

The regular meeting of the Eatontown Sewerage Authority was held at 5:00 P.M. on April 12, 2022 in the Borough Hall, 47 Broad Street, Eatontown, New Jersey. The Chairman, Peter Berkley, 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: Peter Berkley  
Jeanna Migliaccio  
Kenneth East  
Brian Charnick  
Herman Redd

ALSO PRESENT: Ted Lewis, Executive Director  
Stephen Schreiber, Engineer  
John Bonello, Attorney  
Herb Volner, Superintendent  
Michelle Hu, Treasurer  
Gloria Aderton, Assistant Treasurer  
Chrystle Hernandez, Office Clerk

MEMBERS ABSENT: None

CITIZENS PRESENT: John Hughes, CP Plaza Property Manager  
Mike Cao, Fumiyama Sushi

## **APPROVAL OF MINUTES**

Mrs. Migliaccio moved to approve the minutes of the regular meeting held on March 8, 2022. The motion was seconded by Mr. Redd and adopted on a unanimous voice vote.

## **REMARKS OF CITIZENS**

Mr. Hughes, representing CP Plaza, and Mike Cao, owner of proposed Fumiyama Sushi at 315 Route 35, requested approval from the Authority to install a 75 lb. grease trap. This restaurant is moving into a former Dunkin Donuts location and the pre-existing grease trap was removed when Dunkin Donuts moved out. After some discussion regarding food preparation, it was determined by the Board that the applicant needs to submit funds to open an escrow account so that the Authority Engineer can review the specifications and make a recommendation. Mr. Berkley noted that once the grease trap is installed, it would be grandfathered in for any future restaurant tenants and there is a concern about undersizing it now and possibly running into problems in the future. The Authority granted the applicant's request contingent upon the Engineer's approval of the proposed grease trap. Mr. Hughes stated that he would stop by the Authority office to deliver the escrow check.

***Resolution to allow the installation of a 75 lb. grease trap by Fumiyama Sushi, contingent upon approval of the Authority Engineer, was offered by Mr. Charnick, seconded by Mr. East, and adopted on the following roll call vote:***

ROLL CALL

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

NEGATIVE: None

ABSTENTION: None

ABSENT: None

## REPORTS OF COMMITTEES, MEMBERS, & ENGINEER

(Mr. Berkley requested that future meeting agendas include a listing of the Authority Committees)

### Engineering Committee

There was no committee report.

### Technological Committee

Mr. Berkley is working on getting information from the County regarding cybersecurity tests and workshops they offer. Mr. Charnick noted that the AEA digital newsletter includes an article on cybersecurity and a free vulnerability assessment but as he was the only one that received the newsletter, he will forward it to the other Board members for reference.

### Executive Director's Report \*

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

- **Post-dated Payments**

Mr. Lewis requested a change in the Rules and Regulations stating that the Authority will not accept post-dated checks as there have been some issues in the past with them. Mr. Bonello noted that, under the law, a post-dated check is the equivalent of a personal note and the Authority does not accept notes for sewer payments.

- **Project Closeouts**

The Authority's Rules and Regulations currently require that developers submit final project information in GIS format which is causing delays in closing out projects as most of them do not have the software necessary to generate shapefiles. After some discussion, it was decided to remove the GIS requirement as there are alternate ways to generate GIS-compatible files from pdf or CAD files.

***Resolution to remove the GIS requirement for project closeouts from the Authority Rules and Regulations was offered by Mr. Berkley, seconded by Mr. Redd, and adopted on the following roll call vote:***

ROLL CALL

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

NEGATIVE: None

ABSTENTION: None

ABSENT: None

- **Sun Eagles**

Mr. Lewis obtained a copy of the Planning Board resolution approving the Sun Eagles project and it clearly stated that all fees had to be paid before construction permits would be issued, however, the permits were issued before the Authority's fees, approximately \$284,000, had been paid. Mr. Lewis spoke to the building department to ensure no Certificates of Occupancy will be issued before the Authority's fees are paid.

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

Mr. Volner presented his report with no additions.

### **Attorney's Report**

There was no attorney's report.

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

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

- **Route 35 Emergency Sanitary Sewer Replacement**

Mr. Schreiber reviewed the video and submitted a proposal for pipe lining. Mr. Schreiber noted that the current cost and supply chain issues would make this an expensive endeavor right now but future lining projects could be broken into phases and planned for when costs come down.

- **Old Orchard Pump Station Replacement**

Mr. Schreiber noted that there are no changes in the project and it is anticipated to start around July based on current supply chain estimates.

### **PROGRESS OF PROJECTS**

- **Old Orchard Pump Station Replacement**

Status as discussed previously in Engineer's report.

### **UNFINISHED BUSINESS**

- **Route 35 Emergency Sewer Replacement**

Status as discussed previously in Engineer's report.

- **Borough 2022 Capital Improvement Program – Sewer Rehabilitation**

Mr. Schreiber spoke to the Borough regarding making sewer rehabilitation part of planned street upgrades and repaving in order to consolidate effort and reduce costs. The Borough was amenable to the idea but there is no Scope of Work determined yet, again because of the elevated construction costs.

### **NEW BUSINESS**

- **Renewal of landscaping contract with T.A.D. Landscape & Design**

Mr. Volner has been very satisfied with the performance of T.A.D. Landscaping and would like to continue to use their services.

***Resolution to renew the contract with T.A.D. Landscaping & Design for maintaining Authority easements and properties was offered by Mr. East, seconded by Mr. Charnick, and adopted on the following roll call vote:***

### **ROLL CALL**

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

NEGATIVE: None

ABSTENTION: None

ABSENT: None

- **Post-dated Checks**

As previously discussed

- **Requirement of As-Built drawings for tenant fit-up projects**

As previously discussed

- **Fumiyama Sushi Restaurant, 315 Hwy 35 North, Block 3801 Lot 21.01**

As previously discussed

- **2022 Sewer Collection System Rehabilitation**

As previously discussed

- **Resolution #2022-04-01: Closing out Dunkin Donuts project and releasing Performance Guarantee, 775 Hope Rd, Block 1802 Lot 6**

***Resolution to close out the Dunkin Donuts project at 775 Hope Rd, Block 1802 Lot 6, and release the Performance Guarantee was offered Mr. Berkley, seconded by Mr. Redd, and adopted on the following roll call vote:***

ROLL CALL

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

NEGATIVE: None

ABSTENTION: None

ABSENT: None

- **Asset Management Conference Call**

Mr. Berkley, Mr. East, and Mrs. Aderton participated in a conference call with Mr. Schreiber and other T&M personnel to discuss asset management plans. T&M is going to create a proposal with various plan options over a variety of time periods (5 year, 10 year, etc.). One item of note on the call was that wastewater utilities such as the Authority aren't required to have an asset management plan in place to obtain funding but they must have one for those particular improvements prior to closing out funding. Mr. Schreiber is going to have his office investigate if there is any funding remaining from the State for creating asset management plans as there had been some offered in the past.

## **BILLS**

***Resolution to authorize paying the bills in the amount of \$318,711.02 as submitted from the operating account in Kearny Bank was offered by Mr. Berkley, seconded by Mrs. Migliaccio, and adopted on the following roll call vote:***

ROLL CALL

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

NEGATIVE: None  
 ABSTENTION: None  
 ABSENT: None

## APPROVAL OF TRANSFERS FROM THE FOLLOWING ACCOUNTS

TD Revenue Trust to Kearny Bank Operating Account and Payroll Account:	
(April 2022 Operating Expenses)	\$ 318,711.02
(May 2022 Salaries)	\$ 33,974.62
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Total Transfers:	\$ 352,685.64

***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 \$318,711.02, and to Kearny Bank payroll account for the payroll of May 2022 in the amount of \$33,974.62, was offered by Mr. Berkley, seconded by Mr. East, and adopted on the following roll call vote:***

### ROLL CALL

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

***Resolution to authorize payments for capital improvements from the Kearny Bank operating account to T&M Associates in the amount of \$1,948.00 for work relating to Old Orchard Pump Station Replacement Contract Administration and Inspection and \$539.00 for work relating to Route 35 Emergency Sewer Replacement; to Cleary Giacobbe Alfieri Jacobs LLC in the amount of \$1,512.00 for Old Orchard Pump Station Easements legal fees; to J Fletcher Creamer & Son, Inc. in the amount of \$180,696.89 for work relating to Route 35 Emergency Sewer Replacement was offered by Mr. Berkley, seconded by Mr. Redd, and adopted on the following roll call vote:***

### ROLL CALL

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

## EXECUTIVE SESSION

A motion to go into Executive Session at 6:00 pm for the purpose of discussing the Authority's relationship with the Borough was offered by Mr. Berkley, seconded by Mr. Redd, and adopted on a unanimous voice vote. Upon completion, the Executive Session was closed.

## ADJOURNMENT

With no further business to address, Mr. Berkley moved to adjourn the meeting at approximately 6:20 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.***