



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**CONSENT RESOLUTION**

**Date: February 4, 2014**

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**RESOLVED,**

**BE IT RESOLVED**, that the following Consent Resolution herewith listed having been considered by the Commissioners of this Authority be and are hereby passed and approved.

- 14-2014 Approval of vouchers, payroll and tax deposits
- 15-2014 Approval of 2014 Meeting Schedule
- 16-2014 Appointment of Ridgewood News and the Record as Official Newspapers for 2014
- 17-2014 Qualification of Individuals/Firms for provision of Engineering Services
- 18-2014 Qualification of Individuals/Firms for provision of Legal Services
- 19-2014 Qualifications of Individuals/Firms for provision of Bond Counsel
- ~~20-2014 Retention of Auditor for 2014~~ TABLED
- 21-2014 Retention of Authority Engineer 2014
- 22-2014 Retention of Authority Engineer for Service Charges
- 23-2014 Retention of General Counsel
- 24-2014 Retention of Authority Labor Counsel
- 25-2014 Retention of Bond Counsel
- 26-2014 Retention of Special Counsel
- 27-2014 Retention of Risk Manager
- 28-2014 Resolution of the NBCUA Approving the Consulting Engineer Project Report and Certificates of the Consulting Engineer and Accountant in Connection with the Construction of Various Sewer Improvements, including Modifications to Sanitary Sewer Pipe Allotment and additionally Construction at the Franklin Lakes Pump Station

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CONSENT RESOLUTION

Date: February 4, 2014

- 29-2014 Resolution providing for the Declaration of Official Intent under Treasury Regulation Section 1.150-2 to Reimburse prior Expenditures related to Various Sewer System Improvements
- 30-2014 Resolution of the Northwest Bergen County Utilities Authority directing Application be made to the Local Finance Board Pursuant to N.J.S.A. 40:5A-6 and 58:11b-9(a)
- 31-2014 Resolution for loan Application to the NJDEP and NJEIT for Incinerator Improvements, NJEIFP S340700-NEW

MOTIONS

- 1-2014 Authorization for Executive Director and Assistant Executive Director to attend AEA Conference

  
SECRETARY

  
CHAIRMAN

SEE ATTACHED FOR THE ROLL CALL VOTES

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahe	Plumley	Salazer	Chewcaskie
Offered								
Seconded								
Ayes								
Nays								
Absent								
Abstain								





**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 14-2014**

**Date: February 4, 2014**

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**APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS AND PENSIONS & BENEFITS TRANSFERS**

**RESOLVED,**

**WHEREAS,** the Northwest Bergen County Utilities Authority has received vouchers in claim for payment of materials supplied and/or rendered; and

**WHEREAS,** the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and

**WHEREAS,** the Northwest Bergen County Utilities Authority has made payroll transfers, payroll tax deposits and Pensions & Benefits transfers for the month of January 2014 and Health Benefits and Dental Benefits transfers for February 2014; and

**WHEREAS,** the Commissioners of the Authority have reviewed the vouchers, payroll transfers, payroll tax deposits, Pensions and Benefits, and Health and Dental Benefits transfers listing on the attached reports and have found them to be in order.

**NOW, THEREFORE, BE IT RESOLVED,**

**RESOLVED,** by the Commissioners of the Northwest Bergen County Utilities Authority, that all vouchers, payroll transfers, payroll tax deposits, Pensions & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated February 4, 2014 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account  
Net Payroll: \$192,620.78

ACCOUNT: Tax Deposit Account  
Total: \$94,978.05

ACCOUNT: Health Benefits Contribution Employer  
Total Transfer: \$100,251.16

ACCOUNT: Health Benefits Contribution Employee  
Total: \$6,122.73

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**No. 14-2014**

**Date: February 4, 2014**

**APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS AND PENSIONS & BENEFITS TRANSFERS**

ACCOUNT: Dental Benefits  
Total Transfer: \$4,223.84

ACCOUNT: PERS and Contributory Insurance  
Total Transfer: \$28,606.76

ACCOUNT: DCRP – Employer – January 2014  
Total Transfer: \$12.50

ACCOUNT: DCRP – Employee – January 2014  
Total Transfer: \$22.92

ACCOUNT: Operating Account  
Total: \$312,393.68

ACCOUNT: General Improvement Account  
Total: \$48,339.14

ACCOUNT: 2012 WWT Project Account  
Total: \$ 32,143.11

  
SECRETARY

  
CHAIRMAN

**AS AMENDED:**

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Salazer	Chewcaskie
Offered	✓							
Seconded			✓					
Ayes	✓	✓	✓	✓		✓	✓	✓
Nays								
Absent					✓			
Abstain								



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**  
**MEETING SCHEDULE FOR 2014**

Regularly scheduled meetings and Work Sessions will take place on the 3<sup>rd</sup> Tuesday of the month at 7:00pm, unless otherwise noted on the schedule outlined below.

<b>Month</b>	<b>TUESDAY</b> Work Session & Regular Meetings	<b>WEDNESDAY</b> Work Session & Regular Meetings	
February	4 <sup>th</sup>		
March	18 <sup>th</sup>		
April		16 <sup>th</sup> *	*3 <sup>rd</sup> Wed. of the month
May	20 <sup>th</sup>		
June	17 <sup>th</sup>		
July	15 <sup>th</sup>		
August	No meetings scheduled		
September	16 <sup>th</sup>		
October	21 <sup>st</sup>		A special meeting will be held to adopt the preliminary budget to send to the Div. of Local Govt. & set date for the Public Hearing
November		12 <sup>th</sup> *	*2 <sup>nd</sup> Wed. of the month
December	9 <sup>th</sup> *		*2 <sup>nd</sup> Tues. of the Month Public Hearing for Budget
<b>2015</b>			
January	20 <sup>th</sup>		
February	17 <sup>th</sup>		Reorganization Meeting





**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 17-2014**

**Date: February 4, 2014**

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**QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF ENGINEERING SERVICES**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of the following professional:

**CONSULTING ENGINEERING SERVICES**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on January 10, 2014; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 24, 2014 from the following Individuals/Firms:

- Boswell Engineering – South Hackensack, NJ
- Chavond Barry Engineering Corp. – Blawenburg, NJ
- CH2M Hill – Parsippany, NJ
- CME Associates – Parlin, NJ
- Gilsanz, Murray & Steficek, LLP – Elmwood Park, NJ
- Hatch Mott McDonald – Iselin, NJ
- Maser Consulting, PA – Red Bank, NJ
- Remington & Vernick Engineers – Secaucus, NJ
- T&M Associates – Middletown, NJ
- URS Corporation – Clifton, NJ
- Vertical V – Northeast, Inc. – Rahway, NJ
- Tighe & Bond, Middletown, CT

**WHEREAS**, the Authority convened to evaluate the Request for Qualifications; and

**WHEREAS**, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

**WHEREAS**, the Authority intended to qualify persons and/or firms that: (i) possessed the professional, financial and administrative capabilities to provide the proposed engineering services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority’s service area; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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RESOLUTION

No. 17-2014

Date: February 4, 2014

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QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF ENGINEERING SERVICES

**WHEREAS**, pursuant to Section 5 of the Authority's Request for Qualifications, the Authority's objective was to select an organization or individual that would provide high quality and cost effective services to the citizens served by the Authority; and

**WHEREAS**, pursuant to Section 5 of the Authority's Request for Qualifications, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the Authority and the subject matter addressed under the contract, (iii) availability to accommodate the required meetings of the Authority; and (iv) other factors demonstrated to be in the best interest of the Authority.

**NOW, THEREFORE, BE IT RESOLVED**, that the Authority hereby designates the following individuals/firms as Qualified to provide Consulting Engineering Services to the Authority:

- Boswell Engineering – South Hackensack, NJ
- Chavond Barry Engineering Corp. – Blawenburg, NJ
- CH2M Hill – Parsippany, NJ
- CME Associates – Parlin, NJ
- Gilsanz, Murray & Steficek, LLP – Elmwood Park, NJ
- Hatch Mott McDonald – Iselin, NJ
- Maser Consulting, PA – Red Bank, NJ
- Remington & Vernick Engineers – Secaucus, NJ
- T&M Associates – Middletown, NJ
- URS Corporation – Clifton, NJ
- Vertical V – Northeast, Inc. – Rahway, NJ
- Tighe & Bond, Middletown, CT

for the twelve month term commencing on the date of this resolution.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

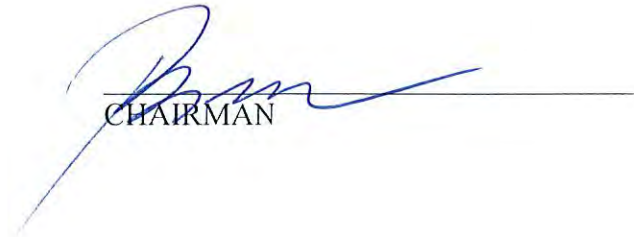
No. 17-2014

Date: February 4, 2014

QUALIFICATIONS OF INDIVIDUALS/FIRMS FOR PROVISION OF ENGINEERING SERVICES

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all members of all Commissioners of the Authority eligible to vote at a regular meeting held on February 4, 2014.

  
SECRETARY

  
CHAIRMAN

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelاهر	Plumley	Salazer	Chewcaskie
Offered	✓							
Seconded			✓					
Ayes	✓	✓	✓	✓		✓	✓	✓
Nayes								
Absent					✓			
Abstain								



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**NO. 18-2014**

**Date: February 4, 2014**

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**QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF LEGAL SERVICES**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of the following professional:

**LEGAL SERVICES 2014**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on January 10, 2014; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 24, 2014 from the following Individuals/Firms:

- Eric M. Bernstein & Associates – Warren, NJ
- Waters, McPherson & McNeill, PC – Secaucus, NJ
- Sokol, Behot & Fiorenzo – Hackensack, NJ
- Rubenstein Meyerson, Fox Mancinelli, Conte & Bern, PA – Montvale, NJ

and

**WHEREAS**, the Authority convened to evaluate the Request for Qualifications; and

**WHEREAS**, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

**WHEREAS**, the Authority intended to qualify persons and/or firms that: (i) possessed the professional, financial and administrative capabilities to provide the proposed legal services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority’s service area; and

**WHEREAS**, pursuant to Section 5 of the Authority’s Request for Qualifications, the Authority’s objective was to select organizations or individuals that would provide high quality and cost effective services to the citizens served by the Authority; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 18-2014

Date: February 4, 2014

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF LEGAL SERVICES

WHEREAS, pursuant to Section 5 of the Authority's Request for Qualifications, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the Authority and the subject matter addressed under the contract, (iii) availability to accommodate the required meetings of the Authority; and (iv) other factors demonstrated to be in the best interest of the Authority; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby designates the following individuals/firms as Qualified to provide Legal Services to the Authority

- Eric M. Bernstein & Associates – Warren, NJ
Waters, McPherson & McNeill, PC – Secaucus, NJ
Sokol, Behot & Fiorenzo – Hackensack, NJ
Rubenstein Meyerson, Fox Mancinelli, Conte & Bern, PA – Montvale, NJ

for the twelve (12) month term commencing on the date of this resolution; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all members of all Commissioners of the Authority eligible to vote at a regular meeting on February 4, 2014.

Handwritten signature of the Secretary and the printed word SECRETARY below it.

Handwritten signature of the Chairman and the printed word CHAIRMAN below it.

Table with 9 columns (names) and 6 rows (Offered, Seconded, Ayes, Nays, Absent, Abstain). Contains handwritten checkmarks for each category.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**NO. 19-2014**

**Date: February 4, 2014**

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**QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF BOND COUNSEL SERVICES**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of the following professional:

**BOND COUNSEL SERVICES**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on January 10, 2014; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 24, 2014 from the following Individuals/Firms:

- Gibbons, PC – Newark, NJ
- John G. Hudak, Esq., LLC – Linden, NJ
- John L. Kraft, Esq. – Edison, NJ
- Parker McCay, PA – Mount Laurel, NJ

and

**WHEREAS**, the Authority convened to evaluate the Request for Qualifications; and

**WHEREAS**, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

**WHEREAS**, the Authority intended to qualify persons and/or firms that: (i) possessed the professional, financial and administrative capabilities to provide the proposed bond counsel services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority’s service area; and

**WHEREAS**, pursuant to Section 5 of the Authority’s Request for Qualifications, the Authority’s objective was to select organizations or individuals that would provide high quality and cost effective services to the citizens served by the Authority; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 19-2014

Date: February 4, 2014

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF BOND COUNSEL SERVICES

WHEREAS, pursuant to Section 5 of the Authority’s Request for Qualifications, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the Authority and the subject matter addressed under the contract, (iii) availability to accommodate the required meetings of the Authority; and (iv) other factors demonstrated to be in the best interest of the Authority; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby designates the following individuals/firms as Qualified to provide Bond Counsel Services to the Authority

- Gibbons, PC – Newark, NJ
John G. Hudak, Esq., LLC – Linden, NJ
John L. Kraft, Esq. – Edison, NJ
Parker McKay, PA – Mount Laurel, NJ

for the twelve (12) month term commencing on the date of this resolution; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all members of all Commissioners of the Authority eligible to vote at a regular meeting on February 4, 2014.

[Signature]
SECRETARY

[Signature]
CHAIRMAN

Table with 9 columns (DaPuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Plumley, Salazer, Chewcaskie) and 6 rows (Offered, Seconded, Ayes, Naves, Absent, Abstain) containing checkmarks.



NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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RESOLUTION

No. 21-2014

Date: February 4, 2014

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RETENTION OF AUTHORITY ENGINEER FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

CONSULTING ENGINEER

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **January 10, 2014**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 24, 2014**; and

WHEREAS, the Authority convened to evaluate the Request for Qualifications; and

WHEREAS, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

WHEREAS, the Authority intended to qualify persons and/or firms that (i) possessed the professional, financial and administrative capabilities to provide the proposed engineering services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority's service area; and

WHEREAS, by **Resolution 17-2014** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

WHEREAS, the firm of T&M Associates was determined to be highly qualified and eminently capable of providing Consulting Engineering Services to the Authority; and

WHEREAS, the Authority has determined that it is in its best interest to retain the firm of T&M Associates as Authority Consulting Engineer as set forth in this Resolution; and

WHEREAS, the services rendered on behalf of the Authority include:

- Attendance at all Authority Meetings

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 21-2014**

**Date: February 4, 2014**

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**RETENTION OF AUTHORITY ENGINEER FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4**

- Preparation of the Authority Annual Report, including all necessary inspections and investigations required to prepare the Report
- Miscellaneous Engineering General Consulting Services as requested by the Authority Staff; and

**WHEREAS**, services rendered on behalf of the Authority will be billed based upon T&M's Hourly Billing Rates attached to this Resolution at a not-to-exceed cost of \$85,000 for the services described above; and

**WHEREAS**, T&M Associates has agreed that they will not bill the Authority for time resulting from travel to/from the Authority office in Waldwick, NJ.

**NOW THEREFORE BE IT RESOLVED** that the Authority hereby retains T&M Associates as Consulting Engineer for the twelve-month term commencing on the date of this resolution; and

**BE IT FURTHER RESOLVED** that the Authority shall prepare a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional at T&M Billing Rates, in an amount not to exceed **\$85,000**.

**BE IT FURTHER RESOLVED** that, in the event that T&M Associates anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.

**BE IT FURTHER RESOLVED** that notice of the contract award shall be advertised in accordance with applicable law; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 21-2014

Date: February 4, 2014

RETENTION OF AUTHORITY ENGINEER FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all members of all Commissioners of the Authority eligible to vote at a regular meeting held on February 4, 2014.

  
SECRETARY

  
CHAIRMAN

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelاهر	Plumley	Salazer	Chewcaskie
Offered	✓							
Seconded			✓					
Ayes	✓	✓	✓	✓		✓	✓	✓
Nayes								
Absent					✓			
Abstain								



**2014 Schedule of Hourly Billing Rates**

<b>Billing Titles</b>	<b>Billing Rate/Hour</b>
Technical and Field Staff Entry Level	\$66.00
Field Staff - Grade 1	\$75.00
Technical Staff - Grade 1, Administrative Support Staff	\$81.00
Field Staff - Grade 2	\$88.00
Technical Staff - Grade 2 Professional Entry Level	\$103.00
Field Staff - Grade 3	\$103.00
Technical Staff - Grade 3	\$116.00
Field Staff - Grade 4	\$116.00
Technical Staff - Grade 4 Professional I	\$130.00
Field Staff - Grade 5	\$130.00
Technical Staff - Grade 5 Professional II	\$140.00
Professional III Supervising Field Staff	\$151.00
Professional IV Supervising Technical Staff	\$168.00
Professional V (Field & Support)	\$168.00
Professional V	\$190.00
Supervising Professional Unit Supervisor, Professional VI	\$210.00
Group Manager Professional VII	\$230.00
Principal, Manager, Professional VIII, IX	\$250.00

Effective January 1, 2014

Billing Basis: Fixed Rate for Each Billing

T&M occasionally uses part-time and temporary staff to meet peak workload demands and these staff will be billed in accordance with the rate schedule above.



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**NO. 22-2014**

**Date: February 4, 2014**

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**RETENTION OF AUTHORITY ENGINEER FOR SERVICE CHARGES PURSUANT  
TO N.J.S.A. 19:44A-20.4**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

**CONSULTING ENGINEER FOR SERVICE CHARGES**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on January 10, 2014; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 24, 2014; and

**WHEREAS**, the Authority convened to evaluate the Request for Qualifications; and

**WHEREAS**, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

**WHEREAS**, the Authority intended to qualify persons and/or firms that: (i) possessed the professional, financial and administrative capabilities to provide the proposed engineering services, and (iii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority’s service area; and

**WHEREAS**, pursuant to Section 5 of the Authority’s Request for Qualifications, the Authority’s objective was to select an organization or individual that would provide high quality and cost effective services to the citizens served by the Authority; and

**WHEREAS**, pursuant to Section 5 of the Authority’s Request for Qualifications, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the Authority and the subject matter addressed under the contract, (iii) availability to accommodate the required meetings of the Authority; and (iv) other factors demonstrated to be in the best interest of the Authority; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**NO. 22-2014**

**Date: February 4, 2014**

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**RETENTION OF AUTHORITY ENGINEER FOR SERVICE CHARGES PURSUANT  
TO N.J.S.A. 19:44A-20.4**

**WHEREAS**, Paul Malmrose of the firm Tighe & Bond, Inc. was determined to be highly qualified and capable of providing Consulting Engineering Services to the Authority based on his experience of having served the Authority in various capacities, including determining service charges, since 1983; and

**WHEREAS**, the Authority has determined that it is in the best interest to retain the firm of Tighe & Bond as Consulting Engineer for Service Charges as set forth in this Resolution; and

**WHEREAS**, the services to be rendered on behalf of the Authority include the following task and remuneration:

- |  |                      |
|--|----------------------|
| 1. Task 1 – Review of 1 <sup>st</sup> Quarter Meter Data | \$ 4,500             |
| 2. Task 2 – Review of 2 <sup>nd</sup> Quarter Meter Data | \$ 4,900             |
| 3. Task 3 – Review of 2015 Preliminary User Charges      | \$ 8,000             |
| 4. Task 4 – Review of Final User Charges                 | <u>\$ 4,200</u>      |
| TOTAL:   | \$21,600             |
| 5. Task – Miscellaneous Consulting Services related      | \$ 8,500 (estimated) |

**WHEREAS**, services rendered on behalf of the Authority will be billed for each Task as stated above expect that Task 5 will be billed based on actual time at a rate of \$198 per hour for services provided by Paul Malmrose and \$70 per hour for services provided by an administrative assistant, with a not-to-exceed cost of \$8,500, for a total cost for these services not to exceed \$30,100.

**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby retains Paul Malmrose of Tighe & Bond as Consulting Engineer for Service Charges for the twelve (12) month term commencing on the Resolution date.

**BE IT FURTHER RESOLVED** that the Authority shall prepare a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional in an amount not to exceed \$30,100.

**BE IT FURTHER RESOLVED** that notice of the contract award shall be advertised in accordance with applicable law; and



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 23-2014**

**Date: February 4, 2014**

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**RETENTION OF GENERAL COUNSEL FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

**GENERAL COUNSEL FOR 2014**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on **January 10, 2014**; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 24, 2014**; and

**WHEREAS**, the Authority convened to evaluate the Request for Qualifications; and

**WHEREAS**, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

**WHEREAS**, the Authority intended to qualify a person and/or firm that: (i) possessed the professional, financial and administrative capabilities to provide the proposed legal services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority’s service area; and

**WHEREAS**, by **Resolution 18-2014**, the Authority identified a number of firms as qualified to perform the legal services required by the Authority; and

**WHEREAS**, the firm of Sokol, Behot & Fiorenzo is deemed to be highly qualified and capable of providing legal services to the Authority based upon the extensive experience of members and associates of the firm; and

**WHEREAS**, it has been determined that Sokol, Behot & Fiorenzo has extensive experience in personnel matters, employment law, public contract law, municipal law, environmental law, authority law, land use law and eminent domain law; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 23-2014**

**Date: February 4, 2014**

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**RETENTION OF GENERAL COUNSEL FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4**

**WHEREAS**, the Authority has determined that Leon J. Sokol and Jeffrey A. Zenn of the firm of Sokol, Behot & Fiorenzo, and such other partners and associates as are determined by the firm shall provide professional legal services to the Authority, including all matters which, in the opinion of the Commissioners of the Authority, shall be referred to General Counsel, including, but not limited to the following:

- a. Attendance at work sessions, regular, special and emergency meetings of the Authority Commissioners, including meetings outside of Bergen County, at municipal offices, County offices, State government offices and non-governmental offices;
- b. Attendance at all other meetings which the Commissioners or Executive Director deem necessary that General Counsel attend;
- c. Attendance at all public hearings (budget, rates, plan amendments, amendments to Wastewater Rules and Regulations, etc.);
- d. Attendance at all Commissioners' standing committee meetings as requested;
- e. Consultation (in person and/or by telephone) with Commissioners, staff, department heads and Authority personnel requiring the performance of legal services relating to Authority matters;
- f. Representation in any and all regulatory proceedings before State agencies, including but not limited to the New Jersey Department of Environmental Protection and the Office of Administrative Law ('OAL');
- g. Consultation and legal services related to Open Public Records Act and Open Public Meetings Act compliance;
- h. Representation in any and all litigation in which the Commissioners authorize General Counsel to represent the Authority's interest(s);
- i. Research and preparation of legal opinions requested by the Commissioners, Executive Director or his designee, or initiated by General Counsel in the performance of requisite legal services on behalf of the Authority;
- j. Review of correspondence referred to General Counsel by the Commissioners, Executive Director, Authority staff or consultants, and preparation of correspondence initiated by General Counsel in the performance of General Counsel's requisite legal services on behalf of the Authority;
- k. Legal Services relating to the preparation and/or review of agreements, resolutions, bid specifications, bid proposals and contracts, as required by the Commissioners or the Authority's Executive Director, or his designee;
- l. Attention to non-routine contract issues as may be assigned by the Authority from time to time with respect to special projects;



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

---

**RESOLUTION**

**No. 23-2014**

**Date: February 4, 2014**

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**RETENTION OF GENERAL COUNSEL FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4**

- m. Any and all other matters for which the services of General Counsel are deemed necessary by the Commissioners of the Authority;
- n. Review and/or preparation of routine (i.e. transmittal) correspondence (excluding, e.g., legal opinions);
- o. Preparation of monthly synopsis of General Counsel's legal services performed on behalf of the Authority
- p. Upon receipt, review of draft meeting minutes of work session, regular, special, and emergency meeting minutes of the Authority Commissioners;
- q. Review certification of meeting minutes of the Authority subject to the approval of the Bergen County Executive pursuant to N.J.S.A. 40:14B-14(b);
- r. Preparation and review of public bidding specifications for compliance with Local Public Contracts Law;
- s. Drafting and preparation of Authority Resolutions as requested and review of all in-house prepared Resolutions;
- t. Review and interpretation of contracts, resolutions and other legal documents as required to ensure the proper conduct of the Authority;
- u. Provide legal advice when required that deal with day-to-day operation of the Authority;
- v. Consultation with Board officers and staff, in person, or by telephone, when required;
- w. Attend to matters involving municipal relations and issues involving the Department of Environmental Protection and other State and Federal Agencies.

**WHEREAS**, Sokol, Behot & Fiorenzo's rates for performing these legal services shall be as follows:

<b>Position</b>	<b>Amount per Hour</b>
Attorneys	\$150.00
All Law Clerks and Paralegals	\$65.00
Secretarial Overtime	\$25.00

**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby retains the firm of Sokol, Behot & Fiorenzo for the twelve-month term commencing on the date of this resolution, subject however, that either party may terminate this agreement upon 30 days written notice to the other with or without cause; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 23-2014

Date: February 4, 2014

RETENTION OF GENERAL COUNSEL FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4

BE IT FURTHER RESOLVED that the Chairman of the Authority is hereby authorized to execute the Professional Services Agreement required for execution and delivery by the Authority and the professional, with compensation to the professional at the aforementioned rates, in an amount not to exceed \$60,000; and

BE IT FURTHER RESOLVED that, in the event that Sokol, Behot & Fiorenzo anticipates it will exceed the amount set forth herein, it shall seek further authorization from the Authority at such time; and

BE IT FURTHER RESOLVED that notice of the contract award shall be advertised in accordance with applicable law; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all members of all Commissioners of the Authority eligible to vote at a special meeting held on February 4, 2014.

SECRETARY

CHAIRMAN

Table with 9 columns (DaPuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Plumley, Salazer, Chewcaskie) and 6 rows (Offered, Seconded, Ayes, Nayes, Absent, Abstain) containing checkmarks.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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RESOLUTION

No. 24-2014

Date: February 4, 2014

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RETENTION OF LABOR COUNSEL FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

LEGAL SERVICE FOR 2014

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **January 10, 2014**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 24, 2014**; and

WHEREAS, the Authority convened to evaluate the Request for Qualifications; and

WHEREAS, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

WHEREAS, the Authority intended to qualify persons and/or firms that (i) possessed the professional, financial and administrative capabilities to provide the proposed legal services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority's service area; and

WHEREAS, by **Resolution 18-2014** the Authority identified a number of Individuals/Firms as qualified to perform Legal Services required by the Authority; and

WHEREAS, the Authority requires the services of Labor Counsel to provide specific legal services to the Authority; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

---

**RESOLUTION**

**No. 24-2014**

**Date: February 4, 2014**

---

**RETENTION OF LABOR COUNSEL FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4**

**WHEREAS**, the firm of Eric M. Bernstein & Associates, LLC was determined to be highly qualified and capable of providing these legal services to the Authority; and

**WHEREAS**, the Authority has determined that it is in its best interest to retain the firm of Eric M. Bernstein & Associates as Labor Counsel as set forth in this Resolution; and

**WHEREAS**, the services to be rendered will be compensated at the following Hourly Rates as presented in the Proposal submitted to the Authority:

- Hourly Rate for all standard service including negotiations, advice, preparation of contracts or agreements, disciplinary investigations and proceedings and other non-litigation services: **\$135.00 per hour**
- Hourly Rate for Paralegals when requested and authorized: **\$ 60.00 per hour**

**NOW THEREFORE, BE IT RESOLVED** that the Authority hereby retains Eric M. Bernstein & Associates for the twelve-month term commencing on the Resolution date.

**BE IT FURTHER RESOLVED** that the Authority shall prepare a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional in an amount not to exceed **\$10,000**.

**BE IT FURTHER RESOLVED** that notice of the contract award shall be advertised in accordance with applicable law.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 24-2014

Date: February 4, 2014

RETENTION OF LABOR COUNSEL FOR 2014 PURSUANT TO N.J.S.A. 19:44A-20.4

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all members of all Commissioners of the Authority eligible to vote at a regular meeting held on February 4, 2014.

  
SECRETARY

  
CHAIRMAN

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelاهر	Plumley	Salazer	Chewcaskie
Offered	✓							
Seconded			✓					
Ayes	✓	✓	✓	✓		✓	✓	✓
Nayes								
Absent					✓			
Abstain								



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

---

**RESOLUTION**

**No. 25-2014**

**Date: February 4, 2014**

---

**RETENTION OF BOND COUNSEL PURSUANT TO N.J.S.A. 19:44a-20.4**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the "Authority") has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of the following professional:

**BOND COUNSEL**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on January 10, 2014; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 24, 2014; and

**WHEREAS**, the Authority requires a Bond Counsel to provide the services necessary for the issuance of bonds required for financing potential projects; and

**WHEREAS**, the Authority convened to evaluate the Request for Qualifications; and

**WHEREAS**, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

**WHEREAS**, the Authority intended to qualify a person and/or firm that: (i) possessed the professional, financial and administrative capabilities to provide the proposed services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority's service area; and

**WHEREAS**, pursuant to Section 5 of the Authority's Request for Qualifications, the Authority's objective was to select an organization or individual that would provide high quality and cost effective services to the citizens served by the Authority; and

**WHEREAS**, pursuant to Section 5 of the Authority's Request for Qualifications, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the Authority and the subject matter addressed under the contract; (iii) availability to accommodate the required meetings of the Authority; and (iv) other factors demonstrated to be in the best interest of the Authority; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 25-2014**

**Date: February 4, 2014**

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**RETENTION OF BOND COUNSEL PURSUANT TO N.J.S.A. 19:44a-20.4**

**WHEREAS**, John D. Draikiwicz of the firm of Gibbons, PC was determined to be highly qualified and capable of providing this service to the Authority; and

**WHEREAS**, the Authority has determined that it is in its best interest to retain the professional John D. Draikiwicz of the firm of Gibbons, PC as set forth in this Resolution; and

**WHEREAS**, Gibbons, PC has proposed to perform all services required for the issuance of these bonds at a compensation amount not to exceed \$65,000; and

**WHEREAS**, this fee is within the guidelines provided by the NJEIT for Administrative Expenses for such programs.

**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby retains John D. Draikiwicz of the firm of Gibbons, PC to serve as Bond Counsel for the project described above for the twelve-month term commencing on the Resolution date.

**BE IT FURTHER RESOLVED** that the general counsel be and the same is hereby authorized and directed to prepare a professional services agreement or the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional in the amount not to exceed \$65,000.

**BE IT FURTHER RESOLVED** that in the event that Gibbons, PC anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.

**BE IT FURTHER RESOLVED** that notice of the contract award shall be advertised in accordance with applicable law; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 25-2014

Date: February 4, 2014

RETENTION OF BOND COUNSEL PURSUANT TO N.J.S.A. 19:44a-20.4

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call of all members of all Commissioners of the Authority eligible to vote at a regular meeting held on February 4, 2014.

  
SECRETARY

  
CHAIRMAN

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelاهر	Plumley	Salazer	Chewcaskie
Offered							✓	
Seconded	✓							
Ayes	✓		✓	✓		✓	✓	✓
Nayes								
Absent					✓			
Abstain		✓						

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 26-2014**

**Date: February 4, 2014**

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**RETENTION OF COUNSEL FOR SPECIAL LEGAL SERVICES PURSUANT TO  
N.J.S.A. 19:44A-20.7**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.4 with respect to the retention of the following professional:

**LEGAL SERVICES FOR 2014**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on January 10, 2014; and

**WHEREAS**, the Authority has received responses to the Request for Qualifications for the aforementioned position on January 24, 2014; and

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.7, the Authority convened to evaluate the Request for Qualifications; and

**WHEREAS**, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a Qualification Statement in response to the Statements for Request for Qualifications; and

**WHEREAS**, the Authority intended to qualify persons and/or firms that: (a) possessed the professional, financial and administrative capabilities to provide the proposed legal services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority; and

**WHEREAS**, by Resolution 18-2014 the Authority identified several firms as qualified to perform legal services required by the Authority; and

**WHEREAS**, the Borough of Oakland, located at the western boundary of the Authority Sewer Service Area, has conducted investigations related to providing sanitary sewer service to various areas within the Borough, including the Central Business District; and

**WHEREAS**, these investigations have resulted in a report titled “Sewer Service for Oakland Borough Center Conceptual Feasibility Analysis”, which concluded that a cost effective approach was to convey sanitary sewage wastewater for the Northwest Bergen County Utilities Authority’s treatment facility in Waldwick, NJ; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 26-2014**

**Date: February 4, 2014**

---

**RETENTION OF COUNSEL FOR SPECIAL LEGAL SERVICES PURSUANT TO  
N.J.S.A. 19:44A-20.7**

**WHEREAS**, the contents of said report were discussed in January 2013 with representatives of the NJDEP and the NJ Highlands Council at a meeting convened by the County of Bergen, Department of Planning and Economic Development and attended by a representative of the Office of the County Counsel; and

**WHEREAS**, the Authority's treatment facility in Waldwick, NJ is presently operating at some 60% of permitted capacity and the Authority strongly desires to increase its customer base to reduce municipal service charges; and

**WHEREAS**, the Borough of Oakland strongly desires to replace aging individual package wastewater treatment plants to reduce municipal sewage treatment costs to increase the municipal tax base by development within the Borough; and

**WHEREAS**, the Borough of Oakland is not within the Authority Sewer Service Area and any modifications to the Borough Wastewater Management Plan will require approval of both the NJDEP and the Highlands Council; and

**WHEREAS**, these special considerations require the services of an experienced attorney to achieve the Authority's goal of exploring a potential sanitary sewer system for the Borough of Oakland via a connection to the Authority; and

**WHEREAS**, the firm of Waters, McPherson, McNeill, PC was determined to be highly qualified and eminently capable of providing these legal services to the Authority having served several years as counsel to the Bergen County Utilities Authority; and

**WHEREAS**, the Authority has determined that it is in its best interest to retain the firm of Waters, McPherson, McNeill, PC to perform these services as set forth in this Resolution; and

**WHEREAS**, compensation for the services to be rendered will be limited to a rate of \$150 per hour as specified in the Authority's RFQ.

**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby retains the firm of Waters, McPherson, McNeil, PC for the twelve (12) month term commencing on the date of this Resolution.



NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 26-2014

Date: February 4, 2014

RETENTION OF COUNSEL FOR SPECIAL LEGAL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.7

BE IT FURTHER RESOLVED that the Authority shall prepare a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional at the rate of \$150 per hour, in an amount not to exceed \$30,000; and

BE IT FURTHER RESOLVED that notice of the contract award shall be advertised in accordance with N.J.S.A. 19:44A-20.7.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption subject to applicable law.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all members of all Commissioners of the Authority eligible to vote at a regular meeting held on February 4, 2014.

[Signature]
CHAIRMAN

[Signature]
SECRETARY

Table with 9 columns (DaPuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Plumley, Salazer, Chewcaskie) and 6 rows (Offered, Seconded, Ayes, Nays, Absent, Abstain). Includes checkmarks for 'Offered', 'Seconded', 'Ayes', and 'Absent'.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**NO. 27-2014**

**Date: February 4, 2014**

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**RETENTION OF RISK MANAGER PURSUANT TO N.J.S.A.19:44A-20.4**

**RESOLVED,**

**WHEREAS**, the Northwest Bergen County Utilities Authority (the "Authority") is currently a participating member in the New Jersey Utilities Joint Insurance Fund (the "NJUAJIF"); and

**WHEREAS**, the NJUAJIF offers coverage to Utility Authorities of the State of New Jersey who agree to become members ("members") for: Workers Compensation; Employer Liability (other than Motor Vehicle); Property Damage (other than Motor Vehicle); and Motor Vehicle; and

**WHEREAS**, the NJUAJIF by-laws provide that each member may appoint an Insurance Producer to perform various professional services relating to membership in NJUAJIF, including the evaluation of claims exposures; explanation of coverage and options; preparation of applications and claims; review of annual assessment, losses and reports, and such other services required by the member; and

**WHEREAS**, an amount up to six percent (6%) of the annual assessment charged by the NJUAJIF is reserved for compensation to the Insurance Producer if one is selected by the member, otherwise it is reimbursed to the member; and

**WHEREAS**, the Authority has adopted the fair and open process pursuant to N.J.S.A. 19:44A-20.7 with respect to the retention of Risk Manager; and

**WHEREAS**, the Authority issued a Request for Proposals for such position and notice thereof was published on Jan. 10, 2014; and

**WHEREAS**, the Authority has received responses to the Request for Proposals for the aforementioned position on January 24, 2014 from the following Individuals/Firms:

1. Alamo Insurance Group, North Bergen, N.J.
2. Stratford Risk Management Services, Lafayette, N.J.
3. Nelson-Patterson Agency, Inc., New Milford, N.J.
4. Acrisure, Woodbridge, N.J.

and;

**WHEREAS**, the Authority convened to evaluate the Request for Proposals; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**NO. 27-2014**

**Date: February 4, 2014**

---

**RETENTION OF RISK MANAGER PURSUANT TO N.J.S.A.19:44A-20.4**

**WHEREAS**, the Authority structured a competitive procurement process that sought to assure that each person and/or firm was provided an equal opportunity to submit a response to the Statements for Request for Proposals; and

**WHEREAS**, the Authority intended to qualify a person and/or firm that (i) possessed the professional, financial and administrative capabilities to provide the proposed Risk Management Services, and (ii) would agree to work under the compensation, terms and conditions determined by the Authority to provide the greatest benefit to the ratepayers of the Authority's service area; and

**WHEREAS**, pursuant to Section 5 of the Authority's Request for Proposals, the Authority's objective was to select an organization or individual that would provide high quality and cost effective services to the citizens served by the Authority; and

**WHEREAS**, pursuant to Section 5 of the Authority's Request for Proposals, the Authority applied its selection criteria and evaluated the proposals based upon the most advantageous submission, with the following factors being considered: (i) experience and reputation in the field; (ii) knowledge of the Authority and the subject matter addressed under the contract, (iii) availability to accommodate the required meetings of the Authority; (iv) the specific services to be provided by each respondent; (v) the fee proposed by each respondent; and (vi) other factors demonstrated to be in the best interest of the Authority; and

**WHEREAS**, the firm of Alamo Insurance Group was determined to be highly qualified and eminently capable of providing Risk Management Services to the Authority; and

**WHEREAS**, the Authority has determined that it is in the best interest to retain the professional Alamo Insurance Group as set forth in this Resolution; and

**WHEREAS**, Alamo Insurance Group will provide to the Authority professional Risk Management Consulting Services as required in the by-laws of the NJUAJIF at a not to exceed 3.25% of the NJUAJIF assessment; and

**WHEREAS**, the Commissioners of the Authority have determined that it is in the best interest of the Authority, and the municipalities served by it, to appoint an Insurance Producer for the project described above for a twelve (12) month term commencing on the Resolution date to perform services relating to such membership.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 27-2014

Date: February 4, 2014

RETENTION OF RISK MANAGER PURSUANT TO N.J.S.A.19:44A-20.4

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that the Authority does hereby agree to appoint the firm of Alamo Insurance Group, 8149 Bergenline Ave., North Bergen, N.J. 07047 as its Insurance Producer for the project described above for a twelve (12) month term commencing on the Resolution date for purposes of the Authority's Membership in the New Jersey Utilities Authority's Joint Insurance Fund, and Agrees that the reserved fee of (3.25%) of the Authority's Annual Assessment may be paid to such Insurance Producer by the NJUAJIF; and it is

FURTHER RESOLVED, that notice of the contract award shall be advertised in accordance with applicable law.

FURTHER RESOLVED, that this Resolution shall take effect immediately upon adoption.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all members of all Commissioners of the Authority eligible to vote at a regular meeting held on February 4, 2014.

CHAIRMAN

SECRETARY

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelaheer	Plumley	Salazer	Chewcaskie
Offered	✓							
Seconded			✓					
Ayes	✓	✓	✓	✓		✓	✓	✓
Nays								
Absent					✓			
Abstain								



NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 28-2014

Date: February 4, 2014

RESOLUTION OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY APPROVING THE CONSULTING ENGINEER PROJECT REPORT AND CERTIFICATES OF THE CONSULTING ENGINEER AND ACCOUNTANT IN CONNECTION WITH THE CONSTRUCTION OF VARIOUS SEWER IMPROVEMENTS, INCLUDING MODIFICATIONS TO SANITARY SEWER PIPE ALLOTMENT AND ADDITIONAL CONSTRUCTION AT THE FRANKLIN LAKES PUMP STATION.

WHEREAS, THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY (the "Authority") has reviewed the project report prepared by its consulting engineer and certificate prepared by its consulting engineer and auditor in connection with the construction of various sewer improvements, including modifications to sanitary sewer pipe allotment and additional construction at the Franklin Lakes pump station, as part of the Franklin Lakes Business District Sanitary Sewer Project; and

NOW, THEREFORE, BE IT RESOLVED BY THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY, as follows:

Section 1. The Authority hereby approves the project report prepared by its consulting engineer and certificates prepared by its consulting engineer and auditor in connection with the construction of various sewer improvements, including modifications to sanitary sewer pipe allotment and additional construction at the Franklin Lakes pump station as part of the Franklin Lakes Business District Sanitary Sewer Project.

Section 2. This resolution shall take effect immediately.

  
SECRETARY

  
CHAIRMAN

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Salazer	Chewcaskie
Offered	✓							
Seconded			✓					
Ayes	✓	✓	✓	✓		✓	✓	✓
Nayes								
Absent					✓			
Abstain								



NBUA-00098

February 4, 2014

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: Engineer's Report  
Northwest Bergen County Utilities Authority  
Franklin Lakes Sanitary Sewer Supplemental Loan Project**

Dear Mr. Hurwitz:

The Northwest Bergen County Utilities Authority (NBCUA) has constructed a new sanitary sewer pump station, force main and gravity collection system to service the commercial/business district area in the Borough of Franklin Lakes along Franklin Avenue between Pulis Avenue and just west of Route 287 and Susquehanna. Presently, properties within this area are primarily serviced via existing small package treatment plants or individual septic systems. They can now be connected to the new system.

NBCUA previously received \$5,127,721 in New Jersey Environmental Infrastructure Financing Program (NJEIFP) loans for the above work. During project construction, there was additional work associated with this project which was outside the scope of the original project and requires supplemental loan funding.

A description of the additional work includes lowering 595 LF of 8" gravity sewer on Susquehanna Avenue and 1570 LF of 10" gravity sewer on Pulis Avenue; installation of a 3" force main (575 LF) on Pulis Avenue to the front of Mountain Shadows at Linden Road; raising 366 LF of the Franklin Avenue 8" gravity sewer under the railroad (due to a United Water main conflict); extending the length of 8" gravity sewer pipe by approximately 235 LF along Susquehanna to Pulis Avenue; eliminating a section of 8" gravity sewer at the upstream end of Franklin Avenue (approximately 335 LF); modifications to the new pump station resulting from relocation to an easement in lieu of using the existing lot and building; and extension of the new 8" gravity sewer 110 LF south on Pulis Ave under the railroad tracks to Tice Lane. The project cost for these changes is \$475,000.

NBCUA is working with the NJEIFP on financing for the above additional work. Construction costs plus costs associated with engineering, administration and planning and design will be financed through a low interest loan from the New Jersey Environmental Infrastructure Trust



NBUA-00098  
February 4, 2014  
Page 2

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

*Re: Engineer's Report  
Northwest Bergen County Utilities Authority  
Franklin Lakes Sanitary Sewer Supplemental Loan Project*

and the New Jersey Department of Environmental Protection (NJDEP), pursuant to NJEIFP guidelines. The NBCUA will pass a resolution authorizing application to the Local Finance Board for financing associated with the NJEIFP program at its next meeting.

If you have any questions, please call.

Very truly yours,

T&M ASSOCIATES

A handwritten signature in black ink, appearing to read 'Keith W. Henderson', written over a horizontal line.

KEITH W. HENDERSON, P.E.  
AUTHORITY ENGINEER

KWH:JJM:SB:scb

cc: Authority Commissioners  
Jeff Zenn, Esq.  
John D. Draikiwicz, Esq.



**CERTIFICATE OF T&M ASSOCIATES  
RESPONSIVE TO  
SECTION 203  
OF THE TRUST INDENTURE AND SERVICE AGREEMENTS**

T&M Associates, Consulting Engineer to the Northwest Bergen County Utilities Authority (the "Authority"), a public body, corporate and politic, of the State of New Jersey, HEREBY CERTIFIES as follows:

1. This certificate is delivered pursuant to Section 203 of the Trust Indenture between the Northwest Bergen County Utilities Authority and The Bank of New York Mellon, as trustee, dated as of November 1, 2010, as amended and supplemented, and in connection with the issuance by the Authority of its Utility System Subordinated Revenue Bonds, 2014 Series (the "2014 Bonds").

2. The amount of the costs of the various sewer improvements, including modifications to sanitary sewer pipe alignments and additional construction at the Franklin Lakes pump station as part of the Franklin Lakes Business District Sanitary Sewer Project (the "2014 Project"), the amount of Operating Expenses attributable to such 2014 Project for each of the next fifteen Fiscal Years, and the amount, calculated at current rates upon which Service Charges are based, of the Revenues attributable to such 2014 Project for each of said Fiscal Years, is set forth in Schedule A attached hereto.

3. All capitalized words and terms used, but not defined, herein shall have the meanings ascribed to such words and terms respectively in the Trust Indenture.

IN WITNESS WHEREOF, T&M Associates, has caused this certificate to be executed in its name and on its behalf by its duly authorized representative this 4<sup>th</sup> day of February, 2014.

T&M ASSOCIATES

  
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**SCHEDULE A**

**FRANKLIN LAKES BUSINESS DISTRICT SANITARY SEWER SUPPLEMENTAL LOAN PROJECT  
PROJECT COSTS, OPERATING EXPENSES AND REVENUES**

1. THE AMOUNT OF THE COSTS FOR THE FRANKLIN LAKES SANITARY SEWER SUPPLEMENTAL LOAN PROJECT IS \$475,000.00.
2. THERE WILL BE NO ADDITIONAL OPERATING EXPENSES ATTRIBUTABLE TO THE FRANKLIN LAKES SANITARY SEWER SUPPLEMENTAL LOAN PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS.
3. PROJECTED REVENUES ATTRIBUTABLE TO THE FRANKLIN LAKES SANITARY SEWER SUPPLEMENTAL LOAN PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS ARE PRESENTED IN THE ATTACHED SCHEDULE A TABLE.



**SCHEDULE A**  
**FRANKLIN LAKES SEWER SUPPLEMENTAL PROJECT COSTS, OPERATING EXPENSES AND REVENUES**

1. THE AMOUNT OF THE COSTS FOR THE FRANKLIN LAKES SEWER SUPPLEMENTAL LOAN PROJECT IS \$475,00.00.

2. THE AMOUNT OF OPERATING EXPENSES ATTRIBUTABLE TO THE FRANKLIN LAKES SEWER SUPPLEMENTAL LOAN PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS IS:

YEAR	OPERATING EXPENSE
1	\$0
2	\$0
3	\$0
4	\$0
5	\$0
6	\$0
7	\$0
8	\$0
9	\$0
10	\$0
11	\$0
12	\$0
13	\$0
14	\$0
15	\$0

3. THE AMOUNT OF REVENUES ATTRIBUTABLE TO THE FRANKLIN LAKES SEWER SUPPLEMENTAL LOAN PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS IS:

YEAR	CONN. FEE	USER CHARGE	REVENUE
1	\$7,050.00	\$975.00	\$8,025
2		\$1,004.25	\$1,004
3		\$1,034.38	\$1,034
4		\$1,065.41	\$1,065
5		\$1,097.37	\$1,097
6		\$1,130.29	\$1,130
7		\$1,164.20	\$1,164
8		\$1,199.13	\$1,199
9		\$1,235.10	\$1,235
10		\$1,272.15	\$1,272
11		\$1,310.32	\$1,310
12		\$1,349.63	\$1,350
13		\$1,390.12	\$1,390
14		\$1,431.82	\$1,432
15		\$1,474.77	\$1,475

**CONNECTION FEE BREAKDOWN:**

	<b>COST PER GPD</b>	<b>TOTAL GPD</b>	
HOUSE	7.05	300	\$2,115.00
DELIDINER	7.05	700	\$4,935.00
		<b>GRAND TOTAL =</b>	<b>\$7,050.00</b>



**CERTIFICATE OF LERCH, VINCI & HIGGINS, LLP  
RESPONSIVE TO  
SECTION 203  
OF THE TRUST INDENTURE**

Lerch, Vinci & Higgins, LLP, Certified Public Accountants, Accountant to the Northwest Bergen County Utilities Authority (the "Authority"), a public body, corporate and politic, of the State of New Jersey, HEREBY CERTIFIES as follows:

1. This certificate is delivered pursuant to Section 203 of the Trust Indenture between the Northwest Bergen County Utilities Authority and The Bank of New York Mellon, as trustee, dated as of November 1, 2010, as amended and supplemented, and in connection with the issuance by the Authority of its Utility System Subordinated Revenue Bonds, 2014 Series (the "2014 Bonds").

2. The Completion Requirement of the costs of construction set forth in the Consulting Engineer's Certificate with respect to the various sewer improvements, including modifications to sanitary sewer pipe allotment and additional construction at the Franklin Lakes pump station as part of the Franklin Lakes Business District Sanitary Sewer Project (the "2014 Project") after deduction therefrom of the amount of moneys (other than the proceeds of such 2014 Bonds) theretofore applied to payment of such costs of construction and then reasonably expected to be available for payment of such costs of construction, and (ii) that the principal amount of such 2014 Bonds is not less than one hundred per centum (100%), or more than one hundred and one per centum (101%), of the Completion Requirement.

3. All capitalized words and terms used, but not defined, herein shall have the meanings ascribed to such words and terms respectively in the Trust Indenture.

IN WITNESS WHEREOF, Lerch, Vinci & Higgins, LLP, Certified Public Accountants, has caused this certificate to be executed in its name and on its behalf by its duly authorized representative this 31 day of January, 2014.

  
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LERCH, VINCI & HIGGINS, LLP  
CERTIFIED PUBLIC ACCOUNTANTS

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 29-2014

Date: February 4, 2014

RESOLUTION PROVIDING FOR THE DECLARATION  
OF OFFICIAL INTENT UNDER TREASURY REGULATION SECTION 1.150-2  
TO REIMBURSE PRIOR EXPENDITURES RELATED TO  
VARIOUS SEWER SYSTEM IMPROVEMENTS

WHEREAS, the Northwest Bergen County Utilities Authority (the "Authority") intends to issue debt obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and that will be used to finance various sewer improvements, including modifications to sanitary sewer pipe allotment and additional construction at the Franklin Lakes pump station, as part of the Franklin Lakes Business District Sanitary Sewer Project (the debt obligations herein referred to as "Project Debt Obligations" herein referred to as the "Project");

WHEREAS, the Authority intends to finance the Project, in part, with the Project Debt Obligations but may pay for certain costs of the Project ("Project Costs") prior to the issuance of the Project Debt Obligations with funds of the Authority which are not borrowed funds;

WHEREAS, the Authority desires to preserve its rights to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid by the Authority prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141-150 of the Code.

NOW THEREFORE, BE IT RESOLVED by the governing body of the Authority as follows:

**Section 1.** The Authority reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

**Section 2.** This resolution is intended to be and hereby is a declaration of the Authority's official intent to reimburse the Authority for expenditure of Project Costs by the Authority paid prior to the issuance of the Project Debt Obligations with the proceeds of the Project Debt Obligations, in accordance with Treasury Regulation Section 150-2.

**Section 3.** The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$600,000.

**Section 4.** The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 29-2014

Date: February 4, 2014

RESOLUTION PROVIDING FOR THE DECLARATION OF OFFICIAL INTENT UNDER TREASURY REGULATION SECTION 1.150-2 TO REIMBURSE PRIOR EXPENDITURES RELATED TO VARIOUS SEWER SYSTEM IMPROVEMENTS

Section 5. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulation Section 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the Project Debt Obligations used to reimburse the Authority for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds", or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulation Section 1.148-1) of the Project Debt Obligations or another issue of debt obligations of the Authority, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulation Section 1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of: (i) the date the expenditure from a source other than the Project Debt Obligations is paid; or (ii) the date the Project is "placed in service" (within the meaning of Treasury Regulation Section 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. This resolution will take effect immediately.

The foregoing is a true and complete copy of a resolution adopted by the governing body of Northwest Bergen County Utilities Authority at a meeting thereof duly called and held on February 4, 2014.

Handwritten signatures of the Secretary and Chairman.

[SEAL]

Table with 9 columns (DaPuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Plumley, Salazer, Chewcaskie) and 6 rows (Offered, Seconded, Ayes, Naves, Absent, Abstain) containing checkmarks.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 30-2014**

**Date: February 4, 2014**

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**RESOLUTION OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY DIRECTING APPLICATION BE MADE TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6 AND 58:11b-9(a).**

**WHEREAS**, THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY (the "Authority") desires to make application to the Local Finance Board for its review of a proposed project financing in connection with the undertaking of various sewer improvements, including modifications to sanitary sewer pipe allotment and additional construction at the Franklin Lakes pump station, as part of the Franklin Lakes Business District Sanitary Sewer Project for the Authority in connection with a loan through the New Jersey Environmental Infrastructure Trust; and

**WHEREAS**, THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY believes that:

- (a) it is in the public interest to accomplish such purposes,
- (b) said purposes or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units,
- (c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant,
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and such purposes or improvements will not cause any undue financial burden to be placed upon the local unit or units,

**NOW, THEREFORE, BE IT RESOLVED** BY THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY, as follows:

Section 1. Application to the Local Finance Board for consideration by said Board of the Authority's proposed project financings is hereby approved and the Authority's Counsel and Bond Counsel, along with the other representatives of the Authority, are hereby authorized to prepare such application and to represent the Authority in the matters pertaining thereto.

Section 2. The Secretary of the Authority is hereby directed to cause a copy of this resolution to be filed with the Local Finance Board as a part of such application.



NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 30-2014

Date: February 4, 2014

RESOLUTION OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY DIRECTING APPLICATION BE MADE TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6 AND 58:11b-9(a).

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings as provided in subsection (7) of the Local Authorities Fiscal Control Law, constituting Chapter 313 of the Pamphlet Laws of 1983, of the State of New Jersey and as provided in connection with its loan through the New Jersey Environmental Infrastructure Trust.

  
SECRETARY

  
CHAIRMAN

	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Salazer	Chewcaskie
Offered	✓							
Seconded			✓					
Ayes	✓	✓	✓	✓		✓	✓	✓
Nayes								
Absent					✓			
Abstain								

STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF LOCAL GOVERNMENT SERVICES  
LOCAL FINANCE BOARD  
APPLICATION DATA

APPLICANTS

NAME: Northwest Bergen County Utilities Authority

ADDRESS: 30 Wyckoff Avenue at Authority Drive

Waldwick, NJ 07463

COUNTY Bergen

ID # \_\_\_\_\_

YEAR 2014

APPLICABLE STATUTE TO WHICH APPLICATION IS BEING SUBMITTED: N.J.S.A. 40A:5A-6  
N.J.S.A. 58:11B-9(a)

AMOUNT FOR WHICH APPLICATION IS BEING SUBMITTED Not to Exceed \$600,000

CONTACT PERSON: Howard Hurwitz

TITLE: Executive Director

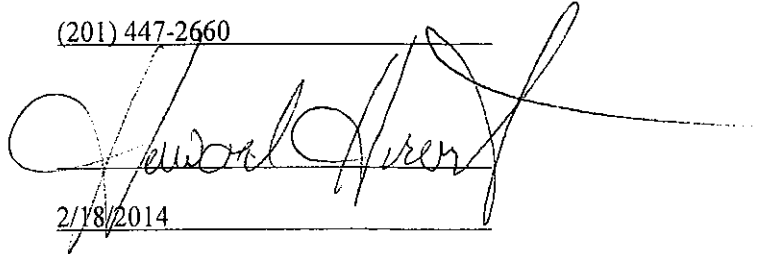
ORGANIZATION/FIRM: Northwest Bergen County Utilities Authority

ADDRESS: 30 Wyckoff Avenue at Authority Drive

Waldwick, New Jersey 07463

PHONE NUMBER: (201) 447-2660

SIGNATURE:



DATE:

2/18/2014

DATE OF HEARING \_\_\_\_\_

SCHEDULE TIME \_\_\_\_\_

FOR DIVISION USE ONLY REFERENCE FILE \_\_\_\_\_

LFB ACTION \_\_\_\_\_

WP DOC. # \_\_\_\_\_







