



**NORTHWEST BERGEN COUNTY
UTILITIES AUTHORITY**

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**MINUTES
REGULAR MEETING
October 18, 2016**

1. The Meeting was called to order at 7:21pm.
2. The Chairman read the statement in compliance with C. 231, PL 1975.
3. Roll Call: The following Commissioners were present: Bonagura, Danubio, DaPuzzo, Gabbert, Kelaher, Kasparian and Chairman Chewcaskie. Commissioners DePhillips and Plumley were absent.
4. The Chairman Remarks: There were no Chairman's Remarks.
5. Consideration for approval of minutes:
 - a. Regular Meeting – September 20, 2016: Commissioner Kelaher motioned to accept the minutes from the September 20, 2016 Regular Meeting, Commissioner Gabbert seconded the motion. The following Commissioners voted yes: Bonagura, Gabbert, Kelaher, and Chairman Chewcaskie. Commissioners Danubio, DaPuzzo and Kasparian abstained.
6. Public Comments:

Eric LaPorta, 3 Van Dam Place, Waldwick, NJ: Mr. LaPorta stated that the odor is getting worse and raised concerns about the procedure for reporting when there is an odor. He said that when he calls the Police Department they tell him to call the NJDEP and then the NJDEP tells him to call the Police back. He asked what procedure he should be following when there is an odor. Chairman Chewcaskie responded that the procedure to have the Police Department as the point of contact when there is an odor complaint was established a couple of years ago with the Borough Administration and Police Department. Mr. Hurwitz added that he does not know why the Police Department is telling Mr. LaPorta to call the NJDEP. Chairman Chewcaskie stated that the Authority will reach out to the Mayor and Borough Administrator to go over the procedure prior to the next Board meeting.

Mr. LaPorta said that today the odor was horrible and he contacted the Police Department, NJDEP and Bergen County Hazmat. Chairman Chewcaskie explained that there was a tremendous odor coming from the compost facility today and that Waldwick looked into the matter and did in fact identify that odor was coming from the compost facility.

Frank Palladino, 18 Sycamore Drive, Waldwick, NJ: Mr. Palladino stated that he was at the meeting when the procedure for odor complaints was established. At the time it was

determined to contact the Police Department and there was no need to call the NJDEP for odor complaints. The police would then fill out the forms and the complaint then goes into the Dataminer at the NJDEP. The intent was to standardize the procedure for odor complaints.

Several Residents from the Township of Mahwah, including Mayor Bill Laforet, attended the meeting to discuss the odors they have been experiencing in their neighborhood.

Mayor Laforet stated that he and the residents in attendance at the meeting tonight were there over concerns of odors experienced at Chapel Road, George Washington School and Continental Soldier Field. He said that the residents have expressed deep concerns about their safety, quality of life and property values caused by the odors they have been experiencing. It appears to be a reoccurring seasonal problem, however this year it is much worse.

Ana Maria Meizys, 80 Chapel Road, Mahwah, NJ: Ms. Meizys read a letter to the Board that she had sent to the NJDEP last November 2015 regarding the odors. In the letter she stated that the odors are an environmental nuisance and raise health and safety concerns. Ms. Meizys wants to know what the smell is, if it is hazardous and wants to get a solution to the problem. Furthermore, even if the odor is not hazardous, it is still a nuisance as it interferes with residents' use of their own property.

Vincent Valentini, 59 Chapel Road, Mahwah, NJ: Mr. Valentini stated that in the past three and a half years he has experienced a sewer odor 3 times in his home. He has also noticed that the water level in his toilet gets low. He believes this could have something to do with the fact that the residential lateral is connected to a major sewer line and when the pumps kick off and the flow becomes gravity, in the pipe there is a suction and it essentially vacuums water out of the plumbing system.

There was a discussion about how the properties on Chapel Road are connected to the sewer system. On Chapel Road the residential laterals tie right into the main sewer line which is a rather unusual scenario. Mr. Hurwitz believes that the reason the homes are connected like this was in an effort to save money by the municipality.

Further, Mr. Hurwitz said that the Authority has been experimenting with the pump station operation for the last week to try to avoid situations where the pumps stop and then start up again. The Authority is trying to create a situation where there is no surge by maintaining a more constant flow. It needs to be identified how the odor is getting out into the environment. One way to identify the cause is by conducting smoke tests.

Mr. Hurwitz expressed that it is important for the Township and the Authority to work together on the issues with the odors.

Vice-Chairman Kasparian asked Superintendent Genetelli about doing a TV Inspection on the sewer line. Mr. Genetelli responded that it was inspected last year and nothing was found to be wrong with the line. Vice-Chairman Kasparian asked if it is possible to inspect

the laterals. Mr. Genetelli informed him that TV inspections are not conducted on laterals but that smoke tests are used to detect any cracks in the laterals.

Kim LaFrieri, 72 Chapel Road, Mahwah, NJ: Ms. LaFrieri expressed concerns over the odors she experiences in her home, outside, at the George Washington School and at Continental Soldier Field. She said that the odors are worse this year than last at the school.

The Authority conducted a smoke test at 72 Chapel Road last year and detected a cracked pipe in the house. The pipe has not yet been fixed according to Ms. LaFrieri.

Maureen Tangel, 53 Chapel Road, Mahwah, NJ: Ms. Tangel has complained for many years about the odors in the area. A smoke test was performed at her house in 2011. No smoke was detected in the house, however it did come out the roof stack. It was Ms. Tangel's understanding that it is normal for smoke to come out of the stack based upon a notice she'd received from the Authority concerning the smoke test. However, the Board informed her that smoke should not have come out of the stack.

There were discussions about smoke testing and what to expect when one is conducted. Tests have been done previously in the area of Chapel Road. A test is being conducted at 80 Chapel Road on October 19th. Mr. Hurwitz highlighted some problems that were detected through a smoke test conducted in 2011 in the area of Chapel Road. The Authority does not know if the problems detected were ever addressed. The smoke test results were given to the Mahwah Board of Health. It was also discussed that the smoke tests should possibly be done on all the laterals in the area on Chapel Road.

It was noted that there was a problem with the sewer line at Continental Soldier field 9 years ago where the line was found to be filled with grease from Ramapo College. The Authority sewer jetted the line and the odors ceased. Mayor Laforet recommended having representation from the College at the scheduled meeting between the Authority and the Township.

A meeting is being held between the Authority and the Municipality on Thursday, October 20th to address the odor issues and work together toward a solution.

7. Closed Session: The Board went into closed session at 8:48pm. Commissioner DaPuzzo made the motion to go into closed session, Commissioner Kasparian seconded the motion. All present Commissioners voted yes to enter into closed session to discuss pending litigation, Alvarez v. NBCUA. The Board came out of closed session at 8:51pm and continued with the Regular Meeting.
8. Consideration for approval list of Resolutions dated October 18, 2016.
 - a. The Commissioners voted on Resolution No. 80-2016 through 83-2016 by Consent Resolution. Commissioner DaPuzzo offered the Consent Resolution and Commissioner Danubio seconded. All present Commissioners voted yes.

Resolution No. 80-2016 – Approval of vouchers, payroll and tax deposits and pensions and benefits transfers for September 2016 and Health and Dental Benefits for September and October 2016 as follows: Payroll Account: \$189,885.97; Tax Deposit Acct: \$92,248.84; Health Benefits Contribution-Employer SEPTEMBER: \$108,144.26; Health Benefits Contribution Employee SEPTEMBER: \$13,362.15; Dental Benefits SEPTEMBER: \$4,056.73; Health Benefits Contribution-Employer OCTOBER: \$108,144.26; Health Benefits Contribution Employee OCTOBER: \$13,362.15; Dental Benefits OCTOBER: \$4,056.73; PERS and Contributory Insurance: \$32,029.28; Operating Account: \$237,940.01; General Improvement Account: \$255,201.92; 2015 WWT Project Account: \$47,697.68.

Resolution No. 81-2016 – Resolution amending an Agreement to provide legal services with Chasan, Leyner & Lamparello, PC: The Authority appointed Chasan Leyner & Lamparello, PC (CLL) as Special Counsel on April 21, 2015 to properly represent the Authority in connection with a March 9, 2015 arbitration award against the Authority. The original resolution and professional services agreement state the compensation for CLL to be capped at \$18,000.00 and by Resolution No. 16-2016 the Authority amended the compensation to \$35,000 on February 16, 2016. CLL has advised the Authority that due to the ongoing services, specifically their representing the Authority in an appeal of the March 9, 2015 arbitration that the \$35,000 will be exceeded and has requested the Authority increase the not to exceed cost to \$53,100. This resolution amends the professional services agreement to increase the not to exceed cost to \$53,100 and for the original resolution and agreement remain in full force and effect.

Resolution No. 82-2016 – Proposed Sanitary Sewer Extension – 1400 MacArthur Boulevard, Township of Mahwah, Block 139, Lot 3: An application was submitted by Mahwah Properties, LLC for approval of a proposed sanitary sewer extension to be located at 1400 MacArthur Boulevard, Mahwah, NJ. The proposed extension would provide sanitary sewer service to a 75,950 square foot health and wellness center. The property will contribute an average daily flow of 16,940 gallons per day, or 83 additional non-residential EDUs. The Authority's technical advisor has reviewed the application and the documents and drawing submitted in support thereof and has recommended the application be approved. This resolution approves this application subject to the fulfillment of certain terms and conditions by the Applicant as outlined in the Resolution.

Resolution No. 83-2016 – Proposed Sanitary Sewer Extension – 430 Greenwood Avenue, Wyckoff, NJ, Block 216.01, Lot 21.02: An application was submitted on behalf of the Township of Wyckoff for approval of a proposed sanitary sewer relocation to be located at 430 Greenwood Avenue, Wyckoff, NJ. The proposed relocation/connection is designed to provide sewer service and facilitate redevelopment of the site as a supermarket. The property average daily flow from the project will be 6,204 gallons per day (FPD). Based on the projected GPD, no additional non-residential EDUs will become tributary to the Authority from Wyckoff as the buildings being demolished on the site had an average daily flow

of 6,571 GPD. The Authority's technical advisor has reviewed the application and the documents and drawing submitted in support thereof and has recommended the application be approved. This resolution approves this application subject to the fulfillment of certain terms and conditions by the Applicant as outlined in the Resolution.

- b. The Resolution No. 84-2016 was voted on separately. Commissioner DaPuzzo made a motion to pass Resolution No. 84-2016 and Commissioner Danubio seconded the motion. All present Commissioners votes yes on Resolution No. 84-2016.

Resolution No. 84-2016 – Resolution Authorizing the Authority to Award a Contract to Crossroads Pavement Maintenance LLC for the Resurfacing of a Portion of Woodside Avenue, Midland Park, New Jersey: The Authority and the Borough of Midland Park wish to enter into a shared services agreement to resurface a portion of Woodside Avenue in the Borough. The Authority solicited bids for the resurfacing work and the Authority received 5 proposals in response to the solicitation. Crossroads Pavement Maintenance LLC submitted the lowest bid proposal. The bid proposal of Crossroads has been reviewed by legal counsel and engineer and found that it is in the best interest of the Authority to award a contract to Crossroads for the resurfacing of Woodside Avenue in the amount of \$108,393 provided the Authority and the Borough reach agreement on a shared services agreement. This Resolution also authorizes the Executive Director to execute any such documents related to this matter.

This Resolution was not originally on the agenda as T&M did not initially believe there would be sufficient time for review of the bid packages that were received the morning of the meeting. However, in the Work Session Mr. Henderson made the recommendation and asked the Board to consider passing a resolution for award. This award is contingent upon the entering into of a shared services agreement with the Borough of Midland Park as outlined in the Resolution.

- c. Motion 16-02: Commissioner Gabbert offered Motion 2016-02, Commissioner DaPuzzo seconded. All Commissioners voted yes to pass the motion.

Motion 2016-02: This motion approves the attendance to the Association of Environmental Authorities' 2016 Annual Meeting Conference in Atlantic City, New Jersey by Howard Hurwitz and for the attendance to the New Jersey State League of Municipalities by James Rotundo and John DeRienzo.

9. Report of Committees:

- a. Finance Committee: Nothing further to report.
- b. Personnel Committee: Nothing further to report.
- c. Insurance Committee: Nothing further to report.

- d. Operating Committee: Nothing further to report.
 - e. Strategic Plan Subcommittee: A meeting is being held with the Borough of Franklin Lakes to review their considerations for expansion of the sewer system in their municipality. Additionally, the Wyckoff task force is working to set up their next meeting.
 - f. Building and Grounds Committee: Nothing further to report.
 - g. Safety and Security Committee: Nothing further to report.
 - h. Intellectual Technology Committee: Nothing further to report.
10. Report of Treasurer (Given by Howard Hurwitz, Executive Director): Approximately \$7 million is invested between the Bank of New Jersey and Santander Bank both at a rate of .50% Not all of the money is invested as we may need to move some money around from the Bond Reserve due to the refunding bonds being issued for the 2009 Bond Series through the BCIA.
- A monthly financial statement was not completed this month as journal entries were received from the Auditor for the interim 6 month audit.
- 11. Report of Counsel: Nothing further to report.
 - 12. Report of Engineer: Nothing further to report.
 - 13. Report of Executive Director: Nothing further to report.
 - 14. Report of Superintendent: Nothing further to report.
 - 15. Old Business: No old business.
 - 16. New Business: Commissioner DaPuzzo stated that as of January 1, 2017 he will be resigning from the Board.
 - 17. Public Comments: No public comments.
 - 18. Adjournment: Commissioner Kasparian made a motion to adjourn the Regular meeting at 8:57pm. Commissioner Danubio seconded the motion. All present Commissioners voted in favor of ending the meeting at 8:57pm.



ALISON GORDON, SECRETARY