



**MINUTES  
REGULAR MEETING  
OCT. 4, 2011**

1. The Chairman called the Meeting to order at 7:55 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 at the Public Hearing which preceded this meeting.
5. Chairman's remarks. The Chairman had no remarks at this time.
6. Approval of Minutes.

Special Meeting of Sept. 6, 2011 and Regular Meeting of Sept. 6, 2011. Commissioner Kasparian made a motion to approve the minutes as presented, seconded by Commissioner Dator . All Commissioners present voted in favor of approving the minutes of Sept. 6, 2011.

7. Public Comments. No public comments at this time.
8. Consideration for approval list of Resolutions attached dated Oct. 4, 2011.

All Resolutions were discussed during the work session.

Commissioner Chewcaskie moved Resolutions #79-2011 thru #82-2011 seconded by Commissioner Kasparian. All Commissioners present voted in favor of these Resolutions. Commissioner Chewcaskie abstained on all payments to vendor #0350 in Resolution #79-2011.

Resolution #79-2011. Approval of Vouchers, Payroll Transfers, Payroll Tax Deposits and Pensions and Benefits Transfers for the month of Sept. 2011 and Health and Dental Benefits for Oct. 2011. Payroll Account \$208,848.15; Tax Deposit Account , \$78,811.59; PERS and Contributory Insurance \$22,000.31; Health Benefits \$85,820.98; Dental Benefits \$5,056.10; DCRP Employee Contribution \$22.92; DCRP Employer Contribution \$12.50; Operating Account \$268,416.14; 2009A Project Account \$4,695.00; 2010 WWT Project Account , \$18,799.28.

Commissioner Chewcaskie abstained on all payments to vendor #0350.

**Resolution #80-2011 Authorizing Renewal of Membership in the New Jersey Utility Authorities Joint Insurance Fund and Authorizing Chairman to execute Agreement to renew such membership. This resolution is to extend the Authority's membership to Dec. 31, 2014 at the same terms and conditions as now apply.**

**Resolution #81-2011. Authorization to award Contract No.259 for Franklin Lakes Sewer Project. This resolution is to award the bid to Underground Utilities Corp., the lowest responsible bidder, at a total bid amount of \$3,548,574.79.**

**Resolution #82-2011 Authorization to award bid pursuant to Contract No.256 to Rapid Pump & Meter Service Company, Inc. to provide grease collection and separation system demonstration installation. This resolution is to award the bid to the sole bidder at a bid price of \$75,000 per month with a minimum capacity guarantee of 1,065,000 gallons per month of trap grease to be processed.**

**Motion No.1 – Motion to grant an unpaid leave of absence for Jason Rucki, Plant Operator for personal reasons, from Aug.31, 2011 to Sept. 23, 2011. Motion was moved by Commissioner Rotonda, seconded by Commissioner Kelaher. All Commissioners present voted in favor of the motion.**

**9. Reports of Committees (October 2012 Work Session Highlights)**

- A. Finance Committee – Committee Chairman Kasparian indicated that the 2012 Preliminary Capital and Operating Budgets had been prepared and distributed to the Commissioners and would be voted on during a Special Meeting to be held following the Work Session.**
- B. Personnel Committee – Committee Chairman Shafron reported that the Resolution increasing Administrative and Supervisory Employee salaries for 2011 had been vetoed by the County Executive.**
- C. Insurance Committee – Committee Chairman Shafron reported that renewal of the Authority Membership in the New Jersey Utilities Authority Joint Insurance Fund (JIF) was recommended and was on the Regular Meeting Agenda.**
- D. Operating Committee – a report was presented during the Work Session. Highlights are as follows:**

**Committed Flow Report – The plant averaged 10.5 mgd flow for the month of August and was averaging 15.5 mgd through September 24th.**

**Franklin Lakes Interceptor – Bids received for construction of the Sewer System was reviewed and a recommendation to award is on the**

**Agenda for the Regular Meeting.** The Authority met with representatives of Mountain Shadows Condominium Association to discuss sewer connection issues.

The Authority will investigate a meeting in Franklin Lakes to inform the residents about the project.

**Trap Grease Pilot Test Program** – The Authority has again received bids to provide a trap grease receiving and recovery system to be installed as a pilot test facility and awarded a contract. NJDEP has agreed to approve a 6 month test program.

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

**Authority Improvement Programs** – Incinerator rebuild program is on schedule. Authority awarded a contract to Cothery Construction for a new UV treatment system. Construction will begin in December.

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

10. **Report of Treasurer - \$9.2 million in short-term investments of which \$1.8 million invested at TD Bank receiving no interest but the bank is applying a credit towards our potential fees. High rate of 1.25% at Bank of New Jersey and rates as low as .02% from TD Bank.**
11. **Report of Counsel – A written report was distributed to the Commissioners (copy attached).**
12. **Report of Engineer – A written report was distributed to the Commissioners (copy attached).**
13. **Report of Executive Director – Correspondence was sent to both US senators to ask for their support in rescinding the restrictive emission limits imposed by the USEPA on all Sewage Sludge Incinerators.**
14. **Report of Superintendent – There is a Motion on the agenda to grant Jason Rucki, Plant Operator an unpaid leave of absence for personal reasons.**
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 Rotonda. All Commissioners present voted to adjourn at 8:00 p.m.**

*Madeline Thumudo*  
**Madeline Thumudo, Secretary**

**SOKOL, BEHOT & FIORENZO**

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TO: Northwest Bergen County Utilities Authority Commissioners

FROM: Jeffrey A. Zenn

DATE: October 4, 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. Reviewed the trap grease bid spec and made various recommendations to the bid specs. Reviewed correspondence related to DEP and trap grease project.
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.
3. Reviewed the legal authority for compensation paid to Commissioners.

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4. Reviewed and negotiated agreement with Noble Americas Energy Solutions to purchase Authority SRECs.
5. Reviewed and revised form of resolutions for annual budget.
6. Reviewed wastewater service area documents related to Campgaw sewer service.
7. Review of the Authority's participation in the USEPA Rulemaking Petition concerning SSI and litigation status updates.
8. Correspondence to and from Madeline Corporation regarding reduction in connection fees for special needs housing.

If you have any questions, please contact me.

Respectfully submitted,



Jeffrey A. Zenn

NBUA-G1102

September 27, 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 SEP 29 2011

**Re: Monthly Report – September 2011**

Dear Mr. Dator:

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

**Franklin Lakes Sewer Project** – Bids for the project were received on September 1, 2011. The apparent low bid was provided by Underground Utilities in the amount of \$3,806,433.49, which is below the engineer's estimate. Subsequent to the bid opening, the second low bidder lodged a protest citing that Underground Utilities incorrectly filled out one of the proposal forms. NBCUA counsel reviewed and provided opinion that the protest was unfounded and NBCUA should proceed with award to Underground Utilities. T&M recently prepared a recommendation of award letter and forwarded to the Authority.

The Authority and Doug Bern continued with the process of acquiring the necessary easements for the project. T&M and Mr. Bern met with the Racquet Club representatives on September 21, 2011 to review easement requirements on their property. Concurrently, the Authority is working with the Franklin Crossing property owner for property required for the pump station.

NBCUA received Local Finance Board approval for EIT interim financing at no interest.

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

**Scum Trough Replacement** – The actuator mount for Primary Tank #3 became loose in September. Rapid Pump immediately responded and re-secured the mount. No other system problems were reported. Concern was again raised with the actuator motors exceeding their amperage rating. There was a previous concurrence among the contractor, T&M, and the Authority that this was not a problem, but T&M will further investigate.

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

**Wastewater Management Plan Amendment** – In April, T&M transmitted letters to the Mayors of each NBCUA member town advising them of required ordinances to be passed for the community to be in compliance with the Authority's WMP and the consequences of noncompliance. T&M sent a follow up letter on July 8, 2011 as no feedback had been received. The letter advised each member



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

Re: Monthly Report – September 2011

town that it must respond by September 9, 2011 or it will be removed from the sewer service area of the plan. All of the municipalities have adopted the appropriate ordinances with the exception of Washington, Saddle River, and Upper Saddle River. Washington Township recently communicated to us that they will coordinate 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 C-1 waterways. Saddle River forwarded to us a copy of an adopted ordinance; however, it was not the correct ordinance required. We relayed this information to the Clerk as well as provided her with another copy of the riparian/stream corridor protection ordinance required. As for Upper Saddle River, we have had no response either to our July letter or phone inquiries.

Pending authorization from the Authority, T&M will submit the revised WMP to the NJDEP within the next few weeks. 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.


**Ultraviolet Disinfection System Improvements** – This project was awarded to Cothery Construction in July 2011.

The contractor has provided shop drawings which were reviewed and returned. At this point we are awaiting the shop drawings for the UV equipment.

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

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

Very truly yours,

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

KWH:JJM:scb

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