

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

NOTICE

The next Regular Meeting of the Northwest Bergen County Utilities Authority will be held on Tuesday April 19, 2016 immediately following the Work Session at 7:00 pm, in the offices of the Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey.

April 15, 2016

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

REGULAR MEETING

April 19, 2016

1. Meeting called to Order.
2. Chairman's statement in accordance with C. 231, PL 1975.
3. Roll Call.
4. Salute to the Flag.
5. Swearing in of John Danubio as Commissioner
6. Chairman's Remarks.
7. Approval of Minutes – Regular Meeting – March 15, 2016
8. Public Comments (any subject).
9. Consideration for approval list of Resolutions attached dated April 19, 2016
10. Reports of Committees.
 - a. Finance Committee
 - b. Personnel Committee
 - c. Insurance Committee
 - d. Operating Committee
 - e. Strategic Plan Subcommittee
 - f. Buildings and Grounds Committee
 - g. Safety and Security Committee
 - h. Intellectual Technology Committee
11. Report of Treasurer.
12. Report of Counsel.
13. Report of Engineer.
14. Report of Executive Director.
15. Report of Superintendent.
16. Old Business.
17. New Business.
18. Public Comments (on subjects 5 through 17).
19. Adjournment.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

LIST OF RESOLUTIONS
REGULAR MEETING
April 19, 2016

RESOLUTIONS

- | | |
|---------|---|
| 42-2016 | Approval of Vouchers, Payroll and Tax Deposits |
| 43-2016 | Approval of Proposed Sewer Extension – 16 Mountain Avenue, Mahwah, New Jersey |
| 44-2016 | Resolution authorizing the purchase of Energy Generation Services for Public Use on an Online Auction Website |
| 45-2016 | Increase in Special Counsel Fee – Sokol, Behot, LLP |

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 42-2016

Date: April 19, 2016

APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS AND PENSIONS & BENEFITS TRANSFERS

WHEREAS, the Northwest Bergen County Utilities Authority has received vouchers in claim for payment of materials supplied and/or rendered; and

WHEREAS, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and

WHEREAS, the Northwest Bergen County Utilities Authority has made payroll transfers, payroll tax deposits and Pensions & Benefits transfers for the month of March 2016 and Health Benefits and Dental Benefits transfers for April 2016; and

WHEREAS, the Commissioners of the Authority have reviewed the vouchers, payroll transfers, payroll tax deposits, Pensions and Benefits, and Health and Dental Benefits transfers listing on the attached reports and have found them to be in order.

NOW, THEREFORE, BE IT RESOLVED,

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that all vouchers, payroll transfers, payroll tax deposits, Pensions & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated April 19, 2016 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$205,260.73

ACCOUNT: Tax Deposit Account
Total: \$103,472.45

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$112,901.20

ACCOUNT: Health Benefits Contribution Employee
Total: \$9,357.31

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 42-2016

Date: April 19, 2016

APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS AND PENSIONS & BENEFITS TRANSFERS

ACCOUNT: Dental Benefits
Total Transfer: \$4,175.38

ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$31,050.90

ACCOUNT: PERS Employer Liability
Total Transfer: \$435,835.00

ACCOUNT: Operating Account
Total: \$408,835.68

ACCOUNT: General Improvement Account
Total: \$562,455.04

ACCOUNT: 2014 WWT Project Account
Total: \$2,490.52

ACCOUNT: 2015 WWT Project Account
Total: \$210,556.01

SECRETARY

CHAIRMAN

	Bonagura	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelaheer	Plumley	Salazer	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2016

Date: April 19, 2016

**PROPOSED SANITARY SEWER EXTENSION
16 MOUNTAIN AVENUE, MAHWAH, NEW JERSEY**

WHEREAS, an application has been made to the Northwest Bergen County Utilities Authority (hereinafter sometimes referred to as the “Authority”) on behalf of the Township of Mahwah (hereinafter referred to as the “Applicant”) for approval of a proposed sanitary sewer extension to be located at 16 Mountain Avenue, Mahwah, New Jersey (hereinafter referred to as the “Property”); and

WHEREAS, the Property proposes to provide sanitary sewer service to one proposed single family home in the Township of Mahwah; and

WHEREAS, the Authority’s technical advisor has reviewed the application and the documents and drawings submitted in support thereof and, by memorandum dated March 24, 2016 has recommended that the Authority approve the Property, subject to fulfillment of certain terms and conditions, finding that when completed, the Property will contribute an average daily flow of 300 gallons per day (gpd), or 1 additional residential EDU to the Authority’s systems; and

WHEREAS, it is recommended that the Authority approve the Property, subject to fulfillment of certain terms and conditions by the Applicant.

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the application made on behalf of the Township of Mahwah for approval of a proposed sanitary sewer extension to be located at 16 Mountain Avenue, in the Township of Mahwah, New Jersey be approved upon condition that the Applicant, its principals, agents, successors or assigns fulfill the following terms and conditions:

1. The construction shall conform to all applicable requirements of Township of Mahwah;
2. The installation of the sewers and appurtenances be inspected and approved by the Township of Mahwah;

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2016

Date: April 19, 2016

**PROPOSED SANITARY SEWER EXTENSION
16 MOUNTAIN AVENUE, MAHWAH, NEW JERSEY**

3. That all newly constructed sewers be tested for infiltration and exfiltration and that such testing be observed and the results approved by an Authority engineer who has been provided with 2 days notice of such testing;
4. That the Applicant pay for engineering expenses incurred by the Authority for all inspection and testing of the sewers and appurtenances;
5. That the Applicant pay for all Authority application fees, legal fees and other application, administrative, technical or any other expenses relating to review of the Property;
6. That any manholes constructed or modified by reason of this Property be fitted with sewer guards to prevent inflow. All manholes constructed must be installed with all required waterproofing measures, including exterior painting and pipe gasket interlock;
7. That water conserving plumbing fixtures be installed in all new building construction to be serviced by the Property;
8. That the Authority be notified by the Applicant or its designee prior to commencement of sanitary sewer installation;
9. That prior to placing this connection into service, the Applicant must submit to the Authority for approval NJDEP Form WQM-005; and
10. That the Applicant comply with the rules and regulations of the Authority and the New Jersey Department of Environmental Protection; and be it

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2016

Date: April 19, 2016

**PROPOSED SANITARY SEWER EXTENSION
16 MOUNTAIN AVENUE, MAHWAH, NEW JERSEY**

FURTHER RESOLVED, that upon written assurance of fulfillment by the Applicant of the foregoing terms and conditions, the Authority Superintendent be and is herewith authorized on behalf of the Authority to execute such approvals of the Property as may be required by governmental agencies having jurisdiction thereto.

CHAIRMAN

SECRETARY

	Bonagura	Danubio	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 44-2016

Date: April 19, 2016

RESOLUTION AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the annual budget for electricity use by the Authority is approximately \$1.3 million; and

WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act (P.L. 201c30) provides an exception to New Jersey's Public Bid Law allowing the Authority to forego traditional RFQs when purchasing electricity and to purchase electricity through an online reverse auction process in order to reduce cost; and

WHEREAS, The NJ Department of Community Affairs has approved EMEX, LLC of Houston, TX as a vendor to offer its reverse auction platform to NJ local contracting units for the purchase of energy generation services; and

WHEREAS, the Authority has previously participated in such auctions and has been purchasing electric power at a fixed price for the past 24 months; and

WHEREAS, the Authority has experienced significant savings during this period, and

WHEREAS, the Northwest Bergen County Utilities Authority again plans to utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, the auction will be conducted pursuant to the Act.

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that the staff is authorized to participate in an online reverse auction for the purpose of purchasing electricity from third party suppliers for use by the Authority; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 44-2016

Date: April 19, 2016

RESOLUTION AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

FURTHER RESOLVED, that the Executive Director is authorized to execute the necessary Energy Sales Agreement(s) providing the auctions result in an acceptable savings in electrical power costs to the Authority; and

FURTHER RESOLVED, that the Secretary is hereby directed to cause notice of the auction results to be published as required by law.

CHAIRMAN

SECRETARY

	Bonagura	Danubio	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelaheer	Plumley	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 45-2016

Date: April 19, 2016

**RESOLUTION TO AMEND SPECIAL COUNSEL PROFESSIONAL SERVICES
CONTRACT**

WHEREAS, by Resolution 19-2015, the Northwest Bergen County Utilities Authority (the “Authority”) identified a number of firms as qualified to perform legal services required by the Authority pursuant to a Request for Qualifications for such position, which notice thereof was published on January 16, 2015; and

WHEREAS, by Resolution No. 49-2015 (the “Original Resolution”) the Authority retained the firm of Sokol, Behot & Fiorenzo (the “Sokol Firm”) as Special Counsel to the Authority to provide legal services in the matter of Mediation with Underground Utilities Corporation regarding Contract No. 259 – Franklin Lakes Business District Sanitary Sewer and authorized the Executive Director to execute a Professional Services Agreement between the Authority and the Sokol Firm; and

WHEREAS, a Professional Services Agreement dated May 14, 2015 between the Authority and the Sokol Firm was executed by the parties thereafter; and

WHEREAS, the Original Resolution and the Professional Services Agreement provides for Special Counsel’s compensation to be capped at \$18,000 and that in the event that it anticipates it will exceed that amount, to seek further authorization from the Authority at such time; and

WHEREAS, by Resolution No. 85-2015 dated October 20, 2015, the Authority amended the Original Resolution and Professional Services Agreement to increase the not to exceed amount to the \$22,200; and

WHEREAS, by Resolution No. 15-2016 dated February 16, 2016, the Authority further amended the Original Resolution and Professional Services Agreement to increase the not to exceed amount to the \$26,850; and

WHEREAS, the Sokol Firm has advised the Authority that due to the Mediation, that counsel fees for this matter will cause the overall compensation to the Sokol Firm to exceed \$26,850; and

WHEREAS, the Sokol Firm has requested the Authority increase the not to exceed cost for legal services provided by their firm to \$31,000 for this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Northwest Bergen County Utilities Authority hereby amends the Original Resolution and the Professional Services Agreement with

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 45-2016

Date: April 19, 2016

RESOLUTION TO AMEND SPECIAL COUNSEL PROFESSIONAL SERVICES CONTRACT

the Sokol Firm to increase the not to exceed amount to \$31,000 due to the mediation but subject to the rates and all other terms and conditions of the Original Resolution & Professional Services Agreement; and be it

FURTHER RESOLVED, that this Resolution shall effectively amend the Professional Services Agreement referred to above; and be it

FURTHER RESOLVED, that the Original Resolution and the Professional Services Agreement, unless expressly modified, remain in full force and effect.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a regular meeting held on April 19, 2016.

CHAIRMAN

SECRETARY

	Bonagura	Danubio	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelaheer	Plumley	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									