

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie

Seconded by Commissioner Kelaher Date Jan. 10, 2012

CONSENT RESOLUTION

RESOLVED,

BE IT RESOLVED, that the following Consent Resolution and Motion herewith listed having been considered by the Commissioners of this Authority be and are hereby passed and approved.

- 01-2012. Approval of vouchers, payroll and tax deposits.
- 02-2012. 2012 Service Charges.
- 03-2012. Designation of Public Agency Compliance Officer.
- 04-2012. Resolution ratifying emergency purchases and contracts Caused by Incinerator Failure.
- 05-2012. Retention of Authority Consulting Engineer for Inflow & Infiltration (I&I) Studies.
- 06-2012. Approval of Tighe & Bond Amendment #2, 2011 Meter Review and 2012 User Charges.
- 07-2012. Authorization to execute Utility Easement Agreement to Provide a Non-Exclusive Easement over a portion of the Driveway leading to the Authority's Darlington Pump Station.


CHAIRMAN


SECRETARY

Roll Call: Ayes: Commissioners Chewcaskie, Dachnowicz, Kasparian,
Kelaher, Plumley, Rotonda, Shafron, Dator
Nays: None
Absent: None

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

Offered by Commissioner Chewcaskie

No. 01-2012.

Seconded by Commissioner Kelaher

Date Jan. 10, 2012

**APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS
AND PENSIONS & BENEFITS TRANSFERS**

RESOLVED,

WHEREAS, the Northwest Bergen County Utilities Authority has received vouchers in claim for payment of materials supplied and/or rendered; and

WHEREAS, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and

WHEREAS, the Northwest Bergen County Utilities Authority has made payroll transfers, payroll tax deposits and Pension & Benefits transfers for the month of Dec. 2011 and Health and Dental Benefits transfers for January 2012; and

WHEREAS, the Commissioners of the Authority have reviewed the vouchers, payroll transfers, payroll tax deposits, Pension and Benefits, and Health and Dental Benefits transfers listing on the attached reports and have found them to be in order.

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that all vouchers, payroll transfers, payroll tax deposits, Pension & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated Jan. 10, 2012 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT:	PAYROLL ACCOUNT
NET PAYROLL:	\$215,728.38

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

Offered by: Commissioner Chewcaskie

No. 01-2012. page 2

Seconded by: Commissioner Kelaher

Date: Jan. 10, 2012

ACCOUNT: TAX DEPOSIT ACCOUNT
TOTAL TAX DEPOSIT: \$ 78,195.41

ACCOUNT: PERS AND CONTRIBUTORY INSURANCE
TOTAL TRANSFER: \$ 25,183.49

ACCOUNT: HEALTH BENEFITS
TOTAL TRANSFER: \$ 93,794.26

ACCOUNT: DENTAL BENEFITS
TOTAL TRANSFER: \$ 4,482.09

ACCOUNT: DCRP EMPLOYEE CONTRIBUTION - DEC.
TOTAL: \$ 27.08

ACCOUNT: DCRP EMPLOYER CONTRIBUTION - DEC.
TOTAL: \$ 12.50

ACCOUNT: OPERATING ACCOUNT
TOTAL: \$352,445.47

ACCOUNT: GENERAL IMPROVEMENT
TOTAL: \$ 24,694.32

ACCOUNT: 2009A PROJECT ACCOUNT
TOTAL: \$663,002.00

ACCOUNT: 2010 WWT PROJECT ACCOUNT
TOTAL: \$ 31,588.30


SECRETARY


CHAIRMAN

Roll Call: Ayes: Commissioners Chewcaskie, Dachnowicz, Kasparian,
Kelaher, Plumley, Rotonda, Shafron, Dator
Nayes: None
Absent: None

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 02-2012

Offered by Commissioner Chewcaskie

Seconded by Commissioner Kelaher

Date: Jan. 10, 2012

2012 SERVICE CHARGES

RESOLVED,

WHEREAS, the Northwest Bergen County Utilities Authority was established pursuant to New Jersey Statutes Chapter 36A Title 40, and presently is authorized to operate pursuant to N.J.S.A.40:14B-2; and

WHEREAS, the municipalities of Allendale, Ho-Ho-Kus, Midland Park, Ramsey, Waldwick and Wyckoff, on or about March 12, 1965, The Village of Ridgewood on or about July 5, 1972, and the Township of Mahwah, on or about June 25, 1975, entered into Service Contracts with the Northwest Bergen County Utilities Authority whereby the various rights and obligations of the parties concerning operation, establishment and calculation of rates, and method of payments were established; and

WHEREAS, on or about July 15, 1986, the Northwest Bergen County Utilities Authority adopted a Bond Resolution authorizing financing for the continued operation and maintenance of the district sewer system; and

WHEREAS, pursuant to said statutory authorization and Service Contracts, the Northwest Bergen County Utilities Authority adopted a budget for the fiscal year of January 1, 2012 to December 31, 2012, making provision for the payment of \$13,728,526.00, being the amount that the Authority estimates will be required (in addition to other funds on hand applicable for such purposes) to be paid by said municipalities during the current fiscal year January 1, 2012, as and for security of payment of principal and interest on outstanding bonds or other obligations Authorized by said statutes and service contracts, and for the cost of operation, depreciation, and repair of the district's sewer system including establishment and maintenance of working capital and reserves; and

WHEREAS, the above stated Statutes and Service Contracts provide that the Authority may prescribe the sum to be charged for the discharge and disposal of sewage

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie

No. 02-2012

Page 2

Seconded by Commissioner Kelaher

Date: January 10, 2012

2012 SERVICE CHARGES

through the district sewer system pursuant to N.J.S.A.14:14B-2 and related statutes thereto; and

WHEREAS, by Resolution dated November 3, 1983, the Commissioners determined that, commencing January 4, 1984, and for a period of three years, User Service Charges be calculated based upon a formula which gave equal weight in determining User Service Charges to adjusted metered flow, water connections based on equivalent dwelling units, and water usage; and

WHEREAS, the said Resolution further provided that, effective January 1, 1987, User Service Charges be calculated according to a formula in which 60% of User Service Charges are based on adjusted metered flow, 20% are based on water connections and 20% are based on water usage (the 60-20-20 Formula).

NOW, THEREFORE, BE IT

RESOLVED, that the Authority does hereby calculate the amount of money each of the said municipalities shall be required to pay to the Authority during the 2012 year as follows:

Borough of Allendale	\$1,736,759.00
Borough of Ho-Ho-Kus	752,305.00
Township of Mahwah	3,852,515.00
Borough of Midland Park	1,224,357.00
Borough of Ramsey	2,501,677.00
Village of Ridgewood	28,193.00
Borough of Waldwick	1,882,838.00
Township of Wyckoff	<u>1,749,882.00</u>
TOTAL	\$13,728,526.00

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie No.02-2012. Page 3

Seconded by Commissioner Kelaher Date: January 10, 2012

2012 SERVICE CHARGES

and;

FURTHER RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the Secretary be and she hereby is authorized and directed to forward to each of the said municipalities a certified copy of this resolution so that they might make provision for payment to the Authority of the amount certified to be due as set for the above, the total amount due from each municipality being payable in equal quarterly installments due and to be made on or before the 15th of February, May, August and November, all in the year 2012 and in accordance with the Service Agreements above mentioned.



CHAIRMAN



SECRETARY

Roll Call: Ayes: Commissioners Chewcaskie, Dachnowicz, Kasparian, Kelaher, Plumley, Rotonda, Shafron, Dator
Nayes: None
Absent: None

SERV.CHG

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

OFFERED BY Commissioner Chewcaskie

NO. 03-2012

SECONDED BY Commissioner Kelaher

DATE: Jan. 10, 2012

DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER

RESOLVED,

WHEREAS, the Law Against Discrimination, Public Law 1973, Chapter 127 requires affirmative action in the performance of contracts which receive funding from the State of New Jersey; and

WHEREAS, recent amendments to the regulation implementing the Law Against Discrimination require that every public agency annually designate an officer or employee to serve as the Public Agency Compliance Officer who shall be responsible for ensuring the agency's compliance with the applicable regulation and who shall perform liaison and assistance functions as may be requested by the Affirmative Action Office of the Department of the Treasury of the State of New Jersey; and

WHEREAS, the Northwest Bergen County Utilities Authority is a public agency as defined by the regulations;

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that Madeline Thumudo be and she is hereby designated as the Public Agency Compliance Officer for the period January 2012 through December 2012.



CHAIRMAN



SECRETARY

Roll Call: Ayes: Commissioners Chewcaskie, Dachnowicz, Kasparian,
Kelaher, Plumley, Rotonda, Shafron, Dator
Nays: None
Absent: None

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie

No. 04-2012

Seconded by Commissioner Kelaher

Date: Jan.10, 2012

**RESOLUTION RATIFYING EMERGENCY PURCHASES AND CONTRACTS
CAUSED BY INCINERATOR FAILURE**

RESOLVED,

WHEREAS, on or about Nov. 20, 2011, the Northwest Bergen County Utilities Authority wastewater treatment plant at Waldwick, New Jersey suffered an equipment failure in its IDI fluid bed incinerator, which failure caused an immediate interruption in the incineration of sewage sludge processed at the plant; and

WHEREAS, Howard Hurwitz, Authority Executive Director, being fully informed in the premises, determined that such failure manifested the clear likelihood that wastewater treatment at the plant would be interrupted for an extended period of time, clearly endangering the public health and welfare and filed the necessary Emergency Procurement Report with the Director of Local Government Services (copy attached); and

WHEREAS, in reliance upon the determination of the Executive Director, and for the duration of the said incinerator failure, the Northwest Bergen County Utilities Authority arranged for the removal of sewage sludge and the processing thereof elsewhere, all in reliance upon N.J.S.A.40A:11-6;

NOW, THEREFORE, BE IT

RESOLVED, that the determination of the existence of a public health Emergency on and after Nov. 20, 2011 by the Executive Director of The Northwest Bergen County Utilities Authority on account of the Incinerator failure be and the same is herewith ratified and it is

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie

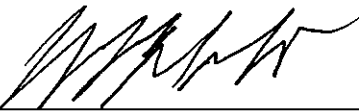
No. 04-2012 page 2

Seconded by Commissioner Kelaher

Date: Jan. 10, 2012

**RESOLUTION RATIFYING EMERGENCY PURCHASES AND CONTRACTS
CAUSED BY INCINERATOR FAILURE**

FURTHER RESOLVED, that all emergency purchases and contracts within the meaning and purview of N.J.S.A.40A:11-6 made by the Authority on account of, and to abate the damages caused by the Incinerator failure on and after Nov. 20, 2011, as the same affected the Authority's wastewater treatment plant and supporting facilities be and the same are confirmed to be emergency purchases and contracts within the meaning of the statute authorizing the same.



CHAIRMAN



SECRETARY

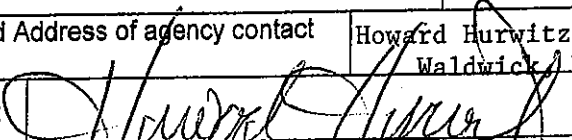
Roll Call: Ayes: Commissioners Chewcaskie, Dachnowicz, Kasparian,
Kelaher, Plumley, Rotonda, Shafron, Dator
Nays: None
Absent: None

N.J. Division of Local Government Services

EMERGENCY PROCUREMENT REPORT

This report is to be filed by the contracting agent of the public agency with the Director of the Division of Local Government Services within 30 days of the date the emergency contract was issued. Please provide the necessary information to satisfactorily complete the report. Refer to the Instructions accompanying this form and the statutory and regulatory citations on the reverse of this form.

This form is designed to be completed using Microsoft Word; if not completed that way, please print it out.

1. Name of Public Agency:	Northwest Bergen County Utilities	County:	Bergen
2. Date Emergency occurred:	11/20/11	Time emergency occurred:	12:00 noon
3. Date emergency declared:	11/20/11	Time emergency declared:	3:00 p.m.
4. Agency/department responsible for determining there was an emergency:	Incineration		
5. Name and title of the official in charge of that agency:	Howard Hurwitz, Executive Director		
6. Describe the condition or circumstance pertaining to the emergency (attach additional sheets if necessary): Sludge incinerator taken offline for emergency repair. Fluidized tuyere in dome of incinerator loosened and became dislodged. This opened a hole in dome allowing the sand to flow down into windbox.			
7. Name and title of the individual who determined the matter was an emergency and authorized award of contract(s):	Robert Genetelli, Superintendent		
8. The total (or estimated) cost of providing the goods or performing services was:	\$ 50,000.00		
9. List the names the contractors/suppliers receiving 25% or more of the contracts awarded under the emergency:			
Spectraserv, Inc.			
10. When was the notification reduced to writing and filed with the purchasing agent?	Immediately		
11. Has the public agency adopted a "chain of command" procedure pursuant to N.J.A.C.5:34-6.1?			
Pending Approval			
This report was completed by (name and title):	Robert Genetelli, Superintendent		
Name and Address of agency contact person:	Howard Hurwitz, 30 Wyckoff Ave., P.O. Box 255 Waldwick, N.J. 07463		
Signature:			Date: 12/20/11

Submit by mail or fax to:
 Director, Division of Local Government Services
 P.O. Box 803
 Trenton, New Jersey 08625-0803
 Fax: 609-633-6243

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie

No. 05-2012

Seconded by Commissioner Kelaher

Date: Jan. 10, 2012

**RETENTION OF AUTHORITY CONSULTING ENGINEER FOR INFLOW &
INFILTRATION (I&I) STUDIES**

WHEREAS, by Resolution #77, dated Sept. 6, 2011 the Northwest Bergen County Utilities Authority (the "Authority") retained the firm of Boswell Engineering as Consulting Engineer for I&I Studies as set forth in their proposal dated August 16, 2011; and

WHEREAS, the Authority has evidence that a major source of I&I enters the sewer system in the Boroughs of Waldwick and Allendale and for that reason I&I Investigation should begin in those municipalities; and

WHEREAS, the Authority authorized Boswell Engineering to proceed with Task 1 in the proposal, namely Data Collection and Meetings with the Authority and the Borough of Waldwick at a cost not to exceed \$10,000, to be billed according to their rate schedule; and

WHEREAS, by proposal dated Dec. 28, 2011 (copy attached) Boswell Engineering is requesting an additional \$10,000 to investigate the causes of the variation in sewer flows from the Borough of Allendale; and

WHEREAS, the Commissioners have considered Boswell's request and recommend the budget for this Task be increased by \$10,000; and

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that the budget for Task 1 be increased to include the Borough of Allendale in the amount of \$10,000; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie

No. 05-2012 pg.2

Seconded by Commissioner Kelaher

Date: Jan. 10, 2012

FURTHER RESOLVED, that the Secretary is hereby directed to cause notice Hereof to be published as required by law.



CHAIRMAN



SECRETARY

Roll Call: Ayes: Commissioners Chewcaskie, Dachnowicz, Kasparian,
Kelaher, Plumley, Rotonda, Shafron, Dator
Nays: None
Absent: None

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie

No. 06-2012.

Seconded by Commissioner Kelaher

Date: Jan. 10, 2012

**APPROVAL OF TIGHE & BOND AMENDMENT #2 - 2011 METER REVIEW AND
2012 USER CHARGES**

RESOLVED,

WHEREAS, by Resolution #35, dated April 5, 2011, the Northwest Bergen County Utilities Authority (the "Authority") retained the firm of Tighe & Bond as Consulting engineer for Service Charges; and

WHEREAS, the services to be rendered on behalf of the Authority as set forth in the Tighe & Bond Proposal dated Feb. 21, 2011 included Task #5 for Miscellaneous Consulting Services related to individual municipal issues at an estimated amount of \$5,000 to be billed based on actual time at a rate of \$190 per hour; and

WHEREAS, by Resolution #73 dated September 6, 2011, Amendment #1 for Task #5 was approved in the amount of \$5,000 for engineering services addressing issues with Meter #13 at the Ho-Ho-Kus Pump Station and the conversion of meter data from Mission to the Wonderworks Historian; and

WHEREAS, by proposal dated December 27, 2011 (copy attached) Tighe & Bond is requesting Amendment No.2 in the amount of \$3,000 for additional services assisting Ramsey in the preparation of its water use and equivalent dwelling units for the 2012 User Charges and assisting Midland Park in preparation of its water use and reviewing the flow reports prepared by Progressive Control Solutions; and

WHEREAS, the Commissioners have considered Tighe & Bond's request and recommend the budget for Task 5 Miscellaneous Issues be increased by \$3,000; and

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that the budget for Task 5 be increased by Amendment No. 2 to the 2011 Meter Review and 2012 User Charges in the amount of \$3,000; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie


No.06-2012 pg.2

Seconded by Commissioner Kelaher

Date: Jan. 10, 2012

**APPROVAL OF TIGHE & BOND AMENDMENT #2 - 2011 METER REVIEW AND
2012 USER CHARGES**

FURTHER RESOLVED, that the Secretary is hereby directed to cause notice hereof to be published as required by law.



CHAIRMAN



SECRETARY

Roll Call: Ayes: Commissioners Chewcaskie, Dachnowicz, Kasparian,
Kelaher, Plumley, Rotonda, Shafron, Dator
Nays: None
Absent: None

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Chewcaskie

No. 07-2012.

Seconded by Commissioner Kelaher

Dated: January 10, 2012

**AUTHORIZATION TO EXECUTE UTILITY EASEMENT AGREEMENT
TO
PROVIDE A NON-EXCLUSIVE EASEMENT OVER A PORTION
OF THE DRIVEWAY LEADING TO THE AUTHORITY'S DARLINGTON PUMP STATION**

WHEREAS, the County of Bergen ("County") is the fee simple owner of certain property identified as Block 19, Lot 8 on the tax maps of the Township of Mahwah as set forth in Deed Book 5699, page 342 (the "County Property"); and

WHEREAS, the Township of Mahwah ("Mahwah") and New York-New Jersey Trail Conference, Inc. ("Trail Conference"), as tenants-in-common, are the fee simple owners of certain property identified as Block 19, Lot 7 on the tax maps of the Township of Mahwah as set forth in Deed Book 9458, Page 210 and in Deed Book 9458, Page 218 (the "Mahwah/Trail Conference Property"); and

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") is the grantee and dominant estateholder with respect to that certain Access and Sanitary Sewer Easement in connection with the operation of the Authority's Darlington pump station as set forth in Deed Book 6680, Page 929; and

WHEREAS, the County is willing to grant to Mahwah/Trail Conference and Mahwah/Trail Conference are willing to accept, a utility easement within the County Property; and

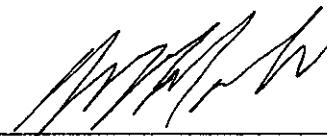
WHEREAS, a portion of the County Property is subject to the easement in favor of the Authority and requires the Authority to agree and consent to the County's grant of a non-exclusive easement to Mahwah/Trail Conference, all upon the certain terms and conditions as set forth in the proposed utility

easement agreement by and among the County, Mahwah, Trail Conference and the Authority attached hereto ("Utility Easement Agreement").

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Northwest Bergen County Utilities Authority that the proposed Utility Easement Agreement is hereby approved and the Executive Director is hereby authorized to execute the Utility Easement Agreement subject to the review and approval of same by the Authority counsel and the Authority consulting engineer; and

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a regular meeting held on January 10, 2012.



CHAIRMAN


SECRETARY

Roll Call: Ayes: Commissioner Chewcaskie, Dachnowicz, Kasparian,
Kelaheer, Plumley, Rotonda, Shafron, Dator
Nayes: None
Absent: None