

The regular meeting of the Eatontown Sewerage Authority was held at 5:00 P.M. on April 10, 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
 Anthony Gaetano
 Herman Redd

MEMBERS ABSENT: Peter Berkley

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

CITIZENS PRESENT Martin Safchik, CFO of Paramount Realty, LLC

APPROVAL OF MINUTES

Mr. Charnick moved to approve the minutes of the regular meeting held on March 13, 2018. The motion was seconded by Mr. Redd and adopted on a unanimous voice vote.

REMARKS OF CITIZENS

- **Former Houlihan's Restaurant, 308 Highway 35, Eatontown**

Paramount Realty, LLC acquired the above referenced property in February 2018. Mr. Martin Safchik, CFO of Paramount Realty, LLC, claimed this property has been vacant for about a year and asked the Board for a relief on their 2018 sewer charges. In accordance with the ESA Rules and Regulations, current year commercial bills are based on the previous year's water usage. Therefore, their 2019 bill would probably be the minimum charge. The Board discussed it and determined that Mr. Safchik has to either pay the 2018 sewer fees as billed or pay a \$100 disconnection fee to disconnect the property from the Authority's sanitary sewer system so the service billing will be temporarily terminated. However, the company has to apply for a reconnection within a certain period of time and pay a reconnection fee of \$100. Ms. Ballard indicated that there will be a new connection fee applied if the owner submits an application

for a reconnection after the maximum disconnection period. Mr. Lewis will research the Authority Rules and Regulations to see what the time frame for disconnection and reconnection of a facility is. In addition, the Board recommended Mr. Safchik check with his attorney to see if there were any adjustments that have been made for the outstanding sewer bills in the closing.

(After the April 10th meeting, research indicated that disconnection and reconnection of a facility is not an option to avoid sewer fees. Sewer service can only be disconnected if there is demolition of a building, a fire, or an order by the local Board of Health due to health issues. Please refer to the Authority Rules and Regulations, page 23, item 13, Disconnection of Sewerage Facilities)

REPORTS OF COMMITTEES, MEMBERS, & ENGINEER

Engineering Committee

There was no Committee's Report.

Executive Director's Report *

Mr. Lewis presented his report with the following additions:

- **Two Rivers Bill**

Mr. Charnick reviewed the annual bill of Two Rivers Water Reclamation Authority (TRWRA) and has questions regarding ESA's flow calculations and replenishing of their Renewal and Replacement account.

Mr. Lewis explained that Fort Monmouth Economic Revitalization Authority (FMERA) is responsible for paying the flows coming from Fort Monmouth. The flows of the military and the Monmouth County Department of Public Works are now being paid by FMERA. Therefore, the ESA bill doesn't include any flows from the County DPW operations. At some point in the future, when the property is sold, the ESA will be responsible for taking over the sewer system and connecting it to the Authority's sanitary sewer system.

TRWRA used some R&R reserves this year and billed the ESA a portion to replenish the R&R account to the maximum amount of \$1.5 million dollars. Mr. Lewis will contact Mr. Gianforte, the Executive Director of TRWRA, to ask for an explanation as to how the funds were expended and what items they repaired.

Mr. Charnick will submit a list of questions he has on the Two Rivers' bill to ESA.

- **Water Company Premise Number Issue**

The premise number issue has resulted in over-billing and under-billing some business accounts. Mr. Bonello suggested that the Authority refund the money to the people who were over-billed and send the bills to the people who were under-billed in the last three years. Mr. Caviglia recommended giving credits to the accounts that were over-billed.

Superintendent's Report *

Mr. Johnson offered his report with no additions.

Engineer's Report *

Ms. Ballard presented her report with no additions.

PROGRESS OF PROJECTS

- **Brookwood Pump Station Replacement**

The construction of the pump station is complete. T&M Associates is waiting for additional punch list items to be finalized.

UNFINISHED BUSINESS

- **Additional Space Issue**

On March 13th, the Borough's new architect and his team had a quick visit to the Authority's office. Mr. Lewis met with them and explained our space needs.

- **FMERA Update**

Mr. Charnick reported that there is chlordane found in the soil 10 feet out from the buildings in the Howard Commons site. Chlordane is a chemical compound and popular pesticide that was used for termite treatment years ago. Due to concerns about human health risks and environmental damage, under NJDEP's supervision and certain rules, FMERA has been working on removing a certain amount of contaminated dirt and diluting it with clean sand and soil until it becomes safer for people to walk on. Since the Authority's easement is next to Howard Commons, Mr. Charnick mentioned it to FMERA and asked them be aware of the pipe behind the property line while they are working on the contaminated soil. Because none of buildings are within 10 feet of the easement, it is safe for Mr. Johnson and his team to access it.

NEW BUSINESS

- **Discussion of Engineer's Proposal on NJEIT Application and Asset Management Program**

Ms. Ballard stated that the proposal she submitted not only is an application to the New Jersey Infrastructure Trust but also includes TV inspection and traffic control for the sewers Mr. Johnson cannot televise. In addition, the proposal contains conducting an asset management workshop with ESA to help the Board understand and select an asset management program. She suggested that the Authority incorporate the inspection and rehabilitation of the sanitary collection system with an asset management program into a loan application that will include the purchase of software, hardware, and equipment needed to implement the program. Her preliminary estimated cost would be approximately \$3 million dollars which includes televising inspection, lining all the ACP sewers, and an asset management program.

Mr. Charnick reported that FMERA is in the process of scheduling a meeting with T&M Associates to discuss evaluating and designing the sewer system in the Eatontown area of Fort Monmouth. It will require television and evaluation of the pipes in the area. Ms. Ballard pointed out that Mr. Johnson is able to televise the pipes less than 12" in the area and that there is no need for traffic control. Mr. Charnick suggested waiting for the meeting Ms. Ballard will have with FMERA to see if it is feasible that this proposal can combine with the FMERA evaluation for the rehabilitation of Eatontown sewage collection system.

The authority staff and board members met with the Executive Director of Long Branch Sewerage Authority and learned about their GIS system in March. Mr. Lewis, Mr. Berkley, Ms. Aderton, and Ms. Hu will have a meeting to discuss choosing a mapping platform and an application that suits the Authority's needs to run the asset management program. They will report it at next month's meeting.

- **Resolution #2018-04-01: Approval of Change Order No. 1 (Final) for the Brookwood Pumping Station Project**

The Eatontown Sewerage Authority had entered into a contract with T.R. Weniger, Inc. for pumping station improvements at the Brookwood Pump Station. T.R. Weniger has submitted Change Order #1 to adjust contract quantities to reflect actual field quantities installed. The Change Order results in a net decrease in the contract amount by \$25,000 from \$329,300 to \$304,300.

Based on the Authority Engineer's recommendation, Mr. Charnick offered a Resolution approving Change Order No. 1 for the Brookwood Pump Station Improvement Project. The resolution was seconded by Mr. Redd and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Anthony Gaetano, and Herman Redd

NEGATIVE: None

ABSTENTION: None

ABSENT: Peter Berkley

- **Engineer's Request for Additional Compensation for the Brookwood Pumping Station Project**

Due to delay in completing the Brookwood Pump Station replacement project, T&M has submitted a request of \$3,500 in additional engineering fees for extending their inspection hours. Ms. Ballard will provide further details in terms of inspection hours and extra administrative work.

BILLS

Resolution to authorize paying the bills in the amount of \$1,106,532.50 including 1st quarter and 2nd quarter of 2018 TRWRA disposal charges as submitted from the operating account in

Kearny Bank was offered by Mr. Charnick, seconded by Mr. Caviglia, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Anthony Gaetano, and Herman Redd

NEGATIVE: None

ABSTENTION: None

ABSENT: Peter Berkley

APPROVAL OF TRANSFERS FROM THE FOLLOWING ACCOUNTS

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

(April, 2018 Operating Expenses) \$ 1,106,532.50

(May, 2018 Salaries) + \$ 37,818.35

Total Transfers: \$ 1,144,350.85

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 \$1,106,532.50, to Kearny Bank payroll account for the payroll of May, 2018 in the amount of \$37,818.35 was offered by Mr. Charnick, seconded by Mr. Caviglia, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Anthony Gaetano, and Herman Redd

NEGATIVE: None

ABSTENTION: None

ABSENT: Peter Berkley

Resolution to authorize payments for capital improvements from the Kearny Bank operating account to T.R. Weniger, Inc. for Brookwood Pump Station upgrades, payment certificate #3 (final), in the amount of \$39,979.79, to T&M Associates for Brookwood Pump Station upgrades contract administration and inspection in the amount of \$1,729.71, and for preparation of emergency response contracts in the amount of \$1,822.75 was offered by Mr. Charnick, seconded by Mr. Caviglia, and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Ben Caviglia, Anthony Gaetano, and Herman Redd

NEGATIVE: None

ABSTENTION: None

ABSENT: Peter Berkley

EXECUTIVE SESSION

A motion to go into Executive Session at 5:55 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 6:04 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 6:04 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.***