

**RESOLUTION AUTHORIZING MEETING MINUTES OF DECEMBER 15, 2011**

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**MOTIONED BY:** Raia

**SECONDED BY:** Spaccavento

**WHEREAS**, the North Hudson Sewerage Authority (hereinafter "Authority") is a public body, duly formed under the Sewerage Authorities law, constituting Chapter 138 of the Laws of New Jersey of 1946, as amended (Chapter 14A of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

**WHEREAS**, a regular meeting of the Authority was held on December 15, 2011; and

**WHEREAS**, minutes of the meeting have been prepared by General Counsel and presented to the Authority members and staff for their review.


**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby approves the minutes of the meeting of December 15, 2011 for the record.

**DATED: JANUARY 19, 2012**

**RECORD OF COMMISSIONERS' VOTE**

	YES	NO	ABSTAIN
Commissioner Marotta	x		
Commissioner Raia	x		
Commissioner Schroeder	x		
Commissioner Soares			x
Commissioner Spaccavento	x		
Commissioner Stack	x		
Commissioner Wiley			x
Commissioner Zucconi	x		
Commissioner Wolff	x		

**THIS IS TO CERTIFY THAT THIS RESOLUTION WAS DULY ADOPTED BY THE NORTH HUDSON BOARD OF COMMISSIONERS ON JANUARY 19, 2012.**

  
**SECRETARY**

# **NORTH HUDSON SEWERAGE AUTHORITY**

## **MINUTES OF REGULAR MEETING**

**DECEMBER 15, 2011**

At approximately 6:35 p.m., Chairman Richard Wolff called the meeting to order. Counsel Covello advised that this was a regular meeting of the Authority, and that pursuant to the Open Public Meetings Act, notice of the same had been sent to the Jersey Journal, Star Ledger, the Clerks of Hoboken, Union City, Weehawken and West New York and the Hudson County Clerk, with a copy thereof posted on the Authority's bulletin board. In addition to Chairman Wolff, Commissioners Marotta, Raia, Spacavento and Zucconi were also in attendance at the meeting.

Executive Director, Frederic Pocci, participated in the meeting via telephone conference call.

Counsel Covello advised the Chairman that there are only five commissioners present and because of the lack of a super majority of seven commissioners, no affirmative action could be taken but that Engineers Reports could be made.

### **AECOM.**

Gene DeStefano of AECOM reported as follows:

1. AECOM attended the New Jersey Harbor Dischargers Group Meeting which took place on November 30, 2011. The EPA concluded that the Authority will not be subject to pathogen and nutrient TMDL requirements at its plants because of the ongoing monitoring of the Hudson River in Weehawken over the past two years that demonstrates that the Authority will not be in violation of water quality goals.

2. With respect to the fat, oil and grease biodiesel project, AECOM prepared a draft report on the conceptual layout and economic feasibility of implementing a FOG to fuel program. AECOM will be meeting with the Authority to review the report findings. Comments from the Authority to the Ordinance have been incorporated.

3. With respect to the Purac facility structural repair, the contractor Coppola completed the installation of work continues on the project. AECOM is working on a draft change order to provide coverage for the ancient conditions that were found.

4. The bids for the Fifth Street Pump Station upgrade were received on December 8, 2011. The bids came in higher than expected and none of the bids were recommended.

At 6:40 p.m., Commissioner Stack arrived at the meeting.

5. With respect to the 18<sup>th</sup> Street force main and CSO outfall, the contractor completed the receiving pit and the contractor mobilized equipment for the micro tunneling operation. The project is expected to be completed in March, 2012.

At 6:43 p.m., Commissioner Schroeder joined the meeting via conference call.

**CH2M Hill.**

Mike Wilson reported that:

1. With respect to the Adams Street ultraviolet disinfection system replacement project, the contractor and UV system manufacturer made modifications to the Channel 3 Automatic Level Control (ALC) gate to address the excessive leakage observed at commissioning. Channel 3 was started up but there were some leaks and repairs were made for the same. Work began on the Channel 2 demolition and the concrete was poured to the dimensions of the new UV equipment. Overall project completion is projected for late February or early March, 2012.

2. With respect to the combined sewer wastewater treatment plant and pump station improvements, CH2M Hill is continuing to receive and review shop drawings from the contractor and the contract final completion date is June 30, 2012.

3. As to the combined sewer overflow projects, CH2M Hill continued to work with the Authority to obtain easements from the property owners affected by the W1234 S/F facility construction. CH2MHILL met with the Authority, and reviewed the conceptual construction staging and traffic control plan for the S/F facility and its pipelines. It also began preparations to make a presentation to construct the facility on the River side of the bulkhead.

**HATCH MOTT MACDONALD.**

Kevin Wynn and Anthony Gagliostro reported as follows:

1. As to the Adams Street WWTP Outfall rehabilitation, Hatch Mott has been given full direction regarding the diversion chamber near the Riverwalk by the Authority. They are working on changes to the diverter chamber, and when completed will be advertised for bids.

2. With regard to the Jackson Street and Newark Street combined sewer rehabilitation in Hoboken, the contractor has completed the replacement of the collapsed wood sewers between 1<sup>st</sup> and 5<sup>th</sup> Streets and is completing minor work so the contract can be closed.

3. With regard to the River Road wastewater treatment plant odor control improvements, the final change order was submitted and the closeout will begin the contract closeout process.

4. With regard to the West New York sewer rehabilitation project, all of the base contract work has been completed and there is a balance available on the original contract amount and additional work has been identified that can be performed.

5. With respect to the 2010 Adams Street and River Road wastewater treatment plant improvements, the project is proceeding on schedule. The contractor completed the installation of the new slide gates for the primary clarifiers and was expected to complete the installation of the Grit Clarifiers at the River Road Plat by December 16<sup>th</sup>.

**OMI.**

Gary Fournier reported that the River Road treatment plant had enjoyed 85% removal rates for BOD and 85% for TSS with effluent concentrations of 23 mg/l for CBOD and 21 mg/l for TSS. Thus, all interim permit levels had been met. Mr. Fournier noted that the flow at West New York had been averaging 9.7 gallons per day and that OMI personnel are working to isolate and identify some of the sources of this high flow.

With regard to the Adams Street facility, 88% and 89% removal percentages had been attained for BOD and TSS respectively. The effluent concentrations of BOD and TSS were 20 mg/l and 16 mg/l, respectively, all well within the permit limits.

Chairman Wolff next asked the Commissioners to consider the Resolutions before them.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-096 authorizing the payment of bills was unanimously adopted.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-097 directing work to Cliffside Paving under the biennial miscellaneous repair contract was unanimously adopted.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-098 authorizing advertising and bid of a biennial miscellaneous sewer repair contract was unanimously adopted as approved by the Facilities Review Board.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-099 directing work to AECOM for engineering services was unanimously adopted as approved by the Facilities Review Board.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-100 directing work to CH2M Hill for engineering services was unanimously adopted as approved by the Facilities Review Board.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-101

directing work to AECOM for engineering services during construction for the Adams Street Improvements Project, was unanimously adopted as approved by the Facilities Review Board.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-102 directing work to CH2MHILL for engineering services during construction for the Adams Street WWTP Primary Clarifier No. 3 and River Road WWTP Disinfection System Improvements Project, was unanimously adopted as approved by the Facilities Review Board.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-103 authorizing contract modification number 3 for the River Road WWTP Odor Control Improvements, was unanimously adopted as approved by the Facilities Review Board.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-104 directing work to Hatch Mott MacDonald for engineering services during construction for the the River Road WWTP Odor Control Improvements Project, was unanimously adopted as approved by the Facilities Review Board.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-105 authorizing contract modification number 3 for the 2010 Adams Street WWTP Miscellaneous Repairs, Loan No. 5340952-012, was unanimously adopted as approved by the Facilities Review Board.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-106 authorizing the award of contract for the 2012 Adams Street Site Improvements Project to V&K Construction Co, Inc., was unanimously adopted as approved by the Facilities Review Board.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-107 authorizing the award of contract for The Primary Clarifier #3 and River Road Disinfection Improvements Project to JOGI Construction Co, Inc., was unanimously adopted as approved by the Facilities Review Board.

Commissioner Raia moved, and Commissioner Stack seconded Resolution 11-108 to terminate the 2003 structured lease financing, to undertake a restructuring of the Authority's indebtedness by entering into a New Head Lease-Sublease transaction, to defease all outstanding senior lien bonds of the Authority and to take all actions necessary to complete the 2011 Lease Transaction as intended by the Authority.

A discussion ensued in which it was determined that nothing had changed regarding this matter and the Authority Bond Counsel should move forward with the termination of the 2003 lease financing in favor of the proposed plan to restructure in an effort to keep rates within an appropriate range. Commissioner Stack asked whether the TD Bank loan was being absorbed into this transaction and Chairman Wolff indicated that it was.

Upon a vote, Resolution 11-108, was unanimously adopted.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-109 authorizing the engagement of the Liati Group, LLC, as the Authority's exclusive lease advisor, was unanimously adopted. Commissioner Stack inquired as to whether this was a flat four, and Chairman Wolff indicated that it was.

At approximately 7:15 p.m., upon motion by Commissioner Raia, seconded by Commissioner Stack, it was unanimously resolved to adjourn the meeting.