



**MINUTES  
REORGANIZATION MEETING  
February 21, 2017**

1. The Meeting was called to order at 7:23pm.
2. The Chairman read the statement in compliance with C. 231, PL 1975.
3. Roll Call: The following Commissioners were present: Bonagura, Danubio, DePhillips, Gabbert, Kasparian (via telephone), Kelaher, Plumley and Chewcaskie.
4. Salute to the Flag was led by the Chairman.
5. Election of Officers:
  - a. Report of Nominating Committee: Commissioner Kelaher reported that the nominating committee nominates Michael Kasparian as Chairman and Frank Kelaher as Vice-Chairman for the ensuing year.
  - b. Election of Chairman and Vice-Chairman for ensuing year: Commissioner Kelaher made a motion to elect Michael Kasparian as Chairman, Commissioner Gabbert seconded the motion. All present Commissioners voted yes. Commissioner Kelaher made a motion to elect himself as Vice-Chairman, Commissioner Danubio seconded the motion. All present Commissioners voted yes.

Chairman Kasparian thanked Commissioner Chewcaskie for his service and leadership over these past 5 years as Chairman of the Board.
6. The Chairman Remarks: No Chairman Remarks.
7. Public Comments: Ron Kistner: 75 Oak Grove Drive, Hasbrouck Heights, NJ, Administrative Officer/Director of Operations for Borough of Allendale: Mr. Kistner thanked the Authority Staff for their efforts in becoming the Borough's Licensed Operator and that the transition has been smooth and is going well. He is looking forward to the continued relationship between the Borough of Allendale and the Authority. Mr. Kistner also added that he was in attendance of Mr. Hurwitz's presentation at the Northwest Bergen Mayors Association and found the presentation to be excellent.
8. Consideration for approval of minutes:
  - a. Regular Meeting – January 10, 2017: Commissioner Kelaher motioned to accept the minutes from the January 10, 2017 Regular Meeting. Commissioner Danubio seconded the motion. The following Commissioners voted yes: Bonagura, Chewcaskie, Danubio,

DePhillips, Kelaher, Plumley and Chairman Kasparian. Commissioner Gabbert abstained.

- b. Special Meeting – January 10, 2017: Commissioner Danubio motioned to accept the minutes from the January 10, 2017 Special Meeting, Commissioner Kelaher seconded the motion. The following Commissioners voted yes: Bonagura, Chewcaskie, Danubio, DePhillips, Kelaher, Plumley and Chairman Kasparian. Commissioner Gabbert abstained.

9. Consideration for approval list of Resolutions dated February 21, 2017.

- a. The Commissioners voted on Resolution No. 05-2017 through 30-2017 by Consent Resolution. Commissioner Danubio offered the Consent Resolution and Commissioner Gabbert seconded. All present Commissioners voted yes. Commissioner Chewcaskie abstained on Resolution 23-2017.

Resolution No. 05-2017 – Approval of vouchers, payroll and tax deposits and pensions and benefits transfers for January 2017 and Health and Dental Benefits for February 2017 as follows: Payroll Account: \$303,432.94; Tax Deposit Acct: \$146,993.98; Health Benefits Contribution-Employer: \$109,203.22; Health Benefits Contribution Employee: \$13,394.11; Dental Benefits: \$4,122.41; PERS and Contributory Insurance: \$32,959.74; Operating Account: \$277,183.70; General Improvement Account: \$172,915.61; 2015 WWT Project Account: \$21,347.85.

Resolution No. 06-2017 – 2017 Schedule of Meetings: This resolution sets the meeting dates for the year 2017.

Resolution No. 07-2017 – Official Newspapers for 2017: This resolution designates the Record, Ridgewood News and Herald News as official newspapers for the Authority for 2017.

Resolution No. 08-2017 – Designation of Bank Depositories for 2017: The following banks have been designated as depositories for the Year 2017: TD Bank, Allendale, NJ; Bank of New York Mellon, Woodland Park, NJ; Bank of New Jersey, Haworth, NJ; Santander Bank, Short Hills, NJ; Sussex Bank, Franklin, NJ.

Resolution No. 09-2017 – Resolution authorizing contracts with certain approved State Contractor Vendors for Contracting Unites pursuant to NJSA40A:11-12a: This Resolution authorizes the purchasing agent to purchase certain goods and services from those approved New Jersey State Contract Vendors as indicated by attachment to the Resolution.

Resolution No. 10-2017 – Authorization to enter into a Shared Services Agreement with the Borough of Saddle River: This resolution authorizes the Authority to enter into a shared services agreement with the Borough of Saddle River for a period of one (1) year to act as the Borough's New Jersey Licensed Operator and to provide monthly monitoring to the Borough's one (1) wastewater pump station and to

perform repairs, corrective actions and respond to pump station alarms during business and non-business hours.

Resolution No. 11-2017 – Authorization to enter into a Shared Services Agreement with the Borough of Allendale: This resolution authorizes the Authority to enter into a shared services agreement with the Borough of Allendale for a period of one (1) year for the following services: 1) act as the Borough’s New Jersey Licensed Operator 2) respond to sanitary sewer collection emergencies 24 hours a day, 7 days a week 3) coordinate all third party repairs of the collections system 4) coordinate, participate and correspond to any and all NJDEP inspections and actions regarding the sanitary sewer collection system 5) coordinate with the Borough any NJDEP hotline calls and correspondence regarding the sanitary collection system 6) upon request, coordinate and conduct a manhole inspection program and 7) upon request, can conduct New Jersey State Certified Backflow Preventer tests.

Resolution 12-2017 – Appointment of Secretary to the Northwest Bergen County Utilities Authority – Alison Gordon: This resolution reappoints Alison Gordon as Secretary to the Authority for a period of three (3) years at an annual salary of \$5,000.

Resolution No. 13-2017 – Proposed Sanitary Sewer Extension – Solana at Waldwick, 237, 239, 241, 247 Wyckoff Avenue, Block 163 Lot 11, 12, 12.01, 13, Borough of Waldwick, NJ: FSP – Waldwick Property, LLC submitted an application for a sewer extension to be located at 237, 239, 241 & 247 Wyckoff Avenue in the Borough of Waldwick. The Project proposes to provide sanitary sewer service to a 93 bed assisted living facility. The average flow for this project would be 9,300 gallons per day, or 40 non-residential equivalent dwelling units. The Authority’s technical advisor has reviewed the application and recommends the Authority approve the project. This Resolution approves the application made by FSP – Waldwick Property, NJ for the proposed sanitary sewer extension at 237, 239, 241 & 247 Wyckoff Avenue subject to the fulfillment of the terms and conditions outlined within the resolution.

Resolution No. 14-2017 – Approval of Change Order No. 1 – Contract No. 275 – Woodside Avenue Resurfacing: The Contractor requested certain changes to the Project as outlined in the Change Order and the Engineer recommends the Authority to approve the change order. This results in a reduction in the project cost of \$18,353.01.

Resolution No. 15-2017 – Authorization to Award Contract No. 276 – Secondary Heat Exchanger Outlet Plenum Project: One bid proposal was received on February 8, 2017 for Contract 276 by Iron Hills Construction, Inc. in the amount of \$68,557.00. The bid proposal was reviewed by the Authority’s Engineer and Legal Counsel and it has been determined that Iron Hills is the lowest responsible bidder. This resolution awards Contract 276 to Iron Hills Construction in the amount of \$68,557.00

Resolution 16-2017 – Award Bid – Contract No. 277 – Disposal of Incinerator Ash: The Authority received 2 bids on February 10, 2017 for Contract 277. The bids were as follows: Waste Management of New Jersey, Inc: \$95.00 per ton for existing and future incinerator ash; Spectraserv, Inc.: \$117.00 per ton of existing and future incinerator ash. The bids were reviewed by the Authority’s technical advisor and legal counsel and it was determined that Waste Management of NJ is the lowest responsible bidder. This resolution awards Contract 277 to Waste Management of NJ for a rate of \$95.00 per ton of existing and future incinerator ash for a period of 2 years.

Resolution No.17-2017 – Qualifications of individuals/firms for the provision of legal services. The Authority issued a Request for qualifications for legal services on January 13, 2017. Five (5) responses were received on January 31, 2017. The following firms/individuals were found to be qualified to provide legal services to the Authority: Eric M. Bernstein and Associates, LLC; Cullen & Dykman, LLP; Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern, PA; Chasan, Lamparello, Mallon & Capuzzo; Mariniello & Mariniello, PC.

Resolution No. 18-2017 – Qualification of individuals/firms for the provision of engineering services. The Authority issued a Request for qualifications for engineering services on January 13, 2017. Nine (9) responses were received on January 31, 2017. The following nine (9) firms/individuals were found to be qualified to provide engineering services to the Authority: Boswell Engineering; Chavond Barry Engineering Corp; CME Associates; T&M Associates; Tighe & Bond; CP Professional Services; Suburban Consulting Engineers; Engineered Solutions Corporation; Neglia Engineering Associates.

Resolution No. 19-2017 – Qualification of individuals/firms for the provision of auditing services. The Authority issued a Request for qualifications for the position of Auditor on January 13, 2017. One (1) response was received on January 31, 2017. The following firms/individuals were found to be qualified to provide auditing services to the Authority: Ferraioli, Wielkocz, Cerullo & Cuva, PA.

Resolution No. 20-2017 – Qualifications of individuals/firms for the provision of bond counsel services. The Authority issued a Request for qualifications for bond counsel services on January 13, 2017. Two (2) responses were received on January 31, 2017. The following two (2) firms/individuals were found to be qualified to provide bond counsel services to the Authority: Gibbons, PC; Waters, McPherson, McNeill, PC.

Resolution No. 21-2017: Qualifications of individuals/firms for the provision of risk management services: The Authority issued a Request for qualifications for risk management services on January 13, 2017. Three (3) responses were received on January 31, 2017. The following two (2) firms were found to be qualified to provide risk management services to the Authority: Arthur Caughlan and Gerard Quinn, A Division of Nelson-Patterson and Conklin & Kraft; Brown & Brown Public Risk Advisors.

Resolution No. 22-2017 – Retention of Auditor for 2017 pursuant to NJSA 19:44A-20.4: The firm of Ferraioli, Wielkotz, Cerullo & Cuva, PA was found to be highly qualified and eminently capable of providing auditing services to the Authority. This Resolution retains Ferraioli, Wielkotz, Cerullo & Cuva, PA as Auditor for the year 2017 with a not to exceed compensation amount of \$72,000.

Resolution No. 23-2017 – Retention of General Counsel pursuant to N.J.S.A. 19:44A-20.4. Chasan, Leyner & Lamparello, PC was found to be highly qualified and eminently capable of providing legal services. This resolution retains Chasan, Leyner & Lamparello, PC as General Counsel for 2017, with a not to exceed compensation amount of \$65,000.

Resolution No. 24-2017 – Retention of Labor Counsel pursuant to N.J.S.A. 19:44A-20.4. Eric M. Bernstein & Associates, LLC was found to be highly qualified and eminently capable of providing labor counsel services. This resolution retains Eric M. Bernstein & Associates, LLC as Labor Counsel for 2017, with a not to exceed compensation amount of \$30,000.

Resolution No. 25-2017 – Retention of Bond Counsel pursuant to N.J.S.A. 19:44A-20.4. Gibbons, PC was found to be highly qualified and eminently capable of providing bond counsel services. This resolution retains Gibbons, PC as Bond Counsel for 2017, with a not to exceed compensation amount of \$65,000.

Resolution No. 26-2017: Retention of Risk Manager pursuant to N.J.S.A. 19:44A-20.4. Arthur Caughlan and Gerard Quinn, Division of Nelson-Patterson and Conklin & Kraft was found to be highly qualified and eminently capable of providing risk management services. This resolution retains Arthur Caughlan and Gerard Quinn as Risk Manager for 2017, at a rate of 3% of the NJUJIF Annual Premium Assessment.

Resolution No. 27-2017 – Retention of Authority Engineer pursuant to N.J.S.A. 19:44A-20.4. T&M Associates was found to be highly qualified and eminently capable of providing consulting engineer services. This resolution retains T&M Associates as the Authority Engineer for 2017, with a not to exceed compensation amount of \$90,000.

Resolution No. 28-2017 – Retention of Authority Engineer for General Incinerator Advice pursuant to N.J.S.A. 19:44A-20.4. Chavond Barry Engineering Corp. was found to be highly qualified and eminently capable of providing consulting engineer services. This resolution retains Chavond Barry Engineering Corp. as Consulting Engineer to provide general incinerator advice in 2017, with a not to exceed compensation amount of \$35,000.

Resolution 29-2017 – Retention of Engineer for 2017 for Instrumentation, Automation and Computer Systems pursuant to NJSA 19:44A-20.4: Engineered Solutions Corporation was found to be highly qualified and eminently capable of

providing consulting engineer services. This resolution retains Engineered Solutions Corporation as Consulting Engineer to provide engineered services related to Instrumentation, Automation and Computer Systems in 2017, with a not to exceed compensation amount of \$75,000.

Resolution No. 30-2017 – Retention of Authority Engineer for Service Charges pursuant to N.J.S.A. 19:44A-20.4. Paul Malmrose of Tighe & Bond, Inc. was determined to be highly qualified and capable of providing consulting engineering services to the Authority. This resolution retains Paul Malmrose of Tighe & Bond as the engineer for 2018 service charges with a not to exceed compensation of \$42,400.

- b. Commissioner Gabbert offered Motion 17-02, Commissioner Kelaher seconded the motion. All Commissioners voted yes.

Motion 17-02 – Motion to authorize Executive Director Howard Hurwitz and Assistant Executive Director James Rotundo to attend the Association of Environmental Authorities' Utility Management Conference in Atlantic City, New Jersey on March 14-15, 2017.

#### 10. Report of Committees:

- a. Finance Committee – Nothing further to Report
- b. Personnel Committee – A memorandum of understanding was issued by the Authority's Labor Counsel, Eric Bernstein on January 10, 2017. The Union has provided the Authority with a response to the MOU. The Authority's negotiating team is meeting on Monday, February 27<sup>th</sup> to go over the feedback from the Union.
- c. Insurance Committee -- Nothing further to Report
- d. Operating Committee -- During the Work Session, Executive Director Hurwitz reported on the Incinerator Emissions Upgrade Project. The project should have been completed by March 2016, however the Contractor did not meet that date. After a meeting last summer with the USEPA, we provided an estimated schedule for completion. Christopher Doelling of Chavond Barry Engineering has regularly contacted the EPA without communication back. Recently, the EPA has been asking for additional information and Mr. Doelling had a conference call with them to discuss various items. A new person is handling this at the EPA and has requested that we re-send them everything we have sent to the EPA concerning the emissions upgrade project. The Authority's General Counsel in conjunction with Mr. Doelling will work to put together everything that was sent to the EPA. Commissioner Chewcaskie added that a chronology should be created of all the documents that were submitted detailing what was submitted and when.

The first incinerator unit satisfactorily passed the stack test. The 2<sup>nd</sup> unit has been started up to prepare for the test. The unit will operate for some time while the

incinerator unit is integrated with the new equipment. Once the unit is ready for the stack test we will contact the EPA with at least 30 days' notice prior to the test. An updated schedule will be provided to the EPA once we have a firm test date.

- e. Strategic Plan Subcommittee – Nothing further to Report
  - f. Building and Grounds Committee – Nothing further to Report
  - g. Safety and Security Committee – Nothing further to Report
  - h. Intellectual Technology Committee – Nothing further to report
11. Report of Treasurer – Short term investments – Approximately \$4.8 million is being held at Bank of New Jersey and Santander Bank at a rate of 0.5%. Approximately \$4.3 million is being held at Sussex Bank at rates of 0.7%.
  12. Report of Counsel – Bassett v. NBCUA: The return date on the motion for summary judgment is March 3<sup>rd</sup>. The court had scheduled a settlement conference for February 21<sup>st</sup>. However, all parties agreed to put off the settlement conference to a later date due to the pending motion for summary judgment.
  13. Report of Engineer – Nothing further to Report
  14. Report of Executive Director – Mr. Hurwitz attended a meeting with the Northwest Bergen Mayors Association. Items discussed were service charges, the Authority's capital program and the shared services the Authority offers. Assistant Executive Director James Rotundo and Municipal Liaison John DeRienzo also attended the meeting.
  15. Old Business: No old business.
  16. New Business: No new business.
  17. Public Comments: No public Comments
  18. Adjournment: Commissioner DePhillips made a motion to adjourn the Reorganization meeting at 7:34pm. Commissioner Gabbert seconded the motion. All present Commissioners voted in favor of ending the meeting at 7:34pm.

  
ALISON GORDON, SECRETARY