



**MINUTES
REGULAR MEETING
June 21, 2022**

1. The Meeting was called to order at 7:22pm.
2. The Assistant Executive Director read the Open Public Meetings Act statement.
3. Roll Call: The following Commissioners were present in the offices of the Authority: Bonagura (via zoom), Jordan, Kelaher, Lo Iacono, Ortega, Plumley and Chairman Kasparian.

Also present in the offices of the Authority or via a web based conference call were Executive Director James Rotundo, Assistant Executive Director John Danubio, Treasurer Todd Sherer, Superintendent Robert Genetelli, Authority Engineer Howard Hurwitz, General Counsel Douglas Bern, Esq., and Consulting Engineer Nicholas Rotonda. Board Secretary Alison Gordon was absent.
4. Chairman Remarks: No remarks.
5. Consideration for approval of minutes:
 - a. Public Hearing & Regular Meeting – May 17, 2022: Commissioner Ortega motioned to accept the minutes, Chairman Kasparian seconded the motion. The motion carried. Commissioner Kelaher abstained.
 - b. Regular Meeting – January 11, 2022: Commissioner Jordan made a motion to remove the January 11, 2022 Meeting Minutes from the table and approve same. Chairman Kasparian seconded the motion. All Commissioners voted yes and the motion carried.
6. Public Comments: No public was present.
7. Consideration for approval list of Resolutions dated June 21, 2022.
 - a. The Commissioners voted by Consent Agenda for Resolution No. 61-2022 through 71-2022. Commissioner Lo Iacono offered the Consent Agenda, Commissioner Jordan seconded. All present Commissioners voted yes.

Resolution No. 61-2022 – Approval of vouchers, payroll and tax deposits and pensions and benefits transfers for May 2022 and Health and Dental Benefits for June 2022 as follows: Payroll Account: \$333,901.69; Tax Deposit Acct: \$143,613.27; Health Benefits Contribution-Employer: \$117,670.27; Health Benefits Contribution Employee: \$4,606.51; Dental Benefits: \$4,033.20; PERS and Contributory Insurance: \$33,472.34; Operating Account: \$614,925.98; General Improvement Account: \$102,255.75.

Resolution No. 62-2022 – Resolution of the Governing Body of the Northwest Bergen County Utilities Authority authorizing Stipend and License Incentive Payments to Supervisory Employees: The Authority encourages all employees to obtain licenses and pursue trades that benefit the Authority. Several supervisory employees possess licenses and/or have provided services in a skilled trade that confer benefits on the Authority. This resolution authorizes payment of incentives to those supervisory employees.

Resolution No. 63-2022 – Salary Action for Non-Collective Bargaining Unit Employees for 2022: The Executive Director prepared salary recommendations for non-collective bargaining unit employees. This Resolution grants the salary increases for 2022 to the non-collective bargaining unit employees. The salaries will be retro-active to January 1, 2022.

Resolution No. 64-2022 – New Hire – Joseph Weimmer as Operations and Maintenance Helper: There presently exists a need for an Operations and Maintenance Helper. It has been recommended by the Executive Director and Superintendent to hire Joseph Weimmer. This Resolution employs Mr. Weimmer as an Operations and Maintenance Helper effective May 31, 2022 subject to a 180 day probationary period at an hourly rate as set forth in the non-supervisory collective bargaining agreement.

Resolution No. 65-2022 – Authorization to Increase the Not to Exceed Cost of the Professional Services Agreement with T&M Associates to Provide Engineering Services related to the Emergency Repair of the Authority's Existing Interceptor located on Chapel Road in the Township of Mahwah: The Authority previously retained T&M Associates to provide consulting engineering services for the referenced project with compensation to be capped at \$196,000. By Resolution 37-2022 dated February 15, 2022 the Authority increased the not to exceed cost to \$261,000. The Firm has submitted a request for an additional \$30,000 due to various matters related to continued part-time inspection of milling, base course and final paving as well as final closeout documents for the project. This resolution amends the original Resolution and Agreement to increase the not to exceed cost to \$291,000.

Resolution 66-2022 – Resolution Authorizing the Northwest Bergen County Utilities Authority to Approve a Sewer Connection Application with Masahiro M. Takeda for the 425 Colony Court, Township of Wyckoff, New Jersey Sewer Connection: The Authority received a Sewer Connection Application from Masahiro M. Takeda for the referenced property. The Authority's technical advisor has reviewed the application and recommends the approval of the Application. The Superintendent is authorized to prepare any and all documentation in order to facilitate the sewer connection to service the property. This resolution approves the sewer connection application subject to the requirements outlined in the Resolution.

Resolution 67-2022 – Resolution of the Governing Body of the Northwest Bergen County Utilities Authority Authorizing Emergency Spending to Manage and Transport Solids Inventory due to Offline Incinerators for Scheduled and Emergency Maintenance: On April 1, 2022 the Authority shut down its IDI Incinerator due to hotspots on the exterior shell that threatened to compromise the integrity of the incinerator. The Authority's NIRO incinerator was offline for maintenance and not

readily available. The Authority's superintendent determined as a result of the offline incinerators that the Authority needs to manage solids inventory by means of transporting solids off-site for the purpose of maintaining operations and thus concluded an emergency condition exists and recommended that transportation be secured to remove solids offsite to help maintain operations. This Resolution authorizes the immediate solicitation of quotes and award of an emergency contract and further the Authority's Superintendent and Executive Director determined in light of the emergency circumstance to utilize the services of Spectraserv, Inc. effective May 27, 2022 the date the notice was sent to the purchasing agent.

Resolution No. 68-2022 – Authorization to Approve Change Order No. 1 to the Interior Alterations at the Service Building Project: The Authority entered into a Contract for this project with Billy Contracting & Restoration, Inc. on March 17, 2022 in amount of \$874,000. Billy Contracting has submitted a Change Order in the amount of \$16,940 related to asbestos abatement and acoustical ceiling in the safety Equipment Storage Room and is more particularly set forth in the change order. This resolution approves the change order and increases the total contract cost to \$890,940.

Resolution No. 69-2022 – Authorization to Approve Change Order No. 2 to the Interior Alterations at the Service Building Project: The Authority entered into a Contract for this project with Billy Contracting & Restoration, Inc. on March 17, 2022 in amount of \$874,000. Billy Contracting has submitted a Change Order in the amount of \$8,283.00 related to asbestos abatement in the 1st floor bathroom and is more particularly set forth in the change order. This resolution approves the change order and increases the total contract cost to \$899,223.

Resolution No. 70-2022 – Authorization to Approve Change Order No. 3 to the Interior Alterations at the Service Building Project: The Authority entered into a Contract for this project with Billy Contracting & Restoration, Inc. on March 17, 2022 in amount of \$874,000. Billy Contracting has submitted a Change Order in the amount of \$3,637.00 related to installation of two 2" water line isolation valves and is more particularly set forth in the change order. This resolution approves the change order and increases the total contract cost to \$902,860.

Resolution 71-2022 – Resolution to Approve the Recognition of the Observance of Juneteenth: This Resolution recognizes the significance of Juneteenth and the observance of the end of slavery as part of the history and heritage of the United States of America and does recognize the third Friday in the month of June as "Juneteenth" day.

8. Report of Treasurer: There is approximately \$16.4 million in short term investments earning interest of 0.40% to 0.55%. Treasurer Sherer reviewed the monthly financial statement for the month ending May 31, 2022 which was distributed to the Board.
9. Report of Consulting Engineer: Mr. Rotonda advised that Pure Technologies continues the study of the Force Mains.
10. Old Business: No old business.

11. New Business: General Counsel Douglas Bern, Esq. presented three (3) Resolutions to the Board of Commissioners. These Resolutions were discussed during a Closed Session which took place during the Work Session. The Authority held the closed session in accordance with N.J.S.A. 10:4-12b subsection (7) – pending or anticipated litigation & contract negotiations and subsection (8) – employment and personnel matters.

- a. Chairman Kasparian offered Resolution 72-2022, Commissioner Kelaher seconded. All Present Commissioners voted yes.

Resolution 72-2022 – Resolution to Rescind Appointment of Executive Director – James Rotundo: The Board of Commissioners approved Resolution 03-2022 approving James Rotundo as Executive Director of the Authority. The Commissioners of the Authority recommend that appointment be rescinded as the earlier Resolution was passed based on the decision and necessity of fulfilling the position of Executive Director and which the Authority has now concluded should be rescinded due to certain unforeseen circumstances. This Resolution rescinds Resolution 03-2022 passed by the Commissioners on January 11, 2022. Any and all resolutions, appointments and/or engagements inconsistent herewith shall, to the extent of their inconsistency, be and the same are hereby superseded, and this resolution shall serve as authorization to implement the terms thereof.

- b. Commissioner Ortega offered Resolution 73-2022, Commissioner Lo Iacono seconded. All Present Commissioners voted yes.

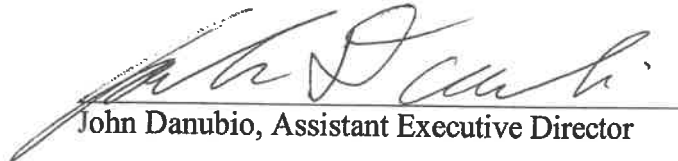
Resolution 73-2022 – Resolution Authorizing the Settlement Agreement between the Northwest Bergen County Utilities Authority and James Rotundo: A disciplinary inquiry was initiated in regard to its Executive Director, James Rotundo. Following an investigation related to a complaint received, the Authority and Mr. Rotundo have agreed that the certainty and predictability of an amicable resolution is preferable to the cost and risk of litigation. Representatives for the Parties have engaged in negotiations to finalize the details of a Settlement Agreement and they have included the terms of said settlement in a final form of Settlement Agreement that is acceptable in form and substance to the Parties and is now suitable for execution and delivery. The Authority has reviewed the settlement with the assistance of its Labor Counsel and General Counsel and has determined to enter into the settlement to conclude the investigation of the complaint in this matter. This Resolution authorizes its entry into the Settlement Agreement between the Authority and Mr. Rotundo and the NBCUA authorizes the Chairman and Assistant Secretary to execute the Agreement and related documents as may be necessary, advisable and in the best interest of the Authority in furtherance of the Settlement agreement.

- c. Commissioner Jordan offered Resolution 74-2022, Commissioner Plumley seconded. All Present Commissioners voted yes.

Resolution 74-2022 – Authorization to enter into a Shared Services Agreement with the Bergen County Utilities Authority: The Authority requires from time to time on an as needed basis the provision of managerial oversight services and including specifically from the time period June 27, 2022 through December 31, 2022. The Authority has determined, following discussions and negotiations with the BCUA, that

the BCUA is available and able to provide such Management Services to and on behalf of the Authority. The Resolution authorizes the Authority to enter into the Shared Services Agreement with the BCUA upon the terms and conditions that are set forth in the said Shared Services Agreement for the provision of Management Services by the BCUA to and on behalf of the Authority on an as-needed basis. The Chairman and/or Legal Counsel of the Authority shall be and is hereby authorized and directed on behalf of the Authority to execute the and specifically Shared Services Agreement with the BCUA, a copy of which shall remain on file at the Authority in the office of the Executive Director.

12. Public Comments: No public present.
13. Adjournment: The meeting adjourned at 7:29pm.



John Danubio, Assistant Executive Director