

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

## **Northwest Bergen County Utilities Authority**

**PLEASE TAKE NOTICE** the Northwest Bergen County Utilities Authority does hereby notify the public that the Work Session and the Regular Meeting scheduled for Wednesday, May 15, 2024 at 7:00 p.m. will be held at the Authority's offices located at 30 Wyckoff Avenue, Waldwick, New Jersey. Formal action will be taken. The agendas will be placed on the Authority website, [nbcua.com](http://nbcua.com), at least 48 hours prior to the meeting.

Northwest Bergen County  
Utilities Authority

May 6, 2024

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

## **AGENDA REGULAR MEETING May 15, 2024**

1. Meeting called to Order
2. Open Public Meetings Act Statement
3. Roll Call
4. Chairman's Remarks
5. Approval of Minutes
  - a. Regular Meeting – April 17, 2024
6. Public Comments (any subject)
7. Consideration for approval of list of Resolutions attached dated May 15, 2024
8. Report of Committees:
  - a. Finance Committee
  - b. Personnel Committee
  - c. Insurance Committee
  - d. Operating Committee
  - e. Strategic Plan Subcommittee
  - f. Buildings and Grounds Committee
9. Report of Treasurer
10. Report of General Counsel
11. Report of Consulting Engineer
12. Report of Executive Director
13. Report of Authority Engineer
14. Report of Superintendent
15. Old Business
16. New Business
17. Public Comments (on subjects 4 through 16)
18. Adjournment

May 6, 2024

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**May 15, 2024  
CONSENT AGENDA**

**RESOLUTIONS**

- 47-2024 Approval of Payment of Vouchers, Payroll, Tax Deposits and Pensions and Benefits
- 48-2024 Accept Audit
- 49-2024 2023 Audit Corrective Action Plan Resolution
- 50-2024 Awarding Project To J. Fletcher Creamer & Sons, Inc.
- 51-2024 Approve Change Order No. 2 to Allendale Brook Interceptor Manhole Project (S340700-19)

May 6, 2024

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 47-2024**

**Date: May 15, 2024**

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**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 April 2024 and Health Benefits and Dental Benefits transfers for May 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 May 15, 2024 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account  
Net Payroll: \$177,195.23

ACCOUNT: Tax Deposit Account  
Total: \$77,166.44

ACCOUNT: Health Benefits Contribution Employer  
Total Transfer: \$144,906.31

ACCOUNT: Health Benefits Contribution Employee  
Total: \$4,316.31

ACCOUNT: Dental Benefits  
Total Transfer: \$3,497.15

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 47-2024**

**Date: May 15, 2024**

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

ACCOUNT: PERS and Contributory Insurance  
Total Transfer: \$28,024.94

ACCOUNT: Operating Account  
Total: \$630,855.03

ACCOUNT: General Improvement Account  
Total: \$68,436.38

**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

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FRANK KELAHER, CHAIRMAN

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 47-2024**

**Date: May 15, 2024**

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

**RECORDED VOTE:**

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

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 May 15, 2024.

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DOUGLAS M. BERN, ESQ.  
ASSISTANT SECRETARY  
DATE: May 15, 2024

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 48-2024**

**Date: May 15, 2024**

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**ACCEPT AUDIT**

**WHEREAS**, N.J.S.A. 40A:5A-15 requires the governing body of each local Authority to cause an annual audit of its accounts to be made, and

**WHEREAS**, the annual audit report for the fiscal year ended December 31, 2023 has been completed and filed with the Governing Body and the Director of the Division of Local Government Services pursuant to N.J.S.A. 40A:5A-15, and

**WHEREAS**, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

**WHEREAS**, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17,

**NOW, THEREFORE BE IT RESOLVED**, that the governing body of the Northwest Bergen County Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2023, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

**BE IT FURTHER RESOLVED** that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

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FRANK KELAHER, CHAIRMAN

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**No. 48-2024**

**Date: May 15, 2024**

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**ACCEPT AUDIT**

**RECORDED VOTE:**

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

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 May 15, 2024.

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DOUGLAS M. BERN, ESQ.  
ASSISTANT SECRETARY  
DATE: May 15, 2024

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**No. 48-2024**

**Date: May 15, 2024**

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**ACCEPT AUDIT**

**LOCAL AUTHORITIES  
GROUP AFFIDAVIT FORM**

**PRESCRIBED BY  
THE NEW JERSEY LOCAL FINANCE BOARD**

**AUDIT REVIEW CERTIFICATE**

We, the members of the governing body of the Northwest Bergen County Utilities Authority, being of full age and being duly sworn according to law, upon our oath depose and say:

1. We are duly appointed members of the Northwest Bergen County Utilities Authority.
2. We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual audit report for the fiscal year ended December 31, 2023 and specifically the sections of the audit report entitled "General Comments" and "Recommendations".

(Print)

(Signature)

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Sworn to and subscribed before me

this \_\_\_\_\_ day of \_\_\_\_\_, 2024

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Notary Public of New Jersey

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 49-2024**

**Date: May 15, 2024**

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**2023 AUDIT CORRECTIVE ACTION PLAN CERTIFICATION**

**WHEREAS**, by Resolution the Commissioners of the Northwest Bergen County Utilities Authority have certified that they have received the 2023 annual audit and have personally reviewed the audit, and have specifically reviewed the sections of the annual audit report entitled “General Comments” and “Recommendations” 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, shall be filed forthwith the Division within 45 days of receipt of the annual audit”; and

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

**WHEREAS**, the Commissioners of the Authority have reviewed this 2023 Corrective 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 2023 Corrective Action Plan.
2. The Secretary of the Authority is hereby directed to promptly submit to the Director of the Division of Local Government Services this Corrective Action Plan, accompanied by a certified true copy of this resolution.

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FRANK KELAHER, CHAIRMAN

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 49-2024**

**Date: May 15, 2024**

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**2023 AUDIT CORRECTIVE ACTION PLAN CERTIFICATION**

**RECORDED VOTE:**

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

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 of all Commissioners of the Authority eligible to vote at the meeting held on May 15, 2024.

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DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: May 15, 2024

Name of Authority: Northwest Bergen County Utilities Authority

County: Bergen

Audit Year Ending: December 31, 2023

Contact Person: John Danubio, Assistant Executive Director

Telephone Number: (201) 857-4594

**Finding 2023-01**

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. 50-2024**

**DATE: May 15, 2024**

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**AWARDING PROJECT TO J. FLETCHER CREAMER & SONS, INC.**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) entered into a contract with Pure Technology U.S. Inc. (Pure) to inspect the Authority’s force mains. (Resolution 74-2021).

**WHEREAS**, Pure has discovered a potential defect within the Authority’s Midland Park Force Main, and recommends further investigation.

**WHEREAS**, the investigation requires excavation of a section of the Midland Park Force Main.

**WHEREAS**, J. Fletcher Creamer & Sons, Inc. (The Contractor) was awarded a contract through Bergen County Cooperative ( The Cooperative) Bid-22-46 and approved by Resolution 239-23 for Utility Work.

**WHEREAS**, the Authority is a member of the Cooperative.

**WHEREAS**, the Contractor submitted a proposal under the Cooperative Contract on May 8, 2024 for the excavation and repair of the force main. The proposal submits a cost of Fifty-One Thousand Nine Hundred Forty Dollars (\$51,940.00).

**WHEREAS**, The Authority’s engineer recommends the approval of the proposal.

**WHEREAS**, the Chief Financial Officer has certified the availability of funds.

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

1. Approves the proposal submitted by the contract at a not to exceed cost of \$51,940.
2. The Executive Director or designee is hereby authorized to sign an necessary documents in connection to this project
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);

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FRANK KELAHER, CHAIRMAN

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**No. 50-2024**

**DATE: May 15, 2024**

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**AWARDING PROJECT TO J. FLETCHER CREAMER & SONS, INC.**

**RECORDED VOTE:**

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

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 May 15, 2024.

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DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: May 15, 2024

**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:

**CONTRACT:**        Force Main Repairs (S340700-19)

**VENDOR:**         J. Fletcher Creamer & Sons, Inc.

**AMOUNT:**         \$51,940.00

**ACCOUNT NO.:**    06-215-00-000-000007

Date: May 15, 2024

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Robert Laux, Certifying Finance Officer

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**No. 51-2024**

**DATE: May 15, 2024**

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**AUTHORIZATION TO APPROVE CHANGE ORDER NO. 2 TO ALLENDALE BROOK  
INTERCEPTOR MANHOLE PROJECT (Project NO. S340700-19)**

**WHEREAS** the Northwest Bergen County Utilities Authority (the “Authority”) entered into a Contract (contract No. 1157) for the Allendale Brook Interceptor Manhole Project (“the Project”) with National Water Main Cleaning Co. (“the Contractor”) on August 16, 2023 in the amount of \$401,400; and

**WHEREAS**, Resolution 88-2023 approved Change Order No. 1 (“the Change Order”) adding sixty (60) days extension to the project.

**WHEREAS**, Change Order No. 2 requests an extension to the contract for thirty three (33) days, making the new contract date March 24, 2024

**WHEREAS**, Change Order No. 2 requests a decrease in the contract cost of \$96,611.57. The final contract cost would be \$304,788.44

**WHEREAS**, the request for an extension and the decrease in costs was triggered by a delay in materials required for the project’s completion and materials not used during the project; and

**WHEREAS**, the Authority’s Consulting Engineer, T&M, has reviewed the Change Order and recommends that the Change Order be approved by the Authority; and

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

1. Change Order No. 2 is hereby approved in its entirety.
2. Change order #2 shall be the final change order for contract No. 1157.
3. The Executive Director and the Authority Engineer is hereby authorized to sign the Change Order No. 2.
4. 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

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FRANK KELAHER, CHAIRMAN

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**No. 51-2024**

**DATE: May 15, 2024**

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**AUTHORIZATION TO APPROVE CHANGE ORDER NO. 2 TO ALLENDALE BROOK  
INTERCEPTOR MANHOLE PROJECT (Project NO. S340700-19)**

**RECORDED VOTE:**

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

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 May 15, 2024.

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DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: May 15, 2024