

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**PLEASE TAKE NOTICE** the Northwest Bergen County Utilities Authority does hereby notify the public that the Work Session and the Regular Meeting scheduled for Tuesday, November 21, 2023 at 7:00 p.m. will be held at the Authority's offices located at 30 Wyckoff Avenue, Waldwick, New Jersey. Formal action will be taken. The agendas will be placed on the Authority website, [nbcua.com](http://nbcua.com), at least 48 hours prior to the meeting.

Northwest Bergen County  
Utilities Authority

November 14, 2023

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

## **AGENDA REGULAR MEETING November 21, 2023**

1. Meeting called to Order
2. Open Public Meetings Act Statement
3. Roll Call
4. Chairman's Remarks
5. Approval of Minutes
  - a. Regular Meeting – October 18, 2023
  - b. Special Meeting – October 18, 2023
6. Public Comments (any subject)
7. Consideration for approval of list of Resolutions attached dated November 21, 2023
8. Report of Committees:
  - a. Finance Committee
  - b. Personnel Committee
  - c. Insurance Committee
  - d. Operating Committee
  - e. Strategic Plan Committee
  - f. Buildings and Grounds Committee
9. Report of Treasurer
10. Report of General Counsel
11. Report of Consulting Engineer
12. Report of Executive Director
13. Report of Authority Engineer
14. Report of Superintendent
15. Old Business
16. New Business
17. Public Comments (on subjects 4 through 17)
18. Adjournment

November 14, 2023

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

## **RESOLUTIONS**

**November 21, 2023**

## **CONSENT AGENDA**

### **RESOLUTIONS**

- 75-2023 Approval of Payment of Vouchers, Payroll, Tax Deposits and Pensions and Benefits
- 76-2023 Authorization The Renewal Of Agreement With Veolia Water New Jersey, Inc.
- 77-2023 Approve Personnel Actions
- 78-2023 Authorization To Enter Into A Shared Services Agreement With The Township of Wyckoff
- 79-2023 Authorization To Amend The Not To Exceed Cost Of The Professional Services Agreement With T&M Associates For 2023 Consulting Engineering Services
- 80-2023 Authorization To Amend The Not To Exceed Cost Of The Professional Services Agreement With Chavond Barry Corp For 2023 Consulting Engineering Services For General Incinerator Advice
- 81-2023 Authorization To Renew A Professional Services Contract With Valley Health System, Inc. Regarding The Coordination And Conduct Of Alcohol And Drug Testing Services

November 14, 2023

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 75-2023**

**Date: November 21, 2023**

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

**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 Pensions & Benefits transfers for the month of October 2023 and Health Benefits and Dental Benefits transfers for November 2023; and

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

**NOW, THEREFORE, BE IT RESOLVED,**

**RESOLVED**, by the Commissioners of the Northwest Bergen County Utilities Authority, that all vouchers, payroll transfers, payroll tax deposits, Pensions & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated November 21, 2023 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account  
Net Payroll: \$179,677.18

ACCOUNT: Tax Deposit Account  
Total: \$78,264.58

ACCOUNT: Health Benefits Contribution Employer  
Total Transfer: \$139,149.46

ACCOUNT: Health Benefits Contribution Employee  
Total: \$3,692.81

ACCOUNT: Dental Benefits  
Total Transfer: \$3,623.99

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 75-2023**

**Date: November 21, 2023**

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

ACCOUNT: PERS and Contributory Insurance  
Total Transfer: \$28,817.78

ACCOUNT: Operating Account  
Total: \$438,175.39

ACCOUNT: General Improvement Account  
Total: \$61,412.24

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on November 21, 2023.

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FRANK KELAHER, CHAIRMAN

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DOUGLAS M. BERN, ESQ.  
ASSISTANT SECRETARY

November 21, 2023

**RECORDED VOTE:**

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 76-2023**

**Date: November 21, 2023**

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**RESOLUTION AUTHORIZING THE RENEWAL OF AGREEMENT WITH  
VEOLIA WATER NEW JERSEY, INC.**

**WHEREAS**, Veolia Water New Jersey, Inc. ("Veolia") is a major sewage hauler that has been delivering large volumes of sewage to the Northwest Bergen County Utilities Authority ("Authority") from sewage treatment facilities located in West Milford, New Jersey; and

**WHEREAS**, the Authority previously entered into an agreement with Veolia with an expiration date of December 15, 2023; and

**WHEREAS**, the Authority wishes to continue doing business with Veolia; and

**WHEREAS**, it is in the Authority's best interests to enter into the attached two (2) year agreement with Veolia for the acceptance of waste hauled by Veolia.

**NOW, THEREFORE, BE IT RESOLVED**, by the Commissioners of the Northwest Bergen County Utilities Authority, as follows:

1. The Chairman, Vice Chairman or Executive Director of the Authority is authorized to execute the attached Agreement with Veolia Water New Jersey, Inc., whereby the Authority will accept waste hauled by Veolia Water New Jersey, Inc.
2. The Executive Director of the Authority is authorized to execute such other documents and undertake such other tasks that are reasonably required to carry out and consummate the transactions contemplated by the attached Agreement; and
3. Upon execution, a fully executed and confirmed copy of the Agreement shall be placed on file in the office of the Executive Director and available for public inspection.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 76-2023**

**Date: November 21, 2023**

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**RESOLUTION AUTHORIZING THE RENEWAL OF AGREEMENT WITH  
VEOLIA WATER NEW JERSEY, INC.**

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on November 21, 2023.

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FRANK KELAHER, CHAIRMAN

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DOUGLAS M. BERN, ESQ.  
ASSISTANT SECRETARY  
November 21, 2023

**RECORDED VOTE:**

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	KelaHER	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									





**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 78-2023**

**Date: November 21, 2023**

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**AUTHORIZATION TO ENTER INTO A SHARED SERVICES AGREEMENT WITH  
THE TOWNSHIP OF WYCKOFF**

**WHEREAS**, the State of New Jersey encourages local units to enter into agreements for the joint provision of municipal services; and

**WHEREAS**, the State of New Jersey authorizes entering into such agreements for shared services pursuant to NJSA 40A:65-1 et. seq.; and

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) and the Township of Wyckoff (the “Township”) had entered into a Shared Service Agreement on November 1, 2021 with a termination date of October 31, 2023 for the Authority to 1) act as the New Jersey Licensed Sewer Operator for the Township and perform daily monitoring of the Township’s three (3) wastewater pump stations, 24 hours a day, 365 days per year 2) perform repairs, corrective actions and respond to pump station alarms during normal business and non-business hours; and

**WHEREAS**, the Township has adopted its Resolution No. 23-275 authorizing entering into a new shared services agreement with the Authority to receive the same services as previously provided; and

**WHEREAS**, the Authority desires to enter into this agreement with the Township for a duration of two (2) years subject to the terms and conditions set forth in said agreement attached hereto.

**NOW THEREFORE, BE IT RESOLVED**, by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Authority agrees to enter into a Shared Services Agreement with the Township of Wyckoff for a duration of two (2) years to provide the services described in Paragraph 3 above; and



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 79-2023**

**Date: November 21, 2023**

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**AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH T&M ASSOCIATES FOR 2023 CONSULTING ENGINEERING SERVICES**

**WHEREAS**, by Resolution No. 11-2023, the Northwest Bergen County Utilities Authority (the “Authority”) identified a number of firms as qualified to perform engineering services required by the Authority pursuant to a Request for Qualifications for such position, which notice thereof was published on January 9, 2023; and

**WHEREAS**, by Resolution No. 15-2023 (the “Original Resolution”) dated February 21, 2023, the Authority retained T&M Associates (the “Engineering Firm”) to provide general engineering services for 2023 and the Authority and Engineering Firm entered into a professional services agreement for same (the “Agreement”); and

**WHEREAS**, the Original Resolution and Agreement provides for the Engineering Firm’s compensation to be capped at \$150,000 and in the event the Engineering Firm anticipates it will exceed that amount, to seek further authorization from the Authority at such time; and

**WHEREAS**, the Engineering Firm has submitted to the Authority a request to increase the not to exceed cost by \$50,000 due to attendance at Authority remaining meetings, finalizing the Authority Annual Report as well as any remaining facility inspections and any additional miscellaneous engineering services requested by the Authority; and

**WHEREAS**, the Authority’s Certifying Finance Officer has certified that funds are available to increase the budget for the Engineering Firm.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Original Resolution and the Professional Services Agreement with T&M Associates be amended to increase the not to exceed amount to \$200,000 for general consulting engineering services for 2023.
2. The Original Resolution and Agreement, unless expressly modified, shall remain in full force and effect.
3. The Certifying Finance Officer’s Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
4. Notice of this amendment shall be published in accordance with applicable law.
5. This Resolution shall take effect immediately.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 79-2023**

**Date: November 21, 2023**

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**AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH CHAVOND BARRY ENGINEERING CORP FOR 2023 CONSULTING ENGINEERING SERVICES FOR GENERAL INCINERATOR ADVICE**

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on November 21, 2023.

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FRANK KELAHER, CHAIRMAN

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DOUGLAS M. BERN, ESQ.  
ASSISTANT SECRETARY

DATE: November 21, 2023

**RECORDED VOTE:**

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	KelaHer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 80-2023**

**Date: November 21, 2023**

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**AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH CHAVOND BARRY ENGINEERING CORP FOR 2023 CONSULTING ENGINEERING SERVICES FOR GENERAL INCINERATOR ADVICE**

**WHEREAS**, by Resolution No. 11-2023, the Northwest Bergen County Utilities Authority (the “Authority”) identified a number of firms as qualified to perform engineering services required by the Authority pursuant to a Request for Qualifications for such position, which notice thereof was published on January 9, 2023; and

**WHEREAS**, by Resolution No. 16-2023 (the “Original Resolution”) dated February 22, 2023, the Authority retained Chavond Barry Engineering Corp. (the “Engineering Firm”) to provide 2023 consulting engineering services for general incinerator advice and the Authority and Engineering Firm entered into a professional services agreement for same (the “Agreement”); and

**WHEREAS**, by Resolution 57-2023 the Authority established the engineering firm’s not-to-exceed to be 223,700; and

**WHEREAS**, the Engineering Firm has reached the not-to-exceed on their general consulting fees; and

**WHEREAS**, the cost of additional consulting fees are estimated to be \$50,000 and therefore the Authority wishes to amend the not-to-exceed compensation to the Engineering firm to \$273,700; and

**WHEREAS**, the Authority’s Certifying Finance Officer has certified that funds are available to increase the budget for the Engineering Firm.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Original Resolution and the Professional Services Agreement with Chavond Barry Engineering Corp. be amended to increase the not to exceed amount to \$273,700 for 2023 consulting engineering services for general incinerator advice.
2. The Original Resolution and Agreement, unless expressly modified, shall remain in full force and effect.
3. The Certifying Finance Officer’s Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
4. Notice of this amendment shall be published in accordance with applicable law.
5. This Resolution shall take effect immediately.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 80-2023**

**Date: November 21, 2023**

---

**AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH CHAVOND BARRY ENGINEERING CORP FOR 2023 CONSULTING ENGINEERING SERVICES FOR GENERAL INCINERATOR ADVICE**

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on November 21, 2023.

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FRANK KELAHER, CHAIRMAN

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DOUGLAS M. BERN, ESQ.  
ASSISTANT SECRETARY

DATE: November 21, 2023

**RECORDED VOTE:**

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	KelaHer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 81-2023**

**Date: November 21, 2023**

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**AUTHORIZATION TO RENEW A PROFESSIONAL SERVICES CONTRACT WITH VALLEY HEALTH SYSTEM, INC. REGARDING THE COORDINATION AND CONDUCT OF ALCOHOL AND DRUG TESTING SERVICES**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) operates a wastewater treatment facility, located at 30 Wyckoff Avenue in the Borough of Waldwick, County of Bergen, State of New Jersey; and

**WHEREAS**, the Authority presently engages the services of Valley Health System, Inc. of Ridgewood, New Jersey relating to the providing of professional services to the Authority in connection with a drug and alcohol testing policy at the Authority, as well as the training and screening of, among others, Authority employees who are holders of Commercial Drivers Licenses; and

**WHEREAS**, Valley Health System, Inc. provided the Authority with a proposed agreement to continue these same services for the calendar year 2024; and

**WHEREAS**, the fees for such services provided by Valley Health System, Inc. will be in accordance with the Fee Schedule hereby incorporated by attachment into this resolution; and

**WHEREAS**, the services to be performed by Valley Health System, Inc. qualify as “professional services” under the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), and therefore the contract for same can be awarded by the Authority without public advertisement for bids; and

**WHEREAS**, the Commissioners of the Northwest Bergen County Utilities Authority, in consideration of the foregoing, have determined that it is in the best interest of the Authority to continue to have an alcohol and controlled substances program in place and enforced at the Authority, and for Valley Health System, Inc. to be retained in this regard effective January 1, 2024 to December 31, 2024.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**No. 81-2023**

**Date: November 21, 2023**

**AUTHORIZATION TO RENEW A PROFESSIONAL SERVICES CONTRACT WITH VALLEY HEALTH SYSTEM, INC. REGARDING THE COORDINATION AND CONDUCT OF ALCOHOL AND DRUG TESTING SERVICES**

**NOW, THEREFORE, BE IT RESOLVED,** by the Commissioners of the Northwest Bergen County Utilities Authority that the Executive Director of the Authority be and is hereby authorized to take all reasonable and necessary steps to cause the Authority to enter into a mutually satisfactory Professional Services Contract with Valley Health System, Inc. for 2024 regarding the coordination and conduct of alcohol and controlled substance abuse program at the Authority covering, among others, holders of Commercial Drivers Licenses.

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on November 21, 2023.

\_\_\_\_\_  
FRANK KELAHER, CHAIRMAN

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DOUGLAS M. BERN, ESQ.  
ASSISTANT SECRETARY

November 21, 2023

**RECORDED VOTE:**

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	KelaHer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									