

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

NOTICE

The next Regular Meeting of the Northwest Bergen County Utilities Authority will be held on Wednesday April 16, 2014 immediately following the Work Session at 7:00 pm, in the offices of the Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey.

April 11, 2014

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

REGULAR MEETING

April 16, 2014

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. Appointment of Committees.
7. Approval of Minutes – Regular Meeting – March 18, 2014.
Special Meeting – March 18, 2014
8. Public Comments (any subject).
9. Consideration for approval list of Resolutions attached dated April 16, 2014.
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.

April 11, 2014

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

LIST OF RESOLUTIONS

REGULAR MEETING

April 16, 2014

- 43-2014 Approval of vouchers, payroll and tax deposits
- 44-2014 Regular Employment – O&M Helpers, Anthony LoCascio, Vincent Morelli, John Stefancik
- 45-2014 Regular Employment – Administrative Assistant, Alison Gordon
- 46-2014 Regular Employment – Office Secretary, Melissa Oratio
- 47-2014 Resolution Authorizing preparation of, and adoption of, updated Employee Policies and Procedures Manual
- 48-2014 Resolution authorizing the Purchase of Energy Generation Services for Public Use on an Online Auction Website
- 49-2014 Resolution of the Northwest Bergen County Utilities Authority concerning the review of findings and recommendations of the Local Finance Board pursuant to N.J.S.A. 40A:5A-7 relating to hearings held by the Local Finance Board in connection with the Issuance of the Authority's \$600,000 state fiscal year 2014 Utility System Subordinated Revenue Bonds, Series 2014
- 50-2014 Resolution Requesting New Jersey Department of Environmental Protection's designation of Northwest Bergen County Utilities Authority as Wastewater Management Plan Planning Agency for the Borough of Oakland

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2014

Date: April 16, 2014

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 2014 and Health Benefits and Dental Benefits transfers for April 2014; 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 16, 2014 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$186,105.14

ACCOUNT: Tax Deposit Account
Total: \$90,014.78

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$105,321.81

ACCOUNT: Health Benefits Contribution Employee
Total: \$4,039.07

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2014

Date: April 16, 2014

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

ACCOUNT: Dental Benefits
Total Transfer: \$4,382.00

ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$28,245.44

ACCOUNT: DCRP – Employer – March 2014
Total Transfer: \$12.50

ACCOUNT: DCRP – Employee – March 2014
Total Transfer: \$22.92

ACCOUNT: Operating Account
Total: \$299,440.80

ACCOUNT: General Improvement Account
Total: \$123,320.05

ACCOUNT: 2012 WWT Project Account
Total: \$670.02

SECRETARY

CHAIRMAN

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Salazer	Chewcaskie
Offered								
Seconded								
Ayes								
Nays								
Absent								
Abstain								

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 48-2014

Date: April 16, 2014

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

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

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

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

CHAIRMAN

SECRETARY

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Salazer	Chewcaskie
Offered								
Seconded								
Ayes								
Nayes								
Absent								
Abstain								

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 49-2014

Date: April 16, 2014

**RESOLUTION OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
CONCERNING THE REVIEW OF FINDINGS AND RECOMMENDATIONS OF THE
LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-7 RELATING TO
HEARINGS HELD BY THE LOCAL FINANCE BOARD IN CONNECTION WITH THE
ISSUANCE OF THE AUTHORITY'S NOT TO EXCEED \$600,000 STATE FISCAL
YEAR 2014 UTILITY SYSTEM SUBORDINATED REVENUE BONDS, SERIES 2014**

WHEREAS, the findings and recommendations issued by the Local Finance Board, Division of Local Government Services, Department of Community Affairs, State of New Jersey (the "Local Finance Board"), held on March 12, 2014, on the project financing of the Northwest Bergen County Utilities Authority (the "Authority") have been filed with the Secretary of the Authority, and a copy has been received by each member of the governing body; and

WHEREAS, N.J.S.A. 40A:5A-7 requires that the governing body of the Authority, within 45 days of receipt of the Local Finance Board's findings and recommendations on the proposed project financing, shall certify by resolution to the Local Finance Board that each member thereof has personally reviewed the findings and recommendations; and

WHEREAS, each member of the governing body of the Authority has personally reviewed each of the Local Finance Board's findings and recommendations on the proposed project financing as evidenced by the attached group affidavit of the governing body; and

WHEREAS, failure to comply with this requirement may subject the members of the Authority to the penalty provisions of N.J.S. 52:27BB-52;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Northwest Bergen County Utilities Authority hereby states that it has complied with the requirements of N.J.S. 40A:5A-7 and does hereby direct the Secretary of the Authority to submit a certified copy of this resolution and the required affidavit to the Local Finance Board to evidence said compliance.

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Salazer	Chewcaskie
Offered								
Seconded								
Ayes								
Nays								
Absent								
Abstain								

I hereby certify the above to be a true copy of the Resolution adopted by the Northwest Bergen County Utilities Authority at a meeting held on April 16, 2014.

Alison Gordon, Secretary

GROUP AFFIDAVIT FORM

CERTIFICATION OF GOVERNING BODY

State of New Jersey
County of Bergen

We, the members of the governing body of the Northwest Bergen County Utilities Authority of full age, being duly sworn according to law, upon our oath depose and say:

1. We are duly appointed members of the Northwest Bergen County Utilities Authority.
2. We certify that, pursuant to N.J.S.A. 40A:5A-7, we have personally reviewed the March 12, 2014 findings and recommendations of the Local Finance Board on the proposed issuance of State Fiscal Year 2014 Utility System Subordinated Revenue Bonds, Series 2014 (the "2014 Obligations") by Northwest Bergen County Utilities Authority in order to (a) finance additional construction in connection with the Franklin Lakes Sewer Project and (b) pay or repay certain costs and expenses to be incurred by the Authority in connection with the authorization, issuance and delivery of the 2014 Obligations.

BRIAN CHEWCASKIE, CHAIRPERSON

MICHAEL KASPARIAN, VICE CHAIRPERSON

JOHN DAPUZZO, MEMBER

CHRISTOPHER DEPHILLIPS, MEMBER

KENNETH GABBERT, MEMBER

FRANK KELAHER, MEMBER

MARION PLUMLEY, MEMBER

ELIZABETH SALAZER, MEMBER

Sworn to and subscribed before me
This 16th day of April, 2014

Notary Public of the State of New Jersey

The Secretary of the Authority shall set forth the reason for the absence of signature of any members of the governing body.

This affidavit must be sent to the Division of Local Government Services, CN 258, Trenton, N.J. 08625 within 45 days of receipt of the Local Finance Board's findings and recommendations on the proposed project financing.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 50-2014

Date: April 16, 2014

RESOLUTION REQUESTING NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION DESIGNATION OF NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY AS WASTEWATER MANAGEMENT PLAN PLANNING AGENCY FOR THE BOROUGH OF OAKLAND

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") owns and operates a wastewater treatment plant (the "Plant") located in the Borough of Waldwick, New Jersey and provides wastewater treatment services to all or part of ten municipalities in the northwest corner of Bergen County, New Jersey; and

WHEREAS, the Borough of Oakland (the "Borough") does not have any centralized sewage treatment facilities for the treatment of its wastewater; domestic sewage treatment and disposal in the Borough is provided primarily by individually owned subsurface sewage disposal systems (septic systems); there also are six sewer service areas in the Borough which are served by package sewage treatment plants; and

WHEREAS, the Authority and the Borough entered into a non-binding Memorandum of Understanding with the Northwest Bergen County Utilities Authority (the "Authority") dated September 25, 2013 (the "MOU") which contemplates (1) the Borough becoming a member of the Authority, (2) the Borough and the Authority entering into a service contract and (3) the Authority providing wastewater treatment services to a portion of the Borough pursuant to the service contract; and

WHEREAS, the MOU further contemplates that, prior to entering into a service contract, the Authority and the Borough both will request that the New Jersey Department of Environmental Protection ("NJDEP") designate the Authority as the wastewater management planning agency for the Borough pursuant to N.J.A.C. 7:15-3.5(b)2 and N.J.A.C. 7:15-5.13; and

WHEREAS, the designation of the Authority as the wastewater planning agency for the Borough is necessary for the Authority to submit a wastewater management plan to NJDEP for the Borough, as contemplated by the MOU; and

WHEREAS, the Borough is currently the designated wastewater planning agency for all of the Borough, but N.J.A.C. 7:15-3.5(b)2 and N.J.A.C. 7:15-5.13 allow for transfer of that responsibility to another governmental entity, subject to NJDEP approval; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 50-2014

Date: April 16, 2014

RESOLUTION REQUESTING NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION DESIGNATION OF NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY AS WASTEWATER MANAGEMENT PLAN PLANNING AGENCY FOR THE BOROUGH OF OAKLAND

WHEREAS, N.J.A.C. 7:15-5.4 and N.J.A.C. 7:15-5.13(b) provide for the county board of chosen freeholders to have wastewater management planning responsibility, unless a particular county does not submit a wastewater management plan to NJDEP or stipulates that it does not intend to submit such a plan; and

WHEREAS, the Bergen County Board of Chosen Freeholders has not submitted a wastewater management plan to NJDEP; rather either the NBCUA or the Bergen County Utilities Authority serve as the designated wastewater management planning agency for the vast majority of the municipalities in the County of Bergen; and

WHEREAS, the Borough is desirous of NJDEP transferring wastewater management planning responsibility for the entire Borough to the Authority, and the Authority is willing to accept that wastewater management planning responsibility; and

WHEREAS, on April 9, 2014, the Borough Council of the Borough adopted a Resolution requesting that NJDEP designate the Authority as the wastewater management planning agency for the entire Borough; and

WHEREAS, the Authority adopts this Resolution to join in the request of the Borough to NJDEP that NJDEP designate the Authority as the wastewater management planning agency for the entire Borough

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Northwest Bergen County Utilities Authority as follows:

1. The Authority hereby requests that NJDEP transfer wastewater management planning responsibility for the entire Borough from the Borough to the Authority and that NJDEP designate the Authority as the wastewater management planning agency for the entire Borough, all pursuant to N.J.A.C. 7:15-3.5(b)2 and N.J.A.C. 7:15-5.13.

2. The Executive Director is authorized and directed to cause a copy of this Resolution to be delivered to NJDEP.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 50-2014

Date: April 16, 2014

**RESOLUTION REQUESTING NEW JERSEY DEPARTMENT OF ENVIRONMENTAL
PROTECTION DESIGNATION OF NORTHWEST BERGEN COUNTY UTILITIES
AUTHORITY AS WASTEWATER MANAGEMENT PLAN PLANNING AGENCY FOR THE
BOROUGH OF OAKLAND**

3. The Executive Director is further authorized and directed to execute and deliver all application forms or other materials required or advisable to implement the request to NJDEP for designation of the Authority as the wastewater management planning agency for the Borough.

4. The action of the Authority embodied herein is contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

CHAIRMAN

SECRETARY

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahe	Plumley	Salazer	Chewcaskie
Offered								
Seconded								
Ayes								
Nayes								
Absent								
Abstain								