

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

No. CS-MAR.2013

Seconded by Commissioner Salazer

Date: March 5, 2013

**AUTHORIZATION TO GO INTO CLOSED SESSION
TO DISCUSS PENDING AND POTENTIAL LITIGATION**

WHEREAS, the meetings of the Commissioners of the Northwest Bergen County Utilities Authority (the "Authority") are subject to the Open Public Meetings Act, N.J.S.A. 10:4-1, et seq. ("OPMA"); and

WHEREAS, in accordance with the OPMA, the Authority may exclude the public from that portion of any meeting in which the Commissioners discuss pending and/or anticipated litigation in which the Authority is or may become a party or any matters falling within the attorney/client privilege; and

WHEREAS, the Commissioners wish to review and discuss the Franklin Lakes sewer project and a proposed Memorandum of Understanding with the Borough of Franklin Lakes.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Northwest Bergen County Utilities Authority go into closed session to discuss pending and/or anticipated litigation over the matters set forth above; and be it

FURTHER RESOLVED, that the matters to be discussed in closed session may be disclosed to the public at a time in the future when these issues have been resolved and such disclosure will not harm the Authority.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

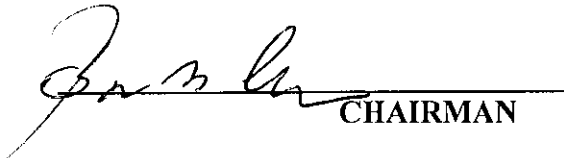
No. CS-MAR.2013

Seconded by Commissioner Salazer


Date: March 5, 2013

**AUTHORIZATION TO GO INTO CLOSED SESSION
TO DISCUSS PENDING AND POTENTIAL LITIGATION**

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 members of all Commissioners of the Authority eligible to vote at a regular meeting held on March 5, 2013.



CHAIRMAN



SECRETARY

Roll Call: Ayes: Commissioners Dachnowicz, Gabbert, Kasparian,
Plumley, Salazer, Chewcaskie
Nays: None
Absent: Commissioners DaPuzzo, DePhillips, Kelaher

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

Seconded by Commissioner Gabbert Date Mar. 5, 2013

CONSENT RESOLUTION

RESOLVED,

BE IT RESOLVED, that the following Consent Resolution herewith listed having been considered by the Commissioners of this Authority be and are hereby passed and approved.

- 20-2013. Approval of vouchers, payroll and tax deposits.
- 21-2013. Completion of 90 day probationary period for Harold Malone, Incinerator Operator.
- 22-2013. Proposed sewer extension, 506 Helena Ave., Wyckoff, NJ
- 23-2013. Award Bid, Contract #260 Site Paving & Lighting.
- 24-2013. Supplemental Application, NJEIFP Loan #S340700-09-1.


SECRETARY


CHAIRMAN

Roll Call: Ayes: Commissioners Dachnowicz, Gabbert, Kasparian, Plumley, Salazer, Chewcaskie
Nays: None
Absent: Commissioners DaPuzzo, DePhillips, Kelaher

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

Offered by Commissioner Kasparian

No. 20-2013.

Seconded by Commissioner Gabbert

Date Mar. 5, 2013

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

RESOLVED,

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 Pension & Benefits transfers for the month of Feb. 2013 and Health and Dental Benefits transfers for Mar. 2013; and

WHEREAS, the Commissioners of the Authority have reviewed the vouchers, payroll transfers, payroll tax deposits, Pension and Benefits, and Health and Dental Benefits transfers listing 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, Pension & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated Mar. 5, 2013 be and they hereby are approved for payment from the proper accounts as follows:

**ACCOUNT: PAYROLL ACCOUNT
NET PAYROLL: \$177,316.74**

**ACCOUNT: TAX DEPOSIT ACCOUNT
TOTAL: \$85,317.34**

**ACCOUNT: PERS AND CONTRIBUTORY INSURANCE
TOTAL TRANSFER: \$ 27,522.97**

**ACCOUNT: PERS EMPLOYER LIABILITY
TOTAL TRANSER: \$365,648.00**

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

Offered by: Commissioner Kasparian

No. 20-2013, page 2

Seconded by: Commissioner Gabbert

Date: Mar. 5, 2013

ACCOUNT: HEALTH BENEFITS CONTRIBUTION EMPLOYER
TOTAL TRANSFER: \$ 96,764.81

ACCOUNT: HEALTH BENEFITS CONTRIBUTION EMPLOYEE
TOTAL: \$ 2,435.66

ACCOUNT: DENTAL BENEFITS
TOTAL TRANSFER: \$ 4,393.89

ACCOUNT: DCRP - EMPLOYEE - FEB.
TOTAL TRANSFER: \$ 275.01

ACCOUNT: DCRP - EMPLOYER - FEB.
TOTAL TRANSFER: \$ 150.00

ACCOUNT: OPERATING ACCOUNT
TOTAL: \$280,554.74

ACCOUNT: GENERAL IMPROVEMENT ACCOUNT
TOTAL: \$ 7,546.25

ACCOUNT: 2009A PROJECT ACCOUNT
TOTAL: \$ 5,621.00

ACCOUNT: 2010 PROJECT ACCOUNT
TOTAL: \$ 8,631.50

ACCOUNT: 2012 WWT PROJECT ACCOUNT
TOTAL: \$127,551.79


SECRETARY


CHAIRMAN

Roll Call: Ayes: Commissioners Dachnowicz, Gabbert, Kasparian, Plumley,
Salazer, Chewcaskie
Naves: None
Absent: Commissioners DaPuzzo, DePhillips, Kelaher

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

No. 21-2013

Seconded by Commissioner Gabbert

Date: March 5, 2013

REGULAR EMPLOYMENT – INCINERATOR OPERATOR

RESOLVED,

WHEREAS, by Resolution dated January 8, 2013, Harold Malone was transferred by the Northwest Bergen County Utilities Authority to the position of Incinerator Operator subject to a ninety (90) day probationary period; and


WHEREAS, Harold Malone has successfully completed his probationary period on February 7, 2013, and it is recommended he be retained as a regular employee; and

WHEREAS, it is the desire of the Commissioners of the Northwest Bergen County Utilities Authority to retain the services of Harold Malone as Incinerator Operator effective January 8, 2013.

NOW, THEREFORE, BE IT

RESOLVED, that Harold Malone be retained as a regular employee in the position of Incinerator Operator by Northwest Bergen County Utilities Authority effective January 8, 2013.


SECRETARY


CHAIRMAN

Roll Call: Ayes: Commissioners Dachnowicz, Gabbert, Kasparian, Plumley,
Salazer, Chewcaskie
Naves: None
Absent: Commissioners DaPuzzo, DePhillips, Kelaher

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

No. 22-2013

Seconded by Commissioner Gabbert

Date: March 5, 2013

**PROPOSED SANITARY SEWER EXTENSION – TOWNSHIP OF WYCKOFF
506 HELENA AVENUE
TOWNSHIP OF WYCKOFF, NEW JERSEY**

RESOLVED,

WHEREAS, an application has been made to the Northwest Bergen County Utilities Authority (hereinafter sometimes referred to as the "Authority") 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 Block 314, Lot 65 in the Township of Wyckoff, New Jersey (the "Project"); and

WHEREAS, the Project proposes to provide sanitary sewer service to one existing single-family home in the Township of Wyckoff; and

WHEREAS, the Authority technical advisor has reviewed the application and the documents and drawings submitted in support thereof and, by memorandum dated February 4, 2013 has recommended that the Authority approve the Project, subject to fulfillment of certain terms and conditions, finding that when completed, the Project will contribute an average daily flow of 300 gallons, or 1 additional residential EDU to the Authority's systems; and

WHEREAS, it is recommended that the Authority approve the Project, subject to fulfillment of certain terms and conditions by the Applicant;

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the application of the Township of Wyckoff for approval of a proposed sanitary sewer extension to be located at Block 314, Lot 65 in the Township of Wyckoff, New Jersey be approved upon 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 the Township of Wyckoff;
2. That installation of the sewers and appurtenances be inspected and approved by the Township of Wyckoff;
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;

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

No. 22-2013 p. 2

Seconded by Commissioner Gabbert

Date: March 5, 2013

**PROPOSED SANITARY SEWER EXTENSION – TOWNSHIP OF WYCKOFF
506 HELENA AVENUE
TOWNSHIP OF WYCKOFF, NEW JERSEY**

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.


SECRETARY


CHAIRMAN

Roll Call: Ayes: Commissioners Dachnowicz, Gabbert, Kasparian, Plumley, Salazer, Chewcaskie

Nays: None

Absent: Commissioners DaPuzzo, DePhillips, Kelaher

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

No. 23-2013.

Seconded by Commissioner Gabbert

Date: Mar. 5, 2013

**AWARD BID - CONTRACT NO.260 SITE PAVING AND LIGHTING
IMPROVEMENTS**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Authority solicited bid proposals in connection with Contract #260, Site Paving and Lighting Improvements; and

WHEREAS, bid proposals were received by the Authority; and

WHEREAS, the total bid amount, which includes all three alternates, from the three lowest bidders are as follows:

SCS Contracting, Inc.	\$284,206.25
D.S. Meyer Enterprises, LLC	\$315,656.09
Zenith Construction Services, Inc.	\$335,372.50

WHEREAS, after review by the Authority's professional staff, the Authority has determined that the lowest responsible bidder is SCS Contracting, Inc.; and

WHEREAS, the Authority's Executive Director, Consulting Engineer, and General Counsel have reviewed the bid proposals; and

WHEREAS, the Authority has determined that SCS has submitted all of the required documents and is the "lowest responsible bidder"; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

No.23-2013 pg.2

Seconded by Commissioner Gabbert

Date: Mar.5, 2013

AWARD BID - CONTRACT #260 SITE PAVING AND LIGHTING IMPROVEMENTS

WHEREAS, the Authority, pursuant to N.J.S.A.40A:11-1, et seq., has determined that SCS's failure to include a "listing of clients and personnel demonstrating Bidder's ability to perform work" was not a material deficiency in its bid; and

WHEREAS, the Authority, pursuant to N.J.S.A.40A:11-1, et seq., waives the fact the "listing of clients and personnel demonstrating Bidder's ability to perform work" was missing from the proposal; and

WHEREAS, the Authority certifies that there are sufficient funds available to award this project to SCS; and

WHEREAS, the Commissioners of the Authority have determined it to be in the best interest of the Authority and the municipalities it serves to accept the bid of SCS Contracting, Inc., for Contract #260; and

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that the bid of SCS Contracting, Inc. for the total bid amount including all three alternates of \$284,206.25 for Contract #260 Site Paving and Lighting Improvements be and the same hereby is accepted; and

FURTHER RESOLVED, that the Chairman or Vice-Chairman of the Authority shall be and hereby is authorized to execute any such contract on behalf of the Authority.

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 Mar. 5, 2013.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

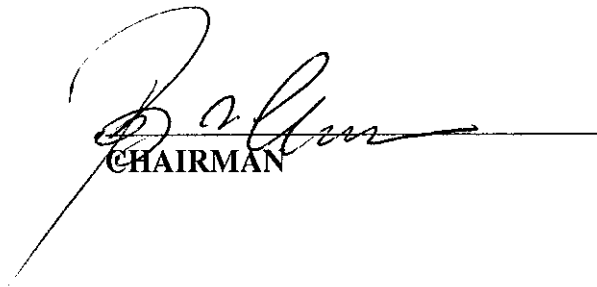
No.23-2013 pg. 3

Seconded by Commissioner Gabbert

Date: Mar. 5, 2013

AWARD BID - CONTRACT #260 SITE PAVING AND LIGHTING


SECRETARY


CHAIRMAN

Roll Call: Ayes: Commissioners Dachnowicz, Gabbert, Kasparian, Plumley,
Salazer, Chewcaskie
Nays: None
Absent: Commissioners DaPuzzo, DePhillips, Kelaher

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

No. 24-2013.

Seconded by Commissioner Gabbert

Date: Mar. 5, 2013

**NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM
LOAN NO. S340700-09-1**

WHEREAS, the Northwest Bergen County Utilities Authority (hereinafter referred to as the "Authority") on Sept. 7, 2010 passed Resolution #67-2010 accepting the recommendations of its professional staff and authorizing the execution of a "Loan Application" for funding through the New Jersey Environmental Infrastructure Trust for the Franklin Lakes Project, Loan No.S340700-09; and

WHEREAS, the Authority intends to file a supplemental application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the Authority's Franklin Lakes Business District Sanitary Sewer Project; and

WHEREAS, the proposed project includes supplemental work associated with the Franklin Lakes Business District Sanitary Sewer Improvements in the amount of \$475,000. The proposed improvements include lowering 595 LF of 8" gravity sewer on Susquehanna Avenue and 1570 LF of 10" gravity sewer on Pulis Avenue; installation of a 3" force main (575 LF) on Pulis Avenue to the front of Mountain Shadows at Linden Road; raising 366 LF of the Franklin Avenue 8" gravity sewer under the railroad; extending the length of 8" gravity sewer pipe by approximately 235 LF along Susquehanna to Pulis Avenue; eliminating a section of 8" gravity sewer upstream end of Franklin Avenue (approximately 335 LF); modifications to the new pump station resulting from relocation to an easement in lieu of the existing lot and building; and extension of the new 8" gravity sewer on Pulis Avenue 110 LF south under the railroad tracks to Tice Lane; and

WHEREAS, the Authority has reviewed the aforementioned which it finds to be acceptable as to form and content.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner Kasparian

No.24-2013 pg. 2

Seconded by Commissioner Gabbert

Date: Mar. 5, 2013

NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM
LOAN NO.S340700-09-1

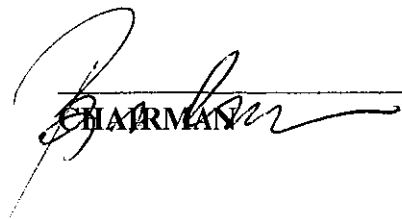
NOW, THEREFORE, BE IT RESOLVED, this 5th day of March 2013, by the Northwest Bergen County Utilities Authority that the Executive Director is hereby authorized to act as the Authorized Representative of the Authority in filing the supplemental financing application in the amount of \$475,000 with NJDEP and NJEIT and all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust.

The Authorized Representative may be contacted at:

Northwest Bergen County Utilities Authority
30 Wyckoff Ave., P.O. Box 255
Waldwick, N.J. 07463-0255
(201)447-2660

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 5, 2013.


SECRETARY


CHAIRMAN

Roll Call: Ayes: Commissioners Dachnowicz, Gabbert, Kasparian, Plumley,
Salazer, Chewcaskie
Nayes: None
Absent: Commissioners DaPuzzo, DePhillips, Kelaher

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

MOTION

NO. 1

OFFERED BY: COMMISSIONER KASPARIAN

SECONDED BY: COMMISSIONER GABBERT DATE: MAR. 5, 2013

MOTION TO AUTHORIZE CHAIRMAN TO EXECUTE THE FIRST MEMORANDUM OF UNDERSTANDING AS PREPARED BY MR. ZENN, WHICH EXCLUDES PARAGRAPH #6 ADDED BY FRANKLIN LAKES. ALSO, IT IS TO BE COMMUNICATED TO FRANKLIN LAKES THAT THE CHAIRMAN WAS SPECIFICALLY AUTHORIZED TO EXECUTE THAT FIRST MEMORANDUM OF UNDERSTANDING.

ROLL CALL:

**AYES: COMMISSIONERS DACHNOWICZ, GABBERT, KASPARIAN,
PLUMLEY, SALAZER, CHEWCASKIE.**

NAYES: NONE

ABSENT: COMMISSIONERS DAPUZZO, DEPHILLIPS, KELAHER.