



**NORTHWEST BERGEN COUNTY
UTILITIES AUTHORITY**

30 Wyckoff Avenue
at Authority Drive
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Special Meeting
October 16, 2013

1. Meeting called to order by Chairman Chewcaskie at 7:08 p.m.
2. Chairman read the statement in compliance with C. 231,PL 1975.
3. Roll Call: the following Commissioners were present: DePhillips, Gabbert, Kasparian, Kelaher, Plumley, Salazer, Chewcaskie. Commissioner DaPuzzo arrived at 7:10pm.
4. Salute to the Flag had been conducted at the preceding Public Hearing.
5. Chairman's remarks.

Chairman had no remarks.

6. **2014 Preliminary Budget**

The Chairman began with a discussion of the 2014 Preliminary Budget. He reported that the Operations and Finance Committees have both reviewed the Preliminary Budget. The Chairman also briefly described the Budget Process. He then asked the commissioners if there were any questions concerning the 2014 Preliminary Budget.

Commissioner DePhillips asked what would be the impact on the budget by Franklin Lakes and what the status of the relationship between the Authority and Franklin Lakes is. Commissioner DePhillips further clarified that he wanted to know if there will be representation for Franklin Lakes on the Board. Mr. Hurwitz stated that the anticipated completion date of the Franklin Lakes project would likely be end of November and the potential of commissioning the system would be at that time as well. Commissioner DePhillips asked what is in the 2014 Preliminary Budget for Franklin Lakes. Mr. Hurwitz explained to him that at the present time the only budget item for Franklin Lakes is the operation of the pump station at Franklin Crossing. Mr. Hurwitz also told him that in regards to Franklin Lakes representation on the Board, State law allows for nine commissioners.

Chairman Chewcaskie stated that Franklin Lakes has authorized their Engineer, Boswell Engineering to begin putting together drawings and plans for the area around the municipal building and Mr. Hurwitz has had discussions with Mountain Shadows regarding their connection to the system as well. Revenue stream is not yet determined but initial revenue will likely be from Franklin Avenue where the stores primarily are.



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Mr. Hurwitz wanted to further note in regards to the question of Franklin Lakes representation on the Board of Commissioners that our by-laws allow for two alternates. Jeff Zenn mentioned that there is no requirement regarding which member municipalities are represented on the Board. The Chairman also wanted to add to this discussion that Franklin Lakes representation has been explored by the County Executive and Board of Freeholders but then they chose not to appoint a Commissioner from Franklin Lakes at that time.

Contract No. 262 – Primary Clarifier Sludge Collection Rehabilitation System

Keith Henderson, the Authority's Consulting Engineer, explained to the Board that in September we had received bids for Contract 262. He described to the Board briefly what the Primary Tanks are and what their function is. He told the Board that the low-bidder was Coppola Services, however, they withdrew their bid and this was approved at the Authority's October 1, 2013 meeting.

The next apparent low bidder was Gingerelli Brothers but there were 2 issues with their bid. First they did not have wastewater treatment experience and second being that they bid \$0.01 for concrete repairs which resulted in an unbalanced bid. This is not an anticipated repair, however this is something that cannot be predicted until the draining of the tanks. Keith deemed Gingerelli's bid unresponsive due to these problems.

The next low bidder after Gingerelli Brothers is Rapid Pump and Meter Service, Co. Inc. He noted that if the concrete repairs are not factored into the base bid then Rapid would in fact be the low bidder. Rapid Pump has performed work for the Authority in the past and Mr. Henderson recommended Rapid Pump be awarded for Cont. 262 with a total amount bid of \$914,960. Mr. Zenn wanted to add that the Authority has been faced with materially unbalanced bids in the past and is aware of what issues can arise from this.

Memorandum of Understanding with the Borough of Oakland

Chairman Chewcaskie recused himself from discussing Oakland due to a conflict of interest and asked Commissioner Kasparian to take the lead on this discussion.

Commissioner Kasparian briefed the commissioners on the Memorandum of Understanding (MOU) with the Borough of Oakland. The Borough passed a resolution at their Mayor and Council Meeting and have executed the MOU. He stated that the next step would be to meet with Borough representatives and the goal of that meeting would be to develop a scope of the Wastewater Management Plan (WMP). After that meeting takes place, the Authority would then request to the NJDEP that the Authority become the Planning Agency for Oakland. Once the Authority becomes the planning agency then our Engineer would be able to begin crafting a WMP. He mentioned that in the 2014 Budget there is a line item for the WMP and anticipates it would take approximately 6-7 months to do. He noted that this MOU is non-binding because there is the possibility that



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an agreement will not be made regarding the WMP. Lastly, he made it clear that prior to beginning the WMP work and spending the money to do so, there would be a signed Service Contract in place between the Authority and Oakland.

7. There were no public comments.

8. Vote on the Resolutions:

The Board was in agreement to vote on each Resolution individually. The votes were as followed:

Resolution No. 59-2013 – Preliminary Budget for fiscal year January 1, 2014 to December 31, 2014 was offered by Commissioner Gabbert and Seconded by Commissioner Kelaher. All Commissioners in attendance voted in favor of this resolution.

Resolution No. 60-2013 – Award Bid, Cont. No. 262 Primary Clarifier Sludge Collection Rehabilitation was offered by Commissioner DaPuzzo and seconded by Commissioner Kelaher. All Commissioners in attendance voted in favor of this resolution.

Resolution No. 61-2013 – Approve Memorandum of Understand with the Borough of Oakland was offered by Commissioner DePhillips and seconded by Commissioner DaPuzzo. Commissioners Dapuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Plumley and Salazer voted in favor of the resolution as amended. Chairman Chewcaskie abstained from voting on this resolution.

9. At this time the Chairman advised the Public that the Board would be going into Executive Session to discuss litigation and that immediately after Executive Session would be adjournment of the Special Meeting. The Board voted to go into Executive Session at 7:28 p.m. The motion was made by Commissioner DePhillips and seconded by Commissioner DaPuzzo, all present voted in favor of Executive Session.

10. The Board ended executive session at 8:09 p.m., which was offered by Commissioner DaPuzzo and seconded by Commissioner Salazer. All commissioners voted in favor of ending Executive Session.

11. At 8:10 p.m. the Commissioners voted to adjourn the Special Meeting. The motion was made by Commissioner Kasparian and seconded by Commissioner Salazer.


Howard Hurwitz, Executive Director