

TOWNSHIP OF PLUMSTED
MUNICIPAL UTILITIES AUTHORITY
MEETING MINUTES
May 17, 2022

1. FLAG SALUTE:

- a. Led by Chairperson Nancy Lawrence

2. ROLL CALL:

PRESENT	ABSENT	
<u> X </u>	<u> </u>	Steven Grosso
<u> X </u>	<u> </u>	Beth Kimmick
<u> X </u>	<u> </u>	Brian Kubiell
<u> X </u>	<u> </u>	Michael Ruppel
<u> X </u>	<u> </u>	Chairperson Nancy Lawrence

OTHER MEMBERS PRESENT

<u> X </u>	<u> </u>	Tim Shea, VP Operations
<u> X </u>	<u> </u>	Dave Leutwyler, Executive Director
<u> X </u>	<u> </u>	Justin Stroeckis, Engineer T&M
<u> X </u>	<u> </u>	Tom Monahan, Attorney
<u> X </u>	<u> </u>	Dominick Cuzzo, Committeeman/Liaison
<u> X </u>	<u> </u>	Cynthia MacReynolds, Secretary

3. OPEN PUBLIC MEETING ACT STATEMENT:

- a. Mr. Monahan read the Open Public Meeting Act.

4. TREASURER REPORT:

- a. Mr. Leutwyler read the Treasure's Report verbatim (Page 1 in meeting packet).

Chairperson Lawrence stated that the Finance Committee will review the Treasurer report in the near future and will advise the board if there are sufficient funds to pay the bills and that this process will be sufficient at the present time.

5. BILL LIST:

Motion to approve the bill list as listed was made by Mr. Ruppel. Motion was 2nd by Mr. Grosso.

Roll Call:

Approved:

Grosso
Kimmick
Kubiel
Ruppel
Lawrence

6. TOWNSHIP REQUISITION FOR PAYMENT:

- a. Chairperson Lawrence asked Mr. Leutwyler if the board reviews the Bill List. Mr. Leutwyler stated that the Finance Committee reviewed the Bill List and were advised of the items on the list and the purpose of those bills. He also stated that the listed bills are routine.

Mr. Leutwyler explained that list was of the bills that are paid by the MUA, and the checks are signed at the meeting by the Chairperson. He explained that the Requisition List was funded by the township, but still need the board's approval.

Chairperson Lawrence was advised that the payments for the permits will not be available to the board and that Mr. Leutwyler and Mr. Shea would approve the payments.

Mr. Shea explained that he and Mr. Leutwyler look for administrative items for the loan application such as an attached W-9 form, receipt, notarized application, deed and ownership of the property and if the criteria is met, the applicant will have a final inspection. The approved application will then be submitted to the township for submission on their bill list and will pay out to the applicant. Mr. Shea stated that a report will continue to be given about the number of permits were approved and how many connections were made.

Mr. Ruppel stated that the financed committee thoroughly reviewed the requisition list and gained understanding about the procedures at their last meeting and recommend approval of the Requisition List.

Ms. Kimmick asked if the regular bills for the MUA are reviewed by the finance committee every month and if the finance committee will give the board their recommendation to make payments and if the requisition list will not be reviewed by the finance committee or the board.

Mr. Ruppel answered that the committee is going to continue to follow the same procedures as their predecessors and that the primary objective of the Finance Committee is to review the bills and payments that are going to be put before the board for action. The finance committee reviewed every bill that was submitted to be forwarded to the township for payments. The finance committee then recommends that the township make payments on the requisitions.

Motion to recommend the requisition list to the township was made by Mr. Kubiel. Motion was 2nd by Mr. Grosso.

Roll Call:

Approved:

Grosso
Kimmick
Kubiel
Ruppel
Lawrence

7. MINUTES TO BE CONSIDERED FOR APPROVAL: 4/19/22

- a. No comments or recommendations from the board regarding the minutes.

Motion to approve the minutes was made by Mr. Ruppel Motion was 2nd by Ms. Kimmick.

Roll Call:

Approved:

Grosso
Kimmick
Kubiel
Ruppel
Lawrence

Mr. Ruppel suggest that in the future that the minutes include the time that the meeting was called to order and the time that the meeting was adjourned.

8. T&M ASSOCIATES PROJECT UPDATES:

- a. Justin Stroeckis of Natural System Utilities addressed the board. He stated that Natural Systems Utilities is working with T&M Associates as the engineer on the project and that Natural Systems Utilities is the engineer of record for the waste water treatment facility. Mr. Stroeckis has been onsite for the last 2 years as the engineering inspector and full-time manager of the project.

Mr. Stroeckis read the Engineer's Status Report for April 2022 with notations.

He updated the average flow as stated in paragraph 2 under "Holding Tank" to 35,000 gallons per day as per his conversation with the Pump Station operator. Mr. Stroeckis stated that the holding tank section was previously constructed by P&A as reported.

Mr. Stroeckis stated that P&A's total project completed is at 100% and that their portion of the contract is under a 2-year maintenance bond, effective 4/30/2023 and that the environmental maintenance bond was effective on 4/20/2022.

He went on to discuss the Waste Water Treatment Plant with Tomar Construction Services and presented the Work Overview Summary for April 2022 as written in the report.

Mr. Stroeckis addressed the Construction Schedule as listed on page 2 of the Engineer's Report.

He stated that the treatment plant is not meeting the phosphorus limits.

Ms. Lawrence inquired as to why it has not met the phosphorus limits and if that number was changed by the board.

Mr. Shea stated that it was not changed by the board and that phosphorus has a very strict limit of .1 milligram per liter limit. He also stated that the limit was relaxed on BOD limit on certain metals. The chemical feed pumps were not pumping per spec and are significantly low. Based upon the capacity of the pump and the operation speed of the pump, it should have been pumping 5 gallons per day. A calibration test was conducted and showed that it was pumping .5 gallons.

Mr. Shea said that the contractor had their vendors come in and start the pumps. They then signed off that they were pumping in the appropriate range, however through the piping configuration, the chemical levels and the capacities in the tank dropped and the pump had more difficulty lifting the chemical up to a certain point and dropped its pumping capacity.

The problem was identified and a temporary fix was made in the piping. Mr. Shea stated that the contractor will make a permanent fix. Other issues are with different pumps and different drive system in the plant that have failed and made the operation "not continuous."

Mr. Shea said that JCP&L was contacted because the contractor claimed that the drive failures were due to high/irregular voltage. JCP&L will conduct metering to rule it out.

Mr. Grosso asked if the piping issue was a design flaw. Mr. Shea answered that it was modified once to a smaller diameter piping and that he does not believe it to be a design flaw. He said the elevation of the chemicals was not considered.

Mr. Stroeckis stated that the pumps were calibrated when it started and were running at 100% and they did dose the volume at 100% speed. He stated that the issue was when the speed was turned down and when they tried to dial in the correct chemical dosage, the volume was much less and they lost the suction power at a lower percentage. He does not believe it to be a hydraulic issue. He stated that there is a possible air lock in the line or an issue with keeping the prime on the pump. He will have the lines checked to make sure that they are air tight.

Mr. Stroeckis stated that the system was air tight and that they primed the pumps, tested it with water and later introduced chemicals. He stated that the system was tight a couple of months ago. He suggested that it should be reevaluated so that they would not lose the prime or if there is another issue with the piping or the hosing where it attaches. He said that the hoses have been disconnected a reconnected several times.

Tim was asked by Mr. Ruppel if the operating staff is monitoring pump set points and if they are looking for draw down in the tanks to validate that they are pumping and recording. Mr. Shea stated that they identified that today and calibrated other chemical pumps as well to see that they are getting the discharge per capacity that is expected.

Mr. Ruppel asked if the contract time period has expired and if so, did the contractors seek a time extension change order. Mr. Stroeleckis answered that the contractors were sent a notice about their contract deadline and the contractors responded with a letter with dates attributed to various reasons and were not granted a time extension change order to add to the contract.

Mr. Stoelickis stated that they were never issued a time extension beyond February 10th, 2021, which was the date of the contract deadline. The contractor was asked repeatedly for revised schedules. On July, 2021 the contractors said that they would be done on October and the project has yet to be completed.

Mr. Ruppel's concern is that the contractor is not performing to the best of their abilities and that it is costing the community money every day that it is not online and discharging.

Mr. Ruppel stated that the Finance Committee looked at the requisitions with respect to Tomar contract and asked if there any other claims that the board should be aware of that were made by the contractor that would amount monetarily. Mr. Stoelickis that the contractors have been told that change orders and additional contracts will not be added, to which the contractor had responded that they want to talk about it down the road.

As per Mr. Stoelickis, there is a remaining sum on the contract. He stated that the balance to finish is \$292,741 and is still on the contract with no additional approved change orders.

Punch list is in progress. The main punch list items that have been identified as equipment issues. They had a performance and demonstration period where after the plant is in compliance, it must run for 30 days straight and maintain compliance and any equipment issues that interrupt that compliance within those 30 days restarts the time for the compliance and the contractor is responsible to address that equipment and electrical issues as well as replacing the equipment. They are also responsible to apply for their warranty reimbursement. Mr. Stroeleckis said that he will address the open items with the contractor.

Mr. Ruppel asked if there is a value assigned to the punch list items. Mr. Stroeleckis answered, "No" and stated that a completeness letter was not sent to the contractor to alleviate any completion of the project such as equipment issues and that they want continuous operations without any downtime.

He stated that the contractor has been able to keep the plant operational, but they are still deficient because they had to wire equipment and they do not possess the redundant pieces of equipment to back up within service.

Mr. Ruppel asked if the contractor has requested any release of retainage and Mr. Stroeleckis answered "No."

Mr. Ruppel asked if the contractor is on Maintenance Bonds, to which Mr. Stroeleckis stated that they are currently on Performance Bonds and Maintenance Bonds will be issued by the contractor upon closeout.

Mr. Stroeleckis stated that in the Substantial Completion letter, he alluded to requesting a letter to release them from the Performance Bond. Mr. Stroeleckis stated that he has not issued any letters, and he will not do so without the advisement from the Executive Director.

Mr. Stroeleckis stated that the contractor has been responsive and completed the work that was required of them and there have been some instances where they have demanded payment, and they are told that that is not approved. The work is still completed. Tomar has not proposed any Change Orders in the past month and they are 99.4% complete as of the last payout that was reviewed and approved by Mr. Stroeleckis. End of Report

Mr. Shea stated that when there is equipment failure, the replacement part is taking longer than usual. Mr. Stroeleckis will compile a list of all of the spare parts that are required by the contract, which appear to be there already. They will identify the parts that are “Critical Spares” that cannot be waiting on for 6-12 weeks for and that they can be purchased now under the contract under the bonding structure and will be readily available when needed.

No other questions or comments from the board.

9. EXECUTIVE DIRECTOR REPORT:

- a. The Executive Director Report was read by Mr. Leutwyler (Page 7).

Mr. Leutwyler stated that the Finance Committee will give the board an explanation of the state report revisions.

Chairperson Lawrence asked if there were any complaints from the residents regarding permits that were submitted after May 1st.

Mr. Leutwyler answered that there are not any complaints as of yet and there has only been one payment submitted after May 1st of \$1500. He has had customers come in and are agreeable.

Mr. Grosso asked if there were only 2 additional connections. Mr. Leutwyler answered “Yes”.

Mr. Shea stated that as of May 17th, there are currently 162 connections in New Egypt, 120 connections in Lennar. Total of 282 connections. There are 405 permits given.

Total number of connections between the communities is approximately 1,100.

Mr. Ruppel suggested that Mr. Leutwyler attach a spreadsheet to the reports reflecting the data for the board.

Ms. Kimmick asked about the backlog alleviated. Mr. Leutwyler stated that they are still backlogged, but not as bad.

Mr. Ruppel reminded the board that the backlog was because of the deadline for permit application and not the receipt of the permit itself.

The post on the website referring to the permit application assisted in the process.

Mr. Ruppel asked if there was any mention of the transfer of property and that the applicant must be on the deed for the property to apply for the permit was on the website. Mr. Leutwyler responded that it is not on the website at this time and that he needed to meet with the Municipal Clerk. It was also mentioned that Mr. Leutwyler will be at the Memorial Day event to inform and answer questions from the residents.

No other questions or comments from the board.

10. 2022/2023 BUDGET INTRODUCTION:

- a. Mr. Shea introduced the 2022/2023 Budget. (Please see the Draft Budget and the VCA Budget Form in the packet). Mr. Shea stated that the draft based upon initial proposal for the budget. Finance Committee has made revision recommendations.

Mr. Shea provided the prior 2-year budget. The contract with the township for the Executive Director is valued at \$72,000. The board secretary admin assistant salary is at \$20/hour, 24 hours/per week without health insurance benefits due to the position being part-time valued at \$32,800.

Miscellaneous line item is for any unforeseen expenses in the office. The total was carried from the previous year.

Under Professional Service, the Accountant line item has increased due to the additional workload. The increase includes the addition of the sewer company, assistance with the budget process and the quarterly assistance for preparation of the auditor and bookkeeping.

Board Attorney is the same amount as in years past. Mr. Shea clarified the duties and appointment of the ERI as the board engineer and the T&M as the project engineer to the board. T&M was originally hired for the special projects and construction of the sewer system.

ERI was appointed the board engineer as of 2021. The board engineer has no requirement to attend the meetings unless requested. ERI is working to create an asset management plan which is part of the construction project requirement, and they are funded by the Construction fund.

Chairperson Lawrence asked if ERI was started the Asset Management Plan or was it a continuation of the previous board engineer. Mr. Shea stated that it was started by ERI and that a proposal submitted by another firm and the board voted not to select them.

The revision of \$25,000 was added for insurance through the township under the Ocean County JIF. The purpose of the additional line item is for the PMUA to be an independent authority. A meeting is anticipated with the JIF to determine the

overall cost would be if they insure themselves. The insurance covers any the facilities, the liabilities for the trash and sewer.

The Supplies/Equipment/ Software line item has increased. The authority is currently using Edmunds instead of QuickBooks which increased the software line item. Bills have been paid through Edmunds and in June, their 1st invoicing for solid waste will be through Edmunds.

The Quarterly MUA Billings line item has increased due to the increase of postage for billing purposes. Plans are being made to convert the billing statements onto postcards to lower the cost.

Solid Waste expense is based on 1,250 customers on the rate that the MUA pays Waste Management. A reserve of 2% is set aside for uncollected payments.

The Operations Management Maintenance under the Wastewater Planning Project line item is a total of the items listed on Page 3 of the budget. Those line items that include Utilities, Chemicals and Sludge Removal are estimates that have been provided by the engineer. The slow pace of the plant has impacted the cost for each item. The fees are for the annual permits such as Lab, Air and Waste Water Discharge are included in the Fees line item.

The Reserve for Rate Stabilization line item is a temporary surplus from the connection fees and assistance that they will receive from the township. With the anticipation of the connection fees ending in November, that revenue is anticipated to end. The authority will still receive a subsidy from the township for 3 years. The plan is to put the surplus into a reserve for Rate Stabilization for the future.

Total Operation Cost for the Utility is \$1,492,568.

Mr. Shea continued to discuss the budget and explained the Revenue line items. The Authority receives \$250,000 per year from Plumsted Township. The township pays the Authority for a shared service agreement \$330 per connection. The MUA is anticipating 100 connections in 2023 in Lennar.

Mr. Shea discussed the User Fee for Waste Water line-item details, which are itemized on page 4 of the budget. The projections for the connectors begin in July and end in June (the beginning and the end of the fiscal year). Total anticipated revenue from Waste Water is \$794,200.

The Solid Waste and Recycling projected revenue is higher than what was projected in 2021.

Total revenue is \$1,491,200. Total Expense is \$1,492,568. \$1,300 is unaccounted for.

The Resolution to Introduce the Budget was placed before the board. Resolution will be modified provided board approval to show in paragraph 2 total revenues of \$1,494,200 and not \$1,537,600. It will also have total of appropriations in the amount of \$1,492,568 and not \$1,497,516 shown.

Revised numbers will be forwarded to the auditor and put in the DCA format and will return to Mr. Shea and will submit it to the stat for approval and the board will then adopt the budget and send to the state.

Mr. Kubiel stated that the budget must be submitted electronically. State will no longer accept hard copy documents. Same forms online, but must be submitted electronically.

Mr. Ruppel explained the procedures of submitting budget online.

Mr. Ruppel opened a discussion about the budget. He stated that there was speculation for several line items, however, it inspired the committee to make one of the objectives is for the MUA to eventually become self-sufficient. Chairperson Lawrence stated that the Authority cannot be self-sufficient until the hookups are completed and the sewers are fully operational, but it is something that they can strive for.

Mr. Ruppel stated that there is one account in the bank and one fund for waste water which is a general fund and the vision is to start a solid ledger to begin to understand where each dollar is going and how this is affecting the authority. The idea was to create a fund for future unexpected expenses.

Mr. Grosso stated that the Finance Committee suggests that the budget process begin in October so that the board can have more time to plan.

Mr. Ruppel stated that the Finance identified that discussions with Mr. Shea and Mr. Leutwyler with the closeout.

No other questions from the board.

Motion to approve the budget was made by Mr. Kubiel Motion was 2nd by Mr. Ruppel.

Roll Call:

Approved:

Grosso
Kimmick
Kubiel
Ruppel
Lawrence

11. CORRESPONDENCE:

- a. No correspondences

12. COMMITTEE REPORTS:

- a. Sewer Committee has nothing to report.
- b. The Finance Committee representative, Mr. Ruppel gave his report.

Mr. Ruppel stated that the Finance Committee had a discussion about the bills, requisitions and the budgeting process and that there a couple of issues of concern.

Their first concern is that there is a lack of history and understanding about the financial activities.

Chairperson Lawrence stated that some of that is due to having a new Finance Committee and that the sewers are a new to the town. She also stated that the Finance Committee is laying the groundwork for the future.

Mr. Ruppel commended the involvement and the fiscal participation of the township with the PMUA that was referenced in the budget.

He stated that it would be prudent for the finance committee to meet with the people from the town and listen the history and talk to them about their objectives.

He went on to discuss the non-compliance at the treatment plant. The finance committee would like to speak with counsel to discuss the total monies loss and how it will impact the Authority and the community at large.

Chairperson Lawrence asked if a letter was sent to Tomar. The response was that a letter was not sent to them. Mr. Kubieli stated that as per the last meeting, Mr. McGuckin was waiting for the entire plant to be fully in compliance. He suggests that the final payment to Tomar should not happen until it is decided on what they are going to do with the cost overruns.

Tomar is billed out to 99.4%. The next step is for the authority to get that remaining \$220,000 plus retainage and for the board to have all of the facts before they make a decision about how to handle this.

Mr. Kubieli stated that as per Mr. Stroeleckis, Tomar intends to bargain the change orders at closeout. He suggests that the board have the amount of money that Tomar is requesting and trucking fees.

Mr. Ruppel suggested that if the meeting were to take place that the board would have the information by next month's meeting.

Mr. Kubieli suggested that the board should refuse release the performance bond until the issues with the plant are settled and they close out the contract.

Mr. Ruppel advised that when Tomar requests to be released from the performance bond, they will go to the engineer for an endorsement to the board. The engineer will give the board their recommendation to release them from the Performance Bond and allow them to go onto the Maintenance Bond. The board will receive that recommendation and decide as to if they will allow Tomar to move forward. It is at the discretion of the board to release the bond and to proceed.

Mr. Grosso wanted to know how long they have to put up with the deficiencies. Is there a way to move the process quicker with Tomar.

Mr. Monahan will discuss this with Mr. McGuckin.

Chairperson Lawrence stated that the Authority had to go 1 month and brought them to mid-March and should have been able to release the treated water.

13. RESOLUTIONS:

- a. No other resolutions.

14. PUBLIC COMMENTS:

- a. Margarite Santiago of 15 Platt St., New Egypt, NJ and Milagro of 16 Platt St., New Egypt NJ.

Ms. Santiago sent a letter to the board requesting to be exempt from the sewer project. Her reasons are due to financial hardship and the inability for the equipment to install because of the layout of her property. She applied for a permit to avoid a fine.

Ms. Santiago stated that she was given a survey by the Authority and that she stated her reasons why she did not want to be included in the sewer project. She stated that she was told that if her home is 200 ft away from the sewer line that she would not be required to hook up to the sewer system. Mrs. Santiago also claims that her house and three other homes in the area are in a dead end and that there is no room for the machinery.

Her husband, who has previously worked with sewer lines noticed that the pipes that were being installed were not the right size. He told the contractor that he was using the wrong pipes and the contractor told him that the pipes were for city water. She then contacted the township to inform them and states that she did not receive a call back

Chairperson Lawrence stated that the Authority exempts people who are beyond 200' because of the expense of connecting to the sewer line and that a loan is available to those who choose to hook up to the sewer line and whose property is within 250' from the line.

Mr. Ruppel explained the possible reason why her property is included in the project.

His suggestion is to give this matter to a committee and have them evaluated the situation and report back to the board so that they can include their comments.

He suggested that the board could come to an agreement and suggest that she does not have to connect at the present moment and if her septic fails, that the township will not construct a new septic system.

Mr. Kubieli offered to work with Mr. Ruppel to come up with alternatives.

Mr. Grosso stated that they need to look into where the contractor stopped building, why they stopped and veered off the original plan.

1:42:46

15. OLD BUSINESS:

- a.

16. NEW BUSINESS:

17. EXECUTIVE SESSION:

- a. No executive session items to discuss.

18. ADJOURNMENT

Mr. Ruppel made a motion to close the meeting. Ms. Kimmick 2nd the motion.
Approval was unanimous.

Minutes were prepared by the Plumsted Municipal Utilities Authority Secretary,
Cynthia MacReynolds