



**MINUTES
REGULAR MEETING
October 20, 2015**

1. The Meeting was called to order at 7:45pm.
2. The Chairman read the statement in compliance with C. 231, PL 1975.
3. Roll Call: The following Commissioners were present: Bonagura, DaPuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Plumley, Salazer and Chairman Chewcaskie.
4. Salute to the Flag took place during the Special Meeting.
5. Chairman's remarks: Chairman had no remarks.
 - a. Frank Kelaher was sworn in as a Commissioner by Joseph Garcia, Esq.
6. Consideration for approval of minutes:
 - a. Regular Meeting – September 16, 2015: Commissioner Salazer motioned to accept the minutes of the September 16, 2015 Regular Meeting, Commissioner Kasparian seconded the motion. The following Commissioners voted in favor of accepting the minutes: Commissioners Bonagura, DaPuzzo, DePhillips, Kasparian, Plumley and Salazer. The following Commissioners abstained: Commissioners Gabbert, Kelaher and Chairman Chewcaskie.
7. Public Comments:

Tom Russo of Oakland, New Jersey asked for feedback and the status of sewers being built in the Borough of Oakland. Commissioner DaPuzzo responded that the challenges of building sewers in Oakland right now fall within the New Jersey Department of Environmental Protection (NJDEP). There have been hurdles related to the Water Allocation and Water Preservation divisions within the NJDEP. There is no delay on the Authority's end. Commissioner DaPuzzo stated that the Mayor, Councilman, Administrator and Engineer of Oakland were doing a great job working to get sewers in the Borough.

Mr. Russo asked if the flow from Oakland would exceed capacity at the plant. The answer is no. The Authority Engineer, Mr. Henderson, further explained that the NJDEP has released new proposed rules for changes to the Wastewater Management Plan (WMP). The NJDEP is proposing to take out the restriction that flow capacity is based on committed flow and build out flow. The proposed rule change is that flow capacity be calculated based

on a twelve month average daily flow. The restriction to reserve capacity for all the towns is being proposed to be removed. A lot of the proposed rules seem to be geared toward lessening the NJDEP's regulation on planning and more geared toward enabling authorities to manage and plan for themselves.

Mr. Russo asked about water being taken out of the Ramapo River. Commissioner DaPuzzo responded that water which is removed from the Ramapo River will then be put back into the Saddle River if it is treated at this facility. Then there needs to be a course of action to get water back into the Ramapo River because 100% of the water from the Ramapo River is allocated as drinking water. The NJDEP is working on how to legally put water back into the Ramapo River.

Lastly, Mr. Russo asked if residents would be required to switch to sewers if sewers were built in the Borough. Commissioner DaPuzzo responded that residents would not be required to connect.

Chairman Chewcaskie stated that he has not been involved in the Oakland Sewers due to conflict of interest. But he assured Mr. Russo that this Board and the Borough of Oakland have been working diligently to get NJDEP to approve sewers in the Borough of Oakland.

Motion to close to the public was made by Commissioner DaPuzzo and seconded by Commissioner Gabbert.

8. Consideration for approval list of Resolutions dated October 20, 2015.
 - a. Commissioner DePhillips offered Resolution No. 81-2015 through 88-2015 and Commissioner Gabbert seconded. All Commissioners voted yes.

Resolution No. 81-2015 – Approval of vouchers, payroll and tax deposits and pensions and benefits transfers for September 2015 and Health and Dental Benefits for October 2015 as follows: Payroll Account: \$199,456.36; Tax Deposit Acct: \$92,729.17; Health Benefits Contribution-Employer: \$109,221.47; Health Benefits Contribution Employee: \$9,509.51; Dental Benefits: \$4,199.80; PERS and Contributory Insurance: \$29,398.05; Operating Account: \$307,868.30; General Improvement Account: \$3,670.10; 2014 WWT Project Account: \$497.46; 2015 WWT Project Account: \$237,943.11.

Resolution No. 82-2015 – Adoption of Bank Resolutions for Santander Bank: The Authority wishes to enter into a banking relationship with Santander Bank. In order to do so, the Authority must adopt certain resolutions which are outlined in the Resolution.

Resolution No. 83-2015 – Adoption of Bank Resolutions for Sussex Bank: The Authority wishes to enter into a banking relationship with Sussex Bank. In order to do so, the Authority must adopt certain resolutions which are outlined in the Resolution.

Resolution No. 84-2015 – 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: This resolution states that the Authority expects to reimburse its expenditure of Project costs paid prior to the issuance of the project debt obligations with proceeds of its Project Debt Obligations. The project referenced is for various sewer improvements, including replacement of existing aeration blower and replacement of existing waste activated sludge pumps. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$3,200,000.

Resolution No. 85-2015 – Resolution to amend Special Counsel Professional Services Contract – The Authority appointed Sokol Behot, LLP (the Sokol Firm) as Special Counsel on April 21, 2015. The original resolution and professional services agreement state the compensation for the Sokol Firm to be capped at \$18,000.00. The Sokol firm has advised the Authority that due to ongoing mediation with Underground Utilities Corporation, that the \$18,000 will be exceeded and has requested the Authority increase the not to exceed cost to \$22,200. This resolution amends the professional services agreement to increase the not to exceed cost to \$22,200 and for the original resolution and agreement remain in full force and effect.

Resolution No. 86-2015 – Resolution of the Governing Body of the Northwest Bergen County Utilities Authority authorizing Connection Fee Payment Agreement with Mountain Shadows at Franklin Lakes Condominium Association: Mountain Shadows at Franklin Lakes, A condominium Association is the owner of the Property located at 1 Valen Court, Franklin Lakes, NJ. The Association has filed an application to connect its existing facility to the Authority’s sewer system. This Resolution authorizes the payment agreement between the Association and the Authority and authorizes the Executive Director to enter into the Agreement.

Resolution No. 87-2015 – Approval of Application for Proposed Sanitary Sewer Extension – 1 Valen Court, Franklin Lakes, New Jersey: An application was submitted by Mountain Shadows at Franklin Lakes, A Condominium Association for a proposed sanitary sewer extension to be located at Block 2503, Lot 1. The proposed extension would connect a 64 unit condominium complex to the sanitary sewer system. The property will contribute an average daily flow of 14,400 gallons per day, or 64 additional residential EDUs. The Authority’s technical advisor has reviewed the application and the documents and drawing submitted in support thereof and has determined that certain items were missing from the submission. Contingent upon receipt of those items, the technical advisor recommends the application be approved. This resolution approves this application subject to the fulfillment of certain terms and conditions by the Applicant as outlined in the Resolution and contingent upon receipt of the missing information.

Resolution No. 88-2015 – Resolution authorizing the Engagement of Services of Allan Rotto Consultants, Inc.: The Authority has the need to retain the services of an organization to audit, correct and submit recommendations for all possible savings, refunds and credits or adjustments due based on its electric, gas, water and telecommunications bills. Allan Rotto Consultants, Inc. and George A Koteen Associates, Inc. (the “Auditor”) are highly experienced in providing such services. The services will not exceed \$17,500. The Authority has the need to acquire the services on a non-fair and open contract. This resolution authorizes the engagement of services of the Auditor and for execution of an agreement by the Chairman. The Political Contribution Disclosure Certification, Business Disclosure Entity Certification, and Business Registration Certificate of the Auditor, shall be placed on file in the office of the Executive Director and made available for public inspection. The Agreement will also be on file and made available for public inspection.

- b. Motion 2015-06: Commissioner Kasparian offered Motion 2015-06, Commissioner Kelaher seconded. All Commissioners voted yes to pass the motion.

Motion 2015-06: This motion approves the attendance to the Association of Environmental Authorities’ 2015 Annual Meeting Conference in Atlantic City, New Jersey by Howard Hurwitz and James Rotundo and for the attendance to the New Jersey State League of Municipalities by James Rotundo and John DeRienzo.

9. Report 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. Strategic Planning Subcommittee – Nothing further to Report
- f. Building and Grounds – Nothing further to Report
- g. Intellectual Technology – Nothing further to Report.

10. Report of Treasurer – Given by Executive Director Hurwitz: Short term investments –\$3.5 million is being held at Bank of New Jersey at a rate of 0.75%; approximately \$6 million is being held at TD Bank at 0.10%; \$670,000 is in US SLGS at 5%.

11. Report of Counsel – Nothing further to Report.

12. Report of Engineer – Nothing further to Report.

13. Report of Executive Director – Nothing further to Report.
14. Report of Superintendent – The scrubber has been winterized and is in operation.
15. Old Business: No old business.
16. New Business: No new business.
17. Public Comments: No public comments.
18. Closed Session: Chairman Chewcaskie read the Resolution to enter into Closed Session and amended the Resolution to include two additional items. The Board held a Closed Session for the following reasons: 1) potential litigation – Contract No. 266 – Midland Park and Goffle Road Pump Station Upgrades, 2) Mediation with Underground Utilities Corporation and 3) Contract Negotiations with Union Local 11. Commissioner DePhillips made a motion to go into Closed Session, Commissioner DaPuzzo seconded. All Commissioners voted yes to enter into closed session at 8:05pm. The Board adjourned Closed Session at 8:25pm.
19. Adjournment: Commissioner DaPuzzo made a motion to adjourn the Regular meeting at 8:26pm, Commissioner Kasparian seconded the motion. All present Commissioners were in favor of ending the meeting at 8:26pm.


ALISON GORDON, SECRETARY