

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. CS-FEB.2013**

**Seconded by** Commissioner Kelaher

**Date: February 5, 2013**

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**AUTHORIZATION TO GO INTO CLOSED SESSION  
TO DISCUSS PENDING AND POTENTIAL LITIGATION**

**WHEREAS**, the meetings of the Commissioners of the Northwest Bergen County Utilities Authority (the "Authority") are subject to the Open Public Meetings Act, N.J.S.A. 10:4-1, et seq. ("OPMA"); and

**WHEREAS**, in accordance with the OPMA, the Authority may exclude the public from that portion of any meeting in which the Commissioners discuss pending and/or anticipated litigation in which the Authority is or may become a party or any matters falling within the attorney/client privilege; and

**WHEREAS**, the Commissioners wish to review and discuss: (i) the County Executive's veto dated December 18, 2012 vetoing for several reasons specific portions of the Authority's 2013 Annual Budget including reasons which are included in the pending litigation with the County Executive.

**NOW, THEREFORE, BE IT RESOLVED** that the Commissioners of the Northwest Bergen County Utilities Authority go into closed session to discuss pending and/or anticipated litigation over the matters set forth above; and be it

**FURTHER RESOLVED**, that the matters to be discussed in closed session may be disclosed to the public at a time in the future when these issues have been resolved and such disclosure will not harm the Authority.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. CS-FEB.2013**

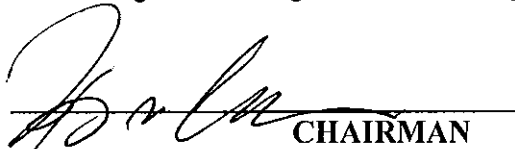
**Seconded by** Commissioner Kelaher

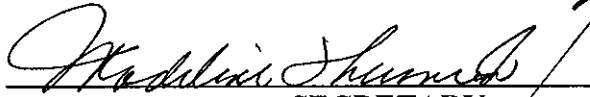
**Date: February 5, 2013**

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**AUTHORIZATION TO GO INTO CLOSED SESSION  
TO DISCUSS PENDING AND POTENTIAL LITIGATION**

**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 5, 2013.

  
\_\_\_\_\_  
**CHAIRMAN**

  
\_\_\_\_\_  
**SECRETARY**

**Roll Call:**    **AYES:** Commissioners Dachnowicz, DaPuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Plumley, Salazer, Chewcaskie  
                  **NAYES:** None  
                  **ABSENT:** None

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**Seconded by** Commissioner Kasparian                      **Date**      **Feb. 5, 2013**

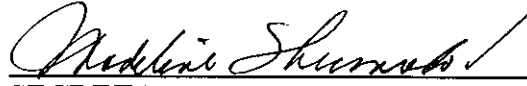
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**CONSENT RESOLUTION**

**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.**

- 07-2013.      Approval of vouchers, payroll and tax deposits.**
- 08-2013.      Approval of 2013 Meeting Schedule.**
- 09-2013.      Appointment of The Ridgewood News and The Record as Official Newspapers for 2013.**
- 10-2013.      Authorization for Purchasing Agent to purchase goods or services from approved New Jersey State Contract Vendors for 2013.**
- 11-2013.      Award Bid, Contract #263 Incinerator Ash Disposal.**
- 12-2013.      Qualification of Individuals/Firms for Provision of Engineering Services.**
- 13-2013.      Qualification of Individuals/Firms for Provision of Legal Services.**
- 14-2013.      Appointment of Auditor for 2013.**
- 15-2013.      Appointment of Bond Counsel for 2013.**
- 16-2013.      Appointment of Authority Consulting Engineer for 2013.**
- 17-2013.      Appointment of Authority Engineer for 2014 Service Charges.**
- 18-2013.      Appointment of Authority General Counsel for 2013.**
- 19-2013.      Appointment of Authority Labor Counsel for 2013.**

  
SECRETARY

  
CHAIRMAN

**Roll Call:** AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer,  
Chewcaskie

NAYES: None

ABSENT: Commissioner Plumley

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

Offered by     Commissioner DaPuzzo

No. 07-2013.

Seconded by   Commissioner Kasparian

Date Feb. 5, 2013

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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 Pension & Benefits transfers for the month of Jan. 2013 and Health and Dental Benefits transfers for Feb. 2013; and**

**WHEREAS, the Commissioners of the Authority have reviewed the vouchers, payroll transfers, payroll tax deposits, Pension 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, by the Commissioners of the Northwest Bergen County Utilities Authority, that all vouchers, payroll transfers, payroll tax deposits, Pension & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated Feb. 5, 2013 be and they hereby are approved for payment from the proper accounts as follows:**

<b>ACCOUNT:</b>	<b>PAYROLL ACCOUNT</b>
<b>NET PAYROLL:</b>	<b>\$185,527.84</b>

<b>ACCOUNT:</b>	<b>TAX DEPOSIT ACCOUNT</b>
<b>TOTAL:</b>	<b>\$90,420.40</b>

<b>ACCOUNT:</b>	<b>PERS AND CONTRIBUTORY INSURANCE</b>
<b>TOTAL TRANSFER:</b>	<b>\$ 27,208.17</b>

<b>ACCOUNT:</b>	<b>HEALTH BENEFITS CONTRIBUTION EMPLOYER</b>
<b>TOTAL TRANSFER:</b>	<b>\$ 96,764.81</b>

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

**Offered by:** Commissioner DaPuzzo

**No. 07-2013. page 2**

**Seconded by:** Commissioner Kasparian

**Date: Feb. 5, 2013**

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**ACCOUNT: HEALTH BENEFITS CONTRIBUTION EMPLOYEE  
TOTAL: \$ 2,435.66**

**ACCOUNT: DENTAL BENEFITS  
TOTAL TRANSFER: \$ 4,393.89**

**ACCOUNT: DCRP - EMPLOYEE - JAN.  
TOTAL TRANSFER: \$ 22.92**


**ACCOUNT: DCRP - EMPLOYER - JAN.  
TOTAL TRANSFER: \$ 12.50**


**ACCOUNT: OPERATING ACCOUNT  
TOTAL: \$320,511.58**

**ACCOUNT: 2009A PROJECT ACCOUNT  
TOTAL: \$ 2,146.00**

**ACCOUNT: 2010 PROJECT ACCOUNT  
TOTAL: \$ 1,931.25**

**ACCOUNT: 2012 WWT PROJECT ACCOUNT  
TOTAL: \$280,521.24**

  
SECRETARY

  
CHAIRMAN

**Roll Call:** AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips, Gabbert  
Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT; Commissioner Plumley

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**OFFERED BY** Commissioner DaPuzzo                      **No.**      08-2013.

**SECONDED BY** Commissioner Kasparian              **DATE** Feb. 5, 2013


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**2013 SCHEDULE OF MEETINGS**

**RESOLVED,**

**BE IT RESOLVED**, by the Commissioners of the Northwest Bergen County Utilities Authority, that the regularly scheduled meetings of the Northwest Bergen County Utilities Authority for the year 2013 shall be held in the offices of the Authority located at 30 Wyckoff Ave., in the Borough of Waldwick, New Jersey, and shall be held on the days and the times as set forth in the attached schedule.

**BE IT FURTHER RESOLVED**, that, in the event the schedule as set forth herein is revised, such revisions shall be posted, mailed and noticed as required by law.

  
\_\_\_\_\_  
CHAIRMAN

  
\_\_\_\_\_  
SECRETARY

mtg.sch

**Roll Call:** AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**MEETING SCHEDULE FOR 2013**

<b>2013 MONTH</b>	<b>WORK SESSION <u>TUESDAY</u> FOLLOWED BY THE REGULAR MEETING 7:00 PM</b>	<b>W/S <u>WEDNESDAY</u> 7:00 PM</b>	<b>SPECIAL MEETING 7:00 PM</b>
<b>FEBRUARY</b>	<b>5</b>		---
<b>MARCH</b>	<b>5</b>		---
<b>APRIL</b>	<b>9</b>		---
<b>MAY</b>	<b>7</b>		---
<b>JUNE</b>	<b>4</b>		---
<b>JULY</b>	<b>9</b>		---
<b>AUGUST</b>	---		---
	<b>NO MEETINGS SCHEDULED FOR AUGUST</b>		
<b>SEPTEMBER</b>	<b>3</b>		---
<b>OCTOBER</b>	<b>1</b>	---	<b>*1</b>
	<b>*1<sup>st</sup> - ADOPT PRELIMINARY BUDGET &amp; SEND TO DIV. OF LOCAL GOVT., SET DATE FOR PUBLIC HEARING</b>		
<b>NOVEMBER</b>	<b>12</b>		---
<b>DECEMBER</b>	<b>3</b>		<b>*3</b>
	<b>*PUBLIC HEARING FOR BUDGET</b>		
<b>2014</b>			
<b>JANUARY</b>	<b>7</b>		---
<b>FEBRUARY</b>	<b>4</b>		---
	<b>REORGANIZATION MEETING</b>		

**\*No official action taken at Work Sessions.**



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**OFFERED BY** Commissioner DaPuzzo                      **NO.**        **09-2013**  
**SECONDED BY** Commissioner Kasparian                      **DATE** February 5, 2013

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**AUTHORITY'S OFFICIAL NEWSPAPERS FOR 2013**


**RESOLVED,**

**WHEREAS, the Northwest Bergen County Utilities Authority requires the services of designated newspapers to carry advertisements and legal notices as required by the Northwest Bergen County Utilities Authority pursuant to law.**

**NOW, THEREFORE, BE IT**

**RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that THE RECORD and the RIDGEWOOD NEWS be and the same are hereby designated as official newspapers of the Northwest Bergen County Utilities Authority for the year 2013 for the purposes of publishing advertisements and legal notices as the same may be necessary for the Northwest Bergen County Utilities Authority, and as required by law.**

  
\_\_\_\_\_  
**SECRETARY**

  
\_\_\_\_\_  
**CHAIRMAN**

off.

**Roll Call:** AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 10-2013.**

**Seconded by** Commissioner Kasparian

**Date: Feb. 5, 2013**

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**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE  
CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO  
N.J.S.A.40A:11-12a**

**WHEREAS, the Northwest Bergen County Utilities Authority, pursuant to N.J.S.A.40A:1-12a and N.J.A.C.5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and**

**WHEREAS, the Northwest Bergen County Utilities Authority has the need on a timely basis to purchase goods or services utilizing State contracts; and**

**WHEREAS, the Northwest Bergen County Utilities Authority intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Northwest Bergen County Utilities Authority authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and**

**BE, IT FURTHER, RESOLVED, that the governing body of the Northwest Bergen County Utilities Authority pursuant to N.J.A.C.5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are**

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by**    Commissioner DaPuzzo

**No. 10-2013 pg. 2**

**Seconded by**   Commissioner Kasparian

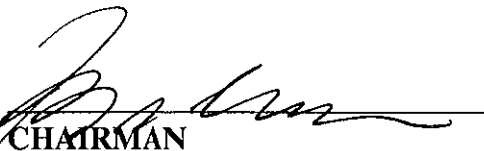
**Date: Feb. 5, 2013**

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ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the Northwest Bergen County Utilities Authority and the Referenced State Contract Vendors shall be from January 1, 2013 to December 31, 2013.

**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 Commissioners of the Authority eligible to vote at a reorganization meeting held on February 5, 2013.

  
CHAIRMAN

  
SECRETARY

**Roll Call:**    **AYES:** Commissioners Dachnowicz, DaPuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
                  **NAYES:** None  
                  **ABSENT:** Commissioner Plumley

**REFERENCED STATE CONTRACT VENDORS**

<b><u>Commodity/Service</u></b>	<b><u>Vendor</u></b>	<b><u>State Contract #</u></b>
<b>General Office Supplies</b>	<b>Staples, Inc.</b>	<b>M-0052 (exp.7/31/14)</b>
<b>Custodial/Maintenance Supplies</b>	<b>Grainger, Inc.</b>	<b>M-0002 (exp.2/28/14)</b>
<b>Fire Extinguisher Maintenance</b>	<b>FYR Fyter Sales</b>	<b>T0576 (exp.5/31/15)</b>
<b>Laboratory Supplies</b>	<b>Hach Chemical</b>	<b>75843 (exp.12/31/13)</b>
	<b>Fisher Scientific</b>	<b>75827 (exp.12/31/13)</b>
	<b>J&amp;H Berg</b>	<b>75819 (exp.12/31/13)</b>
	<b>VWR Scientific</b>	<b>75846 (exp.12/31/13)</b>
<b>Bottled Water &amp; Cooler Rental</b>	<b>Nestle Water d/b/a Deer Park</b>	<b>77250 (exp.7/31/13)</b>

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 11-2013**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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**AWARD BID – CONTRACT NO. 263 – DISPOSAL OF INCINERATOR ASH**

**RESOLVED,**

**WHEREAS**, the Executive Director of the Northwest Bergen County Utilities Authority (the "Authority") was authorized to advertise for the receipt of bids for Contract No. 263, Disposal of Incinerator Ash (Contract No. 263); and

**WHEREAS**, on January 29, 2013, the date designated for the public opening and reading of such bids, two (2) bids were received in response to the invitation to bid; and

**WHEREAS**, Spectraserv, Inc. ("Spectraserv") submitted the apparent low bid as follows:

\$96.00 per ton for the existing amount of ash;  
\$96.00 per ton for future accumulated ash; and

**WHEREAS**, after review, the bid was found to be within the anticipated parameters and legally sufficient;

**NOW, THEREFORE, BE IT**

**RESOLVED**, by the Commissioners of the Northwest Bergen County Utilities Authority that the bid of Spectraserv, Inc., 75 Jacobus Avenue, South Kearny, NJ 07032 for Contract No. 263, disposal of incinerator ash be and the same is hereby accepted at the cost of \$96.00 per ton for existing and future accumulated ash for a period of two (2) years; and it is

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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RESOLUTION

Offered by Commissioner DaPuzzo

No. 11-2013 p. 2

Seconded by Commissioner Kasparian

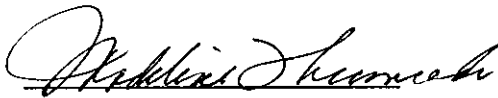
Date: February 5, 2013

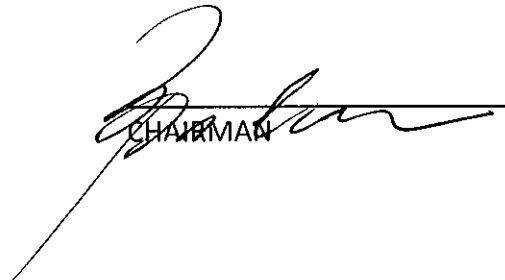
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AWARD BID – CONTRACT NO. 263 – DISPOSAL OF INCINERATOR ASH

**FURTHER RESOLVED**, that Authority Counsel is hereby directed to prepare the necessary contract therefore; and it is

**FURTHER RESOLVED**, that the Chairman or Vice-Chairman is hereby authorized to execute such contract on behalf of the Authority.

  
SECRETARY

  
CHAIRMAN

Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 12-2013

Seconded by ~~Commissioner Kasparian~~

Date: February 5, 2013

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QUALIFICATION 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 ENGINEER

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **January 11, 2013**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 23, 2013** from the following Individuals/Firms:

- Boswell Engineering – South Hackensack, NJ
- Chavond Barry Engineering Corp. – Blawenburg, NJ
- CME Consulting and Municipal Engineers, Parlin, NJ
- D.J. Egarian & Associates, Inc. – Parsippany, NJ
- Hatch Mott MacDonald – Millburn, NJ
- Maser Consulting, P.A. – Mount Arlington, NJ
- Remington, Vernick & Arango Engineers – Secaucus, NJ
- SNS Architects & Engineers, PC – Montvale, NJ
- T&M Associates – Middletown, NJ
- URS – Paramus, 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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 12-2013 p. 2

Seconded by Commissioner Kasparian

Date: February 5, 2013

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QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF ENGINEERING SERVICES

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, 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

**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
- CME Consulting and Municipal Engineers, Parlin, NJ
- D.J. Egarian & Associates, Inc. – Parsippany, NJ
- Hatch Mott MacDonald – Millburn, NJ
- Maser Consulting, P.A. – Mount Arlington, NJ



NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 12-2013 p. 3

Seconded by Commissioner Kasparian

Date: February 5, 2013

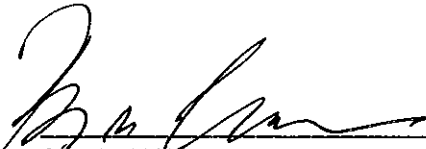
**QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF ENGINEERING SERVICES**

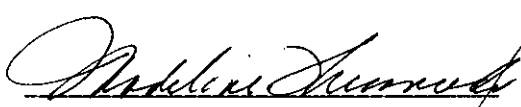
- Remington, Vernick & Arango Engineers – Secaucus, NJ
- SNS Architects & Engineers, PC – Montvale, NJ
- T&M Associates – Middletown, NJ
- URS – Paramus, NJ

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.

**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 5, 2013.

  
CHAIRMAN

  
SECRETARY

Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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RESOLUTION

Offered by Commissioner DaPuzzo

No. 13-2013

Seconded by Commissioner Kasparian

Date: February 5, 2013

**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 2013**

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **January 11, 2013**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 23, 2013** from the following Individuals/Firms:

- Eric M. Bernstein & Associates – Warren, NJ
- Maraziti, Falcon & Healey, LLP – Short Hills, NJ
- Sokol, Behot & Fiorenzo – Hackensack, 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

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 13-2013 p. 2**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

---

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

**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

**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
- Maraziti, Falcon & Healey, LLP – Short Hills, NJ
- Sokol, Behot & Fiorenzo – Hackensack, NJ

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 13-2013 p. 3

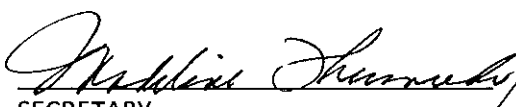
Seconded by Commissioner Kasparian

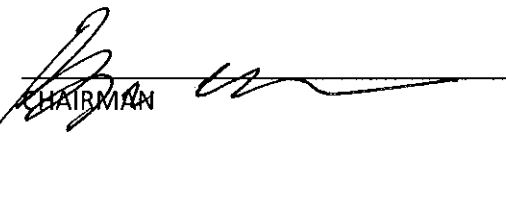
Date: February 5, 2013

QUALIFICATION OF INDIVIDUALS/FIRMS FOR PROVISION OF LEGAL SERVICES

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 held on February 5, 2013.

  
SECRETARY

  
CHAIRMAN

Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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RESOLUTION

Offered by Commissioner DaPuzzo

No. 14-2013

Seconded by Commissioner Kasparian

Date: February 5, 2013

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**RETENTION OF AUDITOR FOR 2013 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:

**AUDITOR FOR 2013**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on **January 11, 2013**; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 23, 2013**; 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 auditing 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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 14-2013 p. 2

Seconded by Commissioner Kasparian

Date: February 5, 2013

**RETENTION OF AUDITOR FOR 2013 PURSUANT TO N.J.S.A. 19:44A-20.4**

**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

**WHEREAS**, the firm of Lerch, Vinci & Higgins, LLP was determined to be highly qualified and eminently capable of providing auditing services to the Authority; and

**WHEREAS**, the Authority has determined that it is in its best interest to retain the professional Lerch, Vinci & Higgins, LLP as set forth in this Resolution; and

**WHEREAS**, Lerch, Vinci & Higgins, LLP shall audit the financial services of all funds and account groups which collectively comprise the financial statements of the Authority; and

**WHEREAS**, Lerch, Vinci & Higgins, LLP has proposed to perform the following additional services which include: (i) review of the Authority's 2013 budget and supporting documentation; (ii) review of deferred compensation plan for 2013; (iii) review of quarterly compiled financial statements of 2013, for June; and (iv) Annual Sewer Connection Fee Calculation; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 14-2013 p. 3**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

**RETENTION OF AUDITOR FOR 2013 PURSUANT TO N.J.S.A. 19:44A-20.4**

**WHEREAS**, the fee for the audit of the fiscal year ending December 31, 2013, and additional services shall be as follows:

<b>Services</b>	<b>Fee</b>
Annual Statutory Audit	\$41,000
Review of Deferred Compensation Plan	\$4,500
Capital Financing	\$30,000
Review of Audit Budget	\$3,000
Annual Sewer Connection Fee Calculation	\$15,000
<b>TOTAL:</b>	<b>\$93,500</b>

**WHEREAS**, services rendered on behalf of the Authority, not listed above will be billed based upon Lerch, Vinci & Higgins, LLP's standard billing rates, as follows:

<b>Position</b>	<b>Amount Per Hour</b>
Partners	\$140-\$170 per hour
Managers	\$100 - \$125 per hour
Senior Accountants/Supervisors	\$80 - \$100 per hour
Staff Accountants	\$70 - \$80 per hour
Other Personnel	\$45 per hour

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 14-2013 p. 4

Seconded by Commissioner Kasparian

Date: February 5, 2013

RETENTION OF AUDITOR FOR 2013 PURSUANT TO N.J.S.A. 19:44A-20.4

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby retains *Lerch, Vinci & Higgins, LLP* for the year ending December 31, 2013 and until a successor has been named.


BE IT FURTHER RESOLVED that the general counsel be and the same is hereby authorized and directed to 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 One Hundred and Fifteen Thousand (\$115,000) Dollars.

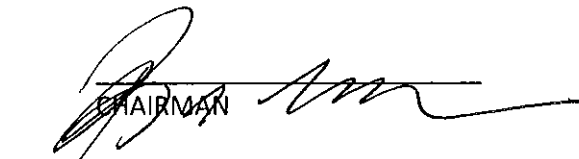
BE IT FURTHER RESOLVED that in the event that *Lerch, Vinci & Higgins, LLP* anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.

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.

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 5, 2013.

  
SECRETARY

  
CHAIRMAN

Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley



NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 15-2013

Seconded by Commissioner Kasparian

Date: February 5, 2013

---

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 11, 2013**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 23, 2013**; and

WHEREAS, the Authority requires a **BOND COUNSEL** to provide the services necessary for the issuance of bonds required for financing of **Sanitary Sewer** and other potential capital 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

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 15-2013 p. 2**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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

**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

**WHEREAS**, John D. Draikiwicz of the firm of Gibbons P.C. 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 P.C. as set forth in this Resolution; and

**WHEREAS**, Gibbons, P.C. 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.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 15-2013 p. 3

Seconded by Commissioner Kasparian

Date: February 5, 2013

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

**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby retains John D. Draikiwicz of the firm of Gibbons, P.C. 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 for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional **in an amount not to exceed \$65,000.**

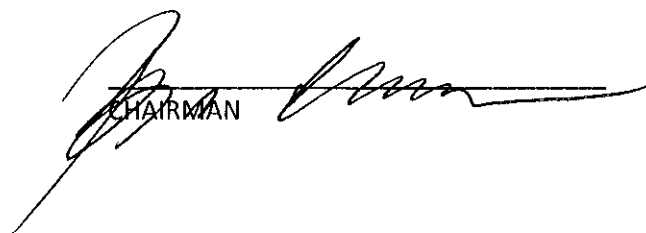
**BE IT FURTHER RESOLVED** that in the event that Gibbons, P.C. anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.

**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.

**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 5, 2013.

  
Secretary

  
CHAIRMAN

Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips, Gabbert  
Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 16-2013**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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**RETENTION OF AUTHORITY ENGINEER FOR 2013 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 11, 2013**; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 23, 2013**; 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 12-2013** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 16-2013 p. 2**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

---

**RETENTION OF AUTHORITY ENGINEER FOR 2013 PURSUANT TO N.J.S.A. 19:44A-20.4**

**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
- 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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 16-2013 p.3

Seconded by Commissioner Kasparian

Date: February 5, 2013

**RETENTION OF AUTHORITY ENGINEER FOR 2013 PURSUANT TO N.J.S.A. 19:44A-20.4**

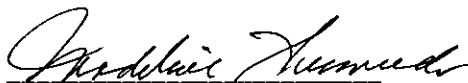
**BE IT FURTHER RESOLVED** that the Authority shall prepare a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional at T&M Billing Rates, in an amount not to exceed **\$85,000**.

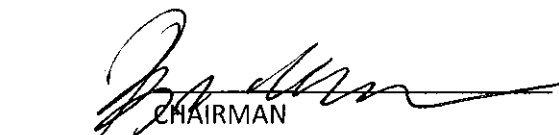
**BE IT FURTHER RESOLVED** that, in the event that T&M Associates anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.

**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.

**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 5, 2013.

  
Secretary

  
CHAIRMAN

Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley



### 2013 Schedule of Hourly Billing Rates

Billing Titles	Billing Rate/Hour
Technical and Field Staff Entry Level	\$63.00
Field Staff - Grade 1	\$71.00
Technical Staff - Grade 1, Administrative Support Staff	\$77.00
Field Staff - Grade 2	\$84.00
Technical Staff - Grade 2 Professional Entry Level	\$99.00
Field Staff - Grade 3	\$99.00
Technical Staff - Grade 3	\$112.00
Field Staff - Grade 4	\$112.00
Technical Staff - Grade 4 Professional I	\$125.00
Field Staff - Grade 5	\$126.00
Technical Staff - Grade 5 Professional II	\$135.00
Professional III Supervising Field Staff	\$146.00
Professional IV Supervising Technical Staff	\$163.00
Professional V (Field & Support)	\$163.00
Professional V	\$183.00
Supervising Professional Unit Supervisor, Professional VI	\$204.00
Group Manager Professional VII	\$221.00
Principal, Manager, Professional VIII, IX	\$243.00
Survey Crew 1	\$145.00
Survey Crew 2	\$186.00
Survey Crew 3	\$221.00

Effective January 1, 2013

Billing Basis: Fixed Rate for Each Billing

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 17-2013**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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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 11, 2013**; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 23, 2013**; 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**, 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



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 17-2013 p. 2**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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

**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

**WHEREAS**, Paul Malmrose of the firm of 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 2014 Preliminary User Charges      | \$ 8,000              |
| 4. Task 4 – Review of Final User Charges                 | <u>\$ 4,200</u>       |
| TOTAL:   | \$21,600              |
| 5. Task 5 – Miscellaneous Consulting Services related    | \$ 8,500 (estimated). |

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 17-2013 p.3

Seconded by Commissioner Kasparian

Date: February 5, 2013

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

**WHEREAS**, services rendered on behalf of the Authority will be billed for each Task as stated above except 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-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

**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 held on February 5, 2013.

  
Secretary

  
CHAIRMAN

Roll Call: **AYES:** Commissioners Dachnowicz, DaPuzzo, DePhillips, Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
**NAYES:** None  
**ABSENT:** Commissioner Plumley

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 18-2013**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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**RETENTION OF GENERAL COUNSEL FOR 2013 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 2013**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on **January 11, 2013**; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 23, 2013**; 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 13-2013**, the Authority identified a number of firms as qualified to perform the legal services required by the Authority; and

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 18-2013 p. 2**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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**RETENTION OF GENERAL COUNSEL FOR 2013 PURSUANT TO N.J.S.A. 19:44A-20.4**

**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

**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');

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 18-2013 p. 3**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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**RETENTION OF GENERAL COUNSEL FOR 2013 PURSUANT TO N.J.S.A. 19:44A-20.4**

- 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;
- 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.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 18-2013 p.4**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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**RETENTION OF GENERAL COUNSEL FOR 2013 PURSUANT TO N.J.S.A. 19:44A-20.4**

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

Position	Amount per Hour
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

**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.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 18-2013 p.5

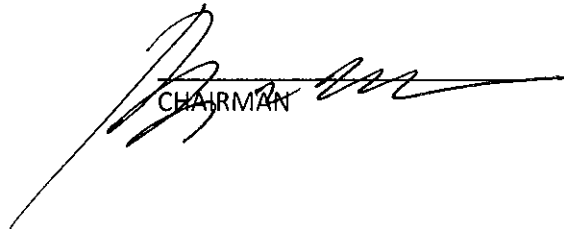
Seconded by Commissioner Kasparian

Date: February 5, 2013

RETENTION OF GENERAL COUNSEL FOR 2013 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 special meeting held on **February 5, 2013**.

  
SECRETARY

  
CHAIRMAN

Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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RESOLUTION

Offered by Commissioner DaPuzzo

No. 19-2013

Seconded by Commissioner Kasparian

Date: February 5, 2013

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**RETENTION OF AUTHORITY LABOR 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:

**LEGAL SERVICE FOR 2013**

**WHEREAS**, the Authority issued a Request for Qualifications for such position and notice thereof was published on **January 11, 2013**; and

**WHEREAS**, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 23, 2013**; 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 13-2013** the Authority identified a number of Individuals/Firms as qualified to perform Legal Services required by the Authority; and



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 19-2013 p. 2**

**Seconded by** Commissioner Kasparian

**Date: February 5, 2013**

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

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

**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**.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No. 19-2013 p. 3

Seconded by Commissioner Kasparian


Date: February 5, 2013

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

**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.

**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 5, 2013.

  
SECRETARY

  
CHAIRMAN

Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Gabbert, Kasparian, Kelaher, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioner Plumley