

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

NOTICE

The next Regular Meeting of the Northwest Bergen County Utilities Authority will be held on Tuesday July 21, 2015 immediately following the Work Session at 7:00 pm, in the offices of the Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey.

July 17, 2015

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

REGULAR MEETING July 21, 2015

1. Meeting called to Order.
2. Chairman's statement in accordance with C. 231, PL 1975.
3. Roll Call.
4. Salute to the Flag.
5. Chairman's Remarks.
 - a. Swearing in of Commissioners – Chewcaskie, Kasparian, Kelaher and Plumley
6. Closed Session – Litigation – Bassett vs. NBCUA
 - Mediation – Underground Utilities Corporation
7. Approval of Minutes – Regular Meeting – June 17, 2015
 - Special Meeting – June 17, 2015
8. Close of Public Hearing from May 19, 2015
9. Public Comments (any subject).
10. Consideration for approval list of Resolutions attached dated July 21, 2015.
11. Reports of Committees.
 - a. Finance Committee
 - b. Personnel Committee
 - c. Insurance Committee
 - d. Operating Committee
 - e. Strategic Plan Subcommittee
 - f. Buildings and Grounds Committee
 - g. Safety and Security Committee
 - h. Intellectual Technology Committee
12. Report of Treasurer.
13. Report of Counsel.
14. Report of Engineer.
15. Report of Executive Director.
16. Report of Superintendent.
17. Old Business.
18. New Business.
19. Public Comments (on subjects 5 through 18).
20. Adjournment.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

LIST OF RESOLUTIONS REGULAR MEETING July 21, 2015

RESOLUTIONS

- 68-2015 Approval of Vouchers, Payroll and Tax Deposits
- 69-2015 Resolution Increasing the Bid Threshold pursuant to NJSA 40A:11-3
- 70-2015 Cancellation of August Meetings
- 71-2015 Approval of Change Order No. 1 – Contract No. 266 – Midland Park and Goffle Road Pump Station Upgrades
- 72-2015 Resolution authorizing Chasan Leyner & Lamparello, PC to represent the Authority in Bassett v. Northwest Bergen County Utilities Authority, Docket No, BER-L-4744-45

MOTIONS

- 15-04 Motion to accept 45th Annual Report
- 15-05 Motion to approve 90 day unpaid leave of absence – Keith Morgan

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. CS-JULY-2015

Date: July 21, 2015

**RESOLUTION OF THE GOVERNING BODY OF THE NORTHWEST BERGEN
COUNTY UTILITIES AUTHORITY TO ENTER CLOSED SESSION
PURSUANT TO THE OPEN PUBLIC MEETINGS ACT**

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 to 10:4-21, requires that meetings of public bodies shall be open to the public at all times, except that the public body may exclude the public only from that portion of a meeting at which the public body discusses matters set forth in N.J.S.A. 10:4-12b; and

WHEREAS, the Northwest Bergen County Utilities Authority (“Authority”) Board of Commissioners intends to hold a closed meeting on the following subject matters which are authorized by N.J.S.A. 10:4-12b:

Litigation -- Bassett v. NBCUA
Mediation – Underground Utilities Corporation

NOW, THEREFORE, BE IT RESOLVED by the Authority’s Board of Commissioners, that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Authority’s Governing Body shall meet in closed session on July 21, 2015, to discuss the above-referenced matters.
3. The minutes, or parts thereof, of the closed session discussion may be disclosed to the public upon the determination by the Board of Commissioners that the public interest will no longer be served by such confidentiality.
4. This Resolution shall be effective immediately.

ADOPTED: July 21, 2015

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 68-2015

Date: July 21, 2015

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 June 2015 and Health Benefits and Dental Benefits transfers for July 2015; 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 listing 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 July 21, 2015 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$203,254.67

ACCOUNT: Tax Deposit Account
Total: \$91,553.76

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$106,615.78

ACCOUNT: Health Benefits Contribution Employee
Total: \$11,498.07

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 68-2015

Date: July 21, 2015

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

ACCOUNT: Dental Benefits
Total Transfer: \$4,157.55

ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$30,101.78

ACCOUNT: PERS and Contributory Insurance – 1st Qtr. 2015 Retro, Administration
Total Transfer: \$443.90

ACCOUNT: Operating Account
Total: \$793,964.25

ACCOUNT: General Improvement Account
Total: \$40,925.36

ACCOUNT: 2014 WWT Project Account
Total: \$8,183.76

ACCOUNT: 2015 WWT Project Account
Total: \$917,903.22

CHAIRMAN

SECRETARY

	Bonagura	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Salazer	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 69-2015

Date: July 21, 2015

**RESOLUTION INCREASING THE BID THRESHOLD
PURSUANT TO N.J.S.A.40A:11-3 AND N.J.A.C.5:34-5.4**

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold from \$36,000 to \$40,000; and

WHEREAS, the quotation threshold for local units with Qualified Purchasing Agents, is fifteen percent (15%) of the bid threshold, which increases the new quotation threshold from \$5,400 to \$6,000; and

WHEREAS, N.J.S.A. 40A:11-3 permits an increase in the bid threshold if a qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, Robert Genetelli was appointed on March 2, 2010 by Resolution No. 22-2010 as the Qualified Purchasing Agent for the Authority; and

WHEREAS, the Northwest Bergen County Utilities Authority desires to take advantage of the increased bid threshold.

NOW, THEREFORE, BE IT

RESOLVED, that the governing body of the Northwest Bergen County Utilities Authority, in the County of Bergen, in the State of New Jersey hereby increases its bid threshold to \$40,000; and

BE IT FURTHER RESOLVED, the local unit Secretary is hereby authorized and directed to forward a certified copy of this Resolution to the Director of the Division of Local Government Services.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 69-2015

Date: July 21, 2015

**RESOLUTION INCREASING THE BID THRESHOLD
PURSUANT TO N.J.S.A.40A:11-3 AND N.J.A.C.5:34-5.4**

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a meeting held on July 21, 2015.

CHAIRMAN

SECRETARY

	Boangura	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelaheer	Plumley	Salazer	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 70-2015

Date: July 21, 2015

CANCELLATION OF AUGUST MEETINGS

WHEREAS, it has been determined by the Commissioners of the Northwest Bergen County Utilities Authority (the “Authority”) that no meetings of the Commissioners will be held during the month of August, 2015; and

WHEREAS, the Authority’s bills are approved for payment at its monthly meeting and the Authority has a need to provide for the consistent and regular payment of its bills for the month of August; and

WHEREAS, the Commissioners wish to provide a mechanism for the payment of August bills as set forth below.

NOW, THEREFORE, BE IT RESOLVED, the Commissioners of the Northwest Bergen County Utilities Authority direct the Executive Director and Administrative Assistant to prepare the bill list (including but not necessarily limited to payroll, tax deposits, health benefits contributions, dental benefits, PERS and Contributory Insurance, DCRP contributions, operating account, general improvement account and the 2014 & 2015 Wastewater Trust account) in the ordinary course for payment and circulate such list to each Commissioner by August 6, 2015; and

BE IT FURTHER RESOLVED, that unless any Commissioner has an objection to a specific payment or requires further discussion on payment of a bill(s), then such bill(s) shall be

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 70-2015

Date: July 21, 2015

CANCELLATION OF AUGUST MEETINGS

excluded from payment and the Commissioners authorize payment of the remainder bills on or after August 14, 2015.

It is hereby certified that this is a true copy of a Resolution adopted by the Northwest Bergen Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a meeting held on July 21, 2015.

CHAIRMAN

SECRETARY

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelaheer	Plumley	Salazer	Chewcaskie
Offered								
Seconded								
Ayes								
Nayes								
Absent								
Abstain								
Recuse								

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 71-2015

DATE: July 21, 2015

**APPROVING CHANGE ORDER NO. 1 FOR
CONTRACT #266
GOFFLE ROAD AND MDLAND PARK PUMP STATION IMPROVEMENTS**

WHEREAS the Northwest Bergen County Utilities Authority (the "Authority") awarded Contract No. 26 – Goffle Road and Midland Park Pump Station Improvements ("the Project") to Longo Electrical-Mechanical, Inc. ("the Contractor") on April 21, 2015; and

WHEREAS certain changes are requested for the Project as more particularly set forth in Change Order No. 1 attached hereto ("the Change Order"); and

WHEREAS the Authority's Engineer has reviewed the proposed Change Order and determined that the Change Order is necessary to address the replacement of 2 existing breakers at Midland Park Pump Station with kirk key to allow ATS by pass and manual transfer; and

WHEREAS the Authority's Engineer has recommended that the Change Order be approved by the Authority; and

WHEREAS the increase in the total cost of the Project as a result of this Change Order is \$39,510; and

WHEREAS the Authority's staff has indicated that the Authority has sufficient funds to pay the Contractor for the Change Order; and

WHEREAS the Commissioners of the Authority have determined that the Change Order should be approved; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Authority that Change Order No. 1, to Authority Contract No. 266, is approved; and be it

FURTHER RESOLVED by the Commissioners of the Authority that the Authority's Engineer is directed to coordinate and oversee the work consistent with all other work on the Project; and be it

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 71-2015

DATE: July 21, 2015

**APPROVING CHANGE ORDER NO. 1 FOR
CONTRACT #266
GOFFLE ROAD AND MDLAND PARK PUMP STATION IMPROVEMENTS**

FURTHER RESOLVED that the Commissioners of the Authority direct that processing of payment to the Contractor for the Change Order be in accordance with the payment procedures of Contract No. 266; and

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at the meeting held on **July 21, 2015**.

SECRETARY

CHAIRMAN

	Bonagura	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelaheer	Plumley	Salazer	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 72-2015

Date: July 21, 2015

**RESOLUTION OF THE GOVERNING BODY
OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
AUTHORIZING CHASAN LEYNER & LAMPARELLO, PC TO REPRESENT THE
AUTHORITY IN BASSETT V. NORTHWEST BERGEN COUNTY UTILITIES
AUTHORITY, DOCKET NO. BER-L-4744-45**

WHEREAS, the Northwest Bergen County Utilities Authority ("Authority") is a named defendant in Bassett v. Northwest Bergen County Utilities Authority, Docket No.: BER-L-4744-15 (the "Litigation"); and

WHEREAS, the Authority has the need to retain counsel to represent it in the Litigation; and

WHEREAS, earlier this year, Chasan Leyner & Lamparello, PC ("CLL") was appointed as the Authority's General Counsel for 2015; and

WHEREAS, the scope of services set forth in the Authority's contract with CLL includes representation in any and all litigation in which the Commissioners authorize CLL to represent the Authority's interest(s); and

WHEREAS, CLL is deemed to be highly qualified and capable of representing the Authority in the Litigation based upon the extensive experience of the firm's members and associates.

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

1. The Authority is hereby authorized to retain the services of CLL to represent the Authority in the Litigation.
2. CLL shall provide said services in accordance with the terms and conditions of its existing contract to provide General Counsel services to the Authority.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 72-2015

Date: July 21, 2015

**RESOLUTION OF THE GOVERNING BODY
OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
AUTHORIZING CHASAN LEYNER & LAMPARELLO, PC TO REPRESENT THE
AUTHORITY IN BASSETT V. NORTHEWEST BERGEN COUNTY UTILITIES
AUTHORITY, DOCKET NO. BER-L-4744-45**

3. This resolution shall take effect immediately upon adoption.

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 July 21, 2015.

CHAIRMAN

SECRETARY

	Bonagura	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Salazer	Chewcaskie
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

