

**MINUTES OF RE-ORGANIZATION AND REGULAR MEETING OF THE
ROCKLEIGH SEWERAGE AUTHORITY
BOROUGH HALL, 26 ROCKLEIGH ROAD, ROCKLEIGH, NJ
FEBRUARY 2, 2015 AT 7:00 PM.**

Mr. Cumiskey called the meeting to order and following the Pledge of Allegiance, the Opening Statement was read. It was announced that the meeting of this date was held in compliance with the Open Public Meetings Act of the State of New Jersey, and that adequate notice of same was given in writing to *The Record*, and that notice was also posted on the Borough Hall bulletin board as required.

The Secretary called the Roll Call of the Mayor and Council:

Present– Chairman Cumiskey, Authority Member Pontone, Authority Member Schaffer, and Authority Alternate Member Feulner

Absent: Authority Member Agresta and Authority Member Photiadis and Authority CFO, Kunjesh Trivedi.

Also Present –Robert T. Regan, Esq., Authority Attorney and William J. McGuire, Authority Administrator, and Marcella Giampiccolo, RSA Secretary.

At this time Nominations for the position of Chairman were made. Mr. Cumiskey was nominated by Mr. Schaffer and seconded by Mrs. Feulner for Mr. Cumiskey to continue as the RSA Chairman. No other nominations were made. All Members present voted in the affirmative for Mr. Cumiskey to remain the RSA Chairman.

The floor was opened for nominations for the Vice Chairman position. Mr. Schaffer nominated Mr. Pontone, seconded by Mrs. Cumiskey. No other nominations were made for Vice Chairman. All Members present voted in the affirmative for Mr. Pontone to remain the RSA Vice Chairman.

The appointment and Motion for Marcella Giampiccolo for the position of RSA Secretary was offered by Mr. Pontone and seconded by Mr. Schaffer. All Members present voted in the affirmative for Mrs. Giampiccolo to remain the RSA Secretary.

**RESOLUTION (RSA 2015-1) OF THE ROCKLEIGH SEWERAGE
AUTHORITY AUTHORIZING THE AWARD OF CONTRACTS FOR
PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.5**

WHEREAS, the Rockleigh Sewerage Authority has a need for professional services from various professionals as set forth below to be provided in accordance with contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Rockleigh Sewerage Authority's Chief Financial Officer has determined and certified in writing that the value of the services to be provided by each of the professionals may exceed \$17,500.00 for each professional; and

WHEREAS, the anticipated term of each professional's contract is one year; and

WHEREAS, Robert T. Regan, Esq., Rogut McCarthy LLC, Neglia Engineering Associates, and Lerch, Vinci & Higgins have submitted proposals setting forth that each will provide its services at a cost as set forth in each one's proposal previously forwarded to the Secretary of the Rockleigh Sewerage Authority:

Robert T. Regan, Esq., as Authority Counsel
Rogut McCarthy LLC, as Authority Bond Counsel
Neglia Engineering as Authority Engineer
Lerch, Vinci & Higgins as Authority Auditor

WHEREAS, each of said professionals has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee or to an elected official in the Borough of Rockleigh in the previous one year, and that each contract will prohibit it from making any reportable contributions through the term of the contract; and

WHEREAS, as set forth in the Certification of Funds from the Authority's Chief Financial Officer, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Rockleigh Sewerage Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Rockleigh Sewerage Authority hereby authorizes the Chairman to enter into a contract with each of the following professionals as described herein.

Robert T. Regan, Esq., as Authority Counsel
Rogut McCarthy LLC, as Authority Bond Counsel
Neglia Engineering as Authority Engineer
Lerch, Vinci & Higgins as Authority Auditor

3. The Business Disclosure Entity Certification and the Determination of Value for each professional be placed on file with this Resolution.

4. A copy of this Resolution shall be available for public inspection at the offices of the Borough of Rockleigh.

5. This resolution shall take effect immediately.

A Motion was offered by Mr. Pontone to appoint the Professionals listed on RSA 2015-1. The Motion was seconded by Mrs. Feulner. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Pontone, Schaffer, Feulner,

NAYS:

ABSENT: Agresta, Photiadis

ABSTAIN: None

The Motion passed.

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MINUTE APPROVAL:

Minutes of the December 1, 2014 Regular Meeting were presented for approval. A Motion was offered by Mrs. Feulner, seconded by Mr. Pontone and approved with all Members present voting in the affirmative to accept the December 1, 2014 Minutes as presented. The Motion passed.

Minutes of the December 1, 2014 Executive Meeting were presented for approval. A Motion was offered by Mr. Pontone, seconded by Mr. Schaffer and approved with all Members present voting in the affirmative to accept the December 1, 2014 Executive Minutes as presented. The Motion passed.

OLD BUSINESS:

The Chairman presented the draft correspondence formally advising Northvale that the RSA is providing to them the mandatory 30 day cancellation notice of the lease between the Rockleigh Sewerage Authority and the Borough of Northvale at 33 Piermont Road, Rockleigh. A Motion was offered by Mr. Cumiskey, seconded by Mr. Pontone to authorize correspondence prepared by Mr. Regan to be mailed to the Mayor and Council of Northvale, via Certified Mail, on February 3, 2015. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Schaffer, Pontone, Feulner

NAYS: None

ABSENT: Agresta, Photiadis

ABSTAIN: None

The Motion passed.

NEW BUSINESS:

The proposal identified with a revised date of January 14, 2015 by Neglia Engineering Associates for C-2 Operator Licensure for the Borough of Rockleigh was presented for discussion. The Chairman announced that Mr. Polyniak, the RSA Engineer, was in the audience to answer any questions. No discussion took place. A Motion was offered by Mr. Pontone, seconded by Mr. Schaffer to accept the proposal for C-2 Operator Licensure services totaling \$4,800.00 per year. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Pontone, Schaffer, Feulner

NAYS: None

ABSENT: Agresta, Photiadis

ABSTAIN: None

The Motion passed.

RESOLUTION (RSA 2015-3) DETAILING REASONS FOR REJECTION OF APPLICATION FOR TREATMENT WORKS APPROVAL PERMIT.

WHEREAS, the Rockleigh Sewerage Authority (hereinafter "the Authority") is in receipt of a Treatment Works Approval Permit Application (hereinafter "the Application") from Dr. Paul and Doris McCormick (hereinafter "the applicants"), 302 Bedford Road, Ridgewood, New Jersey, relating to premises known as Block 203, Lot 22 as depicted on the tax assessment map of the Borough of Rockleigh, being more commonly known as 3 Willow Avenue (hereinafter "the property", "the premises" or "the parcel"); and

WHEREAS, the Authority and its professionals have reviewed the Application; and

WHEREAS, the Application form advises that if the Authority declines to consent to the project contemplated by the Application, it is required to state its reasons for rejection or disapproval in a resolution.

NOW THEREFORE BE IT RESOLVED by the Authority that the following facts and conclusions are made in connection with the Application:

1. By letter dated December 23, 2014, Costa Engineering Corporation (hereinafter "Costa"), representing the applicants, requested that the Authority grant consent to the applicants for the submission of the Application to the New Jersey Department of Environmental Protection (hereinafter "DEP"). Accompanying the correspondence from Costa, which was addressed to Mayor Robert R. Schaffer, was the form of the Application comprising four (4) pages, the Engineer's Report comprising four (4) pages, and forms relating to Statements of Consent comprising four (4) pages.

2. Page 1 of the form of Application indicates that the cost of treatment works proposed in the application is \$325,180.00. The project description as indicated on page 2 of the application indicates that the project involves the removal of an existing part of house, pool, driveway, patio, walk and the construction of a new addition to the existing house, patio, pool, pool house, driveway and walk. Proposed Treatment Works Application involves the construction of a 570 LF of 6" PVC sanitary sewer lateral, 3,822 LF of 8" PVC sanitary sewer main on Willow Avenue, Piermont Road and Link Drive, eight (8) cleanouts, and fifteen (15) manholes.

3. The Authority notes that prior to the submission of the Application, certain correspondence was previously provided to the Borough of Rockleigh. More particularly, the contractor for the applicants, Joseph M. Sanzari, detailed in correspondence to Borough Engineer Gregory Polyniak dated October 6, 2014 that estimated the cost of the project to be \$761,000.00. Page 3 of said correspondence references that \$263,000.00 of the potential \$761,000.00 would be privately funded, presumably by the applicants. It is further stated therein that the balance of \$498,000.00 would be shared by the County, Borough and three (3) other property owners.

4. No explanation has been provided the Authority as to the discrepancy between the estimated cost of \$325,180.00 as reflected in the Application and the projected cost of \$761,000.00 as reflected in Mr. Sanzari's correspondence. Furthermore, it is represented in said correspondence that a total of \$498,000.00 would be shared by the County, Borough and three (3) other property owners. To date there has been no representation or contractual arrangement pertaining to funding, to the Authority's knowledge, or even a request for a sewer connection from the "three other property owners" referenced in the aforesaid correspondence. Similarly, there has been no representation provided by the County of Bergen, either by resolution of the Board of Chosen Freeholders or correspondence from any other agency, that the County would be agreeable to contributing to the cost of the project. The Borough has no funds available to contribute to the cost of the project, as was incorrectly represented by Mr. Sanzari in the October 6, 2014 correspondence.

5. While sewage from the project is proposed to be discharged into the Orangetown New York Wastewater Treatment Plant, the property is located within the Bergen County Utilities Authority (hereinafter "BCUA") service area. As a result, an amendment is required to be approved to the existing BCUA Wastewater Management Plan. No documents have been provided evidencing approval of such amendment by the DEP.

6. The Application is devoid of any details as to cost of the items required relating to the construction of the proposed treatment works and is

accordingly incomplete. In addition, the Application as submitted is also missing a number of other required items. These include the effluent receiving waters on the WQM-006 application, the failure to concrete encase the sanitary sewer or design the sewer to be DIP on Willow Avenue where it crosses an existing water course, the designation of the plans as "FINAL" or "FINAL FOR SEWER DESIGN" as per the TWA Checklist and the failure to illustrate the pipe, its location, and the water lateral near the sanitary main connection. In addition, while manhole details have been furnished, a deep manhole detail was not provided. In addition, the submission does not provide roadway centerline spot elevations necessary to determine if the provided roadway profile is accurate.

7. Finally, while the application proposes to open a municipal street, there has been no representation by the applicants as to compliance with Chapter XVI of the Borough Code pertaining to road openings. In addition, there is no representation in the Application as to compliance with Chapter XVI or that full width paving will be provided for all disturbed municipal roadways.

BE IT FURTHER RESOLVED that based upon the foregoing facts and conclusions, the Authority declines to provide consent to the submission of the TWA Application to the DEP; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided to the applicants and to their engineer, Costa Engineering Corporation.

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Mr. Regan summarized the resolution along with the necessary steps the RSA and the Borough are required to take in order to comply with the NJDEP TWA submission noting the objection reasons within the Resolution. Brief discussion took place. Following discussion, a Motion was offered by Mr. Pontone, seconded by Mrs. Feulner to adopt RSA 2015-3 as presented. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Pontone, Schaffer, Feulner

NAYS: None

ABSENT: Agresta, Photiadis

ABSTAIN: None

The Motion passed.

RESOLUTION (RSA 2015-4) AWARDING A CONTRACT TO G.T.K. ENTERPRISES LLC FOR THE PAINTING OF THE INTERIOR OF 33 PIERMONT ROAD.

WHEREAS, the Rockleigh Sewerage Authority ("RSA") has received a quotation for the painting of the interior of the Rockleigh Department of Public Works building located at 33 Piermont Road; and

WHEREAS, said proposal is more particularly detailed in correspondence to Authority Administrator William McGuire dated September 11, 2013.

NOW THEREFORE BE IT RESOLVED that the RSA hereby awards a contract for the painting of the interior of the Rockleigh Department of Public Works building located at 33 Piermont Road in accordance with the aforesaid proposal on the condition that all surfaces are primed; and

BE IT FURTHER RESOLVED that RSA Chairman Frank Cumiskey and RSA Secretary Marcella Giampiccolo be and are hereby authorized to execute a contract for the aforesaid work.

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Discussion took place regarding the scope of the work provided in the proposal, specifically, regarding the surfaces identified for priming and lack of mention of priming for the doors and frames. The resolution presented was amended to add the language, "on the condition that all surfaces are primed" at the end of the third paragraph. A Motion was offered by Mr. Pontone, seconded by Mr. Cumiskey to accept the proposal as detailed in RSA 2015-4 with the condition that all surfaces are primed. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Pontone, Schaffer, Feulner

NAYS: None

ABSENT: Agresta, Photiadis

ABSTAIN: None

The Motion passed.

FINANCIAL BUSINESS/ PAYMENT OF CLAIMS:

The Secretary announced that upon confirmation from the CFO, the Authority should authorize payment to the Town of Orangetown in the amount of \$174,454.75 for invoice no. 2014/30/0000132 representing the sewer charges for the second half of 2013 flow. The CFO confirmed with the RSA Auditors that the calculations as to the sewer flow are correct and therefore, payment should be made as soon as possible. After brief discussion regarding the calculations of sewer flow from Mr. McGuire, a Motion was offered by Mr. Pontone, seconded by Mrs. Feulner, to pay the Bill List presented dated February 2, 2015, in the amended amount of \$175,293.50 and the Bill List dated December 31, 2014, representing the RSA contractual obligations in the amount of \$435.50. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Pontone, Schaffer, Feulner

NAYS: None

ABSENT: Agresta, Photiadis

ABSTAIN: None

The Motion passed.

RESOLUTION (RSA 2015-2) DESIGNATION OF OFFICIAL DEPOSITORY

BE IT RESOLVED, the following banking institution be designated as official depository for the monies of the Rockleigh Sewerage Authority during the year 2015, and that the Chairman, Secretary and Treasurer/CFO be authorized as signatory for the accounts therein, and that the Mayor of Rockleigh be designated to sign checks in the absence of any one of the above signatories, and further that the signatories for the Rockleigh Sewerage Payroll Account be designated as the Secretary, or in his absence, the Rockleigh Sewerage Authority Treasurer/CFO:

- The Bank of New Jersey, Harrington Park, New Jersey

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A Motion was offered by Mrs. Feulner, seconded by Mr. Cumiskey to approve the official depository of the RSA. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Pontone, Schaffer, Feulner

NAYS: None

ABSENT: Agresta, Photiadis

ABSTAIN: None

The Motion passed.

The meeting was opened to the public by a Motion offered by Mr. Pontone, seconded by Mr. Schaffer. All Members present voted in the affirmative. The Motion passed. No one from the public came forward. A Motion to close the meeting to the public was offered by Mr. Pontone seconded by Schaffer. All Members voted in the affirmative. The Motion passed.

With no further business to come before the RSA, a Motion was offered by Mr. Pontone, seconded by Mrs. Feulner to adjourn the meeting. All Members present voted in the affirmative to adjourn the meeting. The Motion passed.

Respectfully submitted,


Marcella Giampiccolo, Secretary
Rockleigh Sewerage Authority