

Plumsted Municipal Utilities Authority
Minutes – March 17, 2015

Chairman Walter Bronson called the February 17, 2015 Plumsted Municipal Utilities Authority Meeting to order and asked everyone to stand for the Flag Salute. Attorney McGuckin read the Open Public Meetings Act.

Those in attendance were Walter Bronson, Edward Weirsky, Robert Minter, Ronald Dancer, Harry Miller and Richard Brown. Committeemen Marinari and Wysong were also in attendance.

Bill List: On motion of Mr. Weirsky, seconded by Mr. Minter, the Bill List for March 17, 2015 was approved as submitted. Roll Call Vote: All Ayes

Treasurer's Report: The Regular Account had an opening balance as of March 17th of \$71,165.95, deposits and interest of \$6,828.46, operating expenses of \$33,840.67 with an ending balance of \$44,153.74. On motion of Mr. Weirsky, seconded by Mr. Miller, the Treasurer's Report was approved as submitted. Roll Call Vote: All Ayes

Minutes: On Motion of Mr. Minter, seconded by Mr. Weirsky, the February 17, 2015 Minutes were approved. Roll Call Vote: All Ayes with Mr. Dancer and Mr. Miller abstaining.

Executive Director Report: Mr. Ylvisaker reported that the Fee Accountant had completed his work and the Auditor is scheduled to come to Plumsted on April 6th to start their work. The Audit may not be available for the May meeting. After this year, there should be no reason why the MUA is not on schedule next year.

Redevelopment Project: Mr. Ylvisaker said the Response to Comments document was updated to add four new comments and answers. The updated Response document was circulated on the PMUA website and on Face book. He said he was contacted by Mary Leek who runs the Abbotts Marsh (also known as Hamilton Marsh) Group in Bordentown. In a telephone conversation he had with Ms. Leek she seemed to have an objective view regarding the surface water discharge but does not like the idea and only thought that Hamilton was discharging into the Crosswicks; not any others such as Bordentown, the State Prison, Wrightstown or Allentown. Mr. Ylvisaker said he planned to go over and walk the Abbotts Marsh trail loop with her sometime in the spring.

Mr. Ylvisaker said Mr. Dancer had given him a letter from a company named Privatized Development for the Public Sector. The Company provides financing for public sector projects. He said he will contact them to see what they can and cannot do. He will report on this at a later meeting.

Mr. Ylvisaker said he had a meeting with Bob Calabro of LENNAR and went over the status of the acquisition agreement. At this point, Lennar has still not secured an agreement with the landowner. He indicated he had a telephone conversation with the owners of the PRRC property and they were asking him questions about the status of the permits and the Wastewater Management Plan. He said it was up to LENNAR at this point to make the agreement with the landowner and as soon as possible. This led into a conversation about the schedule. Mr. Ylvisaker said we were behind in terms of the schedule attached to the Redevelopment

Agreement but he felt we could catch up provided Lennar enters into an agreement soon to purchase the land. The MUA needs money for the engineer to prepare the documents that need to be done and other things which are required for the project to move forward. There was discussion regarding Lennar going ahead with an aerial survey of their and Plumsted's project areas which Lennar has agreed to do. He hoped by the next meeting there would be better news and we could start putting the puzzle together.

New Jersey American Water: Mr. Ylvisaker said he forwarded an email to the members after the last meeting indicating that NJAW was in the process of securing permits to do the well testing at the site on Lakewood Road and they are on schedule at this time. Until they have information from the planned tests wells, we will not know if this site can support two wells. Mr. Ylvisaker said from what he understands NJ American Water has gotten assurances from the State that they can proceed. Mr. Ylvisaker said the PMUA is now signed up to receive the water usage information for 2014 but does not have the information at this time.

County Wastewater Management Plan & Plumsted's Surface Water Discharge Permit: Mr. Ylvisaker said the Wastewater Management Plan had been officially submitted by Ocean County and is being reviewed by the NJDEP. Mr. McKeon thought it would be a three-month process. Mr. Dancer said he had spoken to Dan Kennedy at the NJDEP and he assured Mr. Dancer that in early April the notice will be published for the public hearing for the County's Wastewater Management Plan. There is a required 30-day advance notice requirement. Based on this, the public hearing would be in early May and that by June 1st the DEP will have completed the process for both the County Wastewater Management Plan and simultaneously the Plumsted Township Permit. From the NJDEP's perspective, at this point, they do not see any issues that would delay the review of Wastewater Management Plan.

Energy Aggregation: Mr. Ylvisaker said that by April 26th the MUA needs to provide a thirty (30) notice to Gable Associates if the PMUA wishes not to renew their contract; otherwise the contract will roll over. Mr. Ylvisaker confirmed the Board's desire to continue our contract agreement with Gable Associates. After this year, there are two (2) years remaining in the contract agreement.

He also received a memo from Bob Chilton of Gable Associates regarding a schedule and a resolution if the MUA was interested in joining the Stafford energy cooperative. Mr. Weirsky felt that since Plumsted was first in the State to have an energy aggregation program, he was not in favor of Stafford being the lead agency. He stated we had done all the work and now may not reap the benefits from this work. Mr. Dancer said he had reached out to the Mayor of Stafford and that Stafford was very interested in proceeding with Plumsted and other interested municipalities. The Mayor also indicated that their Business Administrator would give this a priority and move it along. Mr. Bronson questioned if a Lead Agency was required and wondered if the Cooperative would have or could have a Board to oversee this. Attorney McGuckin said there was no statutory provision in the law for creating that but it could be done informally. He explained Stafford Township runs a Cooperative for a lot of towns in Ocean County for other services and explained the process. Mr. Weirsky expressed other concerns. He felt there was a lot more that needs to be worked out and understood contractually to protect the MUA and the Township. Mr. Dancer suggested that Mr. Weirsky and Mr. Minter meet with Gable Associates and the Stafford Township Business Administrator to see if there is a consensus and, if not, do not go forward with this.

Recycling and Solid Waste: Mr. Ylvisaker said the second quarter invoices were sent out and the meeting package included information regarding the recycling and comingling of recycling with

Toms River. He noted the preliminary estimates are that basically the same amount of recycling is collected with the comingling of recyclable materials with Toms River as it was with a dedicated vehicle for Plumsted. He said he had an understanding with Waste Management that we will monitor this for a few months and if anything appears to be out of the ordinary either to correct it or stop it. As of now it seems to be working and not hurting us.

Mr. Dancer said when he looked at the credit the Township receives from various entities which collect recycling material in Plumsted Township which gets delivered to the Ocean County Recycling Center, there is no record of Freehold Cartage because they are not bringing our recyclables to Ocean County. Instead, FCI takes this material to their transfer station in Monmouth County. He questioned if this was appropriate for a licensed, approved recycling hauler to not provide the proper credit and funds to the Township's account. He felt Freehold Cartage is benefiting from picking whatever recyclables they can from Plumsted Township and felt that was not the intent when it was put in the ordinance about approving the trash and recycling haulers. He felt it was not appropriate that FCI was pocketing the recycling money from Plumsted Township residents as an MUA approved hauler for recycling in this Township. He felt our residents should receive those funds through the Recycling Grant Program. Mr. Ylvisaker said in speaking to Ocean County, there was nothing they or we could do at this point to mandate FCI to dispose of the recycling they collect in Plumsted to Ocean County. Mr. Ylvisaker felt more research was needed to see what the options were and what could be done. Committeeman Wysong, as Recycling Coordinator, said he gets the recycling tonnage from FCI from Plumsted but he has to chase it down and fight for it every year. He noted that they were mandated by the NJDEP to report to us what is picked up here. He said he would check last year's State Tonnage Report for the information.

Engineer Information: Mr. Ylvisaker said at the last meeting there was discussion and an agreement to request additional information from the four (4) engineering firms to help in evaluating the proposals. He noted he had not requested the firms to provide coverage for professional liability insurance in an amount of \$5,000,000 as in reviewing this against the RFP three of the four firms have the \$5 million professional liability coverage and that the RFP had specified an amount of \$2,000,000. He said the four firms did provide the information requested on the task work and asked to go into Executive Session to discuss this.

Funding Issue: Mr. Dancer said he spoke to Tim Cunningham, the new Director of the Division of Local Government Services, who is the Chairman of the Local Finance Board. Mr. Cunningham worked for the Township when he was employed with GluckWalrath, Bond Counsel, and had cursory knowledge of the project. Mr. Dancer noted the Township cannot be in a position to introduce a Capital Bond Ordinance and appear before the Local Finance Board without the assurance of a revenue stream to pay the debt service. This is why he was stressing the importance of Step 1 as we are being delayed the entire process without a purchase agreement between Lennar and the landowner. Mr. Ylvisaker noted the time frames were quickly approaching when we would have to proceed in order to make the April meeting for both the Township meeting and the Local Finance Board meeting. Mr. Dancer asked if Mr. Calabro would confirm payment for Bond Counsel for the Capital Bond Ordinance because there is no funding for it through the Escrow Account.

Mr. Bronson asked Mr. Dancer if the Assembly had approved extending the years NJEIT can fund projects from 20 years to 30 years. Mr. Dancer, as Assemblyman, said that at the last voting session the bill passed the Assembly which is encouraging. If the Governor signs it, that will then enable the MUA and Township to do this project entirely with NJEIT funding which is significant.

Mr. Bronson opened the meeting to public comment. Mr. Bronson noted that Jack Mallon and Rose DeSantos from T & M Associates were in attendance and asked if there was anything in particular that the MUA should be asking for with respect to the Redeveloper to get an aerial flight done. Mr. Mallon explained what he felt should be done. Ms. DeSantos stated she would provide tomorrow to Mr. Ylvisaker certain requirements the aerial should conform to.

A motion was made by Mr. Minter and seconded by Mr. Miller, to go into Executive Session to discuss Contractual Issues related to the Special Project and General Engineer proposals. Roll Call Vote: All Ayes

The meeting returned to Open Session. A motion was made by Mr. Minter and seconded by Mr. Miller, to adjourn the meeting. Roll Call Vote: All Ayes. The next meeting is scheduled for April 21, 2015 at 6:30PM.

Respectively submitted by:

Nancy Hendrickson, Secretary

