BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
JANUARY 23, 2014

In the matter of the 420TH Regular Meeting of
The Bergen County Utilities Authority

1. The **proof of meeting notice** calling the January 23, 2014 meeting was read into the record by Richard Wierer, Acting Secretary.

2. Roll Call:

   COMMISSIONERS PRESENT:
   Andrew "Chuck" Vaccaro, Chairman
   Ronald Phillips, Vice Chairman
   Catherine T. Bentz, Commissioner
   James L. Cassella, Commissioner
   Louis J. DeLisio, Commissioner
   David J. Lorenzo, Commissioner
   Richard D. Schooler, Commissioner
   George P. Zilocchi, Commissioner

   ALSO PRESENT: Robert E. Laux, Executive Director
   Richard D. Wierer, Deputy Executive Director
   Authority Staff and Professional Consultants

3. Chairman Vaccaro led the Commissioners and others present in the salute to the flag.

4. Motion that the Minutes covering the December 19, 2013 Work Session be approved was moved by Commissioner Schooler and seconded by Commissioner Cassella and was carried.

5. Chairman Vaccaro opened the meeting to the public and asked if anyone present wished to be heard. Hearing no further response, the meeting was closed to the public.

6. FINANCE AND LEGAL COMMITTEE;

   Resolution 14-1-001 – Approve bills and the claims supported by vouchers totaling $ 6,166,260.66 and authorize the Chief Financial Officer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Chief Financial Officer's check list. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

   Resolution 14-1-002 – Ratify and Approve Financial Actions directed by Wallace Nowosielecki, Treasurer & Chief Financial Officer, during the month of December

2013. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-1-003 – Designation of Chief Financial Officer as the Authority's Public Agency Compliance Officer Pursuant to N.J.S.A. 17:27-3.5. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-1-004 – Authorize acceptance of Qualifications of firms pursuant to N.J.S.A. 19:44A-20 et seq. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-1-005 – Resolution to adopt 2014 Solid Waste Disposal Schedule of charges. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-1-006 – Resolution to adopt the 2014 Schedule of Wastewater User Charges. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-1-007 – Authorize Annual renewal of membership in Water Environmental Research Foundation. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-1-008 – Authorize Agreement for payroll services – Action Data Services, Inc. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Lorenzo. A roll call was taken and the resolution was adopted as reflected in these minutes

7. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 14-2-001 - Authorize acceptance of Qualifications of firms pursuant to N.J.S.A. 19:44A-20 et seq. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-002 - Amendment of Authority's Rules and Regulations. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-003- Award Contract No. 14-01 to Scientific Boiler Water Conditioning Co., Inc. to Furnish and Deliver Hot Water System Chemicals (One Year with One Year Option). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-004 - Award Contract No. 14-02 to Franklin Miller, Inc. to Furnish and Deliver Franklin Miller Grinders and Parts (Two Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-005 - Award Contract No. 14-03 to Perkin Elmer Health Sciences, Inc. for the Perkin Elmer Maintenance Contract (Two Years). Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. PERSONNEL & ADMINISTRATION COMMITTEE

Resolution 14-3-001 - Authorize acceptance of Qualifications of firms pursuant to N.J.S.A. 19:44A-20 et seq. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-3-002 - Authorize Non-Bargaining Unit Salary Adjustment for 2014. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-3-003 - Approve Amendment of Agreement - LaMendola Associates, Inc. - Health Insurance/Employee Benefits Consultant.
Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-3-004 - Authorize execution of Agreement with Bargaining Unit to resolve grievance and implement arbitration award. Motion to adopt the

resolution was made by Commissioner DeLisio and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

9. Chairman Vaccaro announced a short recess to allow time for the Acting Secretary to prepare minutes of this Regular Meeting.

10. Chairman Vaccaro announced the Regular Meeting would reconvene.

11. The Acting Secretary then distributed proposed minutes of the January 23, 2014 Regular Meeting for review by the Commissioners.

12. Move to approve the Minutes of the Regular Meeting of January 23, 2014 as distributed by the Acting Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting of January 23, 2014 was made by Commissioner Schooler and second by Commissioner Zilocchi and was unanimously carried.

13. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

Resolution #	**14-1-001**	**14-1-002**	**14-1-003**	**14-1-004**	**14-1-005**	**14-1-006**	**14-1-007**
Chairman Vaccaro	Y	Y	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	-	-	-	-	-	-	-
Comm. Lorenzo	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	**14-1-008**	**14-2-001**	**14-2-002**	**14-2-003**	**14-2-004**	**14-2-005**	**14-3-001**
Chairman Vaccaro	Y	Y	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	-	-	-	-	-	-	-
Comm. Lorenzo	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	14-3-002	14-3-003	14-3-004
Chairman Vaccaro	Y	Y	Y
Comm. Phillips	Y	Y	Y
Comm. Bentz	Y	Y	Y
Comm. Cassella	Y	Y	Y
Comm. DeLisio	Y	Y	Y
Comm. Juliano	-	-	-
Comm. Lorenzo	Y	Y	Y
Comm. Schooler	Y	Y	Y
Comm. Zilocchi	Y	Y	Y

Y = Yes
R = Recuse
A = Abstain
N = No
- = Absent

Respectfully submitted,

Richard Wierer
Acting Secretary

January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the Financial Actions directed by Wallace Nowosielecki, Treasurer & Chief Financial Officer, during the month of December 2013 be and are hereby ratified and approved.

1. The formal action(s) of the Commissioners of the 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 the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

BE IT RESOLVED, by the Commissioners of The Bergen County Utilities Authority that Wallace Nowosielecki, the Authority's Chief Financial Officer, shall be and is hereby appointed to serve as the Authority's **Public Agency Compliance Officer** to perform the requisite duties associated with such title, as set forth in N.J.S.A. 17:27-3.5, at no additional compensation, to administer and/or implement Chapter 127, P.L. 1975, and the rules and regulations promulgated thereunder, as amended, effective immediately, for the calendar year 2014, until a successor is appointed and/or qualified to serve, or at the pleasure of the Authority, whichever shall earliest occur;

BE IT FURTHER RESOLVED that the Executive Director shall be and he is hereby directed to provide the State of New Jersey, Department of the Treasury, Division of Contract Compliance and Equal Employment Opportunity, Public Contracts, with the telephone number, facsimile and E-mail address of Wallace Nowosielecki's designation as **Public Agency Compliance Officer**; and

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of The 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 the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

DATED: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, the Bergen County Utilities Authority (the "Authority") has followed the fair and open process pursuant to N.J.S.A. 19:44A-20 et seq. for receiving Requests for Qualifications; and

WHEREAS, on or about December 23, 2013 the Authority issued a Request For Qualifications for Appraisal Services, Auditor, Bond Counsel, Bond Underwriters, Financial Consultant, Grants/Government Services Consultant, Legal Services, and Title Services in accordance with the requirements of N.J.S.A. 19:44A-20, et seq.; and

WHEREAS, the Authority received and opened Qualifications for the above listed positions on **January 14, 2014**; and

WHEREAS, pursuant to the Request For Qualifications, the Authority's Review Team conducted a review of the responses received and recommends that the firms listed below be deemed qualified for the following positions; and

WHEREAS, the Authority's Finance & Legal Committee recommends that the firms listed below be deemed qualified for the following positions.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Bergen County Utilities Authority that the following firms be and are hereby qualified to render services on behalf of the Authority for the year of 2014:

Appraisal Services

Starmark Appraisals, L.L.C.

Auditor

Lerch, Vinci & Higgins, L.L.P.
Hutchins, Meyer & DiLieto, P.A.

Bond Counsel

McManimon, Scotland & Baumann, L.L.C.
Parker McCay P.A.
John L. Kraft, Esq., L.L.C.
Gibbons, P.C.

Bond Underwriters

NW Capital Markets, Inc.
PNC Capital Markets, L.L.C.
RBC Capital Markets
Stern Brothers & Co.
R. Seelaus & Co., Inc.

Financial Consultant

Acacia Financial Group, Inc.
NW Financial Group, L.L.C.
Phoenix Advisors, L.L.C.

Grants/Government Services Consultant

Gibbons, P.C.

Legal Services

Florio, Perrucci, Steinhardt & Fader, L.L.C.
Kaufman, Semeraro & Leibman, L.L.P.
Law Office of Stephen P. Sinisi, Esq., L.L.C.
Maraziti, Falcon & Healey, L.L.P.
Schwartz,Simon, Edelstein & Celso, L.L.C.
Waters, McPherson, McNeill, P.C.
Chasan Leyner & Lamperello, P.C.
Rubenstein, Meyerson, Fox, Mancinelli, Conti, & Bern, P.A.
Riker, Danzig, Scherer, Hyland & Peretti, L.L.P.

Title Services

None Submitted

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

BE IT RESOLVED by the Commissioners of The Bergen County Utilities Authority that the below listed schedule of charges for the Solid Waste Division for the year ending December 31, 2014 be adopted, effective January 1, 2014.

Conditionally, Exempt Small Quantity Generator Hazardous Waste Disposal Rates

The Authority hereby proposes the following Conditionally Exempt Small Quantity Generator Hazardous Waste Disposal Charges to be charged for the Authority's Household Hazardous Waste Collection Programs:

CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR HAZARDOUS WASTE DISPOSAL RATE	$.01 PER POUND TO $100.00 PER POUND

Computer and Computer Related Equipment Recycling Charges

The Authority hereby proposes the following Recycling Charges to be charged for the delivery of computer and computer related equipment at the BCUA Computer Recycling Program, subject to prevailing market conditions:

COMPUTER AND COMPUTER RELATED EQUIPMENT	$.00 PER POUND TO $10.00 PER POUND

and

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: **January 23, 2014**

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

BE IT RESOLVED by the Commissioners of The Bergen County Utilities Authority that the below listed schedule of Wastewater User Charges for the Authority's Water Pollution Control Division for the year 2014 be adopted, effective January 1, 2014 through December 31, 2014.

Operation and Maintenance - Flow	$1,093.28 Per Million Gallons
Operation and Maintenance - B.O.D.	$336.61 Per Thousand Pounds
Operation and Maintenance - S.S.	$287.57 Per Thousand Pounds

and

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, the **Water Environment Research Foundation ("WERF")** is a not-for-profit foundation dedicated to advancing science and technology to address water quality issues as they impact water resources, the atmosphere, lands, and the quality of life; and

WHEREAS, WERF produces peer-reviewed research reports used by its subscribers and others to develop scientifically-based approaches, processes, and technologies to improve the management of waters resources; and

WHEREAS, WERF represents that it is staffed by a team of environmental professionals, including a committee of distinguished scientists and engineers who provide oversight, advice, and review of the wastewater and stormwater collection and treatment projects of the Bergen County Utilities Authority (the "Authority"); and

WHEREAS, WERF further represents that its investigators are comprised of individuals and organizations from municipal agencies, academia, government laboratories, and various industrial and consulting firms whose experience extends the spectrum of **WERF's** research covering the areas of wastewater and stormwater collection and treatment systems, watersheds and ecosystems, and of human and environmental health; and

WHEREAS, WERF is funded through contributions and subscriptions from utilities, municipal agencies, corporations, consulting firms, associations, state regulatory agencies, private individuals and foundations, as well as congressional appropriations, the United States Environmental Protection Agency, and other governmental agencies; and

WHEREAS, in the aggregate, **WERF** leverages subscriber investments $4:$1; and

WHEREAS, in 2013, the Authority investment was leveraged $829.00:$1; and

WHEREAS, WERF has submitted a proposal dated December 4, 2013, to induce the Authority to renew its subscription and re-join **WERF**, which proposal has been reviewed by the Executive Director and Chief Engineer of the Authority; and

WHEREAS, the Authority's Executive Director and Chief Engineer have recommended that the Authority renew its subscription to **WERF**; and

WHEREAS, the proposed annual subscription/dues for 2014 is $32,400.00 based on $432 per million gallons per day (mgd) and an average flow of 75 mgd during a twelve month period commencing January 1, 2014, through December 31, 2014; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary and/or desirable for its efficient operations to renew its subscription and rejoin **WERF** for 2014.

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

1. The Chairman shall be and is hereby authorized to renew the subscription by and between the Authority and **WERF**, in the amount not to exceed $32,400.00.

2. The Chief Financial Officer's Certification that funds are available shall be maintained on file at the Authority.

3. A copy of this resolution and the agreement to subscribe/join **WERF** shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **WERF** and the Authority.

4. A notice of this subscription renewal shall be published in the form prescribed by law.

5. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the resolution adopted by the Bergen County Utilities Authority at its meeting on January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 01/23/2014
RESOLUTION #: 14-1-007

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE	X
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	W-350-51100-000
VENDOR	WATER ENVIRONMENT RESEARCH FOUNDATION
CONTRACT NUMBER	
REASON	2014 SUBSCRIPTION & MEMBERSHIP
AMOUNT	$32,400.00
CONTRACT LENGTH	JANUARY 2014 - DECEMBER 2014

Wallace Nowosielski
TREASURER/CFO

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Payroll Services (Two Year Contract With A Two - Year Option)**, pursuant to and in accordance with **Contract No. 11-04**; and

WHEREAS, by way of Resolution 11-1-065 dated October 27, 2011, **Action Data Services, Inc.** was determined to be the lowest complying and responsible bidder for **Payroll Service**, constituting **Contract No. 11-04** for a total contract price of $17,475.25 for year one and $14,335.50 for year two; and for the optional two years for a total contract price of $28,671.00; and

WHEREAS, the Authority executed an agreement with **Action Data Services, Inc.** for **Payroll Service**, constituting **Contract No. 11-04** for a total sum of **$31,810.75** for the **Initial Two-Year Period**; and

WHEREAS, pursuant to the terms of **Contract No. 11-04**, the Authority has the option to extend the contract for Payroll Service with **Action Data Services, Inc.** for an additional **two year period** in the amount of **$28,671.00**; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15(44) the Authority finds **Action Data Services, Inc.** has performed **Contract No. 11-04** for Payroll Service in an effective and efficient manner; and

WHEREAS, exercising the **two year option** of **Contract No. 11-04** to Action Data Services, Inc. for Payroll Service is necessary for the efficient operation of the Authority; and

WHEREAS, the Chief Financial Officer of the Authority has certified that funds are available for this purpose.

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

1. The Executive Director shall be and he is hereby authorized to execute an agreement with **Action Data Services, Inc.** for **Payroll Service**, pursuant to and in accordance with **Contract No. 11-04**, which exercises the **Two Year Option** by the Authority to extend the contract for an additional **two year period** (from December 1, 2013 through November 30, 2015) in the amount of **$28,671.00**.

2. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.

3. A notice of this contract award shall be published in the form prescribed by law.

4. A copy of this Resolution and the Agreement executed pursuant to this Resolution, along with Contract No. 11-04, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Action Data Services, Inc. and the Authority.

5. The formal action(s) of the Commissioners of the 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 the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 01/23/2014
RESOLUTION #: 14-1-008

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE	X
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	A-620-54800-000
VENDOR	ACTION DATA SERVICES, INC.
CONTRACT NUMBER	C11-04
REASON	PAYROLL SERVICES
AMOUNT	$28,671.00
CONTRACT LENGTH	DECEMBER 1, 2013 - NOVEMBER 30, 2015

TREASURER/CFO

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, the Bergen County Utilities Authority (the "Authority") has followed the fair and open process pursuant to N.J.S.A. 19:44A-20 et seq. for receiving requests for qualifications; and

WHEREAS, on or about December 23, 2013the Authority issued a Request for Qualifications for **CONSULTING ENGINEERS, ENERGY SERVICES CONSULTANTS, AND CONSTRUCTION MANAGEMENT SERVICES CONSULTANTS** in accordance with the requirements of N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, the Authority received and opened qualifications on January 14, 2014; and

WHEREAS, pursuant to the Request for Qualifications, the Authority's review team conducted a review of the responses received and recommends that the firms listed below be deemed qualified to provide the services of a consulting engineer, energy consultant, and construction management; and

WHEREAS, the Authority's Construction & Engineering Committee recommends that the firms listed below be deemed qualified to provide said services.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the following firms be and are hereby qualified to render the following services for 2014.

CONSULTING ENGINEERS

Alaimo Group Consulting Engineers
Boswell Engineering
CME Associates
Concord Engineering
Hatch Mott MacDonald
Malcolm Pirnie/Arcadis US, Inc
Maser Consulting P.A.
Neglia Engineering Associates
Paulus, Sokolowski, and Sartor, L.L.C.
Remington, Vernick and Arango Engineers
HDR Engineering, Inc.
Falcon Group
DLB Associates
NV5, Inc.
New World Engineering, Inc.
First Environment, Inc.

ENERGY SERVICES CONSULTANTS

Concord Engineering
Paulus, Sokolowski, and Sartor, L.L.C.
Remington, Vernick and Arango Engineers
Lilker Emo Energy Solutions, L.L.C.
Partner Engineering & Science, Inc.
Falcon Group
CME Associates

CONSTRUCTION MANAGEMENT SERVICES CONSULTANTS

Alaimo Group Consulting Engineers
Boswell Engineering
Concord Engineering
CME Associates
Malcolm Pirnie/Arcadis US, Inc
Neglia Engineering Associates
Remington, Vernick and Arango Engineers
Maser Engineering
Falcon Group
Tectonic Engineering

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of the 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 the forgoing to be a true copy of the resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, the Bergen County Utilities Authority (the "Authority") is a body public of the State of New Jersey, reorganized pursuant to N.J.S.A. 40:14B-1 et seq., which provides sewage treatment and disposal for forty-seven (47) municipalities in Bergen County and solid waste planning services for seventy (70) municipalities in Bergen County; and

WHEREAS, under the authority of the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq., the Authority has adopted "Rules and Regulations for the Direct and Indirect Discharge of Wastewater to the Bergen County Utilities Authority Treatment Works" (the "Rules and Regulations"), which pertain to the discharge of waters into the Authority's treatment works and local sewer systems attached thereto; and

WHEREAS, the Rules and Regulations set forth uniform requirements for users of the Authority's treatment works and enable the Authority to comply with applicable State and Federal laws and regulations; and

WHEREAS, the Authority has deemed it necessary to make a certain procedural and substantive amendment to the Rules and Regulations ("Proposed Amendment") regarding the following subject matter:

a. Modifications to the Rules and Regulations to incorporate new language at the end of Step 6 under the heading Method of Determining Rates in Appendix B to account for Trigger Events, as defined therein; and

WHEREAS, the Proposed Amendment has been attached to this Resolution as Exhibit "A"; and

WHEREAS, on December 6, 2013, the Authority provided written notice of a public hearing regarding the Proposed Amendment to each of its member municipalities and published said notice in two (2) local newspapers; and

WHEREAS, on January 23, 2014, the Deputy Executive Director of the Authority, as hearing officer, conducted a public hearing regarding the Proposed Amendment at which time detailed discussion, testimony and exhibits concerning the Proposed Amendment was considered; and

WHEREAS, the hearing officer has recommended that the Proposed Amendment be adopted; and

WHEREAS, the Proposed Amendment is necessary for the efficient operation of the Authority, will permit the Authority to comply with all State and Federal laws, and are fair and equitable to the users of its treatment works.

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

1. The Authority hereby adopts the Proposed Amendment to the Rules and Regulations of the Authority attached hereto as Exhibit "A", and such language shall replace and supersede those respective provisions in the current Rules and Regulations of the Authority.

2. A copy of this Resolution and the Proposed Amendment to the Rules and Regulations of the Authority attached hereto as Exhibit "A" shall be placed on file and made available for public inspection in the Office of the Executive Director.

3. The Authority shall calculate the 2014 Wastewater User Charges utilizing the language set forth in the Proposed Amendment to the Rules and Regulations.

4. The formal action(s) of the Commissioners of the 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 the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated : January 23, 2014

EXHIBIT A

PROPOSED AMENDMENT TO RULES AND REGULATIONS OF THE BERGEN COUNTY UTILITIES AUTHORITY USER CHARGE SYSTEM

The following new language is hereby added at the end of Step 6 under the heading Method of Determining Rates in Appendix B, "BCUA User Charge System", in the Rules and Regulations of the Bergen County Utilities Authority:

"The following definitions shall apply for purposes of this Step 6:

ANNUAL PLANT BOD REMOVED

The Annual Plant BOD Removed shall mean the total amount of BOD removed during the year at the Little Ferry and Edgewater Wastewater Treatment Plants, calculated based on the Daily Monitoring Reports (DMR) submitted by the Authority to NJDEP.

Notwithstanding the foregoing, if a Trigger Event occurs, as to the Little Ferry Wastewater Treatment Plant only, in lieu of the foregoing as to the months when the Trigger Event occurred, the adjusted plant BOD removed for each of those particular months shall be the average of the preceding five (5) years BOD removed during each of those calendar months for the Little Ferry Treatment Plant. Those adjusted monthly plant BOD removed amounts for the Little Ferry Treatment Plant shall be added to the unadjusted plant BOD removed amounts for the Edgewater Treatment Plant to arrive at adjusted monthly amounts of plant BOD removed for those particular months. The Annual Plant BOD Removed shall be the sum of the monthly plant BOD amounts removed, either unadjusted or adjusted, for the twelve month period.

ANNUAL PLANT TSS REMOVED

The Annual Plant TSS Removed shall mean the total amount of TSS removed during the year at the Little Ferry and Edgewater Wastewater Treatment Plants, calculated based on the DMR submitted to NJDEP.

Notwithstanding the foregoing, if a Trigger Event occurs, as to the Little Ferry Wastewater Treatment Plant only, in lieu of the foregoing as to the months when the Trigger Event occurred, the adjusted plant TSS removed for each of those particular months shall be the average of the preceding five (5) years TSS removed during each of those calendar months for the Little Ferry Treatment Plant. Those adjusted monthly plant TSS removed amounts for the Little Ferry Treatment Plant shall be added to the unadjusted plant TSS removed amounts for the Edgewater Treatment Plant to arrive at adjusted monthly amounts of plant TSS removed for those particular months. The Annual Plant TSS

Removed shall be the sum of the monthly plant TSS amounts removed, either unadjusted or adjusted, for the twelve month period.

ANNUAL PLANT EFFLUENT FLOW

The Annual Plant Effluent Flow shall mean the total flow through the effluent meters of the Little Ferry and Edgewater Wastewater Treatment Plants for the year, as reported on the DMR submitted to NJDEP.

Notwithstanding the foregoing, if a Trigger Event occurs, as to the Little Ferry Wastewater Treatment Plant only, in lieu of the foregoing as to the months when the Trigger Event occurred, the adjusted monthly plant effluent flow for each of those particular months shall be the average of the preceding five (5) years effluent flow during each of those calendar months for the Little Ferry Treatment Plant. Those adjusted monthly plant effluent flow amounts for the Little Ferry Treatment Plant shall be added to the unadjusted amounts of plant effluent flow for the Edgewater Treatment Plant to arrive at adjusted monthly amounts of plant effluent flow for those particular months. The Annual Plant Effluent Flow shall be the sum of the monthly plant effluent flow amounts, either unadjusted or adjusted, for the twelve month period.

TRIGGER EVENT

A Trigger Event occurs when the Authority sends a letter to NJDEP asserting a affirmative defense pursuant to N.J.A.C. 7:14A-6.11 and N.J.A.C. 7:14-8.3(i) as to either Carbonaceous Biochemical Oxygen Demand (CBOD) or Total Suspended Solids (TSS), with respect to the Little Ferry Wastewater Treatment Plant only, for three consecutive months during a particular year for the determination of user charge rates."

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BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Hot Water System Chemicals (One Year with One Year Option)** pursuant to and in accordance with **Contract No. 14-01**; and

WHEREAS, the following bid proposals were received by the Authority on **January 14, 2014** for **Contract No.14-01**:

Vendor	Total Amount Bid for One Year
Scientific Boiler Water Conditioning Co., Inc. Linden, NJ	$35,185.90
Rochester Midland Corporation Rochester, NY	$63,616.86

WHEREAS, the Authority's **Qualified Purchasing Agent and Plant Manager** have reviewed the bid proposals and have recommended that **Scientific Boiler Water Conditioning Co., Inc.** be awarded **Contract No. 14-01** in accordance with N.J.S.A. 40:11-4, as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Scientific Boiler Water Conditioning Co., Inc.** constitutes the lowest complying and responsible bidder for **Contract No.14-01**, in accordance with N.J.S.A. 40A:11-4; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Chief Financial Officer has certified that funds are available for this purpose.

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

1. **Scientific Boiler Water Conditioning Co., Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Hot Water System Chemicals (One Year with One Year Option)** constituting **Contract No.14-01** for a One (1) year period for a total sum of **$35,185.90.**

2. The Chairman is hereby authorized to execute an agreement with **Scientific Boiler Water Conditioning Co., Inc. of 515 Pennsylvania Ave, Linden, NJ 07036** to **Furnish and Deliver Hot Water System Chemicals (One Year with One Year Option)** constituting **Contract No.14-01** for a total sum of **$35,185.90.**

3. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

4. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.

5. A notice of this contract award shall be published in the form prescribed by law.

6. A copy of this Resolution and the Agreement executed pursuant to this Resolution, along with Contract No. 14-01, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Scientific Boiler Water Conditioning Co., Inc. and the Authority.

7. The formal action(s) of the Commissioners of the 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 the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 01/23/2014
RESOLUTION #: 14-2-003

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE	FUNDS WILL BE CERTIFIED WHEN THE PURCHASE ORDERS ARE ISSUED
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	W-630-63300-000
VENDOR	SCIENTIFIC BOILER WATER CONDITIONING CO, INC.
CONTRACT NUMBER	C14-01
REASON	HOT WATER SYSTEM CHEMICALS
AMOUNT	$35,185.90
CONTRACT LENGTH	FEBRUARY 2014 - JANUARY 2015

TREASURER/CFO

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Franklin Miller Grinders and Parts (Two Years)**, pursuant to and in accordance with **Contract No. 14-02**; and

WHEREAS, the following bid proposal was received by the Authority on **January 14, 2014** for **Contract No.14-02**:

Vendor	Total Amount Bid (2 Years)
Franklin Miller, Inc. Livingston, NJ	$341,658.00

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **Franklin Miller, Inc.** be awarded **Contract No. 14-02** in accordance with N.J.S.A. 40:11-4, as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Franklin Miller, Inc.** constitutes the lowest complying and responsible bidder for **Contract No.14-02**, in accordance with N.J.S.A. 40A:11-4; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Chief Financial Officer has certified that funds are available for this purpose.

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

1. **Franklin Miller, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Franklin Miller Grinders and Parts (Two Years),** constituting **Contract No.14-02** for a Two (2) year period for a total sum of **$341,658.00.**

2. The Chairman is hereby authorized to execute an agreement with **Franklin Miller, Inc. of 60 Okner Parkway, Livingston, NJ 07039** to **Furnish and Deliver Franklin Miller Grinders and Parts (Two Years)**, constituting **Contract No.14-02** for a total sum of **$341,658.00.**

3. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

4. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.

5. A notice of this contract award shall be published in the form prescribed by law.

6. A copy of this Resolution and the Agreement executed pursuant to this Resolution, along with Contract No. 14-02, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Franklin Miller, Inc. and the Authority.

7. The formal action(s) of the Commissioners of the 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 the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 01/23/2014
RESOLUTION #: 14-2-004

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE	FUNDS WILL BE CERTIFIED WHEN THE PURCHASE ORDERS ARE ISSUED
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	W-550-61600-000
VENDOR	FRANKLIN MILLER, INC.
CONTRACT NUMBER	C14-02
REASON	FRANKLIN MILLER GRINDERS & PARTS
AMOUNT	$341,658.00
CONTRACT LENGTH	FEBRUARY 2014 - JANUARY 2016

TREASURER/CFO

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Perkin Elmer Maintenance Contract (Two Years)**, pursuant to and in accordance with **Contract No. 14-03**; and

WHEREAS, the following bid proposal was received by the Authority on **January 14, 2014** for **Contract No.14-03**:

Vendor	Total Amount Bid (2 Years)
Perkin Elmer Health Sciences, Inc. Shelton, CT	$83,792.00

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **Perkin Elmer Health Sciences, Inc.** be awarded **Contract No. 14-03** in accordance with N.J.S.A. 40:11-4, as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Perkin Elmer Health Sciences, Inc.** constitutes the lowest complying and responsible bidder for **Contract No.14-03**, in accordance with N.J.S.A. 40A:11-4; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Chief Financial Officer has certified that funds are available for this purpose.

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

1. **Perkin Elmer Health Sciences, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for **Perkin Elmer Maintenance Contract (Two Years),** constituting **Contract No.14-03** for a Two (2) year period for a total sum of **$83,792.00.**

2. The Chairman is hereby authorized to execute an agreement with **Perkin Elmer Health Sciences, Inc. of 60 Okner Parkway, Livingston, NJ 07039** for **Perkin Elmer Maintenance Contract (Two Years)**, constituting **Contract No.14-03** for a total sum of **$83,792.00.**

3. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

4. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.

5. A notice of this contract award shall be published in the form prescribed by law.

6. A copy of this Resolution and the Agreement executed pursuant to this Resolution, along with Contract No. 14-03, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Perkin Elmer Health Services, Inc. and the Authority.

7. The formal action(s) of the Commissioners of the 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 the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 01/23/2014
RESOLUTION #: 14-2-005

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE	FUNDS WILL BE CERTIFIED WHEN THE PURCHASE ORDERS ARE ISSUED
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	W-240-56400-000
VENDOR	PERKIN ELMER HEALTH SERVICES, INC.
CONTRACT NUMBER	C14-03
REASON	PERKIN ELMER MAINTENANCE CONTRACT
AMOUNT	$83,792.00
CONTRACT LENGTH	FEBRUARY 2014 - JANUARY 2016

Wallace Nowakowski
TREASURER/CFO

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, the Bergen County Utilities Authority (the "Authority") has followed the fair and open process pursuant to N.J.SA. 19:44A-20 et seq. for receiving Requests for Qualifications; and

WHEREAS, on or about December 23, 2013 the Authority issued a Request For Qualifications for General Insurance, Health Insurance and Public Relations Consultants, and Third Party Administrators for Cafeteria Plan, Dental Plan, Health Benefits and Worker's Compensation in accordance with the requirements of N.J.S.A. 19:44A-20, et seq.; and

WHEREAS, the Authority received and opened Qualifications for the above listed positions on **January 14, 2014**; and

WHEREAS, pursuant to the Request For Qualifications, the Authority's Review Team conducted a review of the responses received and recommends that the firms listed below be deemed qualified for the following positions; and

WHEREAS, the Authority's Personnel and Administration Committee recommends that the firms listed below be deemed qualified for the following positions.

NOW, THERERFORE, BE IT RESOLVED, by the Commissioners of the Bergen County Utilities Authority that the following firms be and are hereby qualified to render services on behalf of the Authority for the year of 2014:

General Insurance Consultant
Otterstedt Insurance Agency, Inc.
Inservco Insurance Services, Inc.
Claims Resolution Corporation, Inc.
Highland Claim Services, Inc.

Health Insurance Consultant
LaMendola Associates, Inc
My Benefit Advisor, Inc.

Public Relations Consultant
Catania Consulting Group, Inc.

Third Party Administrator for Cafeteria Plan Section 125
Insurance Design Administrators
P & A Group
Eflex Group, Inc.
Flexible Benefit Administrators

Third Party Administrator for Dental Plan
Delta Dental of New Jersey, Inc

Third Party Administrators for Health Benefits
Insurance Design Administrators

Third Party Administrator Workers Compensation/General Liability
Bergen Risk Managers, Inc.
Inservco Insurance Services, Inc.
Highland Claim Services, Inc.

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of The 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 the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that for FY/CY 2014 the seven (7) Non-Bargaining Unit employees of the Authority shall be provided with the same percentage increase in base salary as provided to all bargaining unit employees effective January 1, 2014.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

DATED: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION

WHEREAS, by Resolution No. 13-1-012 adopted on February 26, 2013, the Bergen County Utilities Authority (the "Authority") awarded a contract to **LaMendola Associates, Inc.** to serve as **Health Insurance/Employee Benefits Consultant**; and

WHEREAS, the agreement entered into by and between the Authority and **LaMendola Associates, Inc.** pursuant to the above contract has insufficient funds to cover additional consultant services and there is a need to amend that agreement to provide additional funding; and

WHEREAS, this contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. through a publicly advertised Request for Qualifications, and

WHEREAS, the Chief Financial Officer of the Authority has certified that additional funds are available for this purpose.

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

1. An amended contract for **Health Insurance/Employee Benefits Consultant** be and is hereby awarded to **LaMendola Associates Inc**. to perform additional consulting services and to provide additional funding for those consulting services for a total amount pursuant to this resolution **not to exceed $15,000.00.**

2. At no cost to the Authority, **LaMendola Associates, Inc.** shall provide a monthly status report to the Executive Director.

3. The Chairman shall be and is hereby authorized to execute an amended agreement between the Authority and **LaMendola Associates, Inc.** memorializing the scope of services to be rendered and revised compensation to be paid for such services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

4. A copy of this Resolution and the agreement entered into by and between the Authority and **LaMendola Associates Inc.** for the providing of **Health Insurance/Employee Benefits Consultant** pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by **LaMendola Associates, Inc.** and the Authority.

5. A notice of this contract award shall be published in the form prescribed by law.

6. The Chief Financial Officer's Certification that the funds are available shall be on file at the Authority and made a part hereof.

7. The formal action(s) of the Commissioners of The 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 the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 01/23/2014
RESOLUTION #: 14-3-003

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE	X
FUNDS ARE NOT AVAILABLE	
BUDGET ACCOUNT	W-340-71000-000
VENDOR	LAMENDOLA ASSOCIATES
CONTRACT NUMBER	
REASON	HEALTH INSURANCE/EMPLOYEE BENEFITS CONSULTANT
AMOUNT	ADDITIONAL $15,000
CONTRACT LENGTH	DECEMBER 2013 - FEBRUARY 2014

Wallace Nowasielski
TREASURER/CFO

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, the Bergen County Utilities Authority (the "Authority") is a county utilities authority organized and existing pursuant to the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq. to provide the services enumerated in N.J.S.A. 40:14B-2 in the County of Bergen, including but not limited to the collection, treatment and disposal of sanitary sewage; and

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, the Authority plays an important role in providing these essential services within the Authority's sewer service district, which is within Bergen County; and

WHEREAS, the Utility Workers of America, AFL-CIO, Local Union 534 (the "Union") is a union consisting of members working in the utilities industry providing services to the Authority; and

WHEREAS, the Authority and the Union are parties to a collective negotiations agreement which went into effect January 1, 2011 and expires December 31, 2015 (the "CNA"); and

WHEREAS, on or about November 4, 2011, the Union filed a grievance challenging the requirement of the Authority to maintain a dental plan that included a provision for orthodontic reimbursement up to maximum levels as set forth in Section 6.03 of the CNA; and

WHEREAS, on or about November 16, 2011 the Authority denied the grievance; and

WHEREAS, following the denial of the grievance by the Authority, the Authority and the Union agreed to bypass any and all remaining steps of the required grievance procedures so that the grievance could be presented to an arbitrator for interpretation and resolution; and

WHEREAS, on or about October 17, 2012 an arbitration hearing on the grievance (the "Hearing") was conducted before Joseph Licata (the "Arbitrator"); and

WHEREAS, during the Hearing both the Authority and the Union were provided the opportunity to present testimony and other evidence relating to the grievance and Section 6.03 of the CNA; and

WHEREAS, on or about February 27, 2013 the Arbitrator issued an opinion (the "Opinion and Award") sustaining the Union's grievance and retaining jurisdiction over any dispute between the Authority and the Union concerning the obligation of the Authority to reimburse any eligible Union member for undue out of pocket orthodontic expenses; and

WHEREAS, other employee bargaining units also provide services to the Authority subject to the terms of other collective negotiations agreements entered into by and between those employee bargaining units and the Authority; and

WHEREAS, the terms of those other collective negotiations agreements are consistent with and/or identical to those terms of the CNA which were the subject of the grievance pursued by the Union placing them in identical standing as the Union with respect to the issues pursued in the grievance and the Opinion and Award of the Arbitrator on that grievance; and

WHEREAS, those other employee bargaining units chose to forebear and/or forego the pursuit of any additional similar grievances to that pursued by the Union pending the outcome of the grievance of the Union; and

WHEREAS, subsequent to the issuance of the Opinion and Award by the Arbitrator, the Authority and the Union disputed the manner, method and proofs required for calculating the exact monetary reimbursement amounts owed to eligible Union members; and

WHEREAS, on or about November 22, 2013, the Authority and the Union, desiring to reach an amicable resolution and avoid further arbitration hearings and/or possible litigation, met and conferred in an attempt to resolve these ongoing compliance and reimbursement issues stemming from the grievance and the Opinion and Award issued by the Arbitrator in connection therewith; and

WHEREAS, the Authority and the Union were able to amicably resolve their differences set forth above as memorialized in a draft Settlement & Release Agreement (the "Agreement") providing for a final resolution of these ongoing compliance and reimbursement issues on the terms set forth therein, with the anticipated execution of the Agreement by the Authority and the Union resulting in the Union releasing any and all claims arising out of the Union's grievance that the Authority violated Section 6.03 of the CNA, or failed to implement the arbitrators award, except as it relates to the administration of the Agreement and accuracy of specific reimbursement amounts; and

WHEREAS, the Commissioners of the Authority have determined that it is in the best interests of the Authority that the grievance of the Union be fully resolved under the terms and conditions as provided and set forth in the Agreement to be entered into by and between the Authority and the Union; and

WHEREAS, it is intended by the Commissioners of the Authority that the terms and conditions fully and finally resolving the grievance of the Union as provided and set forth in the Agreement to be entered into by and between the Authority and the Union are to be precedential and binding upon the Authority and all employee bargaining units providing services to the Authority pursuant to collective negotiations agreements with the Authority similar to the CNA to which the Authority and the Union are parties.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Authority as follows:

1. The Executive Director shall be and is hereby authorized to execute an agreement, by and among the Authority and **Utility Workers of America, AFL-CIO Local Union 534** memorializing the settlement of the grievance of the Union as is acceptable to the Authority, as evidenced by the Executive Director's signature thereon.

2. The terms of the agreement executed by the Executive Director on behalf of the Authority pursuant to this Resolution shall be deemed by the Authority to be precedential and therefore binding upon the Authority and applicable to all other employee bargaining units providing services to the Authority which are similarly affected by the terms of the agreement as is the Union.

3. A copy of this resolution, and the agreement entered into by and between the Authority and **Utility Workers of America, AFL-CIO Local Union 534** pursuant to this resolution, shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by the Authority.

4. A notice of this agreement shall be published in the form prescribed by law.

5. The formal action(s) of the Commissioners of Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of January 23, 2014.

Richard Wierer
Acting Secretary

Dated: January 23, 2014