



**MINUTES  
REORGANIZATION MEETING  
February 15, 2022**

1. The Meeting was called to order at 7:19pm.
2. The Secretary read the Open Public Meetings Act statement.
3. Roll Call: The following Commissioners were present via Zoom: Bonagura, Jordan, Kelaher, Lo Iacono, Ortega, and Plumley. Chairman Kasparian was absent.

Also present on the conference call were Board Secretary Alison Gordon, Executive Director James Rotundo, Assistant Executive Director John Danubio, Authority Engineer Howard Hurwitz, Superintendent Robert Genetelli, General Counsel Douglas Bern, Esq., and Consulting Engineer Nicholas Rotonda. Treasurer Todd Sherer was absent.

4. Election of Officers:
  - a. Election of Chairman and Vice-Chairman for 2022: Commissioner Bonagura made a motion to nominate Michael Kasparian as Chairman and Frank Kelaher as Vice-Chairman for 2022, Commissioner Jordan seconded. The motion carried.
5. Chairman Remarks: No remarks.
6. Consideration for approval of minutes:
  - a. Regular Meeting – January 11, 2022: Commissioner Kelaher motioned to table the minutes, Commissioner LoIacono seconded the motion. The motion carried to table the minutes of the January 11, 2022 Regular meeting.
  - b. Special Meeting – January 11, 2022: Commissioner Kelaher motioned to accept the minutes, Commissioner Jordan seconded the motion. The motion carried to approve the minutes of the January 11, 2022 Special meeting.
7. Public Comments: No public present.
8. Consideration for approval list of Resolutions dated February 15, 2022.
  - a. The Commissioners voted by Consent Agenda for Resolution No. 11-2022 through 38-2022. Commissioner Kelaher offered the Consent Agenda and Commissioner Bonagura seconded. All present Commissioners voted yes.

Resolution No. 11-2022 – Approval of vouchers, payroll and tax deposits and pensions and benefits transfers for January 2022 and Health and Dental Benefits for February 2022 as follows: Payroll Account: \$226,838.89; Tax Deposit Acct: \$99,732.31; Health Benefits Contribution-Employer: \$119,557.15; Health Benefits

Contribution Employee: \$4,506.04; Dental Benefits: \$3,999.40; PERS and Contributory Insurance: \$30,082.98; Operating Account: \$420,444.24; General Improvement Account: \$365,297.65; PERS Employer Liability: \$593,429.

Resolution No. 12-2022 – Approval of Creation of New Position, Assistant Electrical Supervisor and Hire of Brian Frank: The Authority determined that there presently exists the need to create a new position entitled “Assistant Electrical Supervisor.” The duties and responsibilities of the Assistant Electrical Supervisor are outlined in the Job Description which is made part of the Resolution. Mr. Brian Frank applied for the position and the Authority has determined that he is competent, qualified and experienced to perform the job of Assistant Electrical Supervisor. This resolution hires Brian Frank effective February 14, 2022 at an annual salary of \$92,000 subject to a 180 day probationary period.

Resolution No 13-2022 – 2022 Schedule of Meetings: This resolution sets the meeting dates for the year 2022.

Resolution No. 14-2022 – Official Newspapers for 2022: This resolution designates the Record, Ridgewood News and Herald News as official newspapers for the Authority for 2022.

Resolution No. 15-2022 – Designation of Bank Depositories for 2022: The following banks have been designated as depositories for the Year 2022: TD Bank, Allendale, NJ; Bank of New York Mellon, Woodland Park, NJ; Santander Bank, Short Hills, NJ; Provident Bank, Oradell, NJ.

Resolution No. 16-2022 – Resolution authorizing contracts with certain approved State Contract Vendors for Contracting Units pursuant to NJSA 40A:11-12a: This Resolution authorizes the purchasing agent to purchase certain goods and services from those approved New Jersey State Contract Vendors as indicated by attachment to the Resolution.

Resolution No. 17-2022 – Qualifications of individuals/firms for the provision of legal services: The Authority published a request for qualifications for legal services on January 14, 2022. Four (4) responses were received on February 1, 2022. The following firms/individuals were found to be qualified to provide legal services to the Authority: Eric M. Bernstein and Associates, LLC; Bern Root, LLC; Florio, Kenny, Ravel, LLP; and King, Moench, Hirniak & Collins, LLP.

Resolution No. 18-2022– Qualification of individuals/firms for the provision of engineering services. The Authority published a request for qualifications for engineering services on January 14, 2022. Eleven (11) responses were received on February 1, 2022. The following eleven (11) firms/individuals were found to be qualified to provide engineering services to the Authority: Chavond Barry Engineering Corp; CME Associates; T&M Associates; Tighe & Bond; CP Professional Services; Suburban Consulting Engineers; Engineered Solutions

Corporation; Neglia Engineering Associates; MFS Engineers & Surveyors; PS&S; Colliers Engineering & Design.

Resolution No. 19-2022 – Qualification of individuals/firms for the provision of auditing services. The Authority published a request for qualifications for the position of Auditor on January 14, 2022. One (1) response was received on February 1, 2022. The following firm was found to be qualified to provide auditing services to the Authority: Wielkocz & Company, LLC.

Resolution No. 20-2022 – Qualifications of individuals/firms for the provision of bond counsel services. The Authority published a request for qualifications for bond counsel services on January 14, 2022. Three (3) responses were received on February 1, 2022. The following firms were found to be qualified to provide bond counsel services to the Authority: Gibbons, PC; Wilentz, Goldman & Spitzer, PA; and Malamut & Associates.

Resolution No. 21-2022 – Qualifications of individuals/firms for the provision of risk management services: The Authority published a request for qualifications for risk management services on January 14, 2022. One (1) response was received on February 1, 2022. The following one (1) firm was found to be qualified to provide risk management services to the Authority: Alamo Insurance Group.

Resolution No. 22-2022 – Qualification of individuals/firms for the provision of architectural services. The Authority issued a Request for qualifications for engineering services on January 14, 2022. Four (4) responses were received on February 1, 2022. The following four (4) firms/individuals were found to be qualified to provide engineering services to the Authority: RSC Architects; Settembrino Architects; PS&S, LLC; Poskanzer Skott Architects.

Resolution No. 23-2022 – Retention of Auditor for 2022 pursuant to NJSA 19:44A-20.4: The firm of Wielkocz & Company, LLC was found to be highly qualified and eminently capable of providing auditing services to the Authority. This Resolution retains Wielkocz & Company, LLC as Auditor for the year 2022 with a not to exceed compensation amount of \$79,250.

Resolution No. 24-2022 – Retention of General Counsel for 2022 pursuant to N.J.S.A. 19:44A-20.4: Bern Root, LLC was found to be highly qualified and eminently capable of providing legal services. This Resolution retains Bern Root, LLC as General Counsel for 2022, with a not to exceed compensation amount of \$75,000.

Resolution No. 25-2022 – Retention of Labor Counsel for 2022 pursuant to N.J.S.A. 19:44A-20.4. Eric M. Bernstein & Associates, LLC was found to be highly qualified and eminently capable of providing labor counsel services. This resolution retains Eric M. Bernstein & Associates, LLC as Labor Counsel for 2022, with a not to exceed compensation amount of \$25,000.

Resolution No. 26-2022 – Retention of Bond Counsel for 2022 pursuant to N.J.S.A. 19:44A-20.4. Gibbons, PC was found to be highly qualified and eminently capable of providing bond counsel services. This resolution retains Gibbons, PC as Bond Counsel for 2022, with a not to exceed compensation amount of \$75,000.

Resolution No. 27-2022 – Retention of Risk Manager pursuant to N.J.S.A. 19:44A-20.4: Alamo Insurance Group, Inc. was found to be highly qualified and eminently capable of providing risk management services. This resolution retains Alamo Insurance Group, Inc. as Risk Manager for 2022, at a rate of 3% of the NJUJIF Annual Premium Assessment.

Resolution No. 28-2022 – Retention of Consulting Engineer for 2022 pursuant to N.J.S.A. 19:44A-20.4. T&M Associates was found to be highly qualified and eminently capable of providing consulting engineer services. This resolution retains T&M Associates as the Consulting Engineer for 2022, with a not to exceed compensation amount of \$150,000.

Resolution No. 29-2022 – Retention of Consulting Engineer for 2022 for Instrumentation, Automation and Computer Systems pursuant to NJSA 19:44A-20.4: Engineered Solutions Corporation was found to be highly qualified and eminently capable of providing consulting engineer services. This resolution retains Engineered Solutions Corporation as Consulting Engineer to provide engineering services related to Instrumentation, Automation and Computer Systems in 2022, with a not to exceed compensation amount of \$100,000.

Resolution No. 30-2022 – Retention of Consulting Engineer for 2023 Service Charges pursuant to N.J.S.A. 19:44A-20.4. Paul Malmrose of Tighe & Bond, Inc. was determined to be highly qualified and capable of providing consulting engineering services to the Authority. This resolution retains Paul Malmrose of Tighe & Bond as the engineer for 2023 service charges with a not to exceed compensation of \$50,000.

Resolution No. 31-2022 – Retention of Consulting Engineer for General Incinerator Advice for 2022 pursuant to N.J.S.A. 19:44A-20.4.: Chavond Barry Engineering Corp. was found to be highly qualified and eminently capable of providing consulting engineer services. This resolution retains Chavond Barry Engineering Corp. as Consulting Engineer to provide general incinerator advice in 2022, with a not to exceed compensation amount of \$175,000.

Resolution No. 32-2022 – Retention of Architect pursuant to N.J.S.A. 19:44A-20.4: RSC Architects was found to be highly qualified and eminently capable of providing architectural services. This resolution retains RSC Architects as Architect for 2022, with a not to exceed compensation amount of \$100,000.

Resolution No. 33-2022 – Authorization to enter into a Shared Services Agreement with the Borough of Upper Saddle River: This Resolution authorizes the Authority

to enter into an agreement with Upper Saddle River for a duration of 1 year commencing January 1, 2022 and terminating December 31, 2022 for the Authority to provide the following services: 1) act as the New Jersey Licensed Collection System Operator for the Borough in the sanitary sewer system collection area defined on the sewer map attached and as more specifically defined in the attached Agreement 2) respond to sanitary sewer collection emergencies 24 hours a day, 7 days a week 3) coordinate all third party repairs of the collections system 4) coordinate, participate and correspond to any and all NJDEP inspections and actions regarding the sanitary sewer collection system 5) coordinate with the Borough any NJDEP hotline calls and correspondence regarding the sanitary collection system 6) upon request, coordinate and conduct a manhole inspection program and 7) upon request, can conduct New Jersey State Certified Backflow Preventer tests.

Resolution No. 34-2022 – Approving Change Order No. 5 for Contract No. 272 – Wastewater Pump Stations Improvement Project: Various modifications have been made to the Project resulting in both the addition of supplementary items and reductions of several items and are more particularly set forth in Change Order No. 5. The total increase in project costs due to this change order is \$61,485.31. The Change Order also includes an increase in contract time of 60 calendar days. The Authority's consulting engineer, T&M Associates, has prepared the change order and recommends same be approved by the Authority. This Resolution approves Change Order No. 5 of Contract No. 272.

Resolution 35-2022 – Resolution of the Governing Body of the Northwest Bergen County Utilities Authority Authorizing Emergency Spending to Manage and Transport Solids Inventory Due to Offline Incinerators for Scheduled and Emergency Maintenance: On February 2, 2022 the Authority shut down its IDI incinerator due to differential pressure reading across the unit showing elevated levels caused by fluidizing sand entering the windbox via refractory damage in the dome. The backup incinerator was offline and not readily available. As a result of the offline incinerators, the Authority needs to manage solids inventory. The Authority Superintendent concluded an emergency condition exists and recommended that transportation be secured to remove solids offsite to help maintain operations. The Authority is hereby authorized to solicit quotes and award an emergency contract. Further, the Authority's Superintendent and Executive Director determined in light of the emergency circumstance to utilize the services of Synagro (Epic Transportation). The Authority is directed to file an emergency procurement report with the Division of Local Government Services within 30 days of the award of contract.

Resolution No. 36-2022 – Authorization to Engage the Services of T&M Associates for Engineering Services related to the Suez Coordination in Connection to Chapel Road, Township of Mahwah: The Authority has previously retained the services of T&M Associates to perform engineering services for the emergency repair of the Authority's Existing Interceptor at Chapel Road in Mahwah, NJ.

Additional engineering services are required as part of the coordination efforts with Suez due to the relocation of a 20-inch water main. T&M Associates has requested a budget of \$40,000 for these engineering services. This resolution accepts the proposal of T&M of \$40,000 for engineering services related to the coordination efforts with Suez.

Resolution No. 37-2022 – Authorization to Increase the Not to Exceed Cost of the Professional Services Agreement with T&M Associates to Provide Engineering Services related to the Emergency Repair of the Authority’s Existing Interceptor located on Chapel Road in the Township of Mahwah: The Authority previously retained T&M Associates to provide consulting engineering services for the referenced project with compensation to be capped at \$196,000. The Firm has submitted a request for an additional \$65,000 due to various matters related to continued full time inspection and final closeout documents for the project. This resolution amends the original Resolution and Agreement to increase the not to exceed cost to \$261,000.

Resolution No. 38-2022 – Authorization to enter into a Shared Services Agreement with the Borough of Allendale: This resolution authorizes the Authority to enter into a shared services agreement with the Borough of Allendale for a period of one (1) year commencing January 1, 2022 and ending December 31, 2022 for the following services: 1) act as the Borough’s New Jersey Licensed Operator 2) respond to sanitary sewer collection emergencies 24 hours a day, 7 days a week 3) coordinate all third party repairs of the collections system 4) coordinate, participate and correspond to any and all NJDEP inspections and actions regarding the sanitary sewer collection system 5) coordinate with the Borough any NJDEP hotline calls and correspondence regarding the sanitary collection system 6) upon request, coordinate and conduct a manhole inspection program and 7) upon request, can conduct New Jersey State Certified Backflow Preventer tests.

9. Report of Treasurer (Provided by Mr. Hurwitz): There is approximately \$14.3 million in short term investments at an interest rate ranging from .1% to .2%.
10. Old Business: No old business
11. New Business: No new business.
12. Public Comments: No public present.
13. Adjournment: The meeting adjourned at 7:29pm.

  
ALISON GORDON, SECRETARY