



**MINUTES
REGULAR MEETING
March 20, 2018**

1. The Meeting was called to order at 7:54pm.
2. The Secretary read the statement in compliance with C. 231, PL 1975.
3. Roll Call: The following Commissioners were present: Bonagura, Chewcaskie, Danubio, DePhillips, Gabbert, Lo Iacono, Plumley and Chairman Kasparian. The following Commissioners were absent: Kelaher.
4. Salute to the Flag was led by the Chairman.
5. The Chairman Remarks: No remarks.
 - a. Appointments of Committees:
 - Operating Committee: Brian Chewcaskie, Chair. Members: Frank Kelaher, John Danubio
 - Strategic Plan Subcommittee: Michael Kasparian, Chair. Members: Ken Gabbert, Stephen Lo Iacono, William Dator (Consultant)
 - Personnel: Members: Frank Kelaher
 - Finance: Kenneth Gabbert, Chair. Members: Dennis Bonagura, Stephen Lo Iacono, Todd Sherer, Treasurer
 - Buildings and Grounds: Frank Kelaher, Chair. Member: Marion Plumley
 - Insurance: Members: Marion Plumley
 - Public Relations: Marion Plumley, Chair
 - Safety & Security: Frank Kelaher, Chair
6. Consideration for approval of minutes:
 - a. Reorganization Meeting – February 20, 2018: Commissioner Chewcaskie motioned to accept the minutes from the February 20, 2018 Reorganization Meeting, Commissioner Gabbert seconded the motion. The motion carried.
7. Public Comments: No public Comments.
8. Closed Session: The Board entered closed session at 8:01pm by a motion from Commissioner Chewcaskie and a second by Commissioner Danubio to discuss potential litigation. The Board came out of Closed Session at 8:05pm.
9. Consideration for approval list of Resolutions dated March 20, 2018.

- a. The Commissioners voted on Resolution No. 28-2018 through 34-2018 and Resolution No. 37-2018 through 45-2018 by consent resolution. Commissioner Chewcaskie offered the Consent Resolution and Chairman Kasparian seconded. All present Commissioners voted yes.

Resolution No. 28-2018 – Approval of vouchers, payroll and tax deposits and pensions and benefits transfers for February 2018 and Health and Dental Benefits for March 2018 as follows: Payroll Account: \$199,979.12; Tax Deposit Acct: \$90,895.10; Health Benefits Contribution-Employer: \$98, 581.46; Health Benefits Contribution Employee: \$18,800.07; Dental Benefits: \$4,196.64; PERS and Contributory Insurance: \$32,519.51; DCRP – Employer: \$12.50; DCRP – Employee: \$22.92; Operating Account: \$449,202.57; General Improvement Account: \$312,216.00; 2015 WWT Project Account: \$615.00.

Resolution No. 29-2018 – Certification of Audit: This Resolution certifies to the Local Finance Board that each Commissioner has personally reviewed the Annual Audit for Fiscal Year ended December 31, 2017 and specifically has reviewed the Section of the Audit report entitled “General Comments” and “Recommendations” and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

Resolution No. 30-2018 – Accept Audit: This Resolution accepts the 2017 Audit of the Northwest Bergen County Utilities Authority prepared by Ferraioli, Wielkotz, Cerullo & Cuva, PA.

Robert McNinch from Ferraioli, Wielkotz, Cerullo & Cuva was in attendance to address any questions or concerns regarding the 2017 Audit. He explained GASB 68 to the Board and how it relates to our Audit report. The Audit report as prepared does not reflect the State calculated pension obligation for the Authority for 2018, and is therefore not in compliance with GASB 68. Once the State provides the information, the Auditor will reflect the correct pension liability in the interim report. No formal action will be needed when this is done.

Resolution No. 31-2018 – Title Change for Todd Joaquin to maintenance Mechanic: There presently exists a need for a Maintenance Mechanic. This resolution transfers Todd Joaquin from Collection System Operator to Maintenance Mechanic effective March 12, 2018 subject to a one hundred eighty (180) day probationary period at an hourly rate as set forth in the collective bargaining agreement.

Resolution No. 32-2018 – Title Change for Christian Valtin to Collection System Operator: There presently exists a need for a Collection System Operator. This resolution transfers Christian Valtin from O&M Helper to Collection System Operator effective March 26, 2018 subject to a one hundred eighty (180) day probationary period at an hourly rate as set forth in the collective bargaining agreement.

Resolution No. 33-2018 – Qualification of individuals/firms for the provision of engineering services. The Authority issued a Request for qualifications for engineering services on March 7, 2018. Three (3) responses were received on March 15, 2018. The following one (1) firm was found to be qualified to provide engineering services to the Authority: Alaimo Group Consulting Engineers.

Resolution No. 34-2018: Qualifications of individuals/firms for the provision of risk management services: The Authority issued a Request for qualifications for risk management services on March 7, 2018. Three (3) responses were received on March 15, 2018. The following three (3) firms were found to be qualified to provide risk management services to the Authority: Alamo Insurance Group; Arthur Caughlan and Gerard Quinn, A Division of Nelson-Patterson and Conklin & Kraft; Brown & Brown Public Risk Advisors.

Resolution 37-2018 – Rejecting Bids – Contract No. 273 – Wastewater Treatment Plant Improvements Project: The Authority received 3 bids for Contract No. 273 in a timely manner. The bids were as follows: Spectraserv, Inc. - \$3,706,440; Rapid Pump & Meter Service, Co., Inc. \$3,277,020; Iron Hills Construction - \$3,533,420. Iron Hills Construction withdrew their bid. The remaining 2 bids exceed the engineer's estimate of \$2,915,000 by more than 10%. The Authority's engineer and counsel have reviewed the bids and recommend the Authority reject the bid proposals based on NJSA 40A:11-13.2 (a). This resolution rejects the bids on the basis that they substantially exceed the estimated costs.

Resolution No. 38-2018 – Resolution of the Northwest Bergen County Utilities Authority approving the Consulting Engineer Project Report and Certificates of the Consulting Engineer and Accountant in Connection with various Sewer Improvements, including Improvements to the Authority's Wastewater Pump Stations: This resolution approves the project report prepared by its consulting engineer, T&M Associates and certificates prepared by its consulting engineer and auditor, Ferraioli, Wielkotz, Cerullo & Cuva, in connection with the referenced project.

Resolution No. 39-2018 – Resolution of the Northwest Bergen County Utilities Authority approving the Consulting Engineer Project Report and Certificates of the Consulting Engineer and Accountant in Connection with various Sewer Improvements, including Improvements to the Authority's Wastewater Treatment Plant Facility: This resolution approves the project report prepared by its consulting engineer, T&M Associates and certificates prepared by its consulting engineer and auditor, Ferraioli, Wielkotz, Cerullo & Cuva, in connection with the referenced project.

Resolution No. 40-2018 – Resolution of the Northwest Bergen County Utilities Authority approving the Consulting Engineer Project Report and Certificates of the Consulting Engineer and Accountant in Connection with various Sewer Improvements, including Improvements to the Authority's Gravity Interceptor Piping System and Manholes: This resolution approves the project report prepared by its consulting engineer, T&M Associates and certificates prepared by its

consulting engineer and auditor, Ferraioli, Wielkotz, Cerullo & Cuva, in connection with the referenced project.

The Authority, along with Authority Engineers, Rose Santos and Nick Rotonda, and Authority Bond Counsel, John Draikiwicz, met with NJ Infrastructure Bank and NJDEP officials to discuss financing the interceptor system project through the NJIB. The Authority is moving forward with submitting a short term loan application for the Planning and Design and for the work related to the assessment of the system.

Resolution No. 41-2018 – Resolution Providing for the Declaration of Official Intent Under Treasury Regulation Section 1.150-2 to Reimburse Prior Expenditures Related to Various Sewer System Improvements, including Improvements to the Authority’s Wastewater Pump Stations: The Authority intends to issue project debt obligations in the maximum principal amount of \$7,000,000 that will be used to finance various sewer improvements, including improvements to the Authority’s Wastewater Pump Stations: Midland Park Pump Station, Ho-Ho-Kus Pump Station, Darlington Pump Station and Goffle Road Pump Station. The Authority desires to preserve its rights to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid by the Authority prior to the issuance of the Project Debt Obligations as an expenditure for such project costs to be reimbursed for the purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended. This Resolution is the Authority’s declaration of official intent to reimburse itself for expenditure of Project Costs by the Authority paid prior to the issuance of the Project Debt Obligations with the proceeds of the Project Debt Obligations.

Resolution No. 42-2018 – Resolution Providing for the Declaration of Official Intent Under Treasury Regulation Section 1.150-2 to Reimburse Prior Expenditures Related to Various Sewer System Improvements, including Improvements to the Authority’s Wastewater Treatment Facility: The Authority intends to issue project debt obligations in the maximum principal amount of \$4,900,000 that will be used to finance various sewer improvements, including improvements to the Authority’s Wastewater Treatment Facility. The Authority desires to preserve its rights to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid by the Authority prior to the issuance of the Project Debt Obligations as an expenditure for such project costs to be reimbursed for the purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended. This Resolution is the Authority’s declaration of official intent to reimburse itself for expenditure of Project Costs by the Authority paid prior to the issuance of the Project Debt Obligations with the proceeds of the Project Debt Obligations.

Resolution No. 43-2018 – Resolution Providing for the Declaration of Official Intent Under Treasury Regulation Section 1.150-2 to Reimburse Prior Expenditures Related to Various Sewer System Improvements, including Improvements to the Authority’s Gravity Interceptor Piping System and Manholes: The Authority intends to issue project debt obligations in the maximum principal amount of

\$10,000,000 that will be used to finance various sewer improvements, including Improvements to the authority's Gravity Interceptor Piping System and Manholes. The Authority desires to preserve its rights to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid by the Authority prior to the issuance of the Project Debt Obligations as an expenditure for such project costs to be reimbursed for the purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended. This Resolution is the Authority's declaration of official intent to reimburse itself for expenditure of Project Costs by the Authority paid prior to the issuance of the Project Debt Obligations with the proceeds of the Project Debt Obligations.

Resolution No. 44-2018 – Retention of Engineer for Wyckoff Sewer Expansion Project pursuant to N.J.S.A. 19:44A-20.4. Boswell Engineering was found to be highly qualified and eminently capable of providing consulting engineer services related to the Wyckoff Sewer Expansion Project. Services to be rendered include data collection and survey, geotechnical Investigation, design and treatment works approval permit application and Regulatory Permitting. This resolution authorizes an agreement with Boswell Engineering to provide consulting engineering for the Wyckoff Sewer Expansion Project with a not to exceed compensation amount of \$45,500.

Resolution No. 45-2018 – Authorization to enter into a Shared Services Agreement with the Borough of Waldwick: This resolution authorizes the Authority to enter into a shared services agreement with the Borough of Waldwick for a period of two (2) years to perform the following services: 1) provide monitoring of the Borough's three (3) waste water pump stations once per week on the Wednesday of each week 2) perform repairs, corrective actions as directed by the Borough 3) Clean each of the pumping stations twice annually at no additional cost and 4) support Waldwick catch basin cleaning activities when requested.

- b. TABLED: Resolution 35-2018 – Retention of Risk Manager pursuant to NJSA 19:44A-20.4: Commissioner Gabbert made a motion for Resolution 35-2018-Retention of Risk Manager pursuant to NJSA 19:44A-20.4 to be tabled until the next meeting to give the Board the opportunity to review the proposals for Risk Manager that were received and to review the quality of the work of the Authority's current risk manager. Commissioner DePhillips seconded the motion. The vote was as follows: Commissioners Bonagura, Chewcaskie, Danubio, DePhillips and Gabbert voted yes. Commissioners Lo Iacono, Plumley and Chairman Kasparian voted no.

The motion carried and the resolution has been tabled.

- c. WITHDRAWN: Resolution 36-2018 – Change Order No. 1 – Contract No. 271 – Aeration Blower Replacement, Waste Sludge System Upgrade Project: The Contractor for Contract No. 271 has indicated they will not be able to complete the project on time and therefore will be requesting an extension. However, the contractor did not submit the paperwork and no action will be taken at this time on a change order for the contract.

10. Report of Committees:

- a. Strategic Plan Subcommittee: The following two items were discussed at the Work Session:

Oakland: The NJDEP published the proposed amended Wastewater Management Plan for the Borough of Oakland in the NJ Register on March 19th. NJDEP provided the Authority with items that will need to be acted upon at the April meeting.

Wyckoff: The Authority held another meeting with the Township of Wyckoff. There were continued discussions on how the Township will guarantee connections to the Authority over a specified period of time. The representatives for Wyckoff will report to the Township Committee on the meeting and then will provide feedback to the Authority. At this time, the Authority will be taking action to authorize an agreement with Boswell Engineering for engineering related to this project.

11. Report of Treasurer – Short term investments – Approximately \$6.3 million is being held at Sussex Bank at a rate of 1.35%. Approximately \$1.2 million is being held at Sussex Bank at a rate of 1.05% and approximately \$1.1 million is being held at Santander Bank at 1.00%.
12. Report of Engineer – T&M has been working with NJDEP & the NJ Infrastructure Bank on firming up a bid schedule and revised project costs for the re-bid of Contract No. 272 – Pump Station Improvements and Contract No. 273 – Wastewater Treatment Plant Improvements. It is anticipated Contract No. 272 will be re-bid April 9th. T&M is still waiting for approval on the bid schedule for Contract No. 273.
13. Old Business: No old business.
14. New Business: Commissioner DePhillips will be resigning from the Board. He stated that it has been a pleasure to serve on the Board and commended Commissioner Chewcaskie and Chairman Kasparian on their jobs as Chairman over the past several years. Matters were handled in a non-partisan fashion and the Board worked collaboratively and did what was in the best interest of the County. Chairman Kasparian thanked Commissioner DePhillips for his service to the Authority.
15. Public Comments: No public Comments.
16. Adjournment: Commissioner Chewcaskie made a motion to adjourn the Regular meeting, Chairman Kasparian seconded the motion. The meeting adjourned at 8:10pm.


ALISON GORDON, SECRETARY