

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

## **NOTICE**

The next Regular Meeting of the Northwest Bergen County Utilities Authority will be held on Tuesday, March 20, 2018 immediately following the Work Session at 7:00pm, in the offices of the Authority located at 30 Wyckoff Avenue, Waldwick, New Jersey. Formal action will be taken.

March 16, 2018

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

## **REGULAR MEETING**

**March 20, 2018**

1. Meeting called to Order.
2. Chairman's statement in accordance with C. 231, PL 1975.
3. Roll Call.
4. Salute to the Flag.
5. Chairman's Remarks.
6. Appointment of Committees for 2018
7. Approval of Minutes – Reorganization Meeting – February 20, 2018
8. Public Comments (any subject).
9. Closed Session – Potential Litigation
10. Consideration for approval list of Resolutions attached dated March 20, 2018.
11. Report of Committees:
  - a. Finance Committee
  - b. Personnel Committee
  - c. Insurance Committee
  - d. Operating Committee
  - e. Strategic Plan Subcommittee
  - f. Buildings and Grounds Committee
  - g. Safety and Security Committee
12. Report of Treasurer.
13. Report of Counsel.
14. Report of Engineer.
15. Report of Executive Director
16. Report of Superintendent
17. Old Business
18. New Business
19. Public Comments (on subjects 5 through 18).
20. Adjournment.

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

## LIST OF RESOLUTIONS REGULAR MEETING March 20, 2018

### **RESOLUTIONS**

- 28-2018 Approval of Vouchers, Payroll and Tax Deposits
- 29-2018 Certification of Audit for year ending December 31, 2017
- 30-2018 Accept Audit for year ending December 31, 2017
- 31-2018 Title Change – Todd Joaquin – Maintenance Mechanic
- 32-2018 Title Change – Christian Valtin – Collection System Operator
- 33-2018 Qualifications of Individuals/Firms for the Provision of Consulting Engineering Services
- 34-2018 Qualifications of Individuals/Firms for the Provision of Risk Management Services
- 35-2018 Retention of Risk Manager pursuant to NJSA 19:44A-20.4
- 36-2018 Change Order No. 1 – Contract No. 271 – Aeration Blower Replacement, Waste Sludge System Upgrade Project
- 37-2018 Rejection of Bids – Contract No. 273 – Wastewater Treatment Plant Improvements Project
- 38-2018 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 Various Sewer Improvements, including Improvements to the Authority's Wastewater Pump Stations
- 39-2018 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 Various Sewer Improvements, including Improvements to the Authority's Wastewater Treatment Plant
- 40-2018 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 Various Sewer Improvements, including Improvements to the Gravity Interceptor Piping System and Manholes

# **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

- 41-2018 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 related to the Authority's Wastewater Pump Station Improvements
- 42-2018 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 related to the Authority's Wastewater Treatment Plant Improvements
- 43-2018 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 related to the Authority's Gravity Interceptor Piping System and Manholes
- 44-2018 Retention of Engineer for Wyckoff Sewer Expansion Project pursuant to NJSA 19:44A-20.4
- 45-2018 Authorization to Enter into a Shared Services Agreement with the Borough of Waldwick

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 28-2018**

**Date: March 20, 2018**

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

**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 February 2018 and Health Benefits and Dental Benefits transfers for March 2018; 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 March 20, 2018 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account  
Net Payroll: \$199,979.12

ACCOUNT: Tax Deposit Account  
Total: \$90,895.10

ACCOUNT: Health Benefits Contribution Employer  
Total Transfer: \$98,581.46

ACCOUNT: Health Benefits Contribution Employee  
Total: \$18,800.07

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 28-2018**

**Date: March 20, 2018**

---

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

ACCOUNT: Dental Benefits

Total Transfer: \$4,196.64

ACCOUNT: PERS and Contributory Insurance

Total Transfer: \$32,519.51

ACCOUNT: Defined Contribution Retirement Program – Employer

Total Transfer: \$12.50

ACCOUNT: Defined Contribution Retirement Program – Employee

Total Transfer: \$22.92

ACCOUNT: Operating Account

Total: \$449,202.57

ACCOUNT: General Improvement Account

Total: \$312,216.00

ACCOUNT: 2015 WWT Project Account

Total: \$615.00

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**CHAIRMAN**

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**SECRETARY**

	Bonagura	Chewcaskie	Danubio	DePhillips	Gabbert	Kelaheer	Lo Iacono	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**NO. 29-2018**

**Date: March 20, 2018**

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**CERTIFICATION OF AUDIT**

**RESOLVED,**

The Commissioners of the Northwest Bergen County Utilities Authority reviewed, discussed and considered the Resolution entitled:

RESOLUTION CERTIFYING TO THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY THAT EACH COMMISSIONER HAS PERSONALLY REVIEWED THE ANNUAL AUDIT REPORT FOR THE FISCAL YEAR ENDED DECEMBER 31, 2017 AND SPECIFICALLY HAS REVIEWED THE SECTION OF THE AUDIT REPORT ENTITLED "GENERAL COMMENTS" AND "RECOMMENDATIONS" AND HAS EVIDENCED SAME BY GROUP AFFIDAVIT IN THE FORM PRESCRIBED BY THE LOCAL FINANCE BOARD.

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CHAIRMAN

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SECRETARY

	Bonagura	Chewcaskie	Danubio	DePhillips	Gabbert	Kelaher	Lo Iacono	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

**WHEREAS**, the annual audit report for the fiscal year ended December 31, 2017 has been completed and filed with the governing body and the Director of the Division of Local Government Services pursuant N.J.S.A. 40A:5A-15, and

**WHEREAS**, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled “General Comments” and “Recommendations”, and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

**WHEREAS**, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled “General Comments” and “Recommendations” in accordance with N.J.S.A. 40A:5A-17,

**NOW, THEREFORE BE IT RESOLVED**, that the governing body of the Northwest Bergen County Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2017, and specifically has reviewed the sections of the audit report entitled “General Comments” and “Recommendations”, and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

**BE IT FURTHER RESOLVED**, that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this Resolution.

**IT IS HEREBY CERTIFIED THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON March 20, 2018.**

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
March 20, 2018

DATE



**LOCAL AUTHORITIES  
GROUP AFFIDAVIT FORM**

**PRESCRIBED BY  
THE NEW JERSEY LOCAL FINANCE BOARD**

**AUDIT REVIEW CERTIFICATE**

We the members of the governing body of the **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**, being of full age and being duly sworn according to law, upon our oath depose and say:

1. We are duly appointed members of the **NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**.
2. We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual audit report for the fiscal year ended December 31, 2017, and specifically the sections of the audit report entitled "General Comments" and "Recommendations."

**PRINT**

**SIGNATURES**

Michael Kasparian \_\_\_\_\_

Frank Kelaher \_\_\_\_\_

Dennis Bonagura \_\_\_\_\_

Brian Chewcaskie \_\_\_\_\_

John Danubio \_\_\_\_\_

Christopher DePhillips \_\_\_\_\_

Stephen Lo Iacono \_\_\_\_\_

Kenneth Gabbert \_\_\_\_\_

Marion Plumley \_\_\_\_\_

Sworn to and subscribed before me  
this 20 day of March 2018

\_\_\_\_\_  
Notary Public of New Jersey

IMPORTANT: Signatures must be original. Photocopies not accepted.







**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 38-2018**

**Date: March 20, 2018**

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**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  
VARIOUS SEWER IMPROVEMENTS, INCLUDING IMPROVEMENTS TO THE  
AUTHORITY’S WASTEWATER PUMP STATIONS.**

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 various sewer improvements, including improvements to the Authority’s wastewater pump stations, including Midland Park Pump Station, Ho-Ho-Kus Pump Station, Darlington Pump Station and Goffle Road Pump Station; 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 various sewer improvements, including improvements to the Authority’s wastewater pump stations, including Midland Park Pump Station, Ho-Ho-Kus Pump Station, Darlington Pump Station and Goffle Road Pump Station.

Section 2. This resolution shall take effect immediately.

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SECRETARY

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CHAIRMAN

	Bonagura	Chewcaskie	Danubio	DePhillips	Gabbert	Kelahrer	Lo Iacono	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									



**YOUR GOALS. OUR MISSION.**

NBUA-G1801

March 13, 2018

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  
Wastewater Pump Station Improvements**

Dear Mr. Hurwitz:

As part of its Wastewater Pump Station Improvements Project, the Northwest Bergen County Utilities Authority (Authority) proposes various improvements to four (4) of its existing sanitary sewage pumping stations located within its service area. These pump stations include the Darlington Pump Station, located in the Township of Mahwah, the Goffle Road Pump Station, the Ho-Ho-Kus Pump Station and the Midland Park Pump Station.

These four (4) pump stations were constructed between the late 1960's and mid 1980's. Though improvement projects have been undertaken since their original construction, various components are nearing or have surpassed their life expectancy and need to be replaced and/or upgraded to improve their reliability, facilitate their future maintenance and comply with current regulations. Floodproofing improvements are also necessary to protect critical control and pumping equipment. Lastly, some of the pump stations require connections into their existing force mains to allow for bypassing of the facility in the event of a complete pump station failure such as total loss of controls, piping failure, loss of generator power during a power outage, or in the event of prolonged maintenance.

#### Proposed Improvements

As a result of the above, the Authority proposes various mechanical, heating and ventilation, electrical, structural and miscellaneous site improvements to four (4) of its existing pump stations as noted above. Improvements include replacement of pumping equipment, piping and valving, existing wet well hoist systems, multiple variable frequency drives (VFDs) and other electrical equipment; installation of a new diesel fuel tank, HVAC and odor control equipment at multiple pump stations, a new jib crane, two (2) new bypass connections and associated appurtenances, new valve chambers, and new roofs and gutters at three pump stations; floodproofing and structural modifications to the Ho-Ho-Kus Pump Station; and other miscellaneous site work including grading modifications and pavement restoration.



The total project cost including construction and soft costs for the Wastewater Pump Station Improvements Project is \$7,000,000

The Authority is working with the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey Environmental Infrastructure Trust (NJEIT) on financing for the above proposed improvements through the New Jersey Infrastructure Bank (NJIB). Construction costs plus costs associated with engineering, administration and planning and design, as well as, the NJDEP fee will be financed through a low interest loan from the NJDEP and NJEIT, pursuant to NJIB guidelines.

If you have any questions, please call.

Very truly yours,

T&M ASSOCIATES

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NICHOLAS C. ROTONDA, P.E.  
AUTHORITY ENGINEER

NR:RRS:scb

cc: Authority Commissioners  
Doug Bern, Esq.  
John D. Draikiwicz, Esq.



## CERTIFICATE OF T&M ASSOCIATES

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 in connection with the issuance by the Authority of its project notes (the "Obligations") to be issued in connection with the financing of various sewer improvements, including improvements to the Authority's wastewater pump stations, including Midland Park Pump Station, Ho-Ho-Kus Pump Station, Darlington Pump Station and Goffle Road Pump Station (the "2018A Project") which Obligations will be issued pursuant to a note resolution (the "Resolution") expected to be adopted by the Authority at a meeting in the second quarter of 2018.

2. The amount of the costs of the 2018A Project, the amount of Operating Expenses attributable to such 2018A 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 2018A 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 (as defined in the Resolution).

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 20th day of March, 2018.

T&M ASSOCIATES



**SCHEDULE A**

**WASTEWATER PUMP STATION IMPROVEMENTS PROJECT  
PROJECT COSTS, OPERATING EXPENSES AND REVENUES**

1. THE AMOUNT OF THE COSTS FOR THE WASTEWATER PUMP STATION IMPROVEMENTS PROJECT IS \$7,000,000.
2. THERE WILL BE NO ADDITIONAL OPERATING EXPENSES ATTRIBUTABLE TO THE WASTEWATER PUMP STATION IMPROVEMENTS PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS.
3. THERE WILL BE NO REVENUES ATTRIBUTABLE TO THE WASTEWATER PUMP STATION IMPROVEMENTS PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS.

**SCHEDULE A**

**WASTEWATER PUMP STATION IMPROVEMENTS PROJECT COSTS, OPERATING EXPENSES AND REVENUES**

1. THE AMOUNT OF THE COSTS FOR THE WASTEWATER PUMP STATION IMPROVEMENTS PROJECT IS \$7,000,000.
2. THE AMOUNT OF ADDITIONAL OPERATING EXPENSES ATTRIBUTABLE TO THE WASTERWATER PUMP STATION IMPROVEMENTS PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS IS:

<b>YEAR</b>	<b>ADDITIONAL OPERATING EXPENSE</b>
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 WASTEWATER PUMP STATION IMPROVEMENTS PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS IS:

<b>YEAR</b>	<b>REVENUE</b>
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

**CERTIFICATE OF FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.**

Ferraioli, Wielkatz, Cerullo & Cuva, P.A., Certified Public Accountants, Accountants 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 in connection with the issuance by the Authority of its project notes (the “Obligations”) to be issued in connection with the financing of various sewer improvements, including improvements to the Authority’s wastewater pump stations, including Midland Park Pump Station, Ho-Ho-Kus Pump Station, Darlington Pump Station and Goffle Road Pump Station (the “2018A Project”) which Obligations will be issued pursuant to a note resolution (the “Resolution”) expected to be adopted by the Authority at a meeting in the second quarter of 2018.

2. The (i) Completion Requirement of the costs of construction set forth in the Consulting Engineer’s Certificate with respect to the 2018A Project after deduction therefrom of the amount of moneys (other than the proceeds of such Obligation) 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 Obligations 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 (as defined in the Resolution).

IN WITNESS WHEREOF, Ferraioli, Wielkatz, Cerullo & Cuva, P.A., Certified Public Accountants, has caused this certificate to be executed in its name and on its behalf by its duly authorized representative this 20th day of March, 2018.

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FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.  
CERTIFIED PUBLIC ACCOUNTANTS

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 39-2018**

**Date: March 20, 2018**

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**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  
VARIOUS SEWER IMPROVEMENTS, INCLUDING IMPROVEMENTS TO THE  
AUTHORITY’S WASTEWATER TREATMENT PLANT FACILITY**

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 various sewer improvements, including improvements at the wastewater treatment plant facility located in Waldwick, New Jersey; 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 various sewer improvements, including improvements at the wastewater treatment plant facility located in Waldwick, New Jersey.

Section 2. This resolution shall take effect immediately.

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**CHAIRMAN**

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**SECRETARY**

	Bonagura	Chewcaskie	Danubio	DePhillips	Gabbert	Kelaher	Lo Iacono	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									



YOUR GOALS. OUR MISSION.

NBUA-G1801

March 13, 2018

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  
Wastewater Treatment Plant Improvements**

Dear Mr. Hurwitz:

As part of its Wastewater Treatment Plant Improvements Project, the Northwest Bergen County Utilities Authority (Authority) proposes various improvements to various existing unit processes and structures/components within their treatment plant facility located in Waldwick, New Jersey. The treatment plant is currently designed for an average daily dry-weather flow (ADF) capacity of 16.8 MGD with a peaking factor of 2.9.

The Authority's operation consists of two process trains, liquid and solids. The liquid train consists of preliminary processes including two bar screens and two cyclone grit removal facilities; four primary settling tanks (PSTs); five step-feed aeration tanks (ATs) for biological treatment; and five associated final settling tank (FSTs); followed by two banks of UV disinfection system before the final effluent is discharged into the receiving stream. The solids process train collects the sludge produced from various liquid treatment units, the sludge is thickened by two gravity thickeners (GTs), then is dewatered via one of two belt filter presses (BFPs), and finally goes to one of the two fluidized bed incinerators (FBIs) for further stabilization and volume reduction. The effluent is finally disinfected using UV disinfection and then discharged into the Ho-Ho-Kus Brook.

Under this project, the Authority proposes to upgrade the pumping capacity of its dewatering system and to segregate and thicken the waste activated sludge through a new disk thickener process unit.

Additionally, the facility's Operations Building needs building and electrical/instrumentation improvements to protect the electrical and instrumentation components installed within, as well as, upgrade various PLC control programs needed for the operation of the incineration and air emission process control. The existing aeration system also requires replacement of its existing piping, and dissolved oxygen (DO) and MLSS probes.



### Proposed Improvements

Based on the above, the Authority proposes various improvements at their existing treatment plant facility. Improvements include installation of a new disk thickener system, new site piping and process piping; electrical improvements to upgrade the existing waste activated sludge thickening process at the plant; replacement of the dewatering pumping system, piping and valve; replacement of various roofing systems, aeration piping; and various upgrades to the electrical and instrumentation systems associated with the incineration process.

The total project cost including construction and soft costs for the Wastewater Treatment Plant Improvements Project is \$4,900,000.

The Authority is working with the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey Environmental Infrastructure Trust (NJEIT) on financing for the above proposed improvements through the New Jersey Infrastructure Bank (NJIB). Construction costs plus costs associated with engineering, administration and planning and design, as well as, the NJDEP fee will be financed through a low interest loan from the NJDEP and NJEIT, pursuant to NJIB guidelines.

If you have any questions, please call.

Very truly yours,

T&M ASSOCIATES

---

NICHOLAS C. ROTONDA, P.E.  
AUTHORITY ENGINEER

NR:RRS:scb

cc: Authority Commissioners  
Doug Bern, Esq.  
John D. Draikiwicz, Esq.



**CERTIFICATE OF T&M ASSOCIATES**

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 in connection with the issuance by the Authority of its project notes (the “Obligations”) to be issued in connection with the financing of various sewer improvements, including various improvements at the wastewater treatment plant facility located in Waldwick, New Jersey (the “2018B Project”) which Obligations will be issued pursuant to a note resolution (the “Resolution”) expected to be adopted by the Authority at a meeting in the second quarter of 2018.

2. The amount of the costs of the 2018B Project, the amount of Operating Expenses attributable to such 2018B 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 2018B 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 (as defined in the Resolution).

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 20th day of March, 2018.

T&M ASSOCIATES

A handwritten signature in black ink, appearing to be 'MTA', is written over a horizontal line.

## **SCHEDULE A**

### **WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT PROJECT COSTS, OPERATING EXPENSES AND REVENUES**

1. THE AMOUNT OF THE COSTS FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT IS \$4,900,000.
2. THERE WILL BE NO ADDITIONAL OPERATING EXPENSES ATTRIBUTABLE TO THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS.
3. THERE WILL BE NO REVENUES ATTRIBUTABLE TO THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS.



**SCHEDULE A**

**WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT COSTS, OPERATING EXPENSES AND REVENUES**

1. THE AMOUNT OF THE COSTS FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT IS \$4,900,000.
2. THE AMOUNT OF ADDITIONAL OPERATING EXPENSES ATTRIBUTABLE TO THE WASTERWATER TREATMENT PLANT IMPROVEMENTS PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS IS:

<b>YEAR</b>	<b>ADDITIONAL OPERATING EXPENSE</b>
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 WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS IS:

<b>YEAR</b>	<b>REVENUE</b>
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

**CERTIFICATE OF FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.**

Ferraioli, Wielkatz, Cerullo & Cuva, P.A., Certified Public Accountants, Accountants 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 in connection with the issuance by the Authority of its project notes (the "Obligations") to be issued in connection with the financing of various sewer improvements, including improvements at the wastewater treatment plant facility located in Waldwick, New Jersey (the "2018B Project") which Obligations will be issued pursuant to a note resolution (the "Resolution") expected to be adopted by the Authority at a meeting in the second quarter of 2018.

2. The (i) Completion Requirement of the costs of construction set forth in the Consulting Engineer's Certificate with respect to the 2018B Project after deduction therefrom of the amount of moneys (other than the proceeds of such Obligation) 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 Obligations 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 (as defined in the Resolution).

IN WITNESS WHEREOF, Ferraioli, Wielkatz, Cerullo & Cuva, P.A., Certified Public Accountants, has caused this certificate to be executed in its name and on its behalf by its duly authorized representative this 20th day of March, 2018.

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FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.  
CERTIFIED PUBLIC ACCOUNTANTS

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 40-2018**

**Date: March 20, 2018**

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**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  
VARIOUS SEWER IMPROVEMENTS, INCLUDING IMPROVEMENTS TO THE  
AUTHORITY’S GRAVITY INTERCEPTOR PIPING SYSTEM AND MANHOLES**

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 various sewer improvements, including improvements to the Authority’s gravity interceptor piping system and manholes; 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 various sewer improvements, including improvements to the Authority’s gravity interceptor piping system and manholes.

Section 2. This resolution shall take effect immediately.

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CHAIRMAN

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SECRETARY

	Bonagura	Chewcaskie	Danubio	DePhillips	Gabbert	Kelاهر	Lo Iacono	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									



**YOUR GOALS. OUR MISSION.**

NBUA-G1801

March 13, 2018

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  
Interceptor System Rehabilitation Project**

Dear Mr. Hurwitz:

The Northwest Bergen County Utilities Authority (NBCUA) is proposing a multi-year conditional assessment and rehabilitation program for their existing interceptor system.

## **INTRODUCTION**

The NBCUA, which was established in 1952, receives sewage in whole or in part from eleven (11) member municipalities including Allendale, Ho-Ho-Kus, Mahwah, Midland Park, Ramsey, Waldwick, Wyckoff, Saddle River, Upper Saddle River, Franklin Lakes, and Ridgewood.

Sanitary sewage from member municipalities is conveyed to the NBCUA treatment plant located in the Township of Waldwick via an existing interceptor/pumping station system that is owned and operated by the NBCUA. NBCUA's existing infrastructure system consists of approximately 31 miles of gravity interceptors and force mains ranging in size from 8-inches to 42 inches. There are 13 gravity interceptors that traverse NBCUA's service area, most of which were constructed in the late 1960's and 1970's. The gravity interceptor system consists of over 130,000 lineal feet (LF) of asbestos cement pipe (ACP), reinforced concrete pipe (RCP) and polyvinyl chloride (PVC) pipe and over 500 manholes.

In early 2016, the NBCUA had a break on the gravity portion of the Trunk Sewer West Interceptor downstream of the Midland Park Pump Station discharge point. The Trunk Sewer West Interceptor was originally constructed in 1967 out of reinforced concrete pipe (RCP), which has a life expectancy of approximately 50 years and is vulnerable to corrosion that may result over time from hydrogen sulfides released from pump station discharges. Emergency repair of the interceptor resulted in costs upwards of \$1 million.

Additionally, this break exposed the potential of future failures in other similar sections of the NBCUA's interceptor system and thus, generated a need to evaluate, assess and develop a plan for rehabilitation and/or repair of the aging interceptor system. With most the Authority's interceptor mains and manholes installed in 1967 and 1979, they may be reaching a lifecycle stage where full replacement, lining and/or repairs are necessary to extend the useful life of these assets. Limited annual screening of selected manholes, as well as various maintenance activities, have been conducted within the system in



recent years, but no comprehensive evaluation to prioritize the eventual rehabilitation, lining and/or repair of the interceptor mains or manholes has been performed to date.

#### **PROPOSED IMPROVEMENTS**

To address this concern the NBCUA is currently evaluating their existing interceptor system based on their criticality of each system component. Interceptor mains and manholes are investigated and/or televised for further evaluation and assessment. During this phase, potential defects are identified and prioritized for further assessment to determine the best course of action for rehabilitation or repair. Rehabilitation or repair options may include Cured-in-Place (CIP) lining, slip lining and/or pipe/manhole replacement. Rehabilitation and repair recommendations will be based on engineering judgement on a case by case basis and consider many factors including the following:

- Quantity of flow through the defect;
- Accessibility to the defect (i.e. access, defect depth, bypass ability, etc.); and
- Expected life span of rehabilitation or repair.

This evaluation process and the rehabilitation and/or repair of damaged sections is expected to take several years to complete. The cost for the Interceptor System Rehabilitation for the next 3 to 5 years has been estimated at \$10,000,000.

If you have any questions, please call.

Very truly yours,

T&M ASSOCIATES

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NICHOLAS C. ROTONDA, P.E.  
CONSULTING ENGINEER

NR:RRS:scb

cc: Authority Commissioners  
Doug Bern, Esq.  
John D. Draikiwicz, Esq.



## CERTIFICATE OF T&M ASSOCIATES

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 in connection with the issuance by the Authority of its project notes (the “Obligations”) to be issued in connection with the financing of various sewer improvements, including improvements to the Authority’s gravity interceptor piping system and manholes (the “2018C Project”) which Obligations will be issued pursuant to a note resolution (the “Resolution”) expected to be adopted by the Authority at a meeting in the second quarter of 2018.

2. The amount of the costs of the 2018C Project, the amount of Operating Expenses attributable to such 2018C 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 2018C 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 (as defined in the Resolution).

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 20th day of March, 2018.

T&M ASSOCIATES

A handwritten signature in black ink, appearing to be 'R.A.', is written over a horizontal line.

**SCHEDULE A**

**INTERCEPTOR SYSTEM REHABILITATION PROJECT  
PROJECT COSTS, OPERATING EXPENSES AND REVENUES**

1. THE AMOUNT OF THE COSTS FOR THE INTERCEPTOR SYSTEM REHABILITATION PROJECT IS \$10,000,000.
2. THERE WILL BE NO ADDITIONAL OPERATING EXPENSES ATTRIBUTABLE TO THE INTERCEPTOR SYSTEM REHABILITATION PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS.
3. THERE WILL BE NO REVENUES ATTRIBUTABLE TO THE INTERCEPTOR SYSTEM REHABILITATION PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS.

**SCHEDULE A**

**INTERCEPTOR SYSTEM REHABILITATION PROJECT COSTS, OPERATING EXPENSES AND REVENUES**

1. THE AMOUNT OF THE COSTS FOR THE INTERCEPTOR SYSTEM REHABILITATION PROJECT IS \$10,000,000.
2. THE AMOUNT OF ADDITIONAL OPERATING EXPENSES ATTRIBUTABLE TO THE INTERCEPTOR SYSTEM REHABILITATION PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS IS:

<b>YEAR</b>	<b>ADDITIONAL OPERATING EXPENSE</b>
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 INTERCEPTOR SYSTEM REHABILITATION PROJECT FOR EACH OF THE NEXT 15 FISCAL YEARS IS:

<b>YEAR</b>	<b>REVENUE</b>
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



**CERTIFICATE OF FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.**

Ferraioli, Wielkatz, Cerullo & Cuva, P.A., Certified Public Accountants, Accountants 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 in connection with the issuance by the Authority of its project notes (the "Obligations") to be issued in connection with the financing of various sewer improvements, including improvements to the Authority's gravity interceptor piping system and manholes (the "2018C Project") which Obligations will be issued pursuant to a note resolution (the "Resolution") expected to be adopted by the Authority at a meeting in the second quarter of 2018.

2. The (i) Completion Requirement of the costs of construction set forth in the Consulting Engineer's Certificate with respect to the 2018C Project after deduction therefrom of the amount of moneys (other than the proceeds of such Obligation) 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 Obligations 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 (as defined in the Resolution).

IN WITNESS WHEREOF, Ferraioli, Wielkatz, Cerullo & Cuva, P.A., Certified Public Accountants, has caused this certificate to be executed in its name and on its behalf by its duly authorized representative this 20th day of March, 2018.

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FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.  
CERTIFIED PUBLIC ACCOUNTANTS

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 41-2018**

**Date: March 20, 2018**

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**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, INCLUDING  
IMPROVEMENTS TO THE AUTHORITY'S WASTEWATER PUMP STATIONS**

**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 improvements to the Authority's wastewater pump stations, including Midland Park Pump Station, Ho-Ho-Kus Pump Station, Darlington Pump Station and Goffle Road Pump Station (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 \$7,000,000.

**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.

**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 March 20, 2018.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

[SEAL]

Recorded Vote:

	Bonagura	Chewcaskie	Danubio	DePhillips	Gabbert	Kelاهر	Lo Iacono	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 42-2018**

**Date: March 20, 2018**

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**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, INCLUDING  
IMPROVEMENTS TO THE AUTHORITY'S WASTEWATER  
TREATMENT PLANT FACILITY**

**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 improvements at the wastewater treatment plant facility located in Waldwick, New Jersey (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 \$4,900,000.

**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.

**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 March 20, 2018.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

[SEAL]

Recorded Vote:

	Bonagura	Chewcaskie	Danubio	DePhillips	Gabbert	Kelاهر	Lo Iacono	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 43-2018**

**Date: March 20, 2018**

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**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, INCLUDING  
IMPROVEMENTS TO THE AUTHORITY'S GRAVITY INTERCEPTOR PIPING SYSTEM  
AND MANHOLES**

**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 improvements to the Authority's gravity interceptor piping system and manholes (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 \$10,000,000.

**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.

**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 March 20, 2018.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

[SEAL]

Recorded Vote:

	Bonagura	Chewcaskie	Danubio	DePhillips	Gabbert	Kelاهر	Lo Iacono	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**No. 45-2018**

**Date: March 20, 2018**

---

**AUTHORIZATION TO ENTER INTO A SHARED SERVICES AGREEMENT WITH  
THE BOROUGH OF WALDWICK**

**WHEREAS**, the State of New Jersey encourages local units to enter into agreements for the joint provision of municipal services; and

**WHEREAS**, the State of New Jersey authorizes entering into such agreements for shared services pursuant to NJSA 40A:65-1 et. seq.; and

**WHEREAS**, the Northwest Bergen County Utilities Authority (the “Authority”) and the Borough of Waldwick (the “Borough”) had entered into a Shared Services Agreement on January 1, 2016 with a termination date of December 31, 2017 for the Authority to 1) provide monitoring of the Borough’s three (3) waste water pump stations once per week on the Wednesday of each week 2) perform repairs, corrective actions as directed by the borough 3) Clean each of the pumping stations twice annually at no additional cost and 4) Support Waldwick catch basin cleaning activities when requested; and

**WHEREAS**, the Borough has adopted a Resolution dated February 13, 2018 authorizing entering into a new shared services agreement with the Authority to receive the same services as previously provided; and

**WHEREAS**, the Authority desires to enter into this agreement with the Borough for a duration of two (2) years subject to the terms and conditions set forth in said agreement attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Northwest Bergen County Utilities Authority the following:

1. The Authority agrees to enter into a Shared Services Agreement with the Borough of Waldwick for a duration of two (2) years to provide the services described in Paragraph 3 above; and
2. The Chairman or Vice-Chairman of the Authority be and is hereby authorized on behalf of the Authority to execute the Shared Services Agreement with the Borough of Waldwick annexed hereto and made a part thereof.



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

---

**RESOLUTION**

**No. 45-2018**

**Date: March 20, 2018**

---

**AUTHORIZATION TO ENTER INTO A SHARED SERVICES AGREEMENT WITH  
THE BOROUGH OF WALDWICK**

I hereby certify that this is a true copy of a resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a regular meeting held on March 20, 2018.

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CHAIRMAN

---

SECRETARY

	Bonagura	Chewcaskie	Danubio	DePhillips	Gabbert	Kelaheer	Lo Iacono	Plumley	Kasparian
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									

## SHARED SERVICES AGREEMENT

THIS AGREEMENT, made and entered into this 14<sup>th</sup> day of Feb, ~~2017~~ <sup>2018</sup>, by and among:

THE BOROUGH OF WALDWICK, a Municipal Corporation of the State of New Jersey, in the County of Bergen, hereinafter referred to as "Waldwick" and the NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY, doing business at 30 Wyckoff Avenue, P.O. Box 255, Waldwick, New Jersey 07463, hereinafter referred to as "NBCUA".

WHEREAS, the State of New Jersey encourages local units to enter into agreements for the joint provision of services; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 *et. seq.*) promotes the broad use of shared services as a technique to reduce local expenses funded by property taxpayers; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 *et. seq.*) allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, Waldwick and the NBCUA have researched the feasibility of entering into an agreement under the authority of the Uniform Shared Services and Consolidation Act, whereby the NBCUA would provide to Waldwick, the services as outlined in paragraph 3 below; and

WHEREAS, Waldwick has adopted Resolution # J, which authorizes Waldwick to enter into an agreement with the NBCUA, for the services outlined in Paragraph 3 below.

NOW, THEREFORE, this Agreement is entered into by and among the Borough of Waldwick and the NBCUA for the purpose of defining and specifying the obligations of the parties and the Borough of Waldwick and the NBCUA hereby agree as follows:

1. Pursuant to N.J.S.A. 40A:65-1 *et. seq.*, both Waldwick and the NBCUA shall adopt the appropriate Resolutions, which will formally authorize the entering into of this Agreement between the parties.
2. The duration of this Agreement shall be for a period of two (2) years following the commencement date. The commencement date shall be January 1, 2018.
3. The NBCUA shall provide the following services to Waldwick:
  - A. The NBCUA shall perform the monitoring of each of Waldwick's three wastewater pump stations once per week on the Wednesday of each week.
  - B. Perform repairs and corrective action as directed by the Borough.

- C. Clean each of the pumping stations twice annually at no additional cost. Waldwick to provide support staff and water connections required for such cleaning.
  - D. Support Waldwick catch basin cleaning activities when requested. Services to be provided billed according to contract labor rates.
4. The Borough of Waldwick will respond to all pump station alarms and will notify NBCUA if repairs and/or corrective actions are required. The Borough will keep record of all such response where repairs are not required and will provide copies of these records to NBCUA.
  5. In order to accomplish repairs and corrective action in a prompt manner, the Borough will maintain a reasonable inventory of spare pump parts. These spare parts may be stored at the Waldwick DPW or at the NBCUA facility to permit 7-day/24 hour accessibility.
  6. In consideration for the services to be rendered by the NBCUA to Waldwick, pursuant to Paragraph 3 above, the Borough of Waldwick shall pay the NBCUA four (4) equal installments of \$2,625.00 on or before March 1<sup>st</sup>, June 1<sup>st</sup>, September 1<sup>st</sup> and December 1<sup>st</sup> of each year, for a total annual compensation of \$10,500.00. The rate of compensation paid by Waldwick to NBCUA for repairs, corrective actions and other requested activities will be \$86.75 per man-hour for business hours and \$108.43 per man-hour for non-business hours. A minimum of two (2) hours shall be billed by NBCUA for each request for services from Waldwick. The NBCUA shall provide the Borough of Waldwick with an invoice reflecting all time and work provided by its staff for repairs and response service during the previous month. Waldwick shall pay said invoices within 15 days of receipt.
  8. The parties agree to be bound by this Agreement for a minimum of twelve (12) months. Twelve (12) months following the commencement date, either party may terminate this Agreement by giving at least twelve (12) months' written notice to the other party.
  9. Each party to this Agreement represents to the other party thereto that the Officials executing this Agreement are fully authorized and empowered to do so and to bind the parties to the terms of this Agreement, pursuant to law.
  10. The parties recognize that the individuals who shall be designated as the Primary Contact Persons are the Licensed Sewer Operator and Superintendent of the NBCUA for the NBCUA and the Manager of the Borough's Public Works Department, for Waldwick. The Primary Contact individual for Waldwick shall be responsible for initiating all requests for repairs and corrective action to be carried out by NBCUA. The Primary Contact individuals shall be noticed on all issues of importance, including but not limited to, necessary repairs and corrective actions.

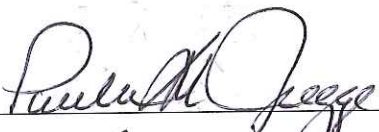


11. The Primary Contact persons shall jointly and cooperatively implement and complete a reporting form to memorialize and record all required and/or performed repairs, corrective actions and responses for each pumping station.
12. The NBCUA will provide a certificate of insurance designating Waldwick as an additional insured, with the same limits and coverage as the NBCUA has in place with their current insurance program.
13. Waldwick assumes all liability for, and agrees to indemnify and hold the NBCUA and its agents, servants, employees, guests, licensees and invitees, harmless against any and all claims, losses, damages, injuries and expenses, arising out of, resulting from, or incurred in connection with any acts or omissions by Waldwick, its agents, servants or employees.
14. The effective date of this Agreement shall be January 1, 2018 and the expiration shall be December 31, 2019, unless the agreement is terminated pursuant to paragraph 5 above.
15. The NBCUA agrees to comply with all applicable federal, state, county and municipal laws, rules and regulations.
16. The terms of this Agreement shall constitute the entire understanding between the parties and may only be amended by a written document executed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, this month, day and year first above written.

ATTEST:

BOROUGH OF WALDWICK

  
\_\_\_\_\_  
Date: March 12, 2018

By:  \_\_\_\_\_

ATTEST:

NORTHWEST BERGEN COUNTY  
UTILITIES AUTHORITY

\_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

**MAYOR AND COUNCIL  
OF THE  
BOROUGH OF WALDWICK  
Bergen County, New Jersey  
RESOLUTION**

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**February 13, 2018**

**Authorizing Interlocal Agreement for Maintaining and Repairing Sewer Pump Stations**

**WHEREAS**, the Interlocal Services Act, NJSA 10:8A-1, et seq., permits authorities and encourages public bodies such as counties, municipalities and school districts to enter into agreements with each other to contract for the provision of any service which the parties to such agreement are empowered to render under and within its own jurisdiction, whether administrative, educational, instructional or otherwise; and

**WHEREAS**, the Northwest Bergen County Utility Authority has equipment, facilities and trained personnel to provide maintenance and repair for the three sewer pumping stations operated by the Borough of Waldwick; and

**WHEREAS**, the Borough of Waldwick is desirous of obtaining Sewer Pump Station Maintenance and Repair Services; and

**WHEREAS**, each participant is responsible for compliance with such statutes, rules and regulations as may be applicable to it during implementation of the terms of this Agreement; and

**WHEREAS**, the duration of this agreement shall be by the calendar year and that the Agreement shall terminate on the 31<sup>st</sup> of December of each year.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Waldwick that the Mayor and Borough Clerk are hereby authorized to execute and interlocal agreement for Sewer Pump Maintenance and Repair Services with Northwest Bergen County Utilities Authority.

Moved by: Mrs. Dellavechia Seconded by: Mr. Oravetz

Mayor	Yes	No	Councilperson	Yes	No	Councilperson	Yes	No	Councilperson	Yes	No
Giordano			Bjork		/	Farricker	/	/	Schatz	/	/
			Dellavechia	/		Oravetz	/		Sciolaro	/	/

Attest: Paula M. Jaegge Approved: Thomas A. Giordano

Paula M. Jaegge, Borough Clerk

Thomas A. Giordano, Mayor

**CERTIFICATION**

CERTIFIED TO BE A TRUE COPY OF A RESOLUTION PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF WALDWICK ON

February 16, 2018  
Paula M. Jaegge

PAULA M. JAEGBE  
 MUNICIPAL CLERK