

The regular meeting of the Eatontown Sewerage Authority was held at 5:00 P.M. on May 12, 2020 in the Borough Hall, 47 Broad Street, Eatontown, New Jersey. The majority of the attendees participated via Zoom audio and/or video teleconference due to the current pandemic. 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  
Peter Berkley  
Jeanna Migliaccio  
Matthew Jacobs

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

**MEMBERS ABSENT:** None

**CITIZENS PRESENT** None

## **APPROVAL OF MINUTES**

Mr. Berkley moved to approve the minutes of the regular meeting held on April 14, 2020. The motion was seconded by Mr. Charnick and adopted on a unanimous voice vote.

## **REPORTS OF COMMITTEES, MEMBERS, & ENGINEER**

### **Engineering Committee**

There was no committee report.

- **GIS / RIM**

Given the current situation with many small businesses closed, it was decided to table any further discussion about scanning the Authority's archived documents into the RIM system until it becomes feasible.

### **Executive Director's Report \***

Mr. Lewis presented his report with the following additions:

- **Sun Eagles Golf Course**

Mr. Lewis spoke with Christine Ballard regarding comments she had made in a prior Engineering report and determined that the issues she had questioned at the time have since been resolved. Mr. Lewis noted that the developer still needs to provide escrow funds.

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

Mr. Volner presented the Superintendent's report with no additions.

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

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

- **Farrah Enterprises, LLC (49-51 Victor Place)**

Mr. Lewis asked for additional specifics on the 8" main being proposed for the Farrah property. Mr. Schreiber is going to verify a few items and then will contact Mr. Lewis to discuss in further detail.

- **Fort Monmouth, Sun Eagles**

Mr. Charnick asked if the ESA or the property owner will be responsible for the 2 existing pump stations on the property. Some additional questions were raised as to which entity will own and maintain the sewer lines in the street which will hinge upon whether the streets become Borough property or remain the responsibility of an HOA. These issues will be clarified during the engineer's process of reviewing the submitted plans.

Mr. Charnick requested that the engineer tabulate proposed projects on Fort Monmouth to give the Authority a better idea of the master plan and upcoming sewer requirements and how off-site costs would be distributed among the developers, the Authority, and if FMERA would pick up any costs. He suggested that Mr. Schreiber highlight a different parcel each month to provide a deeper understanding of future development.

## **PROGRESS OF PROJECTS**

- **Proposal of Old Orchard Pump Station Replacement**

Mr. Bonello is awaiting final expert reports and the appraisal for the easement so that he can file the Notice of Taking. Once that is filed, then the Authority can authorize T&M to prepare the bid proposal for the new pump station.

## **UNFINISHED BUSINESS**

- **NJEIT Application and Asset Management Program**

No new updates.

- **75 Tinton Avenue Emergency Lateral Repair**

Mr. Bonello has filed suit and there are no further updates at this time.

- **Extra Fee Requested for the Completed Sewer Collection System Rehabilitation Project**

Mr. Schreiber is still working up the justification for the additional cost.

## **NEW BUSINESS**

- **Sun Eagles Golf Club Sewer Application**

This issue will be carried until next meeting.

- **Resolution #2020-05-01: Approving the Application of Eatontown Monmouth Mall LLC and VM Kushner LLC for The Heights at Monmouth - Winter Garden and Restaurant Project, 180 Highway 35, Block 2202, Lot 1, Block 2201, Lots 1.01, 1.02, 2-5**

Eatontown Monmouth Mall, LLC, and VM Kushner, LLC, have submitted plans to renovate an existing Monmouth Mall entrance with a Winter Garden and Restaurant canopy and vehicle drop-off zone, together with the construction of a one-story, 9180 square foot restaurant pad site on the Monmouth Mall property. The applicant has submitted the appropriate site plans, architectural plans and engineering specifications necessary for the connection of their premises to the sewer system. The Authority Engineer has reviewed the plans and they have met the engineering requirements set forth in the Authority's rules and regulations.

***Mr. Charnick offered a Resolution approving the application of Eatontown Monmouth Mall, LLC, and VM Kushner, LLC, for The Heights at Monmouth – Winter Garden and Restaurant Project, 180 Highway 35, Block 2202, Lot 1, Block 2201, Lots 1.01, 1.02, 2-5 subject to the payment of all application, review, and connection fees and posting of the appropriate Performance Bond. The resolution was seconded by Mr. Berkley and adopted on the following roll call vote:***

ROLL CALL

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

- **Resolution #2020-05-02: Approving the Application of Eatontown Monmouth Mall, LLC, and VM Kushner, LLC, for The Heights at Monmouth - Monmouth Medical Pavilion Project, 180 Highway 35, Block 2202, Lot 1, Block 2201, Lots 1.01, 1.02, 2-5**

Eatontown Monmouth Mall, LLC, and VM Kushner, LLC, have submitted plans to construct a new four-story, 82,000 square foot medical office building along with a Phase 2 three-story 33,000 square foot building on the Monmouth Mall property located at 180 Highway 35 South to be known as Monmouth Medical Pavilion. The applicant has submitted the appropriate site plans, architectural plans and engineering specifications necessary for the connection of their premises to the sewer system. The Authority Engineer has reviewed the plans and they have met the engineering requirements set forth in the Authority's rules and regulations.

***Mr. Berkley offered a Resolution approving the application of Eatontown Monmouth Mall, LLC, and VM Kushner, LLC, for The Heights at Monmouth - Monmouth Medical Pavilion Project, 180 Highway 35, Block 2202, Lot 1, Block 2201, Lots 1.01, 1.02, 2-5 subject to the payment of all application, review, and connection fees and posting of the appropriate Performance Bond. The resolution was seconded by Mr. Charnick and adopted on the following roll call vote:***

ROLL CALL

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

- **Resolution #2020-05-03: Approving the Application of Fidelity Eatontown, LLC to Construct a Wawa, a Chik-fil-A, and a Bank at 141 Highway 35, Block 2303, Lot 1**

Fidelity Eatontown, LLC, has submitted plans to replace an existing automobile service station and a mobile home community with a three-building commercial development consisting of a Wawa, a Chik-fil-A, a retail shopping center and a bank. The applicant has submitted the appropriate site plans, architectural plans and engineering specifications necessary for the connection of their premises to the sewer system. The Authority Engineer has reviewed the plans and they have met the engineering requirements set forth in the Authority's rules and regulations.

***Mr. Charnick offered a Resolution approving the application of Fidelity Eatontown, LLC, to Construct a Wawa, a Chik-fil-A, and a Bank at 141 Highway 35, Block 2303, Lot 1 subject to the payment of all application, review, and connection fees and posting of the appropriate Performance Bond. The resolution was seconded by Mrs. Migliaccio and adopted on the following roll call vote:***

**ROLL CALL**

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

**BILLS**

***Resolution to authorize paying the bills in the amount of \$39,580.80 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, Herman Redd, Peter Berkley, Jeanna Migliaccio, and Matthew Jacobs  
 NEGATIVE: None  
 ABSTENTION: None  
 ABSENT: None

**APPROVAL OF TRANSFERS FROM THE FOLLOWING ACCOUNTS**

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

(May 2020 Operating Expenses)	\$	39,580.80
(June 2020 Salaries)	\$	32,731.90
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Total Transfers:	\$	72,312.70

***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 \$39,580.80, and to Kearny Bank payroll account for the payroll of June 2020 in the amount of \$32,731.90, was offered by Mr. Charnick, seconded by Mr. Redd, and adopted on the following roll call vote:***

**ROLL CALL**

AFFIRMATIVE: Brian Charnick, Herman Redd, Peter Berkley, Jeanna Migliaccio, and Matthew Jacobs

NEGATIVE: None  
ABSTENTION: None  
ABSENT: None

***Resolution to authorize payment for capital improvements from the Kearny Bank operating account to T&M Associates in the amount of \$1,429.94 for work relating to the Old Orchard Pump Station Relocation was offered by Mr. Charnick, seconded by Mr. Redd, and adopted on the following roll call vote:***

**ROLL CALL**

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

**ADJOURNMENT**

With no further business to address, Mr. Charnick moved to adjourn the meeting at 5:34 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.***