



**MINUTES  
REGULAR MEETING  
MAR. 6, 2012**

1. **The Chairman called the Meeting to order at 7:15 p.m.**
2. **The Chairman read the statement in compliance with C.231, PL 1975.**
3. **Roll Call: the following Commissioners were present: Chewcaskie, Dachnowicz, Kasparian, Kelaher, Plumley, Shafron, Dator. The following Commissioner was absent: Rotonda.**
4. **Salute to the Flag. The Salute to the Flag was led by the Chairman.**
5. **Chairman's remarks. The Chairman had no remarks at this time and requested to go into Closed Session.**

**Commissioner Kelaher made the Motion to go into Closed Session and read the statement, seconded by Commissioner Kasparian. All Commissioners present a voted to go into Closed Session at 7:20 p.m.**

**Motion to go back into the Public Meeting was made by Commissioner Chewcaskie, seconded by Commissioner Kelaher. All Commissioners present voted to resume the Public meeting at 7:50 p.m.**

6. **Approval of Minutes.**  
**Reorganization Meeting of Feb. 7, 2012. Commissioner Chewcaskie made a motion to approve the minutes as presented, seconded by Commissioner Shafron. All Commissioners present voted in favor of approving the minutes of the Reorganization Meeting of Feb. 7, 2012.**
7. **Public Comments. The only public present was John Libretti from County Counsel.**
8. **Consideration for approval list of Resolutions attached dated Mar. 6, 2012.**

**All Resolutions were discussed during the work session.**

**Resolutions #23-2012 through #27-2012. All Resolutions were moved by consent by Commissioner Chewcaskie, seconded by Commissioner Kelaher. All Commissioners present voted in favor of the Resolutions. Commissioner Kasparian abstained from the vote on Resolution #26-2012.**

**Resolution #23-2012. Approval of Vouchers, Payroll Transfers, Payroll Tax Deposits and Pensions and Benefits Transfers for the month of Feb. 2012 and Health and Dental Benefits for Mar. 2012. Payroll Account \$285,146.60; Tax Deposit Account , \$113,602.70; PERS and Contributory Insurance \$26,254.80;Health Benefits Contribution Employer \$92,663.43; Health Benefits Contribution Employee \$1,364.41; Dental Benefits \$4,630.37; DCRP Employee Contribution \$27.09; DCRP Employer Contribution \$12.50; Operating Account \$206,965.33; 2009A Project Account \$76,580.71; 2010 WWT Project Account , \$134,000.50.**

**Resolution #24-2012 Resolution of the NBCUA concerning the review of findings and recommendations of the Local Finance Board pursuant to N.J.S.A.40A:5A-7 relating to hearings held by the Local Finance Board in connection with the issuance of the Authority's not to exceed \$6,000,000 State Fiscal Year 2012 Interim Financing Program Notes and Utility System Subordinated Revenue Bonds, Series 2012. This bonding is to (a) finance various sewer improvements, including construction of a new sanitary sewer pump station, force main and collection system and (b) pay or repay certain costs and expenses to be incurred by the Authority in connection with the authorization, issuance and delivery of the 2012 Obligations.**

**Resolution #25-2012. Authorization to enter into Easement Agreement for Franklin Lakes Sanitary Sewer Project at 803 Susquehanna Avenue, Borough of Franklin Lakes. This resolution authorizes the Executive Director to enter into the Easement Agreement with Susquehanna Avenue Associates, LLC.**

**Resolution #26-2012. Authorization to execute Treatment Works Approval Permit Application for 430 Greenwood Avenue, Wyckoff, New Jersey. This resolution is to approve the TWA and the owner will provide a sewer easement to the Authority consisting of approximately 875 square feet to install a sanitary manhole, sanitary sewer main and connect to the existing manhole, all at the sole cost of the owner.**

**Resolution #27-2012. Resolution to increase the fee for services of Douglas M. Bern, Esq., of Kaufman, Bern, Deutsch & Leibman, LLP, to provide the legal professional services required for the Franklin Lakes Sanitary Sewer Project (Proj.#S-340700-09). At the time of the original proposal it was not anticipated funding through the NJEIT would be conducted in two phases, interim and final, which would require additional legal services to meet the loan closing requirements. In addition to legal service associated with funding, additional services associated with the acquisition of property easements were required by the Authority which had not been anticipated and in order to successfully complete this Project, these additional legal services are required. The cost of such additional legal services, excluding potential court costs associated with property condemnation proceedings has been estimated at \$35,000, subject to the same terms and conditions of the Authority's prior approval.**

9. **Reports of Committees (March 2012 Work Session Highlights)**

- A. **Finance Committee – There was a Resolution tonight concerning review of findings and recommendations of the Local Finance Board in relation to financing for Franklin Lakes Project.**

**The Authority authorized the Executive Director to enter into an Easement Agreement for 803 Susquehanna Ave. for the Franklin Lakes Project.**

**There was a Resolution tonight authorizing the increase of fee for the Authority Counsel on the Franklin Lakes Project.**

- B. **Personnel Committee – The Authority Supervisors and Executive Director attended the MELJIF Loss Control Training Seminar on Feb. 29<sup>th</sup>. This is an annual retraining.**

**The Administrative staff have started training for Sungard Public Sector Financial System which will replace the present system.**

- C. **Insurance Committee – Nothing to report.**

- D. **Operating Committee – a report was presented during the Work Session. Highlights are as follows:**

**Plant Operations – Everything is satisfactory.**

**Franklin Lakes Interceptor – Will be entering into easements for this project.**

**Oakland Sewer Update- Executive Director has been communicating with the Administrator and Mayor of Oakland.**

**Incinerator Rebuild Project Status – Rebuilt incinerator is scheduled for emission testing in April.**


**Authority UV Project - Start-up is scheduled for the near future.**

- E. **Buildings & Grounds – Will be visiting the pump stations in the next few weeks and will report back at next meeting on recommended security measures.**

10. **Report of Treasurer – We have \$11 million invested short-term investments of which approximately \$1.5 million receiving no interest in lieu of fees, balance in short term instruments ranging from 29 to 51 days at rates of .05% to 1.25%. The participating banks are TD Bank and Bank of New Jersey.**

11. **Report of Counsel – A written report was distributed to the Commissioners (copy attached).**

12. **Report of Engineer – A written report was distributed to the Commissioners (copy attached).**
13. **Report of Executive Director – No further report.**
14. **Report of Superintendent – No further report.**
15. **Old Business. Comm.Shafron met with one of the board members of Mountain Shadows and they had many questions about the Franklin Lakes Sewers. He was able to answer some of their questions and referred them to call the Executive Director to answer all their questions. They were very impressed and satisfied with the response to their questions. The Executive Director will be meeting with their board to answer any further questions they may have.**
16. **New Business. No new business.**
17. **Public comments (on subjects 8 through 17). None.**
18. **Adjournment. Motion to adjourn was made by Commissioner Kasparian, seconded by Commissioner Kelaher. All Commissioners present voted to adjourn at 7:54 p.m.**

  
Madeline Thumudo  
Madeline Thumudo, Secretary

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[jazenn@sbflawfirm.com](mailto:jazenn@sbflawfirm.com)

TO: Northwest Bergen County Utilities Authority Commissioners  
FROM: Jeffrey A. Zenn  
DATE: March 1, 2012  
RE: Monthly Counsel Report  
CC: Howard Hurwitz, Executive Director  
Madeline Thumudo, Administrative Assistant/Board Secretary

The following is a summary of our firm's activities on behalf of the Authority for the previous month.

1. We continued to work on various issues regarding the budget for 2012. This included various meetings, research, correspondence and conversations with the Chairman and Executive Director
2. Correspondence and communication with the Division of Local Government Services (LGS) concerning obtaining approval of Authority budget and responding to queries from LGS. Also, correspond with and respond to County Counsel's communication with LGS.
3. We attended the Work Session, Public and Operating Committee meetings.
4. Review Bergen County Pay-to-Play ordinance and advise Authority with regard to that.
5. Review and provide memo to Executive Director regarding Senate Bill 658

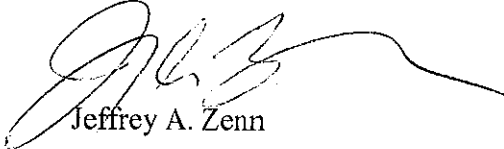
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(discounted connection fees).

6. Review revised Dariington utility easement. Correspondence with attorneys concerning same.
7. Review and assist Executive Director with OPRA request re: vehicle usage.
8. Review and revise Qualifying Resolutions and Appointing Resolutions regarding Authority's professionals.
9. Communication with attorney for Inserra Supermarkets regarding Wyckoff sewer application.
10. Receipt and review of County Executive's vetoes of Risk Manager appointment and Commissioner compensation. Prepare response to County Executive regarding Risk Manager. Correspondence to Chairman regarding compensation.
11. Work on and review title and easements for obtaining electrical easement in Ramsey for pump station.
12. Correspondence and communication with the Chairman and Executive Director concerning all of the foregoing.

If you have any questions, please contact me.

Respectfully submitted,



Jeffrey A. Zenn

NBUA-G1102

February 27, 2012

Mr. William Dator, Chairman  
Northwest Bergen County Utilities Authority  
30 Wyckoff Avenue at Authority Drive  
P.O. Box 255  
Waldwick, New Jersey 07463

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**Re: Monthly Report – February 2012**

Dear Mr. Dator:

The following is a brief summary of T&M's activities during the month of February.

**Franklin Lakes Sewer Project** – A DEP preconstruction meeting and a preconstruction meeting with affected utilities, police, Borough representatives, etc. were held on February 8, 2012. The contractor is finalizing schedule preparation and preparing shop drawing submittals. It is anticipated that test pit construction will commence in March and the actual sewer construction will commence shortly thereafter. NBCUA has agreed with the recommended Borough requested design revisions (Franklin Avenue near Colonial; Susquehanna and Chapel and Pulis Avenue) to facilitate future system expansion. T&M is preparing revised construction drawings to show the changes and will prepare a change order and submittal to DEP for approval. T&M is also preparing revised pump station construction drawings to reflect the change from a lot to an easement and the fact that the Authority will not use the existing building. This will also require a change order and DEP approval.

In addition, during the month, the Authority and the Attorney continued finalizing easement agreements with the Car Wash, Racquet Club, and Franklin Crossing. T&M assisted in reviewing the easement agreements. A draft agreement between the Authority and Franklin Lakes has also been prepared and T&M reviewed and provided comments to the Authority.

Lastly, a public meeting has been scheduled in Franklin Lakes for March 13, 2012 during which the Authority and the Township will make a presentation on the project and answer questions of the public and affected property owners. T&M is preparing a powerpoint presentation for this meeting.

**Annual Report** – Remaining information on income, expenses, and industrial dischargers has been received and the draft report will now be completed and forwarded for review. The plant inspection was conducted with Authority personnel on February 1, 2012.

**Wastewater Management Plan Amendment** – The final Wastewater Management Plan Amendment document was sent in to the NJDEP on January 27, 2012 for final review. The NJDEP is continuing its review and initiating the Public Notice process.

**Oakland Sewer Service** – During February, there was no further action required of T&M regarding the Borough's efforts to investigate sewer service by NBCUA.



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February 27, 2012  
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*Lc: Mr. William Dator, Chairman  
Northwest Bergen County Utilities Authority*

*Re: Monthly Report – February 2012*

**Ultraviolet Disinfection System Improvements** – Control questions from the equipment supplier and the contractor have been resolved and some minor additional conduit and wiring has been determined to be required for control of weir gates for channel 4. Once that work is complete, the contractor can install the lamps and complete testing and startup.

**Aeration Blower Improvements** – T&M will finalize an updated report regarding options available for Aeration Blower Improvements for Authority review and discussion. Report to be submitted prior to the Authority's next meeting.

**Grease Separation Facility Pilot Test** – In November, T&M forwarded the grease separation facility concept plan to the DEP to request approval on behalf of the Authority to move forward with the pilot test. On January 4, 2012, NJDEP approved the Authority request to proceed with the pilot test.

If you have any questions or require additional information, please advise.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Keith W. Henderson', written over a horizontal line.

KEITH W. HENDERSON, P.E.  
SR. VICE PRESIDENT

KWH:JJM:scb

cc: Authority Commissioners  
Howard Hurwitz, Executive Director  
Robert Genetelli, Superintendent  
Jeffrey Zenn, Esq.

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