

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 01-2023

Date: January 10, 2023

2023 SERVICE CHARGES

WHEREAS, the Northwest Bergen County Utilities Authority was established pursuant to New Jersey Statute 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, the Township of Mahwah, on or about June 25, 1975, and the Borough of Franklin Lakes on or about February 8, 2006, entered into Service Contracts with the Northwest Bergen County Utilities 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 Northwest Bergen County Utilities 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 Northwest Bergen County Utilities Authority adopted a budget for the fiscal year of January 1, 2023 to December 31, 2023, making provision for the payment of \$15,932,780, being the amount that the Authority estimates will 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, 2023 to December 31, 2023, as and for security of payment of principal and interest on outstanding bonds or other obligations authorized by said statutes and service 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 amounts to be charged for the discharge and disposal of sewage through the district sewer system pursuant to N.J.S.A.14:14B-22 and N.J.S.A.14:14B-23 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).

NOW, THEREFORE, BE IT

RESOLVED, that the Authority does hereby calculate the amount of money each of the said municipalities shall be required to pay to the Authority during the 2023 year as follows:

Borough of Allendale	\$ 1,952,895.00
Borough of Ho-Ho-Kus	\$ 685,362.00
Borough of Franklin Lakes	\$ 145,723.00
Township of Mahwah	\$ 3,769,115.00
Borough of Midland Park	\$ 1,134,996.00
Borough of Ramsey	\$ 2,618,192.00
Village of Ridgewood	\$ 27,516.00
Borough of Waldwick	\$ 1,828,791.00
Township of Wyckoff	<u>\$ 1,960,190.00</u>

TOTAL: **\$14,122,780.00**

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 be made on

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 02-2023

Date: January, 10, 2023

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 December 2022 and Health Benefits and Dental Benefits transfers for January 2023; 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 listed 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 January 10, 2023 be and they hereby are approved for payment from the proper accounts as follows:

ACCOUNT: Payroll Account
Net Payroll: \$319,634.51

ACCOUNT: Tax Deposit Account
Total: \$145,286.60

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$113,040.40

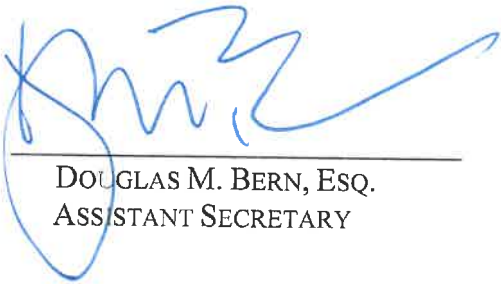
ACCOUNT: Health Benefits Contribution Employee
Total: \$35,908.77

ACCOUNT: Dental Benefits
Total Transfer: \$4,404.07

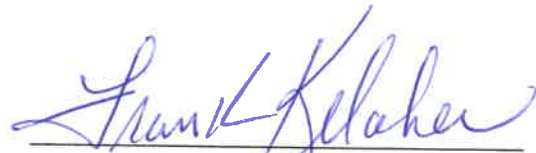
ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$31,360.75

ACCOUNT: Operating Account
Total: \$669,183.44

ACCOUNT: General Improvement Account
Total: \$157,771.72



DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY



FRANK KELAHER, VICE-CHAIRMAN

RECORDED VOTE:

	Bonagura	Jordan	Kelaher	Lo Iacono	Ortega	Soukas	Tombalakian	Kasparian
Offered					✓			
Seconded							✓	
Aye	✓	✓	✓	✓	✓	✓	✓	
Nay								
Absent								
Abstain								✓
Recuse								

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 03-2023

Date: January 10, 2023

DESIGNATION OF THE PUBLIC AGENCY COMPLIANCE OFFICER FOR 2023

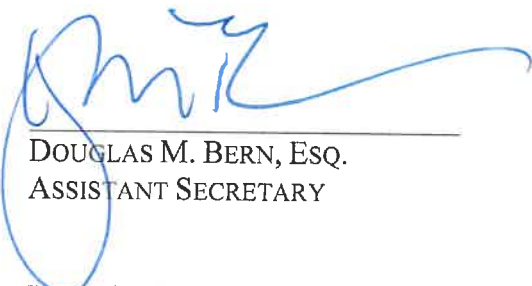
WHEREAS, the Law Against Discrimination, Public Law 1973, Chapter 127, requires affirmative action in the performance of contracts which receive funding from the State of New Jersey; and

WHEREAS, recent amendments to the regulation implementing the Law Against Discrimination require that every public agency annually designate an officer or employee to serve as the Public Agency Compliance Officer who shall be responsible for ensuring the agency's compliance with the applicable regulation and who shall perform liaison and assistance functions as may be requested by the Affirmative Action Office of the Department of the Treasury of the State of New Jersey; and

WHEREAS, the Northwest Bergen County Utilities Authority is a public agency as defined by the regulations.

NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that Robert Genetelli be and he is hereby designated as the Public Agency Compliance Officer for the period January 1, 2023 through December 31, 2023.


DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY


FRANK KELAHER, VICE-CHAIRMAN

Recorded Vote:

	Bonagura	Jordan	Kelaher	Lo Iacono	Ortega	Soukas	Tombalakian	Kasparian
Offered					✓			
Seconded							✓	
Aye	✓	✓	✓	✓	✓	✓	✓	
Nay								
Absent								✓
Abstain								
Recuse								

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 04-2023

Date: January 10, 2023

AUTHORIZATION TO RENEW A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF EMERSON

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 Emerson (the "Borough") had entered into A Shared Services Agreement on January 1, 2021 with a termination date of December 31, 2022 for the services of monthly monitoring of the Borough's two (2) waste water pump stations as well as the performance of repairs, corrective actions and response to pump station alarms, 24 hours a day, 365 days per year and the semi-annual cleaning of the two (2) wastewater pump stations utilizing a sewer jet-vac truck; and

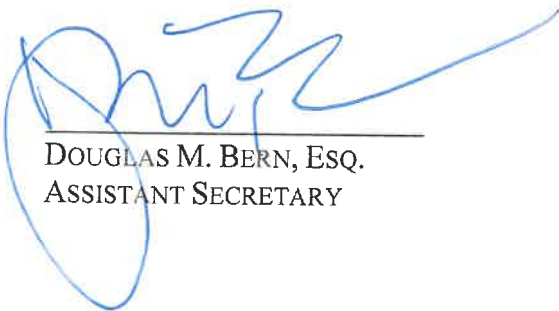
WHEREAS, the Borough has adopted its Resolution No. 292-22 authorizing entering into a new shared services agreement with the Authority to receive the same services as previously provided; and

WHEREAS, the Authority desires to enter into this agreement with the Borough for a duration of two (2) years commencing January 1, 2023 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 as follows:

1. The Authority agrees to enter into a Shared Services Agreement with the Borough of Emerson for a duration of two (2) years commencing January 1, 2023 for the services of monthly monitoring of the Borough's two (2) waste water pump stations as well as the performance of repairs, corrective actions and response to pump station alarms, 24 hours a day, 365 days per year and the semi-annual cleaning of the two (2) wastewater pump stations utilizing a sewer jet-vac truck.
2. The Executive Director of the Authority be and is hereby authorized on behalf of the Authority to execute the Shared Services Agreement with the Borough of Emerson annexed hereto and made a part thereof.

I hereby certify that this is a true copy of a resolution adopted by the Board of Commissioners of the Northwest Bergen County Utilities Authority on January 10, 2023.



DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY



FRANK KELAHER, VICE-CHAIRMAN

Recorded Vote:

	Bonagura	Jordan	Kelaheer	Lo Iacono	Ortega	Soukas	Tombalakian	Kasparian
Offered					✓			
Seconded							✓	
Aye	✓	✓	✓	✓	✓	✓	✓	
Nay								
Absent								
Abstain								✓
Recuse								

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 5-2023

Date: January 10, 2023

**RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE A SEWER CONNECTION APPLICATION
WITH 37 ISLAND ROAD, MAHWAH, LLC
FOR THE 20 AND 22 MOUNTAIN AVENUE, MAHWAH, NEW JERSEY
SEWER CONNECTION**

WHEREAS, the Northwest Bergen County Utilities Authority (the “NBCUA”) has previously determined the need for and facilitated the construction of sanitary sewer lines within the Borough of Mahwah (the “Borough”); and

WHEREAS, the NBCUA has previously resolved to construct sanitary sewer lines to assist in the collection and disposal of sanitary and other waste waters arising within the boundaries of the Borough of Mahwah; and

WHEREAS, the NBCUA has received a Sewer Connection Application from 37 Island Road, Mahwah, LLC regarding 20 and 22 Mountain Avenue, Mahwah, New Jersey (proposed two (2) single family residences) who is desirous of collaborating with the Borough of Mahwah for the connection to an existing Borough of Mahwah sanitary sewer located Mountain Avenue. The proposed connection/extension is designed to provide sanitary sewer service to a proposed two (2) single family residences. The proposed connection will involve constructing approximately 112 linear feet of 8-inch PVC sewer main, one (1) manhole, modification of an existing manhole and appurtenances to collect and dispose of sanitary and other wastewater arising within the boundaries of 20 and 22 Mountain Avenue of the Borough of Mahwah and to be received and serviced by the NBCUA. The application for this connection/extension projects an average daily increase in flow of 600 gallons per day (GPD). Based on this projection, two (2) additional residential equivalent dwelling unit (“EDU”) will become tributary to the Authority from the Borough of Mahwah, (“Project”); and

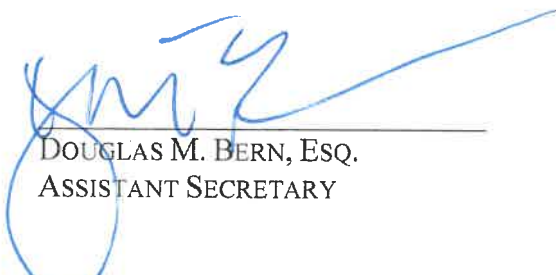
WHEREAS, the NBCUA Technical Advisor, Samuel N. Brewer submitted a memorandum on December 14, 2022, to the Interim Executive Director and NBCUA’s General Counsel indicating that the Authority currently has sufficient capacity to accept the additional flow from this Project and recommended the approval of the Sewer Connection Application by the Authority;

NOW THEREFORE BE IT RESOLVED, that the NBCUA Chairman, Interim Executive Director and the NBCUA's General Counsel are authorized to prepare any and all documentation in order to facilitate the sewer connection to service 20 and 22 Mountain Avenue with the Borough of Mahwah and to report back to the NBCUA Commissioners on the status of same; and the NBCUA shall be responsible for ensuring the intended construction of sanitary sewer lines shall comply with all laws of the State of New Jersey Local Public Contracts Law, N.J.S.A 40A:11-1 *et. seq.*, and all other provisions of the revised statutes of the State of New Jersey.

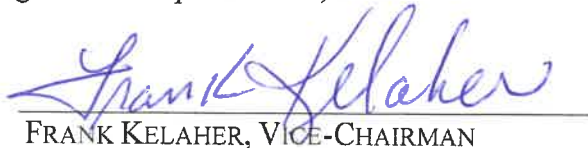
NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority as follows:

1. The Authority hereby authorizes the approval of the Sewer Connection Application submitted by 37 Island Road, Mahwah, LLC, subject to the following Authority requirements;
2. Construction in conformance with all applicable requirements of the Borough of Mahwah, where applicable.
3. Inspection and approval of the installation of sewers, appurtenances by the Borough of Mahwah, where applicable.
4. Observation and approval by the Authority of infiltration/exfiltration testing, with the Authority to receive two (2) days advanced notice prior to the testing of all newly constructed sewers.
5. Reimbursement to the Authority by the applicant for all engineering expenses incurred by the Authority for inspection and final testing of the sewers and appurtenances.
6. Payment to the Authority by the applicant for all Authority application fees, legal fees, and other application, administrative, technical, and other review expenses relating to the project.
7. Any manhole constructed or modified by reason of this project must be fitted with sewer guards.
8. Water conserving plumbing fixtures shall be installed in the building serviced by this connection.
9. Notification of the Authority when sanitary sewer construction commences.
10. Submission to the Authority for its approval, NJDEP form WQM-005, "Certification for Approval by Local Agency," when the construction of this connection is completed.
11. The Chairman, or his designee, be and hereby is authorized to execute any such documents in connection the Sewer Connection Application.
12. The Northwest Bergen County Utilities Authority shall be responsible for ensuring that all the construction of sanitary sewer lines comply with all laws of the State of New Jersey Local Public Contracts Law, N.J.S.A 40A:11-1 *et. seq.*, and all other provisions of the revised statutes of the State of New Jersey.

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 regular meeting held on September 20, 2022.



DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY



FRANK KELAHER, VICE-CHAIRMAN

DATED: January 10, 2023

RECORDED VOTE:

	Bonagura	Jordan	Kelaher	Lo Iacono	Ortega	Soukas	Tombalakian	Kasparian
Offered					✓			
Seconded							✓	
Aye	✓	✓	✓	✓	✓	✓	✓	
Nay								
Absent								✓
Abstain								
Recuse								