

A Public Hearing for the 2017 Connection Fee of the Eatontown Sewerage Authority was held at 5:00 P.M. on February 13, 2018 in the Borough Hall, 47 Broad Street, Eatontown, New Jersey. The 2017 connection fee was increased from \$1,711.00 to \$1,811.00 and adopted on a unanimous voice vote. No public attended the Hearing. The Minutes of the Hearing were transcribed by Betsy Condiotti & Associates, Court Reporting Services.

The regular meeting of the Eatontown Sewerage Authority was held at 5:25 P.M. on February 13, 2018 in the Borough Hall, 47 Broad Street, Eatontown, New Jersey. 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."

ROLL CALL

MEMBERS PRESENT: Brian Charnick
 Ben Caviglia
 Peter Berkley
 Herman Redd

MEMBERS ABSENT: Anthony Gaetano

ALSO PRESENT: Robert Oliwa, Auditor
 Ted Lewis, Executive Director
 John Bonello, Attorney
 Christine Ballard, Authority Engineer
 Richard Johnson, Superintendent
 Anita Andrus, Treasurer
 Michelle Hu, Assistant Treasurer

CITIZENS PRESENT No One

APPROVAL OF 2017 CONNECTION FEE

Mr. Oliwa has proposed an increase in the Authority's connection fee from \$1,711.00 to \$1,811.00 per unit. The calculation utilized an estimate of the service units at December 31, 2016. The Board approved the 2017 connection fee in the amount of \$1,811.00.

Based upon Mr. Oliwa's recommendations, Mr. Charnick offered a Resolution adopting the 2017 connection fee of \$1,811.00. The Resolution was seconded by Mr. Redd and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Peter Berkley, and Herman Redd
NEGATIVE: None
ABSTENTION: None
ABSENT: Anthony Gaetano

APPROVAL OF MINUTES

Mr. Caviglia moved to approve the minutes of the regular meeting held on January 9, 2018 as submitted. The motion was seconded by Mr. Redd and adopted on a unanimous voice vote.

REPORTS OF COMMITTEES, MEMBERS, & ENGINEER

Engineering Committee

Mr. Caviglia reported that the generator for the Brookwood Pump Station was delivered and installed by the contractor. The station is now up and running. Trees at the maintenance yard have been cut down and the yard looks nice.

Executive Director's Report *

Mr. Lewis presented his report with the following additions:

- **Long Range Infrastructure Plans**

Regarding the proposed lining of ACP sewers, Mr. Bonello indicated that the Engineering Committee should work with the Authority Engineer to make a list of priorities that should be done and then make a recommendation to the Board. Mr. Charnick pointed out that the Authority paid Maser Consulting to perform an Infiltration & Inflow study and identify some weak areas of the borough. He suggested that the I&I Study should be a part of the review for Ms. Ballard. Also Mr. Bonello recommended Mr. Lewis contact South Monmouth Regional Sewerage Authority about their preventative maintenance program.

- **New State Law re Sewer Rate Increases**

There is a new state law limiting rate increases to 2% a year. At present, it applies to "regional" authorities. However, it might be extended to the local sewerage authorities in the future. The Authority has not had a rate increase in 6 years. In 2012, the Board decided that ESA had a small rate increase occasionally instead of having a big one when the Authority ran out of funds, so the last rate increase was in 2013 from \$360 to \$380 annually, a \$5.00 increase per quarter. Mr. Lewis suggested the Board consider another \$20.00 annual increase in 2019. Mr. Bonello suggested Mr. Lewis schedule a meeting with the Finance Committee and provide a projection recommendation to the Board.

Superintendent's Report *

Mr. Johnson offered his report with no additions.

Engineer's Report *

Ms. Ballard presented her report with the following additions:

- **Emergency Contracts**

On January 30, 2018, the Authority received three (3) bids for Sanitary Sewer Connections and Mains, one (1) bid for Cured in Place Pipe Lining, and four (4) bids for Pump Station Maintenance.

Fiore Paving Company is the lowest bidder for the first year of Sanitary Sewer Connections and Mains contract, but they did not submit bid amounts for the first and second renewal periods as required by the contract documents. Based upon the mandatory language in the proposal, each bidder shall complete all bid items including the first and second renewal periods. Since the bid is not responsive to the bid specifications, Mr. Bonello recommended rejecting the non-conforming bid Fiore Paving Company provided.

- **Resolution #2018-02-01, Rejecting the Lowest Bid of Fiore Paving Company for Emergency Repairs of Sewer Connections and Mains**

Because Fiore Paving Company's bid did not provide bid amounts for the first and second renewal periods, their bid was incomplete. In accordance with the statute, the owner of the contracts may reject the bid as he or she determines to be in their best interest.

Mr. Caviglia offered a Resolution rejecting the lowest bid of Fiore Paving Company based upon the fact their proposal and bid did not comply with the requirements and specifications. The resolution was seconded by Mr. Charnick and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Peter Berkley, and Herman Redd
NEGATIVE: None
ABSTENTION: None
ABSENT: Anthony Gaetano

- **Resolution #2018-02-01, Awarding Contract for Emergency Repairs of Sewer Connections and Mains to North American Pipeline Services, LLC**

North American Pipeline Services, LLC was the second lowest bidder for the first year and also submitted bids for the two renewal years. They provided a total contract of \$1,191,900.00 for three years, with the first year of \$397,300.00 for the base bid. T&M has experience with North American Pipeline Services and found their work was acceptable.

Based on the Authority Engineer's recommendation, the Board authorized a Resolution awarding the contract to North American Pipeline Services, LLC for the first year to perform emergency repairs and maintenance of sanitary sewer connections and mains as needed in the amount not to exceed \$397,300.00. The Resolution was offered by Mr. Caviglia, seconded by Mr. Redd, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Peter Berkley, and Herman Redd
NEGATIVE: None
ABSTENTION: None
ABSENT: Anthony Gaetano

- **Resolution #2018-02-02, Awarding Contract for Emergency Cured in Place Pipelining to North American Pipeline Services, LLC**

North American Pipeline Services, LLC was the only bidder for the Emergency Cured in Place Pipelining contract with a first year base amount of \$168,950.04. Their total bid amount for the three year contract is \$506,850.12. T&M has experience with North American Pipeline Services and found their work was acceptable.

Based on the Authority Engineer's recommendation, the Board authorized a Resolution awarding the contract to North American Pipeline Services, LLC, for the first year to perform emergency repairs and maintenance of sanitary sewer cured in place pipe lining as needed in the amount not to exceed \$168,950.04. The Resolution was offered by Mr. Caviglia, seconded by Mr. Redd, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Peter Berkley, and Herman Redd
NEGATIVE: None
ABSTENTION: None
ABSENT: Anthony Gaetano

- **Resolution #2018-02-03, Awarding Contract for Pump Station Maintenance to Municipal Maintenance Company**

Four (4) bids were received for the Pump Station Maintenance contract. Municipal Maintenance Company was the lowest bidder for the first year and two renewal periods. They provided a base bid of \$94,200.00 for the first year, \$5,850.00 for Alternate #1, and \$19,500.00 for Alternate #2.

Based upon the Authority Engineer's recommendation, Mr. Caviglia offered a Resolution to award the contract to Municipal Maintenance Company, the lowest responsible bidder, in the amounts of \$94,200.00 for the Base Bid, \$5,850.00 for Alternate #1, and \$19,500 for Alternate #2. The Resolution was seconded by Mr. Redd and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Peter Berkley, and Herman Redd
NEGATIVE: None
ABSTENTION: None
ABSENT: Anthony Gaetano

- **Monmouth Mall**

The Borough Planning Board has received an application for the proposed redevelopment of the Monmouth Mall. Ms. Ballard reviewed their application and submitted comments through the Planning Board review. Ms. Ballard and her team will review a sewer application once the Authority receives it.

- **Fort Monmouth**

Mr. Charnick reported that there were issues with Howard Commons with asbestos in the building and contaminated soil around the area. The potential developer's engineer performed soil testing and discovered the soil problem. The developer is asking for a reduction of the price they bid because of the cost to remove asbestos. The Authority has an easement in the Howard Commons site, so Mr. Johnson has a health concern with maintaining the easement. Because there are potential health hazards in the soil around Howard Commons, Mr. Charnick recommended that board members, Mr. Johnson, and his team should not go to the easement until the Authority identifies the type of problem in the soil and if it affects the easement area. Ms. Ballard will get a copy of the testing report from the DEP and make a recommendation to the Board as to whether or not easement maintenance should be changed accordingly.

PROGRESS OF PROJECTS

- **Brookwood Pump Station Project**

T.R. Weniger has installed the generator. The construction of the pump station is basically complete. Ms. Ballard has forwarded a punch list to T.R. Weniger. The next payment will be a final payment once the contractor completes all the punch list items.

UNFINISHED BUSINESS

- **Additional Space Issue**

Mr. Lewis reported that the Borough of Eatontown hired a new architect for the building renovation project. Since the original architect has refused to share his work product with the new architect, he will have to restart the program from scratch. It might take another 2 to 3 years to have a final plan, but since the Authority needs an office space, Mr. Lewis would like to request an approval from the Board to contact council members regarding upgrading the vacant court clerk's office using the Authority's funds. The Board gave consensus to proceed in this manner.

NEW BUSINESS

- **Field Communications Update**

Mr. Lewis reported that Mr. Johnson and his crew use their iPhones to take pictures and videos for field communications. Mrs. Aderton found a program that if the Authority spends \$300 they can upgrade the three (3) existing iPhone 5 phones to iPhone 7 phones (\$99.00 per phone). The

Board discussed it and gave a consensus to approve upgrading the three iPhones in the amount not to exceed \$300.00.

- **The Smith Settlement**

Scott Smith filed a Complaint against the Eatontown Sewerage Authority claiming non-compliance with an OPRA request for appropriate minutes of the Executive Sessions. The Authority compiled all records requested and forwarded them to the plaintiff. The Court recommended that the parties settle prior to trial. Mr. John Bonello, the Authority Counsel, negotiated a settlement with the Plaintiff's Counsel, and he has agreed to accept the sum of \$5,000 as final satisfaction of all claims against the Authority. The Board determined that the settlement of the litigation would be in the best interests of the Authority.

Mr. Charnick offered a Resolution authorizing the Eatontown Sewerage Authority to issue a check payable to Scott Smith in the amount of \$5,000. The Resolution was seconded by Mr. Redd and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Peter Berkley, and Herman Redd
NEGATIVE: None
ABSTENTION: None
ABSENT: Anthony Gaetano

BILLS

Resolution to authorize paying the bills in the amount of \$129,459.08 from the operating account in Kearny Bank was offered by Mr. Charnick, seconded by Mr. Redd, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Peter Berkley, and Herman Redd
NEGATIVE: None
ABSTENTION: None
ABSENT: Anthony Gaetano

APPROVAL OF TRANSFERS FROM THE FOLLOWING ACCOUNTS

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

(February, 2018 Operating Expenses)	\$ 92,986.36
(March, 2018 Salaries)	+ \$ 36,472.72

Total Transfers:	\$129,459.08
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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 \$129,459.08, to Kearny Bank

payroll account for the payroll of March, 2018 in the amount of \$36,472.72 was offered by Mr. Charnick, seconded by Mr. Redd, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Peter Berkley, and Herman Redd

NEGATIVE: None

ABSTENTION: None

ABSENT: Anthony Gaetano

Resolution to authorize payments for capital improvements from the Kearny Bank operating account to Shore Top Construction for paving at Sewerage Authority Garage, payment certificate #2 (final), in the amount of \$16,236.28, to J.F. Kiely Equipment Company for Highway 35 and Kremer Avenue emergency repair in the amount of \$6,065.97, and to T&M Associates for Brookwood Pump Station upgrades contract administration and inspection in the amount of \$2,283.49, and for preparation of emergency response contracts in the amount of \$10,659.94 was offered by Mr. Charnick, seconded by Mr. Redd, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Peter Berkley, and Herman Redd

NEGATIVE: None

ABSTENTION: None

ABSENT: Anthony Gaetano

EXECUTIVE SESSION

A motion to go into Executive Session at 6:10 p.m. for the purpose of discussing personnel matters was offered by Mr. Charnick, seconded by Mr. Caviglia, and adopted on a unanimous voice vote.

Upon completion, the Executive Session was closed. The board members returned to the Regular Session at 6:40 p.m. No action was taken during the Executive Session.

ADJOURNMENT

With no further business to address, Mr. Charnick moved to adjourn the meeting at 6:40 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.***