



**NORTHWEST BERGEN COUNTY  
UTILITIES AUTHORITY**

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**MINUTES  
REGULAR MEETING  
SEPT. 6, 2011**

1. The Chairman called the Meeting to order at 8:25 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, Rotonda, and Dator. Commissioner Shafron was absent.
4. Salute to the Flag. The salute to the flag was led by the Chairman at the Public Hearing which preceded this meeting.
5. Chairman's remarks. The Chairman commended everyone that worked during Hurricane Irene. When we had the last big storm, which was Floyd in 1999, the Authority took a real big hit, with extensive damage and over a hundred thousand dollars of repairs. With this last storm we didn't have any damage and the main reason for this were our employees. They were here early in the storm and installed the jersey barriers to keep the flood waters from causing damage. Some water did come over the barriers but not enough to cause damage. Our employees worked tirelessly at the Authority and at the pump stations. The Chairman asked the Executive Director and Superintendent to convey to all the employees who worked that weekend how much he and the Commissioners appreciated their dedication. There will be a Resolution on the agenda tonight recognizing their exceptional effort during Hurricane Irene.

6. Approval of Minutes.

Regular Meeting of July 12, 2011. Commissioner Kasparian made a motion to approve the minutes of July 12, 2011, seconded by Commissioner Dator. All Commissioners present voted in favor of approving the minutes of July 12, 2011.

7. Public Comments. No public present.
8. Consideration for approval list of Resolutions attached dated Sept. 6, 2011.

All Resolutions were discussed during the work session.

Commissioner Chewcaskie moved Resolutions #70-2011 thru #74-2011 and #76-2011 thru 77-2011, seconded by Commissioner Kelaher. All

**Commissioners present voted in favor of these Resolutions. Commissioner Rotonda abstained on all payments to vendor #1067 on Resolution #70-2011.**

**Resolution #75-2011 was moved by Commissioner Kasparian, seconded by Commissioner Kelaher. All Commissioners present voted in favor of this Resolution except Commissioner Plumley who voted no.**

**Resolution #70-2011. Approval of Vouchers, Payroll Transfers, Payroll Tax Deposits and Pensions and Benefits Transfers for the months of July and August 2011 and Health and Dental Benefits for August and September 2011. Payroll Account - July, \$201,807.37; Tax Deposit Account - July, \$75,746.91; PERS and Contributory Insurance - July, \$21,524.00; Health Benefits – August \$85,847.77; Dental Benefits – August, \$5,021.04; DCRP Employee Contribution – July \$22.92; DCRP Employer Contribution - July, \$12.50; Operating Account – August \$215,449.83; 2009A Project Account - \$4,762.50; 2010 WWT Project Account - August, \$331,752.54; Payroll Account – August \$294,450.70; Tax Deposit Account – August \$110,877.33; PERS Contributory Insurance – August \$22,167.74; Health Benefits – Sept. \$86,220.07; Dental – Sept. \$7,170.20; DCRP Employee Contribution – Aug. \$22.91; DCRP Employer Contribution – Aug. \$12.50; Operating Account – Sept. \$239,117.22; Improvement Account – Sept. \$1,006.25; 2009A Project Account – Sept. \$33,578.46; 2010 WWT Project Account – Sept. \$381,183.98. Commissioner Rotonda abstained on all payments to vendor #1067.**

**Resolution #71-2011 Salary Adjustments for 2011. This Resolution is to adjust the salaries of the Supervisory and Office Staff retroactive to Jan. 1, 2011.**

**Resolution #72-2011 Award of Contract VX-456. This resolution is to award the bid to Siemens Water Technologies Corp., the sole bidder, at a price of \$0.994 per pound for a two year period.**

**Resolution #73-2011 Retention of Authority Engineer for Service Charges. This resolution is to accept the proposal of Tighe & Bond for Amendment No. 1 in the amount of \$5,000 for additional engineering services for Task #5, Assistance with Addressing Miscellaneous Issues.**

**Resolution #74-2011 Retention of Risk Manager for 2011 pursuant to N.J.S.A.19:44A-20.7. This resolution is to appoint Brown & Brown as the Authority's Risk Manager as required by the NJUAJIF. Recent changes to NJ rules regarding employee health benefit costs require the Authority to offer an IRS Code Section 125 tax program and a Flexible Spending Account. A Risk Manager would be a real benefit in guiding the Authority staff in the implementation of such programs.**

**Resolution #75-2011 Authorization for Chairman to execute Public Relations Services Agreement. This resolution is to appoint McEntyre Associates as Public Relations consultant, as a non-fair and open contract**

pursuant to the provisions of N.J.S.A.19:44A-20.4 for a twelve month period at a price of \$2,000 per month not to exceed \$24,000.

**Resolution #76-2011. Resolution commending Authority Employees for Exceptional effort during Hurricane Irene. This resolution is to recognize the efforts of those employees who performed around the clock before, during and after the storm to keep our essential equipment and services in operation.**

**Resolution #77-2011. Retention of Authority Consulting Engineer for Inflow and Infiltration (I&I) Studies pursuant to N.J.S.A.19:44A-20.7. This resolution is to retain Boswell Engineering for I&I Studies and authorizes the activities described as Task 1 in their proposal, namely Data Collection and Meetings with the Authority and the Borough of Waldwick at a cost not to exceed \$10,000.**

## **9. Reports of Committees**

- A. Finance Committee – Committee Chairman Kasparian reviewed the Authority’s 2011 Six Month Financial Statement prepared by our auditor. Chairman Kasparian highlighted the information on Schedule 1 (Page 29) of the Statement which showed that 6 month revenues exceed the budget while 6 month expenses were somewhat less than budget providing an overall surplus. The Chairman indicated that the Finance Committee would consider this surplus when developing the 2012 Budget.**

**The Chairman also discussed the impact of long term debt on future Authority budgets (Page 21 of the Statement). Long term debt is scheduled to be reduced by almost \$900,000 from 2012 to 2013 and by an additional \$3 million in 2014. The Authority will consider budget options associated with these reduced financial obligations.**

**A meeting will be scheduled to discuss an RFP for Authority Banking Institutions. General Counsel and treasurer will support this activity.**

**A Budget Calendar and the Preliminary Capital Budget for 2012 was distributed to the Commissioners.**

- B. Personnel Committee – Administrative and Supervisory salary adjustments for 2011 are proposed in Resolution #71-2011.**
- C. Insurance Committee – Requirements for an Insurance Risk Manager were discussed including Health Benefit Reforms were discussed. Resolution #74-2011 addresses the appointment of a Risk Manager.**

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

**Committed Flow Report** – The plant averaged 11.1 mgd flow for the month of June and 9.2 mgd for the month of July.

**Franklin Lakes Interceptor** – Bids were received for construction of the Sewer System. Several bids were less than the \$4.3 million engineer's budget. The bid documents are to be reviewed.

A Special Meeting on the Engineer's Report and Certificate and the Accountant's Certificate is scheduled. Resolutions for financing of the project are on the agenda.

Franklin Lakes continues to prepare ordinances to address the planned sewer system. Discussions with Borough Attorney are scheduled.

The Borough of Oakland has initiated a study by the Highlands Commission to identify options for sewer systems.

**I&I Issues** – Resolution #77-2011 on the Agenda will award a contract to Boswell Engineering to study I&I issues in Waldwick.

**Discharge Permit Appeal** – NJDEP has issued a stay for all contested permit limits until the next permit cycle. It was subsequently determined that complying with the more restrictive seasonal ammonia Permit discharge limits may be problematical and the Authority will request a Permit Modification to address this issue before the limit becomes effective.

**Authority Improvement Programs** – Authority awarded a contract to Cothery Construction for a new UV treatment system. Construction will begin in December.

E. **Buildings & Grounds** – Nothing to report.

10. **Report of Treasurer** - \$8.3 million in short-term investments of which \$1.8 million is receiving no interest but the bank is applying a credit towards our potential fees. High rate of 1.5% at Bank of New Jersey and rates as low as .05% from TD Bank.
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** – While the Authority was able to sell 138 of its 2011 vintage Solar Credits (SRECs) at a price of \$643 each, the market for

2012 vintage SRECs (generated after May 31, 2011) has collapsed. Credits have been selling for as low as \$150 each due to oversupply. This will reduce Authority income for 2011.


14. **Report of Superintendent – Employees of the Authority performed with distinction during Hurricane Irene and their dedication is recognized in Resolution to be approved by the Commissioners. NJDEP inspected our facility following the storm and found no problems.**

Early warning of potential problems from the Borough of Waldwick (brook overflow) and Mahwah (dam rupture in NYS) both helped the staff respond.

Performance of the treatment plant continues to be satisfactory. Sludge quality has been very good and fuel oil requirements have been reduced.

Authority staff completed 365 days without a lost time accident.

15. **Old Business. No old business.**
16. **New Business. Vice-Chairman Kasparian commended the Commissioners for moving the Franklin Lakes resolution forward tonight. It was a long way in coming and is a big step for the Authority and it's going to go a long way for getting us to the capacity that this plant was designed for. He also thanked T&M for their efforts.**
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 8:30 p.m.**

  
Madeline Thumudo, Secretary

NBUA-G1102

August 15, 2011

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

REC'D AUG 18 2011

**Re: Monthly Report – July/August 2011**

Dear Mr. Dator:

The following is a brief summary of T&M's activities during the months of July/August.

**Franklin Lakes Sewer Project** – DEP Authorization to Advertise was granted in early July and the project was advertised for bids on July 25, 2011. Bids are due to be received on August 23, 2011. The Authority and Doug Bern continued with the process of acquiring the necessary easements for the project and concurrently the Authority has made an offer to the Franklin Crossing property owner for property required for the pump station. Lastly, the Authority Bond Counsel prepared an application for the Local Finance Board for EIT interim financing at no interest as permanent EIT financing will not be available until May 2012.

**Annual Report** – Plant inspection and preparation of the report will take place in the fall.

**Scum Trough Replacement** – The actuator for Primary Tank #1 failed in early July and Rapid Pump immediately responded, repaired and reinstalled the actuator. No further actuator problems have been reported. Initially there was thought to be a problem with the actuator motors exceeding their amperage rating; however, this was not found to be a problem.

The Authority is lubricating the system weekly in accordance with manufacturer's recommendations and along with NBCUA, we will continue to monitor operation and O-ring durability prior to closing out the project.

**Wastewater Management Plan Amendment** – In April, T&M transmitted letters to the Mayors of each NBCUA member town advising them of required ordinances to be passed for the community to be in compliance with the Authority's WMP and the consequences of noncompliance. T&M sent a follow up letter on July 8, 2011 as no feedback had been received. The letter advises each member town that it must respond by September 9, 2011 or it will be removed from the sewer service area of the plan.

In the meantime, T&M is making final changes to the document and plans to submit to NJDEP in September 2011. The next step, once the plan amendment is approved, will be publication of a Public Notice in the Authority's newspaper.





NBUA-G1102  
August 15, 2011  
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*Le: Mr. William Dator, Chairman  
Northwest Bergen County Utilities Authority*

*Re: Monthly Report – July/August 2011*

**Oakland Sewer Service** – There was no activity on this project by T&M the past 2 months.

**Ultraviolet Disinfection System Improvements** – This project was awarded to Cothery Construction in the amount of \$998,800 in July 2011.

A preconstruction meeting was held on August 10, 2011 and the contractor provided shop drawings which are under review.

**Primary Tank Repairs** – T&M previously provided NBCUA a recommendation and approximate construction cost estimate for replacement of the rails in Primary Tanks 1, 2, and 3 and awaits further direction.

**Operations and Maintenance Manual** – As per NBCUA request, an electronic copy of the manual was transmitted to the NBCUA July 1, 2011. The Authority can begin to use the document and identify any necessary editing or modifications required.

**Aeration Blower Improvements** – T&M is currently awaiting direction on continuing with project design. An updated scope of services letter, estimated engineering fee and a revised payback analysis were provided to NBCUA.

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  
Jeff Zenn, Esq.

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TO: Northwest Bergen County Utilities Authority Commissioners

FROM: Leon J. Sokol

DATE: September 1, 2011

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 researched the re-bidding and liability issues of the trap grease project, and submitted a report concluding that the contract for equipment should be re-bid. Additionally, we recommended exculpatory language to be included in all contracts and other documents, and that the Authority obtain products liability insurance coverage.

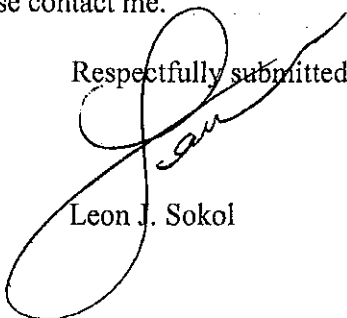
2. We assisted the Executive Director with regard to an emergency created by a road opening on Goffle Road in Wyckoff. The installation of a storm drain threatened the Authority's force main. The Authority's prompt intervention halted construction, after which the project was abandoned.



3. We provided an analysis regarding the Authority's participation in the USEPA Rulemaking Petition concerning SSL.

If you have any questions, please contact me.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leon J. Sokol', written over the typed name below.

Leon J. Sokol