

1

**RESOLUTION
EMERGENCY RESOLUTION**

WHEREAS, Coronavirus 2019 (“COVID-19”) is a highly contagious respiratory disease; and

WHEREAS, the spread of COVID-19 may result in staffing shortages and otherwise disrupt operations at the North Bergen Municipal Utilities Authority (“Authority”); and

WHEREAS, Authority staff, governing body and professionals must take immediate action to protect the health, safety and welfare of the employees, community & facility.

WHEREAS, Authority staff is responsible for the garbage and recycling pick-up and wastewater treatment services for the Township of North Bergen and the Town of Guttenberg.

NOW THEREFORE BE IT RESOLVED, by the governing body of the North Bergen Municipal Utilities Authority declare that an emergency exists at the authority facilities, collection system and pump stations and staffing invoke the emergency procurement sections of the local public contracts law at N.J.S.A 40A:11-6 as well as the Authority policy for purchasing.

BE IT FURTHER RESOLVED the members of the North Bergen Municipal Utilities Authority authorize the Executive Director to take the necessary action to procure the services, materials, equipment and supplies, mutual aid agreements and manage the labor force as needed to protect the health, safety and welfare of the employees, community and facilities and to file this resolution and the Executive Director’s Declaration of Emergency with the Authority Qualified Purchasing Agent.

BE IT FURTHER RESOLVED by the members of the North Bergen Municipal Utilities Authority that the appropriate Authority officials are hereby authorized to pay all necessary and proper bills and claims which may be incurred by the Authority in the event that meetings may be cancelled.


BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized and directed to take all steps necessary to effectuate the terms of this resolution.

BE IT FURTHER RESOLVED, that copies of this resolution shall be sent to:

- 1. Chris Pianese, Township of North Bergen
- 2. Frank Pestana, Executive Director
- 3. Patricia Bartoli, Chief Financial Officer
- 4. John A. Napolitano, Esq.

DATED: April 8, 2020

ATTEST:



Maria I. Hernandez, Clerk

| Municipal Utilities Authority | | | |
|-------------------------------|-------------------------------------|--------------------------|--------------------------|
| | Yes | No | Not Voting |
| Censullo | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Henriquez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DeSantis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lombardi | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Piazza | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

REMOVE COVER TO RE-INK • USE IDEAL INK ONLY

2

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER
TO MAKE ANY AND ALL PAYMENTS TO VENDORS DURING
THE STATE OF EMERGENCY CAUSED BY THE COVID-19
OUTBREAK**

WHEREAS, the North Bergen Municipal Utilities Authority (the “AUTHORITY”), having administrative offices at 6200 Tonnelle Avenue, North Bergen, New Jersey 07047, is desirous of authorizing the AUTHORITY’s Chief Financial Officer (the “CFO”) to make any and all payments to vendors during the state of emergency caused by the coronavirus disease 2019 (“COVID-19”) outbreak without a claims list; and

WHEREAS, the State of New Jersey and the Township of North Bergen have adopted significant measures to combat the community spread of COVID-19, including the closure of places of business and limiting gatherings of ten (10) or more people; and

WHEREAS, in accordance with the recommended social distancing guidance, the AUTHORITY has closed its office to non-essential personnel; and

WHEREAS, as a result of this closure, the AUTHORITY’s office personnel have not been able to timely prepare a claims list for payment of bills; and

WHEREAS, the AUTHORITY wishes to continue to timely pay its vendors to ensure the AUTHORITY can continue to operate and provide essential services.

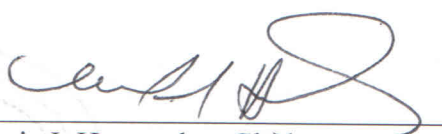
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY that the CFO is hereby authorized to continue to make any and all payments to vendors as they arise during the state of emergency caused by COVID-19 outbreak without a claims list for payment of bills, at the discretion of the Executive Director.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent
to:

1. Christopher Pianese, Township Administrator, Township of North Bergen
2. Frank Pestana, Executive Director
3. Patricia Bartoli, Authority Chief Financial Officer
4. John A. Napolitano, Authority General Counsel

DATED: April 8, 2020

ATTEST:


Maria I. Hernandez, Clerk

| Municipal Utilities Authority | Yes | No | Not Voting |
|-------------------------------|-------------------------------------|--------------------------|--------------------------|
| Censullo | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Henriquez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DeSantis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lombardi | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Piazza | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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3

RESOLUTION

WHEREAS, on or about July 23, 2018 Bernardo Castano (“Castano”) abandoned his employment with the North Bergen Municipal Utilities Authority (“Authority”) and was deemed to have “resigned, not in good standing” effective the same date;

WHEREAS, on or about October 17, 2018, the Authority issued a Final Notice of Disciplinary Action to Castano advising him of his resignation, not in good standing, effective July 23, 2018; and

WHEREAS, Castano appealed his resignation, not in good standing to the Civil Service Commission, which transmitted the case to the Office of Administrative Law on or about February 6, 2019 (*Castano v. North Bergen Municipal Utilities Authority*, Docket No. CSV 01872-2019); and

WHEREAS, the parties appeared before the Honorable Ernest Bongiovanni, ALJ on March 4, 2020, at which time the parties reached a tentative settlement agreement, which, by its terms, was expressly subject to the approval of the Board of Commissioners of the North Bergen Municipal Utilities Authority; and

WHEREAS, Castano and the Authority further desire to settle fully and finally settle all differences between them, including but not limited to, those differences embodied in the aforementioned matter in accordance with the terms of the settlement agreement attached hereto; and

WHEREAS, upon review and consideration of the settlement agreement, the Board of Commissioners has determined that the terms set forth therein are in the best interests of the Authority and, therefore, the Board of Commissioners expressly approves the settlement agreement,

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the North Bergen Municipal Utilities Authority hereby approves the settlement agreement proposed in the matter of *Castano v. North Bergen Municipal Utilities Authority* and directs its legal counsel to take all necessary action to effectuate this Resolution.

BE IT FURTHER RESOLVED, that copies of this resolution shall be sent to:

- 1. Frank Pestana, Executive director
- 2. Patricia Bartoli, Chief Financial Officer
- 3. John Napolitano, Esq.
- 4. Dustin Glass, Esq.


DATED: April 8, 2020

ATTEST:


MARIA I. HERNANDEZ, CLERK

| Municipal Utilities Authority | | | |
|-------------------------------|-------------------------------------|--------------------------|--------------------------|
| | Yes | No | Not Voting |
| Censullo | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Henriquez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DeSantis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lombardi | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Piazza | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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CERTIFICATION OF FUNDS
ACCOUNT No. 01-103-5140
Purchase Order No. 7000
Contracted Amount \$ 7000
Date 4/8/20
BY: 
CHIEF FINANCIAL OFFICER
PATRICIA BARTOLI

4

RESOLUTION

WHEREAS, there is a need to retain a landscaping firm to maintain the Authority's facilities; and

WHEREAS, the landscaping company of D & G Landscaping, Inc. possesses expertise in this area and has been deemed to have submitted the lowest responsible quote; and

WHEREAS, it is the intention and desire of the Board to retain the services of D & G Landscaping, Inc. for a period from April 1, 2020 till November 30, 2021; and

NOW THEREFORE BE IT RESOLVED BY THE MEMBERS OF THE NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY, that D & G Landscaping, Inc., 414 Bergen Blvd, Ridgefield, New Jersey 07657 provide the aforementioned services in accordance with its quote dated March 9, 2020 in an amount not to exceed \$ 11,820.00 per year; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to:

1. D & G Landscaping, Inc.
2. Frank Pestana, Executive Director
3. Patricia Bartoli, Chief Financial Officer
4. John A. Napolitano, Esq.

DATED: April 8, 2020

ATTEST:

Maria I. Hernandez, Clerk

Municipal Utilities Authority

| | Yes | No | Not Voting |
|-----------|-------------------------------------|--------------------------|--------------------------|
| Censullo | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Henriquez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DeSantis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lombardi | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Piazza | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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CERTIFICATION OF FUNDS
ACCOUNT No. 01-1122-5380
Purchase Order No. 1
Contracted Amount \$ 11820
Date 7/8/20
BY: P. Bartoli
CHIEF FINANCIAL OFFICER
PATRICIA BARTOLI

5

RESOLUTION

WHEREAS, per the 2013 Sewer Revenue Refunding Bonds,, it is necessary to perform wire transfers from Oritani Bank Sewer Revenue account to U.S. Bank Debt Service and Operating account; and

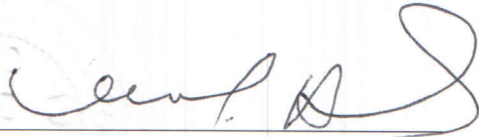
WHEREAS, the Chief Financial Officer, Patricia Bartoli is authorized and directed to execute the required wire transfers; and

RESOLVED, by the Members of the North Bergen Municipal Utilities Authority in the County of Hudson, State of New Jersey, that the wire transfer in the amount of \$1,417,692.58 is hereby approved for payment; and

BE IT FURTHER RESOLVED, that the Acting Clerk to the MUA be and she is hereby authorized and directed to send a certified copy of this resolution to the following:

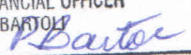
- 1. Frank Pestana, Executive Director
- 2. Patricia Bartoli, Chief Financial Officer
- 3. John Napolitano, Esq.

DATED: April 8, 2020
ATTEST:


Maria I. Hernandez, Clerk

| Municipal Utilities Authority | | | |
|-------------------------------|-------------------------------------|--------------------------|--------------------------|
| | Yes | No | Not Voting |
| Censullo | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Henriquez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DeSantis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lombardi | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Piazza | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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CERTIFICATION OF FUNDS
ACCOUNT No. 01-00-000-1014
Purchase Order No. _____
Contracted Amount \$ 1,417,692.58
Date 4/8/20
BY: _____
CHIEF FINANCIAL OFFICER
PATRICIA BARTOLI 

6

RESOLUTION

RESOLVED, by the Members of the North Bergen Municipal Utilities Authority in the County of Hudson, State of New Jersey, that the following claims in the amount of \$2,219,852.67 they are hereby approved for payment if and when funds are available.

SEE ATTACHED LIST

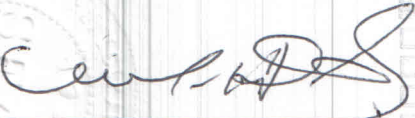
BE IT FURTHER RESOLVED, that the Acting Clerk to the M.U.A. be and she is hereby authorized and directed to send a certified copy of this resolution to the following:

1. Frank Pestana, Executive Director
2. Patricia Bartoli, Chief Financial Officer
3. John Napolitano, Esq.

| Municipal Utilities Authority | Yes | No | Not Voting |
|-------------------------------|-------------------------------------|--------------------------|--------------------------|
| Censullo | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Henriquez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| Lombardi | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Piazza | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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DATED: April 8, 2020
ATTEST:


Maria I. Hernandez, Clerk