

TOWNSHIP OF PLUMSTED
MUNICIPAL UTILITIES AUTHORITY
MEETING MINUTES
November 15, 2022
Start Time: 6:30 PM

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 Kubiel
<u> </u>	<u> X </u>	Michael Ruppel
<u> X </u>	<u> </u>	Chairperson Nancy Lawrence

OTHER MEMBERS PRESENT

<u> X </u>	<u> </u>	Dave Leutwyler, Executive Director
<u> X </u>	<u> </u>	Steve Schreiber, Engineer T&M
<u> X </u>	<u> </u>	Mel Davis, Contractor NSU
<u> X </u>	<u> </u>	Greg McGuckin, Attorney
<u> </u>	<u> X </u>	Cynthia MacReynolds, Secretary

3. OPEN PUBLIC MEETING ACT STATEMENT:

- a. The Open Public Meeting Act was read by Counsel (Mr. McGuckin).

4. MINUTES TO BE CONSIDERED FOR APPROVAL:

- a. The June 2022 minutes were not approved at this time. There were insufficient board members to vote.
- b. A motion to adopt the July 2022 minutes was made by Mr. Kubiel and 2nd by Ms. Kimmick.

Roll Call:

Approved:

Kubiel
Kimmick
Lawrence

Abstain:

Grosso

- c. A motion to adopt the August 2022 minutes was made by Mr. Grosso and 2nd by Mr. Kubiel.

Roll Call:

Approved:

Kubiel
Lawrence
Grosso

Abstain: Kimmick

- d. A motion to adopt the September 2022 minutes was made by Mr. Grosso and 2nd by Ms. Kimmick.

Roll Call:

Approved:

Grosso
Kimmick
Kubiel
Lawrence

- e. October 2022 Minutes: A correction will be made on first paragraph of the Treasurer's Report. Name of Veolia Plant Operator is "Jason" and not "Justin".

Motion to adopt the October 2022 minutes with corrections was made by Mr. Grosso, and 2nd by Ms. Kimmick.

Roll Call:

Approved:

Grosso
Kimmick
Lawrence

5. TREASURER REPORT & BILL LIST:

- a. Mr. Leutwyler presented the Treasurer's Report.

The Finance Committee met to review the Bill List. The committee approved the Bill List.

The board discussed the meeting that the Finance Committee had with the auditors. Several Veolia bills for the contract were missing from the audit. The auditors took it upon themselves to correct the problem prior to submission.

The board was advised the budget was submitted to the state.

The audit needs to be approved by the board prior to submission.

A motion to approve the Treasurer's Report was made by Mr. Grosso and 2nd by Ms. Kimmick.

Roll Call:

Approved:

Grosso
Kimmick
Kubiel
Lawrence

- b. The board moved their discussion to the bill list. Mr. Leutwyler clarified Item No. 12 (Otter Pro) on the bill list. He said that he used his personal credit card to purchase the app. The PMUA and the Land Use Board will be sharing the expense. A requisition was submitted by both the PMUA and the LUB to reimburse Mr. Leutwyler.

Mr. Leutwyler said that going forward, Paychex (paychecks) will be added to the Bill List. Although Paychex has already been deducted from the account, he felt that it should be on the list to show the board every expense.

Veolia was not present to discuss their invoices. Mr. Leutwyler just received the bills from Veolia and then submitted them to the board. The Finance Committee did not have the opportunity to review the Veolia invoices. Chairperson Lawrence said that the Finance Committee needs to discuss the bills prior to the board's approval.

A motion to approve the Bill List was made by Mr. Grosso and 2nd by Ms. Kimmick

Roll Call:

Approve:

Grosso
Kimmick
Kubiel
Lawrence

6. RESOLUTION AUTHORIZING AMENDMENTS TO THE AUTHORITY'S RULSE AND REGULATIONS:

- a. Chairperson Lawrence asked the board if they believe that the resolution reflects the discussion from the prior meeting. The board agreed.

The board was advised that the governing body will not have to do anything about the adopted resolution, but they do need to change the ordinance with regards to the fine/penalty for not connecting to the sewer line.

The board was then asked if there were any comments or questions.

A motion to approve the resolution by title was made by Mr. Grosso. and 2nd by Ms. Kimmick.

Roll Call:

Approve:

Grosso
Kimmick
Kubiel
Lawrence

7. NSU PRESENTATION:

- a. Mel Davis from NSU presented the Engineer's Status Report.

Mr. Davis said that they have the preliminary results of the sampling from Veolia. He also reported that the 3rd October sampling results from have not been received.

No other items from the Engineer's Report.

- b. Mr. Davis reported that on October 14th, there was a VOD exceedance. The VOD was 6.8 mg/liter. The permissible limit is 6mg/liter. Veolia was asked to take another sample to confirm the numbers. On October 21st, the 2nd effluent VOD result was 2.9mg/liter.

He said that the average flow for October was 64,019 GPD.

Mr. Davis reported the outstanding issue has to do with the MBR actuator. The valve closes at random and they are trying to fix the problem. Mr. Davis said that there was nothing further on the operations.

- c. The board discussed the 5 items that were identified by Veolia. He said that NSU released a letter outlining the punch list in August.

Mr. Schreiber from T&M reported that the plant has been running without issues with regards to discharge. He believes that the 30-day period has been met. They are waiting for the results of the sample from the 3rd VOD. Mr. Schreiber said that the sample that was taken exceeded the weekly limit. He also said that another sample was taken for confirmation and it was lower than 1/2 over the limit. Mr. Schreiber said that this will restart the clock if the samples are not in compliance.

Mr. Schreiber said that the phosphorus levels are on track and that they are below the values required by the discharge permits.

- d. The board discussed the items on the punch list. It was reported that the heater in the sunroom was not working in the house and that the yard hydrant in the back is not working. It was also reported that UV No. 3 will not stay on. It has been cleaned multiple times, but it's consistently at 75%. He said that there is a level sensor and a micro seed tank that reads off, even though it is full, and that

the wash flow meter does not seem to be working. Mr. Davis will address the items with Tomar.

- e. The board followed up with the issue on Platt St., which was mentioned at the October meeting. Mr. Leutwyler said that he will send Keenan to Platt St. to verify the claim that there is not a clean out in one of the homes. Mr. Leutwyler said that the residents claim that the diameter of the pipes used for the grinder pumps was wrong. The residents said that the pipes should be 2" and not 1 1/2".

Mr. Schreiber said that it was not correct and according to the building code, the 2" diameter pipe is required if you are pumping in the house up to a lateral outside the house. He also said that he sent someone to look at it, and according to the inspector, the 1 1/2" pipe is fine offsite, but you cannot have a 2" pipe when you are pumping up. He also said that if the grinder is in the yard that it can be a 1 1/2" force main in the roadway.

The board asked for clarification as to how one street has so many individual grinders instead of a pump station at the end of the road. Mr. Schreiber said that he did not have a definitive answer, but the grinder pumps were a part of the project since its inception 2 years ago.

The board was under the impression that having a grinder pump was a new requirement that was not part of the original plan. Mr. Schreiber said that he believes that it was part of the original plan because the roads were back and below grade. He said that they were bucking grade compared to where the gravity mains were and could never be fed by gravity unless you dropped the main, and that it would be a great expense.

Chairman Lawrence said that at one time, a decision needed to be made about where the end of the sewer line was. The decision to include North Main St. as one of the areas that would be at the end, and that it was reflected on early drawings of where the sewer was going, which included some of the peripheral roads.

At one point, the location of the sewer stopped at North Main St., and it included homes that would require a grinder pump. The grinder pumps were a consideration in the plan. Another decision was to not include the homes past the police station. Chairperson Lawrence said that the peripheral lines determined as to which homes would be included in order to not exceed the number of houses, but have enough to run the sewer. She believes that it may have contributed to the impression that the grinder pumps were added at the last minute. Mr. Schreiber said that there may have been some discussion as to who will maintain them and how were they going to be paid for.

The board discussed the missing cleaner at the end of Platt St. Mr. Schreiber said that there are as builds that show the approximate location of the laterals. He said that if PNA was supposed asked for the lot and block that he will investigate it. He said that he is aware of the issues with the cleanouts on the force mains and there were some manholes that did not have the proper cleanouts. He will speak to PNA about the problems.

No other questions or comments from the board.

8. VEOLIA REPORT:

Mr. Leutwyler presented the Veolia report.

He added that Veolia is working to complete the hash whims system. He also reported that the average flow is 64,019 gpd.

Mr. Leutwyler asked counsel if the board could issue a check to the New Egypt Marketplace in the amount of \$1,000 to settle the issue regarding the trees that were taken down during the installation of the pipes through their parking lot. It was agreed upon by the board that the NEMP should send an estimate on the cost of replacing the trees prior to any reimbursement. Counsel advised that there needs to be a release in the process of the reimbursement.

Mr. Leutwyler asked the board if they had any questions.

No other questions or comments from the board.

9. EXECUTIVE DIRECTOR REPORT:

- a. Mr. Leutwyler presented the Executive Director Report.

He will revise the report to reflect the correct flow rate from 60,716 GPD to 64,019 GPD.

Mr. Leutwyler reported that the letter that was sent to the residents was effective and that the residents are coming in to inquire about their compliance to the rules and regulations. This has also encouraged more people to connect to the sewer.

Mr. Leutwyler said that he has not seen a bill from the inspectors. He also said that he would periodically receive a bill from the township and that the bill not paid by the authority or the township. He will follow up with the township.

Mr. Leutwyler reported that people are still applying for permits and 3 people came to his office to pay their connection fees.

Mr. Leutwyler said that residents are coming to his office to change the paperwork for their loans. He also said that the letters for the residents that are to receive money will be mailed next week. The letters need to be addressed individually before they are sent.

The board discussed the reimbursement process for the contractors. Counsel said that he spoke to the township Finance Dept., and they told him that the payments can only go to the homeowner and not directly to the contractors. They were advised that the payment for the permit and installation must be paid in full in order to receive the reimbursement.

10. CORRESPONDENCE:

- a. The board received a correspondence from Beth Thomas. Ms. Thomas is requesting that the board pay the sewer connection bill and the installation fee due to her financial hardship. She is asking for relief from the \$5,169.88 connection bill. Her home is not over 150' of the sewer line.

Mr. Leutwyler said that Ms. Thomas is eligible for a loan of up to \$4000.

Counsel reviewed the statute and advised the board that they do not have the ability to waive the connection fees or the sewer charges and that it would be improper for the authority to create exemptions from that requirement under that statute.

Counsel was asked if the board had the ability to create a payment plan. Counsel said that he will research and report back to the authority.

The board was unable to grant Ms. Thomas' request.

- b. Todd and Storm Pender of 5 Earley Dr. sent a correspondence to the board.

The Penders have appeared before the board on March 2022 and September 2022. They are requesting a reimbursement for the \$1,500 connection fee.

The authority does not have the ability to grant the reimbursement. Mr. Leutwyler will advise the Penders of the board's decision.

11. COMMITTEE REPORTS

- a. **COMMUNICATION COMMITTEE:**

The board discussed the PMUA website. It is the desire of the board to improve the website so that public may be better informed.

The board would like to include the names of the board members and up to date information pertaining to the sewer and utilities.

Ms. Kimmick would be the point of contact and she will forward the information to the webmaster to post.

The board would like that to be finalized by the end of the year.

- b. **FINANCE COMMITTEE:**

Finance Committee will follow up with the Veolia invoices.

No other committee reports.

12. OLD/NEW BUSINESS:

- a. Mr. Leutwyler showed the board what the new utility bills will look like.
- b. The board discussed the exemption to connect to the sewers. This was associated with the residents who appeared before the board and are required to have a grinder pump.

The board was reminded by counsel that according to the rules and regulations, that if the property is within 200' of the system, they are required to connect.

The authority had already assisted the residents that are required to have a grinder pump by raising the loan amount to help with the cost of the pumps.

No other Old/New Business.

13. PUBLIC COMMENTS:

- a. John Lombardo of 6 Gulfstream Rd., New Egypt in the Lennar development addressed the board.

Mr. Lombardo moved to the development on April 29, 2022. He worked 27 years on the Board of Public Utilities in the Water and Sewer Division in another town.

Mr. Lombardo wrote a letter to the Mayor and the Township Clerk asking how the authority created the sewer rates. Mr. Lombardo said that he finds the rates unfair and unjust. He said that he worked with the Accounting and Tariff Division to determine the rates for the town that he worked for, and said that the rate can be determined by the number of bathrooms, showers and toilets, etc.

Mr. Lombardo said that there are homes in the development with 2 or 3 bedrooms, and they are all paying the same rate.

He said that the flat rate is unfair because a homeowner who has a 2-bedroom home has to pay just as much as the homeowner with 3 bedrooms.

Mr. Lombardo said that another reason that the fixed flat rate is unfair is because there are residents who go to Florida for 3 months, and are not using any water or sewer, but are still required to pay the flat fee.

He is suggesting that the authority look into a new way to put the rates together in a way that is fair and to have some tariffs on file, and if a customer was dissatisfied on how their rate was determined, they can come to the authority to see how the rate was developed.

Mr. Lombardo said that his previous employer had to show the customer how the sewer rate was developed on their bills, and they were to show in detail, how much water that the customer consumed or if it was a fixed service charge.

He said that he is disgusted about how his sewer bill does not have any details other than the flat rate and that there was no rhyme or reason as to how the bill was developed.

Mr. Lombardo wants the authority to state how they determined the rate. He pointed out that the two-bedroom homes have two baths and two showers and that the three-bedroom homes have sinks and showers.

He suggested that the rate be based by consumption, worked together with the water company.

Mr. Lombardo said that he and other residents moved into their homes in May, and they are billed from January to May. The bill was not prorated based on the time that they moved in. He feels that Lennar should have paid that expense.

Mr. Lombardo said that there is an issue with the sewer within the development. He said that he spoke to mayor about the issue and that the mayor has been to the development. Mr. Lombardo said that the mayor asked Lennar about the water basin behind the homes. Mr. Lombardo said that he is aware that new homes are being built, but when it rains, the water and the mud stays in the basin for days and it is flood like a river, and it does not go through.

Mr. Lombardo said that the mayor requested that someone from Lennar come out once a week to take out the black plastic bags from the basin. The bags are covered in mud and will not allow the water to penetrate into the ground. He said that the residents are breathing in the toxic air from the unclean water.

Mr. Lombardo said he is continuously coughing, sneezing and choking. He came to authority meeting to put it on the record.

Mr. Lombardo said that a pipe broke underneath his home and that 25-30,000 gallons of water remained under his foundation. He said that Lennar extrapolated the water, but he is unsure if this cracked his foundation or created mold. He said that another water issue occurred in front of his home. He was told that they cannot determine if it came from a water line or a sewer line.

Mr. Kubiel enlightened the board and the public that because the homes in the development are not finished, that the storm sewer is higher with the mat, so it all lays onto the street. He also said that in the back of some of the homes, there are the same grates.

Mr. Kubiel said that he asked Lennar who is going to clean the grates and pipes and his concern about flooding issues.

Mr. Kubiel asked Mr. Lombardo if he would like to discuss this issue more after the meeting.

The board advised Mr. Lombardo on how the rate were created. Counsel said that the rate is from a new system. The initial rate was structured to ensure that there was sufficient revenue to pay was required under the statute including all debt services, etc. He went on to say that there was a public hearing. At the time, the decision of the board was to establish a rate per dwelling and equivalent dwelling

unit, which was permitted under the state statute. Counsel said that this is not different than other municipal entities.

Counsel said that the Municipal Utilities Authority is governed by statute. He said that if they wish to change the rate, they would have a public hearing, give notice, and the public would then be able to come and give their input. He said that this is the way that the authority chose to do it to get started to generate the revenue to make sure that the bills are covered.

Mr. Lombardo demanded that the authority have a public meeting, and he will have the homeowners come and voice their opinions. Chairperson Lawrence said that once the sewer system has been running for some time, and everything is stabilized, the authority will reevaluate the rates. She also said that a meeting cannot be held at this time because not everyone is connected to the sewer line, but at some point, it will be reevaluated.

Mr. Kubiak stated that it is also going to be based on the data. He said that once Lennar has completed construction, and all of the residents are connected, they will have the data of how many gallons there are per day.

- b. Ms. Michelle Rubio, from 53 Lakeview Drive addressed the board.

Ms. Rubio wanted to know why she was not added to the correspondence. She said that she has received an email from the authority, and that she spoke to Mr. Leutwyler about her extenuating circumstances with regard to the \$1,500 connection fee. She believes that the board is capable to waive the \$1,500 fee.

Counsel reminded Ms. Rubio that the board does not have the authority to waive the fee. He said that he told her that when they spoke on the phone, and that he was asked to research and determine it, and in his research, he found that the board does not have the authority to waive the \$1,500 connection fee.

Ms. Rubio said that as per an email between her and Mr. Leutwyler, she was advised that he did not have the sole authority to waive the fee, but the board has the authority to grant a waiver.

Counsel said that he told Mr. Leutwyler that he himself did not have the authority to grant the waiver, but only the authority can change its rules and regulations.

Ms. Rubio then said that she wanted the board to see the email exchange between herself and Mr. Leutwyler. Counsel said that he does not have a copy of the email, and that he researched the issue as per her request and then reminded her that it is illegal for the board to waive the fee.

Ms. Rubio asked if she could have a copy of the email correspondence between Mr. Leutwyler and Counsel. She said that she spoke with Mr. Leutwyler in the beginning of October. She then asked if the email was shared between the board.

Chairperson Lawrence said that she could not share it because it would make a quorum, but she shared it with Vice Chairperson Ms. Kimmick, Mr. Leutwyler, Counsel and the Township Business Administrator, Mrs. Jennifer Witham.

Ms. Rubio said that she was unable to pay the \$1,500 because she was not the homeowner at that time, and she was told to come back after she purchases the house. She said that she purchased the home after the May 1st date, and that the previous homeowner did not pull the permit. She said that a gentleman went to the construction office on her behalf to pull the permit. She said that she came down with a packet and that there was nothing in the packet that mentioned the \$1,500 connection fee. She said that she is aware that she had to connect to the sewer line by November 1st.

Ms. Rubio said that after her conversation with Mr. Leutwyler, she was under the impression that she did not have to pay the connection fee because she was not the homeowner at the time.

Chairperson Lawrence said that she received a prior correspondence requesting a waiver of the \$1,500 and advised requestor that the authority would look into it. She then asked Counsel if he could research the answer, but the board could not give an answer at the time because they were unsure. After speaking with Counsel, they were advised that they were not permitted to waive the \$1,500 connection fee.

Ms. Rubio said that on page 57 of the Rules and Regulations that a waiver is possible. She then asked if the it has changed when the authority addendum changed in the Rules and Regulations. She said that Mr. Leutwyler said that it was confirmed, and that was the reason why she called Counsel that day.

Counsel said that he will take another look at the Rules and Regulations on page 57. Ms. Rubio gave Counsel a copy of page 57. She went on to say that Mr. Leutwyler read it and confirmed that a waiver was possible. Mr. Leutwyler said that he read the same thing that Counsel read and that he is not an attorney and that is why it was better to get the opinion from the board attorney.

Counsel said that having reading page 57, his opinion still stands and that the authority does not have the ability to waive the fee.

Ms. Rubio said that as per the email, Mr. Leutwyler could not waive the fee, but a vote can be taken by the board to grant a waiver.

Mr. Kubiel addressed Ms. Rubio and reminded her that Counsel has advised the board that they do not have legal authority to vote on the waiver. Ms. Rubio said that it contradicts the email that she received.

Counsel addressed Ms. Rubio and said that after they spoke on the phone and when he wrote the email that he still had to research the issue. He said that he did not see the email from Mr. Leutwyler before his conversation with Ms. Rubio. He then said that once he read the email, that he wrote back and said that Mr. Leutwyler does not have the authority to do anything like that. He said that only the board has the authority to change the rules and regulations or to do anything else. He said that was the case and that is what they did tonight.

Counsel quoted State Statute, 40:14B, The Regulation on Sewer Authorities and MUAs *"You must charge the same for every person"*.

Chairperson Lawrence said that even if the authority changed the rules, that they would not be in compliance with the state statute and that they state would enforce it because the authority does not have the ability to waive the fee. She was told that even if she was advised that the board could or if the board did take a vote, that it would be a problem. Chairperson Lawrence apologized to Ms. Rubio for any miscommunication or misunderstanding. She said that the authority was anticipating an answer to this question from Counsel, and that it is the state statute and not the PMUA that governs the board and everyone else.

Chairperson Lawrence said that the authority cannot waive the fee unless they do it for everybody and that they are not in the financial position to waive that fee for everyone.

Ms. Rubio said that she was unable to apply for the permit because she was not the homeowner at that time. She was advised to return to the municipal building after she bought her home.

Chairperson Lawrence said that she was correct, and the reason she was told to come back was so she can file for the permits. Mr. Kubieli said that under Permits, the only one that can file the application is the rightful owner of the property and because she was not the homeowner at the time, she was excluded, and that the only way around that would have been if the previous homeowner applied for it.

Ms. Rubio said that she was able to get a mortgage without showing a septic certification or a hook up to city septic. She went on to ask that if the line below states that in the event that the property owner does not pay to service or to have the charges connected, that the PMUA has the right to enter her parcel and cause a connection. She also asked if actions leading directly or indirectly to or from the utility system to be cut off or shut off until such services?

Ms. Rubio was advised by the board that if a home is not connected by December 31st, that the homeowner will be fined. She was also advised that she is within the timeframe to connect to the sewer line, so long as she connects by the December 31st deadline.

Ms. Rubio asked if she was still eligible for the loan, even though she did not get her permit on time and if the deadline was in November. She said that in her meeting with Mr. Leutwyler, that she was advised that the time period was extended. She was advised that the loan was extended to November 1st, and that she could be eligible so long as she is connected to the sewer by December 31st.

Ms. Rubio said that the gentleman is willing to allow her to connect without paying because of the funds and that the township would reimburse him the money. Ms. Rubio was advised that the loan would be paid to her, and she said that was correct, and then she would pay him. She was also advised that when she processes the loan paperwork, she must have the bill from the contractor that says that they were paid in full. This is needed by the township and not the authority. She was also advised that she would still have to pay \$1,500 to obtain the permit. Ms. Rubio said that she does not have the \$1,500.

The board said that Counsel was researching if the authority could establish a payment plan. She was also advised that she could use her credit card to pay for the connection fee.

Ms. Rubio said that she is concerned that if she is not connected, that someone would come to her property and disconnect her pipe. She was told that would not happen, however, if she does not pay her bill, then the sewer would be capped, causing her home to be inhabitable, which leads to a board of health violation, which would require her to vacate her home.

She was advised that the authority is currently researching if they are permitted by law to have a payment plan. She said that she was under the impression that end date to get the loan was extended to December 31st.

Ms. Rubio was told that the resolution that was adopted at this meeting states, “*connect the property to the sewer within 6 months of the notice from the authority... and **to apply for the construction permits by November 1st***.” replaced **connected property to the sewer**. This was to help people apply for the loan.

Ms. Rubio said that she asked for a payment plan then. Chairperson Lawrence said that nobody would have been able to give her an answer about the payment plan, because Counsel as asked to look into it tonight.

She was advised that the board is looking for a solution to help. She was advised by Counsel that they had a conversation and that she was told that she had to get her permit by tomorrow and she said that she was being stopped by the authority. She was advised that she was not. She does not have the money, and they understand that. She had the ability to get the permit, but she couldn’t because of her financial situation. Counsel said that she continually refers to the fact that the authority is stopping her from getting a permit. That is untrue because she had the ability to get it, but not financially and that she had every opportunity and ability to get it by November 1st, or she couldn’t/wouldn’t do it.

No further comments from Ms. Rubio.

c. Delores Jenkins, a resident of Lennar addressed the board.

She said that there were 4 blackouts in the development and wanted to know if the sewers were run by generators. Mr. Leutwyler said that there are generators. She wants to know why there was a blackout. The board said that they are unable to give an answer.

She then addressed Counsel. Ms. Jenkins said that Counsel said that the MUA projection was done ahead of time and he used the word, “It’s based on finished”. She said that Lennar has 168 acres and 419 houses to go in and a hundred or so houses done. She asked if the MUA cost was based on the finished product or as it gets done, will the rate go up.

Ms. Jenkins was advised by Counsel that the quarterly bill was based on estimates, as to how much the plant was going to cost to operate, plus all of the debt service, and all of the other charges and fees that they paid on the interest on the loans, based on how many users would be available, paying that, that is how the connection fee was arrived at.

Ms. Jenkins asked if it was the number of Lennar that was built as of the vote. Counsel told Ms. Jenkins that it was based as a whole. Mr. Grosso added that the total included the rest of the service area.

She said that she does not understand the amount of dirt that is going in there, and that is when the mayor said that this cannot happen. Lennar is not coming every week to lift it up and take it to other places. It is still overflowing, keeping in mind that she calls it a sewer, it is a storm drain.

Ms. Jenkins said that she lives on Gulfstream and back to Aqueduct. She said that this is what everybody has in her backyard. She said that this is where everybody walks their dog, and this is where the new construction and there is nothing but mud, week after week. She asked how does water run uphill.

Ms. Jenkins said, "If this is a storm sewer and this is a storm sewer and there is no operation of a pump, and this is Belmont, how does the water, that's in this drainage ditch (drainage easement on the map), how does it go anywhere?"

Ms. Jenkins was advised that the authority is not the correct board to address the storm drains. Ms. Jenkins said that the storm drains are on the street. The board told Ms. Jenkins that the board is only for the sanitary part of the sewers and not the rain water. She was advised to go to the Planning Board.

Counsel said that at this point, the board does not have the ability to change it and that only the governing body can do anything about that. Lennar has their approvals, they posted bonds, therefore, the township has the right to go after them. He asked if the HOA is run by Lennar. Mr. Kubieli answered that Lennar is still running the HOA and they have 2 people running it under the direction of Lennar. Ms. Jenkins was advised that the current homeowners need to meet with the mayor. She was advised to go to the next township meeting.

Ms. Jenkins was advised to go to the township meeting on December 1st.

No other comments from Ms. Jenkins.

d. Morgan Peterson of 44 Meadowbrook Ln. addressed the board.

Mr. Peterson is concerned that his pump will break if it is installed to the system and void his warranty. Mr. Peterson asked who would pay for pump if and when it goes bad before the warranty, because you cannot restrict the pumps because they are 2" in diameter.

Mr. Peterson has a sewage ejector pit with a sewage pump. He said that Tim Shea, gave it to him in writing that they have to hook it up or could hook it up. He said that it is the situation with Meadowbrook Ln., Platt St., Fifth St. (everyone with a grinder pump). He said that you cannot restrict them. He said that he went to the plumber supply and they told him that he can get a 1 1/4" pump, which is a high-pressure pump, which will cost a lot more than a regular sewage ejector. Mr. Peterson said that he submitted his drawing and cover sheet, which included the sewer ejector kit and the pump to the plumbing inspector. He said that pointed it out to the plumbing inspectors. Mr. Peterson said that the inspectors replied back to him and said that it was ok to hook it up. He asked what could the board do about it.

Steve said that his understanding is that the plumbing code references 2" lines that are in the house and has nothing to do with the exterior.

Mr. Peterson said that he spoke to the manufacturers, Liberty and Zolar and they advised him that the line cannot be restricted anywhere. For the plumber inspector to see it, he'll pass it, but it is still restricted.

Mr. Schreiber said that he needs more information to understand what Mr. Peterson is talking about.

It was assumed that Mr. Peterson was saying that the pump manufacturer it as 2" discharge and it is required to be in the 2" discharge, so on the inside, if there is a 1 1/2" pipe and they are pumping, and the pump is restricted, it will burn it out.

Mr. Peterson said that the hookup in the street is 1 1/4", and that is not permitted with those pumps. Mr. Schreiber said that it is 1 1/2" in the street. Mr. Peterson countered that it is 1 1/4" at the street at the hookups. It goes from 1 1/4". Mr. Peterson said that there is a curb stop and a check valve and it is 1 1/4" after the Checkdop, and the pipe and the lateral coming into the house is 1 1/2" and the pipe in the street is 1 1/2. Mr. Schreiber asked if Mr. Peterson could send the pump manufacturer information to MUA or himself. Mr. Peterson said that he already did that. Mr. Schreiber said that he does not have it. He was advised to give it to Dave to forward to Mr. Schreiber.

No Further comments from Mr. Peterson.

No other comments from the public. The Public Comment session is closed.

14. EXECUTIVE SESSION:

- a. No Executive Session.

15. COMMENTS FROM THE BOARD:

- a. Mr. Kubiel brought up the notes. He was advised that it did not to be approved.
- b. The board discussed sharing the rates and how they came up with them on the website that were brought up by two of the residents. It was said that the rates are on the website and the board agreed to put how they determined the rate on there as well. The board does not have enough data at this time to consider a rate change.

16. ADJOURNMENT:

- a. Board unanimously voted to adjourn the meeting.

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