

Plumsted Municipal Utilities Authority Minutes  
August 15, 2017

Chairman Bronson called the August 15, 2017 Plumsted Municipal Utilities Authority Meeting to order and asked everyone to stand for the Flag Salute. Mr. Dancer read the Open Public Meetings Act.

Those in attendance were Walter Bronson, Edward Weirsky, Ronald Dancer, Richard Brown and Nancy Lawrence. Committeeman Marinari was also in attendance.

Robert Minter and Anthony Esposito were absent.

Treasurer's Report: Peter Ylvisaker said there was an opening balance of \$83,223.07 on July 1, 2017. There were expenses of \$133,154.60 and deposits of \$167,829.00, for an ending balance on July 31<sup>st</sup> of \$117,965.76. Those amounts reconcile with the bank. The register balance on August 15, 2017, is \$90,142.13. There are funds available to pay our bills.

Mr. Bronson asked if there were any questions or comments about the Treasurer's Report. Mr. Weirsky asked where the register balance was listed in the agenda and then he found it on page 8. On motion of Mr. Weirsky, seconded by Mr. Dancer, the Treasurer's Report was approved. Roll Call Vote: All Ayes

Bill List: Mr. Ylvisaker said that the date on the bill list of July 15<sup>th</sup> is actually for August 15<sup>th</sup>. There were no questions on the Bill List. On motion of Mr. Weirsky, seconded by Ms. Lawrence, the Bill List for August 15, 2017 was approved as submitted. Roll Call Vote: All Ayes

Minutes: On motion of Mr. Weirsky, seconded by Mr. Brown, the Minutes of July 18, 2017 were approved as submitted. Roll Call Vote: All Ayes

T&M Associates Monthly Update:

Easement Maps and Descriptions

The property acquisitions for the project are continuing. Two of the easements are complete. The property acquisition for the WWTP has not been completed.

Permitting

NJDEP Treatment Works Approval (TWA)

The Treatment Works Approval permit for the collection system has been approved. The permit for the plant will be issued once the agreement with the County is executed and sent to the DEP.

NJDEP Land-Use (Wetlands)

The Freshwater Wetlands Permit was issued by DEP on June 5, 2017.

NJDEP Floor Hazard Area (FHA)

The concerns about the rule changes that were discussed last month have been resolved. There will be no further FHA permitting required.

#### NJDEP Air Quality

The WWTP and pump station generator air quality permitting is complete.

#### Ocean County Soil Conservation District Certification

The Ocean County Soil Conservation District Certification was issued on July 26, 2017.

#### Ocean County Engineering and Planning Board

The agreement for the Authority's connection to the County system is in the process of being executed by all parties. Once it is executed, T&M will forward the agreement to the DEP for finalization of the NJDPES permit modification. That will allow the DEP to approve the treatment works application and the surface water discharge permit.

Per their request, T&M sent paper copies of the final subdivision plat to the County. The remaining item required by the County is a deed for the 7' ROW dedication, which is being prepared by the Authority's Attorney.

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

T&M has responded to all of NJEIT's technical and environmental review comments on the project design. No comments have been received from NJEIT. It appears the review is complete.

As far as the Cultural Resources review, the DEP was looking for one complete compilation of all of the reports that have been done. T&M has completed and submitted the Cultural Resources review to the DEP. T&M is awaiting the Level II Environmental Decision Document (EDD) which was dependent on the approval of our connection to the County Outfall, permitting and the Cultural Resources review. It has been essentially approved, and T&M is waiting for the final sign off, which is expected to happen within the next few days. Once it has been approved, there will be a thirty (30) day comment period. If there are no adverse comments, the planning documents will be approved by the DEP and the Authority will receive authorization to advertise.

#### Local Planning Board Submittal:

Minor comments were received relating to the documents previously submitted to the Municipal Planning Board by T&M for the minor subdivision for the WWTP. The comments were addressed by T&M. The subdivision was approved last month. T&M also presented the project for courtesy review at the July 18, 2017 Planning Board meeting.

#### Schedule

There were some concerns about the project schedule in T&M's July report. All of the concerns have been resolved. It is anticipated that all permits and approvals will be in hand toward the middle or end of September and authorization to advertise should be shortly thereafter.

At the end of T&M's report, Mr. Dancer noted the Township Committee had received an email from the NJEIT requesting a meeting to review the financing for the sewer project. The EIT staff wanted to make sure the Township was fully aware of its financial obligations related to the Township borrowing the funds for the sewer project. Mr. Dancer indicated the Township's finance consultants were at the meeting. Assistant Director Frank Scangarella during the meeting raised a couple of other issues that Mr. Dancer wanted the Board Members to be aware of as they pertain to the MUA.

First, the NJEIT will require mandatory monthly meetings throughout this process, with written status reports. Mr. Dancer raises that now because he did not know if that was part of T&M's Scope of Services. Specifically, Mr. Scangarella requested that the project engineer be available for these meetings.

Second, Mr. Scangarella indicated at the meeting (held a week ago yesterday) that they had no word of approval of the Cultural Resources report, so that issue is outstanding.

Third, Mr. Scangarella said they knew there was a public hearing concerning the Level II Environmental Decision Document (EDD), but they did not know if the environmental report had been approved or out for public comment.

Fourth, Mr. Scangarella wanted to know more about the plant's capacity and its permitting status. Mr. Dancer said he may have misspoken regarding the plant's design, and he brought it to the Chairman's attention. Mr. Ylvisaker explained to him that Phase I was 220,000 gallons per day for construction and 330,000 gallons per day for design. The build out, permitted capacity is 600,000 gpd. Mr. Dancer brought it to the Chairman's attention just so there are no issues. What he was gleaming from that conversation was that there are certain limitations of what NJEIT will fund for *future* use. Mr. Dancer indicated he had spoken to Mr. Bronson and Mr. Ylvisaker to follow up with Mr. Scangarella. Mr. Bronson said both he and Mr. Ylvisaker had left messages for him. Mr. Bronson suggested he reach out to his contacts there and see if they need us to come over and meet with them. Mr. Bronson is not sure why Mr. Scangarella was not better informed about what was going on.

Mr. Bronson asked Mr. Dancer if they were satisfied with the Committee's response to the financial issues. Mr. Dancer said yes they were. Neil Grossman and Matt Jessup were there, so he does not see financing as being an issue except just some clarification on capacity construction. Mr. Dancer said he does not know if it will require conference calls or physical meetings, but they used the term "mandatory progress report meetings" once a month. Mr. Bronson said he thinks they will come here. He assumes we will have at least monthly meetings with our contractors. Mr. McKelvey said that EIT people like to come once a quarter. In other EIT projects he has been involved in, they come every month. Mr. McKelvey said he could copy the EIT people with the engineer's report every month. Mr. Bronson asked if there were any other comments or questions regarding Mr. McKelvey's report. There were none.

Mr. Bronson greeted Attorney McGuckin who had come in late because of rerouted traffic due to an accident on Route 539.

#### Executive Director's Report:

Mr. Ylvisaker noted the auditor is coming in on September 5, 2017 to start the 2016/2017 audit.

### Energy Aggregation:

The Township awarded a two (2) year contract to Constellation New Energy, Inc. (CNE), which starts in December 2017 and ends in December 2019. We will be reminding residents over the next several months that the energy aggregation contract is coming to an end and there will be a new contractor starting in December. It is our fourth contract and it is expected to be a seamless process. Information about the new energy aggregation contract will be sent in the trash/recycling bills as well.

### Redevelopment Project:

Mr. Ylvisaker said that the redevelopment project is moving along well. He asked Mr. McGuckin for an update on the Heller agreement. Mr. McGuckin said he spoke to the Heller's attorney before today's meeting about the status of the agreement. Their attorney said he is going to discuss the agreement with them tonight.

Mr. Ylvisaker said we have the signed easement from Mr. Challenger and the two easements signed by John O'Connor.

Mr. Ylvisaker said we need a draft of the Deed of Dedication for the 7' ROW. Mr. McGuckin said he needs to know who to put as the Grantor. Mr. Ylvisaker said it will be the Township. We can do the draft and get it to the County so they can review it and make any comments.

Mr. Bronson asked if that would delay our agreement with the County. Mr. Ylvisaker said no, the agreement stands on its own. The subdivision is subject to the seven (7') foot dedication. T&M has completed all of the other conditions that the County has requested, i.e. the mylar and paper copies as well the ASTHI site triangle. Mr. Dancer said that at the meeting they would have everything approved and they would hold the mylar for filing. They would have to have at least a draft of a deed.

Mr. Bronson said the approval is based on the mylar they are filing for the subdivision and we do not own the property being subdivided. Mr. Dancer said they need a draft of the metes and bounds description for the seven foot dedication. Mr. Bronson asked if we are filing the map without owning the property. Mr. Ylvisaker said no, we are not.

Mr. Dancer said there is no other administrative process for it to go through. They are going to have everything ready to go as soon as we own it. We are not waiting for any other administrative process. Mr. Ylvisaker said this is for the agreement for the shared use of the County system.

Mr. Ylvisaker asked if he hand carries the agreement to the County, will they sign it right away. Mr. Dancer said he does not know that they can do that. Mr. Ylvisaker said that we will get the agreement to the County promptly.

Mr. Ylvisaker said they are some additional items that need to be completed. We are working on an approved signed finance plan with Lennar. There is a proposed amendment to the original Redevelopment Agreement. It will be provided to the Township Committee for their September 6<sup>th</sup> meeting. We also have to work on the three contingencies required to satisfy Lennar that we can deliver on the water and sewer financing in order for them to proceed. We also need some items from Lennar so we are in synch and can go forward together.

Mr. Ylvisaker said he is hoping that all of the items that need to be done in order to get approval from NJEIT to bid the sewer project can be completed by the end of September. We have until the end of November to satisfy Lennar on the three contingencies. We are now close to the original schedule.

Mr. Bronson asked if we should get an update from New Jersey American Water Company. Mr. Ylvisaker said he would suggest we sit down with NJAW and not bring Lennar into the picture at this time. Mr. Bronson asked Mr. Ylvisaker to set up a meeting with NJAW and he said he would do so.

Mr. Ylvisaker said NJAW has not gotten their water allocation permit because DEP is behind in their paperwork, but NJAW is continuing to build the pump house so it is ready to go.

### Energy Aggregation

Mr. Weirsky asked if there is a way to find out how much has been saved since the first round. Mr. Ylvisaker said that Bob Chilton is working on a press release with an analysis of the overall savings since inception. The savings this round were lower. We were around 14-16%. This one was 9.5%. Mr. Weirsky said it would be a nice thing to put in the notice "this program has saved you on average..." Mr. Ylvisaker said Mr. Gable has done that every time. Mr. Bronson said it is getting tighter now because the rates are coming down because JCP&L's rates went down.

Mr. Dancer said one constituent contacted his State office about losing her eligibility to have a third party energy supplier. He forwarded the email to Mr. Ylvisaker. Mr. Ylvisaker said she got behind in her payments and JCP&L set up a payment plan. She was meeting the payment plan, then she got a notice that she was behind and they were going to discontinue consolidated billing. In essence, she was dropped from Tri-Eagle. She says there is a 9-12 month waiting period before she can get back on budget billing. He understands from her that that is what the rules are for JCP&L. He has a call into Mr. Chilton to see if he thought there would be anything that we could do to help her get back on budget billing with JCP&L. Not so much with the Tri-Eagle contract, but for the new contract with Constellation. He saw her again today. Unless Mr. Chilton can help us it may need a little prodding from Mr. Dancer to see if there is some way that they can get her back on budget billing.

Mr. Dancer said that he thought that there was some understanding that we have budget billing for those who cannot afford the peaks. Mr. Bronson said we definitely have budget billing. Mr. Ylvisaker said the problem is she fell behind on her payments and by JCP&L's rules; she does not meet that eligibility because she fell behind. Mr. Dancer said we would need to speak to JCP&L and see if they can work something out. Mr. Ylvisaker will call Mr. Dancer's office tomorrow and he will also see if Mr. Chilton can do something through his contacts. Mr. Chilton should be able to have something done by the end of the week. Mr. Dancer said if it does not work with Mr. Chilton, we will try it on another level.

### Public Comments:

Committeeman Marinari said he wants to thank everyone who was involved in the new energy aggregation contract. It was a job well done. Our community will benefit by it. He was concerned that all of our residents be fully informed and have no problems switching over. He was pleased that the comments of the gentleman at the Committee Meeting were very positive and that there will be full disclosure and everything will be out there.

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

The next meeting is scheduled for September 19, 2017 at 6:30PM.

Respectively submitted by:

Nadene Cicero, Secretary