



Public Meeting Minutes of the Plumsted Municipal Utilities Authority

FOR THE PUBLIC MEETING HELD ON
TUESDAY, FEBRUARY 27, 2024 AT 5:30PM

An advertised Public Meeting of the Plumsted Municipal Utilities Authority was called to order by Chairman Kubiel in the Plumsted Township Public Meeting Room, 121 Evergreen Road, New Egypt, New Jersey at 5:30p.m. The meeting was held in-person at the Plumsted Township Municipal Hall. Following the Pledge of Allegiance, an opening statement regarding the "Open Public Meeting Act" pursuant to the Laws of 1975 was recited.

Chairman Kubiel requested a roll call. Those present included Cynthia MacReynolds, Recording Secretary, PMUA; Kelsey McGuckin-Anthony, Esq., DMM Law Firm; Ben Weller, ERI; Brian J. Brach, PE, QPA, Interim Executive Director.

COMMISSIONERS OATH OF OFFICE (RUPPEL & CRISTMAN)

Mr. Ruppel and Ms. Cristman were sworn in by Counsel.

The following Commissioners were present as per the roll call:

ROLL CALL

PRESENT: Ms. Cristman, Mr. Grosso, Mrs. Kimmick, Mr. Ruppel, Brian Kubiel
ABSENT: None

APPROVAL OF JANUARY 16, 2024 EXECUTIVE SESSION MINUTES

Moved by Mrs. Kimmick, seconded by Mr. Ruppel.

DISCUSSION: None

ROLL CALL

AYES: Mrs. Kimmick, Mr. Ruppel, Mr. Kubiel
NAYS: None
ABSTAIN: Mr. Grosso
DISQUALIFY: Ms. Cristman
ABSENT: None

APPROVAL OF JANUARY 16, 2024 PUBLIC MEETING MINUTES

Moved by Mr. Ruppel, seconded by Mrs. Kimmick.

DISCUSSION: None

ROLL CALL

AYES: Mrs. Kimmick, Mr. Ruppel, Chairman Kubiel
NAYS: None
ABSTAIN: Mr. Grosso
DISQUALIFY: Ms. Cristman
ABSENT: None



REORGANIZATION MATTERS

Motion That Executive Director Serves as Temporary Chair For the Purpose of Reorganization was made by Mr. Ruppel, seconded by Mr. Grosso.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mr. Grosso, Mrs. Kimmick, Mr. Ruppel, Mr. Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

NOMINATION FOR CHAIRMAN

Brian Kubiel was nominated by Mr. Ruppel and seconded by Mr. Grosso.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mr. Grosso, Mrs. Kimmick, Mr. Ruppel, Mr. Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

NOMINATION FOR VICE CHAIRMAN

Steven Grosso was nominated by Mrs. Kimmick and seconded by Mr. Ruppel.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mr. Grosso, Mrs. Kimmick, Mr. Ruppel, Mr. Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-03 APPOINTING SECRETARY, ASSISTANT SECRETARY, TREASURER AND COMMITTEES

Moved by Mr. Ruppel, seconded by Vice Chairman Grosso.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-04 DESIGNATING THE ASBURY PARK PRESS AND TRENTON TIMES AS THE AUTHORITY'S OFFICIAL NEWSPAPERS

Moved by Mrs. Kimmick, seconded by Vice Chairman Grosso.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-05 ADOPTING 2024 MEETING SCHEDULE

Moved by Mrs. Kimmick, seconded by Mr. Ruppel.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-06 ADOPTING 2024 CASH MANAGEMENT PLAN

Moved by Vice Chairman Grosso, seconded by Mrs. Kimmick.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-07 DESIGNATING DEPOSITORIES

Moved by Mr. Ruppel, seconded by Vice Chairman Grosso.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-08 SIGNATORIES FOR DESIGNATED BANK ACCOUNTS

Moved by Mrs. Kimmick, seconded by Vice Chairman Grosso.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubieli
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-09 ADOPTING AUTHORITY BYLAWS

Moved by Vice Chairman Grosso, seconded by Mr. Ruppel.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubieli
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

“FAIR AND OPEN” RFP MATTERS

Mr. Brach noted that RFQs were received February 7, 2024 and that the Board was provided a memo summarizing responses to the RFQ. Mr. Brach recited into the record the various appointments as detailed within PMUA Resolution No. 2024-10.

RESOLUTION 2024-10 APPOINTING 2024 PROFESSIONALS FOR OPEN-ENDED CONTRACTS

Moved by Mrs. Kimmick, seconded by Mr. Ruppel.

DISCUSSION: NONE

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubieli
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

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Reports

T&M ASSOCIATES PROJECT UPDATE

No T&M Associates update.

ERI UPDATE

No ERI Engineer's Update.

VEOLIA REPORT

The representative from Veolia was not present at this time to present a report.

WASTE MANAGEMENT METRICS REPORT

Mr. Brach said that there are issues that need to be addressed with Waste Management and that the Authority is leveraging the contract to address various matters. Mr. Brach detailed that liquidated damages were assessed and Waste Management was receptive to what was outlined. Service continues to be monitored and Mr. Brach noted that there were approximately 1,280 trash and recycling accounts at the present time.

FINANCE REPORT

There was no formal report. The Finance Committee noted they had reviewed the bill list and recommended that it be approved by the Board.

EXECUTIVE DIRECTOR'S REPORT

The Executive Director's Report has been attached for the record. Mr. Brach highlighted several matters from the report.

Mr. Brach informed the Board that Veolia has a new CEO and is undergoing reorganization of their various territories. Christopher Earle, Vice President, who oversees the PMUA operations, is moving territories. Veolia is searching for a replacement and Mr. Earle will transition duties as required. Mr. Brach will update the Board when Mr. Earle's replacement is determined.

Mr. Brach noted that a memorandum detailing the conversion of the Authority from a Fiscal Year to Calendar Year budget had been included within his report. Mr. Brach informed the Board that there will be items in the next four subsequent meetings related to matters detailed within the memorandum.

There were no questions or comments from the Board.

Finance Matters

APPROVAL OF THE PAYMENT OF THE JANUARY 2024 BILL LIST IN THE AMOUNT OF \$102,891.78

Moved by Mr. Ruppel, seconded by Vice Chairman Grosso.

DISCUSSION: None

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

General Matters

RESOLUTION NO. 2024-11 AUTHORIZING THE “SPECIAL USE GIS DATA DELIVERY AND NON-DISCLOSURE AGREEMENT” WITH THE NEW JERSEY AMERICAN WATER, INC.

Moved by Mr. Ruppel, seconded by Mrs. Kimmick

DISCUSSION: None

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-12 AUTHORIZING THE “GIS DATA EXCHANGE AGREEMENT” WITH THE MANASQUAN RIVER REGIONAL SEWERAGE AUTHORITY.

Moved by Mrs. Kimmick, seconded by Mr. Ruppel.

DISCUSSION: None

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-13 AUTHORIZING VARIOUS ACCOUNT MAINTENANCE ACTIVITIES AND POLICY ADJUSTMENTS.

Moved by Vice Chairman Grosso, seconded by Mrs. Kimmick

DISCUSSION: None

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

Old Business

Vice Chairman Grosso asked about the status of the list of items that they can anticipate repairs and maintenance along with the list of spare parts that are within the contract with Tomar. Mr. Brach said that Veolia provided an Asset List. Mr. Brach will review and discuss it with the Board. Mr. Brach said that he will add a couple of requests at the plant with regards to more specialized air piping modifications and noted that Veolia’s list was risk-based (to eliminate single fault failures in the future).

Mr. Ruppel said that the Asset Management Plan has been completed and that they are reviewing the Asset Management Plan. Vice Chairman Grosso tasked Mr. Weller to process the list and move forward.

No other old business.

New Business

No New Business Matters.

Members Comments

Chairman Kubiel congratulated Mr. Ruppel and Ms. Cristman on their appointments. Mr. Brach was asked to provide a review of the billing cycle.

Mr. Brach noted that the Authority was delinquent in sending the bills for both Calendar Year 2024 trash and sewer services. For context, Mr. Brach explained that as of November 2023, approximately 785 accounts out of 1,800 accounts had been arrears in the amount of approximately \$485,000 in delinquencies on a \$1.3M dollar budget.

One of the means the Authority was implementing to address payment issues was changing the billing cycles to match the tax cycle. Mr. Brach stated that there was confusion because of the billing cycle changes. Moving forward, the trash and recycling cycles will be calendar cycles to line up with the tax cycle. Mr. Brach and the PMUA Customer Service Representative diligently answering calls related to the billing cycle changes.

Mr. Brach explained that the due date for the sewer bills have changed and that the change has caused confusion. Mr. Brach said that they are trying to avoid tax sale situations with the rate payers.

Moving forward, Mr. Brach explained that the budget, calendar year audit, trash and sewer will be on the same calendar year payment cycle as the tax cycle.

Mr. Brach detailed the online payment system, WIPP. The system allows the customer to review their accounts and pay by credit card. Mailers were sent to promote the system. The WIPP is not capable of accepting emails at this time, however, there is a desire to collect the email addresses of the payees to send notifications.

Mr. Brach said that delinquency notices will be sent on a more timely basis.

No other comments from the members of the board.

Public Comments

Alfred Mancuso of 40 Churchill Boulevard, New Egypt, NJ addressed the Authority.

Mr. Mancuso asked the Board to explain PMUA Resolution No. 2024-11. Mr. Brach said that the agreement is a standard and customary nondisclosure agreement to share GIS databases between the PMUA and NJ American Water. As standard practice, any entity who wishes to share GIS data with NJ American Water has to enter into the agreement. This information will help in identifying the locations of the pipelines. It does not have anything to do with personal data and that it is infrastructure related.

No other comments from Mr. Mancuso.

Jeff Fowler of 45 North Main Street, New Egypt, NJ addressed the Authority.

Mr. Fowler said that he could not find the current resolutions on the PMUA website and asked if they can be added. Mr. Brach was asked by the Board to follow up with the concern.

Mr. Fowler asked where he could find how the Authority set their billing. He said that the surrounding townships charge based on usage and asked why the Authority does not charge the same way. Chairman Kubiell said that they charge based on a flat rate system. Mr. Ruppel advised Mr. Fowler that the information is on the website.

Mr. Fowler asked about the number of sewer connections. He was advised that there are approximately 797 accounts and 50 properties that are not connected.

Mr. Fowler asked if the Municipal Building was connected to the sewer system. He was advised that the municipal building is not connected at this time, however, they are still paying a sewer bill as if they are connected. The municipality is still in discussions with the school district and are working on negotiating the logistics of a joint connection to the sewer line.

Mayor Cuozzo added that the school has their own system and that they cannot abandon it without approvals and those are pending. He praised the Board's Executive Director, Brian Brach, for his work with the PMUA.

Mayor Cuozzo said that he understands the public's frustration with the billing and asked that the public email the PMUA office in order to make it easier for the Director and Customer Service Representative to respond to their concerns.

The Board was asked if the school's existing system needs to be decommissioned and if there is any thought of keeping that system for future development. He was advised that the school has an existing groundwater discharge and that it is owned by the school. Mr. Ruppel also said that it is cost prohibitive for the school to repair it.

No other comments or questions from the public.

MOTION TO CLOSE THE PUBLIC COMMENT PORTION OF PUBLIC MEETING

Moved by Mr. Ruppel, seconded by Vice Chairman Grosso.

DISCUSSION: None

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

Executive Session Matters

RESOLUTION NO. 2024-14 AUTHORIZING EXECUTIVE SESSION

Moved by Mrs. Kimmick, seconded by Vice Chairman Grosso.

DISCUSSION: None

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

MOTION TO ENTER INTO REGULAR SESSION

Moved by Mr. Ruppel, seconded by Mrs. Kimmick

DISCUSSION: None

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

RESOLUTION 2024-15 AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE PLUMSTED MUNICIPAL UTILITIES AUTHORITY AND MANASQUAN RIVER REGIONAL SEWERAGE AUTHORITY FOR BASIC UTILITY ADMINISTRATION SERVICES.

Moved by Mr. Ruppel, seconded by Mrs. Kimmick.

DISCUSSION: None

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

MOTION TO ADJOURN THE PUBLIC MEETING

Moved by Mrs. Kimmick, seconded by Mr. Ruppel.

DISCUSSION: None

ROLL CALL

AYES: Ms. Cristman, Mrs. Kimmick, Mr. Ruppel, Vice Chairman Grosso, Chairman Kubiel
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: None

The public meeting was adjourned at approximately 6:44 pm.

Respectfully submitted,

DocuSigned by:



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Brian J. Brach, Assistant Secretary

ATTACHMENT A
Veolia O&M Report (February 2023)



Monthly Operating Report

Presented to:

Plumsted Municipal Utilities Authority

January 2024

2/27/2024

Overview

Veolia Water Contract Operations USA continued operations at the Plumsted, NJ wastewater treatment facility located 947 Monmouth Rd. Cream Ridge, NJ 08514 during the month of January 2024.

I. Staffing

At its current Average daily flow rate, the WWTP is fully staffed. Veolia's local and technical support Staff includes:

Richard Erving - Lead Plant Operator

Keenan Morin - Plant Operator

Temporary staff - Plant Operator (1/31/24 last day)

Chris Pope - Environmental Health Safety and Compliance Coordinator (Andrew Valenzuela start date 2/12/24)

Christopher Earle – Regional VP of Operations (Christopher Earle is scheduled to move to a different region starting from February 6. Currently, efforts are underway to find a replacement, but Christopher will continue to provide assistance until a new hire is made.)

Kevin Shoudt – Project Manager

Alexandra Noriega - Project Manager

Robert Burnett - Assistant Project Manager

Ceren Arlap - Senior technical Director

Jason Kiernan - License holder of record

II. Operational Overview

Continue process control of the facility treatment operations.

Continue percentage solids testing.

The automatic samplers are run and reset weekly.

Performed preventative maintenance on all of the operating equipment.

Maintain the grounds at the facility.

Maintain Fine Screen Solid Removal Systems. The Brush has been replaced on fine screen 1 and the main unit has been reinstalled. The final part needed to get the system up and running has been shipped out and is expected to arrive 2/19/2024. With this part in hand the system will be put back into service. This should significantly reduce fine screen alarms.

2 New Vegapuls transducers have been ordered to replace the faulty sensors. Upon delivery installation will be performed by Veolia staff and is expected to be completed the last week in February. This should enhance our ability to monitor and control tank levels and plant process speed.



III. Facility Overview

Weather- In New Egypt, December's accumulated precipitation was 5.63 inches of rain.
 Flows – The Total flow of effluent for January was 3,673,246 gallons. The highest daily flow of 142,057.60 gallons was recorded on January 12th. The daily average flow for the month was 118,492. The minimum daily flow was 67,225.38 gallons on January 1st.

<u>January</u>	<u>Gallons/Day</u>	<u>Inches of Rain</u>	<u>January</u>	<u>Gallons/Day</u>	<u>Inches of Rain</u>
1/1/24	67,225.38	0.00 in	1/18/24	121,742.30	0.00 in
1/2/24	132,197.60	0.00 in	1/19/24	122,164.60	0.00 in
1/3/24	101,604.40	0.00 in	1/20/24	121,739.50	0.00 in
1/4/24	97,916.82	0.00 in	1/21/24	121,584.20	0.01 in
1/5/24	105,739.20	0.00 in	1/22/24	114,266.40	0.03 in
1/6/24	112,333.00	0.67 in	1/23/24	117,206.00	0.06 in
1/7/24	111,528.50	0.12 in	1/24/24	112,648.20	0.03 in
1/8/24	107,941.70	0.00 in	1/25/24	100,061.50	0.50 in
1/9/24	110,649.30	1.86 in	1/26/24	96,389.40	0.18 in
1/10/24	110,952.70	0.09 in	1/27/24	125,730.00	0.00 in
1/11/24	124,634.70	0.00 in	1/28/24	136,165.00	0.89 in
1/12/24	142,057.60	0.21 in	1/29/24	128,921.80	0.06 in
1/13/24	140,074.40	0.89 in	1/30/24	134,901.40	0.00 in
1/14/24	140,361.80	0.00 in	1/31/24	107,518.40	0.00 in
1/15/24	134,755.40	0.00 in	Avg	118,492	
1/16/24	140,292.10	0.03 in	Sum	3,673,246	
1/17/24	131,942.70	0.00 in	Sludge	53,900	
			%Sludge	1.47%	

Sludge – 53,900 gallons of liquid sludge hauled from the facility in January by United (Russel Reid).
 1.47%

IV. Compliance Overview

All required sampling was conducted for the month of January.

Monthly Average						
Parameter	BOD (mg/l)	TSS (mg/l)	Ammonia mg/l	Nitrate mg/l	E. Coli #/100ml	Phosphorus kg/d
Influent	280	169.3				
Effluent	2.6	ND	21.9	.80	ND	ND

On October 27, 2023, Veolia submitted the corrective and remedial plan to the NJDEP for the Notice of Violation received on September 29, 2023.

NJDEP has not provided feedback at this time.

On October 20, 2023, the contract lab notified Veolia that ammonia had exceeded the daily limit authorized by the NJPDES permit. Veolia notified the NJDEP hotline and submitted the 5-day follow up letter.

The Veolia technical and performance team is conducting a root cause analysis into ammonia exceedance and has identified the following listed issues so far in the operation and is monitoring the influent for any unusual inorganic ammonia load into the system.

- Malfunctioning DO sensors and
- Diffuser head clogging in the post anoxic zone tank

DO sensors update:

In late January, the team has made significant advancements in adjusting the aeration system to meet the required DO parameters, resulting in a decrease in ammonia levels.

We are working with Tomar to come up with a plan for a main aeration header modification that will allow us to run 2 trains simultaneously while maintaining proper DO levels. There are more challenges but this is a necessary first step.

February 9th, Both DO probes have been installed and calibrated. The HMI is using the data from these probes to continually adjust DO levels in our primary reactor. This has further improved our DO levels and will enhance our ability to maintain proper DO levels.

The process is facing a problem with the caustic feed system, specifically with a clogged line. This issue arises because the feed line, which runs outside, is blocked due to the freezing of sodium hydroxide at 55 degrees. It is crucial to introduce hydroxide into the system to maintain alkalinity levels, especially when ammonia levels decrease. To resolve this matter, we have reached out to Tomar for assistance in implementing our plan to replace the clogged lines and have a plan to prevent further issues. Due to design parameters the issue would be prohibitively expensive to completely eliminate.

We are conducting a comprehensive analysis to better determine influent characteristics. The sampling procedure of the project has been enhanced by acquiring the DR3900 Lab VIS Spectrophotometer - RFID Technology, a benchtop visible spectrum, lab spectrophotometer. This advanced instrument is specifically designed to provide fast and precise analysis results using our cutting-edge TNTplus and LCK reagents.



These actions will be taken promptly to address immediate concerns and prevent potential environmental and/or operational impacts. We will continue to monitor and evaluate the situation and Veolia will continue to keep the NJDEP and PMUA informed of any further findings.

Odor Complaints/Customer issues Overview
There were no odor complaints in January.

V. Health and Safety Compliance

Environmental Health and Safety training was completed throughout the month of January.

We have installed heat insulation on the main blower header pipes that will reduce possible burn risks.

All Veolia North America safety training has been loaded into our system and the staff is actively working on them. Topics include confined space and lockout tagout procedures. The plant staff performs near miss/unsafe conditions reporting with corrective action plans.

VI. Repairs and Preventative Maintenance Overview

Veolia's asset management team will prepare a list of recommended spare materials. List was submitted to PMUA, Executive Director.

VII. Capital Plan

Veolia has not submitted a Capital plan to the MUA at this time.

ATTACHMENT B
Waste Management Report (February 2023)



Plumsted Municipal Utilities Authority

COMMISSIONER BRIAN KUBIEL, CHAIR
COMMISSIONER STEVEN GROSSO, VICE CHAIR
COMMISSIONER BETH KIMMICK
COMMISSIONER MICHAEL RUPPEL

Via Email (rallen@wm.com)

January 24, 2024

Mr. Robert Allen
Senior Account Executive
WM Public Sector Solutions
Waste Management of New Jersey, Inc.

**RE: PMUA Solid Waste & Recycling Program
Notice of Assessment of Liquidated Damages in the Total Amount of \$7,500.00**

Dear Mr. Allen:

In accordance with terms and conditions of the Plumsted Municipal Utility Authority's (PMUA) contract with Waste Management dated January 19, 2021, please be advised that the Authority is assessing liquidated damages in the total amount of \$7,000.00 as follows:

- a. \$3,500.00 for failure to make "substantial collection" on Solid Waste Collection Days of January 11, 2024 and January 12, 2024.
- b. \$3,500.00 for failure to make "substantial collection" on Solid Waste Collection Days of January 18, 2024 and January 19, 2024.
- c. Waste Management is advised that the PMUA intends to continue assessment of liquidated damages in the amount of \$3,500.00 per day for failure to make "substantial collections" in the future, and that the PMUA intends to exercise the Authority's right to assess an additional sum of \$1,500.00 per day for vehicles and \$350.00 per day per employee hired by the PMUA for performance of Waste Management's obligations.

The PMUA respectfully requests that the liquidated damages in the total amount of \$7,500.00 be reflected as a credit in Waste Management's January 2024 invoice.

Let this correspondence further serve as notice that Waste Management is failing to provide consistent and acceptable levels of service to the PMUA and, more importantly, residents served within Plumsted Township. The Authority understands the macro issues facing the solid waste and recycling industry but Waste Management's inconsistent service frequently violates Plumsted Township ordinance (Chapter 55-10c), which requires collection of solid waste a minimum of once every 7-calendar days, and has been a contributing factor to community blight on numerous occasions.

Moving forward, the Authority is requiring that Waste Management consider the following adjustments to improve levels of service:

- a. Dispatch of additional trucks on bulk collection dates. Bulk collection has been an issue and the PMUA has observed that trucks fill quicker, resulting in missed collections to those at the end of routes, and/or drivers not picking up bulky materials so as to avoid reaching truck capacity.
- b. More detailed definition of exactly what bulky waste can be collected and requirements thereof. Residents seem confused when placing waste out for bulk collection and this has resulted in numerous incidents of piles of waste sitting curbside for weeks (or months) at a time. A Waste Management branded document, for posting on the Authority's website, would be well received.
- c. It's the Authority's understanding that Waste Management privately services the Lennar "Venue at Crosswicks" development. Should this be the case, the PMUA is requiring that a separate truck be dispatched to service this development and that Lennar service not be shared with PMUA service. The PMUA is concerned that Lennar service may be impacting service to Authority customers.
- d. As per Section 5.10 of the Contract specifications, the PMUA is requiring that Waste Management focus on responding to missed collections "as soon as possible", regardless of logistics. There have been residents as of recent that have failed to receive services for up to 3-weeks. The Authority intends to hire removal of missed collections that are not retrieved within 24-hours and assess further liquidated damages as per terms and conditions of the contract.
- e. Waste Management shall notify the PMUA on a more timely basis of known missed collections. The Authority is aware that Plumsted has several "quirks" and that various scenarios result in inaccessibility on occasion to certain sections of town. The faster these are communicated to the PMUA, the better the Authority can anticipate and respond to ratepayer inquiries and complaints.
- f. Provide the total volume and net tonnage of material disposed of on each collection day as per Section 5.13(C) and 5.13(D) of the Contract Specifications for the entirety of the current contract timeframe in Excel or .csv format. All future invoices shall include this information.

The Authority is committed to collaborating with Waste Management to execute the solid waste and recycling program in a more consistent and reliable manner and appreciates Waste Management's consideration of the above matters.

Feel free to contact me if there is a need to discuss further.

Respectfully,

DocuSigned by:



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Brian J. Brach, PE, QPA

Interim Executive Director

cc: PMUA Commissioners (via email)
DMM Law (via email)
Tina Vallecillo, PMUA (via email)



*Waste Management of New Jersey, Inc.
100 Brandywine Blvd, 3rd Floor
Newtown, PA 18940*

February 12, 2024

Via email

Mr. Brian J. Brach, PE, QPA
Interim Executive Director
Plumsted Municipal Utilities Authority
121 Evergreen Road
New Egypt, NJ 08533

RE: PMUA Solid Waste and Recycling Program
Notice of Assessment of Liquidated Damages Letter dated 1/24/2024.

Dear Mr. Brach:

As we recently discussed, Waste Management of New Jersey, Inc. ("WM") is in receipt of your letter referenced above. We have started the process to apply a credit of \$7,000.00 to the PMUA account, however, the timing did not allow for the credit to be reflected on the invoice for January service. PMUA may choose to "short pay" this invoice by \$7,000.00 and the credit will wash out or you may wait until the new invoice reflects the applied credit. As discussed, your letter contained both the \$7,000.00 and \$7,500.00 figure for the damages, but as you indicated, the \$7,500.00 was a typographic error.

As the only contractor for this work since the inception of the PMUA's waste and collection program in 2011, WM has endeavored to work closely with the PMUA to refine and adjust to changing industry and market conditions. Contract formats have changed, as have service offerings. It has, at times, been extremely challenging, and our recent performance is an example of this. For our shortcomings, we apologize, and our team is focused on correcting our shortcomings and returning to delivering the services as specified.

Your letter identified specific issues by letter bullet point, and these are addressed below:

- a. WM is making routing changes to better facilitate the collection of bulk items.
- b. I have reviewed the bulky waste description in your bid specifications, which seems complete, however, we will look to convert the specification language to a document more usable by the residents.
- c. The Venue at Crosswicks service will no longer be serviced by a WM/PMUA route by the end of February 2024.

Plumsted Municipal Utilities Authority

February 12, 2024

Page 2

- d. We will improve our performance on recovery of missed pick ups and resolve them within 24 hours of notice. More importantly, we are and will continue to focus on eliminating the MPU's during the initial scheduled collection.
- e. We will improve communication regarding route delays.
- f. The language your letter references in your Item f. is NJ Uniform Bid Specification Language, constructed around the fact that in most cases, municipal contracts such as this one has the municipal entity pay disposal cost either directly to the disposal site or being billed on actual tonnage by the collection company. This language is designed to provide for a check and balance of disposal charges incurred by the municipality. In this case, the current PMUA contract calls for the pricing to include all costs of disposal for MSW. The PMUA's rates are fixed regardless of waste volume/tonnage and the impact of increased tonnage is the contractor's responsibility. While we have passed through the savings we have negotiated through our "out of state" disposal contracts, due to the travel time and distance, it is impractical to make the trip across the state line with anything less than a fully loaded truck and we may have customers geographically adjacent to our PMUA work. Consequently, the vehicles can and do collect non-PMUA waste to maximize efficiency. We can and will provide reasonably accurate estimates of PMUA tonnage, but under these circumstances, which we previously reviewed and discussed with the PMUA, exact tonnage generated by your customer base cannot be precisely guaranteed.

You can be sure that the PMUA has WM's full attention, and we remain committed to improving our service and performance.

Sincerely,



Robert (Rob) Allen

Senior Account Executive

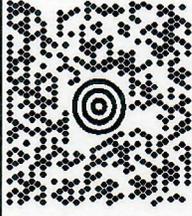
Cc: Don Weist – Director Public Sector Solutions
Jonathan Fabozzi – Sr. Legal Counsel –
Nick Ebert, Sr. District Manager
Jason Stellwag, District Manager
Franklin Gaskin, III, Route Manager
file

1 OF 1

0.2 LBS LTR

ROBERT ALLEN
6099290313
WOODBINE HAULING (02407-01)
107 SILVIA ST
EWING NJ 08628

SHIP TO:
MR. BRIAN BRACH
6092440425
PLUMSTED MUNICIPAL UTILITIES AUTH.
121 EVERGREEN RD.
NEW EGYPT NJ 08533-1207

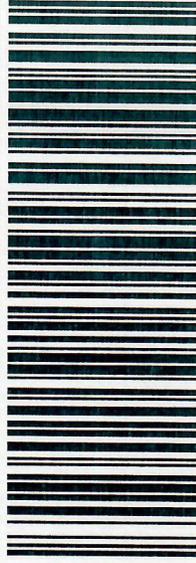


NJ 086 0-05



UPS NEXT DAY AIR SAVER 1P

TRACKING #: 1Z 12R 8V3 13 9350 8177



BILLING: P/P



Reference # 1: GMA
Reference # 2: PMUA LD RESPONSE
CS 23.9.00 WNTNW50 7.0A 02/2024*

ATTACHMENT C
Executive Director's Report (February 2023)

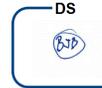


Plumsted Municipal Utilities Authority

COMMISSIONER BRIAN KUBIEL, CHAIR
COMMISSIONER STEVEN GROSSO, VICE CHAIR
COMMISSIONER BETH KIMMICK
COMMISSIONER MICHAEL RUPPEL
COMMISSIONER JANET CRISTMAN

Memorandum

DATE: February 23, 2024
TO: PMUA Commissioners
FROM: Brian J. Brach, PE, QPA, Interim Executive Director
RE: Summary of Executive Director's Report Items
February 27, 2024 Reorganization Meeting
CC: Cynthia N. MacReynolds, Secretary, PMUA (via email)



Commissioners,

In an effort to streamline discussion at the meeting, below is a concise summary of several matters I would like to bring to the attention of the Board:

- **PMUA Trash and Sewer Bill Updates**: Pursuant to my February 19th email to the Board, the large volume of ratepayer inquiries continue to be addressed one-by-one. Annual sewer bills are being mailed the middle of March 2024 and it's anticipated that inquiries will not cease until after that time. This process has been difficult but necessary. It's important that the Board trust the process!
- **Edmunds WIPP**: The Authority's new electronic account maintenance and online payment system, WIPP, is fully functional. It's been a useful tool and is being leveraged by ratepayers.
- **NOV Update**: The Notice of Violation list, originally consisting of (73) properties that have failed to connect to the sewer system as per ordinance, has been recently reconciled with Plumsted Township Construction Department records. It has been reduced to approximately (50) properties that are required to connect. The Authority will collaborate with Plumsted Township to discuss next steps, potentially including the issuance of summons. It's critical to the Authority's solvency that each and every property connect.
- **Veolia Management Changes**: As a part of organizational restructuring at Veolia, Vice President, Christopher Earle, has been assigned to a different territory that does not include New Jersey. Mr. Earle continues oversight of the PMUA operations until such time that a replacement is named and onboarded. I'd like to thank Mr. Earle for his service to the Authority and offer best wishes for success in his new role.
- **Audit and Budget Plan to Convert from FY to CY**: After discussion with the Authority's financial professionals, and some guidance from the State, the procedure for conversion of the PMUA from a Fiscal Year (7/1 to 6/30) to a Calendar Year (1/1 to 12/31) budget cycle has been determined. Attached is a February 21, 2024 memo detailing said procedure and corresponding schedule. The Board can anticipate introduction of the FY23/24 Budget at the March 2024 public meeting, subsequent to review with the Finance Committee.

- **Operating Agreement with Plumsted Township:** No progress has been made on the Operational Agreement with Plumsted Township, required by the NJ I-Bank. It's anticipated that this will have to be addressed in the near future and the Board can anticipate adoption at a subsequent public meeting.
- **Solid Waste & Recycling Program:** The Authority will most likely consider bidding trash and recycling services during the early Summer 2024; award during the early Fall 2024; and use the end of the year for implementation of the new contract depending upon the responsive and responsible low bidder (as necessary). Meetings are being held with vendors and other solid waste industry professionals to better understand what contractual conditions and/or logistics the Authority can leverage to promote a competitive public bidding process and ultimately better service to ratepayers.
- **Veolia Asset List:** Veolia has provided an "Asset List" detailing potential equipment that would be prudent to procure for proactive maintenance and mitigation of "single fault failure" events. The Authority shall review and recommendations will be provided for **potential** utilization of the Renewal and Replacement fund established by Plumsted Township.
- **Trash Service Map and GIS Tool:** A map detailing the "East" and "West" service sides of the Township as it relates to trash and recycling has been developed (see attached). A simple GIS tool has also been deployed that allows residents to search for their address and review relevant information such as which service area they reside; their trash collection day; their recycling collection day; their bulk collection day; as well as a hyperlink to the Waste Management collection calendar. Both tools will be placed on the Authority's webpage for use by Township residents.

[**FOLLOW THIS LINK FOR THE GIS TRASH/RECYCLING SEARCH TOOL**](#)

- **Refunds for Canceled Services + Board Action to Cancel Accounts:** A number of ratepayers have chosen to cancel their trash and recycling services through the PMUA due to the rate increase, questionable service and frustration with billing. A number of these accounts are due prorated refunds depending upon their particular account status. The Board can anticipate seeing said refunds on future bill lists. It's also being discussed with the Authority's CFO whether or not Board action is required to cancel particular accounts, situation dependent. A determination will be made shortly and the Board may see "form" resolutions for cancellation of certain accounts at future meetings.

Feel free to contact me if you'd like to discuss any of these matters further.

Respectfully,
Brian