

TOWNSHIP OF PLUMSTED  
MUNICIPAL UTILITIES AUTHORITY  
MEETING MINUTES  
April 19, 2022

**1. FLAG SALUTE:**

- a. Led by Chairperson Nancy Lawrence.

**2. SWEARING IN NEW MEMBERS:**

- a. Beth Kimmick, Brian Kubiel and Michael Ruppel were administered the Oath of Office by Attorney Greg McGuckin.

**3. 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>  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>	Herb Marinari, Deputy Mayor/Liaison
<u>  X  </u>	<u>          </u>	Dominick Cuzzo, Committeeman/Liaison
<u>  X  </u>	<u>          </u>	Cynthia MacReynolds, Secretary
<u>  X  </u>	<u>          </u>	Gregory McGuckin, Attorney

**4. OPEN PUBLIC MEETING ACT STATEMENT:**

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

**5. ANNUAL REORGANIZATION:**

- a. Chairperson Lawrence inquired about the board appointing a secretary. Mr. McGuckin stated that it would be appropriate.

Board members volunteered to fulfil roles on the board.

Motion to approve the appointments was made by Mr. Kubiel. Motion was 2<sup>nd</sup> by Mr. Grosso.

Roll Call:

Approved:

Grosso  
Kimmick  
Kubiel  
Ruppel  
Lawrence

The following members and titles are as follows:

Vice Chairman- Beth Kimmick

Treasurer- Steven Grosso

Secretary- Michael Ruppel

## **6. TREASURER REPORT:**

- a. Mr. Leutwyler read the Treasure's Report (Page 4 in packet).

Chairperson Lawrence asked the board if there were any questions regarding the Treasurer's report.

Mr. Ruppel asked if the \$38,540 were previous incumbencies that were authorized and just needed to be cashed for bills that were approved last month. Mr. Shea stated that it was correct. Mr. Ruppel also asked if this account was for general funds asked if this the only funds account. Mr. Shea and Mr. Leutwyler stated that is their only fund.

Motion to approve the Treasurer's report was made by Ms. Kimmick. Motion was 2<sup>nd</sup> by Mr. Grosso.

Roll Call:

Approved:

Grosso  
Kimmick  
Kubiel  
Ruppel  
Lawrence

## **7. BILL LIST:**

- a. Ms. Lawrence started with a question regarding the item on the bill list, Hughes Environmental because it is a new vendor. Mr. Shea stated that with the new wastewater treatment plant that the water system and that there is backflow within the system and that it needs to be protected formally and that they are billed quarterly they are a new vendor to the authority inspect the backflow.

Mr. Ruppel stated that there are 2 bills, one for PSE&G and one for JCP&L and are both for 10 Evergreen Rd. He asked if it is a shared service agreement where

they are paying back the fair share of the use of the building. Mr. Shea stated that 10 Evergreen Rd. is for the pump station and the wastewater treatment plant. The payment for these buildings is not paid for by the taxpayers.

Mr. Ruppel asked what the PSE&G bill was for. Mr. Shea stated that it was for the gas bill for the heat. Mr. Shea stated that they are participating in an energy co-op for the electricity, and it will help reduce the electricity bill.

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

Roll Call:

Approved:

Grosso  
Kimmick  
Kubiel  
Ruppel  
Lawrence

## **8. TOWNSHIP REQUISITION FOR PAYMENT:**

- a. Ms. Lawrence asked if the board needed to do the requisitions for the loan payments. She asked if it needs to submit to the township for payment and asked if anyone has applied for the loan.

Mr. Leutwyler stated that many residents applied. He also stated that once he receives the request that it is submitted to the township finance department. He also stated that the money is on the township's bill list. He stated that the money for the loans do not come out of the MUA budget and that MUA wants to reflect what comes out of the bond.

Mr. Ruppel asked for clarification. Mr. Leutwyler stated that when the resident completes an application for the loan, he will sign off on it and then forward it to the Finance Department. The finance department will place it on their bill list for the township committee for approval.

Mr. Ruppel then asked if the municipality had a better bonding power than the PMUA. Mr. McGuckin stated the PMUA has no bonding power, and they are in the process. This was because the township funded the operations of the MUA until they generate revenue and that was the case since it was formed.

Mr. Grosso stated that the items on the bill list is from the MUA budget, and the other items are from the township budget. Mr. McGuckin stated that the township has funded the MUA for many years and that other collection for Waste Management has been for the solid waste and that the MUA has revenue for that.

Mr. Leutwyler stated that the bond was not out of taxpayer's money. Mr. Ruppel asked if it was reimbursable and if there is a capitol amount. Mr. McGuckin stated that there were a number of funding vehicles that were used to build the sewer treatment plant and that some of the money comes from that process.

Chairperson Lawrence opened the floor to other questions from the board.

Motion to recommend the requisition list to the township was made by Ms. Kimmick. Motion was 2<sup>nd</sup> by Mr. Grosso.

Roll Call:

Approved:

Grosso  
Kimmick  
Kubiel  
Lawrence

Abstain:

Ruppel

**9. MINUTES TO BE CONSIDERED FOR APPROVAL: 2/15/22**

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

Motion to approve the minutes was made by Mr. Grosso Motion was 2<sup>nd</sup> by Ms. Lawrence.

Roll Call:

Approved:

Grosso  
Lawrence

**10. T&M ASSOCIATES PROJECT UPDATES:**

- a. T&M did not attend the meeting to submit an update and did not submit an update in writing to the board.

**11. EXECUTIVE DIRECTOR REPORT:**

- a. The Executive Director Report was read by Mr. Leutwyler.

Mr. Leutwyler stated that he, Mr. Shea and the township's Chief Financial Officer will be working together on the budget, and once they establish a projected budget, it will be submitted to the board's finance committee and will come before the board for a vote at the May meeting.

Ms. Lawrence asked Mr. Shea if there was a discrepancy regarding the date of the May meeting. Mr. Shea stated that the meeting is on May 17<sup>th</sup> and not May 16<sup>th</sup>.

Mr. Leutwyler was asked to clarify the number of permits that were issued. He reiterated that 272 permits were issued and that 102 sewer connections were completed.

Ms. Lawrence stated that the increase in the number of permits was due to the impending deadline for the permits.

Mr. Ruppel asked what the total is of the anticipated connections. Mr. Shea stated that 11,000 connections are anticipated. 650 connections from the downtown area and 450 are from Lennar. Mr. Shea asked if there will be less connections than anticipated.

Mr. Leutwyler asked about EDUs (Equivalent Dwelling Units). Example is 2 family home is 2 EDUs.

## **12. CORRESPONDENCE:**

- a. There are 3 correspondences (see items 26 & 27).
  1. The first correspondence was from the prospective buyers of 5 Earley Drive. The prospective buyers applied for a permit prior to owning the home. They were advised that they could not receive a permit until they own the home. They will not own the home before the May 1<sup>st</sup> deadline for the sewer hookup and the loan program.

Ms. Lawrence took a moment to state that there was also a letter that asked who qualifies for the loan. Ms. Lawrence clarified that everyone qualifies for the loan without a financial background check. The only qualification is that if you are connecting to the sewer, you qualify for the loan. The resident must also submit the correct paperwork, be hooked up and submit the bills.

Mr. Leutwyler stated that the applicants attempted to apply for a permit through the Construction Office but were denied because they are not the homeowners, and their names are not on the deed.

Mr. Ruppel stated that the agreement through the Ibank is that if there is a transfer of title on the property that closing the loan will be satisfied, and if the current homeowner were to make a connection with an outstanding balance on the loan, the loan cannot transfer to the new owner and it has to be settled at the closing.

Mr. Leutwyler stated that the prospective buyers were going to make a settlement prior to their purchase and went to get the permits, and they had a problem with the current owner because of the oil tank.

Mr. Ruppel then asked what the scenario be if they do not buy the house. He doesn't think that they could enter an understanding without them owning the property.

Mr. McGuckin concurred but advise that the board can grant a waiver contingent upon them closing.

It was brought up that the current homeowners are choosing not to get the permit by the May 1<sup>st</sup> deadline. The prospective owners wanted to get the permits but were not permitted due to the circumstance.

The applicants clarified that they are looking for an extension and not for the fees to be waived.

Mr. Ruppel asked who established the loan cut off. Mr. Leutwyler and Ms. Lawrence stated that the PMUA established the cut off.

Mr. McGuckin stated that the waiver could be granted after they own the property. Once they are the homeowners, they may come before the board and ask for the waiver. The owner of the property is the only one who may have the waiver at this time.

Mr. Ruppel's suggestion is that the board take no action.

The final decision from the board was that the applicant purchase the home and return to the board to request the waiver.

2. The second correspondence was from the homeowner of 46-48 Story Street. The property has 2 connections because it is a duplex and that the homeowner is not using it as a duplex, but a single-family home. The homeowner stated that he has two bills for his single-family home. He stated that he has never rented out the home and he is being billed for a sewer connection that he is not using.

The homeowner stated that when he purchased the property, he bought one half of the home and received a tax bill for one property. His home was then split into two houses and stated that he only lives in one home. He inquired as to why his home was split into two homes.

It was asked that if the applicant were to apply to the Land Use Board to connect the two homes as one dwelling, could they be permitted to have one sewer connection. Mr. McGuckin stated that they could.

The applicant was advised by Mr. McGuckin that because the home had two kitchens and separate entrances into the dwelling that it is a two-family house.

The applicant was advised as to how they can make the dwelling into a single-family home and then tie the two discharges into one connection after the modification.

He was advised that after the modification that he will not have to remove the other connection and that he could just use the one connection for the home.

He was advised to apply to the Land Use Board to make this a single-family unit and then come back to the PMUA to approve the home for one sewer connection.

3. 15 Platt St. is asking 14 homes within the sewer area that will need additional expense for the equipment and labor to get their sewers to work because it is

a gravity fed system. They need a grinder pump to send the flow from the home to go to the sewer pipe.

A letter was sent to homeowners notifying them that if the contractor charged additional price that it was legit.

Board is aware of situation and since she is not there to comment. It was suggested to make this topic part of the Old Business.

### **13. COMMITTEE REPORTS:**

- a. No reports due to the committees just being formed. The board was advised of the procedure for the finance committee by Ms. Lawrence. Mr. McGuckin advised that committees can only have 2 members. Mr. Ruppel and Mr. Grosso volunteered for Finance committee.

Board members were advised as to how the Finance committee meets once a month on the Monday prior to the meeting. Sewer committee was advised of their duties and meeting times by Mr. Shea. Ms. Kimmick and Mr. Kubiel volunteered for the sewer committee.

Mr. Ruppel suggested a committee to structure the board to make a 5-10 yr. plan. Ms. Lawrence agreed that there should be a committee.

### **14. RESOLUTIONS:**

- a. **2022-05 RESOLUTION AUTHORIZING THE EMPLOYMENT OF SUSAN DEL SONTRO AS ADMINISTRATIVE ASSISTANT, \$20.00/HR, 24 HRS/WEEK.**

Ms. Del Sontrow will work at the Municipal Building and will be working with Mr. Leutwyler doing billing and collecting and clerk work.

She will be working hourly with no benefits.

Motion was made to approve the resolution by Mr. Ruppel. Motion 2<sup>nd</sup> by Ms. Kimmick.

Roll Call:

Approved:

Grosso  
Kimmick  
Kubiel  
Ruppel  
Lawrence

**b. 2022-05 RESOLUTION APPROVING MEMBER STEVEN GROSSO AS SIGNATORY FOR INVESTORS BANK.**

Mr. Grosso is permitted to vote on this resolution. Mr. Ruppel asked about the signatory requirement. The bank requires 2 signatures and from the list of 2 people.

Motion was made to approve the resolution by Mr. Kubiel. Motion 2nd by Ms. Kimmick.

Roll Call:

Approved:

Grosso  
Kimmick  
Kubiel  
Ruppel  
Lawrence

Mr. Shea would like to have a 3<sup>rd</sup> person to be on the list for signing the checks. Ms. Kimmick was nominated. Resolution pending next month

**c. 2022-07 RESOLUTION AMENDING THE ELIGIBILITY CRITERIA FOR QUALIFYING FOR SEWER CONNECTION LOAN PROGRAM AND WAIVER OF CONNECTION FEE.**

The resolution would change the requirement for the application and permit approval criteria for the loan and connection fee. If the resident has the permit in the Construction office by May 1<sup>st</sup>, they will qualify for the loan and connection fee.

This resolution would change the criteria to alleviate the burden and volume of the applications on the Construction office. Does not change the November hookup date, but it will change the date of the submission of the permit application to qualify for the loan.

Must have the permit submitted by May 1st to be approved for the loan up until the work is completed.

The resident will not be billed, but they will be fined if they are not hooked to the sewer.

Motion made by to approve the change by Mr. Ruppel. Motion 2<sup>nd</sup> by Mr. Grosso.

A notification will be made to the residents of the resolution.



Roll Call:

Approved:

Grosso  
Kimmick  
Kubiel  
Ruppel  
Lawrence

## **15. PUBLIC COMMENTS:**

- a. Ms. Barbara Mislik of 28 Jacobstown Rd. asked about the application and the loan process for sewer hookup. She commented about the financial burden of the sewer installation for low-income people. Ms. Lawrence expressed the board's concern and that they investigated ways to alleviate the burden.
- b. Mr. Tony Cacciotti commented about the connection fee and the public's lack of knowledge about the sewer project. He is concerned about the communication to the public regarding the sewer project especially those without social media. He asked that the deadline to submit permits be moved to June.

Ms. Lawrence stated that the public need to come to the board to address their concerns.

Mr. Cacciotti also commented about the loan application. His concern is about the application process because a customer was not on the deed because the other spouse is deceased.

Mr. Cacciotti inquired about the homes with two taps with two connection fees. He asked if the resident can they apply for two loans. He was advised that this question will be forwarded to Mr. Shea. He was advised that if it is on the tax book as two units, then it is two taps and two fees.

- c. Ms. Lawrence asked if anyone from T&M joined by Zoom. She was advised that they had not and that the participants on Zoom will be asked if they have any comments. No Comments via Zoom.
- d. Committeeman Dominick Cuzzo expressed his congratulations and praise to the members on the board.
- e. Ms. Lawrence asked about the application process if one survivor was left on the deed to a home and how they could apply for a permit and the loan.

Mr. Leutwyler stated that he will talk to Mr. Shea. Mr. McGuckin stated that the application would have to be denied depending on how the title was held. The applicant would have to file a quick deed or a new deed to apply.

It was suggested that the regarding the deed be added to the website, possibly on the Q&A section.

It was also suggested that the homeowner proceed with the application while pursuing a new deed simultaneously.

It was also suggested the board send a written notice to the residents.

Ms. Lawrence asked if there is going to be an event that the board may attend to inform the residents. Committeeman Cuzzo gave dates for the upcoming public events that the board may set up a table to answer questions.

Ms. Lawrence suggested that the Construction place a notice to the applicant of the deed restriction to the application.

## **16. OLD BUSINESS:**

### **a. GRINDER PUMP CONNECTIONS:**

Ms. Lawrence reminded the board that as part of the rules that if a home is 250 feet from sewer, they are exempt from hookup due to the cost to connect to the sewer. In the discussion between herself and Mr. Shea she asked if that the option to opt out also be given to people who will need the additional equipment and expense. As it stands, the resident is required to upgrade their electric before the grinder pump, but does not require a generator.

Mr. Ruppel stated that the electric does not have to be upgraded, but a breaker might be needed and that it does not mean that there is a larger scale burden.

Mr. Lawrence stated that it is factual for the five homes. She also stated that the homes are very old and need the upgrade to include service and the additional pump.

He stated that there was an expense to make a decision in choosing the 13 homes that would include in the sewer service planning area and capital investments and that those property owners would possibly pass the financial burden to the next homeowner.

Mr. McGuckin asked Ms. Lawrence if she was committed to connecting and she stated that she will and that any decision by the board would not affect her. Mr. McGuckin stated that Ms. Lawrence will not be able to be part of the conversation due to her home being a part of the area in question if the board must make a decision and that the other four members would be able to vote. He also stated that there are questions that need to be answered to the board before any decision is made.

The board was advised that the issue will need to go to the sewer committee.

b. DRAFT FY 2023 BUDGET:

Mr. Leutwyler stated that Mr. Shea completed a draft budget and will to speak to the Chief Financial Officer of the township and prepare it for the board. It was suggested to forward the draft to the Finance Committee for questions. It was also asked of Mr. Shea to clarify that this is the budget for the MUA and if includes the pool of money that the town has and how does it affect the authority.

It will be completed with the finance committee's review before the May meeting.

c. NJSEM ENERGY COOPERTATIVE:

Mr. Leutwyler minimum price that they will accept and if nobody else comes up with that price, then they will rebid. It is a reverse bidding process. It is a contract for an unknown number of years. This service is for the public. This uprising cost of electricity will not affect the authority because of the contract.

The SEM is a pool of people who the MUA participates with and is exclusive to the meters at the pump station.

It was asked if the authority can opt out and has the authority looked at other platforms.

**17. NEW BUSINESS:**

- a. The absence of the engineer not attending the meeting and the absence of their report was a concern to the board.

Mr. McGuckin inquired about the appointment of the engineer.

- b. Mr. Ruppel wants to see a new commission orientation with Mr. Leutwyler and Mr. Shea. He wants the board members to be informed about the basic background about the sewer project.
- c. Mr. Ruppel inquired about a current \$1.3 Million law suit/settlement with a previous contractor, Tomar.
- d. Mr. McGuckin stated that there was a new appointment for an engineering firm at the February Re-Organization meeting and that Environmental Resolutions, Inc. (ERI) was appointed. T&M was the previous engineering firm, and that the authority has not meet with ERI and they were probably not informed about the meeting.
- e. Ms. Lawrence asked the board members to submit a bio for the website. It was also noted that the township updates the MUA website.

**18. EXECUTIVE SESSION:**

- a.** No executive session items to discuss.

**19. ADJOURNMENT**

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

Cynthia MacReynolds