



**MINUTES
REGULAR MEETING
JULY 9, 2013**

1. The Vice-Chairman called the Meeting to order at 7:30 p.m.
2. The Vice-Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: DaPuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Plumley. Commissioners Salazer and Chewcaskie were absent.
4. Salute to the Flag. The Salute to the Flag was led by the Vice-Chairman.
5. Vice-Chairman's remarks. It was discussed and determined that the Tuesday, Sept.3, 2013 meetings will be cancelled and rescheduled for Thursday, Sept. 12, 2013.
6. Approval of Minutes.

Regular Meeting of June 4, 2013. Commissioner DePhillips made a motion to approve the minutes as presented, seconded by Commissioner DaPuzzo. All Commissioners present voted in favor of approving the minutes as presented.

7. Public Comments (any subject). The meeting was opened to the public for comments.

Mr. Craig Bossong of the firm Florio, Perrucci, Steinhardt & Fader. Mr. Bossong stated that he represents the municipalities who brought up the issue of a budgetary concern of the Authority's Bond Reserve funds, the original six and Mahwah. He stated that it was two months since the last meeting with Authority representatives when he was allegedly told that the Authority would reach a decision shortly. He noted that this issue was not on the agenda and that we are cancelling our August meetings which put everything into September. He feels there are certain things that have to take place if we are going to resolve this before the end of the year.

Vice-Chairman Kasparian noted that we will be going into closed session tonight to discuss this issue. We could have made a decision the last meeting but the Commissioners were split as to how to proceed. The consensus among the Commissioners was that we would prefer to have a unanimous decision. The idea was that we should go back to our respective

municipalities and speak to our municipal representative to get a feel of what the towns are thinking. We are not sure that the direction that we are being given is actually what each town wants.

Vice-Chairman Kasparian wanted to make it clear that there is absolutely no obligation on the Authority's part to make any decision on this issue. We can continue to operate just as we have but we understand that there is some sensitivity by the towns that you represent. We are trying to address it as best we can. We do not want to be put in a position where we are being told there is some timeframe. There is no timeframe involved here.

Mr. Bossong noted that the timeframe he is referring to is; two months ago there was a meeting and at that meeting they were given the impression there would be a decision shortly thereafter.

Vice-Chairman Kasparian stated if someone gave him that impression that a decision would definitively be made was incorrect. There is no necessity on our part to make a decision.

Commissioner DePhillips had attended the meeting along with Chairman Chewcaskie representing the Authority along with Mr. Bossong, Mayor Barra and Mayor Giordano from Waldwick and the auditors. That meeting was in late May. The Chairman said at the meeting that we would raise this issue and discuss it at the next Authority meeting. The Commissioners met in early June and Vice-Chairman Kasparian described when the issue was discussed.

Mr. Bossong insisted at that time there was a timeframe discussed because of certain actions if we want a certain route that had to take place. He referred that those timeframes could not be met pending the Authority's decision and that they were the Authority's timeframes.

There was a narrow discussion about what would happen if certain decisions were made and what the ramifications would be but neither the Chairman nor Commissioner DePhillips promised a certain timetable for decisions.

Mr. Bossong feels we need a direction because if the timeframes that were discussed, if we go that route, there are benchmarks that have to be met in order accomplish what everybody was discussing.

Vice Chairman Kasparian stated it is all depends on whether or not the Commissioners can come to a consensus on this. Unless we have a unanimous consent, the board would prefer not to split. That is what we are looking to achieve and he assured Mr. Bossong that it will be discussed in September.

8. Authorization to go into Closed Session to discuss financial issues and potential litigation. The Resolution to go into Closed Session was read by the Vice-Chairman and offered by Commissioner DaPuzzo, seconded by

Commissioner Kelaher. All Commissioners present voted to go into Closed Session at 7:40 p.m.

Commissioner DaPuzzo made a motion to go back into the Regular Meeting, seconded by Commissioner Kelaher. All Commissioners present voted to go back into the Regular Meeting at 8:40 p.m.

Following the closed session Counsel Jeff Zenn was asked to prepare a draft resolution which will; 1) set aside \$800,000 for reduction in services charges this year, which would be applied this coming November and 2) designate the balance of the funds, which is an additional \$800,000, to be returned to the towns in the form of a rate stabilization program in future years. Prior to our September meeting we will establish what those rates will be for each municipality and they will be included in the resolution.

The resolution will, once prepared and reviewed by the Executive Director, be distributed to all of the mayors that participated in this process. They will have the opportunity to comment prior to the meeting and after the meeting. Our next meeting will be Sept. 12th and this also will be noted on the resolution.

It was also noted that we will need a resolution to amend the 2013 budget. The amendment to the budget must be sent to the Div. Of Local Government for their approval which could take approximately a month. That is why we are concerned about the Nov. 1st date.

9. Consideration for approval list of Resolutions attached dated July 9, 2013.

All Resolutions were discussed during the work session.

Resolution #40-2013. Approval of Vouchers, Payroll Transfers, Payroll Tax Deposits and Pensions and Benefits Transfers for the month of June 2013 and Health and Dental Benefits for July, 2013. Payroll Account \$217,479.76; Tax Deposit Account, \$108,958.56; PERS and Contributory Insurance \$27,802.30; Health Benefits Contribution/Employer \$94,979.09; Health Benefits Contribution Employee \$2,607.10; Dental Benefits \$4,325.27; DCRP Employee Contribution \$45.84; DCRP Employer Contribution \$25.00; Operating Account \$338,218.36; General Improvement Account \$18,000; 2009A Project Account \$125,598.85; 2012 WWT Project Account \$318,905.47.

The Resolution was offered by Commissioner DaPuzzo, seconded by Commissioner DePhillips. All Commissioners present voted in favor of the Resolution.

Resolution #41-2013 Cancellation of August Meetings. This Resolution is to cancel the August Meetings and to authorize the Executive Director and Administrative Assistant to make payments on contractual obligations which become due and for professional services rendered, provided that all vouchers submitted have been approved by the Authority Chairman. Also,

subject to review and approval of the bill list for the month of August by the Commissioners prior to August 15, 2013.

The Resolution was offered by Commissioner DaPuzzo, seconded by Commissioner DePhillips. All Commissioners present voted in favor of the Resolution.

Resolution #42-2013 Retention of Counsel for Special Legal Services pursuant to N.J.S.A.19:44A-20.7. For the record this Resolution is to replace Resolution #39-2013 which was vetoed by the County Executive. The Resolution was vetoed because it did not provide a cap on the fees, was not on the agenda and there was no justification for the requirement for special counsel and no justification for comment as to why this particular firm was selected. This resolution answers all of those requests. This Resolution is to retain the firm of Waters, McPherson, McNeill, P.C. to serve as Special Legal Counsel at an hourly rate of \$150.00 not to exceed \$30,000. The Borough of Oakland strongly desires to replace aging individual package wastewater treatment plants to reduce municipal sewage treatment costs and to increase the municipal tax base by development within the Borough. The Borough of Oakland is not within the Authority Sewer Service Area and any modifications to the Borough Wastewater Management Plan will require approval of both the NJDEP and the Highlands Council.

These special considerations require the services of an experienced attorney to achieve the Authority's goal of exploring a potential sanitary sewer system for the Borough of Oakland via a connection to the Authority. The firm of Waters, McPherson, McNeill, P.C. was determined to be highly qualified and eminently capable of providing these legal services to the Authority.

The Resolution was moved by Commissioner Plumley, seconded by Commissioner Kelaher. All Commissioners present voted in favor of the Resolution.

Motion No.1 – Motion to approve Change Order #2 for as prepared by T&M Associates, for Contract #260 Site Improvements for Paving & Lighting in the credit amount of \$18,754.15. Motion was offered by Commissioner Gabbert, seconded by Commissioner Kasparian. All Commissioners present voted in favor of the Motion.

10. Reports of Committees.

- A. Finance Committee – Nothing further to report.**
- B. Personnel Committee – Nothing further to report.**
- C. Insurance Committee – Nothing further to report.**
- D. Operating Committee – Nothing further to report.**

E. Buildings & Grounds – Nothing further to report.

11. Report of Treasurer –

We have approximately \$8 million short-term investments of which \$4 million is not currently invested; \$250,000 invested @.05%; \$1 million @.07% and \$2.7 million @1.25%.

12. Report of Counsel – Nothing further to report.

13. Report of Engineer – Nothing further to report.

14. Report of Executive Director – Nothing further to report.


15. Report of Superintendent – Nothing further to report.

16. Old Business. No old business.

17. New Business. It was noted by the Vice-Chairman that the Commissioners have no connection with the employees at the Authority. Would like to set up an employee of the quarter program whereby the Executive Director would work with the Superintendent on a quarterly basis and present qualified employees for the quarter which would be voted on and the individual selected would show up at the next meeting. At that meeting the individual would be presented with a plaque and/or an incentive. It was suggested that in lieu of a plaque a gift certificate to a restaurant be given as the incentive. The details would be worked out between the Executive Director and Superintendent.

18. Public comments (on subjects 8 through 17). There were no public comments.

19. Adjournment. Motion to adjourn was made by Commissioner DaPuzzo, seconded by Commissioner Kasparian. All Commissioners present voted to adjourn at 8:55 p.m.


Madeline Thumudo, Secretary