

The regular meeting of the Eatontown Sewerage Authority was held at 5:00 P.M. on August 13, 2019 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
 Herman Redd
 Ben Caviglia
 Peter Berkley
 Jeanna Migliaccio

ALSO PRESENT: Herb Volner, Superintendent
 John Bonello, Attorney
 Christine Ballard, Authority Engineer
 Michelle Hu, Treasurer
 Gloria Aderton, Assistant Treasurer
 Lori Flynn, Office Clerk
 Christopher Muccie, Line Maintenance Operator #2

ALSO ABSENT: Ted Lewis, Executive Director

CITIZENS PRESENT Jamie Pavlis, Jamie Pavlis Real Estate

APPROVAL OF MINUTES

Mr. Charnick moved to approve the minutes of the regular meeting held on July 9, 2019. The motion was seconded by Mr. Berkley and adopted on a unanimous voice vote.

REMARKS OF CITIZENS

Mr. Pavlis, of Jamie Pavlis Real Estate, came to the meeting to protest the 2018 sewer charges for his property located at 75 Highway 35 which is a commercial property and is billed based on water usage with a minimum of one unit. In 2015 the sewer bill was \$1,447.80 for the year and in 2016 the bill was \$1,014.60 for the year. New Jersey American Water Company (NJAWC) had an unspecified problem obtaining water usage readings in 2016 which affected the 2017 bill and caused it to be much lower than normal and the property was billed at the minimum rate of \$380 for the year. The problem was corrected in 2017 so the 2018 bill was significantly higher at \$2,959.24 for the year as it included the missed usage from the prior year.

NJAWC gave Mr. Pavlis a usage credit of 68,000 gallons in 2017 which the Authority converted to \$323 using our standard formula (one unit = 80,000 gallons = \$380/year) and issued a credit to the account. NJAWC also gave Mr. Pavlis a courtesy credit of approximately \$1,000 and he is asking the Board to apply a matching credit to the property's sewer bill.

The Board's response was that as the bill is based on usage, Mr. Pavlis needs to get a usage adjustment from NJAWC in order to receive any credit on the account. Mr. Pavlis stressed the difficulty of getting information or assistance from NJAWC and expressed his displeasure with this answer. He is going to pay the 2018 sewer bill under protest to keep the property off the tax sale list and will make an appointment with the Authority to work further on this issue.

REPORTS OF COMMITTEES, MEMBERS, & ENGINEER

Engineering Committee

There was no Committee Report.

Executive Director's Report *

Mr. Lewis was absent so Mr. Charnick presented the Executive Director's report with the following additions:

- **JCP&L Damage Tinton Avenue**

The homeowner at 75 Tinton Avenue dropped off copies of the bills showing his out-of-pocket payments as a result of the damage which total approximately \$2,000. Mr. Bonello previously sent a letter to JCP&L and will follow up with them.

- **Old Orchard Pump Station**

Mr. Bonello is working to schedule a meeting with the attorney for the owners of Old Orchard and would like Mrs. Ballard to attend as well as Mr. Lewis as he has a cordial relationship with the owner. The Authority is requesting an increase in the size of the easement to accommodate the construction of a new pump station next to the existing one. It would be possible to use the same footprint as the existing pump station, however, costs would increase substantially as bypass pumping would be required for at least a month during construction. The estimated cost for a new pump station is \$400,000 and bypass pumping would add an estimated additional \$200,000 to that figure.

In exchange for the expanded easement, the Authority is prepared to offer more significant buffering (trees, attractive fencing, etc.) around the new pump station as well as ensure capacity will be sufficient to handle any future development of the property. This would save the owner a substantial amount of money in future off-site development requirements. For the meeting, Mr. Bonello has requested from the engineer a clearer, more specific drawing showing location in relation to existing roads of the proposed easement. The current easement includes

an access area, however, it has become overgrown and to use it would require removing trees near existing homes. Authority staff uses Old Orchard's access driveway and would like this alternate access to be included in the recording of any future easement to avoid removing trees.

- **DCH Easement**

Mrs. Ballard has not heard back from DCH regarding her attempts to discuss access. Mr. Bonello requested that she forward him all the information and he will contact the property owners advising them that the Authority will be removing trees in the buffer between the property and adjoining homes in the near future if they continue to ignore meeting requests.

- **Fort Monmouth / Army Engineers**

Mrs. Ballard noted that within the past few days this work to remove the contaminated soil from the Authority's easement on Fort Monmouth has been scheduled and will begin on August 19, 2019.

Superintendent's Report *

Mr. Volner presented his report with the following additions:

- **C-1 Test**

Kevin Carrino took his C-1 test in July and will find out if he passed sometime this month.

- **Vac-Con Truck**

The Vac-Con truck's transmission was repaired under warranty but broke down on Throckmorton Avenue when being driven back from the repair facility. Transaxle has been unresponsive to efforts to have them tow it back to their facility and repair correctly. Mr. Volner wrote up basic specifications for a new truck for future planning. Mr. Charnick noted that Mr. Lewis is going to speak to the Authority's auditor about potential funding options for a new Vac-Con truck. Mrs. Ballard said that Vac-Con trucks may be on the state contract in order to avoid the bidding process and Mr. Berkley offered to investigate this issue with Eatontown's finance department.

- **34 Heritage Repair of Cleanout**

North American Pipeline completed the repair of the broken cleanout at 34 Heritage which should resolve this property's ongoing maintenance issues.

Engineer's Report *

Mrs. Ballard presented the engineer's report with the following addition:

- **Fidelity Eatontown**

Mrs. Ballard believes this project will be moving forward in phases as the developer requested a breakdown of connection fees for the various proposed components. Mrs. Hu noted that in the T&M's August 2019 Sewer Connection Fee Calculation, there was a 50% drop in the estimated

flow compared to the flow calculation in their last year's engineering review. The total EDU is down to 19.9 from 26 EDU of last year. Mrs. Ballard will check the flow and get back to us.

PROGRESS OF PROJECTS

- **Sewer Collection System Rehabilitation**

Status as noted in Superintendent's and Engineer's reports.

- **Old Orchard Pump Station Wet Well Replacement**

As noted in Executive Director's report.

UNFINISHED BUSINESS

- **Office Network Upgrade**

The plan is to have the Authority's office staff moved over to the new file server by the end of September.

- **NJEIT Application and Asset Management Program**

Mrs. Ballard submitted an asset management proposal for the Board's review. Mr. Berkley is going to forward a copy of the Authority's current O&M Manual to Mrs. Ballard to see if any of that information can be incorporated into an asset management plan.

- **Emergency Incident Plans**

Mr. Berkley continues to work on the plans and anticipates having a first draft ready in October.

- **County RIM Program**

The scanner has been setup in the office and, as this is now an ongoing initiative, this item can be removed from Unfinished Business.

- **Fort Monmouth Excavation/Easement**

Work is scheduled to begin on August 19, 2019 as previously noted in the Executive Director's report.

- **75 Tinton Avenue Emergency Lateral Repair**

Mr. Bonello will follow up with JCP&L as previously noted in the Executive Director's report.

NEW BUSINESS

- **FMERA/TRWRA Fort Monmouth Redevelopment**

Will be discussed in Executive Session.

- **Resolution #08-01-2019: Close-out of 55 Scheri Lane Project and Return Remaining Escrow to Affordable Housing Alliance, Block 3103, Lot 43 & 44**

Subsequent to The Affordable Housing Alliance submitting an application for the construction of a new residential trailer to be serviced by a new sanitary sewer lateral at 55 Scheri Lane, the Authority determined that there is an existing sewer lateral and that approval to connect had been granted as part of a prior application for 128 homes on said property. Therefore, the application for a new sanitary sewer lateral is not required and the project can be closed out and the escrow funds released.

Mr. Charnick offered a Resolution approving the close-out of the project at 55 Scheri Lane and the return of any escrow funds to the Affordable Housing Alliance contingent upon payment of any outstanding costs and/or engineering fees and/or Authority fees. The resolution was seconded by Mr. Redd and adopted on the following roll call vote:

ROLL CALL

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

NEGATIVE: None

ABSTENTION: None

ABSENT: None

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

Membership in the New Jersey Utility Joint Insurance Fund provides affordable comprehensive insurance while reducing risk through claim management and safety programs for its members. The Authority has been satisfied with the offerings provided by the Fund and desires to renew membership which must be done every three years.

Mr. Charnick offered a Resolution approving the Authority's renewed membership in the New Jersey Utility Joint Insurance Fund. The resolution was seconded by Mr. Caviglia and adopted on the following roll call vote:

ROLL CALL

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

NEGATIVE: None

ABSTENTION: None

ABSENT: None

BILLS

Resolution to authorize paying the bills in the amount of \$36,608.45 as submitted 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, Herman Redd, Peter Berkley, and Jeanna
Migliaccio
NEGATIVE: None
ABSTENTION: None
ABSENT: None

APPROVAL OF TRANSFERS FROM THE FOLLOWING ACCOUNTS

TD Revenue Trust to Kearny Bank Operating Account and Payroll Account: (August, 2019 Operating Expenses)	\$ 36,608.45
(September, 2019 Salaries)	+ \$ 30,682.41
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Total Transfers:	\$ 67,290.86

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 \$36,608.45, to Kearny Bank payroll account for the payroll of September, 2019 in the amount of \$30,682.41 was offered by Mr. Charnick, seconded by Mr. Redd, and adopted on the following roll call vote:

ROLL CALL

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

Resolution to authorize payments for capital improvements from the Kearny Bank operating account to T&M Associates for the sewage collection system rehab work in the amount of \$1,209.05 was offered by Mr. Charnick, seconded by Mr. Redd, and adopted on the following roll call vote:

ROLL CALL

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

EXECUTIVE SESSION

A motion to go into Executive Session at 6:20 pm for the purpose of discussing legal matters was offered by Mr. Charnick, seconded by Mr. Redd, and adopted on a unanimous voice vote.

Upon completion, the Executive Session was closed. The Board members returned to the regular session at 6:37 pm. No action was taken during the Executive Session.

ADJOURNMENT

With no further business to address, Mr. Charnick moved to adjourn the meeting at 6:38 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.***