



**MINUTES  
REGULAR MEETING  
NOV. 1, 2011**

1. The Chairman called the Meeting to order at 7:45 p.m.
2. The Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Chewcaskie, Dachnowicz, Kasparian, Kelaher, Plumley, Rotonda, Shafron, Dator.
4. Salute to the Flag. The salute to the flag was led by the Chairman.
5. Chairman's remarks. According to our by-laws the Chairman appointed a Nominating Committee Consisting of Commissioner Chewcaskie as Chairman along with Commissioners Dachnowicz and Kelaher.
6. Approval of Minutes.

Regular Meeting of Oct. 4, 2011. Commissioner Kasparian made a motion to approve the minutes as presented, seconded by Commissioner Rotonda. All Commissioners present voted in favor of approving the minutes of the Regular Meeting of Oct. 4, 2011.

7. Public Comments. No public comments.
8. Consideration for approval list of Resolutions attached dated Nov. 1, 2011.

All Resolutions were discussed during the work session.

Resolution #83-2011. Approval of Vouchers, Payroll Transfers, Payroll Tax Deposits and Pensions and Benefits Transfers for the month of Oct. 2011 and Health and Dental Benefits for Nov. 2011. Payroll Account \$194,995.18; Tax Deposit Account , \$73,518.58; PERS and Contributory Insurance \$24,965.81; Health Benefits \$85,820.98; Dental Benefits \$5,056.10; DCRP Employee Contribution \$27.08; DCRP Employer Contribution \$12.50; Operating Account \$196,407.28; General Improvement Account \$175.00; 2009A Project Account \$36,563.84; 2010 WWT Project Account , \$550,733.00. Resolution was moved by Commissioner Rotonda, seconded by Commissioner Kasparian. All Commissioners present voted in favor of the Resolution.

Commissioner Chewcaskie abstained on all payments to vendor #0350 and Commissioner Rotonda abstained on all payments to vendor #1067.

**The Chairman thanked the Authority attorneys on the wording of Reso.#84 the 2012 Preliminary Budget. This resolution is basically rescinding what we did last month and adopting the budget which was reviewed over the past month. The Chairman asked if there were any questions on the budget. There being no questions he read the last two pages of the Resolution**

**Resolution #84-2011 Preliminary Budget for Fiscal year Period January 1, 2012 to Dec. 31, 2012. This resolution was to rescind Resolution #78-2011 adopted Oct. 4, 2011 due to additional information that has become known to the Authority concerning availability of bond reserve funds and health insurance rates which affect the 2012 budget. The preliminary annual budget and capital budget for the NBCUA for fiscal year 2012 has been presented before the Commissioners and as introduced reflects total revenues of \$15,491,114, total appropriations, including accumulated deficit, if any, of \$15,671,114 and total unrestricted net assets utilized of \$180,000. The Capital Budget as introduced reflects total capital appropriations of \$8,050,000 and total unrestricted net assets planned to be utilized as funding of \$-0- and total other sources provided in the Operating Budget appropriations as capital outlay planned to be utilized as funding of \$500,000. The preliminary Annual Budget, including appended supplemental schedules, and the capital budget program of the NBCUA for 2012 was approved and authorize the late introduction and submission of the preliminary Annual Budget and Capital Budget of the NBCUA to the State Div. Of Local Government Services. The Commissioners will consider the annual budget and capital budget for final adoption on Dec. 6, 2011 in the offices of the Authority, 30 Wyckoff Ave., Waldwick, N.J. at 7:00 p.m. The preliminary budget is also being filed with the NBCUA Trustee, Consulting Engineer and member municipalities. The resolution was moved by Commissioner Chewcaskie, seconded by Commissioner Kelaher. All Commissioners present voted in favor of the resolution.**

**Resolution #85-2011. Retention of Authority Engineer for SCADA Maintenance Services. The original resolution #49 dated May 3, 2011 authorized an estimated amount of \$12,555 for CH2M Hill to perform this service. The budget for this task has been exhausted due to the increased frequency of emergency on-site maintenance services required since the start of the contract. The Authority believes it is beneficial to increase the authorized budget for this task by \$13,445 for CH2M Hill to continue to provide annual SCADA maintenance services for the remainder of the contract period ending March 31, 2012. The resolution was moved by Commissioner Rotonda, seconded by Commissioner Kasparian. All Commissioners present voted in favor of this resolution.**

**Motion No.1 – Motion to approve Executive Director Hurwitz and Chairman Dator to attend the AEA Conference in Atlantic City, Nov. 15 – 17, 2011. The Motion was moved by Commissioner Kelaher, seconded by Commissioner Plumley. All Commissioners present voted in favor of the motion.**

9. **Reports of Committees (November 2011 Work Session Highlights)**

- A. **Finance Committee – We approved a Preliminary Budget last month which was conditionally vetoed by the County Executive pending “receipt, review, analysis and acceptance of the complete Budget for Fiscal Year 2012”. A meeting was held with the Authority Auditor to request his support in preparing the final budget document for submittal. After his review he pointed out that \$901,588 held in Bond Reserve Funds would be freed up for use by the Authority in mid 2012, instead of in 2013 as previously assumed. The budget documents require recognition of these funds.**

**At the same time, the State released Health Benefit insurance rates for 2012 which were about \$50,000 higher than had been assumed in our 2012 budget, increasing our Operating Budget for 2012 by this amount.**

**The 2012 Budget was revised to recognize these changes. The bond reserve funds will be applied to our Budgeted Capital Projects and also to reduce the Municipal Service Charges by 2% for 2012.**

**The Preliminary Budget was passed by Resolution #84-2011. The Public Hearing on the final budget will be Dec. 6, 2011 at 7:00 p.m.**

- B. **Personnel Committee – Nothing to report.**
- C. **Insurance Committee – Recent changes to the NJ rules regarding employee health benefit costs require the Authority to offer an IRS Code Section 125 tax program and a Flexible Spending Account program. There is a meeting scheduled with Brown & Brown, our Insurance Consultant to support these activities.**
- D. **Operating Committee – a report was presented during the Work Session. Highlights are as follows:**

**Franklin Lakes Interceptor – There were various meetings and conference calls in order to move the project forward. Based upon the results of the conference call, we should be in a position to start this project next year.**

**Trap Grease Pilot Test Program – The Contract will be going out to the successful bidder.**

**Discharge Permit Appeal – The Authority continues to pursue a Permit Modification to address ammonia discharge limits before the limit becomes effective.**

**Authority Improvement Programs** – A project meeting was held with the contractor for the UV Treatment System and installation is scheduled for late this year.

**Public Relations Consultant** – Meeting was held with Public Relations Consultant to discuss implementation of a newsletter to keep the towns informed.

**Oakland Sewer Update** – Oakland is taking a more active role with respect to the Franklin Lakes Interceptor. There have been various communications between Oakland's engineer and the Authority's engineer.

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

10. **Report of Treasurer** - \$7.5 million in short-term investments of which \$2.7 million invested at Bank of New Jersey at a rate of 1 ½ % and the balance with TD Bank, \$1.8 million at no interest in lieu of paying any fees. Also, \$2.7 million at rates of .05% and the balance of \$300,000 at .03%. Rates are going lower.
11. **Report of Counsel** – A written report was distributed to the Commissioners (copy attached).
12. **Report of Engineer** – A written report was distributed to the Commissioners (copy attached).
13. **Report of Executive Director** – 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).** No public comments.
18. **Adjournment.** Motion to adjourn was made by Commissioner Kasparian, seconded by Commissioner Chewcaskie. All Commissioners present voted to adjourn at 7:55 p.m.

  
Madeline Thumudo, Secretary

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TO: Northwest Bergen County Utilities Authority Commissioners  
FROM: Jeffrey A. Zenn  
DATE: October 31, 2011  
RE: Monthly Counsel Report  
CC: Howard Hurwitz, Executive Director  
Madeline Thumudo, Administrative Assistant/Board Secretary

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

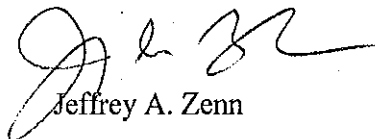
1. Review of trap grease bid proposal and prepare analysis for conformity with bid specs. Prepare Resolution approving award of contract. Review bid proposal and general conditions for any additional documents needed.
2. Conferred with the Executive Director and Commissioners on various budget issues and the County Executive's veto power. Performed legal research in connection with various issues related to same including review of bond covenants and discussion with bond counsel. Meeting with County Counsel and County Administrator. Discussions with Authority auditor.

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3. Attendance at Operating Committee meeting and Public Meeting.
4. Review bylaws for setting compensation of Authority employees.
5. Review of various correspondence and memoranda re: Franklin Lakes bid objections and review of project bids.
6. Reviewed and revised form of resolutions for annual budget.
7. Review of the Authority's participation in the USEPA Rulemaking Petition concerning SSI and litigation status updates.
8. Receipt and review of sewer application extension for supermarket in Wyckoff.

If you have any questions, please contact me.

Respectfully submitted,



Jeffrey A. Zenn

NBUA-G1102

October 25, 2011

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

REC'D OCT 28 2011

**Re: Monthly Report – October 2011**

Dear Mr. Dator:

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

**Franklin Lakes Sewer Project** – The Franklin Lakes Sewer Project was awarded to Underground Utilities in the amount of \$3,806,433.43 at the Authority's September meeting. The award is subject to DEP approval and authorization to award. T&M is preparing a submittal to the DEP to secure same. One item required for that submittal is certification that all easements and property have been acquired for the project. The Authority and Doug Bern have been continuing with the process of acquiring the necessary easements for the project. T&M and Mr. Bern previously met with the Racquet Club representatives in September to review easement requirements on their property and met with the car wash representatives on October 20, 2011. Concurrently, the Authority is continuing to work with the Franklin Crossing property owner for the property required for the pump station but is also considering alternate pump station locations.

A meeting was also held during the month with Borough representatives and the Borough engineer to review the project and discuss project changes to facilitate connection of adjacent areas.

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

**Scum Trough Replacement** – During the month of October there were no system problems reported. The Authority continues to lubricate the system weekly in accordance with the manufacturer's recommendations and along with NBCUA, we will continue to monitor operation and O-ring durability prior to closing out the project.

**Wastewater Management Plan Amendment** – All of the municipalities have adopted the appropriate ordinances for the communities to be in compliance with the Authority's Wastewater Management Plan with the exception of Washington, Saddle River, and Upper Saddle River. Washington Township is coordinating with the DEP regarding the applicability of the Riparian Ordinance compliance requirement given that all streams in the small portion of their municipality that is under the Authority's service area are already protected as C1 Waterways. Saddle River did not supply the correct ordinance required and we provided them with another copy of the Riparian/Stream Corridor Protection Ordinance required. We have not yet received the correct ordinance. Upper Saddle River has provided no response either to the July letter or phone inquiries.



*Le: Mr. William Dator, Chairman  
Northwest Bergen County Utilities Authority*

*Re: Monthly Report – October 2011*

Pending authorization from the Authority, T&M will submit the revised WMP to the NJDEP. The next step, once the plan amendment is approved, will be publication of a Public Notice in the Authority's newspaper.

**Oakland Sewer Service** – There has been no recent activity on this project by T&M Associates.

**Ultraviolet Disinfection System Improvements** – A majority of the shop drawings required for the project have been reviewed and returned. Shop drawings for the UV equipment and the flow meter were recently submitted and currently under review.

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

**Grease Separation Facility Pilot Test** – The NJDEP has advised that the NBCUA can proceed with a 6 month pilot test of a grease separation facility without the need for a Treatment Works Approval (TWA). The NJDEP has requested a Concept Plan be submitted for review prior to them issuing approval to proceed. NBCUA recently provided Concept Plan information to T&M which we are reviewing. Once acceptable to NBCUA and T&M, we will forward to the DEP and request approval on behalf of the Authority to move forward with the pilot test.

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

Very truly yours,

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

KWH:JJM:scb

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

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