

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by** COMMISSIONER DEPHILLIPS

**No. 58-2013**

**Seconded by** COMMISSIONER GABBERT

**Date: October 16, 2013**

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**AMENDMENT TO  
2013 SERVICE CHARGES**

**WHEREAS**, the Northwest Bergen County Utilities Authority (“Authority”) was established pursuant to New Jersey Statutes Chapter 36A Title 40, and presently is authorized to operate pursuant to N.J.S.A. 40:14B-1, et seq.; and

**WHEREAS**, the municipalities of Allendale, Ho-Ho-Kus, Midland Park, Ramsey, Waldwick and Wyckoff, on or about March 12, 1965, The Village of Ridgewood on or about July 5, 1972, and the Township of Mahwah, on or about June 25, 1975, entered into Service Contracts with the Authority whereby the various rights and obligations of the parties concerning operation, establishment and calculation of rates, and method of payments were established; and

**WHEREAS**, on or about July 15, 1986, the Authority adopted a Bond Resolution authorizing financing for the continued operation and maintenance of the district sewer system; and

**WHEREAS**, pursuant to said statutory authorization and Service Contracts, the Authority adopted a budget for the fiscal year of January 1, 2013 to December 31, 2013, making provision for the payment of \$13,453,955.00, being the amount that the Authority estimated would be required (in addition to other funds on hand applicable for such purposes) to be paid by said municipalities during the current fiscal year January 1, 2013, as and for payment of principal and interest on outstanding bonds or other obligations authorized by said statutes and Service

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Contracts, and for the cost of operation, depreciation, and repair of the district's sewer system including establishment and maintenance of working capital and reserves; and

**WHEREAS**, the above stated statutes and Service Contracts provide that the Authority may prescribe the amount to be charged for the discharge and disposal of sewage through the district sewer system pursuant to N.J.S.A. 14:14B-1, et seq. and related statutes thereto; and

**WHEREAS**, by Resolution dated November 3, 1983, the Commissioners determined that, commencing January 4, 1984, and for a period of three years, User Service Charges be calculated based upon a formula which gave equal weight in determining User Service Charges to adjusted metered flow, water connections based on equivalent dwelling units, and water usage; and

**WHEREAS**, the said Resolution further provided that, effective January 1, 1987, User Service Charges be calculated according to a formula in which 60% of User Service Charges are based on adjusted metered flow, 20% are based on water connections and 20% are based on water usage (the "60-20-20 Formula"); and

**WHEREAS**, the Commissioners of the Authority adopted Resolution No.49-2013 Amendment to the 2013 Annual Budget (the "Budget Amendment") in which Non-Operating Appropriations/Other Reserves were reduced by \$1,598,983 which has allowed the Authority to reduce the amount of Service Charges required by \$1,598,983.

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NOW, THEREFORE, BE IT

RESOLVED that the Authority does hereby reduce the amount of the Service Charges for 2013 by \$1,598,983 and calculates the amount of money each of the said municipalities shall be required to pay to the Authority during the 2013 year as follows:

	<u>Total 2013</u>	<u>Reduction</u>
Borough of Allendale	\$1,479,905	\$199,608
Borough of Ho-Ho-Kus	\$612,807	\$82,654
Township of Mahwah	\$3,478,300	\$469,149
Borough of Midland Park	\$1,049,589	\$141,567
Borough of Ramsey	\$2,205,496	\$297,474
Village of Ridgewood	\$23,673	\$3,193
Borough of Waldwick	\$1,543,453	\$208,179
<u>Township of Wyckoff</u>	<u>\$1,461,749</u>	<u>\$197,159</u>
TOTAL	\$11,854,972	\$1,598,983

; and

FURTHER RESOLVED, that this Resolution shall only become effective upon the approval of the Budget Amendment by the Director of the Division of Local Government Services; and

FURTHER RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the Secretary be and she hereby is authorized and directed to forward to each of the said municipalities a certified copy of this resolution so that they might make provision for payment to the Authority of the amount certified to be due as set for the above, the total amount due from each municipality being payable in equal quarterly installments due and to

