010	870	CHEM-AQUA DIVISION	1028.50
5899	6/16/2010	5035	CONFIDENTIAL SHREDDING LLC	427.50
5900	6/16/2010	1000	CONSTELLATION NEWENERGY INC.	38875.48
5901	6/16/2010	1020	CONTECH ASSOCIATES INC.	750.00
5902	6/16/2010	1050	COURIER POST	356.73
5903	6/16/2010	1116	COYNE CHEMICAL CO. INC., GEORGE	2728.00
5904	6/16/2010	1040	D. R. CORDELL & ASSOC INC	400.00
5905	6/16/2010	1321	DODGE CITY	88.40
5906	6/16/2010	1690	FOX HEATING & A/C	352.14
5907	6/16/2010	1891	G & K SERVICES	794.20
5908	6/16/2010	1970	GRAPHIC CONTROLS LLC	223.69
5909	6/16/2010	2039	HD SUPPLY WATERWORKS LTD	47150.00
5910	6/16/2010	2324	HOME DEPOT USA INC	328.28
5911	6/16/2010	2328	HORN, JASON	125.00
5912	6/16/2010	2269	JCI JONES CHEMICALS INC	3899.96
5913	6/16/2010	2430	KILLIAN, HARRY F.	68.97
5914	6/16/2010	2421	KINGS JANITORIAL SERVICE	80.00
5915	6/16/2010	2521	LAUREL LAWNMOWER SERVICE INC.	1398.47
5916	6/16/2010	2370	LESLIE'S SWIMMING POOL SUPPLIES	51.54
5917	6/16/2010	4319	MID-ATLANTIC ENGINE SUPPLY COP	2513.22
5918	6/16/2010	2951	MIDDLESEX WELDING SALES	9.70
5919	6/16/2010	2050	MINUTEMAN PRESS OF HAINESPORT	493.37
5920	6/16/2010	3168	N. J. MANUFACTURERS INSURANCE COMPANIES	8482.00
5921	6/16/2010	2762	NETWORK MANAGEMENT CONSULTANTS	2250.00
5922	6/16/2010	3017	NEW JERSEY AMERICAN WATER	425.50
5923	6/16/2010	3152	NEWTOWN OFFICE & COMPUTER SUPPLY	288.64
5924	6/16/2010	4999	ONE CALL CONCEPTS	190.46
5925	6/16/2010	3610	P S E & G	19449.99
5926	6/16/2010	3611	PARK PUMPS & CONTROLS INC.	38.50
5927	6/16/2010	3591	PECO	1314.15
5928	6/16/2010	2340	PETROLEUM TRADERS CORP	4645.08
5929	6/16/2010	3467	PHILADELPHIA INSURANCE COMPANIES	11911.16
5930	6/16/2010	4064	PHOENIX SECURITY SYSTEMS INC	144.00
5931	6/16/2010	3630	PYRZ WATER SUPPLY CO INC	1215.00
5932	6/16/2010	3640	QC INC	2853.50

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

-----CHECK-----		-----VENDOR-----		
#	DATE	#	NAME	CHECK AMOUNT
5933	6/16/2010	4694	REIT LUBRICANTS CO	2037.21
5934	6/16/2010	4882	RICOH AMERICAS CORPORATION	1973.04
5935	6/16/2010	3880	RUBBER SUPPLY COMPANY	687.07
5936	6/16/2010	4202	S. J. WELDING SUPPLY CO.	38.00
5937	6/16/2010	3940	SAM'S CLUB	716.98
5938	6/16/2010	2422	SHARP GTS, GARY	902.00
5939	6/16/2010	4285	SPRINGSIDE AUTOMOTIVE INC	907.46
5940	6/16/2010	4290	STA SEAL INC	138.24
5941	6/16/2010	730	STEVENSON & SON INC., C.	817.66
5942	6/16/2010	4340	STEVENSON SUPPLY CO INC	99.76
5943	6/16/2010	2475	SULLIVAN & PIGLIACELLI INC.	13881.00
5944	6/16/2010	4204	SUNSHINE INDUSTRIAL PRODUCTS	2395.00
5945	6/16/2010	2331	TELEDYNE ISCO INC.	5451.09
5946	6/16/2010	4460	TRAP ROCK INDUSTRIES INC	2268.90
5947	6/16/2010	2730	UNI VAR USA INC.	2148.00
5948	6/16/2010	3090	VERIZON	1051.44
5949	6/16/2010	3186	VERIZON WIRELESS	252.02
5950	6/16/2010	4640	WAINWRIGHT LAWN & GARDEN	99.00
5951	6/16/2010	4650	WALKER PROCESS EQUIPMENT	2318.56
5952	6/16/2010	2260	WASTE MANAGEMENT OF NEW JERSEY	306.57
5953	6/16/2010	4780	WEST GROUP	207.00
5954	6/16/2010	4535	WILLIAM SCOTSMAN INC.	280.00
5955	6/16/2010	4605	WOOLSTON INC.	1056.00
5956	6/16/2010	4880	ZEE MEDICAL SERVICE CO.	220.27
<b>TOTAL:</b>				<b>\$338,774.26</b>

Mr. Reiter moved that the list of bills as presented be paid. Ms. Gordon seconded the motion.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE; and Mr. Thomas M. Scholtis, AYE.

Mr. L. Russell Trice, PE of Richard A. Alaimo, Assoc., Consulting Engineer, presented the Engineers Monthly Status Report as follows:

### MICRO TURBINE FACILITY

The Authority awarded this contract to Municipal Maintenance Company, in the amount of \$925,100.00 at the November 2009 meeting.

The preconstruction meeting was held on January 11, 2010. The contract time for completion is 300 days; therefore the contract completion date is November 7, 2010.

The contractor continues to submit shop drawings for approval.

The contractor's lateness in submitting and obtaining approvals for shop drawings associated with major equipment is becoming a concern. A construction schedule was requested, which indicates how the November 11 completion date will be met.

### WPCP PRIMARY SETTLING TANK – VALVE VAULT

The replacement of the valves and construction of the valve vault is complete.

Subsequent to the vault being constructed, the contractor submitted a change order request for \$62,525.00. The majority of the request is associated with the construction of a fourth wall of the vault. The original design proposed using the wall of the settling tank as one of the vault walls. After bids were received it was determined that the settling tank wall was not continuous to the bottom of the tank. Due to the depth of the excavation and safety considerations, it was

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

determined that the fourth wall for the vault would need to be constructed. While the contractor is due monies for the additional wall, the amount requested needs to be reviewed in detail before a recommendation is made.

### **DIGESTER SLUDGE TRANSFER PUMP**

We are preparing plans and specifications for bidding the replacement of the digested sludge transfer pump. The existing pump is approximately eighteen (18) years old and parts are not readily available.

### **SOLAR ELECTRIC GENERATING SYSTEM- WATER TREATMENT PLANT AND WATER POLLUTION CONTROL PLANT**

The Authority awarded this contract to APS Contracting Incorporated, in the amount of \$6,641,500.00 at the November 2009 meeting. The preconstruction meeting was held on January 11, 2010. The contract time for completion is 210 days; therefore the contract completion date is August 9, 2010.

Site work is completed at the water treatment plant. The panel support system posts are installed. The panel support structure materials have been delivered and erection of the supports should start this week.

The contractor is waiting for the site to dry out at the water pollution control plant. Final grading is finished. Filter fabric and stone still needs to be placed before support system erection can start.

### **COMMERCE BANK – TOWN CENTER**

A punch list inspection indicated that all of the water and sewer facilities are in acceptable condition, therefore maintenance bond release is recommended.

### **AL-NASR MOSQUE**

A field inspection was performed and no outstanding work was found. As-built drawings must be revised and resubmitted for approval.

### **THE VILLAGE OF WILLINGBORO**

A meeting was held on June 4 with the Village's contractor to review the outstanding punch list.

### **RANCOCAS FRIENDS SCHOOL**

A recent inspection indicates that all punch list work has been completed. Bond release will be recommended at next month's meeting.

### **GRACE BAPTIST CHURCH**

All field punch list items have been completed. As-builts were submitted, reviewed and returned for revision on August 30, 2006. Revised drawings have not been received.

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

### **DUNKIN DONUTS/WALGREENS**

The applicant has posted additional money in the escrow account and a punch list inspection will be performed shortly.

### **TOWN CENTER NORTH AND SOUTH PHASES**

*No change in status* All field punch list items have been completed for the South Phase and as-built drawings have been approved. The easements are acceptable, but the applicant needs to provide legal descriptions. The applicant has not posted performance bonds for the South Phase.

The contractor has completed the North Phase. A field inspection did not identify any punch list items, however, as-built plans and easements are required.

Connection fee issues are being reviewed.

### **VCS GROUP (DOLAN)**

It has been determined that a utility easement was filed for a sanitary sewer main which was installed to service an adjacent property. However, the easement was granted to the adjacent property owner, not the Authority. VCS must revise the easement or accept ownership of the main.

### **TOWN CENTER – SEARS BUILDING**

*No change in status.* Connection fee issues are being reviewed.

### **CRESCENT SHRINE CENTER**

A field inspection was performed and a revised punch list was sent to the Shrine's attorney on April 7.

### **POPEYE'S RESTAURANT**

A meeting was held June 5 with Popeye's contractor to discuss the outstanding punch list.

### **DOLAN WAREHOUSE, 95 STEMMERS LANE (BLOCK 203, LOT 6.04)**

A field inspection was performed and a punch list was forwarded to Dolan. A reinspection has not been requested.

### **DOLAN WAREHOUSE (BLOCK 203, LOT 7.04)**

Utility work has been substantially completed. A field inspection was performed and a punch list forwarded to Dolan for correction.

### **WILLINGBORO WALK**

*No change in status.*

Plans and permit applications have been approved for this 450 residential unit project.

Currently, one water meter is proposed for each building (eighteen to twenty-four each). In the event the units are individually sold in the future, we are requiring that the plans be revised to

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

indicate that a meter will be installed at this time for each unit. Blanket easements will also be required for all utilities.

### **DELAWARE VALLEY BAPTIST CHURCH**

Construction is ongoing.

### **LIVING SPRINGS (ABUNDANT LIFE FELLOWSHIP CHURCH)**

An application has been submitted for the construction of: 127 one-bedroom age restricted units, twenty-four two-bedroom age restricted units, twenty-one bedroom assisted living units and 76,900 s.f. of commercial space. The majority of this proposed development is in the Delanco Sewerage Authority's sewer service area. For the WMUA to accept the wastewater, both the Delanco Sewerage Authority's and the WMUA's wastewater management plans would have to be amended. The WMUA currently accepts wastewater from the existing church, which is located in Edgewater Park and already in the Authority's service area.

Wastewater from the proposed development would flow to an existing pumping station on Lake Drive, which would have to be replaced or upgraded in order to accommodate the additional flow. We have been assisting the Authority in estimating the cost of a new pumping station and an analysis of the cost benefit of accepting the proposed development's wastewater flow.

An agreement has been reached whereby the Authority will accept wastewater from 100 senior housing units.

Mr. Trice advised the Authority that the New Jersey Department of Environmental Protection had nominated the Solar Panel and Micro-turbines for the PISCES Award, which is a national award recognizing those facilities that have contributed to the environment by reducing energy costs and consumption.

Mr. Trice the presented the ARRA Project Cost Status Report as shown on the next page.

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

Willingboro Municipal Utilities Authority American Recovery and Reinvestment Act Projects Project Cost Status June 15, 2010							
	Contract Amount	Completed Current Month	Previously Completed	Total Completed to Date	Percent Completed Current Month	Percent Completed to Date	Percent of Contract Time Utilized
Microturbine Facility (Municipal Maintenance Company) Contract Time-300 days, Completion Date- November 7, 2010	\$925,100.00	\$52,000.00	\$0.00	\$52,000.00	6%	6%	51%
Water Pollution Control Plant Solar Electric Generating System (APS Contracting Inc.) Contract Time- 210 days, Completion Date- August 9, 2010	\$4,535,500.00	\$109,450.00	\$2,253,600.00	\$2,363,050.00	2%	52%	73%
Water Treatment Plant Solar Electric Generating System (APS Contracting Inc.) Contract Time- 210 days, Completion Date- August 9, 2010	\$1,881,000.00	\$205,500.00	\$832,000.00	\$1,037,500.00	11%	55%	73%

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

Ms. Gordon asked about the micro-turbine project and questioned whether it could still be completed at the projected time.

Mr. Trice said he believed that it could.

Mr. Mackel advised the Consulting Engineer that Abundant Life/Living Springs are making connection and that fees have not been paid.

Mr. Bateman said that he has a call into Mr. Fenton about the matter.

Ms. Gordon moved that the Consulting Engineer's Report be received and filed. Mr. Campbell seconded the motion.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

Mr. Trice reviewed the well pump problem at Well # 10.

He said that Layne-Christian could not determine the problem without actually pulling the pump. They found that the actual problem was with the way the pump bowl was repaired three (3) years ago.

Mr. Trice continued that the ten inch (10") column pipe was more than two hundred feet (200') long and the pipe was in ten foot (10') sections and that each section is screwed together. The contractor saw that the threaded ends were severely corroded.

Mr. Trice recommended replacement. He also said that this is where pipe failure normally occurs and it's usually caused by corrosive water conditions.

Mr. Scholtis asked if there was an estimated completion time.

The Operations Manager said that this problem was just discovered and we don't know yet

Chairman Scholtis said that we should take action on several matters pertaining to the Consulting Engineer's Report at this time. He therefore instructed the Secretary to introduce the following resolutions:

### **RESOLUTION 2010 -27**

#### **AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE**

WHEREAS, Schedule VI of the Rates, Rules and Regulations of the Willingboro Municipal Utilities Authority requires that the owner of the property and/or his representative making application for approval of any connection to the Authority's Systems post a Performance Guarantee in the amount covering the cost of construction as estimated by the Authority's Consulting Engineer, and

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, Commerce Bank provided a letter of credit in the amount of (sewer, \$34,523.64 and water, \$82,737.60) in lieu of a Performance Bond, and

WHEREAS, the Consulting Engineer has recommended the release of the performance guarantee upon the posting of a satisfactory Maintenance Guarantee, and

WHEREAS, the Consulting Engineer has recommended the return of the letter of credit, and

NOW, THEREFORE, BE IT RESOLVED by the Willingboro Municipal Utilities Authority assembled in regular session this fifteenth day of June 2010 that:

1. The letter of credit in the amount of \$117,261.24 made by Commerce be refunded upon payment of any outstanding fees.
2. Posting of a maintenance guarantee not be required..
3. A copy of this resolution be forwarded to Commerce Bank as developer and owner of the above project.
4. A copy of this resolution is made a part of the minutes of this public meeting.

The resolution was approved on a motion made by Mr. Reiter that was seconded by Mr. Campbell.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

### **RESOLUTION 2010 – 28**

#### **EMERGENCY REPAIR OF WELL # 10 PUMP**

WHEREAS, NJSA 40A: 11-6 authorizes the purchase of equipment or services in excess of the bid threshold in certain emergency situations, waiving the formal bid process, and

WHEREAS, the operation of this well is required in order to maintain adequate pressures and volumes as required by the New Jersey Department of Environmental Protection, and

WHEREAS, this pump is an integral part of the proper operation of this well, and

WHEREAS, Layne Christensen Company has provided a quote of \$31,900, and

WHEREAS this contractor is a qualified contractor that is able to respond to this emergency.

WHEREAS, the Authority's Consulting Engineer, L. Russell Trice, PE, of Richard A. Alaimo, Assoc. has reviewed this matter and has issued a letter declaring that this matter constitutes an emergency necessitating the immediate repair.

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

NOW, THEREFORE, BE IT RESOLVED by the WMUA assembled in regular session this 15th day of June 2010 that:

1. The repair of well #10 pump be declared an emergency in accordance with NJSA 40A: -6
2. A contract be issued to Layne Christensen Company.
3. A copy of this resolution be made a part of the minutes of this public meeting.

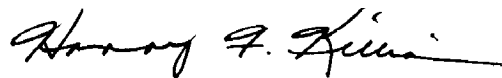
### CERTIFICATE OF AVAILABILITY F FUNDS FOR OPEN END CONTRACTS

As required by N.J.S.A. 40A: 4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, I, HARRY F. KILLIAN, Treasurer of the Willingboro Municipal Utilities Authority, have ascertained that there are available sufficient uncommitted appropriations in the Renewal and Replacement Fund to award a contract in an amount of \$31,900 to Layne Christensen Company.

Funds or certification are therefore being made available and certified against the above Fund.

Contract Period: From June 15, 2010 until completed

Amount Certified: \$31,900.



Treasurer

The resolution was adopted on a motion made by Ms. Gordon that was seconded by Mr. Campbell.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

The Chairman said that there were several matters that need to be discussed in closed session. Thus he instructed the Secretary to introduce the following resolution:

### RESOLUTION 2010 - 29

#### CLOSED MEETING TO DISCUSS CONTRACT NEGOTIATIONS, POSSIBLE LITIGATION AND PERSONNEL MATTERS

WHEREAS, the Members of the Willingboro Municipal Utilities Authority are desirous of discussing certain matters that may involve contract negotiations, litigation and personnel matters, and

WHEREAS, it is specifically provided in N.J.S.A. 10:4-12 (7) that the public may be excluded from attendance at such a discussion by this body.

## **WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

NOW, THEREFORE, BE IT RESOLVED by the Willingboro Municipal Utilities Authority assembled in regular session this fifteenth day of June 2010 that:

1. The Authority convenes in closed session to discuss the matters referred to herein above.
2. All members of the public are excluded from attendance at this closed session.
3. Such matters as are discussed in this closed session may be disclosed at such times this Authority shall undertake any formal action with reference to the matters discussed, and then only to the extent that the matters discussed are pertinent and directly related to any such formal action which may be taken and the disclosure would not otherwise constitute an invasion of the privacy of any individual and would not conflict with any attorney-client privileges to the extent that confidentiality would be required in order for counsel to the Authority to exercise his ethical duties as a lawyer in the handling of any litigation on behalf of the Authority.

BE IT FURTHER RESOLVED that this resolution is made a part of the minutes of this public meeting.

Ms. Gordon moved that the resolution be adopted. Mr. Campbell seconded the motion.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

At the conclusion of the closed session, Mr. Reiter moved that the Authority re-convene in public session. Ms. Gordon seconded the motion.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

Chairman Scholtis said that it would be appropriate to take action on a matter that had been discussed in closed session.

He therefore instructed the Secretary to introduce the following resolution:

### RESOLUTION 2010-30

#### PROFESSIONAL SERVICES APPOINTMENTS

WHEREAS, N.J.S.A. 40A: 11-5 (1) (a) (i) provides for the appointment of persons who shall render professional services, and

WHEREAS, there exists a need for Special Counsel, Actuary, and an Accounting Consultant, and

WHEREAS, the Authority physician, Nathaniel Evans, III is now associated with a different medical provider company, and

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Treasurer has certified that funds are available and have been budgeted for these purposes, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1, et seq.) requires that the Resolution authorizing the awarding of contracts for "Professional Services" without competitive bids must be publicly advertised, and

WHEREAS, the Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.5 et seq.) permits agencies to award contracts to business entities without using a fair and open process (a "non-fair and open process"), under the following conditions:

- The governing body has made a determination that the value of the contract does not exceed \$17,500 or
- The contractor may not have made a "reportable contribution" in the previous year (Section 8 defines a "reportable contribution."); and
- The contractor may not make a reportable contribution during the term of the contract, and
- The contractor must certify that no reportable contributions were made during the one year preceding the award of the contract. (N.J.S.A. 19:44A-20.8) the Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.5 et seq.)

NOW, THEREFORE BE IT RESOLVED by the Willingboro Municipal Utilities Authority, this 15th day of June 2010 at the Administrative Office, 433 John F. Kennedy Way, Willingboro, New Jersey that the following appointments be made:

1. Authority Physician – Nathaniel R. Evans, III, M.D., F.A.C.E.P,  
of Virtua at Work Inc.

Special Counsel - Edward Kondracki

Actuary - Brown and Brown

Accounting Consultant – June Madden

2. Term of appointments shall be June 15, 2010 to February 1, 2011 or until their successors shall have been duly appointed, unless their contract dictates a shorter term or is based upon the completion of a specific task.

3. They shall receive such compensation as follows:

Authority Physician - not to exceed \$5,000 per annum

Special Counsel - not to exceed \$17,500 per annum

Actuary - not to exceed \$5,000 per annum

Accounting Consultant - not to exceed \$5,000 per annum

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

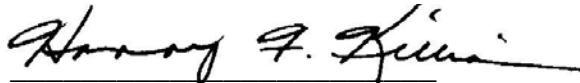
4. The Chairperson and Secretary are hereby authorized to execute the contracts on behalf of the Authority.

5. These awards are made without competitive bidding as a "Professional Service" under the provisions of NJSA 40A: 11 Local Public Contracts Law and in accordance with the provision of NJSA 19:44A-20.5 et seq...

6. Notice of Appointment be published in the Burlington County Times as required by law within ten (10) days of appointment.

### CERTIFICATE OF AVAILABILITY OF FUNDS FOR CONTRACTS

As required by NJSA 40A: 4-57, NJAC 5:30-14.5 and any other applicable requirements, I, Harry F. Killian, Treasurer of the WILLINGBORO MUNICIPAL UTILITIES AUTHORITY have ascertained that there are available sufficient uncommitted appropriations in the 2010 Authority Operating Budgets to award contracts to Nathaniel R. Evans, III of Virtua at Work; Authority Physician; Edward Kondracki; Special Counsel; Brown and Brown; Actuary; and Accounting Consultant ; June Madden amounts not to exceed that which has been budgeted for the purposes above cited.



Harry F. Killian

Treasurer

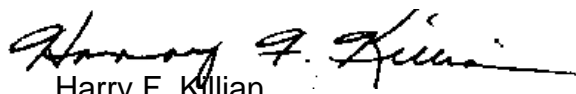
The resolution was adopted on a motion made by Mr. Campbell that was seconded by Mr. Hall.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, ABSTAIN; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

The There being no other business to transact, the meeting was adjourned at 6:28 PM on a motion made by Ms. Gordon that was seconded by Mr. Reiter.

Vote: Mr. Eddie Campbell, Jr., AYE; Ms. Ayisha Gordon, AYE; Mr. William S. Hall, AYE; Mr. Dennis W. Reiter, AYE, and Mr. Thomas M. Scholtis, AYE.

Respectfully submitted,



Harry F. Killian

Secretary