

The regular meeting of the Eatontown Sewerage Authority was held at 5:00 P.M. on September 13, 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
Kenneth East
Brian Charnick
Lori Flynn

ALSO PRESENT: Ted Lewis, Executive Director
Kevin O'Keeffe, Engineer
John Bonello, Attorney
Herb Volner, Superintendent
Michelle Hu, Treasurer
Gloria Aderton, Assistant Treasurer

MEMBERS ABSENT: Jeanna Migliaccio

CITIZENS PRESENT: Sal Martelli, Martelli Development
Representatives from Martelli Development

APPROVAL OF MINUTES

Mr. Charnick moved to approve the minutes of the regular meeting held on August 9, 2022. The motion was seconded by Mr. Berkley and adopted on a voice vote. Mr. East abstained as he did not attend the previous meeting.

REMARKS OF CITIZENS

Mr. Martelli attended the meeting to discuss the possibility of making installment payments on the connection fees owed for the Sun Eagles development. The developer would like to make payments on the units as they're sold post-construction while the Authority policy is for all fees to be paid prior to start of construction. Mr. Martelli presented a written proposal detailing the timeframe for making five payments, one for each of the five development stages (3 residential, 1 affordable housing, 1 commercial). Mr. Bonello requested clarification as to which specific buildings each installment would cover.

Resolution to allow Martelli Development to make their Connection Fee payments which will be calculated based on the fee in place at the time of payment in five (5) installments pending a delineation of which specific buildings are included in each installment phase and approval by the Engineer was offered by Mr. Charnick, seconded by Mrs. Flynn, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Peter Berkley, Kenneth East, Brian Charnick, and Lori Flynn

NEGATIVE: None

ABSTENTION: None

ABSENT: Jeanna Migliaccio

REPORTS OF COMMITTEES, MEMBERS, & ENGINEER

Engineering Committee

There was no committee report.

Executive Director's Report *

Mr. Lewis presented his report with the following addition:

- **Backup Generator Replacement**

The Engineer is ready to put out for bid the project to replace diesel generators at two pump stations with natural gas generators.

- **Borough / Authority Relationship**

Mr. Charnick expressed concern that if the Borough moves ahead with taking 5% of the Authority's operating budget that there may not be enough to afford the planned capital improvement projects. Mr. Lewis noted that he has spoken with the auditor and they are going to present budget adjustments at the next meeting to compensate for this anticipated loss.

- **Old Orchard Pump Station**

Mr. O'Keeffe said that they are at the tail-end of shop drawing reviews and the contractor should be mobilizing soon.

- **Job Description**

Mr. Charnick would like the Executive Director job description to clearly indicate who ultimately approves the Authority's expenses from overtime hours to supplies in order to provide an audit trail in the event of any discrepancies. As of now, overtime is handled by an on-call system and is assigned and approved by the Superintendent and then approved by the Executive Director.

Superintendent's Report *

Mr. Volner presented his report with no additions.

Attorney's Report

Mr. Bonello has no new status updates to present.

Engineer's Report *

Mr. O'Keeffe presented the Engineer's report with no additions, except to confirm that the funds are available for the generator upgrade project so that it can be put out for bid; the Board confirmed that it can be put out for bid.

PROGRESS OF PROJECTS

- **Old Orchard Pump Station Replacement**

Mr. Lewis said that Mr. Bonello will be providing some documentation for the contractors indicating their right to perform the work in the event the owners of Old Orchard question their presence at the job site.

UNFINISHED BUSINESS

- **Borough 2022 Capital Road Program**

The necessary repairs near Lewis Street will most likely be incorporated into a larger capital improvement project to minimize the cost.

- **Asset Management Plan**

Status as noted in Engineer's report.

- **FMERA – Avenue of Memories Sewer Improvements**

Status as noted in Engineer's report.

- **Sun Eagle Golf Club Sewer Application**

Status as noted in Engineer's report and after discussion with Mr. Martelli.

NEW BUSINESS

- **ESA's 5% of Annual Operating Appropriations to the Borough of Eatontown**

Further discussion tabled pending information from auditor regarding budget adjustments; the Board will pass a resolution at the next meeting to pay the Borough.

- **Proposal for 2023 Sewer Collection System Rehabilitation**

Project is being developed to be included in next year's capital improvement budget.

- **Construction Cost for Two New Natural Gas Generators at the Deep Woods and Old Deal Pump Stations**

Resolution to authorize T&M Associates to put out for bid the project to replace the Diesel Generators with Natural Gas Generators at Deep Woods and Old Deal Pump Stations was offered by Mr. Berkley, seconded by Mrs. Flynn, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Peter Berkley, Kenneth East, Brian Charnick, and Lori Flynn

NEGATIVE: None

ABSTENTION: None

ABSENT: Jeanna Migliaccio

- **Quote for Purchasing a New Submersible Lift Pump for Eatoncrest Pump Station**

Mr. Bonello noted that this does not need to go out for bid as it falls under the pre-bid emergency contract for repairs.

Resolution to authorize replacing the pump at Eatoncrest Pump Station for approximately \$38,000 was offered by Mr. Berkley, seconded by Mr. East, and adopted on the following roll call vote:

ROLL CALL

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

- **Executive Director Job Description**

Mr. Charnick and Mr. Bonello will work on this together.

- **Resolution to Renew Membership in New Jersey Utility Joint Insurance Fund**

Resolution to renew membership in New Jersey Utility Joint Insurance Fund was offered by Mr. Berkley, seconded by Mrs. Flynn, and adopted on the following roll call vote:

ROLL CALL

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

- **Resolution #2022-09-01: Closing Out Eatontown Commercial Plaza Project and Releasing Remaining Escrow Funds and Performance Bond, 315 Highway 35, Block 3801, Lots 21 and 22**

Resolution to authorize closing out Eatontown Commercial Plaza Project and Releasing Remaining Escrow Funds and Performance Bond was offered by Mr. Berkley, seconded by Mr. East, and adopted on the following roll call vote:

ROLL CALL

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

- **Resolution to approve the application of Electronic Concepts, pending payment of fees and Engineer's approval**

Resolution to approve the application of Electronic Concepts pending payment of fees and Engineer's approval was offered by Mr. Berkley, seconded by Mrs. Flynn, and adopted on the following roll call vote:

ROLL CALL

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

BILLS

Resolution to authorize paying the bills in the amount of \$184,965.80 as submitted from the operating account in Kearny Bank was offered by Mr. Berkley, seconded by Mr. Charnick, and adopted on the following roll call vote:

ROLL CALL

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

APPROVAL OF TRANSFERS FROM THE FOLLOWING ACCOUNTS

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

(September 2022 Operating Expenses) \$ 184,965.80

(October 2022 Salaries) \$ 33,974.62

Total Transfers: \$ 218,940.42

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 \$184,965.80, and to Kearny Bank payroll account for the payroll of October 2022 in the amount of \$33,974.62, was offered by Mr. Berkley, seconded by Mr. Charnick, and adopted on the following roll call vote:

ROLL CALL

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

Resolution to authorize payments for capital improvements from the Kearny Bank operating account to T&M Associates in the amount of \$441.00 for work relating to Old Orchard Pump Station Replacement Contract Administration and Inspection, \$7,173.00 for work relating to Old Deal Road and Deep Woods pump, and \$7,958.00 for work relating to the Asset Management Plan and to Cleary Giacobbe Alfieri Jacobs LLC in the amount of \$1,092.40 for Old Orchard Pump Station Easements legal fees and to J. Fletcher Creamer & Son, Inc. in the amount of \$129,995.70 for Route 35 Emergency Sewer Replacement work and to Municipal Maintenance Company in the amount of \$13,590.00 for new ABS pump at Lewis Street Pump Station was offered by Mr. Berkley, seconded by Mr. Charnick, and adopted on the following roll call vote:

ROLL CALL

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

EXECUTIVE SESSION

A motion to go into Executive Session at 5:52 pm for the purpose of discussing personnel matters was offered by Mr. Berkley, seconded by Mrs. Flynn, and adopted on a unanimous voice vote. No action was taken and upon completion, the Executive Session was closed.

ADJOURNMENT

With no further business to address, Mrs. Flynn moved to adjourn the meeting at approximately 6:04 p.m.

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.***