



**MINUTES
REGULAR MEETING
MAY 3, 2011**

1. The Chairman called the Meeting to order at 8:01 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, Dator, Kasparian, Kelaher, Rotonda, and Shafron. Commissioner Plumley was absent.
4. Salute to the Flag. The salute to the flag was done at the Special Meeting which preceded this meeting.
5. Chairman's remarks. The Chairman had no remarks at this time.
6. Approval of Minutes.

Regular Meeting of Apr. 5, 2011. Commissioner Chewcaskie made a motion to approve the minutes of Apr. 5, 2011, seconded by Commissioner Shafron. All Commissioners present voted in favor of approving the minutes.

7. Public Comments. No public was present except for a representative from the County Counsels' office.
8. Consideration for approval list of Resolutions attached dated May 3, 2011.

All Resolutions were discussed during the work session.

Commissioner Chewcaskie moved Resolutions #44-2011 thru 46-2011; #48-2011 thru 50-2011 and 52-2011. Seconded by Commissioner Shafron. All Commissioners present voted in favor of these Resolutions.

Resolutions #47-2011 and #51-2011 were offered and voted on separately.

Resolution #44-2011. Approval of Vouchers, Payroll Transfers, Payroll Tax Deposits and Pensions and Benefits Transfers for the month of April 2011 and Health and Dental Benefits for May 2011. Payroll Account, \$188,430.19; Tax Deposit Account, \$75,816.31; PERS and Contributory Insurance, \$21,775.74; Health Benefits \$85,781.37; Dental Benefits, \$5,040.26; DCRP Employee Contribution \$22.92; DCRP Employer Contribution, \$12.50; Operating Account \$396,122.20; Improvement

Account, \$396.75; 2009A Project Account \$54,502.40; 2010 WWT Project Account, \$131,450.67.

Resolution #45-2011 Certification of Audit. This Resolution is to certify to the Local Finance Board that each Commissioner had personally reviewed the Annual Audit Report for the fiscal year ended Dec. 2010 and specifically had reviewed the section of the audit report entitled "General Comments" and "Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

Resolution #46-2011 Accept Audit. This Resolution is to accept the Audit for year ending Dec. 31, 2010 as prepared by Lerch, Vinci & Higgins, LLP and to publish the synopsis and recommendations of the audit.

Resolution #47-2011. Retention of Risk Manger for 2011 pursuant to N.J.S.A.19:44A-20.7. The Resolution was offered by Commissioner Shafron, seconded by Commissioner Kelaher. This Resolution is to retain the firm of Brown & Brown as the Authority's Risk Manager for a period of twelve months. All Commissioners present voted in favor of the Resolution except Commissioner Kasparian who recused from voting.

Resolution #48-2011. Appointment of Scott Nye as O&M Helper. This resolution was to retain Scott Nye as a regular employee upon the completion of his 90-day probationary period, effective Apr. 17, 2011.

Resolution #49-2011. Resolution appointing CH2M Hill for SCADA Services. This resolution is to appoint CH2M Hill to maintain and upgrade the NBCUA Supervisory Control and Data Acquisition System at a not to exceed total of \$12,555.

Resolution #50-2011. Retention of Authority Engineer for process consulting services pursuant to N.J.S.A.19:44A-20.7. This resolution is to appointment CH2M Hill to provide an assessment of hydraulic problems associated with high flows at the WWTP at a not to exceed cost of \$4,560.

Resolution #51-2011. Clarification of Contract Terms for Consulting Engineer. Resolution #34-2011 was conditionally vetoed by the Bergen County Executive subject to an affirmative statement in the appointing resolution indicating that billing for said services is not paid at a portal to portal rate. T&M Associates has agreed that they will not bill the Authority for time resulting from travel to/from the Authority offices in Waldwick, N.J. This resolution also affirms the appointment of T&M as consulting engineer for the twelve month term commencing on the date of this resolution in an amount not to exceed \$65,000. The resolution was offered by Commissioner Chewcaskie, seconded by Commissioner Kelaher. All Commissioners present voted in favor of the Resolution, except Commissioner Rotonda who recused from voting.

Resolution #52-2011. Approval of TWA for Franklin Lakes Square Shopping Center. The applicant had revised its existing permit in connection with the New Jersey Pollutant Discharge Elimination System and was unable to submit the application concerning the TWA in 2009 and is requesting the Authority consent again, as it did in 2009, to its submission of its application to the NJDEP. Counsel recommended that the Authority approve the project subject to the condition that if the Authority constructs a wastewater collection system that can service the subject project, then the applicant must connect to the Authority's system in the Bor. of Franklin Lakes within one (1) year of notification that such system is in operation.

Resolution #53-2011. Resolution to authorize advertisement of the Franklin Lakes Sanitary Sewer Project. This resolution is to authorize the public advertisement of the Franklin Lakes Sewer Project in accordance with the requirements of the public bidding statute. Such authorization is subject to approval by the NJDEP and the NJDEP providing an Authorization to Advertise in connection with the Project.

Resolution #54-2011. Resolution to authorize advertisement of the Channel 1 UV Replacement Project. This resolution is to authorize public advertisement of the Channel 1 UV Replacement Project in accordance with the requirements of the public bidding statute.

Motion No.1 to approve the 41st Annual Report had been tabled until the next meeting.

9. Reports of Committees

- A. Finance Committee – The 2011 NBCUA Audit Report was discussed with the Auditor, highlights included:**
 - The year ended with a surplus of \$277,185. Primary sources of additional revenue were the sale of solar energy credits (SRECs) and the increase in payments for acceptance of outside septage deliveries. There was also a reduction in expenses associated with staff reductions and savings in collection system operation.**
 - Long Term Debt payments are anticipated to decline significantly by 2014. The issue of disposition of bond reserves accounts as the bonds are paid off will be studied by the Finance Committee.**
- B. Personnel Committee - Nothing further than what was reported at the work session.**
- C. Insurance Committee – The Authority appointed an Insurance Risk Manager during the meeting.**
- D. Operating Committee – a report was presented during the Work Session. Highlights are as follows:**

Committed Flow Report – The plant averaged 17 mgd flow for the month of March. This is greater than permit limits. DEP was kept informed of any issues related to the high flows. April flows were also impacted by storms. Flow in April exceeded the 16.8 mgd permit on nine consecutive days.

Franklin Lakes Interceptor - The Authority is continuing with its plan to expand service to the western municipalities (Franklin Lakes and perhaps Oakland) in order to increase capacity and reduce unit costs. A loan agreement with the NJEIT is pending. NBCUA is reviewing required easements for the project.

Northwest Bergen County Mayors Association Meeting – A meeting was held on Saturday, April 16 here at the Authority. Objective is to inform our municipalities about the Authority. Some 10 mayors attended. Copies of our presentation material were sent to Mayor Barra for distribution.

Discharge Permit Appeal – The Authority received some encouraging feedback suggesting that we can expect a stay on all appealed issues for the life of the present permit.

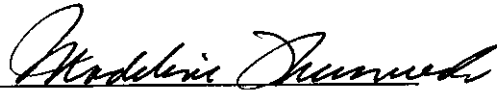
Allendale Service Charges - At a meeting with the Allendale mayor, it was established that the information provided by the Borough and used to establish municipal service charges was in error and that Allendale's share of the annual charges for 2010 is greater than it should have been. The mayor has written to the Authority and asked that consideration be given to correcting this overpayment in the future. The Commissioners plan to investigate options.

Wastewater Management Plans - Consulting Engineer, T&M Associates, alerted the Commissioners to potential issues where municipalities have not adopted ordinances required by the NJDEP. T&M is investigating consequences of failure to adopt the ordinances.

E. Buildings & Grounds – Nothing additional to report.

10. Report of Treasurer – \$12.1 million invested in short term certificates of deposit at rates ranging from 0.10% to 1.50%. \$2.7 million is invested with the Bank of New Jersey and the balance with TD Bank.
11. Report of Counsel – There was no counsel present.
12. Report of Engineer – The 2010 Annual Report has been completed but had not been received from the printers. The Commissioners will approve the Report at the next meeting.

13. **Report of Executive Director – The Authority has expanded content for its website (under development) to incorporate material which will provide additional transparency. The site is expected to be on line later this month.**
14. **Report of Superintendent – The Authority will be conducting smoke testing of sewer lines in Mahwah in an effort to investigate sources of odor complaints in the neighborhood to be tested.**
15. **Old Business. No old business.**
16. **New Business. No new business.**
17. **Public comments (on subjects 8 through 17). No public comments.**
18. **Adjournment. Motion to adjourn was made by Commissioner Kasparian, seconded by Commissioner Chewcaskie. All Commissioners present voted to adjourn at 8:10 p.m.**


Madeline Thumudo, Secretary