

**RESOLUTION AUTHORIZING MEETING MINUTES OF JANUARY 19, 2012**

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**MOTIONED BY:** Raia

**SECONDED BY:** Stack

**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 January 19, 2012; and

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

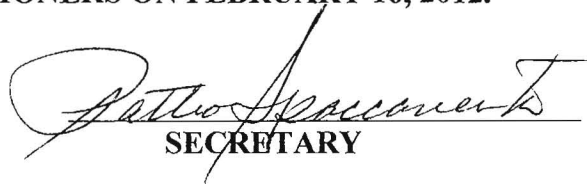
**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby approves the minutes of the meeting of January 19, 2012 for the record.

**DATED: FEBRUARY 16, 2012**

**RECORD OF COMMISSIONERS' VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>
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 FEBRUARY 16, 2012.**

  
**SECRETARY**

# **NORTH HUDSON SEWERAGE AUTHORITY**

## **MINUTES OF REGULAR MEETING**

**JANUARY 19, 2012**

At approximately 6:30 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, Schroeder, Soares, Spacavento, Stack, Wiley and Zucconi were also in attendance at the opening of the meeting. Chairman Wolff welcomed Commissioner Wiley as the newest Commissioner.

Chairman Wolff advised that although seven members were present at the meeting, there would not be a sufficient number present to act on the minutes. Chairman Wolff called for the engineering reports.

### **AECOM.**

Gene DeStefano of AECOM reported as follows:

1. AECOM, at the request of the Authority, provided an updated version of the Port Imperial Pump Station Evaluation Report with the intention that a meeting be conducted in the near future to review the findings.

2. With respect to the fat, oil and grease biodiesel project (FOG), 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 Adams Street (FY 2010 Loan) Miscellaneous Repair Project, all construction work is now complete on the project. A close out change order No. 3 was prepared, signed and was sent to the DEP for approval. AECOM received a letter in the mail today that authorized the Authority to proceed.

At 6:35 p.m., Commissioner Raia arrived at the meeting.

5. With respect to the 18<sup>th</sup> Street force main and CSO outfall, the micro tunneling operation has been completed. At the request of the Township of Weehawken, the Authority has directed Cruz Construction to complete the installation of pipe, bulkhead and tide gate in the Harbor

walk area prior to proceeding with the other remained project work. The project is expected to be completed in April, 2012.

At 6:36 p.m., Commissioner Zucconi arrived at the meeting.

### **CH2M Hill.**

Mike Wilson reported that:

1. With respect to the Adams Street ultraviolet disinfection system replacement project, work was completed on the installation and startup of the Channel 2 UV system. Channel 2 was placed online, and is now working along with the new Channel 3 UV equipment. Two of the three channels are operational and performance is good. Overall project completion is projected for 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. The contractor has obtained construction permits from Hoboken. The contract final completion date is June 30, 2012.

3. As to the H1 Wet Weather Pump Station Services, CH2M Hill continued performing SDC services for the Authority. CH2M Hill continued oversight of the Pump Station Wet Phase Start-up and Testing. The pump station was turned over to OMI in December. The new CSO mechanical bar screens operating during the December 7/8, December 21/22 and December 27 rain events.

### **HATCH MOTT MACDONALD.**

Kevin Wynn and Anthony Gagliostro reported as follows:

1. As to the Adams Street WWTP Outfall rehabilitation, Hatch Mott expects bids to be received for the project on February 23, 2012. Plans for the project are now with the DEP.

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. The contractor has completed guniting of the brick sewers between 1<sup>st</sup> to 5<sup>th</sup> Streets. Some wood sewers have been encountered from 1<sup>st</sup> Street to Observer Highway, which appear to be collapsed. They are looking into a solution for this issue, which may include abandonment of the sewer.

Commissioner Stack asked about the significance of the collapsed sewers and what needs

to abandoned. Fred Pocci responded that at this point, they do not believe that anything feeds into the collapsed sewers, but if so, the flow will be redirected to avoid this area.

3. With regard to the River Road wastewater treatment plant odor control improvements, the new odor control equipment is operating as designed. They submitted a final change order request to the Authority to begin the contract closeout process.

4. With respect to the 2010 Adams Street and River Road wastewater treatment plant improvements, the project is proceeding on schedule. All major items of work have been completed and only touch-up and punch-list items remain.

### 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 21 mg/l for CBOD and 17 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 9.6 gallons per day. All requirements were met for the month of December. On Thursday, December 29, 2011, a final effluent TRC was recorded at .25/mg/l due to an apparent blockage of the sodium bisulfite pumping system.

With regard to the Adams Street facility, 90% removal percentages had been attained for both BOD and TSS. The effluent concentrations of BOD and TSS were 15 mg/l and 13 mg/l, respectively, all well within the permit limits. The monthly average flow was 13.42 MGD.

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

Upon motion by Commissioner Raia, seconded by Commissioner Spaccavento, Resolution 11-095 approving the meeting Minutes of November 10, 2011 was adopted with a vote of 6 in favor and Commissioners Stack and Wiley abstaining.

Upon motion by Commissioner Raia, seconded by Commissioner Spaccavento, Resolution 11-110 approving the meeting Minutes of December 15, 2011 was adopted with a vote of 7 in favor and Commissioners Soares and Wiley abstaining.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-111 authorizing the payment of bills was unanimously adopted.

Upon motion by Commissioner Stack, seconded by Commissioner Raia, Resolution 11-112 directing work to Cliffside Paving under the biennial miscellaneous repair contract was unanimously adopted.

Upon motion by Commissioner Raia, seconded by Commissioner Schroeder, Resolution 11-113 authorizing the award of a fair and open contract for on-call engineering services was unanimously adopted as approved by the Facilities Review Board. It was explained that this was an RFP for engineers with seven proposals submitted and four recommended.

Upon motion by Commissioner Raia, seconded by Commissioner Spaccavento, Resolution 11-114 approving the Wastewater Service Charge was unanimously adopted.

Upon motion by Commissioner Raia, seconded by Commissioner Schroeder, Resolution 11-115 authorizing the award of a contract by the North Hudson Sewerage Authority as a constituent member of the New Jersey Harbor Dischargers Group, was unanimously adopted. It was explained that the NHSA share of the \$105,000 contract was approximately \$8,000.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-116 authorizing a contract modification for Operations Management International, Inc., was unanimously adopted as approved by the Finance Committee. It was explained that this contract modification results in a savings to the NHSA a year sooner than the existing contract expiration.

Upon motion by Commissioner Raia, seconded by Commissioner Stack, Resolution 11-117 approving a Bond Resolution determining to undertake the 2012 capital improvement program, determining the estimated cost thereof and determining to issue bonds and project notes to finance the cost thereof, was unanimously adopted.

Upon motion by Commissioner Stack, seconded by Commissioner Raia, Resolution 11-118 authorizing the Authority to make application to the Local Finance board pursuant to *N.J.S.A.* 58:11B-9(a) and *N.J.S.A.* 40A:5A-6 for approval for project financing, was unanimously adopted.

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.

Chairman Wolff called for public comment.

David Chen, a resident of West New York, stated that his water meter stopped working and as a result he ended up with a \$20,000 water bill. United Water adjusted his bill by 40%. Chairman Wolff advised Mr. Chen that the Authority does not read the meters, but relies upon the meter readings taken by United Water. If United Water adjusted his usage then the Authority will adjust the sewer bill accordingly.

Marcus Cartegena and Andrezia Valcaci stepped up to speak about a Laundromat business in Union City. The business was sold and closed, and afterward United Water made an adjustment. Authority staff has the appropriate documentation and will look into the matter.

Bill Magruder, a resident of Hoboken spoke about a break in a water line in February 2010 as a result of which he received a \$1,600 bill from North Hudson. It took many months for United Water to address the issue. Mr. Magruder requests an adjustment because the water leaked into the ground and did not go down the sewer. Chairman Wolff advised Mr. Magruder that United Water may give a community relations adjustment. However, if United Water does not adjust the water

usage figure, the Authority cannot change the sewer bill. Chairman Wolff asked counsel to look into whether the Authority would be able to issue an adjustment if United Water does not adjust the water usage figure.

Seeing no other members of the public wishing to speak, at approximately 7:15 p.m., upon motion by Commissioner Raia, seconded by Commissioner Stack, it was unanimously resolved to adjourn the meeting.