

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 47-2023

Date: July 19, 2023

AUTHORIZATION TO ADJUST CONNECTION FEE

WHEREAS, after a public hearing on December 6, 2006, as set forth in the Resolution adopted on said date, the Northwest Bergen County Utilities Authority (the "Authority") determined that it would be in the best interest of the public and the local government units it serves to institute a connection fee program in the manner prescribed by N.J.S.A. 40:14B-23, and to adopt the necessary amendments to the Authority's Rules, Regulations and Standards required to implement the connection fee program; and

WHEREAS, at the hearing on May 17, 2022, the Authority determined that the cost of the connection fee for the year 2022 would be \$5,634 per service unit as calculated in the 2022 Sewer Connection Fee Rate Study prepared by Wielkotz & Company, LLC; and

WHEREAS, the firm of Wielkotz & Company, LLC, the auditor for the Authority, has prepared a report entitled "2023 Sewer Connection Fee Rate Study Update" (hereinafter sometimes referred to as the "Report") for the Authority, with the assistance of the Authority staff, on the proper amount for a connection fee payable by an individual or party making a new connection to the System for the year 2023, in accordance with the formula set forth in N.J.S.A. 40:14B-22, for the privilege of making the connection ("2023 Sewer Connection Fee Rate Study Update"); and

WHEREAS, the connection fee per service unit as calculated in the Report is \$5,491; and

WHEREAS, on June 21, 2023, in accordance with the requirements of N.J.S.A. 40:14B-22, the Authority conducted a public hearing on the proposed adjustment of the connection fee prescribed by N.J.S.A. 40:14B-23; and

WHEREAS, the Authority, having considered, at the public hearing held on June 21, 2023: (i) 2023 Sewer Connection Fee Rate Study Update; and (ii) the statements of those attending the public hearing; and has determined that it would be in the best interest of the Authority to adopt an adjustment to the connection fee charge implemented for the year 2023; and

WHEREAS, the Authority has determined that the cost of the connection fee will be \$5,491 per service unit for 2023.

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

1. The Authority hereby establishes an adjustment to the connection fee of \$5,491 per service unit for 2023, effective as of the date of this Resolution, July 19, 2023, until amended.
2. The Executive Director is hereby authorized to take any and all steps necessary for the implementation of the adjustment of the connection fee.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 47-2023

Date: July 19, 2023

AUTHORIZATION TO ADJUST CONNECTION FEE

- 3. 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).

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 July 19, 2023.

Handwritten signature of Frank Kelaheer in blue ink.

FRANK KELAHER, CHAIRMAN

Handwritten signature of Douglas M. Bern in blue ink.

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

RECORDED VOTE:

Table with 10 columns (Bonagura, Biale, Jordan, Lo Iacono, Ortega, Soukas, Tombalakian, Virk, Kelaheer) and 7 rows (Offered, Seconded, Aye, Nay, Absent, Abstain, Recuse). Includes handwritten checkmarks for 'Aye' votes.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 53-2023

Date: July 19, 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 June 2023 and Health Benefits and Dental Benefits transfers for July 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 July 19, 2023 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$185,278.74

ACCOUNT: Tax Deposit Account
Total: \$80,258.08

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$140,428.31

ACCOUNT: Health Benefits Contribution Employee
Total: \$3,745.81

ACCOUNT: Dental Benefits
Total Transfer: \$3,742.22

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 53-2023

Date: July 19, 2023

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

ACCOUNT: PERS and Contributory Insurance
 Total Transfer: \$28,696.83

ACCOUNT: Operating Account
 Total: \$332,783.54

ACCOUNT: General Improvement Account
 Total: \$206,173.95

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 July 19, 2023.



DOUGLAS M. BERN, ESQ.
 ASSISTANT SECRETARY



FRANK KELAHER, CHAIRMAN

DATE: July 19, 2023

RECORDED VOTE:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 54-2023

Date: July 19, 2023

AUTHORIZATION FOR PAYMENT OF BILLS FOR AUGUST 2023

WHEREAS, it has been determined by the Commissioners of the Northwest Bergen County Utilities Authority (the “Authority”) that no meetings of the Commissioners will be held during the month of August, 2023; and

WHEREAS, the Authority’s bills are approved for payment at its monthly meeting and the Authority has a need to provide for the consistent and regular payment of its bills for the month of August; and

WHEREAS, the Commissioners wish to provide a mechanism for the payment of August bills as set forth below.

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

1. The Executive Director and Assistant Executive Director are directed to prepare the bill list (including but not necessarily limited to payroll, tax deposits, health benefits contributions, dental benefits, PERS and Contributory Insurance, operating account and general improvement account) in the ordinary course for payment and circulate such list to each Commissioner by August 8, 2023; and
2. Unless any Commissioner has an objection to a specific payment or requires further discussion on payment of a bill(s), then such bill(s) shall be excluded from payment and the Commissioners authorize payment of the remainder bills on or after August 12, 2023.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY


RESOLUTION

No. 54-2023

Date: July 19, 2023

AUTHORIZATION FOR PAYMENT OF BILLS FOR AUGUST 2023

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 July 19, 2023.



DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY
DATE: July 19, 2023



FRANK KELAHER, CHAIRMAN

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. 55-2023

Date: July 19, 2023

2022 AUDIT CORRECTIVE ACTION PLAN CERTIFICATION

WHEREAS, by Resolution 37-2023 the Commissioners of the Northwest Bergen County Utilities Authority have certified that they have received the 2022 annual audit and have personally reviewed the audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments," "Recommendations," and "Schedule of Findings and Questioned Costs," in accordance with N.J.S.A 40A:5A-17; and

WHEREAS, the Audit includes Comments and Recommendations requiring action by the Authority; and

WHEREAS, N.J.A.C 5:31-7.6(i) requires "a corrective action plan, in the form of a resolution, to be adopted by the members of the governing body with respect to Comments and Recommendations made in the audit"; and

WHEREAS, a corrective action plan addressing these Comments and Recommendations has been prepared by the Executive Director of the Authority; and

WHEREAS, the Commissioners of the Authority have reviewed this 2022 Correction Action Plan (attached hereto).

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

1. The Commissioners hereby approve and adopt the 2022 Audit Corrective Action Plan.
2. The Assistant Executive Director of the Authority is hereby directed to promptly submit to the Director of the Division of Local Government Services this Correction Action Plan, accompanied by a certified true copy of this resolution.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

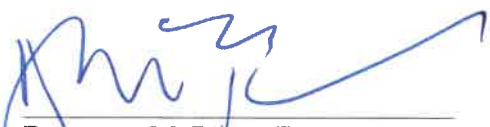
RESOLUTION

No. 55-2023

Date: July 19, 2023

2022 AUDIT CORRECTIVE ACTION PLAN CERTIFICATION

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 July 19, 2023.



DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY
DATE: July 19, 2023

FRANK KELAHER, CHAIRMAN

RECORDED VOTE:

	Bonagura	Biale	Jordan	LoIacono	Ortega	Soukas	Tombalakian	Virk	Kelaheer
Offered							✓		
Seconded		✓							
Aye	✓	✓	✓	✓	✓		✓	✓	✓
Nay									
Absent									
Abstain									
Recuse									

Name of Authority: Northwest Bergen County Utilities Authority

County: Bergen

Audit Year Ending: December 31, 2022

Contact Person: John Danubio, Assistant Executive Director

Telephone Number: (201) 857-4506

Finding 2022-01

Description: The Authority has not updated the net pension obligation, pension-related deferred outflow, accounts payable-pension or pension-related deferred inflow accounts to a measurement date acceptable under current accounting standards.

Corrective Action: The Authority relies on an actuarial valuation that is provided by the State of New Jersey to update these accounts. At the time of the audit report release date, this valuation was not yet available. The Authority plans to update all future financial statements to comply with GASB No. 68 once this valuation is complete and has been made public by the State of New Jersey.

Implementation: Immediately.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 56-2023

Date: July 19, 2023

AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH TIGHE & BOND ENGINEERING CORP FOR 2023 CONSULTING ENGINEERING FOR SERVICE CHARGES

WHEREAS, by Resolution No. 11-2023, the Northwest Bergen County Utilities Authority (the “Authority”) identified a number of firms as qualified to perform engineering services required by the Authority pursuant to a Request for Qualifications for such position, which notice thereof was published on January 9, 2023; and

WHEREAS, by Resolution No. 28-2023 (the “Original Resolution”) dated February 22, 2023, the Authority retained Tighe & Bond (the “Engineering Firm”) to provide 2023 consulting engineering services for flow study and the Authority and Engineering Firm entered into a professional services agreement for same (the “Agreement”); and

WHEREAS, the Original Resolution and Agreement provides for the Engineering Firm’s compensation to be capped at \$65,000 and in the event the Engineering Firm anticipates it will exceed that amount, to seek further authorization from the Authority at such time; and

WHEREAS, the Engineering Firm has submitted to the Authority a proposal for a Flow study of its interceptors; and

WHEREAS, the cost of these repairs and the stack test are estimated to be \$16,000 and therefore the Authority wishes to amend the not-to-exceed compensation to the Engineering firm to \$81,000; and

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

1. The Original Resolution and the Professional Services Agreement with Tighe & Bond Engineering Corp. be amended to increase the not to exceed amount to \$81,000 for 2023 consulting engineering services for flow study.
2. The Original Resolution and Agreement, unless expressly modified, shall remain in full force and effect.
3. The Certifying Finance Officer’s Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
4. Notice of this amendment shall be published in accordance with applicable law.
5. This Resolution shall take effect immediately.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 56-2023

Date: July 19, 2023

AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH TIGHE & BOND ENGINEERING CORP FOR 2023 CONSULTING ENGINEERING FOR SERVICE CHARGES

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 July 19, 2023.


FRANK KELAHER, CHAIRMAN


DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

DATE: July 19, 2023

RECORDED VOTE:

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 57-2023

Date: July 19, 2023

AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH CHAVOND BARRY ENGINEERING CORP FOR 2023 CONSULTING ENGINEERING SERVICES FOR GENERAL INCINERATOR ADVICE

WHEREAS, by Resolution No. 11-2023, the Northwest Bergen County Utilities Authority (the “Authority”) identified a number of firms as qualified to perform engineering services required by the Authority pursuant to a Request for Qualifications for such position, which notice thereof was published on January 9, 2023; and

WHEREAS, by Resolution No. 16-2023 (the “Original Resolution”) dated February 22, 2023, the Authority retained Chavond Barry Engineering Corp. (the “Engineering Firm”) to provide 2023 consulting engineering services for general incinerator advice and the Authority and Engineering Firm entered into a professional services agreement for same (the “Agreement”); and

WHEREAS, the Original Resolution and Agreement provides for the Engineering Firm’s compensation to be capped at \$175,000 and in the event the Engineering Firm anticipates it will exceed that amount, to seek further authorization from the Authority at such time; and

WHEREAS, the Engineering Firm has submitted to the Authority a proposal for various repairs to the IDI incinerator; and

WHEREAS, the Engineering Firm has submitted the cost of an additional stack test for the NIRO incinerator, which is required, and

WHEREAS, the cost of these repairs and the stack test are estimated to be \$48,700 and therefore the Authority wishes to amend the not-to-exceed compensation to the Engineering firm to \$223,700; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available to increase the budget for the Engineering Firm.

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

1. The Original Resolution and the Professional Services Agreement with Chavond Barry Engineering Corp. be amended to increase the not to exceed amount to \$223,700 for 2023 consulting engineering services for general incinerator advice.
2. The Original Resolution and Agreement, unless expressly modified, shall remain in full force and effect.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 57-2023

Date: July 19, 2023

AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH CHAVOND BARRY ENGINEERING CORP FOR 2023 CONSULTING ENGINEERING SERVICES FOR GENERAL INCINERATOR ADVICE

3. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
4. Notice of this amendment shall be published in accordance with applicable law.
5. This Resolution shall take effect immediately.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 57-2023

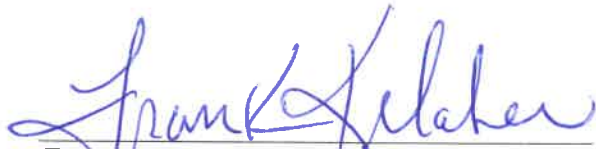
Date: July 19, 2023

AUTHORIZATION TO AMEND THE NOT TO EXCEED COST OF THE PROFESSIONAL SERVICES AGREEMENT WITH CHAVOND BARRY ENGINEERING CORP FOR 2023 CONSULTING ENGINEERING SERVICES FOR GENERAL INCINERATOR ADVICE

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 July 19, 2023.



DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY



FRANK KELAHER, CHAIRMAN

DATE: July 19, 2023

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. 58-2023

Date: July 19, 2023

**RESOLUTION AWARDING A CONTRACT TO NATIONAL WATER MAIN
CLEANING FOR CONTRACT NO. 1157 THE ALLENDALE INTERCEPTOR
MANHOLE REHABILITATION**

WHEREAS, the Northwest Bergen County Utilities Authority “the Authority”, identified the need to rehabilitate portions of the Allendale Interceptor; and

WHEREAS, “the Authority” contracted with T and M Associates “the Consultant” to prepare bid specifications and establish Contract No. 1157 “the Contract”; and

WHEREAS, the Contract was advertised on the Bonfire e-procurement platform on June 15th, 2023, and bids were received on July 12th, 2023; and

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

<u>Bidder</u>	<u>Base Bid</u>
National Water Main Cleaning.	\$401,400.00
PIM Corporation	\$624,950.00

WHEREAS, National Water Main Cleaning Company, a corporation with business offices located at 1806 Newark Turnpike, Kearny, NJ 07032 is the lowest responsible bidders; and

WHEREAS, the Consultant has provided the Authority a letter recommending the award dated July 13th 2023, confirming that the bid of \$401,400.00 is fair and reasonable and in line with the costs provided in the NJ Infrastructure Bank application; 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 National Water Main Cleaning Company, located at 1806 Newark Turnpike, Kearny NJ 07032, in the amount not to exceed four hundred and one thousand four hundred dollars (\$401,400.00) as delineated in National Water Main Cleaning Company’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

RESOLUTION

No. 58-2023

Date: July 19, 2023

**RESOLUTION AWARDING A CONTRACT TO NATIONAL WATER MAIN
CLEANING FOR CONTRACT NO. 1157 THE ALLENDALE INTERCEPTOR
MANHOLE REHABILITATION**

preparation of a and execution of a contract to be signed by either the Chairman, the Acting Executive Director or designee; and

RESOLVED; 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

RESOLVED; this award is contingent upon approval by the NJ Infrastructure Bank and the NJ Department of Environmental Protection

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 59-2023

Date: July 19, 2023

**RESOLUTION APPROVING MEMORANDUM OF AGREEMENT (MOA)
BETWEEN NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
(AUTHORITY) AND NORTHWEST BERGEN COUNTY UTILITIES
AUTHORITY NON-SUPERVISORY EMPLOYEE GROUP (GROUP)**

WHEREAS, the Authority and the Group have an existing collective bargaining agreement between them which expired on December 31, 2022, but is still in full force and effect under law; and,

WHEREAS, the Authority and the Group are currently in negotiations for a new collective bargaining agreement; and,

WHEREAS, the Authority and the Group have entered into an MOA for calendar year 2023 under certain conditions in order to endeavor to reach a more comprehensive agreement and the Interim Executive Director is recommending said MOA for approval by the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Northwest Bergen County Utilities Authority, County of Bergen, State of New Jersey that the Board wishes to approve the aforesaid MOA conditioned upon the recognition and agreement by the Group that the Authority and the Group shall continue to negotiate for a new collective bargaining agreement between the Authority and the Group, including but not limited to, revisions to the Group's health insurance contributions and health insurance benefit coverage, as well as all other provisions of the MOA, which is on file and available for inspection in the Authority's Administrative Offices.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Authority authorizes the Interim Executive Director of the Authority to execute said MOA on behalf of the Authority.

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 July 19, 2023.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 59-2023

Date: July 19, 2023

**RESOLUTION APPROVING MEMORANDUM OF AGREEMENT (MOA)
BETWEEN NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
(AUTHORITY) AND NORTHWEST BERGEN COUNTY UTILITIES
AUTHORITY NON-SUPERVISORY EMPLOYEE GROUP (GROUP)**


DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY


FRANK KELAHER, CHAIRMAN

DATE: July 19, 2023

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lolacono	Ortega	Soukas	Tombalakian	Virk	Kelaher
Offered							✓		
Seconded		✓							
Aye	✓	✓	✓	✓	✓		✓	✓	✓
Nay									
Absent									
Abstain									
Recuse									