

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

NOTICE

The next Regular Meeting of the Northwest Bergen County Utilities Authority will be held on Tuesday, May 21, 2019 immediately following the Work Session and Public Hearing at 7:00pm, in the offices of the Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey.

Formal action will be taken.

May 17, 2019

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

AGENDA REGULAR MEETING May 21, 2019

1. Meeting called to Order
2. Open Public Meetings Act Statement
3. Salute to the Flag
4. Roll Call
5. Chairman's Remarks
6. Approval of Minutes – Regular Meeting – April 16, 2019
7. Public Comments (any subject)
8. Consideration for approval list of Resolutions attached dated May 21, 2019
9. Report 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
10. Report of Treasurer
11. Report of General Counsel
12. Report of Consulting Engineer
13. Report of Executive Director
14. Report of Authority Engineer
15. Report of Superintendent
16. Old Business
17. New Business
18. Public Comments (on subjects 5 through 17)
19. Adjournment

May 17, 2019

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTIONS

May 21, 2019

CONSENT AGENDA

- 41-2019 Approval of Payment of Vouchers, Payroll, Tax Deposits and Pensions and Benefits
- 42-2019 Authorization to Adjust Sewer Connection Fee
- 43-2019 2018 Audit Corrective Action Plan Certification
- 44-2019 Approval of Change Order No. 2 for the Knolls Section Sanitary Sewer System Project
- 45-2019 Approval of Change Order No. 1 for Contract No. 284 – Trunk Sewer East Interceptor Rehabilitation Project
- ~~46-2019 Approval of Change Order No. 1 for Contract No. 273 – Wastewater Treatment Plant Improvements Project~~
- 47-2019 Sanitary Sewer Extension – 720 Hickory Hill Road, Township of Wyckoff

MOTIONS

- 19-02 Motion to approve a 90 day unpaid leave of absence – Douglas Nacion, Plant Operator

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 41-2019

Date: May 21, 2019

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 April 2019 and Health Benefits and Dental Benefits transfers for May 2019; 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 May 21, 2019 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$213,259.33

ACCOUNT: Tax Deposit Account
Total: \$96,294.42

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$111,271.85

ACCOUNT: Health Benefits Contribution Employee
Total: \$4,665.23

ACCOUNT: Dental Benefits
Total Transfer: \$4,171.85

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 41-2019

Date: May 21, 2019

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

ACCOUNT: PERS and Contributory Insurance

Total Transfer: \$32,915.57

ACCOUNT: Operating Account

Total: \$279,188.24

ACCOUNT: General Improvement Account

Total: \$175,818.81

SECRETARY

CHAIRMAN

RECORDED VOTE:

| | Bonagura | Chewcaskie | Duch | Kelاهر | Lo Iacono | Mongelli | Ortega | Plumley | Kasparian |
|----------|----------|------------|------|--------|-----------|----------|--------|---------|-----------|
| Offered | | | | | | | | | |
| Seconded | | | | | | | | | |
| Aye | | | | | | | | | |
| Nay | | | | | | | | | |
| Absent | | | | | | | | | |
| Abstain | | | | | | | | | |
| Recuse | | | | | | | | | |

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 42-2019

Date: May 21, 2019

AUTHORIZATION TO ADJUST CONNECTION FEE

WHEREAS, after a public hearing on December 6, 2006, as set forth in the Resolution adopted on said date, the Northwest Bergen County Utilities Authority (the “Authority”) determined that it would be in the best interest of the public and the local government units it serves to institute a connection fee program in the manner prescribed by N.J.S.A. 40:14B-23, and to adopt the necessary amendments to the Authority’s Rules, Regulations and Standards required to implement the connection fee program; and

WHEREAS, at the hearing on May 15, 2018, the Authority determined that the cost of the connection fee for the year 2018 would be \$5,763 per service unit as calculated in the 2018 Sewer Connection Fee Rate Study prepared by Ferraioli, Wielkocz, Cerullo & Cuva, PA; and

WHEREAS, the firm of Ferraioli, Wielkocz, Cerullo & Cuva, PA, the auditor for the Authority, has prepared a report entitled “2019 Sewer Connection Fee Rate Study Update” for the Authority, with the assistance of the Authority staff, on the proper amount for a connection fee payable by an individual or party making a new connection to the System for the year 2019, in accordance with the formula set forth in N.J.S.A. 40:14B-22, for the privilege of making the connection (“2019 Sewer Connection Fee Rate Study Update”); and

WHEREAS, on May 21, 2019, in accordance with the requirements of N.J.S.A. 40:14B-22, the Authority conducted a public hearing on the proposed adjustment of the connection fee prescribed by N.J.S.A. 40:14B-23; and

WHEREAS, the Authority, having considered, at the public hearing held on May 21, 2019: (i) 2019 Sewer Connection Fee Rate Study Update; and (ii) the statements of those attending the public hearing; and has determined that it would be in the best interest of the Authority to adopt an adjustment to the connection fee charge implemented for the year 2019; and

WHEREAS, the Authority has determined that the cost of the connection fee will be \$5,833 per service unit as calculated in the 2019 Sewer Connection Fee Rate Study Update.

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

1. The Authority hereby establishes an adjustment to the connection fee of \$5,833 per service unit as calculated in the 2019 Sewer Connection Fee Rate Study Update, effective as of the date of this Resolution, May 21, 2019, until amended.
2. The Executive Director is hereby authorized to take any and all steps necessary for the implementation of the adjustment of the connection fee.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 42-2019

Date: May 21, 2019

AUTHORIZATION TO ADJUST CONNECTION FEE

3. 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 public meeting held on May 21, 2019.

CHAIRMAN

SECRETARY

RECORDED VOTE:

| | Bonagura | Chewcaskie | Duch | Kelاهر | Lo Iacono | Mongelli | Ortega | Plumley | Kasparian |
|----------|----------|------------|------|--------|-----------|----------|--------|---------|-----------|
| Offered | | | | | | | | | |
| Seconded | | | | | | | | | |
| Aye | | | | | | | | | |
| Nay | | | | | | | | | |
| Absent | | | | | | | | | |
| Abstain | | | | | | | | | |
| Recuse | | | | | | | | | |

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2019

Date: May 21, 2019

2018 AUDIT CORRECTIVE ACTION PLAN CERTIFICATION

WHEREAS, by Resolution 35-2019 the Commissioners of the Northwest Bergen County Utilities Authority have certified that they have received the 2018 annual audit and have personally reviewed the audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A 40A:5A-17; and

WHEREAS, the Audit includes Comments and Recommendations requiring action by the Authority; and

WHEREAS, N.J.A.C 5:31-7.6(i) requires “a corrective action plan, in the form of a resolution, to be adopted by the members of the governing body with respect to Comments and Recommendations made in the audit, shall be filed forthwith with the Division within 45 days of receipt of the annual audit”; and

WHEREAS, a corrective action plan addressing these Comments and Recommendations has been prepared by the Executive Director of the Authority; and

WHEREAS, the Commissioners of the Authority have reviewed this 2018 Correction Action Plan (attached hereto).

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

1. The Commissioners hereby approve and adopt the 2018 Audit Corrective Action Plan.
2. The Secretary of the Authority is hereby directed to promptly submit to the Director of the Division of Local Government Services this Correction Action Plan, accompanied by a certified true copy of this resolution.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2019

Date: May 21, 2019

2018 AUDIT CORRECTIVE ACTION PLAN CERTIFICATION

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 the meeting held on May 21, 2019.

CHAIRMAN

SECRETARY

Roll Call:

| | Bonagura | Chewcaskie | Duch | Kelاهر | Lo Iacono | Mongelli | Ortega | Plumley | Kasparian |
|----------|----------|------------|------|--------|-----------|----------|--------|---------|-----------|
| Offered | | | | | | | | | |
| Seconded | | | | | | | | | |
| Aye | | | | | | | | | |
| Nay | | | | | | | | | |
| Absent | | | | | | | | | |
| Abstain | | | | | | | | | |
| Recuse | | | | | | | | | |

CORRECTIVE ACTION

Name of Authority: Northwest Bergen County Utilities Authority

County: Bergen

Audit Year Ending: December 31, 2018

Contact Person: James Rotundo, Executive Director

Telephone Number: (201) 857-4574

Finding 2018-01

Description: The Authority has not updated the net other post-employment benefit obligation, net pension obligation, pension-related deferred outflow, accounts payable-pension or pension-related deferred inflow accounts to a measurement date acceptable under current accounting standards.

Corrective Action: The Authority relies on actuarial valuations that are provided by the State of New Jersey to update these accounts. At the time of the audit report release date, these valuations were not yet available. The Authority plans to update all future financial statements to comply with GASB No. 68 and 75 once these valuations are complete and have been made public by the State of New Jersey.

Implementation: Immediately.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

CONTRACT: Knolls Section Sanitary Sewer System

VENDOR: Hutton Construction

AMOUNT: \$28,742.00

ACCOUNT NO.: 7000-6610

Date: May 17, 2019



James Rotundo, Certifying Finance Officer

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

| | | | |
|--|------------------------------|--|------------------------------|
| 1. ISSUING OFFICE Northwest Bergen County Utilities Authority | 2. PROJECT NO. S340700-18 | 3. CONTRACT NO. NBCUA No. 284 | 4. MODIFICATION NO. CM-01 |
| 5. TO (CONTRACTOR) J. Fletcher Creamer & Son, Inc 101E. Broadway Hackensack, NJ 07601 | | 6. PROJECT LOCATION AND DESCRIPTION Slip Lining of existing 30-inch RCCP sewer line with 28-inch HOBAS pipe in the Town of Ho-Ho-Kus, N.J. | |

7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on page 2, attach detailed breakdown of prime and sub-contract costs (See the clause of this contract entitled, "Changes". DO NOT start work under this proposed change until you receive a copy signed by the Contracting Officer or a directive to proceed).

_____ James Rotundo, Executive Director _____
Date Signature

8. DESCRIPTION OF CHANGE: Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work:

1. Relocation/stockpiling of Waldwick Township soils pile within work area. Work involved an additional day at the end of the project to remove their jersey barriers used to barricade the spoils.
2. Removal of 60-foot-tall double tree and grinding down of remaining tree stump.
3. Removal and replacement of existing Chamber MHE6 with a new pre-cast manhole chamber.
4. Additional restoration of residential properties that was beyond the original bid documents. This includes replacing the brick paver walkway that was excavated at the jacking pit and restoring the lawns in all disturbed areas.
5. Replacement of the residential fence that was taken down during excavations.


As a result of the above, the contract price is revised as follows:

| <u>ITEM NO.</u> | <u>ITEM DESCRIPTION</u> | <u>UNIT PRICE</u> | <u>ESTIMATED QUANTITY</u> | <u>TOTAL COST</u> |
|-----------------|---|-------------------|---------------------------|-------------------|
| 1. | Removal of Waldwick Town Spoils Pile from Work Area | \$14,414.16 | 1 | \$14,414.16 |
| 2. | Removal of 60-foot-high double tree | \$7,698.00 | 1 | \$7,698.00 |
| 3. | Removal and installation of a new MH/Chamber | \$86,685.22 | 1 | \$86,685.22 |
| 4. | Restoration of Residential Properties | \$13,140.00 | 1 | \$13,140.00 |
| 5. | Restoration of Residential Fence | \$11,055.00 | 1 | \$11,055.00 |

TOTAL COST OF THIS MODIFICATION \$ 132,992.38

The contract time is hereby: increase decrease or remains the same by 0 calendar days as a result of this modification.

The foregoing modification is hereby accepted:

| | | | |
|---|--------------------------|-------------|-----------------------------|
|  | _____ | _____ | _____ |
| CONTRACTOR | OWNER | (NJPE SEAL) | ENGINEER |
| BY: <u>Cody Cammarata</u> | BY: <u>James Rotundo</u> | BY: _____ | <u>Nicholas Rotonda, PE</u> |
| DATE: <u>5/16/2019</u> | DATE: _____ | DATE: _____ | |

APPROVAL:

STATE OF NEW JERSEY DATE

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE


| | | | |
|---|-------------------------------|-----------------------------------|-------------------------------|
| 9. ISSUING OFFICE Northwest Bergen County Utilities Authority | 10. PROJECT NO. S340700-18 | 11. CONTRACT NO. NBCUA No. 284 | 12. MODIFICATION NO. CM-01 |
|---|-------------------------------|-----------------------------------|-------------------------------|

13. CONTRACTOR'S PROPOSAL – CHANGE IN CONTRACT PRICE
(Detailed breakdown, attach additional sheets as necessary)

(Proposed)

See attached Proposals from Contractor.

| | | |
|-------------------------------|--------------------------|---|
| NET INCREASE \$ 132,992.38 | NET DECREASE \$ _____ | CALENDER DAYS INCREASE <u>0</u> DAYS |
|-------------------------------|--------------------------|---|

| | | |
|---------------------------|---|---|
| DATE: <i>5/16/2019</i> | TYPE NAME AND TITLE: Cody Cammarata, Project Manager | SIGNATURE:  |
|---------------------------|---|---|

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

| | | |
|---|--|-------------------------------|
| 14. ISSUING OFFICE & PROJECT NO. Northwest Bergen County Utilities Authority S340700-18 | 15. CONTRACT NO. NBCUA No. 284 | 16. MODIFICATION NO. CM-01 |
| 17. ORIGINAL CONTRACT BID PRICE \$ 298,750.00 TOTAL OF PREVIOUS CHANGE ORDERS \$ 132,992.38 TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ... \$ 431,742.38 | | |
| 18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS: There were spoils within the work area at the Compost that had to be moved to pass machines through for the excavation of one of the jacking pits. This involved two full days of work and multiple Jersey barriers to blockade the spoils. The spoils removed belonged to and were the responsibility of the Borough of Waldwick as is the property for the work area in question. However, the Borough would not have been able to remove the spoils for weeks thereby delaying the start of the project. Next, the 60-foot tree in the resident's backyard had to be taken down because it was found during excavation that the tree roots grew directly through the proposed excavation area and would need to be severed. The tree would have been at a severe risk of falling if it was not removed. Had the tree not been removed and it fell the damage would have been extreme. For Item No. 3, the existing Chamber MHE6 was determined to be in very poor structural condition upon excavation for the slip lining work. The reinforced concrete walls had visible rebars present and were in danger of collapsing because of the high hydrogen sulfide concentrations. The chamber was in too poor shape to perform a rehab. Therefore, the manhole was replaced since there was already a bypass system in place for the slip-line work. Next, the residential brick paver walkway removed during excavation had to be replaced. The lawns also had to be re-graded and restored. Finally, the residential fence had to be replaced because it was removed and damaged for the jacking pit and manhole chamber excavations. | | |
| 19. OTHER IMPACTS RESULTANT OF THIS CHANGE: None | | |
| 20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative) : The Contractor originally asked for \$49,823.91 (see attached) to complete the work in items 1 and 2 in Section 8 above. This was negotiated down to a final total of \$22,112.16. Item No. 4 and 5 were also thoroughly negotiated with both the Contractor and homeowners. For example, the homeowner agreed to not paint the new fence to match the existing fence, which saved money during restoration. The Contractor did not ask for any time extensions and agreed to work on Saturdays to complete the project in time. | | |
| DATE: | TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: James Rotundo, Executive Director | SIGNATURE: |

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

CONTRACT: Contract No. 284 – Trunk Sewer East Interceptor Rehabilitation Project

VENDOR: J. Fletcher Creamer & Son, Inc.

AMOUNT: \$132,992.38

ACCOUNT NO.: 7000-6620

Date: May 17, 2019


James Rotundo, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 47-2019

Date: May 21, 2019

**PROPOSED SANITARY SEWER EXTENSION
720 HICKORY HILL ROAD
TOWNSHIP OF WYCKOFF, NEW JERSEY**

WHEREAS, an application has been made to the Northwest Bergen County Utilities Authority (hereinafter sometimes referred to as the “Authority”) by Dan Kindergan on behalf of the Township of Wyckoff (hereinafter referred to as the “Applicant”) for approval of a proposed sanitary sewer extension to be located at 720 Hickory Hill Road in the Township of Wyckoff (hereinafter referred to as the “Project”); and

WHEREAS, the Project proposes to provide sanitary sewer service to two (2) existing single family dwellings in the Township of Wyckoff; and

WHEREAS, finding that when completed, the average daily flow from the Project will be 600 gallons per day (gpd) and two (2) additional residential EDUs will become tributary to the Authority’s system from the Township of Wyckoff; and

WHEREAS, the Authority’s technical advisor has reviewed the application, documents and drawings submitted in support thereof and, by memorandum dated April 26, 2019 has recommended that the Authority approve the Project, subject to fulfillment of certain terms and conditions.

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the application made by Dan Kindergan on behalf of the Township of Wyckoff for a proposed sanitary sewer extension to be located at 720 Hickory Hill Road in the Township of Wyckoff be approved upon the condition that the Applicant, its principals, agents, successors or assigns fulfill the following terms and conditions:

1. The construction shall conform to all applicable requirements of Township of Wyckoff;
2. The installation of the sewers and appurtenances be inspected and approved by the Township of Wyckoff;

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 47-2019

Date: May 21, 2019

**PROPOSED SANITARY SEWER EXTENSION
720 HICKORY HILL ROAD
TOWNSHIP OF WYCKOFF, NEW JERSEY**

3. That all newly constructed sewers be tested for infiltration and exfiltration and that such testing be observed and the results approved by an Authority engineer who has been provided with 2 days notice of such testing;
4. That the Applicant pay for engineering expenses incurred by the Authority for all inspection and testing of the sewers and appurtenances;
5. That the Applicant pay for all Authority application fees, legal fees and other application, administrative, technical or any other expenses relating to review of the Project;
6. That any manholes constructed or modified by reason of this Project be fitted with sewer guards to prevent inflow. All manholes constructed must be installed with all required waterproofing measures, including exterior painting and pipe gasket interlock;
7. That water conserving plumbing fixtures be installed in all new building construction to be serviced by the Project;
8. That the Authority be notified by the Applicant or its designee prior to commencement of sanitary sewer installation;
9. That prior to placing this connection into service, the Applicant must submit to the Authority for approval NJDEP Form WQM-005; and
10. That the Applicant comply with the rules and regulations of the Authority and the New Jersey Department of Environmental Protection; and be it

FURTHER RESOLVED, that upon written assurance of fulfillment by the Applicant of the foregoing terms and conditions, the Authority Superintendent be and is herewith authorized on behalf of the Authority to execute such approvals of the Project as may be required by governmental agencies having jurisdiction thereover.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 47-2019

Date: May 21, 2019

**PROPOSED SANITARY SEWER EXTENSION
720 HICKORY HILL ROAD
TOWNSHIP OF WYCKOFF, NEW JERSEY**

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 May 21, 2019.

CHAIRMAN

SECRETARY

RECORDED VOTE:

| | Bonagura | Chewcaskie | Duch | Kelاهر | Lo Iacono | Mongelli | Ortega | Plumley | Kasparian |
|----------|----------|------------|------|--------|-----------|----------|--------|---------|-----------|
| Offered | | | | | | | | | |
| Seconded | | | | | | | | | |
| Aye | | | | | | | | | |
| Nay | | | | | | | | | |
| Absent | | | | | | | | | |
| Abstain | | | | | | | | | |
| Recuse | | | | | | | | | |

