

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

NOTICE

The next Regular Meeting of the Northwest Bergen County Utilities Authority will be held on Tuesday April 21, 2015 immediately following the Work Session at 7:00 pm, in the offices of the Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey.

April 17, 2015

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

REGULAR MEETING April 21, 2015

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. Chairman's Remarks.
 - a. Appointment of Committees
6. Executive Session
7. Approval of Minutes – Regular Meeting – March 17, 2015
8. Public Comments (any subject).
9. Consideration for approval list of Resolutions attached dated April 21, 2015.
10. Reports of Committees.
 - a. Finance Committee
 - b. Personnel Committee
 - c. Insurance Committee
 - d. Operating Committee
 - e. Buildings and Grounds
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 21, 2015**

RESOLUTIONS

- | | |
|---------|--|
| 40-2015 | Approval of Vouchers, Payroll and Tax Deposits |
| 41-2015 | Approval of Application for Proposed Sanitary Sewer Extension – Peterson Place, Township of Mahwah |
| 42-2015 | Authorization to hold Public Hearing – Revisions to the Rules, Regulations and Standards |
| 43-2015 | Retention of Special Counsel |
| 44-2015 | Award of Contract No. 266 – Midland Park and Goffle Road Pump Station Upgrades |

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 40-2015

Date: April 21, 2015

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 2015 and Health Benefits and Dental Benefits transfers for April 2015; 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 21, 2015 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$188,858.22

ACCOUNT: Tax Deposit Account
Total: \$89,506.55

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$107,205.72

ACCOUNT: Health Benefits Contribution Employee
Total: \$10,908.13

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 40-2015

Date: April 21, 2015

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

ACCOUNT: Dental Benefits
Total Transfer: \$4,157.55

ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$31,224.23

ACCOUNT: PERS Employer Liability
Total Transfer: \$406,997.66

ACCOUNT: Operating Account
Total: \$431,080.31

ACCOUNT: General Improvement Account
Total: \$110,310.10

ACCOUNT: 2014 WWT Project Account
Total: \$9,824.95

CHAIRMAN

SECRETARY

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 41-2015

Date: April 21, 2015

**PROPOSED SANITARY SEWER EXTENSION – TOWNSHIP OF MAHWAH
PETERSON PLACE, BLOCK 139, LOT 25
TOWNSHIP OF 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 Block 139, Lot 25 (hereinafter referred to as the “Property”); and

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

WHEREAS, the Authority technical advisor has reviewed the application and the documents and drawings submitted in support thereof and, by memorandum dated March 17, 2015 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 900 gallons per day (gpd), or 3 additional residential EDUs 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 of the Township of Mahwah for approval of a proposed sanitary sewer extension to be located at Block 139, Lot 25 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. 41-2015

Date: April 21, 2015

**PROPOSED SANITARY SEWER EXTENSION – TOWNSHIP OF MAHWAH
PETERSON PLACE, BLOCK 139, LOT 25
TOWNSHIP OF 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. 41-2015

Date: April 21, 2015

**PROPOSED SANITARY SEWER EXTENSION – TOWNSHIP OF MAHWAH
PETERSON PLACE, BLOCK 139, LOT 25
TOWNSHIP OF 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 thereover.

CHAIRMAN

SECRETARY

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 42-2015

Date: April 21, 2015

**AUTHORIZATION TO HOLD A PUBLIC HEARING – REVISIONS TO THE RULES,
REGULATIONS AND STANDARDS**

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) operates a wastewater treatment facility located in Waldwick, New Jersey; and

WHEREAS, the use and operation of the Authority sewage system and facilities is governed by certain Rules, Regulations and Standards previously developed by the Authority in accordance with state and federal law, and

WHEREAS, the Rules, Regulations and Standards of the Authority are a part of every service contract entered by and with the Authority; and

WHEREAS, on December 6, 2006 by Resolution No. 103-2006, the Authority made certain amendments to the Rules Regulations and Standards to include a Sewer Connection Fee Program; and

WHEREAS, as part of the program, the Authority would pay each municipality a service fee of 15% of a connection fee in their municipality, with a not-to-exceed amount of \$10,000.00 per connection; and

WHEREAS, the Authority desires to amended the service fee not-to-exceed amount of \$10,000 per connection to \$5,000 per connection; and

WHEREAS, in order to make any such amendments to the Rules, Regulations and Standards, the Authority is required to hold a public hearing to invite public comment and discussion concerning the proposed amended changes to the Rules, Regulations and Standards.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 42-2015

Date: April 21, 2015

AUTHORIZATION TO HOLD A PUBLIC HEARING – REVISIONS TO THE RULES, REGULATIONS AND STANDARDS

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that the Authority shall hold a public hearing on May 19, 2015 at 7:00pm in the offices of the Authority, located at 30 Wyckoff Avenue, Waldwick, New Jersey, concerning the proposed amendment to the Rules, Regulations and Standards of the Authority.

BE IT FURTHER RESOLVED, that the Secretary be and hereby is directed to cause notice of such public hearing to be published as required by law.

CHAIRMAN

SECRETARY

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2015

Date: April 21, 2015

**RETENTION OF COUNSEL FOR SPECIAL LEGAL SERVICES PURSUANT TO
N.J.S.A. 19:44A-20.7**

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of the following professional:

LEGAL SERVICES FOR 2015

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on January 16, 2015; and

WHEREAS, the Authority has received responses to the Request for Qualifications for the aforementioned position on January 30, 2015; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.7, the Authority convened to evaluate the Request for Qualifications; and

WHEREAS, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

WHEREAS, the Authority intended to qualify persons and/or firms that: (a) possessed the professional, financial and administrative capabilities to provide the proposed legal services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority; and

WHEREAS, by Resolution 19-2015 the Authority identified several firms as qualified to perform legal services required by the Authority; and

WHEREAS, it has been determined that Chasan Leyner & Lamparello, PC has extensive experience in personnel matters and labor and employment law; and

WHEREAS, the Authority has determined that it is in its best interest to retain the professional services of Chasan Leyner & Lamparello, P.C., immediately because of the emergent nature of the Scope of Services set forth below and the firm has demonstrated, pursuant to Section 5 of the Authority's Request for Qualifications, inter alia: (i) experience and reputation in the field, (ii) knowledge of the Authority and its subject matter, (iii) availability to accommodate the required meetings of the Authority, and (iv) other factors demonstrated to be in the best interest of the Authority; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2015

Date: April 21, 2015

RETENTION OF COUNSEL FOR SPECIAL LEGAL SERVICES PURSUANT TO
N.J.S.A. 19:44A-20.7

WHEREAS, the scope of services for special legal services is as follows: a) an analysis of the Arbitration Award; b) an evaluation of potential exposure to future claims resulting from the Arbitration Award; and c) appellate services if requested by the Authority all in connection with the March 9, 2015 arbitration award against the Authority in the Alvarez v. Northwest Bergen County Utilities Authority; and

WHEREAS, the Authority has determined that it is in its best interest to retain the firm of Chasan, Leyner & Lamparello, PC to perform these services as set forth in this Resolution; and

WHEREAS, compensation for the services to be rendered will be limited to a rate of \$150 per hour as specified in the Authority's RFQ.

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby retains the firm of Chasan, Leyner & Lamparello, PC; and

BE IT FURTHER RESOLVED the Commissioners of the Northwest Bergen County Utilities Authority hereby authorize and ratify the preparation and execution of the Professional Services Agreement, signed by the Executive Director of the Authority; and

BE IT FURTHER RESOLVED, compensation to the professional will be at the rate of \$150 per hour, in an amount not to exceed \$18,000; and

BE IT FURTHER RESOLVED, that in the event that Chasan, Leyner & Lamparello anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.

BE IT FURTHER RESOLVED that notice of the contract award shall be advertised in accordance with N.J.S.A. 19:44A-20.7.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption subject to applicable law.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2015

Date: April 21, 2015

RETENTION OF COUNSEL FOR SPECIAL LEGAL SERVICES PURSUANT TO
N.J.S.A. 19:44A-20.7

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 21, 2015.

CHAIRMAN

SECRETARY

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 44-2015

Date: April 21, 2015

**AWARD BID – CONTRACT #266
GOFFLE ROAD AND MIDLAND PARK PUMP STATION UPGRADES**

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) solicited bid proposals in connection with Contract No. 266 – Goffle Road and Midland Park Pump Station Upgrades; and

WHEREAS, bid proposals were received by the Authority on October 15, 2014; and

WHEREAS, the bid package requested: (i) a base bid for installation of a force main bypass connection and valve actuators at the Goffle Road pump station and replacement of two pairs of existing parallel pumps with two pairs of vertical pumps connected in a series at the Midland Park pump station; and (ii) an alternate A-1 bid for the installation of a trolley beam at the Midland Park pump station; and

WHEREAS, the Authority desires to award the base bid with the alternate; and

WHEREAS, the total bid amounts which includes alternate A-1 from the three lowest bidders are as follows:

Longo Electrical-Mechanical, Inc.	\$506,263.10
Rapid Pump & Meter Services Co., Inc.	\$645,850.00
Coppola Services, Inc.	\$637,000.00; and

WHEREAS, the Authority’s awarded Contract #266 top Coppola Services, Inc. on December 9, 2014, after the Authority’s professionals advised that the bid by Longo Electrical-Mechanical, Inc. was not responsive; and

WHEREAS, Longo Electrical-Mechanical, Inc. filed suit in the Superior Court, Law Division, (“the Longo litigation”) challenging the determination that its bid was not responsive; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 44-2015

Date: April 21, 2015

**AWARD BID – CONTRACT #266
GOFFLE ROAD AND MIDLAND PARK PUMP STATION UPGRADES**

WHEREAS, Coppola Services, Inc. was a party to the Longo litigation; and

WHEREAS, Longo Electrical-Mechanical, Inc. confirmed in connection with its bid on Contract #266 that (a) it will provide the Aurora pumps and Toshiba drives to the Authority in accordance with the Authority's bid specifications, and (b) its bid price is \$506,263.10 for Alternate A-1; and

WHEREAS, the Longo litigation was resolved by the entry of a Consent Order entered by the Honorable Lisa Perez-Frisica, J.S.C., on April 14, 2015, which (1) vacated the Resolution of Award to Coppola Services, Inc., (2) determined that Longo Electrical-Mechanical, Inc. is a responsive bidder, and (3) authorized the Authority to make a new award of Contract #266 before June 13, 2015; and

WHEREAS, the Authority certifies that sufficient funds continue to be available to award this project to Longo Electrical-Mechanical, Inc.; and

WHEREAS, the Commissioners of the Authority have determined that it is in the best interest of the Authority to accept the bid of Longo Electrical Mechanical, Inc. for Contract #266.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Northwest Bergen County Utilities Authority that the bid of Longo Electrical Mechanical, Inc. for the total bid amount including alternate A-1 of \$506,263.10 for Contract #266 – Goffle Road and Midland Park Pump Station Upgrades – be and the same is hereby accepted; and be it

FURTHER RESOLVED, that that the Chairman or Vice Chairman of the Authority shall be and is hereby authorized to execute any such contract with Longo Electrical Mechanical, Inc. for Contract #266 on behalf of the Authority, subject to review and approval of the Consulting Engineer and General Counsel.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 44-2015

Date: April 21, 2015

**AWARD BID – CONTRACT #266
GOFFLE ROAD AND MIDLAND PARK PUMP STATION UPGRADES**

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 21, 2015.

SECRETARY

CHAIRMAN

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