



**NORTHWEST BERGEN COUNTY
UTILITIES AUTHORITY**

30 Wyckoff Avenue
at Authority Drive
P.O. Box 255
Waldwick, NJ 07463

Tel: 201.447.2660
Fax: 201.447.0247
www.nbcua.com

**MINUTES
REGULAR MEETING
OCT. 2, 2012**

1. The Chairman called the Meeting to order at 7:50 p.m.
2. The Chairman read the statement in compliance with C.231, PL 1975.
3. Roll Call: the following Commissioners were present: Dachnowicz, Gabbert, Kasparian, Kelaher, Plumley, Salazer, Chewcaskie. The following Commissioners were absent: DaPuzzo, DePhillips.
4. Salute to the Flag. The salute to the flag was led by the Chairman at the Public Hearing which preceded this meeting.
5. Chairman's remarks. The Chairman had no remarks at this time.
6. Approval of Minutes.

Regular Meeting of Sept. 4, 2012. Commissioner Kasparian made a motion to approve the minutes as presented, seconded by Commissioner Gabbert. All Commissioners present voted in favor of approving the minutes of Sept. 4, 2012.

7. Public Comments. No public comments at this time.
8. Consideration for approval list of Resolutions attached dated Oct. 2, 2012.

All Resolutions were discussed during the work session. The Motion on the list can be ignored as discussed.

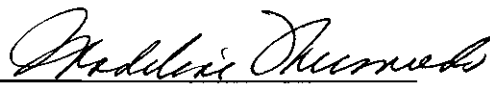
Commissioner Kasparian moved Resolutions #57-2012 and #58-2012, seconded by Commissioner Kelaher. All Commissioners present voted in favor of these Resolutions.

Resolution #57-2012. Approval of Vouchers, Payroll Transfers, Payroll Tax Deposits and Pensions and Benefits Transfers for the month of Sept. 2012 and Health and Dental Benefits for Oct. 2012. Payroll Account \$194,455.78; Tax Deposit Account , \$75,013.34; PERS and Contributory Insurance \$26,637.51; Health Benefits – Employer \$89,819.30; Health Benefits – Employee \$2,435.66; Dental Benefits \$4,308.81; DCRP Employee Contribution \$22.92; DCRP Employer Contribution \$12.50; Operating Account \$204,721.55; 2009A Project Account \$27,708.86; 2010 WWT Project Account , \$221,455.59.

Resolution #58-2012 Authorization to Rescind Contract #256 awarded to Rapid Pump & Meter Service Co., Inc. This resolution was to rescind the award of the contract for Rapid Pump and Meter to provide grease collection and separation system demonstration installation at the Authority's facility.

Motion No.1 – TABLED

- 9. Reports of Committees**
 - A. Finance Committee – Nothing further to report.**
 - B. Personnel Committee – Nothing to report.**
 - C. Insurance Committee – The new Risk Manager has been contacted and we are awaiting his signed contract.**
 - D. Operating Committee – a report was presented during the Work Session. (copy attached)**
 - E. Buildings & Grounds – Nothing further to report.**
- 10. Report of Treasurer - \$8 million in short-term investments of which \$2.5 million invested at TD Bank receiving no interest in lieu of fees. \$2.5 million at Bank of New Jersey at 1.25% and the balance at TD Bank @ .10%.**
- 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 Dachnowicz. All Commissioners present voted to adjourn at 7:57 p.m.**


Madeline Thumudo, Secretary

Northwest Bergen County Utilities Authority
Operating Report September 2012

- 1) Plant Operations – Average plant flows for the month of September thus far are up slightly to about 7.7 mgd, considerably below the average for the early part of the year. Plant operation continues to be satisfactory.

Odor complaints, primarily from the Waldwick PD continue. Rob and I met with Mayor Giordano and Councilman Palladino on September 7 to discuss the issue. The Councilman provided a list of odor complaints logged at by the PD and it was noted that most of them had not been forwarded to the Authority. It was agreed that we would provide copies of all complaints received by the Authority on a weekly basis.

There have been 6 odor complaints during the month of September, all from the Waldwick police and all “after” hours. The mayor and councilman have been sent copies of the odor log reports

- 2) 2013 Budget – The Preliminary 2013 will be on the agenda for the October meeting. The schedule requires the budget to be submitted to the Division of Local Government by November 1, 2013. Copies of the required budget documents will be available at (or prior to) the Budget Meeting.

- a) 2013 Capital Budget – The 2013 Capital Budget and 5 year projection was presented to the Commissioners last month. Copies were made available to our auditor to serve as the basis for future debt service projections.

- b) 2013 Operating Budget – The 2013 Operating Budget has been prepared and reviewed with the Finance Committee. The budget projects a small increase from 2012 of 1.85%. This is offset by a reduction in debt service payment resulting in a reduction of \$431,600 when compared with 2012. The picture is complicated by the availability of Bond Reserve Funds in the amount of \$2,962,535 which will no longer be classified as Restricted Assets. The budget plans to distribute these funds as follow:

- \$850,000 to fund capital projects.
- \$498,552 to be used as a subsidy to allow a 2% reduction in municipal service charges.
- \$1,613,983 to be set aside for future Rate Stabilization

- c) Rate Stabilization Program – As discussed previously, annual debt service payments by the Authority are scheduled for a major reduction in 2014. As a result, some \$2.96 million in bond reserves will become available in 2013. The Commissioners have determined that future plans should include continuing reductions in municipal service charges (planned at 2% per year) by applying these funds over a number of years. Our auditor has continued to update our rate stabilization plan to assure this approach

- 3) Franklin Lakes Interceptor

- a. Project Status – NBCUA is now receiving copies of T&M inspection reports and job photos. Work has progressed along Susquehanna Ave. to Pulis Ave. Next phase will be at Franklin Crossing Shopping Center. Work is also planned on Franklin Ave. at the RR crossing. We are waiting for a promised schedule update from the contractor.

b. Change Order Status

- Meetings have been held with UUC to discuss project change orders. Change Order #1 in the amount of \$239,999.78 will increase the cost from \$3,806,433.49 to \$4,046,433.27. The scope of this Change Order includes the adjustments in piping depth along the route, the force main connection for Mountain Shadows Condominium and the revised pump station design at Franklin Crossing. This Change Order will be on the agenda for the October meeting.
- T&M has prepared cost estimates for extending the interceptor on Pulis Avenue, north and south under the RR tracks. Estimate based on unit pricing is \$170k - \$190k. Option to be considered by Commissioners based on discussions with Franklin Lakes' governing body.
- The County of Bergen has requested that the contractor replace all storm water piping on Franklin Avenue during the installation of the collection main. T&M to comment.
- Contractor has provided a revised schedule for the project. Note, that he has all pipe work done inside of the 540 days from Notice to Proceed (23 August 2012). He has put an additional site supervisor to help with the work coordination.

4) I&I Collection System Investigations

- a. Allendale – The Commissioners have approved the proposed I&I study for Allendale. Boswell Engineering will manage the program and the Borough has been provided with all of the details of the proposed program. A meeting will be held as soon as Allendale representatives are available.
- b. Waldwick – A meeting was held with Boswell Engineering to discuss a more productive investigation. It was agreed that we should refocus the investigation on potential infiltration into our interceptor as it flows through Waldwick. Activities include review of all existing flow data and testing and potential sonar testing of the interceptor for potential breaks.

5) Trap Grease Project Trap Grease Demonstration Program – The Authority last awarded a contract to Rapid Pump & Meter on October 4, 2011. The contract has not been executed by the successful bidder presumably due to financing issues. The Authority met with several consultants attempting to provide due diligence for investors in this project. At the same time we have been contacted by representatives of North American Biofuels Company, who claim they have an operating facility in Bridgeport, CT. The staff has requested more information and the opportunity to visit the Bridgeport facility.

6) Sludge Incineration

- a) IDI Incinerator Rebuild - Chavond-Barry has conducted an engineering investigation and prepared preliminary recommendations concerning the rehabilitation of the IDI incinerator. The IDI incinerator can be restored to operating condition with a minimum of repair work. Estimates for mechanical and refractory work are in the range of \$50,000. This work has been authorized.
- b) SSI MACT Compliance - We have begun an investigation of system retrofits necessary to meet the new SSI emission regulations. A meeting was held with other NJ incinerator operators to discuss the new federal air emission regulations which will require an upgrade to air pollution control equipment. Deadline for meeting the new emission limits is 2015.

Several authorities have already begun engineering investigations. It appears that compliance will require the installation of large “tank” containing specially treated carbon which will absorb contaminants in the flue gas. Other required equipment will include a fan (blower) and a heater to dry the gas. Very rough estimates are \$1.5 to \$2.0 million for the carbon tank which may be available

only from a manufacturer in Germany. We have included \$5.5 million in our 2014 budget, to be funded by debt service, for this installation. Engineering studies will begin later this year.

- 7) Strategic Plan – As a part of our Rate Stabilization program we have decided it is in our best interest to formalize a Strategic Plan for the future. The Authority has performed a number of studies during the past several years evaluating build-out opportunities to improve plant capacity. The Chairman has made appointments to a Strategic Plan subcommittee. A meeting or conference call is planned.
- 8) Personnel - Several issues have been discussed with our Labor Counsel. These are considered confidential at this time.
- 9) Miscellaneous
 - a) Oakland Sewer Update - Crew Engineers has completed their Conceptual Feasibility Analysis Report and submitted it to the Highland Council. They should hear back from the HC shortly and will then be able to really start addressing some specifics.

SOKOL, BEHOT & FIORENZO

COUNSELLORS AT LAW
CONTINENTAL PLAZA
433 HACKENSACK AVENUE
HACKENSACK, NEW JERSEY 07601

P: 201-488-1300
F: 201-488-6541

www.sbflawfirm.com

LEON J. SOKOL (NJ, NY & FL BAR)
JOSEPH F. BEHOT, JR. (NJ & NY BAR)
JOSEPH B. FIORENZO (NJ & NY BAR)
JEFFREY A. ZENN (NJ & DC BAR)
MICHAEL P. FELTMAN
HERBERT B. BENNETT
NEIL YOSKIN (NJ & PA BAR)

229 NASSAU STREET
PRINCETON, NEW JERSEY 08542-4601
NEIL YOSKIN, PARTNER IN CHARGE
P: 609-279-0900
F: 609-497-2377

One Grand Central Place
60 East 42nd Street
Suite #2527
New York, New York 10165
P: 212-661-2523

STEVEN SIEGEL (NJ & NY BAR)
SUSAN B. BURNS (NJ & NY BAR)
ANTHONY BEDWELL (NJ & CA BAR)
DAVID RUBENSTEIN (NJ, NY & FL BAR)
ANTHONY S. BOCCHI
MATTHEW J. COWAN (NJ, NY & FL BAR)

OF COUNSEL
SCOTT E. REKANT (NJ & PA BAR)

OF COUNSEL FOR MATTERS OF TAXATION
KULZER & DIPADOVA, P.A.

jazenn@sbflawfirm.com

TO: Northwest Bergen County Utilities Authority Commissioners

FROM: Jeffrey A. Zenn

DATE: September 27, 2012

RE: Monthly Counsel Report

CC: Howard Hurwitz, Executive Director
Madeline Thumudo, Administrative Assistant/Board Secretary

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

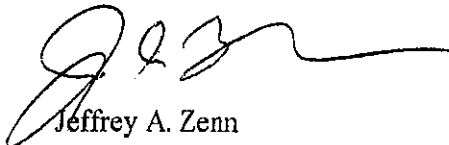
1. Receipt and review Appellate Division Order denying County Executive's request for leave to appeal. Receipt and Review of Notice of Appeal filed by County Executive. Preparation of Appellate Case Information Statement, Statement of Facts and Procedural History.
2. Respond to Record OPRA request with Sokol, Behot & Fiorenzo invoices and coordinate response with Authority.
3. Correspondence to and from Underground Utilities Corp (UUC) relating to contract in Franklin Lakes concerning change orders. Legal research re: bid package interpretation. Meeting with UUC and its representatives to negotiate change orders. Prepare memo to Chairman re: proposed settlement.
4. Correspondence to and from property owner concerning easement agreement for access to Ramsey meter station.

SOKOL, BEHOT & FIORENZO

5. Review and revise notice and agenda for regular meeting.
6. Receipt and review of County Executive's veto letters.
7. Review Risk Manager responses from bidders Background check on Alamo Insurance.
8. Review and revise Professional Services Resolution for McIntire.
9. Memo to Executive Director re: OPRA procedures.
10. Review trap grease resolution and bid acceptance; review proposed changes to contract; memo to Executive Director re: termination of bid.
11. Correspondence with attorneys regarding Inserra Supermarkets sewer connection in Wyckoff.
12. Attend the Work Session, Public and Operating Committee meetings.
13. Correspondence and communication with the Chairman and Executive Director concerning all of the foregoing.

If you have any questions, please contact me.

Respectfully submitted,



Jeffrey A. Zenn

NBUA-G1202

September 24, 2012

Mr. Howard Hurwitz, Executive Director
Northwest Bergen County Utilities Authority
30 Wyckoff Avenue at Authority Drive
P.O. Box 255
Waldwick, New Jersey 07463

Re: Monthly Report – September 2012

Dear Mr. Hurwitz:

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

Franklin Lakes Sewer Project – Underground Utilities Corporation (UUC) completed the installation of gravity sewer and force main on Susquehanna Avenue to a point approximately 50 feet from Pulis Avenue. Subsequently, the contractor commenced sewer and force main installation on the Franklin Crossing property at the downstream end of the project in the vicinity of the pump station. As of September 21, 2012, the contractor has installed pipe in the Franklin Crossing property up to the vicinity of manhole 20, which is approximately 180 feet from Franklin Avenue. They have completed approximately 70% of the pipe installation in Franklin Crossing. The contractor has also initiated construction of the jacking pit for the railroad crossing on Franklin Avenue.

T&M Associates and the Authority's Attorney again met with representatives of UUC and their attorney to discuss compensation for sewer changes on the various roads in the project and for the pump station modifications. At the meeting a tentative settlement was reached to cover all of the following changes listed below:

- Lowering the sewer on Susquehanna Avenue
- Lowering the sewer on Pulis Avenue
- Installing the 3" force main on Pulis Avenue to the frontage of Mountain Shadows
- Raising the Franklin Avenue sanitary sewer under the railroad (due to the water main conflict).
- Extending the Susquehanna Avenue sewer to the Pulis intersection
- Eliminating a section of sewer at the upstream end of Franklin Avenue
- Pump station changes required as a result of constructing the pump station in an easement rather than on a lot and eliminating the use of the existing building.
- A change order has been prepared incorporating all of these changes and was distributed to the contractor and Authority personnel for review and execution.

At the request of the Authority, T&M is pursuing an application with the DEP for supplemental funding to cover costs related to the above change order as well as the cost for the potential additional gravity sewer extensions north on Pulis Avenue and south under the railroad tracks to Tice Lane.

Annual Report – The Authority has requested the Darlington Road Pump Station interceptor be inspected for the 2013 Annual Report. T&M will be coordinating those inspections with Authority staff in the coming weeks.

ENERGY & UTILITIES • ENVIRONMENTAL • PUBLIC WORKS • REAL ESTATE DEVELOPMENT
SOLID WASTE • TRANSPORTATION • WATER & WASTEWATER



NBUA-G1102
September 24, 2012
Page 2

*Le: Mr. Howard Hurwitz, Executive Director
Northwest Bergen County Utilities Authority*

Re: Monthly Report – September 2012

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

Ultraviolet Disinfection System Improvements – Cothery Construction has completed the UV system 72 hour test and supplied results of the testing to our office for review. The results have been reviewed and found acceptable and T&M is preparing project closeout documents.

Grease Separation Facility Pilot Test – NJDEP has approved the Authority request to proceed with the pilot test of the proposed grease separation facility.

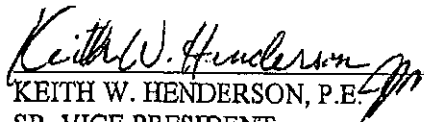
Site Improvements (Paving and Slope Stabilization) – T&M has completed the paving design and lighting improvements and the associated construction documents. Options for slope stabilization in the area of the upper roadway were investigated and provided to the Authority. At this time the Authority advised that the project would be put on hold pending the status of the grease separation facility construction.

Darlington Road Pump Station Upgrades – The plans and specifications for the valve actuators for the Darlington Road Pump Station have been completed. At this time T&M is internally reviewing the documents and will forward a draft to the Authority for comment.

Primary Tank Improvements – T&M has recently been authorized to proceed with improvements to the internal equipment and rails in primary tanks 1, 2, and 3. T&M will arrange for a kickoff meeting with Authority staff to discuss and confirm scope of work and will proceed with preparation of plans and specifications for the proposed improvements.

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

Very truly yours,


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

KWH:JJM:scb

cc: Authority Commissioners
Robert Genetelli, Superintendent
Jeffrey Zenn, Esq.

H:\NBUA\G1202\Correspondence\Hurwitz_KWH_Status Report September 2012.doc