

The regular meeting of the Eatontown Sewerage Authority was held at 5:00 P.M. on July 14, 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
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: Jeanna Migliaccio

CITIZENS PRESENT Salvatore Alfieri, Attorney for Martelli Group
Marc Lieber, Engineer for Martelli Group
Kristy Dantes, FMERA, Dir Facilities and Infrastructure for Fort Monmouth

APPROVAL OF MINUTES

Mr. Berkley moved to approve the minutes of the regular meeting held on June 9, 2020. The motion was seconded by Mr. Charnick and adopted on a unanimous voice vote.

REMARKS OF CITIZENS

- **Sun Eagles Golf Course Development**

Mr. Alfieri provided an overview of the Sun Eagles project noting that the Martelli Group is including 15 affordable housing units and purchasing a liquor license and how the Borough is eager for the project to move forward. The roadways, while they will remain under private ownership, will be constructed to uniform residential standards and under the assumption that the Authority will take ownership of the underlying sewer infrastructure. He provided assurances that the Authority will be provided with all necessary easements and that the Homeowner's Association will be responsible for restorations after any repairs.

Mr. Charnick questioned why the Borough isn't accepting the roadways as the Authority's policy is to only accept sewer infrastructure if the Borough accepts ownership of the roads. Mr. Lieber said that, in his experience, townships rarely accept roadways but local sewer authorities accept sewers as they are best equipped to handle emergencies. In this case, Eatontown Borough has declined to accept the roadways which is why the Authority has initially declined to accept the sewer infrastructure, per policy.

Mr. Bonello said that he spoke with the Borough's attorney and is in agreement with him that there is no reason, outside of existing policy, for the Authority to not accept the sewers. In response to Mr. Berkley's questions regarding delineation between Authority responsibility and homeowner responsibility, he said that the Authority would be responsible for the main lines and the laterals up to the curb while the homeowners would be responsible for the laterals from curb to house.

Mr. Bonello suggested that a resolution be passed subject to the attorney obtaining an agreement with the Sun Eagles' homeowner's association detailing that the Authority is only responsible for the collection system in the street and not responsible for the laterals from the house to the curb. Mr. Berkley added that restorations should also be part of the agreement with details on responsibility and level of work required to restore the roadway as close to original condition as possible.

Mr. Charnick offered a Resolution that the Authority accepts ownership of the sewer infrastructure at the Sun Eagles Development subject to the attorney obtaining an agreement with the Homeowner's Association detailing that the Authority is only responsible for the collection system in the street. The resolution was seconded by Mr. Redd and adopted on the following roll call vote:

ROLL CALL

AFFIRMATIVE: Brian Charnick, Herman Redd, and Matthew Jacobs

NEGATIVE: Peter Berkley

ABSTENTION: None

ABSENT: Jeanna Migliaccio

- **Bowling Alley on Fort Monmouth**

Mr. Charnick asked Ms. Dantes for an update on the sanitary sewers serving the bowling alley property on Fort Monmouth as the developer is getting close to a final purchase agreement. Ms. Dantes has been tasked with separating the fort's sewer infrastructure between Oceanport and Eatontown as previously it was all the federal government's responsibility. The existing main sewer line goes into a meter in Oceanport and the bowling alley needs to be connected to Eatontown's infrastructure. Ms. Dantes engaged T&M to create a feasibility study and preliminary plans to connect the bowling alley to Eatontown's interceptor line. She said that FMERA will pay for the work required, however, they won't have the funds until the bowling alley closes so it will continue to discharge into the Oceanport meter line and, sometime in the future, will be connected to Eatontown and the Authority will collect the standard fees and become responsible for that part of the sewer infrastructure.

Mr. Bonello expressed concern that there is no written agreement to ensure that the temporary discharge into Oceanport's meter won't become permanent. After some discussion, it was noted that after the parcel closes, the developer will apply for a sewer connection just like any other project and that it will have to meet the Authority's standards before a building permit is issued. Ms. Dantes stressed that there is still a large amount of uncertainty as the property has not yet closed and FMERA is unwilling to spend funds on infrastructure until the property closes, after which time it will proceed with the steps necessary to build the off-site improvements.

REPORTS OF COMMITTEES, MEMBERS, & ENGINEER

Engineering Committee

There was no committee report.

- **GIS / RIM**

Given the current situation with many 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. However, Mr. Berkley will get updated quotes on scanning before the next meeting for budget planning.

Mr. Jacobs said that he continues to work on the GIS data but it is slow going given the current circumstances. Mr. Charnick asked if the maintenance staff will be needing equipment such as iPads for field work and it was determined that they probably will in the future but not yet.

Executive Director's Report *

Mr. Lewis presented his report with no additions.

Superintendent's Report *

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

Mr. Charnick had a question regarding the licensing tests which had been cancelled due to the pandemic. As of now, they have not yet been rescheduled by the NJDEP. The maintenance staff will be signed up to take their respective tests as soon as the tests are made available.

Engineer's Report *

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

- **Monmouth Mall**

Mr. Schreiber had a question regarding responsibility for the recommended repairs to the 18" line that serves Monmouth Mall as well as surrounding properties. After a review of CCTV footage, it was noted that a few sections of the pipe are sagging due to age-related issues and should be repaired in the near future. Mr. Bonello requested a cost estimate for the repairs so that it can be presented to the Board for a determination as to whether part of it should be included in the off-site improvement obligation of the applicant.

PROGRESS OF PROJECTS

- **Old Orchard Pump Station Replacement**

Mr. Bonello continues to work on this issue with the property owners, Mr. Schreiber, and Mr. Lewis.

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. Charnick said that he believes the additional fee is not unreasonable and that the written justification is sufficient to allow exceeding the previously “not to exceed” amount in the original agreement.

Mr. Charnick offered a Resolution approving the additional fee requested by T&M as part of the sewer collection system rehabilitation project. The resolution was seconded by Mr. Redd and adopted on the following roll call vote:

ROLL CALL

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

NEGATIVE: None

ABSTENTION: None

ABSENT: Jeanna Migliaccio

- **Sun Eagles Golf Club Sewer Application**

Status as noted previously.

- **GovDeals Online Auction for the old Vac-Con Truck**

Mr. Lewis noted that the new Vac-Con truck had transmission problems related to a factory recall and the maintenance staff had to use the old truck for a few weeks. Between that experience and the current pandemic, it was decided to hold off on selling the old truck for now.

NEW BUSINESS

- **Governor Signs Bill Permitting Authorities to Waive Interest and Limit Lien Enforcement**

The Authority has no plans to waive interest or limit lien enforcement at this time.

BILLS

Resolution to authorize paying the bills in the amount of \$31,291.95 as submitted from the operating account in Kearny Bank was offered by Mr. Charnick, seconded by Mr. Berkley, and adopted on the following roll call vote:

ROLL CALL

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

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:

(July 2020 Operating Expenses)	\$	31,291.95
(August 2020 Salaries)	\$	31,386.27

Total Transfers:	\$	62,678.22
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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 \$31,291.95, and to Kearny Bank payroll account for the

payroll of August 2020 in the amount of \$31,386.27, 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, and Matthew Jacobs

NEGATIVE: None

ABSTENTION: None

ABSENT: Jeanna Migliaccio

Resolution to authorize payment for capital improvements from the Kearny Bank operating account to T&M Associates in the amount of \$1,910.00 and to Cleary, Jacobi, Alfieri, & Jacobs in the amount of \$3,718.60 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, and Matthew Jacobs

NEGATIVE: None

ABSTENTION: None

ABSENT: Jeanna Migliaccio

ADJOURNMENT

With no further business to address, Mr. Charnick moved to adjourn the meeting at 6:15 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.***