



**MINUTES
REGULAR MEETING
MARCH 17, 2015**

1. The Meeting was called to order at 7:52pm.
2. The Chairman read the statement in compliance with C. 231, PL 1975.
3. Roll Call: The following Commissioners were present: Bonagura, DaPuzzo, DePhillips, Gabbert, Kasparian, Plumley, Salazer and Chairman Chewcaskie. Commissioner Kelaher was absent.
4. Salute to the Flag was led by the Chairman.
5. Chairman's Remarks:
 - a. Appointments of Committees will be made at the April Regular Meeting.
6. Closed Session – Chairman Chewcaskie read the resolution for the Board to go into Closed Session to discuss pending litigation involving a former employee and he also amended the resolution to include review and discussion of the minutes of the February 17, 2015 Closed Session meeting. Chairman Chewcaskie offered the Resolution and Vice-Chairman Kasparian seconded it. All present Commissioners voted in favor of entering into Closed Session at 7:55pm.

Commissioner DePhillips motioned to adjourn the Closed Session at 8:40pm and Commissioner DaPuzzo seconded. The Board adjourned at 8:40pm and continued with the public meeting.

7. Two motions were made in open session as a result of the Closed Session discussion. They were as follows:
 - a. There was an arbitration award made to a former employee and the employee's attorney has filed a motion to confirm that award. The Board would like to have the Authority's Attorney, Alterman & Associates, file the necessary cross-motion to vacate the arbitration award. Commissioner DaPuzzo made the motion to authorize Alterman and Associates to file the necessary cross-motion to vacate the arbitration award. Commissioner Bonagura seconded it. All present Commissioners were in favor of the motion.
 - b. The second motion is for the solicitation of proposals from the law firms that the Authority has qualified to do an evaluation on the determination, and if necessary the evidence, to determine any potential vulnerability or defenses that can be asserted.

Commissioner DaPuzzo offered the motion and Commissioner Bonagura seconded it. All present Commissioners were in favor of the motion.

8. Consideration for approval of minutes:
 - a. Reorganization Meeting – February 17, 2015: Commissioner DaPuzzo requested an amendment to be made to the minutes of the Reorganization Meeting to reflect a comment he had made in the meeting. The amendment is as follows: “Commissioner DaPuzzo added to Commissioner Kasparian’s remarks that this proposal for the arbitrage analysis was done without the knowledge of the finance committee.” Commissioner DaPuzzo made the motion to accept the amended minutes, Commissioner Gabbert seconded. Commissioners Bonagura, DaPuzzo, DePhillips, Gabbert, Plumley, Salazer and Chairman Chewcaskie were in favor of approving the amended minutes. Vice-Chairman Kasparian opposed the approval of the amended minutes.
 - b. Special Meeting – February 17, 2015: Commissioner DaPuzzo motioned to accept the minutes from the February 17, 2015 Special Meeting, Commissioner Bonagura seconded the motion. All present Commissioners were in favor of approving the Special Meeting Minutes.
 - c. Closed Session – February 17, 2015: Commissioner Gabbert motioned to approve the Closed Session Minutes which had been prepared by Commissioner DaPuzzo with no changes. Commissioner Salazer seconded the motion. Commissioners Bonagura, DaPuzzo, DePhillips, Gabbert, Plumley, and Salazer were in favor of approving the minutes. Chairman Chewcaskie and Vice-Chairman Kasparian abstained.
9. Public Comments: There were no public comments.
10. Consideration for approval list of Resolutions. The Commissioners voted on Resolution No. 33-2015 through 39-2015 by Consent Agenda. Commissioner DaPuzzo offered the Consent Agenda and Commissioner Gabbert seconded. All present Commissioners voted yes on passing Resolution Nos. 33-2015 through 39-2015.

Resolution No. 33-2015 – Approval of vouchers, payroll and tax deposits and pensions and benefits transfers for February 2015 and Health and Dental Benefits for March 2015 as follows: Payroll Account: \$191,169.37; Tax Deposit Acct: \$92,225.38; Health Benefits Contribution-Employer: \$105,077.69; Health Benefits Contribution Employee: \$9,960.22; Dental Benefits: \$3,995.82; PERS and Contributory Insurance: \$28,133.35; Operating Account: \$559,724.69; General Improvement Account: \$45,140.27.

Resolution No. 34-2015 – Resolution authorizing contracts with certain approved State Contractor Vendors for Contracting Unites pursuant to NJSA40A:11-12a: This Resolution authorizes the purchasing agent to purchase certain good and

services from those approved New Jersey State Contract Vendors as indicated by attachment to the Resolution.

Resolution No. 35-2015 – Approval of Application for Proposed Sanitary Sewer Extension – Borough of Franklin Lakes: Pulis Avenue, Mable Ann Avenue, DeKorte Drive & Bender Court, Borough of Franklin Lakes: An application was submitted by the Borough of Franklin Lakes for a proposed sanitary sewer extension which would provide sanitary sewer services to 18 existing single family homes and the Borough’s municipal buildings and library, consisting of 6 buildings. The project will contribute an average daily flow of 7,100 gallons per day, or 18 additional residential EDUS and 9 non-residential EDUs. This resolution approves this application subject to the fulfillment of certain terms and conditions by the Applicant.

Resolution No. 36-2015 – Designation of Bank Depositories for 2015: The following banks have been designated as depositories for the Year 2015: TD Bank, Allendale, NJ; Bank of New York Mellon, Woodland Park, NJ; Bank of New Jersey, Haworth, NJ.

Resolution No. 37-2015 – Authorization to settle Litigation and Enter into Consent Order: On December 9, 2014 the Authority awarded Contract No. 266 – Goffle Road and Midland Park Pump Station Upgrades to Coppola Services, Inc. Longo Electrical-Mechanical, Inc. was deemed nonresponsive for failure to specify Aurora pumps in its bid. Longo challenged the award of contract to Coppola by way of an Order to Show Cause filed on December 23, 2014. Longo has indicated it will supply the specified pumps and drives to the Authority in accordance with the bid specifications at the bid price of \$506,263.10 for Alternate A-1. Coppola agreed to vacate award of the Contract. The parties have agreed to vacate and the Authority may award the contract to Longo. This resolution authorizes the Authority’s attorney to execute the Consent Order in order to settle and resolve the litigation.

Resolution No. 38-2015 – Resolution to Release Minutes of the Closed Session: The Board went into closed session on February 17, 2015 to discuss certain professional appointments. After the closed session on February 17, 2015, the Commissioners made various professional appointments during the public portion of the meeting. This resolution authorizes the disclosure to the public of the meeting minutes from the closed session held on February 17, 2015.

Resolution No. 39-2015 – Resolution of the Northwest Bergen County Utilities Authority concerning the review of the Findings and Recommendations of the Local Finance Board pursuant to NJSA 40A5A-7 relating to the Hearing held by the Local Finance Board in connection with the issuance of the Authority’s not to exceed \$8,500,000 State Fiscal Year 2015 Utility System Subordinated Revenue Bonds, Series 2015: This resolution is for the acceptance of the findings and recommendations of the Local Finance Board and that each Commissioner has

reviewed same. Further this resolution directs the Secretary to submit a certified copy of this resolution and the required affidavit to the Local Finance Board to evidence said compliance.

11. Report of Committees:

- a. Finance Committee – Nothing further to Report
- b. Personnel Committee – Nothing further to Report
- c. Insurance Committee – Nothing further to Report
- d. Operating Committee – Nothing further to Report
- e. Building and Grounds – Nothing further to Report

12. Report of Treasurer – The treasurer gave two reports. The first one was for the short term investments. Approximately \$1 million is being held at TD Bank in lieu of fees. Approximately \$8.2 million is being held at TD Bank at a rate of 0.10% and approximately \$3 million is being held at Bank of New Jersey at a rate of 0.75%.

The second report was an income/expense statement for the period 1/1/2015 to 2/28/2015. Going forward this report will be presented to the Finance Committee monthly and then presented to the Board at the monthly meetings.

13. Report of Counsel – Nothing further to Report.

14. Report of Engineer – Nothing further to Report.

15. Report of Executive Director – Nothing further to Report.

16. Old Business: No old business.

17. New Business: No new business.

18. Public Comments: No public comments.

19. Adjournment: Commissioner DePhillips made a motion to adjourn the meeting at 8:52pm, Commissioner Gabbert seconded the motion. All present Commissioners were in favor of ending the meeting at 8:52pm.


ALISON GORDON, SECRETARY