

Plumsted Municipal Utilities Authority Minutes  
July 18, 2017

Chairman Bronson called the July 18, 2017 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, Richard Brown, Anthony Esposito, and Nancy Lawrence. Committeeman Marinari and Mayor Trotta were also in attendance.

Attorney McGuckin came forward and administered the oath of office to Nancy Lawrence as Alternate 2 to the Plumsted Municipal Utilities Authority. Ms. Lawrence introduced herself. She said she likes to be involved. She loves the Township. That is why she volunteered to be a member of the Authority.

Treasurer's Report: Mr. Minter said for the month of June, the Authority had deposits and credits of \$29,862.23. Total checks and payments were \$29,899.70, leaving a balance of \$83,223.07. The amounts shown on page 11 of the Agenda indicate that we have sufficient funds to pay our bills for July.

There were no questions or comments about the Treasurer's Report. On motion of Mr. Weirsky, seconded by Ms. Lawrence, the Treasurer's Report was approved. Roll Call Vote: All Ayes

Bill List: There were no questions on the Bill List. On motion of Mr. Minter, seconded by Mr. Brown, the Bill List for July 18, 2017 was approved as submitted. Roll Call Vote: All Ayes

Minutes: On motion of Mr. Minter, seconded by Mr. Dancer, the Minutes of June 20, 2017 were approved as submitted. Roll Call Vote: All Ayes except Mr. Brown who abstained.

T&M Associates Monthly Update:

Permitting

Mr. McKelvey said two issues have come up regarding permitting. First, the DEP adopted changes yesterday to the rules and regulations for flood hazard area permits. This will likely lead to additional engineering costs and potential project delay. T&M is trying to resolve the issue. They are checking with land use personnel and management to see if there is a way to avoid having to go through the new permitting process. T&M also is working through a contact provided by Mr. Dancer to see if the project can be grandfathered in since the Authority had most of its permits in place prior to the rule change. In addition, T&M put a silt fence around the back part of the parking lot at the pump station site to show that we have started construction. There are no definitive answers from DEP yet. Mr. McKelvey said he is unsure as to what the response will be. A question was asked about the new requirements. Mr. McKelvey said that the new rules will require the Authority to apply for individual permits in flood hazard areas. This is because the DEP considers the entire project to be a "major project."

Mr. Bronson said that there was a big change in the flood hazard rules a year ago. They came up with a whole lot of relatively easy-to-get permits, including permits by rule, which we fell under. They have one line in the rule that was promulgated yesterday which states that if you are a



“major project,” which is defined as anything over 1 acre of disturbance or ¼ acre of impervious surface, you are no longer eligible for permits by rule. The only way we will get that permit (there is no general permit) is to get an individual permit. It is not like a wetlands individual permit.

Mr. Bronson thinks we have already done 90% of the work that we would need to do for other agencies. We have done the storm water report and it has been reviewed by wetlands. We have done the archeological and environmental reports required by NJEIT. It is just repackaging it.

It will have to be a new application and technically a new review. He does not know why the rule was promulgated without a grandfather clause. He thought that was always done. If a project was deemed “complete” at the time that the new rule was promulgated, it would fall under the original rule, which is what we are trying to get. It could add up to 60 days to the project.

In case we cannot get grandfathered in, Mr. Bronson would like to have the Board authorize T&M to prepare the individual permit applications, if necessary, for a fee not to exceed \$5,000.00. The only thing we might have to do is the delineation. It is a delineated stream. It is a studied stream. It is already there. We need an avenue in place for T&M to go forward.

Mr. Weirsky made a motion to authorize T&M to prepare the individual permit applications for the land use flood hazard permit, if necessary, due to the new promulgated regulations by DEP, in an amount not to exceed \$5,000.00. The motion was seconded by Mr. Minter. Roll Call Vote: All Ayes

#### Ocean County:

Mr. McKelvey said the second issue concerns County approval of the site plan for the subdivision for the WWTP and the agreement that they were preparing for the combined storm water and wastewater discharge to the Crosswicks Creek. T&M met with the County yesterday and the County agreed to approve our latest plan submittal which we made last week.

The County has several requirements. They need Mylar or paper copies for the minor subdivision. They also need a letter requesting a waiver of the County site triangle requirements in favor of using the ASTO site triangle requirements. That letter has already been sent by T&M. The third thing they need is the deed for the 7-foot dedication across the front of the the property being subdivided for the WWTP and the piece that goes from the WWTP lot down to the creek. Mr. McGuckin is working on that.

The County indicated they would forward the required agreement for connection to the County system to the MUA and the Township for review. It is important to get it reviewed and executed as quickly as possible. Hopefully, at the Township’s August 2, 2017, meeting. Then we need to get that back to the County to be executed by the County Freeholders. The County said they could do that within a week.

Once both parties execute the agreement, it needs to be forwarded to the DEP so that they can finalize the NJDPES permit modification. The TWA permit for the wastewater treatment plant will be issued upon completion of the agreement between the MUA and the County.



### Air Quality

The Authority has received the wastewater treatment plant generator air quality permit. There seems to have been a mix-up at the DEP with the pump station generator. We applied for that at the same time we applied for the wastewater treatment plant. The permit has been paid for. We are following up to find out what happened. There are records that the check was sent to them and it was cashed. It should not be an issue.

### New Jersey Environmental Infrastructure Funding Program (NJEIFP) Submittal & Planning Document Submittal:

We are waiting a response on whether there is more information required related to cultural resources. NJDEP and NJEIT have indicated a letter is coming this week. Once we get approval from Cultural Resources, they will be able to issue the Level II Environmental Decision Statement. There will then be a 30-day comment period. Once that is approved and the permit issues are straightened out, the planning document will be approved by the DEP.

### Local Planning Board Submittal:

After documents were submitted to the Planning Board for minor subdivision approval and courtesy Capital Facility review, minor comments were received on the subdivision plan on July 10, 2017. T&M is preparing a resubmittal and the courtesy review is at tonight's Planning Board meeting.

Mr. Bronson said that it is actually a formal action on the subdivision.

Mr. Minter asked for an update on the Ocean County Soil Conservation District. Mr. McKelvey said there were two comments to respond to. T&M made a resubmittal and we should get certification shortly.

Mr. Bronson asked if there were any other comments or questions regarding Mr. McKelvey's report. There were none.

### Executive Director's Report:

Mr. Ylvisaker said that we have certification of the adopted budget by the New Jersey DCA. This year we were on target with everything related to the budget. The auditor is coming in on September 5, 2017 to start the 2016/2017 audit.

He commented that he had sent the Annual Solid Waste Registration Form to 5 companies that do business in the Township. Freehold Cartage, Republic, Waste Management, Tri-State and Woolston have submitted their responses.

We received a tort claim notice which has been referred to the Joint Insurance Fund for their review. Mr. McGuckin said it is not a lawsuit. It is just a notice.

Energy aggregation bids are due on August 2, 2017. The MUA will make a recommendation to the Township Committee for their August 2<sup>nd</sup> meeting. If an award is made, it will go into effect either in December 2017 or March 2018. It is set up so that we will coincide with the expiration of Manchester Township's agreement, which expires at the end of June 2019. Manchester



Township will conduct future bids. Combining with Manchester is estimated to result in a 1% - 2% additional savings for the Township.

We contacted Allentown and received no response from them. They are in PSE&G territory. If Allentown wants to go forward, they can still participate and follow our schedule. They are not out.

#### Redevelopment Project:

Mr. Ylvisaker said that he and Mr. Minter met with the Miller's to get an understanding of the process they would go through and some of the costs for property owners to tie into the sewer system. The conversation was wide-ranging and from our standpoint, informative, and hopefully from their standpoint informative.

We are on the agenda for the Land Use Board meeting tonight.

We are still working on getting land and easement agreements signed. At last month's meeting, there was conversation and approval of a resolution for preparation of a new easement appraisal for one of Mr. O'Connor's properties. However, the next day we were told that it would be okay for us to go across the Subway property so we will not have to another appraisal. Attorney McGuckin has prepared and sent out drafts of the two easements to Mr. O'Connor. Mr. Ylvisaker will follow up with Mr. O'Connor.

The Township is introducing two ordinances at their July 19<sup>th</sup> special meeting. The first ordinance allows the Township to sell BANS for \$150,000 to pay for the purchase of the land and the easements and to cover attorney and other administrative costs. The second ordinance allows the Township to purchase the land and easements from the property owners.

Overall, the schedule for the Redevelopment Project is uncertain due to the flood hazard and cultural resources issues. Once we get more information, we will know how it will affect the schedule.

#### Solid waste:

The Township approved \$10,000 from the 2016 Clean Community Grant Funds to offset increased costs to PMUA customers for recycling collection and to encourage recycling efforts. Mr. Ylvisaker recommends that credits be limited to accounts that are current or which have a credit.

If the credit is limited to current accounts and accounts with a credit, it would amount to 950 of the 1175 customers. This would result in a deduction of \$10.50 off the 4<sup>th</sup> quarter bill. He noted it rewards people who pay on time or ahead of time. It is also easier to manage. A note will be sent in the invoice thanking customers for paying their bills on time.

Mr. Dancer said he would like to have the MUA mention that the Township Committee authorized the Clean Community Funds.

Mr. Dancer introduced a Motion to authorize the credit or discount of \$10.50 for the 4<sup>th</sup> quarter for those customers who are current in their payments and to note the source of the funding be disclosed to the subscribers as being from the Township Committee from the Clean Communities Grant fund. Mr. Minter seconded Mr. Dancer's Motion. Roll Call Vote: All Ayes.



Mr. Bronson asked about the agreement from North Hanover. Mr. Ylvisaker said we did receive it.

New Business:

Resolution 2018-1: Authorize Part-Time Employees. Mr. Ylvisaker explained that the employees provide assistance to PMUA customers when he is out of the office. The costs are approximately \$1000 on an annual basis. It is accounted for in the budget. There were no questions or comments.

On motion of Mr. Minter, seconded by Mr. Weirsky, Resolution No. 2018-1 was approved. Roll Call Vote: All Ayes

Public Comments: There were no public comments.

Since there was no further business, a motion was made by Mr. Weirsky and seconded by Mr. Brown, to adjourn the meeting. Roll Call Vote: All Ayes.

The next meeting is scheduled for August 15, 2017 at 6:30PM.

Respectively submitted by:

Nadene Cicero, Secretary