

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

NOTICE

The next Regular Meeting of the Northwest Bergen County Utilities Authority will be held on Tuesday, October 18, 2016 immediately following the Special Meeting at 7:00pm, in the offices of the Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey.

October 14, 2016

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

REGULAR MEETING

October 18, 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. Chairman's Remarks.
6. Closed Session – Pending Litigation – Alvarez v. NBCUA
7. Approval of Minutes – Regular Meeting – September 20, 2016
8. Public Comments (any subject).
9. Consideration for approval list of Resolutions attached dated October 18, 2016.
10. Report 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.

Revised 10/18/2016

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

LIST OF RESOLUTIONS

REGULAR MEETING

October 18, 2016

RESOLUTIONS

- | | |
|---------|---|
| 80-2016 | Approval of Vouchers, Payroll and Tax Deposits |
| 81-2016 | Resolution amending an Agreement to Provide Legal Services with Chasan, Leyner & Lamparello, PC |
| 82-2016 | Approval of Sewer Extension – 1400 MacArthur Boulevard, Mahwah, NJ |
| 83-2016 | Approval of Sewer Extension – 430 Greenwood Avenue, Wyckoff, NJ |

MOTIONS

- | | |
|-------|--|
| 16-02 | Approval of Attendance to the AEA Conference |
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NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. CS-OCT-2016

Date: October 18, 2016

**RESOLUTION OF THE GOVERNING BODY OF THE NORTHWEST BERGEN
COUNTY UTILITIES AUTHORITY TO ENTER CLOSED SESSION PURSUANT
TO THE OPEN PUBLIC MEETINGS ACT**

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 to 10:4-21, requires that meetings of public bodies shall be open to the public at all times, except that the public body may exclude the public only from that portion of a meeting at which the public body discusses matters set forth in N.J.S.A. 10:4-12b; and

WHEREAS, the Northwest Bergen County Utilities Authority (“Authority”) Board of Commissioners intends to hold a closed meeting on the following subject matters which are authorized by N.J.S.A. 10:4-12b:

Pending Litigation – Alvarez v. NBCUA.

NOW, THEREFORE, BE IT RESOLVED by the Authority’s Board of Commissioners,
that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Authority’s Governing Body shall meet in closed session on October 18, 2016, to discuss the above-referenced matters.
3. The minutes, or parts thereof, of the closed session discussion may be disclosed to the public upon the determination by the Board of Commissioners that the public interest will no longer be served by such confidentiality.
4. This Resolution shall be effective immediately.

ADOPTED: October 18, 2016

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 80-2016

Date: October 18, 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 September 2016 and Health Benefits and Dental Benefits transfers for September and October 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 October 18, 2016 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$189,885.97

ACCOUNT: Tax Deposit Account
Total: \$92,248.84

ACCOUNT: Health Benefits Contribution Employer - SEPTEMBER
Total Transfer: \$108,144.26

ACCOUNT: Health Benefits Contribution Employee - SEPTEMBER
Total: \$13,362.15

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 80-2016

Date: October 18, 2016

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

ACCOUNT: Dental Benefits - SEPTEMBER
Total Transfer: \$4,056.73

ACCOUNT: Health Benefits Contribution Employer – OCTOBER
Total Transfer: \$108,144.26

ACCOUNT: Health Benefits Contribution Employee – OCTOBER
Total Transfer: \$13,362.15

ACCOUNT: Dental Benefits – OCTOBER
Total Transfer: \$4,056.73

ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$32,029.28

ACCOUNT: Operating Account
Total: \$237,940.01

ACCOUNT: General Improvement Account
Total: \$255,201.92

ACCOUNT: 2015 WWT Project Account
Total: \$47,697.68

CHAIRMAN

SECRETARY

| | Bonagura | Danubio | DaPuzzo | DePhillips | Gabbert | Kasparian | Kelاهر | Plumley | Chewcaskie |
|----------|----------|---------|---------|------------|---------|-----------|--------|---------|------------|
| Offered | | | | | | | | | |
| Seconded | | | | | | | | | |
| Aye | | | | | | | | | |
| Nay | | | | | | | | | |
| Absent | | | | | | | | | |
| Abstain | | | | | | | | | |

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 81-2016

Date: October 18, 2016

**RESOLUTION AMENDING AN AGREEMENT TO PROVIDE LEGAL SERVICES
WITH CHASAN LEYNER & LAMPARELLO, PC**

WHEREAS, in April of 2015, the Northwest Bergen County Utilities Authority (“Authority”) entered into a professional service agreement with Chasan Leyner & Lamparello, PC (the “Law Firm”); and

WHEREAS, pursuant to that professional service agreement the Law Firm was to perform legal services necessary to properly represent the Authority in connection to a March 9, 2015 arbitration award against the Authority; and

WHEREAS, due to Law Firm’s ongoing services, specifically their representing the Authority in an appeal of the March 9, 2015 arbitration award, the Authority by Resolution No. 16-2016 on February 16, 2016 amended the contract term regarding compensation to increase the cap from \$18,000.00 to \$35,000.00; and

WHEREAS, the Law Firm has advised the Authority that there is a need to amend the contract term regarding compensation, increasing the cap from \$35,000 to \$53,100 for the same reason as stated in Paragraph 3 above; and

WHEREAS, a contract for said services may be awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-2(6) and 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is for a service performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study.

NOW, THEREFORE, BE IT RESOLVED by the Authority’s Board of Commissioners, that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. Section 2 is amended to provide as follows:

Contract Amount/Hourly Rate

In consideration for these services, Special Legal Counsel agrees to accept compensation at the rate of \$150.00 per hour for attorneys, \$65.00 for all law clerks and paralegals; and \$25.00 for secretarial overtime in an amount not to exceed

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 81-2016

Date: October 18, 2016

**RESOLUTION AMENDING AN AGREEMENT TO PROVIDE LEGAL SERVICES
WITH CHASAN LEYNER & LAMPARELLO, PC**

\$53,100.00. In the event that Special Legal Counsel anticipates that it will exceed the \$53,100.00 limit, it shall seek further authorization from the Authority at that time.

3. The Chairman, Vice Chairman, Executive Director, Secretary and any other necessary Director, officer or official of the Authority are hereby authorized to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.
4. This Resolution shall be effective immediately.

ADOPTED: October 18, 2016

I hereby certify 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 October 18, 2016.

**BRIAN CHEWCASKIE
CHAIRMAN**

**ALISON GORDON
SECRETARY**

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 82-2016

Date: October 18, 2016

**PROPOSED SANITARY SEWER EXTENSION
1400 MACARTHUR BOULEVARD
TOWNSHIP OF MAHWAH
BLOCK 139, LOT 3**

WHEREAS, an application has been made to the Northwest Bergen County Utilities Authority (hereinafter sometimes referred to as the “Authority”) by Mahwah Properties, LLC (hereinafter referred to as the “Applicant”) for approval of a proposed sanitary sewer extension to be located at 1400 MacArthur Boulevard, Township of Mahwah, New Jersey, Block 139, Lot 3 (hereinafter referred to as the “Project”); and

WHEREAS, the Project proposes to provide sanitary sewer service to a proposed 75,950 square foot health and wellness center; and

WHEREAS, the Authority’s technical advisor has reviewed the application and the documents and drawings submitted in support thereof and, by memorandum dated October 5, 2016 has recommended that the Authority approve the Project, subject to fulfillment of certain terms and conditions, and

WHEREAS, finding that when completed, the average daily flow from the Project will be 16,940 gallons per day (gpd), and 83 non-residential EDUs will become tributary to the Authority’s system.

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the application made by Mahwah Properties, LLC for a proposed sanitary sewer extension to be located at 1400 MacArthur Boulevard, 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. 82-2016

Date: October 18, 2016

**PROPOSED SANITARY SEWER EXTENSION
1400 MACARTHUR BOULEVARD
TOWNSHIP OF MAHWAH
BLOCK 139, LOT 3**

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 Project;
6. That any manholes constructed or modified by reason of this Project 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 Project;
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. 82-2016

Date: October 18, 2016

**PROPOSED SANITARY SEWER EXTENSION
1400 MACARTHUR BOULEVARD
TOWNSHIP OF MAHWAH
BLOCK 139, LOT 3**

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 Project as may be required by governmental agencies having jurisdiction thereto.

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. 83-2016

Date: October 18, 2016

**PROPOSED SANITARY SEWER EXTENSION
430 GREENWOOD AVENUE
TOWNSHIP OF WYCKOFF
BLOCK 216.01, LOT 21.02**

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 Wyckoff (hereinafter referred to as the “Applicant”) for approval of a proposed sanitary sewer relocation to be located at 430 Greenwood Avenue, Township of Wyckoff, New Jersey, Block 216.01, Lot 21.02 (hereinafter referred to as the “Project”); and

WHEREAS, the proposed relocation/connection is designed to provide sewer service and facilitate redevelopment of the site as a supermarket; and

WHEREAS, the Authority’s technical advisor has reviewed the application and the documents and drawings submitted in support thereof and, by memorandum dated October 5, 2016 has recommended that the Authority approve the Project, subject to fulfillment of certain terms and conditions, and

WHEREAS, finding that when completed, the average daily flow from the Project will be 6,204 gallons per day (GPD); and

WHEREAS, based on the projected GPD, no additional non-residential EDUs will become tributary to the Authority from Wyckoff as the buildings being demolished on the site had an average daily flow of 6,571 GPD.

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 Wyckoff for a proposed sanitary sewer relocation to be located at 430 Greenwood Avenue, in the Township of Wyckoff, 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 Wyckoff;

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 83-2016

Date: October 18, 2016

**PROPOSED SANITARY SEWER EXTENSION
430 GREENWOOD AVENUE
TOWNSHIP OF WYCKOFF
BLOCK 216.01, LOT 21.02**

2. The installation of the sewers and appurtenances be inspected and approved by the Township of Wyckoff;
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 Project;
6. That any manholes constructed or modified by reason of this Project 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 Project;
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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 83-2016

Date: October 18, 2016

**PROPOSED SANITARY SEWER EXTENSION
430 GREENWOOD AVENUE
TOWNSHIP OF WYCKOFF
BLOCK 216.01, LOT 21.02**

10. That the Applicant comply with the rules and regulations of the Authority and the New Jersey Department of Environmental Protection; and be it

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 Project as may be required by governmental agencies having jurisdiction thereto.

CHAIRMAN

SECRETARY

| | Bonagura | Danubio | DaPuzzo | DePhillips | Gabbert | Kasparian | Kelاهر | Plumley | Chewcaskie |
|----------|----------|---------|---------|------------|---------|-----------|--------|---------|------------|
| Offered | | | | | | | | | |
| Seconded | | | | | | | | | |
| Aye | | | | | | | | | |
| Nay | | | | | | | | | |
| Absent | | | | | | | | | |
| Abstain | | | | | | | | | |
| Recuse | | | | | | | | | |

