

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

PLEASE TAKE NOTICE the Northwest Bergen County Utilities Authority does hereby notify the public that the Work Session, Public Hearing for annual connection fee adjustment, and the Regular Meeting scheduled for Wednesday, June 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, at least 48 hours prior to the meeting.

Northwest Bergen County
Utilities Authority

June 19, 2023

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

AGENDA REGULAR MEETING JUNE 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 – May 17, 2023
6. Public Comments (any subject)
7. Consideration for approval of list of Resolutions attached dated May 17, 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 16)
18. Adjournment

June 19, 2023

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTIONS

June 21, 2023

CONSENT AGENDA

- 48-2023 Approval of Payment of Vouchers, Payroll, Tax Deposits and Pensions and Benefits
- 49-2023 Resolution Authorizing Construction Administration and Inspection for the Rehabilitation of Certain Manholes in the Allendale Interceptor (Project # S340700-19)
- 50-2023 Resolution of Northwest Bergen County Utilities Authority to Call Upon New Jersey U.S. Senators, the Hon. Cory A. Booker and the Hon. Robert Menendez \to Join Sen. Cynthia Lummis in Sponsoring the “Water Systems Pfas Liability Protection Act.”
- 51-2023 Resolution Authorizing the Execution of a Treatment Works Application for the Sludge Cake Receiving Facility at The Waldwick Wastewater Treatment Plant (Project # S340700-20)
- 52-2023 Resolution Authorizing Stipend and License Incentive Payments to Supervisory Employees

Rev. 6/19/2023

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 48-2023

Date: June 21, 2023

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 May 2023 and Health Benefits and Dental Benefits transfers for June 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 June 21, 2023 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$287,338.82

ACCOUNT: Tax Deposit Account
Total: \$120,784.82

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$141,476.35

ACCOUNT: Health Benefits Contribution Employee
Total: \$3,891.51

ACCOUNT: Dental Benefits
Total Transfer: \$3,762.94

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 48-2023

Date: June 21, 2023

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

ACCOUNT: PERS and Contributory Insurance

Total Transfer: \$29,302.59

ACCOUNT: Operating Account

Total: \$801,801.75

ACCOUNT: General Improvement Account

Total: \$80,986.25

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

RECORDED VOTE:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 49-2023

Date: June 21, 2023

RESOLUTION AUTHORIZING CONSTRUCTION ADMINISTRATION AND INSPECTION FOR THE REHABILITATION OF CERTAIN MANHOLES IN THE ALLENDALE INTERCEPTOR (Project # S340700-19)

WHEREAS, the Northwest Bergen County Utilities Authority (hereinafter the "Authority") requires the services of an engineer to undertake and complete necessary and essential professional engineering services in connection with the planning and design as well as funding & bidding assistance for the Rehabilitation of Certain Manholes in the Allendale Interceptor Project, Project # S340700-19 (hereinafter referred to as the "Project"); and

WHEREAS, the Authority intends for this Project to be funded with loan assistance from the New Jersey Environmental Infrastructure Financing Program (IBank) pursuant to N.J.A.C. 7:22-3.1 *et seq.*, and the New Jersey Environmental Infrastructure Trust Loan pursuant to N.J.A.C. 7:22-4.1 *et seq.* and all applicable interim and final rules and regulations published in the New Jersey Register through June 2005; and

WHEREAS, The Authority passed Resolution 104-22 retaining T&M Engineers for the project with a not to exceed cost \$55,515.00; and

WHEREAS, T&M has requested approval of additional amount of \$42,900.00 for construction administration and inspection (CA&I) costs as required by the Ibank; and

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

1. The Authority does hereby accept the proposal from T&M Associates with the additional cost of \$42,900.00 for Engineering services in connection with CA&I for the Rehabilitation of Certain Manholes in the Allendale Interceptor Project, Project # S340700-19.
2. The not to exceed cost of Project # S340700-19 is hereby increased to \$98,415.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 49-2023

Date: June 21, 2023

RESOLUTION AUTHORIZING CONSTRUCTION ADMINISTRATION AND INSPECTION FOR THE REHABILITATION OF CERTAIN MANHOLES IN THE ALLENDALE INTERCEPTOR (Project # S340700-19)

I hereby certify 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 June 21, 2023.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

RECORDED VOTE:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 50-2023

Date: June 21, 2023

**RESOLUTION OF NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO CALL UPON NEW JERSEY U.S. SENATORS, THE HON. CORY A. BOOKER AND
THE HON. ROBERT MENENDEZ TO JOIN SEN. CYNTHIA LUMMIS IN SPONSORING
THE “WATER SYSTEMS PFAS LIABILITY PROTECTION ACT.”**

WHEREAS, The Mission of Northwest Bergen County Utilities Authority is a public water treatment utility dedicated to environmentally sound processing of wastewater and returning fresh water to the natural environment; and

WHEREAS, PFAS substances are a threat to human health and the environment; and

WHEREAS, Northwest Bergen County Utilities Authority is ready and willing to do its part to remove PFAS substances from systems to protect public health and the environment; and

WHEREAS, Northwest Bergen County Utilities Authority is responsible to protect the interests of its ratepayers; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) proposes to designate certain per- and polyfluoroalkyl substances (PFAS) as hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA; a.k.a., Superfund Act); and

WHEREAS, under a broad definition of CERCLA, public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs are potentially subject to CERCLA with regard to PFAS; and

WHEREAS, public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs are not polluters. They are passive receivers of PFAS substances and do not manufacture, use, or originate the PFAS substances; and

WHEREAS, CERCLA was enacted to hold polluters responsible for environmental cleanups; and

WHEREAS, being subject to such a CERCLA designation would ensnare public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs in endless litigation at the expense of taxpayers and ratepayers; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 50-2023

Date: June 21, 2023

**RESOLUTION OF NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO CALL UPON NEW JERSEY U.S. SENATORS, THE HON. CORY A. BOOKER AND
THE HON. ROBERT MENENDEZ TO JOIN SEN. CYNTHIA LUMMIS IN SPONSORING
THE “WATER SYSTEMS PFAS LIABILITY PROTECTION ACT.”**

WHEREAS, in the past, some New Jersey utilities have been drawn into Superfund actions even though they are not polluters; and

WHEREAS, EPA assurances that it will rely on its enforcement discretion to keep POTWs from being forced to pay for cleanup under CERCLA fall short because 1) discretion can vary based on the administration and 2) polluters may employ legal strategies that draw public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs into litigation; and

WHEREAS, taxpayers and ratepayers are “innocent bystanders” and should not be made to pay to further polluter legal strategies, nor should they be subject to the regulatory uncertainty associated with EPA “discretion”; and

WHEREAS, cost implications the proposed CERCLA designation are complicated by the fact that PFAS substances aren’t introduced into the environment in a single or several discreet “spills” but are continually being introduced into the environment;

NOW THEREFORE, BE IT RESOLVED, that the Northwest Bergen County Utilities Authority calls on the Hon. Cory A. Booker and the Hon. Robert Menendez to join Sen. Cynthia Lummis in sponsoring the “Water Systems PFAS Liability Protection Act” because it would explicitly exempt public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs from CERCLA liability.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 50-2023

Date: June 21, 2023

**RESOLUTION OF NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO CALL UPON NEW JERSEY U.S. SENATORS, THE HON. CORY A. BOOKER AND
THE HON. ROBERT MENENDEZ TO JOIN SEN. CYNTHIA LUMMIS IN SPONSORING
THE “WATER SYSTEMS PFAS LIABILITY PROTECTION ACT.”**

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 June 21, 2023.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

RECORDED VOTE:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

**RESOLUTION
No.51-2023
Date: June 21,2023**

**RESOLUTION AUTHORIZING THE EXECUTION OF A TREATMENT WORKS
APPLICATION FOR THE SLUDGE CAKE RECEIVING FACILITY AT THE
WALDWICK WASTEWATER TREATMENT PLANT (Project # S340700-20)**

WHEREAS, the Northwest Bergen County Utilities Authority (hereinafter the "Authority") has elected to construct a Sludge Cake Receiving Facility at its Wastewater Treatment Plant located in Waldwick, N.J., Project # S340700-20 (hereinafter referred to as the "Project"); and

WHEREAS, under the New Jersey New Jersey Department of Environmental Protection (NJDEP) Regulations, anyone who desires to construct improvements to a Wastewater Treatment Plant must apply to said Department for a Treatment Works Approval (TWA) for the Project; and

WHEREAS, the Treatment Works Application requires that the application be executed on behalf of the Owner of the Wastewater Treatment Plant.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the Executive Director, Robert Laux and/or Assistant Executive Director, John Danubio are authorized to execute the Treatment Works Application and such other documents and undertake such other tasks that are reasonably required to carry out and consummate the transactions contemplated by the Treatment Works Approval.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

**RESOLUTION
No.51-2023
Date: June 21,2023**

I hereby certify 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 June 21, 2023.

Frank Kelaher, Chairman

Douglas Bern, Assistant Secretary

Recorded Vote:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 52-2023

Date: June 21, 2023

RESOLUTION OF THE GOVERNING BODY OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY AUTHORIZING STIPEND AND LICENSE INCENTIVE PAYMENTS TO SUPERVISORY EMPLOYEES

WHEREAS, the Authority encourages all employees to obtain licenses and pursue trades that benefit the Authority; and

WHEREAS, several supervisory employees possess licenses and/or have provided services in a skilled trade that confer benefits on the Authority; and

WHEREAS, the Authority's Superintendent has recommended license incentive and trade incentive payments for all of the supervisory employees that possess licenses and/or have provided services in a skilled trade that confer benefits on the Authority; and

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 is hereby authorized to pay Robert Genetelli a license incentive of \$6,000 for holding a S4/C4 license.
3. The Authority is hereby authorized to pay Nicholas Fabbriatore a license incentive of \$6,000 for holding a S4/C4 license & Backflow Preventer.
4. The Authority is hereby authorized to pay Andrew Agugliaro a license and trade incentive of \$3,750 for his TV Camera Truck/PACP certification/Commercial Driver's License/Backflow Preventer/C1 License.
5. The Authority is hereby authorized to pay Brian Frank a trade incentive of \$1,500 for his certifications in Electronic Systems Technician and Electronic Technician
6. This Resolution shall be effective immediately.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 52-2023

Date: June 21, 2023

RESOLUTION OF THE GOVERNING BODY OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY AUTHORIZING STIPEND AND LICENSE INCENTIVE PAYMENTS TO SUPERVISORY EMPLOYEES

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 June 21, 2023.

FRANK KELAHER, CHAIRMAN

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

RECORDED VOTE:

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