

The regular meeting of the Eatontown Sewerage Authority was held at 5:00 P.M. on January 11, 2022 in the Borough Hall, 47 Broad Street, Eatontown, New Jersey. The majority of the attendees participated via Zoom audio and/or video teleconference due to the ongoing pandemic. The Chairman, Brian Charnick, called the meeting to order by making the following statement: "This is a regular meeting of the Eatontown Sewerage Authority made pursuant to Chapter 291 of the Public Meeting Act by declaring notice thereof at least 48 hours prior to this meeting to The Link News and to the Borough Clerk. Notice has also been posted in the public corridor of this Borough Hall and posted to the Authority website."

## **ROLL CALL**

MEMBERS PRESENT: Brian Charnick  
Herman Redd  
Peter Berkley  
Jeanna Migliaccio  
Kenneth East

ALSO PRESENT: Ted Lewis, Executive Director  
Stephen Schreiber, Engineer  
John Bonello, Attorney  
Herb Volner, Superintendent  
Michelle Hu, Treasurer  
Lori Flynn, Office Clerk

MEMBERS ABSENT: None

CITIZENS PRESENT: None

## **APPROVAL OF MINUTES**

Mr. Berkley moved to approve the minutes of the regular meeting held on December 14, 2021. The motion was seconded by Mr. Redd and adopted on a unanimous voice vote.

## **REPORTS OF COMMITTEES, MEMBERS, & ENGINEER**

### **Engineering Committee**

There was no committee report.

### **Executive Director's Report \***

Mr. Lewis presented the Executive Director's report with the following additions:

- **FMERA**

Mr. Lewis added that the required waiting period after the FMERA Board's approval has expired and that they may be able to transfer \$50,000 to the Authority in support of the proposal submitted by T&M. Mrs. Hu will work with FMERA to establish the bank account and coordinate the transfer of funds.

- **Authority Bylaws**

Mr. Charnick requested clarification on why the changes haven't been made to the bylaws while Mr. Lewis pointed out that the changes were made, namely adding the mission statement and incorporating a few minor changes which Mr. Berkley had suggested. Mr. Charnick pointed out that the role of the Board Secretary and

the order of business for the agenda were not correct. Mr. Berkley went back and reviewed the version of the bylaws which had been approved contingent upon the noted changes and pointed out that the role of the Board Secretary and the agenda order were approved in the prior version and not part of the suggested changes. Mr. Bonello noted that the role of the Board Secretary is to ensure that certain administrative jobs get done and not that the Secretary is directly responsible for doing them.

### **Superintendent's Report \***

Mr. Volner presented his report with no additions. Mr. Charnick took the opportunity to say that the overtime noted in Mr. Volner's report is sufficient and no further details are needed. Mr. Berkley added that only hours significantly above what's routinely encountered need any clarification.

Mr. East asked about the status of Mr. Carrino, currently on medical leave, and Mr. Volner said he spoke with him yesterday and a return to work date in the beginning of March is most likely at this point.

### **Attorney's Report**

Mr. Bonello stated that he will wrap up the JCP&L settlement and the Old Orchard condemnation is moving forward as expected.

### **Engineer's Report \***

Mr. Schreiber presented the Engineer's report with the following addition:

- **FMERA**

For administrative purposes, Mr. Schreiber requested a resolution granting approval to move forward with the work outlined in the FMERA proposal.

***Resolution to authorize T&M Associates to proceed pursuant to the proposal indicating the scope of work and fee amount was offered by Mr. Berkley, seconded by Mr. Redd, and adopted on the following roll call vote:***

#### ROLL CALL

AFFIRMATIVE: Brian Charnick, Herman Redd, Peter Berkley, Jeanna Migliaccio, and Kenneth East  
NEGATIVE: None  
ABSTENTION: None  
ABSENT: None

### **PROGRESS OF PROJECTS**

- **Old Orchard Pump Station Replacement**

Status as noted previously in Executive Director's and Engineer's reports.

### **UNFINISHED BUSINESS**

- **Agreement between FMERA and ESA**

Status as noted previously in Executive Director's and Engineer's reports.

### **NEW BUSINESS**

- **Senate Bill 4081**

Mr. Bonello requested an email with specific questions to address any concerns rather than take up meeting time.

Mr. Berkley took this opportunity to get clarification on the bylaws as to whether or not they have been approved pending the suggested minor changes. The Board agreed that they were approved and no additional approval is required.

Mr. Berkley also asked if the Authority has plans to push back against the Borough takeover. Mr. Bonello said that there isn't enough detail yet to develop a case. Mr. Berkley requested Mr. Lewis' help in starting to formulate a case based on a rough comparison between the Authority's current costs and how those numbers would change under the Borough including union salaries and other factors.

## **BILLS**

Mr. Charnick questioned whether the Authority should continue to pay the approximately \$4,000 annual dues to the AEA. Mr. Bonello pointed out that the AEA also provides lobbying to the legislature on behalf of members and they act as a conduit for information to and from the legislature. Mr. Charnick also noted that the AEA can be a source of information regarding asset management and similar projects that other Authorities are undertaking to avoid re-inventing the wheel. Mr. Lewis will make sure that Mr. East, as the newest member, is included in any AEA distributions.

***Resolution to authorize paying the bills in the amount of \$34,713.54 as submitted from the operating account in Kearny Bank was offered by Mr. Charnick, seconded by Mr. Berkley, and adopted on the following roll call vote:***

### **ROLL CALL**

AFFIRMATIVE: Brian Charnick, Herman Redd, Peter Berkley, Jeanna Migliaccio, and Kenneth East  
 NEGATIVE: None  
 ABSTENTION: None  
 ABSENT: None

## **APPROVAL OF TRANSFERS FROM THE FOLLOWING ACCOUNTS**

TD Revenue Trust to Kearny Bank Operating Account and Payroll Account:

(January 2022 Operating Expenses)	\$ 34,713.54
(February 2022 Salaries)	\$ 33,974.62
(Annual Employer Appropriation to PERS)	\$ 48,255.00

Total Transfers:	\$ 116,943.16
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***Resolution to authorize the monthly transfers from the TD Bank revenue trust account to Kearny Bank operating account to pay the bills in the amount of \$34,713.54, and to Kearny Bank payroll account for the payroll of February 2022 in the amount of \$33,974.62, and to pay the Annual Employer Appropriation to***

***PERS in the amount of \$48,255.00 was offered by Mr. Charnick, seconded by Mr. Berkley, and adopted on the following roll call vote:***

**ROLL CALL**

AFFIRMATIVE: Brian Charnick, Herman Redd, Peter Berkley, Jeanna Migliaccio, and Kenneth East

NEGATIVE: None

ABSTENTION: None

ABSENT: None

***Resolution to authorize payment for capital improvements from the Kearny Bank operating account to T&M Associates in the amount of \$3,419.53 for work relating to Old Orchard Pump Station Replacement Contract Administration and Inspection was offered by Mr. Charnick, seconded by Mr. Berkley, and adopted on the following roll call vote:***

**ROLL CALL**

AFFIRMATIVE: Brian Charnick, Herman Redd, Peter Berkley, Jeanna Migliaccio, and Kenneth East

NEGATIVE: None

ABSTENTION: None

ABSENT: None

**ADJOURNMENT**

With no further business to address, Mr. Charnick moved to adjourn the meeting at approximately 5:45 p.m.

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Assistant Treasurer

***\* All reports of Committees, Members & Engineer are available for the public to review in the Authority's office and can also be reviewed online.***