

Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING JAN. 10, 2007

1. The Work Session was called to order at 7:05 p.m. by Chairman Kasparian and ended at 7:45 p.m. at which time the Commissioners went into a Closed Session to discuss personnel and contract matters. The Regular meeting was called to order at 7:45 p.m. at the end of the Closed Session.
2. The Vice-Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Ariyan, Chewcaskie, Dator, Harker, Plumley, Shafron, Stahlmann and Kasparian. The following Commissioner was absent: O'Brien.
4. The Vice-Chairman led the salute to the flag.
5. Chairman's remarks. The Chairman had no remarks at this time.
6. Approval of Minutes – Regular Meeting, Public Hearing on the 2007 Budget and Public Hearing on Connection Fees of Dec.6, 2006. Commissioner Dator moved the minutes as presented, seconded by Commissioner Chewcaskie. All Commissioners present voted in favor of accepting the minutes as presented.
7. Public Comments. No public present.
8. Consideration for approval list of Resolutions attached dated Jan. 10, 2007

Consent Resolution for Resolution No.1-2007 through 14-2007 was moved by Commissioner Chewcaskie, seconded by Commissioner Kasparian. All Commissioners present voted in favor of the resolutions.

Resolution #1-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for December 2006 as follows: Payroll Account \$162,734.18; Tax Deposit Account \$61,394.40; PERS and Contributory Insurance Account \$17,569.99; Health Benefits Account \$66,986.32; Dental Benefits Account \$4,547.69; Operating Account \$323,186.98; Improvement Account \$187,107.90

Resolution #2-2007. 2007 Service Charges. This resolution sets the Service Charges to be charged to the member municipalities for the year 2007.

Resolution #3-2007. Designation of Public Agency Compliance Officer. This resolution appoints Madeline Thumudo, Admin. Asst., to serve as the Public Agency Compliance Officer to be responsible for ensuring the agency's compliance with the applicable regulations as required by the Affirmative Action Office for the year 2007.

Resolution #4-2007. Appointment of O&M Helper, David Capsouras. This resolution is to transfer David Capsouras to O&M Helper effective Dec. 6, 2006 subject to a ninety-day probationary period.

Resolution #5-2007. Temporary employment, Plant Operator. This resolution is to hire Jason Rucki as Plant Operator effective Jan. 3, 2007 subject to a ninety-day probationary period and satisfactory physical.

Resolution #6-2007. Salary adjustments for 2007. This resolution sets the salaries for 2007 for the supervisory and office staff.

Resolution #7-2007. Participation in the Bergen County Blood Borne Pathogens Compliance Program. This resolution is to continue participation in the County Blood Borne Pathogen program at a cost not to exceed \$2,200.00 for the year 2007.

Resolution #8-2007. Bergen County Employees Assistance Program. This resolution is to continue participation in the Bergen County Employee Assistance Program at a cost of \$22.00 per employee for the period May 1, 2006 to April 30, 2007.

Resolution #9-2007. Authorization to enter into interlocal services agreement re: use of TV truck. This resolution is to enter into an interlocal agreement with the County of Bergen for the utilization and optimization of savings involving a TV truck to videotape utility waste lines. The County has purchased the vehicle for the benefit of the Authority and shall retain ownership as well as provide for annual renewal of the motor vehicle registration. The vehicle will be utilized by municipalities within the Authority's district as well as by any entity within the Northwest Bergen County Shared Services Group and any other municipality within Bergen County.

Resolution #10-2007. Authorization for increased fee, T&M Associates, Phase I Flow Metering, Borough of Walldwick. This is for a final amendment to complete Phase I in the amount of \$25,000.00.

Resolution #11-2007. Award Bid, Contract #240, New Administration Building. This resolution is to award the contract to Cutting Edge Construction, LLC in the amount of \$1,184,600.00.

Resolution #12-2007. Proposed Sanitary Sewer extension, Twsp. Of Mahwah, Stage 5 Sanitary Sewer & Watermain extension, Mahwah, N.J. This resolution is to provide sanitary sewer service to two hundred twenty eight residential dwellings and two non-residential properties in the Township of Mahwah. This will add 228 residential EDU's and 7 non-residential EDU's to the Authority's system from Mahwah.

Resolution #13-2007. Authorization of contract amendment and additional work re: Heat Exchanger No.2. This resolution is for an additional change order in the amount of \$82,359.58, which will result in an increase of the contract price by an amount exceeding 20%.

Resolution #14-2007. Resolution requesting approval for the insertion of a special item of revenue in the 2006 budget pursuant to N.J.S.A.40A:4-87 (Chapter 159 P.L.148) Wastewater Revenues. This resolution is to approve the insertion of additional items of revenue in the budget for the year 2006 in the sum of \$240,000.00 which items are now available as Revenue from the Wastewater operations.

9. Report of Committees:

A. Finance Committee. Nothing further to report.

B. Personnel Committee.

° Two resolutions were passed, one transferring one employee to O&M Helper and hiring a new employee as a Plant Operator. A resolution was also passed approving the salaries for 2007 for the supervisory and office staff.

C. Insurance Committee. Nothing to report.

D. Operating Committee

° There was a resolution passed approving the 2007 Service Charges.

° A resolution was passed for the Authority to enter into an interlocal agreement with the County of Bergen for the utilization of a TV truck to be provided by the County.

E. Buildings & Grounds.

° A resolution was passed awarding the Contract #240 New Administration Building to Cutting Edge Construction, LLC.

10. Treasurer's Report.

Investments for the month of Dec. were \$12,275,850.58. Income from investments for Dec. was \$139,582.39. Rates of investments for Dec. were 5.05% to 5.26% for 18 to 32 days. Total amount of money the Authority had invested in Dec. was \$16,873,311.01.

There was a brief discussion on investment rates and restricted funds.

11. Counsel's Report. Nothing further to report.

12. Report of Engineer. Nothing further to report.

13. Report of Executive Director. Nothing further to report.

14. Report of Superintendent. Nothing further to report.

15. Old Business. Commissioner Dator, Harker and Stahlmann all attended the Elected Officials training seminar given by the Joint Insurance Fund.

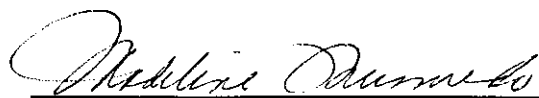
16. New Business. The Chairman asked if there were any outstanding notices from the DEP. The Executive Director reported that we received a letter today from the NJDEP for a Settlement Agreement for a fine imposed for a 2004 violation. The violations are procedural with no indication of any violation of an emission limit. The fine was reduced from \$10,600.00 to \$6,000.00.

We also have a consent agreement for our air permit and we received modified wording on the permit. Malcolm Pirnie is reviewing these modifications. They Changed the amount of mercury we can have in sludge going to incineration to Bring us in line with the other authorities that incinerate and also the sampling Process. We have a few weeks to notify them if we agree or not.

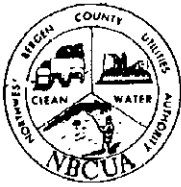
Commissioner Dator suggested that a resolution be adopted at the February meeting commending Julie O'Brien for her work as Commissioner.

17. Public comments (on subjects 8 through 17). There was no public present.

18. Adjournment. A Motion was made by Commissioner Dator to adjourn, seconded by Commissioner Kasparian. All Commissioners present voted to adjourn the meeting at 8:05 p.m.



Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463
Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REORGANIZATIONAL MEETING FEBRUARY 7, 2007

1. The Work Session commenced at 7:02 p.m. and was adjourned at 7:49 p.m. The Chairman called the Reorganizational Meeting to order at 7:50 p.m.
2. Chairman read the statement in compliance with C.231, PL 1975.
3. Proof of Notice – Reorganizational Meeting. (Attached)
4. Roll Call: The following Commissioners were present: Ariyan, Chewcaskie, Dator, O'Malley, Plumley, Shafron, Stahlmann and Kasparian.
5. Salute to the Flag was led by the Chairman.
6. Chairman's remarks. The Chairman had no remarks at this time.
7. Approval of Minutes – Regular Meeting of Jan.10, 2007. Commissioner Dator moved to accept the minutes as presented and seconded by Commissioner Chewcaskie. All Commissioners present voted in favor of accepting the minutes.
8. Election of Officers
 - a) Report of Nominating Committee – The Nominating Committee met and Commissioner Dator, Chairman of the Committee, reported that they nominate Commissioner Kasparian for the office of Chairman and Commissioner Stahlmann for the position of Vice-Chairman.
 - b) Election of Chairman for ensuing year – There were no other nominations for the slate at this time. Commissioner Chewcaskie moved the nomination of Chairman, seconded by Commissioner Shafron. All Commissioners voted in favor of Commissioner Kasparian as Chairman.
 - c) Election of Vice-Chairman for ensuing year – There were no other nominations for the slate at this time. Commissioner Chewcaskie moved the nomination of Vice-Chairman, seconded by Commissioner Shafron. All Commissioners voted in favor of Commissioner Stahlmann as Vice-Chairman.

9. Consideration for approval – list of Resolutions dated February 7, 2007.

It was noted that there was a long list of Resolutions, which would be voted on by consent resolution. The Chairman read the list of Resolutions to be voted on. He asked if anyone had any background information on the new Treasurer, Todd Sherer, who was being appointed.

Commissioner O'Malley stated that he is in the financial business and had previously worked in financial institutions and is now in his own private capital business. He was a three-term councilman in Paramus before moving to Mahwah. He is very familiar with government financing. He also has done some consulting work for the BCIA.

Commissioner Chewcaskie moved Resolutions No.15-2007 thru 26-2007. Seconded by Commissioner Ariyan. All Commissioners voted in favor of the Resolutions. Commissioner Plumley abstained from voting on Resolution No.18-2007.

Resolution #15-2007 – Approval of vouchers, payroll transfers, payroll tax deposits and pension and benefits transfers for Jan. 2007. Payroll \$175,887.18, Tax Deposit \$70,890.34, PERS and Contributory Insurance \$17,790.53, Health Benefits \$66,986.32, Dental Benefits \$4,547.69, Operating Account \$458,476.58 and Improvement Account \$59,644.26.

Resolution #16-2007. – 2006 Schedule of Meetings. This resolution sets the schedule of meetings for 2007.

Resolution #17-2007 – Authority's Official Newspapers for 2007. This resolution designates the Record and the Ridgewood News as the official newspapers for 2007.

Resolution #18-2007 –Appointment of Professionals and Consultants for 2007. This resolution is to appoint Douglas M. Bern, Esq. As General Counsel; T&M Associates, Inc., as Consulting Engineer and Lerch, Vinci & Higgins, LLP as Auditors for 2007. These appointments were made under the fair and open process pursuant to the New Jersey Unit Pay-To-Play Law.

Resolution #19-2007 –Authorization for Chairman or Vice-Chairman to Executed Risk Management Agreement. This resolution is to appoint Brown & Brown Metro, Inc. as the Authority's Risk Managers under the NJUAJIF for the year 2007.

Resolution #20-2007– Award of Contract, Potassium Permanganate. This resolution is to appoint Brenntag Northeast the contract for delivery of Potassium Permanganate for two years at a price of \$1.95 per pound for 25 kg containers and \$1.85 per pound for 150 kg containers.

Resolution #21-2007 – Resolution commending Commissioner Ruth Harker. This resolution is to commend Ruth Harker for her time and effort in her capacity as Commissioner of the Authority.

Resolution #22-2007 – Resolution commending Commissioner Julie O’Brien. This resolution is to commend Julie O’Brien for her time and effort in her capacity as Commissioner of the Authority.

Resolution #23-2007. Proposed Interlocal Service Agreement. This Resolution is to enter into an inter-local agreement with the Bor.of Midland Park to provide the services of a licensed sewer operator, daily monitoring of the borough’s one wastewater station as well as repair services as may from time to time become necessary on an annual, round the clock basis.

Resolution #24-2007 – Authorization for Chairman to execute Public Relations Services Agreement. This resolution is to acquire the services of McEntyre Associates, as a non-fair and open contract for public relations at a price of \$2,000.00 per month not to exceed \$24,000.00 for the year.

Resolution #25-2007 – Authorization for increased fee for T&M Associates, Cont.#235 Heat Exchanger Replacement. This resolution is to increase the fee of T&M Associates in the amount of \$11,000.00 to complete the work associated with the repairs and replacement of the Incinerator Heat Exchanger.

Resolution #26-2007 –Appointment of Treasurer. This resolution is to appoint Todd J. Sherer, of Mahwah, New Jersey as Treasurer of the Authority for a three-year period at a salary of \$5,000.00 per year effective immediately.

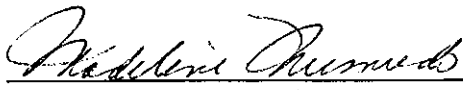
Vice-Chairman Stahlmann commented that since all three of our professionals are returning, he just wanted to thank them for doing a great job. Fees are in line and services are spectacular. Evidence is, no complaints from municipalities. We get working information on a regular basis and they work well with the Executive Director on a daily basis. We are fortunate to have them and they have done a great job. The Chairman agreed with the Vice Chairman and stated that our mission has been to do a good job, which we have accomplished and will continue to do so with the help of our professionals.

Motion No.1, Acceptance of Annual Report as prepared by T&M Associates. Motion was moved by Commissioner Stahlmann, seconded by Commissioner Chewcaskie. All Commissioners present voted in favor of the Motion except Commissioner O’Malley who abstained.

- 10. Reports of Committees. No committees had any further reports.**
- 11. Officers Reports:**
 - a. Treasurer – Nothing further to report.**

- b. Counsel – Nothing further to report.
- c. Engineers – Nothing further to report.

- 12. Report of Executive Director – The executive director stated that the County Counsel regrets the inability to be at tonight's meetings. He also reminded everyone of the AEA meeting in March in Atlantic City on energy management.
- 13. Report of Superintendent – Nothing further to report.
- 14. Old Business – No old business to report.
- 15. New Business – No new business to report.
- 16. Public comments (on subject 6 through 15). No public was present.
- 17. Adjournment, The Chairman adjourned the meeting at 8:00 p.m.



Madeline Thumudo, Secretary

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

I, Madeline Thumudo, Secretary of the Northwest Bergen County Utilities Authority, do hereby CERTIFY THAT at 4:30 p.m. January 31, 2007 the notice of the REORGANIZATIONAL MEETING of said Authority to be held on February 7, 2007 immediately following the Work Session at 7:00 o'clock p.m. in the offices of the Authority located at 30 Wyckoff Avenue in Waldwick, New Jersey was: e-mailed and/or deposited in the United States Post Office in Waldwick, New Jersey addressed to each of the following at known addresses:

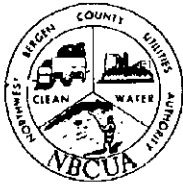
Messrs:

Joseph Ariyan
Brian Chewcaskie
William F. Dator
Julie O'Brien
Ronald O'Malley
Michael Kasparian
Marion Plumley
Jason Shafron
Scott Stahlmann

Notice of the Reorganizational Meeting was:

- a) Posted in a public place.
- b) Mailed to two newspapers designated by the Commissioners of the Northwest Bergen County Utilities Authority to receive such notices, namely THE RECORD and THE RIDGEWOOD NEWS, both published in Hackensack, New Jersey.
- c) Filed with the Clerk of the County of Bergen.
- d) Mailed to all MEMBER TOWNS.





Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING MAR. 7, 2007

1. The Work Session was called to order at 7:05 p.m. by Chairman Kasparian and ended at 7:47 p.m. at which time the Commissioners proceeded into the Regular Meeting.
2. The Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Ariyan, Dator, Kelaher, O'Malley, Plumley, Shafron, Stahlmann and Kasparian. The following Commissioner was absent: Chewcaskie.
4. The Chairman led the salute to the flag.
5. Chairman's remarks.
6. Approval of Minutes – Reorganization Meeting – Feb. 7, 2007. Commissioner Dator moved the minutes as presented, seconded by Commissioner Stahlmann. All Commissioners present accepted the minutes as accepted except Commissioner Kelaher who abstained.
7. Public Comments. No public present.
8. Consideration for approval list of Resolutions attached dated Mar. 7, 2007.

Consent Resolution for Resolution No.27-2007 through 33-2007 was moved by Commissioner Kasparian, seconded by Commissioner Stahlmann. All Commissioners present voted in favor of the resolutions.

Resolution #27-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for December 2006 as follows: Payroll Account \$161,872.21; Tax Deposit Account \$67,326.88; PERS and Contributory Insurance Account \$17,737.81; Health Benefits Account \$65,414.12; Dental Benefits Account \$4,506.35; Operating Account \$330,537.23; Improvement Account \$187,959.85.

Resolution #28-2007. 2007 Regular Employment, Gary Orr, Incinerator Operator. This resolution is to retain Gary Orr as a regular employee effective Feb. 5, 2007, the date of his satisfactory completion of his probationary period.

Resolution #29-2007. Regular Employment, Andrew Agugliaro, Meter Maint. Tech. This resolution is to retain Andrew Agugliaro, Meter Maint. Technician as a regular employee effective Feb. 14, 2007, the date of his satisfactory completion of his probationary period.

Resolution #30-2007. Regular Employment, Leonard Tilstra, Electrician. This resolution is to retain Leonard Tilstra, Electrician as a regular employee effective Feb. 14, 2007, and the date of his satisfactory completion of his probationary period.

Resolution #31-2007. Resolution commending Douglas Rennie. This resolution is to commend Douglas Rennie for his time, effort and devotion to the performance of his duties as Treasurer of the NBCUA.

Resolution #32-2007. Award bid, Cont.#241, Laboratory Analysis of sewage, sludge and ash samples. This resolution is to award the bid for lab analysis for a period of two years to the low bidder, QC, Inc. at an annual total estimate cost of \$10,585.00.

Resolution #33-2007. Authorization to re-bid New Office/Administration Building, Cont.#240. This resolution is to reject the bids Cutting Edge Construction for failure to furnish the necessary performance bond and also the bids of Jeral Construction and Walter H. Poppe General Contractors. The Commissioners have determined that it is necessary to re-bid this contract.

9. Report of Committees:

- A. Finance Committee. Nothing further to report.**
- B. Personnel Committee. Nothing further to report.**
- C. Insurance Committee. Nothing to report.**
- D. Operating Committee**
- E. Buildings & Grounds.**

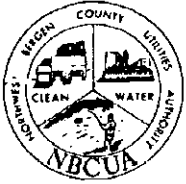
10. Treasurer's Report.

As of Feb.22, 2007 the total amount of investments that the Authority had totaled \$18,233,592.65 of which \$13,636,375.51 are considered short term for periods of 28 to 73 days at interest rates of 5.13% to 5.26%. The long-term investments total

\$4,597,217.14 at rates of 4.76 to 6.17%. The 6.17% is invested in a Forward Treasury Agreement to 2013, which was a wise investment when we made it. All Commissioners will receive the investment checklist in the future.

- 11. Counsel's Report. Nothing further to report.**
- 12. Report of Engineer. Nothing further to report.**
- 13. Report of Executive Director. Nothing further to report.**
- 14. Report of Superintendent. Nothing further to report.**
- 15. Old Business. No old business.**
- 16. New Business. Commissioner Shafron wanted to commend the Freeholders on the wisdom of re-appointing Commissioner Dator. His depth of understanding and his commitment to the Authority is exemplary. He is proud to serve on the Operating Committee with him and as a fellow Commissioner looks forward to the next years serving with him. All Commissioners voiced their agreement.**
- 17. Public comments (on subjects 8 through 17). There was no public present.**
- 18. Adjournment. A Motion was made by Commissioner Stahlmann to adjourn. Seconded by Commissioner Kasparian. All Commissioners present voted to adjourn the meeting at 7:55 p.m.**


Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING APR. 4, 2007

1. The Work Session was called to order at 7:00 p.m. by Chairman Kasparian and ended at 7:45 p.m. at which time the Commissioners proceeded into the Regular Meeting.
2. The Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Ariyan, Chewcaskie, Kelaher, Plumley, Stahlmann and Kasparian. The following Commissioner was absent: Dator, O'Malley and Shafron.
4. The Chairman led the salute to the flag.
5. Chairman's remarks. No remarks at this time.
6. Approval of Minutes – Regular Meeting – March 7, 2007. Commissioner Stahlmann moved the minutes as presented, seconded by Commissioner Ariyan. All Commissioners present accepted the minutes as presented.
7. Public Comments. No public present.
8. Consideration for approval list of Resolutions attached dated April 4, 2007.

Consent Resolution for Resolution No.34-2007 through 36-2007 was moved by Commissioner Chewcaskie, seconded by Commissioner Ariyan. All Commissioners present voted in favor of the resolutions.

Resolution #34-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for March 2007 as follows: Payroll Account \$162,535.54; Tax Deposit Account \$67,950.83; PERS and Contributory Insurance Account \$17,887.47; Health Benefits Account \$66,927.70; Dental Benefits Account \$4,546.29; Operating Account \$233,968.68; Improvement Account \$42,496.71.

Resolution #35-2007. 2007 Regular Employment, David Capsouras, O&M Helper. This resolution is to retain David Capsouras as a regular employee effective Mar. 6, 2007, the date of his satisfactory completion of his probationary period.

Resolution #36-2007. Authorization to modify CH2M Hill's scope and fee associated with Phase B of the BNR Project. This resolution is to accept the proposal dated Feb. 26, 2007 from CH2M Hill to amend the contract in the amount of \$25,428.00 to finalize the design and scope of improvements to the system.

9. Report of Committees:

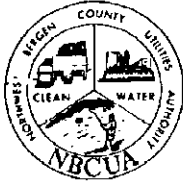
- A. Finance Committee. Nothing further to report.**
- B. Personnel Committee. Nothing to report.**
- C. Insurance Committee. Nothing to report.**
- D. Operating Committee. Nothing further to report.**
- E. Buildings & Grounds. Nothing further to report.**

10. Treasurer's Report.

As of Mar.31, 2007 the total amount of investments that the Authority had totaled \$17,151,770.50 of which approximately \$12,500,000.00 is considered short term that was invested at interest rates of 5.15% to 5.2%. The long-term investments total Approximately \$4,600,000.00 at rates of 4.76 to 6.17%.

- 11. Counsel's Report. Nothing further to report.**
- 12. Report of Engineer. Nothing further to report.**
- 13. Report of Executive Director. Nothing further to report.**
- 14. Report of Superintendent. Nothing further to report.**
- 15. Old Business. No old business.**
- 16. New Business. No new business.**
- 17. Public comments (on subjects 8 through 17). There was no public present.**
- 18. Adjournment. All Commissioners present voted to adjourn the meeting at 7:50 p.m.**


Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



SPECIAL MEETING APRIL 20, 2007

1. Meeting called to Order by Chairman Kasparian at 8:35 a.m.
2. The Chairman read the statement in compliance with C. 231, PL 1975.
3. Roll Call: The following Commissioners were present: Chewcaskie, Kelaheer, O'Malley, Shafron, Stahlmann, Kasparian. The following Commissioners were absent: Ariyan, Dator, Plumley.
4. Salute to the Flag. The Chairman led the salute to the Flag.
5. Chairman's remarks. The Chairman stated that the meeting was called to award the re-bid of Contract #240 New Administration Building.
6. Discussion on the Resolutions by the Commissioners. The contract was re-bid because the contractor that was originally awarded the bid was unable to furnish the required bonds and all bids were rejected. The contract will be awarded to the low bidder, SMAC Corp. at a bid price of \$1,361,000.00, which is only \$1,000.00 more than the original bid. It was noted that SMAC Corp. does not have the same bonding company that was utilized by the last bidder.

Commissioner Chewcaskie asked if there was any response to Poppe Construction's claim from the last bids. Counsel answered that there was no response from them.

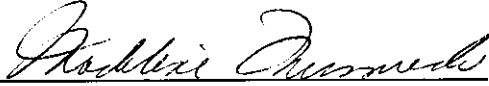
The second resolution is approval of a sewer connection for Maryrest Cemetery in Mahwah.

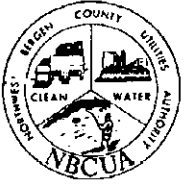
7. Public Comments. There was no public present.
8. Vote on the Resolutions:

Resolution No.37-2007. Award bid, Contract #240 New Administration Building. This resolution will award the bid to SMAC Corp. in the amount of \$1,361,000.00. Resolution was moved by Commissioner Stahlmann, seconded by Commissioner Chewcaskie. All Commissioners present voted in favor of the Resolution.

Resolution No.38-2007. Approval of sewer connection, Maryrest Cemetery, Mahwah, N.J. This resolution is to provide sanitary sewer service to the proposed development of Maryrest Cemetery, which consists of nine mausoleums, a maintenance building, an office building, burial grounds and an access road. This project will add 5 non-residential EDU's to the Authority from Mahwah. Resolution was moved by Commissioner Chewcaskie, seconded by Commissioner O'Malley. All Commissioners present voted in favor of the Resolution.

- 9. Motion to adjourn was made by Commissioner Stahlmann, seconded by Commissioner Chewcaskie. All Commissioners present voted to adjourn at 8:50 a.m.**


Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING MAY 2, 2007

1. The Work Session was called to order at 7:08 p.m. by Vice-Chairman Stahlmann and ended at 7:52 p.m. at which time the Commissioners proceeded into the Regular Meeting.
2. The Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Ariyan, Dator, Kelaheer, O'Malley, Plumley, Shafron, and Stahlmann. The following Commissioners were absent: Chewcaskie and Kasparian.
4. The Vice-Chairman led the salute to the flag.
5. Chairman's remarks. No remarks at this time.
6. Approval of Minutes – Regular Meeting – Apr. 4, 2007 and Special Meeting of Apr. 20, 2007. Commissioner Dator moved the minutes as presented, seconded by Commissioner Kelaheer. All Commissioners present accepted the minutes as presented except Commissioner Dator who abstained.
7. Public Comments. No public present.
8. Consideration for approval list of Resolutions attached dated May 2, 2007.

Consent Resolution for Resolution No.39-2007 through 44-2007 was moved by Commissioner Dator seconded by Commissioner Ariyan. All Commissioners present voted in favor of the resolutions.

Resolution #39-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for April 2007 as follows: Payroll Account \$171,741.67; Tax Deposit Account \$71,373.79; PERS and Contributory Insurance Account \$17,948.43; Health Benefits Account \$68,079.96; Dental Benefits Account \$4,602.06; Operating Account \$411,973.23; Improvement Account \$94,785.36.

Resolution #40-2007. Certification of Audit. This resolution is certifying to the Local Finance Board that each Commissioner has reviewed the Annual Audit Report for the fiscal year ending Dec.2006 and specifically has reviewed the section of the audit report entitled "General Comments and Recommendations" and has signed the group affidavit form.

Resolution #41-2007. Accept Audit. This resolution is to accept the Audit for year ending December 31, 2006 and to authorize the Secretary to distribute the audit and publish the synopsis and recommendations of this audit.

Resolution #42-2007. Regular employment, Jason Rucki, Plant Operator. This resolution is to retain Jason Rucki as Plant Operator effective Apr. 3, 2007.

Resolution #43-2007. Proposed sanitary sewer extension, Borough of Ramsey, Franklin Turnpike Construction Co. LLC. This project will provide sanitary sewer service to two new proposed houses, after one existing house is being demolished and replaced with three new houses, but one sewer connection is being reused. This will be 2 additional residential EDU's to the Authority system from Ramsey.

Resolution #44-2007. Authorization for increased fee, LAN Associates, Construction Documents for New Office Building. This resolution will increase LAN's budget by a not to exceed fee of \$9,300.00 to make further changes to the contract documents.

9. Report of Committees:

- A. Finance Committee. Nothing further to report.**
- B. Personnel Committee. Nothing to report.**
- C. Insurance Committee. Nothing to report.**
- D. Operating Committee. Nothing further to report.**
- E. Buildings & Grounds. Nothing further to report.**

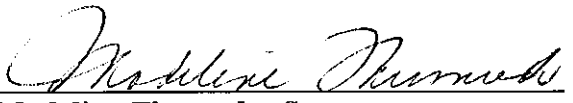
10. Treasurer's Report.

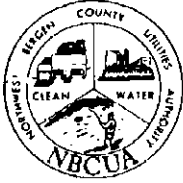
As of Apr.16, 2007 the total amount of investments that the Authority had totaled \$16,820,042.03 at rates ranging from 4.76% to 6.17%.

The Vice-Chairman commended the Treasurer about the questions he proposed to the Auditor at the Finance Committee Meeting on Monday night in relation to the audit.

11. Counsel's Report. Nothing further to report.

12. **Report of Engineer. Nothing further to report.**
13. **Report of Executive Director. Nothing further to report.**
14. **Report of Superintendent. Nothing further to report.**
15. **Old Business. No old business.**
16. **New Business. No new business.**
17. **Public comments (on subjects 8 through 17). There was no public present.**
18. **Adjournment. Commissioner Dator made a motion to adjourn the meeting, seconded by Commissioner Shafron. All Commissioners present voted to adjourn the meeting at 7:57 p.m.**


Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463
Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING JUNE 6, 2007

1. The Work Session was called to order at 7:00 p.m. by Chairman Kasparian and ended at 7:35 p.m. at which time the Commissioners proceeded into the Regular Meeting.
2. The Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Dator, Kelaher, O'Malley, Plumley, Shafron, Stahlmann and Kasparian. The following Commissioners were absent: Ariyan and Chewcaskie.
4. The Chairman led the salute to the flag.
5. Chairman's remarks. No remarks at this time.
6. Approval of Minutes – Regular Meeting – May 2, 2007. Commissioner Stahlmann moved the minutes as presented, seconded by Commissioner Shafron. All Commissioners present accepted the minutes as presented.
6. Public Comments. The following members of the public were present:

Chris Hagen and his wife Marilyn of 2 Whites Lane, Waldwick and Mike Casey also of Whites Lane.

Mr. Hagen spoke first and complimented the staff for being very responsive to his calls about the odors recently especially Supt. Rob Genetelli. He pointed out that he has been in his home for 20 years and the plant had been expanded subsequent to his purchase of the house. They never had odor problems. There is only one person that lives on VanDam who always complains about odors. The odors have been prevalent the last two to three years. They seem to have become stronger and more frequent. Sometimes they are so strong they take your breath away. He pointed out that at one time it was simultaneous to a delivery of a septic truck. Do not seem to have the odors late at night and don't notice them in the winter because the windows are closed. The odors seem to be very sporadic and in pockets. He would like to know what is happening. He is willing to work with Rob to try and pin down when

this is happening. Other neighbors said last weekend was bad and also Easter Sunday. He said he effectively could not sell his home at this time because of the odors. They need some solution to the problem.

The Chairman asked if it is more prevalent when septic is being delivered. The Superintendent stated that there are no deliveries after 6 p.m.

Marilyn Parelli (Mr. Hagen's' wife) pointed out that it is a very pungent smell and if the plant is being run right it shouldn't smell at all.

The Superintendent stated that we add potassium permanganate to the process. He also pointed out that it is not a sulfur smell. Marilyn Parelli said she spoke to several companies about odor control systems. She also wanted to know if anyone at the Authority reviews the odor complaint logs. The Executive Director stated that the Operating Committee reviews the logs every month at their meetings and the staff also tries to identify the source of the odors but by the time they arrive at the destination the odors are gone. He also pointed out that we very seldom take septic deliveries on weekends and holidays. It all seems to be coming from the section of the plant that is down near their property. We also track the direction of the wind in correlation with the complaints. It seems to happen when the wind is going into their direction.

Mike Casey of Whites Lane has lived on Whites Lane since 1985. There seem to be thick pockets of stench. He said Saturday night was bad and he could smell it at Stop and Shop and that there was no question where the smell was coming from.

Rob explained the process of adding potassium permanganate, which is done on a 24/7 basis, which is regulated. It has to be regulated because it is a purple solution and if too much is dispensed the whole plant will turn purple including the brook. There are other chemicals but this is the most cost effective and safest way to go. Hydrogen peroxide is much more dangerous and expensive to use.

It was suggested that we identify the source and than work on the solution. T&M was directed to look into the situation and to report back at next months meeting with their findings and suggestions. Mr. Hagen, his wife and Mr. Casey were invited back for next months' meeting.

8. Consideration for approval list of Resolutions attached dated June 6, 2007.

Consent Resolution for Resolution No.45-2007 through 47-2007 was moved by Commissioner Stahlmann seconded by Commissioner O'Malley. All Commissioners present voted in favor of the resolutions.

Resolution #45-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for May 2007 as follows: Payroll Account \$243,752.68; Tax Deposit Account \$98,632.02; PERS and Contributory Insurance Account \$18,360.51; Health Benefits Account \$67,411.59; Dental Benefits Account \$4,560.72;

Operating Account \$324,493.79; Improvement Account \$93,082.55.


Resolution #46-2007. Award Bid, Liquid Nitrate Solution. This resolution was to award a two year contract to Siemens Water Technology for the delivery of Liquid Nitrate Solution at a bid price of \$0.546 per pound (\$2.02 per gallon). Siemens Water Technology was the only bid received.

Resolution #47-2007. Proposed sanitary sewer extension. St. Paul's R.C.Church, Ramsey, N.J. This resolution is to approve a connection for a proposed gymnasium, which will add 3 non-residential EDU's to the Authority from Ramsey.

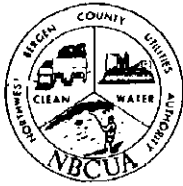
- 9. Report of Committees:**
 - A. Finance Committee. Nothing further to report.**
 - B. Personnel Committee. Nothing to report.**
 - C. Insurance Committee. Nothing to report.**
 - D. Operating Committee. Nothing further to report.**
 - E. Buildings & Grounds. Nothing further to report.**
- 10. Treasurer's Report.**

We have approximately \$19,000,000.00 invested. For the first quarter of 2007 we received investment income totaling \$268,564.00.
- 11. Counsel's Report. Nothing further to report.**
- 12. Report of Engineer. Nothing further to report.**
- 13. Report of Executive Director. Nothing further to report.**
- 14. Report of Superintendent. Nothing further to report.**
- 15. Old Business. Executive Director reported that we need to come up with a logo for the front of the new office building as well as for the entranceway floor. We do not like the logo that is on the stationary. The issue was raised at the pre-construction meeting and we need to give them an answer by the end of summer. The Buildings and Grounds Committee will look into this matter and come up with something by than.**
- 16. New Business. No new business.**
- 17. Public comments (on subjects 8 through 17). The public had no further comments.**

18. Adjournment. Commissioner Dator made a motion to adjourn the meeting at 8:25 p.m. seconded by Commissioner Shafron. All Commissioners present voted to adjourn the meeting at 8:25 p.m.



Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING JULY 11, 2007

1. The Work Session was called to order at 7:11 p.m. by Vice-Chairman Stahlmann and ended at 8:00 p.m. at which time the Commissioners proceeded into the Regular Meeting.
2. The Vice-Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Ariyan, Dator, O'Malley, Plumley, and Stahlmann. The following Commissioners were absent: Chewcaskie, Kelaher, Shafron and Kasparian.
4. The Vice-Chairman led the salute to the flag.
5. Vice-Chairman's remarks. The Vice-Chairman informed everyone that the Chairman sends his regrets in not being able to make the meeting and hopes everyone has a good summer.
6. Approval of Minutes – Regular Meeting – June 6, 2007. Commissioner Dator moved the minutes as presented, seconded by Commissioner O'Malley. All Commissioners present accepted the minutes as presented.
7. Public Comments. No comments from the public.
8. Consideration for approval list of Resolutions attached dated July 11, 2007.

Consent Resolution for Resolution No.48-2007 through 52-2007 was moved by Commissioner O'Malley seconded by Commissioner Ariyan. All Commissioners present voted in favor of the resolutions.

Resolution #48-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for June 2007 as follows: Payroll Account \$204,435.17; Tax Deposit Account \$75,255.47; PERS and Contributory Insurance Account \$18,941.08; Health Benefits Account \$67,411.59; Dental Benefits Account \$4,913.31;

Operating Account \$316,164.37; Improvement Account \$118,013.50

Resolution #49-2007. Cancellation of August Meetings. This resolution is to authorize payment on contractual obligations and professional services during the month of August.

Resolution #50-2007. Proposed sanitary sewer extension. Airmount Commons Town homes, Ramsey. This resolution is to approve a connection for a proposed (8) two-bedroom town home project and will add 8 residential EDU's from Ramsey.

Resolution #51-2007. Proposed Sanitary sewer extension. Airmount Road Subdivision, Mahwah. This resolution is to approve a connection for a proposed 9 residential dwelling project and will add 9 residential EDU's from Mahwah.

Resolution #52-2007. Authorization to modify CH2M Hill's scope and fee associated with plant improvements for the BNR project. This resolution will increase CH2M Hill's fee by \$151,855.00 for labor and expense funding required to complete the final design and to provide bidding services as defined in their Feb.26, 2007 proposal.

9. Report of Committees:

A. Finance Committee. Nothing further to report.

B. Personnel Committee. Nothing to report.

C. Insurance Committee. Nothing to report.

D. Operating Committee. Nothing further to report.

E. Buildings & Grounds. Nothing further to report.

10. Treasurer's Report. Report was given by Exec.Dir.

We have approximately \$18,280,000.00 invested and the rates have gone up slightly to 5.30%.

11. Counsel's Report. Nothing further to report.

12. Report of Engineer. Nothing further to report.

13. Report of Executive Director. Nothing further to report.

14. Report of Superintendent. The superintendent reported that we have an inter-local agreement with the City of Hackensack for TV Inspection Services and we will be doing a job for them tomorrow.

15. Old Business. Nothing further to report.

16. **New Business. No new business.**
17. **Public comments (on subjects 8 through 17). No comments.**
18. **Adjournment. Commissioner Dator made a motion to adjourn the meeting at 8:05 p.m. seconded by Commissioner Ariyan. All Commissioners present voted to adjourn the meeting at 8:05 p.m.**



Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING SEPT. 11, 2007

1. The Work Session was called to order at 7:07 p.m. by Chairman Kasparian and ended at 7:50 p.m. at which time the Commissioners proceeded into the Regular Meeting.
2. The Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Chewcaskie, Dator, Kelaher, O'Malley, Plumley, Shafron, Stahlmann and Kasparian. The following Commissioner was absent: Ariyan.
4. The Chairman led the salute to the flag.
5. Chairman's remarks. The Chairman asked that we have a minute of silence for everyone that was lost on Sept. 11, 2001.
6. Approval of Minutes – Regular Meeting – July 11, 2007. Commissioner Stahlmann moved the minutes as presented, seconded by Commissioner Dator. All Commissioners present voted to accept the minutes as presented except Commissioners Chewcaskie and Kelaher who abstained.
7. Public Comments. Mr. Casey from 4 Whites Lane in Waldwick was present and was given the opportunity to speak. Mr. Casey pointed out that the odor problems have been daily and have gotten worse since he was here to speak at the June Meeting. He stated that he has been in his house for 22 years through plant upgrades and various other projects and it seems the last few years the odor problem has gotten worse and would like to know why. The odor is integrating into his house and making it unlivable. He was hoping for some relief from the Authority.

It was pointed out by Commissioner Dator and the Executive Director that we are taking a proactive view by trying different techniques to alleviate the problem. It was suggested at the June meeting that we try a masking device. The Authority has installed some material as a test. Mr. Casey asked that the masking devices be removed from the fence because they are too close to his house and the masking

odor is too strong and making him ill. He was informed that the devices would be removed from the fence since we also have them situated around the perimeter of the tanks.

The ventilation system servicing the buildings at the front of the plant will be modified to allow the vented air to be scrubbed with water containing bleach. This system should prevent any odors from seeping from the building and should be in operation by the end of the month.

A tour of the facility is also made several times a month to try and find the source of the odors. Mr. Casey commented that when he calls to complain about the odors we send someone to his house, which he feels is not necessary. It was explained to him that this is our normal operating procedure and protocol. He feels we should be trying to find the problem on site and controlling it instead of sending someone to his house.

8. Consideration for approval list of Resolutions attached dated Sept. 11, 2007.

Consent Resolution for Resolution No.53-2007 through 57-2007 was moved by Commissioner Chwaskie seconded by Commissioner Shafron. All Commissioners present voted in favor of the resolutions.

Resolution #53-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for July and August 2007 as follows: Payroll Account, July 2007 \$174,056.53; Tax Deposit Account, July, \$69,432.63; PERS and Contributory Insurance Account, July \$19,014.38; Health Benefits Account, August \$67,411.59; Dental Benefits Account, August \$4,678.25; Operating Account, August \$220,072.45; Improvement Account, August \$696,822.36; Payroll Account, August \$173,270.27; Tax Deposit Account, August \$68,684.08; Pers and Contributory Insurance Account, August \$18,810.29; Health Benefits Account, Sept. \$67,411.59; Dental Benefits, Sept. \$4,678.25; Operating Account, Sept. \$365,689.03; Improvement Account, Sept. \$406,888.93.

Resolution #54-2007. Authorization to retain an Organization to provide Consulting Engineering Services. This resolution is to appoint the firm of CH2M Hill to provide consulting engineering services and support in connection with the Authority's 20008 Service Charges and Discharge Permit.

Resolution #55-2007. Authorization for increased fee, LAN Associates, Shop drawing reviews & design questions for new office building. This resolution is to increase the fee for LAN Associates by a not to exceed amount of \$8,000.00 for these reviews and questions.

Resolution #56-2007. Proposed Sanitary sewer extension. 389 & 392 Atwood Place, Wyckoff, N.J. This resolution is to approve a connection for a proposed 2 residential dwellings and will add 2 residential EDU's from Wyckoff.

Resolution #57-2007. Appointment of Insurance Advisor. This Resolution is a

product of the Closed Session. This resolution is to create a new position entitled "Insurance Advisor" to provide technical assistance and special expertise and to appoint John F. Zisa to this position for a period of 3 years at an annual salary of \$7,500.00.

Resolution #58-2007. Appointment of Boswell Engineering to perform a Sewer Feasibility Study. This resolution was drafted and read into the record by Counsel Doug Bern, which was moved by Commissioner Chewcaskie and seconded by Commissioner Stahlmann. This resolution is for Boswell to perform a Limited Sewer Feasibility Study in Wyckoff at a not to exceed price of \$40,000.00

Motions #1 through #4 were moved by Commissioner Stahlmann and seconded by Commissioner Dator. All Commissioners present voted in favor of the Motions.

Motion #1 – Motion to approve Change Order #1 and #2 for Contract #240, New Administration Building. Change Order #1 in the amount of \$5,000.00 is to supply and install all work and materials as it relates to the added seepage pit on the revised construction documents and Change Order #2 in the amount of \$3,000.00 is to relocate three existing PVC conduits that interfere with the construction of the foundation in the south east corner of the new structure.

Motion #2 – Motion to approve Change Order #1 for Contract #232 Midland Park Pump Station Improvements as prepared by T&M Associates. This Change Order is for a credit of \$33,502.00.

Motion #3 – Motion to approve Change Order #2 for Contract #231, Electrical System Improvements in the amount of \$12,000.00 for exhaust fans #1 & #2.

Motion #4 – Motion to grant a 90 day unpaid leave of absence for Wilbur DeGroat, Buildings and Grounds, effective Aug. 3, 2007 for medical reasons.

9. Report of Committees:

- A. Finance Committee.** Nothing further to report.
- B. Personnel Committee.** Nothing to report.
- C. Insurance Committee.** Nothing to report.
- D. Operating Committee.** Nothing further to report.
- E. Buildings & Grounds.** Nothing further to report.

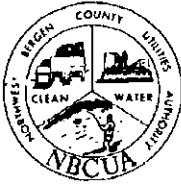
- 9. Treasurer's Report.** The Treasurer reported on the increase of revenues for the first six months of 2007 compared to 2006 of approximately \$160,000.00 as being attributed to an increase of \$118,000.00 in member service fees, \$70,000.00 in outside sludge fees and miscellaneous income of \$17,000.00 which is offset by a negative of

\$50,000.00 in the IPP Program fees. As of Aug. 20th we had approximately \$15,000,000.00 invested of which \$2.4 million was invested short term with rates ranging from 5.18 to 5.33% and \$4.7 million in long term with rates of 4.76 to 6.17%. Commerce Bank has historically given us the best rates but the last few investments we have made were with JP Morgan Chase because they came in with a more competitive rate.

11. Counsel's Report. Nothing further to report.
12. Report of Engineer. Nothing further to report.
13. Report of Executive Director. Nothing further to report.
14. Report of Superintendent. The superintendent was absent.
15. Old Business. Nothing further to report.
16. New Business. No new business.
17. Public comments (on subjects 8 through 17). No comments.
18. Adjournment. Commissioner Stahlmann made a motion to adjourn the meeting at 8:13 p.m. seconded by Commissioner Chewcaskie. All Commissioners present voted to adjourn the meeting at 8:13 p.m.



Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463
Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING OCT. 3, 2007

1. The Meeting was called to order at 7:48 p.m. by Vice-Chairman Stahlmann.
2. The Vice-Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Ariyan, Chewcaskie, Kelaher, O'Malley, Stahlmann. The following Commissioners were absent: Dator, Plumley, Shafron, Kasparian.
4. The Vice-Chairman led the salute to the flag.
5. Chairman's remarks. The Vice-Chairman had no remarks at this time.
6. Approval of Minutes – Regular Meeting – Sept.11, 2007. Commissioner O'Malley moved the minutes as presented, seconded by Commissioner Kelaher. All Commissioners present voted to accept the minutes as presented.
7. Public Comments. Mr. Casey from 4 Whites Lane in Waldwick was present and was given the opportunity to speak. Mr. Casey thanked the staff for relocating the masking strips to control the odor. He stated the strips are useless and are making him ill. He stated that since the last meeting the odors have gotten worse. He asked if everyone agrees there is an odor problem or is he just wasting his time. The Executive Director stated that he has walked the plant hundreds of times with the consulting engineers and staff and at times there are locations of a whiff of an odor but nothing major. There is no source to say it is coming from a certain location. Mr. Casey noted that Sunday and Wednesday night was very bad. He stated it is a reality and has been looking at a constant odor since the last meeting. Executive Director said if we could locate source we would be able to resolve it and he cannot agree there is a constant odor; we do have occasional odors. Mr. Casey feels we haven't gotten closer to any solution since June meeting. The Vice-Chairman stated that we are spending a lot of money on odor control and we are trying to resolve the issue.

The Superintendent explained that the scrubber on the front end of the plant was built back in the early 80's when the grit building and bar screens were put in. It

was designed only to use water and no chemical treatment. When we turned it on back than was when we had a huge amount of public (Supt. was not here at that time), basically we were taking the odors of the enclosed buildings and putting it through a scrubber with no chemical reaction. We were putting odor 50 feet in the air. The scrubber has been off line for many years and now in regards to our neighbor's recent complaints we have looked into activating that scrubber again but we are waiting for the equipment to inject chemicals like we do on the backside of the treatment plant on the sludge handling facilities. We would be basically adding chlorinated water or bleach solution to the air to oxide the odor that we may bring out of that building. Hope to have up and running by end of month. When asked by the Vice-Chairman if he believes this should help the Superintendent responded that in his professional opinion he does not think it is a good idea to shoot odor anywhere away from its source and put it into the air. But for lack of having anything else to try for our neighbors it is worth a try.

Mr. Casey stated that the odors are more on the off hours and weekends. He also visited the Wanaque Sewer Plant where they use misters. We have ordered a fan misting system and should have it before the end of the month. It was suggested by Commissioner Ariyan that the Executive Director and Superintendent contact the Wanaque Sewer Plant and talk with them about their methods of odor control. It is also a subject of intense discussion at the regular Operating Committee Meetings. Commissioner Ariyan assured him that everyone appreciates his problem and want to fix it. Making everyone happy is the bottom line.

Ms. Marilyn Perrelly, 2 Whites Lane was present and given an opportunity to speak. She stated that Whites Lane is not the only problem area, there are other spots in town with odors; Franklin Turnpike and up by the Stop and Shop. Generally the odors are at night after regular business hours. She had written a letter to the EPA and DEP in 2006 and she feels there have been no improvements since then. Ms. Perrelly had a spreadsheet of complaints since Aug. 1st that she read from with the dates and times and who she contacted. She said the odor comes out of nowhere but last Wednesday was the worst. It was explained by the Superintendent that we had to take a tank down that day which causes odors. She spoke to someone from EPA that told her chlorine could be added enroute and the smell will be less offensive. Our consulting engineer said this can be added but it is a dangerous chemical and the by products of chlorine are not good. If added to system it will create carcinogens that end up in the Ho-Ho-Kus Brook. Ms. Perrelly responded that she cared about the air; it is a smell that is awful.

The Vice-Chairman stated that we would have someone go around a few times a night. Ms. Perrelly said she does not want them on her street disturbing the neighbors but she will check with the neighbors to see if they want them coming back to their street. She was assured that we were trying every possible remedy there is. When asked to describe the odor she was unable to describe it but knows it is not a hydrogen sulfide odor.

Commissioner O'Malley suggested she keep a log of which way the wind is blowing each time to see if there is a pattern of which way the odor is coming from and e-mail this to the Executive Director.

Mr. Chris Hagens, 2 Whites Lane was present and was given the opportunity to speak. He was disappointed the Chairman and Commissioner Dator were not at the meeting because both seemed genuinely concerned about the problem at the last meeting.

He stated that last night at 9:23 p.m. odor came on immediately. For two weeks after the June meeting there were no odors. He went to the town Mayor and Council meeting to complain but was told that they have no authority over the Authority and they should log their complaints with the DEP and police but were assured they would look into it. (There was a councilman present at the Authority's meeting.)

Mr. Hagens thinks of the odor as a big bubble that moves around from spot to spot. He has a small piece of property and there could be odor on one side of his property but not on the other. He also read an article about a feasibility study on the Lambertville N.J. website that is being done at the Lambertville facility on enclosing the treatment facility process tanks and venting any odors with chemical scrubbers. All of the information was given to the Executive Director and Superintendent to review and look into.

Commissioner Chewcaskie thanked Mr. Hagens but unfortunately Mr. Dator is on vacation this week but at the Operating Committee meetings, of which Mr. Dator chairs, this is of a primary concern to him and was probably the one making contact with other agencies. The issues are, first, what is entering the system and can there be anything done to address that and the other is the containment system with these misters. He is sure he would want that addressed and will talk about it prior to the Nov.7th meeting. Hopefully will have some answers based upon what Wanaque and Lambertville are doing and see whether it works with this type of issue.

8. Consideration for approval list of Resolutions attached dated Oct. 3, 2007.

Consent Resolution for Resolution No.60-2007 through 63-2007 was moved by Commissioner O'Malley seconded by Commissioner Ariyan. All Commissioners present voted in favor of the resolutions except Commissioner Chewcaskie who abstained from voting on Resolution #62-2007.

Resolution #60-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for Sept. 2007 as follows: Payroll Account, \$174,859.70; Tax Deposit Account, \$69,616.92; PERS and Contributory Insurance Account, \$18,925.70; Health Benefits Account,\$67,411.59; Dental Benefits Account, \$4,678.25; Operating Account, \$336,604.76; Improvement Account, \$139,385.35.

Resolution #61-2007. Sewer Connection, Giancarlo Court, Allendale, N.J. This resolution is to provide sanitary sewer service for three homes on Giancarlo Court, which will add 3 residential EDU's from Allendale.

Resolution #62-2007. Sewer extension, Fox Meadows, Ramsey & Mahwah, N.J. This resolution is to provide sanitary sewer service for four homes on Fox Meadows in Mahwah to discharge into Ramsey's line and will add 4 EDU's to the Authority's system.

Resolution #63-2007. Sewer connection, McGroory/Templeton, Forest Rd., Mahwah.
This resolution is to provide sanitary sewer service for three homes on a new cul-de-sac off Van Bolen Way and will add 3 EDU's to the Authority's system.

Motion No.1 – Motion to approve Change Order #3 in the amount of a credit of \$(25,000.00), Change Order #4 in the amount of \$500.00 and Change Order #5 in the amount of \$2,000.00 for Contract #240 New Administration Building as prepared by Mitch Favorito of Nelson Construction, Inc. Motion to approve change orders was made by Commissioner Stahlmann, seconded by Commissioner Chewcaskie. All Commissioners present voted to approve the Change Orders as presented.

9. Report of Committees:

- A. Finance Committee. Nothing further to report.**
- B. Personnel Committee. Nothing to report.**
- C. Insurance Committee. Nothing to report.**
- D. Operating Committee. Nothing further to report.**
- E. Buildings & Grounds. Nothing further to report.**

- 9. Treasurer's Report. As of Sept. 28, 2007 we have \$14,389,194.93 of which approximately \$9.8 million is invested short term at rates averaging 5% to 5.25% and \$4.6 million long term at rates of 4.76% to 6.17%.**

11. Counsel's Report. Nothing further to report.

12. Report of Engineer. Nothing further to report.

13. Report of Executive Director. Nothing further to report.

14. Report of Superintendent. Nothing further to report.

15. Old Business. Nothing further to report.

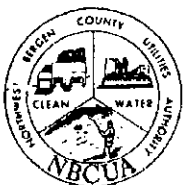
16. New Business. No new business.

17. Public comments (on subjects 8 through 17). No comments.

18. Adjournment. Commissioner Chewcaskie made a motion to adjourn the meeting, seconded by Commissioner Ariyan. All Commissioners present voted to adjourn the meeting at 8:55 p.m.



Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P. O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



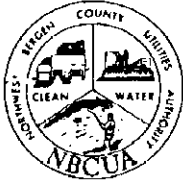
MINUTES SPECIAL MEETING OCT. 3, 2007

1. Meeting was called to Order by Vice-Chairman Stahlmann at 7:40 p.m.
2. Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: The following Commissioners were present: Ariyan, Chewcaskie, Kelaher, O'Malley, Stahlmann. The following Commissioners were absent: Dator, Plumley, Shafron, Kasparian.
4. The Vice-Chairman led the salute to the Flag.
5. Chairman's remarks: The Vice-Chairman noted that the meeting is to introduce the preliminary budget for 2008 as mentioned in the Work Session we have a preliminary budget for 2008 of \$14,026,985.00. We took \$467,000.00 from reserves and kept the increase at less than 2%, otherwise it would have been 4.3%. The Vice-Chairman thanked the Executive Director, Superintendent and Administrative Assistant, all the numbers people that pulled this together and of course our auditor and financial specialists Lerch, Vinci & Higgins. Under the circumstances this is a very good budget. Because flow is very light this year coupled with the fact we offset increases with reserves, some municipalities may see a decrease in their service charges for 2008. It depends on the formula we have to use, which we have no control over.
6. 2008 Preliminary Budget. The Vice-Chairman asked if anyone had any questions on the budget. No one had any questions. Commissioner Chewcaskie commented that he believed everyone received the memo from Howard and Rob, which discusses the 2008 budget, which is very thorough and was discussed at the Operating Committee and was appropriately endorsed there.
7. Discussion on the Resolution by the Commissioners to accept the 2008 Preliminary Budget. There were no further questions at this time.
8. Public Comments. The public had no comments.
9. Vote on the Resolution. Resolution was moved by Commissioner O'Malley, seconded by Commissioner Kelaher. All Commissioners present voted in favor of the resolution.

10. **Adjournment.** Motion to adjourn was made by Commissioner Chewcaskie seconded by Commissioner Kelaheer. All Commissioners present voted to adjourn at 7:48 p.m. and proceed to the Regular Meeting.



Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463
Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING NOV. 7, 2007

1. The Meeting was called to order at 8:15 p.m. by Chairman Kasparian.
2. The Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Ariyan, Kelaher, O'Malley, Plumley, Shafron, Stahlmann and Kasparian. The following Commissioners were absent: Chewcaskie and Dator.
4. The Chairman led the salute to the flag.
5. Chairman's remarks. The Chairman will appoint a Nominating Committee at the December meeting. The Chairman also requested that the Meeting Schedule for 2008 reflect the meeting dates to be held on the first Tuesday of each month in lieu of the first Wednesday.
6. Approval of Minutes – Regular Meeting and Special Meeting of Oct. 3, 2007. Commissioner Stahlmann moved the minutes as presented, seconded by Commissioner O'Malley. All Commissioners present voted to accept the minutes as presented except Commissioner Plumley who abstained.
7. Public Comments. The public had no comments at this time. The public was afforded the opportunity to speak at the Work Session. Christopher Hagen, 2 Whites Lane, addressed the Commissioners. He was satisfied that the Executive Director and staff had implemented different types of odor control and were continuing to try to pinpoint the problem and alleviate the odors. He also noted that the odor has a moldy, musty smell. Mr. Hagen was advised that we also met with a representative of Siemens Water Technology and they installed odor meters at the Authority and will be back to check them in a few weeks.
7. Consideration for approval list of Resolutions attached dated Nov. 7, 2007.

Consent Resolution for Resolutions No.64-2007 through 68-2007 was moved by Commissioner Stahlmann seconded by Commissioner Kelaher. All Commissioners present voted in favor of the resolutions.

Resolution #64-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for Oct. 2007 as follows: Payroll Account, \$260,388.95; Tax Deposit Account, \$103,429.59; PERS and Contributory Insurance Account, \$19,631.73; Health Benefits Account, \$64,598.94; Dental Benefits Account, \$4,678.25; Operating Account, \$318,679.67; Improvement Account, \$275,046.27.

Resolution #65-2007. Authorization for increased fee, LAN Associates, additional construction observation for new office building. This resolution is to increase their fee by \$8,000.00 because of additional construction changes and observation.

Resolution #66-2007. Award bid, Contract #242, Continuous Air Emission Monitoring System Upgrade. This resolution will be awarded to Trace Environmental Systems, the only bidder, in the amount of \$177,450.00.

Resolution #67-2007. Modification of Proposed Sanitary Sewer Extension, Twsp. Of Washington, Stage 5 Sanitary Sewer & Water main extension. This is a modification to an extension that was approved by the Authority in January 2007 and will add three residential EDU's to the Authority from Mahwah.

Resolution #68-2007. Authorization to enter into parking and access easement agreement. This resolution will give the Executive Director authorization to sign a parking and access easement agreement with the County of Bergen, New York-New Jersey Trail Conference, Inc., and the Township of Mahwah.

Motion No.1 – Motion to approve an additional 90 day unpaid leave of absence for Wilbur DeGroat, Buildings & Grounds, effective Nov. 3, 2007 for medical reasons. The motion was moved by Commissioner Shafron and seconded by Commissioner O'Malley. All Commissioners present voted in favor of the motion.

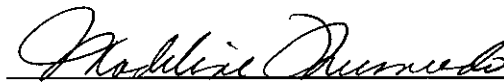
Motion No.2 – Motion to approve Change Orders #6 to 12 in the total amount of \$6,300.00 for Contract #240, New Administration Building, as prepared by Nelson Construction Co. Change Order #6 is in the credit amount of (\$2,800.00) for the change of using PVC in lieu of cast iron for sanitary underground and using press copper system in lieu of soldering for domestic water system. C.O.#7 in the amount of \$1,500.00 for removal of the light post with concrete base & to furnish & install a cast iron junction box. C.O.#8, in the amount of \$300.00 to cut and cap steam pipes in existing garage. C.O.#9, in the amount of \$300.00 to furnish and install two new 2" conduits from existing garage to the new building. C.O.#10, in the amount of \$5,000.00 to modify the retaining wall and footing at the patio. C.O.#11, in the amount of \$500.00 to furnish and install semi-recessed fire extinguisher cabinet in the kitchen. C.O.#12, in the amount of \$1,500.00 to furnish and install two new 6' high partitions with glazed tile in the restrooms. The motion was moved by Commissioner Shafron, seconded by Commissioner O'Malley. All Commissioners present voted in favor of the motion.

9. Report of Committees:

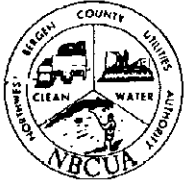
- A. **Finance Committee.** 2008 Budget will be adopted at the December 12th meeting.
 - B. **Personnel Committee.** As reported at the work session, the committee recommended an additional ninety day unpaid leave of absence for Wilbur DeGroat, for medical reasons, which was approved by the Commissioners.
 - C. **Insurance Committee.** Nothing further to report.
 - D. **Operating Committee.** As discussed at the Work Session, Franklin Lakes has had an agreement with the Authority for two years now and there has been no activity on their part to go forward with sewers. The Authority had T&M do a study, which shows that there is insufficient flow from Franklin Lakes to install a gravity main along Pulis Avenue without Oakland. T&M has made a proposal with a set of activities. A pump station would be needed to receive the flow from the central business district and immediate adjacent area to pump to our interceptor. Areas that would be tributary to the pumping station would be identified and those areas that can be served by gravity sewers and those that would have to pump their sewage to the Authority pumping station will be identified. T&M will look into the availability of a site and elevations. The attorney has been onboard and will do title searches, etc. The Chairman noted that Franklin Lakes has dropped the ball and it is our fiduciary responsibility to the communities to bring in added flow and revenues. We will put the trunk line in ourselves and in doing so Franklin Lakes will see fit to join and hopefully Oakland.
 - E. **Buildings & Grounds.** The building is coming along.
- 10. **Treasurer's Report.** As of Oct. 31, 2007 we have \$9.4 million invested short term at rates of 4.55 to 4.82% and \$4.7 million invested long term at rates of 4.76 to 6.17%. The Treasurer suggested we look into other avenues of investment other than the typical Certificate of Deposits. This will be looked into further by the staff and the Executive Director since we are limited as to the types of investments we are able to utilize according to our trust indenture and state statutes.
 - 11. **Counsel's Report.** We received the second installment payment from Bentley Labs for outstanding IPP administrative fees that were owed the Authority.
 - 12. **Report of Engineer.** Noting to report.
 - 13. **Report of Executive Director.** The Executive Director reminded everyone that the December meetings would start at 5:30 p.m.
 - 14. **Report of Superintendent.** The Superintendent was absent.
 - 15. **Old Business.** Commissioner Plumley requested that we look into having an emergency response plan in place in case of a pandemic. She was advised that we have looked into this and will distribute what we have to the Commissioners before

the December meeting in response to her request.

16. **New Business.** We received notification from the NJUAIJIF about the upcoming Elected Officials' Training Seminars. The MEL will reduce each member's 2008 liability claims premium by \$250.00 for each commissioner who completes the course by April 30, 2008 for a maximum credit of 25% of the member's liability premium.
17. **Public comments (on subjects 8 through 17).** No comments.
18. **Adjournment.** Commissioner Stahlmann made a motion to adjourn the meeting, seconded by Commissioner Ariyan. All Commissioners present voted to adjourn the meeting at 8:30 p.m.



Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



MINUTES REGULAR MEETING DEC. 12, 2007

1. The Meeting was called to order at 6:15 p.m. by Chairman Kasparian.
2. The Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Ariyan, Chewcaskie, Dator, Kelaher, O'Malley, Plumley, Shafron, Stahlmann and Kasparian.
4. The Chairman led the salute to the flag.
5. Chairman's remarks.
6. Approval of Minutes – Regular Meeting – Nov. 7, 2007. Commissioner Stahlmann moved the minutes as presented, seconded by Commissioner O'Malley. All Commissioners present voted to accept the minutes as presented.
7. Public Comments. Mr. Hagens from Whites Lane wanted to know if the staff had reviewed the 1992 odor control study report that was prepared by Havens & Emerson that he left here. He was advised that the staff did review the report recommendations and found that all had been implemented except for the potential addition of chemicals other than potassium permanganate to control odors, which is now being investigated by Siemens. All of the recommendations were funded through the Wastewater Trust Fund of 1993. We will be doing a test program adding chemicals at specific times but this cannot be done in winter. It will be implemented in April or May.

Mr. Hagens wanted to know if misters were recommended in 1992 study and was advised that they were identified but not recommended. We have implemented a misting fan at the primary tanks, which was operating in the evening and weekends when the wind direction is from the primary tanks. The misting system operation has been discontinued due to the potential of freezing weather.

Mr. Hagens said the odor seems to be better now but that could be because it is colder out. Mr. Hagens also asked if he could receive a copy of the Superintendent's memo

on his conversations with the other treatment plants and their odor problems. The Superintendent will forward a copy to him.

Mr. Coyle from Mountain Shadows Condominiums in Franklin Lakes was present and was interested in the Commissioners progress in relation to Franklin Lakes sewerage their town. Mountain Shadows has a 20-year-old packet treatment facility and they are very interested in being able to connect to sewers. The Authority's objective is to take the sewerage but we have not had any response from Franklin Lakes. There are several pocket facilities in Franklin Lakes and it was suggested that Mr. Coyle get together with the other owners and then go to the governing body. The Authority will provide Mr. Coyle with the names of the other facilities.

7. Consideration for approval list of Resolutions attached dated Dec. 12, 2007.

Consent Resolution for Resolutions No.69-2007 through 71-2007 was moved by Commissioner Dator seconded by Commissioner Chewcaskie. All Commissioners present voted in favor of the resolutions.

Resolution #69-2007. Approval of vouchers, payroll and tax deposits, and Pension and Benefits transfers for Nov. 2007 as follows: Payroll Account, \$226,262.97; Tax Deposit Account, \$87,141.93; PERS and Contributory Insurance Account, \$19,878.25; Health Benefits Account, \$69,829.75; Dental Benefits Account, \$4,779,296 Operating Account, \$278,396.90; Improvement Account, \$434,134.10.

Resolution #70-2007. Resolution authorizing the Executive Director to enter into a professional service contract with Commerce National Risk services regarding the coordination and conduct of alcohol and drug testing services.

Resolution #71-2007. Authorization to direct the Northwest Bergen County Utilities Authority to make application to the Local Finance Board pursuant to N.J.S.A. 40A:5A-6 for proposed project financing in connection with the undertaking of various capital improvements for the Authority.

9. Report of Committees:

- A. Finance Committee.** There will be two Public Hearings, one on adopting the 2008 Budget and the other is to set the 2008 Connection Fee.
- B. Personnel Committee.** It was reported at the work session that we have put up a posting for the position of an Incinerator Operator. It is posted in-house first to give any employees the opportunity to apply for the job. Should have someone in place sometime in January.
- C. Insurance Committee.** We will be receiving a dividend on our insurance premium of approximately \$34,900.00, which will be applied as a credit on next year's premium.

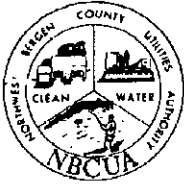
D. Operating Committee. There was a review of the 2008 Preliminary Service Charges. The 2008 Preliminary Charges will be going out to the towns after tonight's meeting. The Service Charges will increase by 1.9% next year; charges to each municipality will depend on flow and other variables and may be more or less than this average. The Final Service Charges will be approved at the January meeting and sent to the towns before January 15th.

E. Buildings & Grounds. Construction is moving along very well.

- 10. Treasurer's Report.** Total funds invested are \$15,845,798. Interest rates vary from 4.4% to 4.55% on short term C/D's and 6.17% on long term forward treasury agreement. We will be closing out the year and transferring money from the reserves to the General Improvement Account to meet our obligations for next year.
- 11. Report of Counsel.** We received our third installment payment from Bentley Labs for their outstanding administrative fees under the IPP Program.
- 12. Report of Engineer.** Specifications are being reviewed for the relocation of the Septage Receiving Station and the Odor Control at Darlington Pump Station.
- 13. Report of Executive Director.** Nothing to report.
- 14. Report of Superintendent.** Nothing further to report.
- 15. Old Business.** Nothing to report.
- 16. New Business.** The Executive Director and Superintendent will be leaving tomorrow to visit a plant in Mississippi that has a grease trap waste separation system. We are exploring the potential to install such a system at our facility to bring in more revenue.
- 17. Public comments (on subjects 8 through 17).** No comments.
- 18. Adjournment.** Commissioner Dator made a motion to adjourn the meeting, seconded by Commissioner Stahlmann. All Commissioners present voted to adjourn the meeting at 6:21 p.m. and proceed into the Public Hearing on the 2008 Budget.



Madeline Thumudo, Secretary



Northwest Bergen County Utilities Authority

30 Wyckoff Ave. at Authority Drive, P.O. Box 255, Waldwick, N.J. 07463

Phone (201) 447-2660

Fax (201) 447-0247



MEETING PUBLIC HEARING 2008 PRELIMINARY BUDGET DECEMBER 12, 2007

1. Meeting was called to order by Vice-Chairman Stahlmann at 6:22 p.m.
2. The Vice-Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: The following Commissioners were present: Ariyan, Chewcaskie, Dator, Kelaher, O'Malley, Plumley, Shafron, Stahlmann and Kasparian.
4. Salute to the flag was led by the Vice-Chairman
5. Chairman's remarks: The Vice-Chairman had no remarks.
6. PUBLIC HEARING – 2008 PRELIMINARY BUDGET

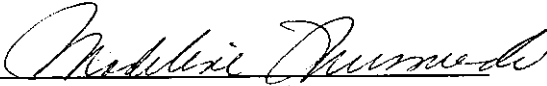
Everyone had the opportunity to review the proposed budget, which was reviewed by the Finance and Operating Committees and voted on to accept at the October meeting. Tonight we will be adopting the budget, which was approved by the New Jersey Division of Local Government Services this past week. The budget for 2008 totals \$14,026,985.00, which is an increase of 4.3% over 2007. Because of our budget and planning process we are able to set up a reserve account and we are able to take \$467,000.00 from this account to reduce the budget increase to the service charges to the towns to only 1.9% or \$230,707.00 to all eight member communities. We also did very well this past year with extra income from a number of sources, mainly interest rates, septage receiving, TV truck inspections and connection fees. We received approximately \$75,000.00 from connection fees alone and hope to build on this. As we go forward we will try to set up an account for any additional revenues to go into to be utilized to reduce the charges to the towns. The Vice-Chairman thanked everyone involved in the budget process for holding the line of costs.

7. Vote on the Resolution #72-2007. Adopt 2008 Budget. Resolution was moved by Commissioner O'Malley, seconded by Commissioner Kasparian. All Commissioners presented voted in favor of the resolution. The budget as presented for adoption reflects total revenues of \$13,559,985.00, total appropriations, including any

accumulated deficit, if any, of \$14,026,985.00 and total unrestricted net assets utilized of \$467,000.00.

8. Public Comments. None.

9. Adjournment. Motion to adjourn was made by Commissioner Dator, seconded by Commissioner Shafron. All Commissioners present voted in favor of adjourning at 6:35 p.m.


Madeline Thumudo, Secretary

THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
PUBLIC HEARING

IN THE MATTER OF

TRANSCRIPT
OF
PROCEEDINGS

2008 SEWER CONNECTION FEE RATE
STUDY

DECEMBER 12, 2007
30 Wyckoff Avenue
Waldwick, New Jersey
Commencing at 6:30 p.m.

ORIGINAL

BOARD MEMBERS PRESENT:

MICHAEL KASPARIAN, Chairman
SCOT STAHLMANN, Vice-Chairwoman
HOWARD HURWITZ, Executive Director
MARION PLUMLEY, Midland Park
BRIAN CHEWCASKIE, Allendale
FRANK X. KELAHER, Ramsey
WILLIAM F. DATOR, Mahwah
JASON T. SHAFRON, Wyckoff
JOSEPH M. ARIYAN, Saddle River
RONALD J. O'MALLEY, Upper Saddle River

MADELINE THUMUDO, Secretary
ROBERT GENETELLI, Superintendent
TODD SHERER, Treasurer

APPEARANCES:

DOUGLAS BERN, ESQ.,
Attorney for the Board.

THERESA L. TIERNAN, C.S.R.

BARRY A. FOND SHORTHAND REPORTERS, INC.
CERTIFIED SHORTHAND REPORTERS
381 BROADWAY
WESTWOOD, NEW JERSEY 07675
(201) 666-4888

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

<u>WITNESS</u>	<u>DIR</u>	<u>CRS</u>	<u>RED</u>	<u>REC</u>
PAUL LERCH	5			
HOWARD HURWITZ	10			
JEROME SHEEHAN	12			

E X H I B I T S

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>EVID</u>
NBCUA-1	REPORT	6
NBCUA-2	TRANSCRIBED TESTIMONY	14

1 CHAIRMAN KASPARIAN: We go on our last
2 meeting of the night, and I'll suggest that we've
3 already saluted the flag twice this evening and not
4 salute it a third, we have no problem with it that
5 we don't need to do it three times. Okay.

6 Do we have the same introduction again
7 on this? I don't see it here. Okay.

8 This is a properly noticed Northwest
9 Bergen County Utilities Authority special meeting to
10 hold the public hearing, notice has been provided to
11 The Record and Ridgewood News and on November 14,
12 2007, at which time seven the date, time and place
13 of this Authority meeting was set forth as
14 December 12, 2007, 6:00 p.m. in the office of the
15 Authority, 30 Wyckoff Avenue, Waldwick, New Jersey.
16 In addition, notice of this meeting was published in
17 The Record, Ridgewood Bergen News and posted by the
18 secretary of the Authority in the lobby of the
19 authority offices. Okay. Roll call.

20 SECRETARY THUMUDO: Ariyan.

21 MEMBER ARIYAN: Here.

22 SECRETARY THUMUDO: Chewcaskie.

23 MEMBER CHEWCASKIE: Here.

24 SECRETARY THUMUDO: Dator.

25 MEMBER DATOR: Here.

1 SECRETARY THUMUDO: Kelaheer.
2 MEMBER KELAHER: Here.
3 SECRETARY THUMUDO: O'Malley.
4 MEMBER O'MALLEY: Here.
5 SECRETARY THUMUDO: Plumley.
6 MEMBER PLUMLEY: Here.
7 SECRETARY THUMUDO: Shafron.
8 MEMBER SHAFRON: Here.
9 SECRETARY THUMUDO: Stahlmann.
10 VICE-CHAIRMAN STAHLMANN: Here.
11 SECRETARY THUMUDO: Chairman Kasparian.
12 CHAIRMAN KASPARIAN: Here.
13 MR. BERN: Could we have testimony that
14 has to be placed on the record?
15 CHAIRMAN KASPARIAN: Yes, do you want
16 to start that?
17 MR. BERN: Sure. Thank you.
18 The Authority would recall,
19 Commissioners will recall last year we authorized
20 the implementation of a connection fee. This year
21 we're looking at the connection fee and there's a
22 suggestion that we may need to change the amount
23 assessed for the connections and pursuant to statute
24 public hearing is to be held and testimony has to be
25 taken so that the Authority can determine whether

1 the fee is reasonable and necessary. So in order to
2 create the record for that, we've asked Paul Lerch,
3 who is our authority auditor, to testify. We have
4 provided notice and we have proof of publication, I
5 assume, from the newspaper of record and with that
6 we have jurisdiction to hold the hearing and I'll
7 swear in Paul Lerch and I have a series of questions
8 for him.

9 P A U L L E R C H, 807 Newport Drive, Ramsey, New
10 Jersey, being first duly sworn by the Notary, testifies
11 as follows:

12 DIRECT EXAMINATION BY MR. BERN:

13 Q. And then to qualify you, I just have to
14 ask you a couple of questions.

15 Give us your benefit of your an
16 educational background, please.

17 A. I graduated from William Paterson College in
18 1986 with an undergraduate degree in accounting.

19 Q. And you hold a CPA license?

20 A. Yes, I do.

21 Q. And what year did you obtain that?

22 A. 1990.

23 Q. And when did you begin the practice of
24 accounting?

25 A. In 1986.

1 Q. And have you practiced accounting
2 continuously since then?

3 A. Yes.

4 Q. And how long have you served as the
5 auditor for the NBCUA?

6 A. Since 2003.

7 MR. BERN: Chairman, I suggest that
8 Mr. Lerch qualifies as an expert.

9 CHAIRMAN KASPARIAN: He has before and
10 he did again. Congratulations.

11 Q. Okay, Mr. Lerch --

12 A. I did again.

13 Q. -- did you perform an investigation for
14 the NBCUA with respect to the Connection Fee
15 Program?

16 A. Yes, I did.

17 Q. Did you render a report to the
18 Authority with respect to the results of that
19 investigation?

20 A. Yes, I did. And that report is dated
21 November 7, 2007.

22 Q. Let's mark that report as NBCUA Exhibit
23 Number 1.

24 (Exhibit received and marked NBCUA Exhibit 1
25 for evidence.)

1 Q. Mr. Lerch, are you familiar with
2 N.J.S.A. 40:14B-22?

3 A. Yes, I am.

4 Q. In particular, are you familiar with
5 the formula for calculating connection fees in that
6 statute?

7 A. Yes, I am.

8 Q. Did you follow that formula in
9 preparing the report marked NBCUA-1?

10 A. Yes, I did.

11 Q. Can you describe the -- was the first
12 step in the calculation to determine the total
13 investment of the Authority in the existing system?

14 A. Yes.

15 Q. In that context what was the first
16 thing you did in your investigation?

17 A. I gathered historical financial data
18 contained in the audits, bond closing documents and
19 public offering statements for the purpose of
20 determining amounts paid towards the cost of the
21 sewer system funded by bonded debt, loans and
22 temporary financings.

23 Q. What did you include as amounts paid
24 toward the cost the sewer system?

25 A. I included all principal paid and bonded debt

1 and loans and interest paid on bonded debt, loans
2 and temporary financings.

3 Q. How far back did you go in determining
4 the principal and interest paid?

5 A. I went back to debt issued in 1961 and
6 included all payments made for principal and
7 interest through 2006.

8 Q. What records were available to you in
9 that context?

10 A. Audits and/or official statements provided
11 the information for all principal and interest
12 payments made on waste water treatment system bonds
13 and notes issued.

14 Q. What records were not available to you?

15 A. The audit records for the years 1967 and 1968
16 and for the years prior to 1981 were not available.
17 Official statements for the following debt issues
18 were not available, 1965 BANS, 1966 BANS, 1967 BANS,
19 1968 BANS, 1969 BANS, 1970 BANS, two issues, 1973
20 BANS, and 1974 BANS.

21 CHAIRMAN KASPARIAN: May I ask a
22 question for that?

23 MR. BERN: Certainly.

24 CHAIRMAN KASPARIAN: Is it necessary
25 for you, in lieu of reading all of this, your

1 statement could we just submit your statement for
2 the record? Does it have to be verbalized.

3 MR. BERN: Can you?

4 A. You can. We've, you know, I've also done
5 this, not at a night meeting, but I've put in
6 testimony during the day, I think really the purpose
7 is to have it into testimony, so if anybody
8 questions it.

9 CHAIRMAN KASPARIAN: Isn't it as a
10 written document and --

11 THE WITNESS: I think we probably can.

12 MR. BERN: I think so.

13 CHAIRMAN KASPARIAN: Can we make a
14 motion to do that?

15 THE WITNESS: I think we probably can.

16 CHAIRMAN KASPARIAN: Can we proceed in
17 that manner?

18 MR. BERN: Okay.

19 CHAIRMAN KASPARIAN: All in favor?

20 (Voice vote taken at this time.)

21 MR. BERN: We will give the Reporter a
22 copy of the testimony and my questions as recited
23 therein and that's fine. Then you can do it to any
24 public comments or questions.

25 CHAIRMAN KASPARIAN: Any questions or

1 questions for --

2 MR. BERN: You have one question?

3 MEMBER CHEWCASKIE: Basically, there's,
4 I guess, for everyone's edification, there was \$110
5 increase from last year and this year, could you
6 just let us know what the change was?

7 THE WITNESS: Right, it was \$110
8 increase, the connection fee went from around 3,301
9 to 3,411, 3,411 so it's a \$110 increase, but the
10 Authority in the past has only applied a 50 percent
11 rule to that calculation.

12 MEMBER CHEWCASKIE: And what was that
13 increase attributable to?

14 THE WITNESS: The increase was
15 attributable to the increase in debt.

16 MEMBER CHEWCASKIE: Okay. Thank you.

17 THE WITNESS: Payments in debt. —

18 MR. BERN: Okay. We have one more
19 witness, a Mr. Howard Hurwitz.

20 CHAIRMAN KASPARIAN: Well, I think
21 we've just covered that testimony, which is how do
22 we --

23 MR. BERN: Mr . Hurwitz had some
24 specific points to make and you can just
25 apprise --I'll swear you in, yeah.

1 H O W A R D H U R W I T Z, 326 Prospect Avenue,
2 Hackensack, New Jersey, being first duly sworn by the
3 Notary, testifies as follows:

4 DIRECT EXAMINATION BY MR. BERN:

5 MEMBER HURWITZ: Executive director.

6 MR. BERN: Thank you.

7 CHAIRMAN KASPARIAN: You don't live
8 within our service district?

9 MEMBER HURWITZ: And I leave the water
10 running all the time.

11 Q. Mr. Hurwitz, after determining
12 connection fee cost per service unit, the Authority
13 requested that you apply a reduction
14 across-the-board to reach a lower fee?

15 A. Yes, that's correct. The Commissioners
16 determined at the previous hearing that a connection
17 fee cost, which was calculated, the cost of \$3,411
18 was onerous and ask the staff to investigate
19 connection fees at other facilities. My
20 investigation identified a number of other
21 facilities, and based on this investigation, I
22 recommended to the Commissioners that a reduction of
23 50 percent be applied to the actual cost of \$3,411.

24 Q. And by applying the reduction of
25 50 percent across the board is the resulting fee

1 fair and reasonable?

2 A. Yes, it is. It's in line with other fees and
3 for this year the result would be a connection fee
4 of \$1,706 up from \$1,650 of the previous year.

5 Q. Okay.

6 CHAIRMAN KASPARIAN: Okay.

7 MR. BERN: That concludes his
8 testimony. Any questions.

9 CHAIRMAN KASPARIAN: Any questions for
10 Howard? Public have any questions for Howard?
11 Jerry.

12 MR. BERN: Yeah, real quickly, he's
13 been -- Jerry raise your right hand.

14 J E R O M E S H E E H A N, being first duly sworn by
15 the Notary, testifies as follows:

16 DIRECT EXAMINATION BY MR. BERN:

17 MR. BERN: Mr. Sheehan holds an
18 engineer's license.

19 Q. And, Mr. Sheehan, what is your
20 recommendation as to the daily flow for a single
21 family residence to determine the equivalent service
22 unit for the NBCUA?

23 A. The amount of flow attributed to a
24 single family three-bedroom residence is 300 gallons
25 per day. This is an industry and NJDEP standard and

1 is widely utilized to estimate future flows.

2 Q. What is that based upon?

3 A. The NJDEP standard was established in
4 NJAC7:14A-23. The regulations also include flow
5 standards for many other types of buildings and
6 uses, which have been incorporated into the NBCUA's
7 connection fee program.

8 Q. Thank you.

9 CHAIRMAN KASPARIAN: Okay. Any
10 discussion? Questions for Jerry? Okay. The
11 resolutions reads now that, therefore, be it
12 resolved by the Commissioners of the Northwest
13 Bergen County Utilities Authority as follows?
14 Number one, the Authority hereby establishes an
15 adjustment to the connection fee of \$1,706 per
16 service unit as calculated in the 2008 Sewer
17 Connection Fee Rate Study Update effective as of the
18 date of this Resolution, effective January 1st,
19 2008, until amended.

20 Number two, the Executive Director is
21 hereby authorized to take any and all steps
22 necessary for the implementation of the adjustment
23 of a connection fee.

24 Number three, the formal actions of the
25 Commissioners of the Northwest Bergen County

1 Utilities Authority embodied herein and expressly
2 contingent upon and subject to the provisions of
3 N.J.S.A. 40:14B-14(b).

4 It is hereby certified that this is a
5 true copy of a Resolution adopted by the Northwest
6 Bergen County Utilities Authority upon a roll call
7 vote of all Commissioners of the Authority eligible
8 to vote at a regular meeting held by December 12,
9 2007, which is right now.

10 So we need a motion to adopt the
11 resolution.

12 So moved.

13 MEMBER ARIYAN: Second.

14 CHAIRMAN KASPARIAN: All in favor?

15 (Voice vote taken at this time.)

16 (Exhibit received and marked NBCUA-2 for
17 evidence.)

18 , , , , (Concluded at 6:44 p.m.)
19
20
21
22
23
24
25

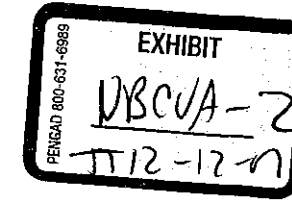
CERTIFICATE OF OFFICER

I, THERESA L. TIERNAN, A Notary Public and
Certified Shorthand Reporter of the State of New
Jersey, do hereby certify that the foregoing is a true
and correct transcript of the proceedings as taken
stenographically by and before me at the time, place
and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a
relative nor employee nor attorney nor counsel of any
of the parties to this action, and that I am neither a
relative nor employee of such attorney or counsel, and
that I am not financially interested in the action.

Notary Public of the State of New Jersey
My commission expires March 15, 2008
C.S.R. License No. XI01210

**NBCUA
CONNECTION FEE HEARING
DECEMBER 12, 2007**



PAUL LERCH

Educational Background

1986 – William Paterson College, Bachelor of Arts in Accounting

Year of CPA License

1990

When did you begin the practice of accounting?

1986

Have you practiced accounting continuously since then?

Yes

How long have you served as Auditor for NBCUA?

Since 2003

Chairman qualifies Paul as Expert Witness in accounting

Did you perform an investigation for the NBCUA with respect to the connection fee program?

Yes

Did you render a report to the NBCUA with respect to the results of that investigation?

Yes, our report is dated November 7, 2007.

Mark Report as NBCUA – 1

Are you familiar with N.J.S.A. 40:14B-22?

Yes

In particular, are you familiar with the formula for calculating connection fees in that statute?

Yes

Did you follow that formula in preparing the report marked NBCUA –1?

Yes

1. The first step in the calculation is to determine the total investment of the Authority in the existing system?

Correct

In that context, what was the first thing you did in your investigation?

Gathered historical financial data contained in audits, bond closing documents and public offering statements for the purpose of determining amounts paid toward the cost of the sewer system funded by bonded debt, loans and temporary financings.

What did you include as amounts paid toward the cost of the sewer system?

I included all principal paid on bonded debt and loans and interest paid on bonded debt, loans and temporary financings.

How far back did you go in determining the principal and interest paid?

I went back to debt issued in 1961 and included all payments made for principal and interest through . 2006.

What records were available to you in that context?

Audits and/or official statements provided the information for all principal and interest payments made on Wastewater Treatment System Bonds and Notes issued.

What records were not available to you?

Audit reports for the years 1967 and 1968, and for the years prior to 1961 were not available. Official Statements for the following debt issues were not available: 1965 BANs, 1966 BANs, 1967 BANs, 1968 BANs, 1969 BANs, 1970 BANs (2 issues), 1973 BANs, and 1974 BANs.

How did you deal with the absence of that data?

The combination of available Audits and Official Statements provided all of the information necessary to compile the principal and interest payments made on all Wastewater Treatment System Bonds and Notes issued.

What was the total amount of principal and interest which you determined?

\$\$122,128,838.

Where does that appear in your report, NBCUA – 1?

Page 6 – Exhibit C

What steps, if any, did you take to confirm or prove the correctness of that figure?

We compared principal and interest paid as provided in the analysis of debt information contained in our report Exhibit C to principal and interest paid per the audits for reasonableness.

Did you include any adjustment for inflation?

No

Did you include any compounding of interest?

No

How did you treat defeasance or refunding bond issues?

Any bonded debt which was subsequently defeased or refunded was not included in the amounts paid toward principal and interest. The defeased amounts were eliminated from the scheduled debt service payments contained in the closing documents and official documents and therefore was not included in the total cost

In other words, you were careful not to count the same principal amounts twice in the case of bonds which were defeased or refunded.

Correct

How did you treat capitalized interest?

Capitalized interest was not included in the calculations and was eliminated from the scheduled debt service payments for interest contained in the official statements.

Again, you were careful not to include the same interest payments twice in your calculation

Correct

How did you treat scheduled future debt service requirements?

Future debt service requirements as of December 31, 2006 were not included in the calculation since the Authority has not yet paid these amounts. The sewer connection fee should be adjusted on an annual basis to reflect the future debt service payments as they occur.

Where do those items appear in your report?

Page 18 – Exhibit G

2. Did you determine the total capital expenditures funded by capital outlay, in other words, any amounts paid for capital expenditures from the Authority's own funds and not from the proceeds of bond issues?

Yes

How did you go about determining the amount paid from capital outlay?

Summarized the amount of capital outlay which was expended per the Authority's audits for the period 1961 through 2006..

How did you treat vehicles and equipment in this context?

In order to be conservative, we assumed that all purchases made for vehicles and equipment not related to the sewer system were paid from capital outlay expenditures. The amount of capital outlay expenditures was then reduced by the amount paid for vehicles and equipment not related to the cost of the sewer system.

How did you go about determining the value of the vehicles and equipment purchased (i.e. – non-infrastructure assets)?

I reviewed the audited fixed asset report for vehicles and equipment as of December 31, 2006 to determine the portion of amounts paid for vehicles and equipment which were not paid toward the cost of the sewer system.

What were the results of that determination?

I determined that out of the \$8,248,038 spent from capital outlay for the period 1961 through 2006, \$769,249 was spent on vehicles and equipment.

Where does that appear in your report?

Page 5 of my report – Exhibit B

3. Under the statute, the next step is the total of all gifts, contributions & subsidies

Correct

What investigation did you do in that context?

Review audits for the years 1961 through 2006 as well as financial data to determine if any grant awards, gifts, contributions or subsidies were used to defease debt.

How do you know that Grant Proceeds were not included in the capital outlay spent as part of the budget process?

The grant awards have guidelines established which require that these funds are separately accounted for outside of the budget process. I reviewed audits to ensure that the grant awards were not included in the operating budget where capital outlay is paid from.

What did you determine as to whether any grants or gifts needed to be included in the calculation?

**\$3,071,137 of Federal and State Grant funds received were used to defease bonded debt service on the 1973 A Bond Issue.
\$620,000 of Federal and State Grant funds received were used to pay down the principal on the 1974 Bond Anticipation Notes.**

4. The next prong under the statute is the amounts paid to the NBCUA by any public entity on account of capital costs

Were there any such costs paid?

There were no costs paid by any public entity toward capital expenses as per NBCUA representation.

5. Did you then calculate the NBCUA's net investment in the sanitary sewer collection and treatment system permissible under the statute?

Yes

How did you go about calculating that amount?

The results of my calculation are presented in my report on Page 5 – Exhibit B, Page 5.

What did you determine the net investment in the system to be?

\$115,803,367

6. The next step under the statute is determining the average daily flow from the average single family residence in the service area to compute a base service unit

Correct

How did you go about determining that number?

I contacted the NBCUA's consulting engineer Jerome Sheehan from T&M Associates and relied on his recommendation of 300 gpd as the average daily flow for a single family residence, which has been used to determine the equivalent service unit for the NBCUA

7. The next step was a determination of the total number of equivalent service units in the service area

How did you go about determining that?

I used the NBCUA 2006 Historical Flow Information for the last 5 years by member municipality. I then averaged the 5 years and divided the sum by 108,000 gpy (or 300 gpd) to determine the number of equivalent service units.

Why did you average 5 years of flow?

In order to be conservative and discount the possibility of an aberrant year based on above average or below average rainfall

What did you determine to be the number of equivalent service units in the NBCUA system?

33,947

Where does that appear in your report?

Page 4 – Exhibit A

8. The next step was the calculation of the connection fee cost per service unit.

How did you go about that calculation?

We divided (i) the net total investment in the system (i.e., the total debt service and total capital costs paid) by (ii) the number of equivalent service units

What did you determine that number to be?

\$3,411

9. The connection fee statute requires that the combination of the NBCUA's service charges and the connection fees will meet the requirements of N.J.S.A. 40:14B-23. What is your understanding of that statutory requirement?

That the combination of service charges and connection fees of the NBCUA will at all times be adequate to pay all of the expenses of operation and maintenance of the system without creating a windfall to the Authority.

Does the combination of the service charges and the proposed connection fees meet that requirement?

Yes

HOWARD HURWITZ

10. After determining the connection fee cost per service unit, the Authority requested that you apply a reduction across-the-board to reach a lower fee.

The Commissioners determined that the cost of \$3,411 was onerous and asked that the staff investigate connection fees at other facilities. My investigation identified the following Sewer Connection Fees in New Jersey:

Based on this investigation, I recommended to the Commissioners that a reduction (of 50%) be applied to the actual cost of \$3,411.

11. By applying the reduction of 50% across-the-board, is the resulting reduced fee fair and reasonable?

Yes. The recommended 50% reduction will result in a Connection Fee of \$1,706, which is considered fair and reasonable when compared with other connection fees within New Jersey.

JERRY SHEEHAN

What is your educational background?

I have been awarded a Bachelors Degree (1970) and Masters Degree (1972) in Civil and Environmental Engineering from Newark College of Engineering which is now the New Jersey Institute of Technology.

What licenses do you hold?

**I hold a Professional Engineering License.
I am also a licensed Sewage Treatment Plant Operator
and Collection System Operator**

How long have you been an engineer?

I have been an engineer for 36 years and a Professional Engineer for 30 years.

How long have you served as Engineer for NBCUA?

I have served as the NBCUA's engineer for the past three years.

What is your recommendation as to the daily flow for a single family residence to determine the equivalent service unit for the NBCUA?

The amount of flow attributed to a single family, three bedroom residence is 300 gpd. This is the industry and NJDEP standard and is widely utilized to estimate sewage flows.

What is that based upon?

The NJDEP standard was established in NJAC 7:14A-23. The regulations also include flow standards for many other types of buildings and uses which have been incorporated into the NBCUA's connection fee program.

K:\Heather Goldstein\NBCUA\Connection Fees\Testimony re Connection Fees 11-20-07.doc