

Plumsted Municipal Utilities Authority Minutes
September 15, 2015

Vice Chairman Edward Weirsky called the September 15, 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 Edward Weirsky, Robert Minter, Ronald Dancer, Harry Miller and Richard Brown. Committeemen Marinari was also in attendance.

Bill List: On motion of Mr. Minter, seconded by Mr. Dancer, the Bill List for September 15, 2015 was approved as submitted. Roll Call Vote: All Ayes

Treasurer's Report: The Regular Account had an opening balance as of August 18th of \$46,309.57, operating expenses of \$26,265.42, deposits of \$4,930.18 with an ending balance on September 15th of \$24,974.33. On motion of Mr. Miller, seconded by Mr. Dancer, the Treasurer's Report was approved as submitted. Roll Call Vote: All Ayes

Minutes: On motion of Mr. Minter, seconded by Mr. Miller, the July 21st Minutes were approved as submitted. Roll Call Vote: All Ayes with Mr. Dancer and Mr. Brown abstaining. The August 18th Minutes will be presented at the October 20th meeting for approval.

Executive Director's Report: Mr. Ylvisaker noted there was an error on page CB2, Question #6 of the 2015/2016 Budget. The answer to this question was that the sewer project was not located within the State Planning Commission's Designated Town Center. The answer has been revised to state the sewer project is within the State designated Town Center. The revision has been sent to the State.

Mr. Ylvisaker indicated that Keith Henderson of T&M Associates was in attendance. Mr. Ylvisaker commented that the contract with T&M has been revised to include all of the provisions that the MUA had requested and will now be signed by Chairman Bronson as had been authorized by the MUA by Resolution # 2015-13.

Energy Aggregation: Mr. Ylvisaker said there is a revised press release in the MUA package which incorporates suggestions he had received. The release will be sent out by the end of the week to the New Egypt News, Asbury Park Press and Tri Town News. It was also suggested to send it to the Millstone Times which is distributed locally to all postal patrons in Plumsted.

Mr. Ylvisaker said Bob Chilton was working on preparing the RFP for the Municipal Accounts which the MUA will have a draft of by the end of September. The plan is to have the municipal account roll over when it expires in November. Regarding the business accounts, there was discussion regarding Mr. Chilton attending a future PBMA Meeting.

Solid Waste and Recycling: Mr. Ylvisaker said the bids were due on September 29th. He said the 4th Quarter Invoices were being mailed out. He noted that he had received two requests for clarification from Waste Management. The first had to do with what notification the successful bidder would or would not receive from the MUA regarding renewal of the contract agreement. The second request was for clarification with who will own the recycling material. Mr. Ylvisaker will draft a response to both of these requests and review the responses with the Solid Waste

Subcommittee and Attorney McGuckin before they are sent to Waste Management and FCI, Inc., the two contractors who have picked up the bid package.

Mr. Weirsky asked about the status of delinquent accounts. Mr. Ylvisaker explained that every quarter he starts off with somewhere between 50 and 60 accounts that are two quarters delinquent. He sends each account two notices. After the first notice, the list is reduced by about 10 people. After the second notice, the list is reduced further to less than 20. He said once the cancellation notice goes out and Waste Management suspends service, the number of delinquent accounts is reduced to about 5. He noted that thru the 3rd Quarter there are currently 12 people who are on the 2015 tax lien list, which is no different than any other year.

Ocean County Wastewater Management Plan: Mr. Ylvisaker said he received a copy of a letter from the NJDEP to Ocean County that it has accepted the County's Wastewater Management Plan and a public hearing on it will be scheduled for November 16th. In January, the DEP is expected to issue their decisions on the County's Wastewater Management Plan and on Plumsted's Surface Water Discharge Permit application. He said he plans to post a notice, after October 5th when it appears in the New Jersey Register, regarding this information on the MUA and Township's web page to keep the residents informed.

New Jersey Environmental Infrastructure Trust: Mr. Ylvisaker said there was confirmation from NJEIT that they have accepted the MUA's application for design and planning funds of up to \$1.25 million. NJEIT is having a seminar which he and Mr. Dancer will attend on their program. Mr. Dancer noted that the seminar will go over the new law that the Legislature enacted which really provides better incentives for municipalities entering into these loan programs with NJEIT. It extends the payback period, the interest rate, possible principal forgiveness, etc. Mr. Ylvisaker said the big provision was from them going to 40 years which is huge in terms of what it does for the Township. Mr. Dancer felt this was good timing with the historically low interest rate because some day the interest rates will creep up.

Redevelopment Project: Mr. Ylvisaker said there were two items to be discussed regarding the redevelopment project. The first was related to the updated concept plan received from Lennar. There is an issue that he brought to Lennar's attention which regards the tree line which is the boundary of the Town Center. The Concept Plan shows development going into that tree line. Lennar is discussing this with their consultant, Maser Associates. Mr. Ylvisaker explained the issue with respect to this and they will have to work on the site plan and change it to conform to what the requirements are. Mr. Dancer also mentioned the renewal of the Centers Designation will be necessary as without it there would be an issue with permitting and sewer, etc. Mr. Dancer said that with respect to the areas with the trees and buffer, DEP was very adamant that all of the development had to be within the Designated Town Center and that it could not encroach past that tree line. Mr. Ylvisaker explained that the sewer service area and town center boundary are one and the same and explained that there could be some potential that possibly something such as a storm water retention/detention basin could be within that tree line area and an undeveloped portion of a lot could have its backyard in the tree line subject to some restriction on tree removal.

The second item for discussion was that Mr. Brown of NJDEP has indicated the Permit Extension Act may expire at the end of the year. As such, Lennar is likely to have to re-delineate the wetlands and get a new Letter of Interpretation. Mr. Brown said there was no change in the program requirements other than having to apply.

Mr. Ylvisaker noted the main entrance is planned for Province Line Road but Jacobstown Road is the only access to this parcel. He said there was a contract pending between Lennar and the landowner so it was likely that the main entrance would be on Province Line Road. It was felt that it was a good idea to have two entrances for access; in particular for emergencies. Mr. Dancer noted that Province Line Road is owned by Plumsted Township and North Hanover Township and explained that the road is divided in half, not from centerline but from Route 537 to 528. He said there has been some discrepancy as to which municipality owns which half and that is why this road has not been paved. This will need to be resolved.

Mr. Ylvisaker said a major requirement of the Redevelopment Plan was in regard to preparing and agreeing to a Finance Plan with Lennar. The Finance Plan is required to satisfy the three project contingencies related to the provision of sewer and water and the Township's ability to obtain financing for the wastewater project. He noted Bond Counsel Jim Fearon was working on this and is expected to have a first draft of the Plan by the end of the month.

Mr. Weirsky requested that when Lennar forwards a site plan to the MUA, enough copies be provided for all Board Members to review. Mr. Ylvisaker said he would let Lennar know. There was discussion regarding the MUA as an advisory board to the Township Committee and their input on the plan.

New Jersey American Water: Mr. Ylvisaker stated he had requested an update from NJAW and so far has had no response. He plans to request a meeting with NJAW. He noted there has been no work done on the site on Lakewood Road so he assumed that they have the information they need.

Resolutions:

Mr. Ylvisaker said in trying to keep pace with the project schedule that was approved between Lennar and the Township, it was anticipated that we would have had the surface water discharge permit at this point and would be moving forward, but that didn't happen and will not happen until January 2016. If there is any hope of meeting NJEIT's schedule for October of 2016, we have to get started on the engineering design, confirming the layout for the sewer collection system and getting the construction budget updated so that we know where we stand and that the budget is in line with what we projected it to be up to this point. While it is a risk to move forward ahead of the NJDEP's issuance of the surface water discharge permit, it is a calculated risk and per discussions with the Redevelopment Subcommittee, the risk was somewhat lessened to an acceptable level if NJEIT was going to be the entity advancing and providing the loan funds to the Township and then the Township to the MUA. The following Resolution was drafted on the basis of going forward on the preliminary design of the collection system and predicated on the fact that NJEIT confirms that it is going to issue the planning and design loan to the Township.

Mr. Dancer noted the Resolution, if passed, that the MUA's authorization is subject to the NJEIT funding and that there would be Certification of Availability of Funds issued by the Township CFO. There was a lengthy discussion regarding what work had to be initiated and previous work Van Cleef had done which Mr. Ylvisaker explained. Mr. Ylvisaker said with respect to the \$148,000 that was requested for approval by Resolution No. 2016-09 the MUA's approval is very specific that it is based on NJEIT confirming the loan and as NJEIT is partners with NJDEP it gives the MUA and Township some additional comfort. What is undecided at this point is what cultural or environmental work really needs to be performed at this point to keep to the Project Schedule. The discussion at this meeting was to apprise the members that there may be some cultural and/or environmental work that needs to be done and there may be

a request at the October meeting we may come back at the next meeting in October and , if so, the Board can decide on that aspect by a separate resolution.

Mr. Dancer asked Mr. Henderson of T&M Associates to explain in further detail why the reports prepared by Van Cleef were not sufficient and that additional studies may be necessary. Mr. Henderson said their ultimate concern was to make sure the plan document to the Trust were completed by the October 2016 and March of 2017 deadlines. He said they were looking for the flexibility for them to get started now with some of this work the previous reports had not addressed and not put this work off to March or April as the schedule is presently compressed for the October date. Mr. Henderson added this maybe more so if there is a bad winter which may prevent, in the case of archaeological work, there being able to do any site investigation due to snow cover or freezing weather. There ensued more discussion regarding this. If necessary this issue will be re visited at the October meeting.

On Motion of Mr. Minter, seconded by Mr. Dancer, Resolution No. 2016-09, authorizing T & M Associates to proceed with the preliminary design for the proposed New Egypt Wastewater Collection and Treatment System was adopted. Roll Call Vote: All Ayes with Mr. Brown abstaining.

Mr. Ylvisaker reviewed Resolution No. 2016-10 to authorize MUA approval for an application for a variance to build a garage outside of the Township's sewer service area. There was discussion regarding MUA approval for applications that go before the Land Use Board. Attorney McGuckin felt any application that goes before the Land Use Board should go before the MUA but only require a sign off that it was reviewed by the MUA before it goes to the Land Use Board. Mr. Ylvisaker said he would work on a policy for adopting this at a future meeting.

On motion of Mr. Miller, seconded by Mr. Minter, Resolution No. 2016-10, authorizing PMUA approval for a variance application before the Land Use Board for Christopher Randazzo, Block 51, Lot 158.02 was adopted. Roll Call Vote: All Ayes with Mr. Brown abstaining.

Mr. Weirsky asked for any old or new business. There was none.

Mr. Weirsky opened the meeting to public comment. Committeeman Marinari felt a copy of the Redevelopment Site Plan should be forwarded to the Environmental Commission. He also questioned the late payments for Solid Waste and if they were consistently the same people and if there was a late fee. His concern was it their just being lax in not making a timely payment. Mr. Ylvisaker said there was a pattern with some but not all. Mr. Ylvisaker said he would review the policy. It was noted that once the new solid waste and recycling contract was done a rate hearing will be required if a price increase is recommended.

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 October 20, 2015 at 6:30PM.

Respectively submitted by:

Nancy Hendrickson, Secretary