

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 41-2024

Date: April 17, 2024

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 March 2024 and Health Benefits and Dental Benefits transfers for April 2024; 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, 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 April 17, 2024 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$283,341.29

ACCOUNT: Tax Deposit Account
Total: \$118,331.09

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$141,822.25

ACCOUNT: Health Benefits Contribution Employee
Total: \$3,710.22

ACCOUNT: Dental Benefits
Total Transfer: \$3,437.59

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ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$27,028.81

ACCOUNT: Operating Account
Total: \$726,930.65

ACCOUNT: General Improvement Account
Total: \$552,206.25

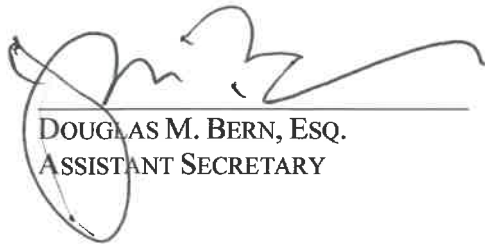
ACCOUNT: Sewer Trust Account
Total: \$1,816,429.58

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to N.J.S.A. 40:14B-14(b).

RESOLVED, A copy of this agreement shall be placed on file in the Office of the Executive Director. 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); and

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 April 17, 2024.


FRANK KELAHER, CHAIRMAN


DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 41-2024

Date: April 17, 2024

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

RECORDED VOTE:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 42-2024

Date: April 17, 2024

RESOLUTION AWARDING A CONTRACT TO CARBON ACTIVATED CORPORATION FOR CONTRACT NO. 1158 THE MERCURY REDUCTION CARBON MEDIA CHANGE OUT

WHEREAS, the Northwest Bergen County Utilities Authority “the Authority”, identified the need to replace the Carbon Media within its Carbon Mercury Absorber; and

WHEREAS, “the Authority” has prepare bid specifications and establish Contract No. 1158 “the Contract”; and

WHEREAS, the Contract was advertised on the Bonfire e-procurement platform on February 26th, 2024, and bids were received on March 20th, 2024; and

WHEREAS, Three responsive bids were received as reflected in the chart below; and

<u>Bidder</u>	<u>Base Bid</u>
Carbon Activated Corporation	\$173,400.00
Iron Hills Construction Inc.	\$255,884.00
Nichem Co.	\$525,000.00

WHEREAS, Carbon Activated Corporation , a corporation with business offices located at 109 Hunters Ridge Road, Orchard Park, NY 14127 is the lowest responsible bidders; and

WHEREAS, the Authority’s Engineer recommends the award, confirming that the bid of \$173,400.00 is fair and reasonable and in line with the expected costs; and

WHEREAS, funds have been certified as available for the purposes set forth in this resolution; and

NOW THEREFORE BE IT RESOLVED; that the Board of Commissioners hereby award a contract to Carbon Activated Corporation, located at 109 Hunters Ridge Road, Orchard Park, NY 14127, in the amount not to exceed one hundred and seventy three thousand four hundred dollars (\$173,400.00) as delineated in Carbon Activated Corporation’s bid; and

BE IT FURTHER RESOLVED; that the Board of Commissioners direct Authority staff to take any and all action to effectuate the purpose of this resolution including but not limited to the

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:

DESCRIPTION: Contract 1158

VENDOR: Carbon Activated Corporation

AMOUNT: \$173,400.00

ACCOUNT NO.: 06-101-01-000-1

Date: April 17, 2024



Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 43-2024

Date: April 17, 2024

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF BERGEN, DEPARTMENT OF HEALTH SERVICES FOR PARTICIPATION IN THE EMPLOYEE ASSISTANCE PROGRAM

WHEREAS, the County of Bergen is a body politic and corporate of the State of New Jersey; and

WHEREAS, Northwest Bergen County Utilities Authority (hereinafter referred to as the “Authority”) is an Authority Corporation of the State of New Jersey; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.) promotes the broad use of shared services to reduce local expenses funded by property tax payers; and

WHEREAS, the Bergen County Department of Health Services (hereinafter, referred to as “BCDHS”) coordinates and assures the preservation, protection and promotion of essential public health services and seeks to assist authorities with their public health obligations for services set forth in the appendix of the Shared Services Agreement (hereinafter referred to as the “Agreement”) attached hereto; and

WHEREAS, the Authority desires to contract for the furnishing of health services of a technical and professional nature by the BCDHS to the Authority, pursuant to N.J.S.A. 26:3A2-1 et seq.; and

WHEREAS, the services to be provided by the BCDHS to the Authority shall be the Employee Assistance Program, which is greater described in the Agreement; and

WHEREAS, this Agreement shall be in effect for a duration of one (1) year commencing January 1, 2024 and ending December 31, 2024; and

WHEREAS, the cost of this service is \$22.25 per employee for the year 2024; and

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

1. The Authority is hereby authorized to enter into a Shared Services Agreement with the County of Bergen, Department of Health Services for the provision of the Employee Assistance Program for the period of January 1, 2024 through December 31, 2024 at a rate of \$22.25 per employee.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 44-2024

Date: April 17, 2024

RESOLUTION APPROVING PROJECT LABOR AGREEMENT

WHEREAS; on the recommendation of the Robert Laux, Acting Executive Director of the Northwest Bergen County Utilities Authority, it is in the best interest of the Authority to adopt labor standards for certain projects entered into by the Utilities Authority; and

WHEREAS; on April 30, 2021, Governor Murphy signed into law S3414 codified as P.L. 2021 C.69 to promote workforce diversity in public works projects, and revising "public works projects" to permit project labor agreements (PLA) for more projects; and

WHEREAS; prior to the amendment, PLA's could only be executed for "buildings at the public expense, other than pumping stations or water or sewage treatment plants", and

WHEREAS; the new definition removes such exclusions and allows a PLA to apply as to all "Public works project(s)" which means any public works project for construction, reconstruction, demolition or renovation for which:

- (1) It is required by law that workers be paid the prevailing wage determined by the Commissioner of Labor and Workforce Development pursuant to the provisions of the "New Jersey Prevailing Wage Act", P.L.1963, c.150 (C.34:11-56.25 et seq.); and
- (2) The public entity estimates that the total cost of the project, exclusive of any land acquisition costs, will equal or exceed \$5 million.

WHEREAS; the expanded definition is now inclusive of road, bridge, and site work projects including but not limited to utility and wastewater projects previously excluded; and

WHEREAS; in order to effectuate the purposes of P.L. 2021 C.69, the form PLA needed to be amended to reflect the amendments of the PLA statute; and

WHEREAS; each project labor agreement executed pursuant to the provisions of P.L. 2021 C.69 shall:

- a. Advance the interests of the public entity, including the interests in cost, efficiency, quality, timeliness, skilled labor force, and safety;
- b. Contain guarantees against strikes, lock-outs, or other similar actions;
- c. Set forth effective, immediate, and mutually binding procedures for resolving jurisdictional and labor disputes arising before the completion of the work;
- d. Be made binding on all contractors and subcontractors on the public works project through the inclusion of appropriate bid specifications in all relevant bid documents;
- e. Require that each contractor and subcontractor working on the public works project have an apprenticeship program;

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 44-2024

Date: April 17, 2024

RESOLUTION APPROVING PROJECT LABOR AGREEMENT

- f. Fully conform to all statutes, regulations, executive orders and applicable local ordinances regarding the implementation of set-aside goals for women and minority owned businesses, the obligation to comply with which shall be expressly provided in the project labor agreement;
- g. Include a publicly available plan regarding:
 - (1) the shares of employment and apprenticeship positions in the public works project for minority group members, members of disadvantaged communities, and women which are in full conformance with the requirements of all applicable statutes, regulations, executive orders and local ordinances and is mutually agreed upon by the participating labor organizations and the public entity which will own the facilities which are built, altered or repaired under the public works project, provided that any shares mutually agreed upon pursuant to this subsection shall equal or exceed the requirements of other statutes, regulations, executive orders or local ordinances; and
 - (2) all measures and programs to be undertaken to attain the goals of paragraph (1) of this subsection regarding minority group members, members of disadvantaged communities, and women, which may include measures giving them priority in referral and placement from the hiring halls of signatory unions, programs to provide on-the-job or off-the-job outreach and training, and programs to provide incentives for, or otherwise facilitate, their hiring and employment;
- h. Require the contract for the public works project to provide whatever resources may be needed to prepare for apprenticeship a number of women, members of disadvantaged communities, and minority group members sufficient to enable compliance with the plan agreed upon pursuant to subsection g. of this section and provide that the use of those resources be administered jointly by the participating labor organizations and the public entity or community-based organizations selected by the public entity; and
- i. Require the public body to monitor, or arrange to have a State agency monitor, the amount and share of work done on the project by minority group members, members of disadvantaged communities, and women and the progression of minority group members, members of disadvantaged communities, and women into apprentice and journey worker positions, and require the public body to make public, or have the State agency make public, all records of monitoring conducted pursuant to this subsection.

WHEREAS; the County Commissioners of the County of Bergen and the County Executive are supportive of expanded utilization of PLA projects in all projects funded directly or indirectly by the County of Bergen, and have adopted the same on October 6th, 2021; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 44-2024

Date: April 17, 2024

RESOLUTION APPROVING PROJECT LABOR AGREEMENT

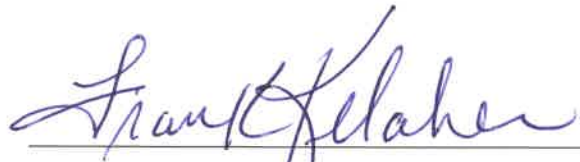
WHEREAS; the full text of the form PLA is attached to this resolution and herein incorporated by reference; and

NOW, THEREFORE, BE IT RESOLVED; that the Northwest Bergen County Utility Authority Board of Commissioners of the County of Bergen hereby authorize the executive director, or designee to take any and all necessary action in ratifying the form Project Labor Agreement; and

BE IT FURTHER RESOLVED; that all public works projects entered into by the authority which are equal to or exceed \$5,000,000.00 require the contractor to enter into a PLA as provided; and

RESOLVED; A copy of this agreement shall be placed on file in the Office of the Executive Director.
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); and

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 April 17, 2024.



FRANK KELAHER, CHAIRMAN



DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 45-2024

Date: April 17-2024

**AUTHORIZATION TO RENEW A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF FRANKLIN LAKES**

WHEREAS, the State of New Jersey encourages local units to enter into agreements for the joint provision of municipal services; and

WHEREAS, the State of New Jersey authorizes entering into such agreements for shared services pursuant to N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") and the Borough of Franklin Lakes (the "Borough") had entered into a Shared Services Agreement on June 1, 2023 with a termination date of May 31, 2024 for the Authority to 1) act as the New Jersey Licensed Collection System Operator for the Borough; 2) respond to any and all sewer collection emergencies 24 hours a day, 7 day a week; 3) coordinate all third party repairs of the Collection System; 4) when necessary, coordinate, participate and correspond to any and all NJDEP and USEPA inspections and actions regarding the Borough of Franklin Lakes Sanitary Sewer System; 5) coordinate with the Borough and NJDEP Hotline Calls and correspondence regarding the sanitary Collection System; and 6) the Borough will comply as soon as possible with all NBCUA requests for records, information, data or assistance with regard to the operation of the collection system or compliance with any applicable state or federal regulation; and

WHEREAS, the Borough has adopted its Resolution No. 156-24 authorizing entering into a new shared services agreement with the Authority to receive the same services as previously provided; and

WHEREAS, the Authority desires to enter into this agreement with the Borough for a duration of one (1) year subject to the terms and conditions set forth in said agreement attached hereto.

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

1. The Authority agrees to enter into a Shared Services Agreement with the Borough of Franklin Lakes for a duration of one (1) year to act as the New Jersey Licensed Sewer Operator for the Borough in addition to other services as outlined above; and
2. The Executive Director of the Authority be and is hereby authorized on behalf of the Authority to execute the Shared Services Agreement with the Borough of Franklin Lakes annexed hereto and made a part thereof.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 45-2024


Date: April 17-2024

**AUTHORIZATION TO RENEW A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF FRANKLIN LAKES**

3. A copy of this agreement shall be placed on file in the Office of the Executive Director. 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); and

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 April 17, 2024.


FRANK KELAHER, CHAIRMAN


DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

RECORDED VOTE:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 46-2024

Date: April 17, 2024

**RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE A SEWER CONNECTION APPLICATION
WITH THE VILLAGE OF RIDGEWOOD WATER DEPARTMENT
FOR THE WORTENDYKE TREATMENT FACILITY PROJECT
AT 32 BIRCH STREET, MIDLAND PARK, NEW JERSEY
SEWER CONNECTION**

WHEREAS, the Northwest Bergen County Utilities Authority (the “NBCUA”) has previously determined the need for and facilitated the construction of sanitary sewer lines within the Borough of Midland Park (the “Borough”); and

WHEREAS, the NBCUA has previously resolved to construct sanitary sewer lines to assist in the collection and disposal of backwash residuals and rinse waste waters arising within the boundaries of the Borough of Midland Park; and

WHEREAS, the NBCUA has received a Sewer Connection Application from Village of Ridgewood Water Department (“Ridgewood Water”) regarding 32 Birch Street, Midland Park, New Jersey (proposed Wortendyke Treatment Facility) which is desirous of collaborating with the Borough of Midland Park for the connection to an existing NBCUA sanitary sewer located Birch Street. The proposed connection/extension is designed to provide backwash residual collection and rinse wastewater service to the Wortendyke Treatment Facility. The proposed connection will involve constructing approximately 167 linear feet of 12-inch PVC sewer main, two (2) manholes, and appurtenances arising within the boundaries of 32 Birch Street of the Borough of Midland Park and to be received and serviced by the NBCUA. The application for this connection/extension projects an average daily increase in flow of 342 gallons per day (GPD). Based on this projection, two (2) additional residential equivalent dwelling unit (“EDU”) will become tributary to the Authority from the Borough of Midland Park, (“Project”); and

WHEREAS, the NBCUA Technical Advisor, Samuel N. Brewer submitted a memorandum on April 1, 2024, to the Interim Executive Director and NBCUA’s General Counsel indicating that the Authority currently has sufficient capacity to

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 46-2024

Date: April 17, 2024

RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE A SEWER CONNECTION APPLICATION
WITH THE VILLAGE OF RIDGEWOOD WATER DEPARTMENT
FOR THE WORTENDYKE TREATMENT FACILITY PROJECT
AT 32 BIRCH STREET, MIDLAND PARK, NEW JERSEY
SEWER CONNECTION

accept the additional flow from this Project and recommended the approval of the Sewer Connection Application by the Authority;

NOW THEREFORE BE IT RESOLVED, that the NBCUA Chairman, Interim Executive Director and the NBCUA's General Counsel are authorized to prepare any and all documentation in order to facilitate the sewer connection to service 32 Birch Street with the Borough of Midland and to report back to the NBCUA Commissioners on the status of same; and the NBCUA shall be responsible for ensuring the intended construction of sanitary sewer lines shall comply with all laws of the State of New Jersey Local Public Contracts Law, N.J.S.A 40A:11-1 et. seq., and all other provisions of the revised statutes of the State of New Jersey.

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

1. The Authority hereby authorizes the approval of the Sewer Connection Application submitted by Ridgewood Water, subject to the following Authority requirements;
2. Construction in conformance with all applicable requirements of the Borough of Midland Park, where applicable.
3. Inspection and approval of the installation of sewers and appurtenances by the Borough of Midland Park where applicable.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 46-2024

Date: April 17, 2024

**RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE A SEWER CONNECTION APPLICATION
WITH THE VILLAGE OF RIDGEWOOD WATER DEPARTMENT
FOR THE WORTENDYKE TREATMENT FACILITY PROJECT AT
32 BIRCH STREET, MIDLAND PARK, NEW JERSEY SEWER
CONNECTION**

4. Observation and approval by the Authority of infiltration/exfiltration testing, with the Authority to receive two (2) days advanced notice prior to the testing of all newly constructed sewers.
5. Reimbursement to the Authority by the applicant for all engineering expenses incurred by the Authority for inspection and final testing of the sewers and appurtenances.
6. Payment to the Authority by the applicant for all Authority application fees, legal fees, and other application, administrative, technical, and other review expenses relating to the project.
7. Any manhole constructed or modified by reason of this project must be fitted with sewer guards.
8. Water conserving plumbing fixtures shall be installed in the building serviced by this connection.
9. Notification of the Authority when sanitary sewer construction commences.
10. Submission to the Authority for its approval, NJDEP form WQM-005, "Certification for Approval by Local Agency," when the construction of this connection is completed.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

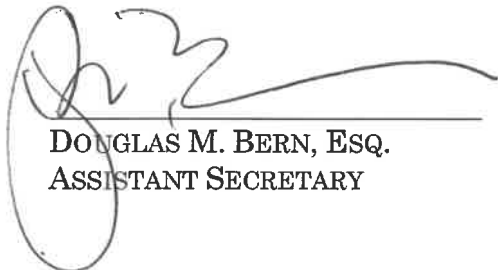
No. 46-2024

Date: April 17, 2024

**RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE A SEWER CONNECTION APPLICATION
WITH THE VILLAGE OF RIDGEWOOD WATER DEPARTMENT
FOR THE WORTENDYKE TREATMENT FACILITY PROJECT AT
32 BIRCH STREET, MIDLAND PARK, NEW JERSEY SEWER
CONNECTION**

11. The Chairman, or his designee, be and hereby is authorized to execute any such documents in connection the Sewer Connection Application.
12. The Northwest Bergen County Utilities Authority shall be responsible for ensuring that all the construction of sanitary sewer lines comply with all laws of the State of New Jersey Local Public Contracts Law, N.J.S.A 40A:11-1 et. seq., and all other provisions of the revised statutes of the State of New Jersey.

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 March 20, 2024.



DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY



FRANK KELAHER, CHAIRMAN

DATED: April 17, 2024

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 46-2024

Date: April 17, 2024

RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE A SEWER CONNECTION APPLICATION
WITH THE VILLAGE OF RIDGEWOOD WATER DEPARTMENT
FOR THE WORTENDYKE TREATMENT FACILITY PROJECT
AT 32 BIRCH STREET ROAD, MIDLAND PARK, NEW JERSEY
SEWER CONNECTION

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelahe	
Offered		✓							
Seconded			✓						
Aye	✓	✓	✓	✓		✓		✓	
Nay									
Absent					✓		✓		
Abstain									
Recuse									