

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

Northwest Bergen County Utilities Authority

PLEASE TAKE NOTICE the Northwest Bergen County Utilities Authority does hereby notify the public that the Work Session and the Regular Meeting scheduled for Wednesday, February 19, 2025 at 7:00 p.m. will be held at the Authority's offices located at 30 Wyckoff Avenue, Waldwick, New Jersey. Formal action will be taken. The agendas will be placed on the Authority website, nbcua.com, at least 48 hours prior to the meeting.

Northwest Bergen County
Utilities Authority

February 5, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

AGENDA REGULAR MEETING February 19, 2025

1. Meeting called to Order
2. Open Public Meetings Act Statement
3. Roll Call
4. Chairman's Remarks
5. Approval of Minutes
 - a. Regular Meeting – January 15, 2025
6. Public Comments (any subject)
7. Consideration for approval of list of Resolutions attached dated February 19, 2025
8. Report of Committees:
 - a. Finance Committee
 - b. Personnel Committee
 - c. Insurance Committee
 - d. Operating Committee
 - e. Strategic Plan Subcommittee
 - f. Buildings and Grounds Committee
9. Report of Treasurer
10. Report of General Counsel
11. Report of Consulting Engineer
12. Report of Executive Director
13. Report of Authority Engineer
14. Report of Superintendent
15. Old Business
16. New Business
17. Public Comments (on subjects 4 through 16)
18. Adjournment

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

**February 19, 2025
CONSENT AGENDA**

RESOLUTIONS

- 13-2025 Approval of Payment of Vouchers, Payroll, Tax Deposits and Pensions and Benefits
- 14-2025 Authorization to Amend the Shared Services Agreement With the County of Bergen to Provide Secure High-Speed Fiber Optic Internet Services
- 15-2025 Retention of Auditor for 2025
- 16-2025 Retention of Bond Counsel for 2025
- 17-2025 Retention of Engineer for 2025 for General Incinerator Advice
- 18-2025 Retention of Consulting Engineer for 2025
- 19-2025 Retention of Consulting Engineer for 2025 For Instrumentation, Automation and Computer Systems
- 20-2025 Retention of General Counsel for 2025
- 21-2025 Retention of Consulting Engineer or 2026 Service Charges
- 22-2025 Retention of Labor Counsel for 2025
- 23-2025 Retention of Risk Manager for 2025
- 24-2025 Authorization to Award Contract for Management Consultant Services to Assist the Authority with Insurance Employee Health/Wellness and Benefits Program
- 25-2025 Authorization to Amend the Not to Exceed Cost for the Construction Administration of the Incinerator Blower Upgrade Project
- 26-2025 Approval of 2025 Schedule of Meetings
- 27-2025 Authorization to Renew a Shared Services Agreement with the Borough of Emerson
- 28-2025 Authorization to Approve the Sewer Connection/Extension for Premises Located at the Mountain PFAS Treatment Facility, Ridgewood Water
- 29-2025 Approval of Official Newspaper for 2025
- 30-2025 Resolution of the Northwest Bergen County Utilities Authority Approving and Authorizing the 2025 Project; Authorizing the Issuance, Sale and Delivery of Utility System Revenue Bonds

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 13-2025

Date: February 19, 2025

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 January 2025 and Health Benefits and Dental Benefits transfers for February 2025; 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, by the Commissioners of the Northwest Bergen County Utilities Authority, that all vouchers, payroll transfers, payroll tax deposits, Pensions & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated February 19, 2025

ACCOUNT: Payroll Account
Net Payroll: \$202,350.77

ACCOUNT: Tax Deposit Account
Total: \$95,794.24

ACCOUNT: Health Benefits Contribution Employer
Total Transfer: \$153,485.36

ACCOUNT: Health Benefits Contribution Employee
Total: \$5,350.85

ACCOUNT: Dental Benefits
Total Transfer: \$3,655.51

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 13-2025

Date: February 19, 2025

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

ACCOUNT: PERS and Contributory Insurance
Total Transfer: \$27,820.56

ACCOUNT: Operating Account
Total: \$770,188.63

ACCOUNT: General Improvement Account
Total: \$339,796.17

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to N.J.S.A. 40:14B-14(b).

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 13-2025

Date: February 19, 2025

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

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

DATE: February 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 14-2025

Date: February 19, 2025

AUTHORIZATION TO AMEND THE SHARED SERVICES AGREEMENT WITH THE COUNTY OF BERGEN TO PROVIDE SECURE HIGH-SPEED FIBER OPTIC INTERNET SERVICES

WHEREAS, on January 15, 2025, the Authority approved resolution 10-2025 to enter into an agreement with the County of Bergen (County) to provide **Secure High-Speed Fiber Optic Internet Services** (Internet Services); and

WHEREAS, resolution 10-2025 included five (5) pump station to be connected to the County's Internet Services. The resolution should be amended to include only two (2) pump stations, which should be connected to the County internet service.

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

1. Resolution 10-2025 shall be amended to include two (2) pump stations, which shall be connected to the County of Bergen's **Secure High-Speed Fiber Optic Internet Services**
2. Resolution 10-2025 shall remain in full effect unless otherwise stated herein.
4. The formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 14-2025

Date: February 19, 2025

AUTHORIZATION TO AMEND THE SHARED SERVICES AGREEMENT WITH THE COUNTY OF BERGEN TO PROVIDE SECURE HIGH-SPEED FIBER OPTIC INTERNET SERVICES

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelاهر	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 15-2025

Date: February 19, 2025

RETENTION OF AUDITOR FOR 2025 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 2025

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **December 26, 2024**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 10, 2025**; 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, by **Resolution No.08-2025**, the Authority identified one firm as qualified to perform the auditing services required by the Authority; and

WHEREAS, the firm of Wielkotz & Company, LLC (the “Firm”) 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 Firm as set forth in this Resolution; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 15-2025

Date: February 19, 2025

RETENTION OF AUDITOR FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the services to be provided shall be as follows:

Preparation of unaudited Y/E financial statement and required Journal Entries (Y/E closeout).	\$5,750
Preparation of Annual Statutory Audit.	\$ 42,750
Preparation of Semiannual Unaudited Financial Statement.	\$ 12,100
Connection Fee Rate Preparation of 2024 Sewer Study Update and Public Hearing.	\$ 3,700
Preparation and Filing of Arbitrage Rebate Analysis (2009)	\$ 5,200
Review and Support in Preparation of Annual Budget	\$ 5,200
Secondary Market Bond Disclosure Form (EMMA Filing Requirement)	\$ 4,200
Certification of Various 2024 Sewer Projects	\$ 3,000
Review of Authority Deferred Compensation Plan	\$ 3,200

WHEREAS, services rendered on behalf of the Authority, not listed above will be billed based upon the Firm’s standard billing rates, as follows:

POSITION	AMOUNT PER HOUR
Partner	\$200.00
Senior Manager	\$175.00
Manager	\$150.00
Senior Associate	\$125.00
Associate	\$100.00
Administrative Staff	\$75.00

WHEREAS, the compensation to the Firm for the rendering of auditing services for 2025 will not exceed \$100,000 without prior authorization; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the retention of the Firm for auditing services.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 15-2025

Date: February 19, 2025

RETENTION OF AUDITOR FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

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

1. The Authority hereby retains Wielkocz & Company, LLC for the year ending December 31, 2025 and until a successor has been named.
2. Compensation to the professional shall not exceed one hundred thousand dollars (\$100,000).
3. The Chairman, Vice-Chairman, and the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This Resolution shall take effect immediately upon adoption.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 19, 2025**.

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 15-2025

Date: February 19, 2025

RETENTION OF AUDITOR FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY
DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

DESCRIPTION: Auditing Services for 2025

VENDOR: Weilkotz & Company

AMOUNT: \$100,000.00

ACCOUNT NO.: 01-201-01-300-001

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 16-2025

Date: February 19, 2025

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 December 26, 2024; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 10, 2025; and

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

WHEREAS, by **Resolution 12-2025** the Authority identified a number of Individuals/Firms as qualified to perform Legal Services required by the Authority; and

WHEREAS, a Gibbons, PC provided the Authority with a proposal on February 11, 2025.

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

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

WHEREAS, The rates of services shall be billed based on the attached rates with a not-to-exceed of \$75,000 without prior authorization; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 16-2025

Date: February 19, 2025

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

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

1. The Authority hereby retains John D. Draikiwicz of the firm of Gibbons, PC to serve as Bond Counsel for a twelve-month term commencing on the Resolution date.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional in the amount not to exceed \$75,000.
3. The Chairman, Vice-Chairman or the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that Gibbons, PC anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This resolution shall take effect immediately upon adoption.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 19, 2025**.

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 16-2025

Date: February 19, 2025

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

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaheer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY
DATE: February 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 16-2025

Date: February 19, 2025

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

Attached Rate Schedule

Traditional Note Issue

With respect to work done in connection with any initial temporary financings of the Authority involving a private placement and not involving preparation of an Official Statement, Bond Counsel will receive \$25,000 for its approving opinion and 50 cents per \$1,000 of notes issued, plus out-of-pocket expenses. With respect to work done in connection with any renewal of a temporary financing of the Authority involving a private placement and not involving preparation of an Official Statement, Bond Counsel will receive \$20,000 for its approving opinion and 50 cents per \$1,000 of notes issued, plus out-of-pocket expenses. In addition, if an issue involves the financing of multiple projects through the NJEIT, there shall be an additional fee of \$4,500 for each additional NJEIT project number financed. If an Official Statement needs to be reviewed or prepared in connection with the financing, our fee for such services would be at the hourly rates set forth below.

Traditional Bond Issue

For work done and responsibilities assumed in connection with rendering the type of opinions anticipated in any permanent financings (which are competitively bid or negotiated), we would charge a base fee of \$35,000, plus \$1.10 per \$1,000 of bonds issued, plus out-of-pocket disbursements. If an Official Statement needs to be reviewed or prepared in connection with the financing, our fee for such services would be at the hourly rates set forth below. In the event of a refunding bond issue, there will be an additional fee of \$10,000.

Hourly Rates

For your general information, it is difficult to initially estimate the amount of involvement that would be required of bond counsel in the preparation of an Official Statement, the attention to litigation, special advice to be rendered regarding compliance with investment restrictions under the arbitrage regulations, the review of other unusual tax questions, the attendance at meetings, additional services in connection with the New Jersey Environmental Infrastructure Trust financing, the application for investment of proceeds in Federal Treasury obligations, State and Local Government Series or questions referred to bond counsel which arise away from a specific financing. Thus, the fee for such additional or non-transactional services would be at an hourly

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 16-2025

Date: February 19, 2025

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

(time charge) basis. This fee would be calculated by multiplying the number of hours expended by each attorney and paralegal by their respective billing rate in effect at the time the work is performed. Each billing rate is based on experience and expertise and is reviewed and revised by the firm periodically. In this connection, we will furnish a schedule of hourly rates for those individuals who work on the matter and an accounting of the aggregate amount of time expended. The present hourly rates of those attorneys and paralegals anticipated to work on your matters are as follows:

John D. Draikiwicz	\$295
Scott A. Galano	250
Steven H. Sholk	195
Suprotik Das	125
Paralegal	90

In addition to time charges, the firm will include in its billing statement out-of-pocket costs incurred in connection with the matter, including, without limitation, expenses of travel, word processing (computerized document preparation), telephone, document reproduction, postage and air freight and stenographic overtime, if required. We anticipate presenting a statement for services rendered subsequent to each note and bond issue.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

DESCRIPTION: Bond Counsel for 2025

VENDOR: Gibbons, PC

AMOUNT: \$75,000.00

ACCOUNT NO.: 01-201-01-300-002

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 17-2025

Date: February 19, 2025

**RETENTION OF ENGINEER FOR 2025 FOR GENERAL INCINERATOR ADVICE
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 **December 26, 2024**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 10, 2025**; 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 09-2025** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

WHEREAS, the firm of Chavond Barry Engineering Corp. (the “Firm”) 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 as a Consulting Engineer for General Incinerator Advice as set forth in this Resolution; and

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 17-2025

Date: February 19, 2025

**RETENTION OF ENGINEER FOR 2025 FOR GENERAL INCINERATOR ADVICE
PURSUANT TO N.J.S.A. 19:44A-20.4**

- Provide incineration, permitting and regulatory advice as requested.
- Attend meetings as requested.
- Be available for telephone conferences, advice and consultation that can be given by telephone.
- Provide operations and maintenance advice as requested by the Authority.
- Provide additional advice and general consulting and engineering services as requested by the Authority.

WHEREAS, services rendered on behalf of the Authority will be billed based upon the Firm’s Hourly Billing Rates below at a not-to-exceed cost of \$175,000 for general incineration advice; and

John Yu, P.E.	President	\$275
Louis T. Barry	Chief Engineer	\$260
Liming Liang	Director of Technology	\$240
Albert T. Hamfeldt, P.E.	Senior Project Manager	\$225
Keith A. Croly	Project Specialist	\$200
Mary Mitchell	Senior Designer	\$160
Saundra B. Rattner	Administrator	\$95
Hannah Born	Admin Support	\$60
Adrian Chiang	Technology Assistant	\$80

WHEREAS, the Firm has agreed that they will not bill the Authority for time resulting from travel to/from the Authority office in Waldwick, NJ; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

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

1. The Authority hereby retains Chavond Barry Engineering Corp. as a Consulting Engineer for the services outlined in this Resolution for a twelve-month term commencing on the date of this resolution.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 17-2025

Date: February 19, 2025

**RETENTION OF ENGINEER FOR 2025 FOR GENERAL INCINERATOR ADVICE
PURSUANT TO N.J.S.A. 19:44A-20.4**

2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional at the Firm's Billing Rates, in an amount not to exceed \$175,000 for general incineration advice.
3. The Chairman, Vice-Chairman, and the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This Resolution shall take effect immediately upon adoption.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 19, 2025**.

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 17-2025

Date: February 19, 2025

**RETENTION OF ENGINEER FOR 2025 FOR GENERAL INCINERATOR ADVICE
PURSUANT TO N.J.S.A. 19:44A-20.4**

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelاهر	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

DESCRIPTION: Engineer for 2025 General Incinerator Advice

VENDOR: Chavond Barry Engineering Corporation

AMOUNT: \$175,000.00

ACCOUNT NO.: 01-201-01-300-003

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 18-2025

Date: February 19, 2025

RETENTION OF CONSULTING ENGINEER FOR 2025 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 **December 26, 2024**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 10, 2025**; 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 09-2025** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

WHEREAS, the firm of T&M Associates (the “Firm”) 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:

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 18-2025

Date: February 19, 2025

RETENTION OF CONSULTING ENGINEER FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

- 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 the Firm’s Hourly Billing Rates below at a not-to-exceed cost of \$150,000 for the services described above; and

Administrative Support Staff	\$105.00
Intern	\$110.00
Junior Field Staff	\$125.00
Junior Technical Staff	\$138.00
Field Staff	\$167.00
Technical Staff	\$175.00
Junior Professional Staff	\$188.00
Senior Technical + Field Staff	\$200.00
Professional Staff	\$215.00
Supervising Technical Staff	\$265.00
Senior Professional Staff	\$275.00
Manager	\$299.00

WHEREAS, the Firm has agreed that they will not bill the Authority for time resulting from travel to/from the Authority office in Waldwick, NJ; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

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

1. The Authority hereby retains T&M Associates as Consulting Engineer for the twelve-month term commencing on the date of this resolution.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 18-2025

Date: February 19, 2025

RETENTION OF CONSULTING ENGINEER FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional at the Firm's Billing Rates, in an amount not to exceed **\$150,000**.
3. The Chairman, Vice-Chairman, and the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This Resolution shall take effect immediately upon adoption.

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 18-2025

Date: February 19, 2025

RETENTION OF CONSULTING ENGINEER FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaheer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

DESCRIPTION: Consulting Engineer for 2025

VENDOR: T&M Associates

AMOUNT: \$150,000.00

ACCOUNT NO.: 01-201-01-300-003

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2025

Date: February 19, 2025

**RETENTION OF CONSULTING ENGINEER FOR 2025 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS 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 Engineering Services and It Services**

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **December 26, 2024**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 10, 2025**; 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 12-2025** the Authority identified a number of Engineering Firms as qualified to perform Engineering Services required by the Authority; and

WHEREAS, the firm of Engineered Solutions Corporation was determined to be highly qualified and eminently capable of providing Consulting Engineering Services to the Authority; and

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2025

Date: February 19, 2025

**RETENTION OF CONSULTING ENGINEER FOR 2025 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4**

WHEREAS, the Authority has determined that it is in its best interest to retain the firm of Engineered Solutions Corporation as a Consulting Engineer for instrumentation, automation and computer systems engineering support in the design, maintenance and troubleshooting of control and SCADA systems as well as normal plant facilities; and

WHEREAS, services rendered on behalf of the Authority will be billed based upon Engineered Solutions Corporation’s Hourly Billing Rates below at a not-to-exceed cost of \$20,000 for the services described above; and

Professional Engineering	\$300
Senior Engineer, Senior Programmer	\$215
Engineer, Senior Technical/Field Service Support, Intermediate Programmer	\$175
Technical/Field Service Support, Programmer	\$150
Drafting	\$110
Administration	\$85

WHEREAS, Engineered Solutions Corporation has agreed that they will not bill the Authority for time resulting from travel to/from the Authority office in Waldwick, NJ; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the retention of the Firm for consulting engineering services.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2025

Date: February 19, 2025

**RETENTION OF CONSULTING ENGINEER FOR 2025 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4**

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

1. The Authority hereby retains Engineered Solutions Corporation as a Consulting Engineer for the services outlined in this Resolution for a twelve-month term commencing on the date of this resolution with compensation to the professional at the Firm's Billing Rates, in an amount not to exceed \$120,000.
2. The Chairman, Vice-Chairman, or the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
3. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
4. In the event that the Firm anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.
5. That notice of this award shall be advertised in accordance with applicable law.
6. This Resolution shall take effect immediately upon adoption.

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 February 19, 2025.

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 19-2025

Date: February 19, 2025

**RETENTION OF CONSULTING ENGINEER FOR 2025 FOR INSTRUMENTATION,
AUTOMATION AND COMPUTER SYSTEMS PURSUANT TO N.J.S.A. 19:44A-20.4**

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaheer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

DESCRIPTION: Consulting Engineer for 2025 for Instrumentation, Automation and Computer Systems

VENDOR: Engineered Solutions Corporation

AMOUNT: \$120,000.00

ACCOUNT NO.: 01-201-05-700-005

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 20-2025

Date: February 19, 2025

RETENTION OF GENERAL COUNSEL FOR 2025 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 SERVICES FOR 2025

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **December 26, 2024**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 10, 2025**; 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 12-2025**, the Authority identified a number of firms as qualified to perform the legal services required by the Authority; and

WHEREAS, the firm of Bern Root, LLC (the “Firm”) 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, the Authority has determined that 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:

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 20-2025

Date: February 19, 2025

RETENTION OF GENERAL COUNSEL FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 20-2025

Date: February 19, 2025

RETENTION OF GENERAL COUNSEL FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

- p. Upon receipt, review of draft meeting minutes of work session, regular, special, and emergency meeting minutes of the Authority Commissioners;
- q. Review certification of meeting minutes of the Authority subject to the approval of the Bergen County Executive pursuant to N.J.S.A. 40:14B-14(b);
- r. Preparation and review of public bidding specifications for compliance with Local Public Contracts Law;
- s. Drafting and preparation of Authority Resolutions as requested and review of all in-house prepared Resolutions;
- t. Review and interpretation of contracts, resolutions and other legal documents as required to ensure the proper conduct of the Authority;
- u. Provide legal advice when required that deal with day-to-day operation of the Authority;
- v. Consultation with Board officers and staff, in person, or by telephone, when required;
- w. Attend to matters involving municipal relations and issues involving the Department of Environmental Protection and other State and Federal Agencies.

WHEREAS, the services to be rendered will be compensated at the following Hourly Rate of One Hundred Fifty Dollars (\$150.00) Authority; and

WHEREAS, the Authority's Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

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

1. The Authority hereby retains the firm of Bern Root, LLC for the twelve-month term commencing on the date of this resolution.
2. The Chairman, Vice-Chairman, and the Executive Director 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 in an amount not to exceed **\$100,000**.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 20-2025

Date: February 19, 2025

RETENTION OF GENERAL COUNSEL FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

3. In the event that the Firm anticipates it will exceed the amount set forth herein, it shall seek further authorization from the Authority at such time.
4. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
5. Notice of the contract award shall be advertised in accordance with applicable law.
6. This Resolution shall take effect immediately upon adoption.

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Commissioners of the Authority on **February 19, 2025**.

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 20-2025

Date: February 19, 2025

RETENTION OF GENERAL COUNSEL FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaheer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19 , 2025.

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

DESCRIPTION: General Counsel 2025

VENDOR: Berm Root, LLC

AMOUNT: \$100,000.00

ACCOUNT NO.: 01-201-01-300-002

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 21-2025

Date: February 19, 2025

**RETENTION OF CONSULTING ENGINEER FOR 2026 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 December 26, 2024; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of January 10, 2025; and

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

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

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

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

WHEREAS, the services to be rendered on behalf of the Authority include the following tasks:

1. Task 1: Review of 1st Quarter Meter Data
2. Task 2: Review of 2nd Quarter Meter Data
3. Task 3: Review of 2025 Preliminary User Service Charges

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 21-2025

Date: February 19, 2025

**RETENTION OF CONSULTING ENGINEER FOR 2026 SERVICE CHARGES
PURSUANT TO N.J.S.A. 19:44A-20.4**

4. Task 4: Review of 2025 Final User Charges
5. Task 5: Miscellaneous Consulting Services

WHEREAS, services rendered on behalf of the Authority will be billed at a not to exceed cost of \$50,000; and

WHEREAS, the Authority's Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

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.

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

1. The Authority hereby retains Paul Malmrose of Tighe & Bond as Consulting Engineer for the 2026 Service Charges for the twelve (12) month term commencing on the Resolution date.
2. The Authority shall enter into 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 \$50,000.
3. The Chairman, Vice-Chairman, and Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth above, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer's Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.
6. Notice of the contract award shall be advertised in accordance with applicable law.
7. This Resolution shall take effect immediately upon adoption.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 21-2025

Date: February 19, 2025

**RETENTION OF CONSULTING ENGINEER FOR 2026 SERVICE CHARGES
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 Commissioners of the Authority on **February 19, 2025**.

FRANK KELAHER, CHAIRMAN

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

DESCRIPTION: Consulting Engineer for 2026 Service Charges

VENDOR: Tighe & Bond

AMOUNT: \$50,000.00

ACCOUNT NO.: 01-201-01-300-003

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 22-2025

Date: February 19, 2025

RETENTION OF LABOR COUNSEL FOR 2025 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 SERVICES FOR 2025

WHEREAS, the Authority issued a Request for Qualifications for such position and notice thereof was published on **December 26, 2024**; and

WHEREAS, the Authority received responses to the Request for Qualifications for the aforementioned position by the deadline date of **January 11, 2025**; 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 12-2025** the Authority identified a number of Individuals/Firms as qualified to perform Legal Services required by the Authority; and

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 22-2025

Date: February 19, 2025

RETENTION OF LABOR COUNSEL FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

WHEREAS, the firm of Eric M. Bernstein & Associates, LLC (the “Firm”) 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 as Labor Counsel as set forth in this Resolution; and

WHEREAS, the services to be rendered will be compensated at the following Hourly Rate of One Hundred Fifty Dollars (\$150.00).

WHEREAS, the compensation to the Firm for the rendering of labor counsel services will not exceed \$25,000 without prior authorization; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available for the award of a professional services agreement with the Firm.

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

1. The Authority hereby retains Eric M. Bernstein & Associates for the twelve-month term commencing on the Resolution date.
2. The Authority shall enter into 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 \$25,000.
3. The Chairman, Vice-Chairman, or the Executive Director of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. In the event that the Firm anticipates it will exceed the amount set forth, it shall seek further authorization from the Authority at such time.
5. The Certifying Finance Officer’s Certification of Available Funds shall be maintained on file at the Authority and made a part hereof.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 22-2025

Date: February 19, 2025

RETENTION OF LABOR COUNSEL FOR 2025 PURSUANT TO N.J.S.A. 19:44A-20.4

- 6. Notice of the contract award shall be advertised in accordance with applicable law.
- 7. This Resolution shall take effect immediately upon adoption.

FRANK KELAHER, CHAIRMAN

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelahr	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

DESCRIPTION: Labor Counsel 2025

VENDOR: Eric M. Bernstein & Associates

AMOUNT: \$25,000.00

ACCOUNT NO.: 01-201-01-300-002

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 23-2024

Date: February 19, 2025

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

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

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

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

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

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

WHEREAS, by Resolution No. 07-2025 the Authority identified one (1) firm as qualified to perform Risk Management Services required by the Authority; and

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

WHEREAS, administrative services for insurance may be contracted for a term no longer than 3 years N.J.S.A. 40A:11-15 (6); and

WHEREAS, the Authority received a proposal from Alamo Insurance Group Inc. on February 2025

WHEREAS, after review, the Authority recommends Alamo Insurance Group be awarded a contract for the year 2025.

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

WHEREAS, the services to be provided shall be as follows:

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 23-2024

Date: February 19, 2025

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

1. Evaluation of the Authority's insurance coverage and assistance in selection of appropriate coverage;
2. Assistance in preparation of documentation required by insurance companies related to statement of values, vehicle schedules, etc.;
3. Review of Authority's premiums and loss funds and assistance in preparation of insurance budget;
4. Review of loss and engineering reports;
5. Attendance and participation at Safety Committee Meetings (as requested) to assist in promoting safety goals and objectives;
6. Advice to Safety Committee on loss containment activities;
7. Attend meetings with staff, management and others, as requested;
8. Apprise Authority regarding developments affecting insurance coverage;
9. Any additional consulting services required by the Authority; and

WHEREAS, Alamo Insurance Group, Inc. will provide to the Authority professional Risk Management Consulting Services as required in the by-laws of the NJUAJIF at a not to exceed 3% of the NJUAJIF assessment.

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

1. The Authority does hereby agree to retain the firm of Alamo Insurance Group as its Insurance Producer for the project described above from January 1, 2025 to December 31, 2025 for purposes of the Authority's Membership in the New Jersey Utilities Authority's Joint Insurance Fund.
2. The Authority shall enter into a professional services agreement for the aforementioned for execution and delivery by the Authority and the professional, with compensation to the professional at a fee of (3%) of the Authority's NJUAJIF's Annual Assessment.
3. The Chairman or Vice-Chairman of the Authority is hereby authorized to execute the aforementioned professional services agreement on behalf of the Authority.
4. Notice of the contract award shall be advertised in accordance with applicable law.
5. That the formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to N.J.S.A. 40:14B-14(b).

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 23-2024

Date: February 19, 2025

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

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.

ASSISTANT SECRETARY

DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 24-2025

Date: February 19, 2025

Award contract for Management Consultant Services to assist the Authority with Insurance, Employee Health/Wellness and Benefits Programs

WHEREAS, there exists the need to engage the services of a Management Consultant to assist the Authority with Insurance, Employee Health/Wellness and Benefits programs; and

WHEREAS, the Authority's Executive Director has determined that the engagement of a Management Consultant to assist the Authority with Insurance, Employee Health/Wellness and Benefits programs is in the best interests of the Authority; and

WHEREAS, **LaMendola Associates Inc.** has submitted to the Authority a written proposal dated February 11, 2025 (the "Proposal") to serve as Management Consultant to assist the Authority with Insurance, Employee Health/Wellness and Benefits programs which Proposal has been reviewed by the Authority's Executive Director and determined to be fair and reasonable; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for its efficient operation to retain the services of **LaMendola Associates Inc.** to serve Management Consultant to assist the Authority with Insurance, Employee Health/Wellness and Benefits programs for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively; and

WHEREAS, the Treasurer of the Authority has certified that funds are available for this purpose; and

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

1. **LaMendola Associates Inc.** shall be and is hereby appointed to serve as Management Consultant to the Authority for a **One (1) Year Term**, until a successor is selected, or at the pleasure of the Authority, whichever shall first occur or be exercised, respectively.

2. The Chairman shall be and is hereby authorized to execute a contract similar in form and substance to the contract on file in the Office of the Executive Director, by and between the Authority and **LaMendola Associates Inc.** memorializing the scope of services and compensation to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the contract retaining **LaMendola Associates Inc.** as Management Consultant to assist the Authority with Insurance, Employee Health/Wellness and Benefits programs as approved and authorized by this Resolution shall be placed on file and made

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

NO. 24-2025

Date: February 19, 2025

Award contract for Management Consultant Services to assist the Authority with Insurance, Employee Health/Wellness and Benefits Programs

available for public inspection in the office of the Executive Director, upon execution by **LaMendola Associates Inc.** and the Authority.

4. The total amount authorized to be paid by the Authority to **LaMendola Associates Inc.** pursuant to the contract herein awarded shall not exceed the total sum of **\$12,500.00** without further action by the Board of Commissioners.

5. The Treasurers Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

7. The formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

FRANK KELAHER, CHAIRMAN

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaheer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY
DATE: FEBRUARY 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

DESCRIPTION: Management Consultant Services to assist with Insurance, Employee Health/Wellness and Benefits Program

VENDOR: LaMendola Associates

AMOUNT: \$12,500.00

ACCOUNT NO.: 01-201-01-300-005

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 25-2025

Date: February 19,2025

**AUTHORIZATION TO AMEND THE NOT TO EXCEED COST FOR THE
CONSTRUCTION ADMINISTRATION OF THE INCINERATOR BLOWER UPGRADE
PROJECT (Project #1165)**

WHEREAS, by Resolution No. 08-2024, the Northwest Bergen County Utilities Authority (the “Authority”) identified a number of firms as qualified to perform engineering services required by the Authority pursuant to a Request for Qualifications for such position; and

WHEREAS, by Resolution No. 14-2024 (the “Original Resolution”) dated February 21, 2024, the Authority retained CP Engineering. (The “Engineering Firm”) to provide Planning, design, bidding assistance, and construction services for the replacement of an existing Sludge Incinerator Combustion Air Blower (the “Project”); and

WHEREAS, by Resolution 14-2024 the Authority established the engineering firm’s not-to-exceed to be \$66,800; and

WHEREAS, The Authority approved Resolution 54-2024 amending the not to exceed to \$115,400 for additional design work; and

WHEREAS, the Engineering Firm has reached the not-to-exceed for the Project and has submitted a proposal for additional funds on February 10, 2025; and

WHEREAS, the increase in funds cover additional work within the construction phase; and

WHEREAS, The Authority’s Superintendent and the Authority’s Engineer recommends the not-to-exceed be increased; and

WHEREAS, the cost of additional work is estimated to be \$27,000 and therefore the Authority wishes to amend the not-to-exceed compensation to the Engineering firm to \$142,400; and

WHEREAS, the Authority’s Certifying Finance Officer has certified that funds are available to increase the budget for the Engineering Firm.

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

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 25-2025

Date: February 19,2025

**AUTHORIZATION TO AMEND THE NOT TO EXCEED COST FOR THE
CONSTRUCTION ADMINISTRATION OF THE INCINERATOR BLOWER UPGRADE
PROJECT (Project #1165)**

1. The Original Resolution and the Professional Services Agreement with CP Engineering be amended to increase the not to exceed amount to \$142,400 for replacement of an existing Sludge Incinerator Combustion Air Blower Project.
2. The Original Resolution and Agreement, unless expressly modified, shall remain in full force and effect.
3. Notice of this amendment shall be published in accordance with applicable law.
4. A copy of this agreement shall be placed on file in the Office of the Executive Director. The formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

FRANK KELAHER, CHAIRMAN

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY
DATE: February 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify to the Board of Commissioners of the Northwest Bergen County Utilities Authority that sufficient funds are available for payment of the following:

CONTRACT: Incinerator Blower Upgrade Project. Project

VENDOR: CP Engineering

AMOUNT: \$142,400

ACCOUNT NO.: 06-215-00-000-6610

Date: February 19, 2025

Robert Laux, Certifying Finance Officer

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 26-2025

DATE: February 19, 2025

2025 SCHEDULE OF MEETINGS

NOW, THEREFORE, 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 2025 shall be held on the days and the times as set forth in the attached schedule.

BE IT FURTHER RESOLVED, the Authority shall post on its website, nbcua.com, at least 48 hours prior to the meeting the location of the meeting whether it be at the Authority's administration offices located at 30 Wyckoff Avenue, Waldwick, New Jersey, or held via telecommunication services or web-based services in accordance with procedures recommended by the New Jersey Division of Local Government Services for remote public meetings where in-person meetings may not be optimal during the Covid 19 related State of Emergency.

BE IT FURTHER RESOLVED, if the meeting is to be held via telecommunication or web-based services, means for public participation shall be posted on the Authority's website at least 48 hours prior to the meeting.

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.

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to N.J.S.A. 40:14B-14(b).

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 26-2025

DATE: February 19, 2025

2025 SCHEDULE OF MEETINGS

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY

DATE: February 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
MEETING SCHEDULE FOR 2025

Regularly scheduled public meetings and Work Sessions of the Northwest Bergen County Utilities Authority will be held at 7:00pm on the days set forth below. The Authority shall announce on its website, nbcua.com, at least 48 hours prior to the meeting the location of the meeting whether it be at the Authority’s administration offices located at 30 Wyckoff Avenue, Waldwick, NJ or held via telecommunication services or web-based services. If the meeting is held via telecommunication or web-based services, means for public participation shall be posted on the Authority’s website at least 48 hours prior to the meeting.

Formal Action is taken at public meetings.

Month	Work Session & Regular Meetings	Notes
March	19 th	
April	16 th	
May	21 st	
June	18 th	
July	16 th	
August	20 th	
September	17 th	
October	15 th	A Special Meeting will be held to approve the 2026 Introduced Budget
November	26 th	
December	17 th	Public Hearing for 2026 Budget will be held.
January 2025	14 th	Public Hearing on the 2026 Service Charges will be held.
February 2025	18 th	Reorganization Meeting

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 27-2025

Date: February 19, 2025

**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, 2023 for a duration of two (2) years with a termination date of December 31, 2024 for the Authority to act as the New Jersey Licensed Operator for the Borough; and

WHEREAS, the Borough has adopted its Resolution No. 73-25 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.

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

1. The Authority shall enter into a Shared Services Agreement on January 1, 2025, with the Borough of Allendale for a duration of two (2) years to act as the New Jersey Licensed Sewer Operator for the Borough.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 27-2025

Date: February 19, 2025

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

- 2. The Chairman of the Authority and the Executive Director be and are hereby authorized on behalf of the Authority to execute the Shared Services Agreement with the Borough of Allendale annexed hereto and made a part thereof.
- 3. That the formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to N.J.S.A. 40:14B-14(b).

FRANK KELAHER, CHAIRMAN

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	KelaHer	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY
DATE: February 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 28-2025

Date: February 19, 2025

**RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE THE SEWER CONNECTION/EXTENSION FOR PREMISES
LOCATED AT THE MOUNTAIN PFAS TREATMENT FACILITY,
RIDGEWOOD WATER
336 HOLLY DRIVE, BLOCK 443 LOT 32,
TOWNSHIP OF WYCKOFF, NEW JERSEY**

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 Township of Wyckoff (the “Township”); 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 Township of Wyckoff; and

WHEREAS, the NBCUA has received a Sewer Connection Application from Mr. Richard Calbi, Jr., PE, PP on behalf of Ridgewood Water regarding 336 Holly Drive, Wyckoff, New Jersey. They are desirous of collaborating with the Township of Wyckoff for a connection to an existing Township of Wyckoff sanitary sewer manhole located at Holly Drive. The proposed connection/extension is designed to provide sewer service to the proposed Mountain PFAS Treatment Facility for backwash residuals and rinse wastewater. The proposed connection will involve constructing approximately 37 linear feet of 6-inch DIP sewer pipe, and appurtenances to collect and dispose of sanitary and other wastewater arising within the boundaries of 336 Holly Drive in the Township of Wyckoff and to be received and serviced by the NBCUA. The application for this connection/extension projects an average daily increase in flow of 102 gallons per day (GPD). Based on this projection, one (1) additional residential equivalent dwelling unit (“EDU”) will become tributary to the Authority from the Township of Wyckoff, (“Project”); and

WHEREAS, the NBCUA Technical Advisor, Samuel N. Brewer submitted a memorandum on December 12, 2024, to Robert Laux, Executive Director and to 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/Extension 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 336 Holly Drive with the Township of Wyckoff and to report back to the NBCUA Commissioners on the status of same;

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 28-2025

Date: February 19, 2025

**RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE THE SEWER CONNECTION/EXTENSION FOR PREMISES
LOCATED AT THE MOUNTAIN PFAS TREATMENT FACILITY,
RIDGEWOOD WATER
336 HOLLY DRIVE, BLOCK 443 LOT 32,
TOWNSHIP OF WYCKOFF, NEW JERSEY**

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 Applications submitted by Mr. Richard Calbi, Jr., PE, PP on behalf of Ridgewood Water subject to the following Authority requirements:
2. Construction in conformance with all applicable requirements of the Township of Wyckoff, where applicable.
3. Inspection and approval of the installation of sewers and appurtenances by the Township of Wyckoff, 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.

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 28-2025

Date: February 19, 2025

**RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE THE SEWER CONNECTION/EXTENSION FOR PREMISES
LOCATED AT THE MOUNTAIN PFAS TREATMENT FACILITY,
RIDGEWOOD WATER
336 HOLLY DRIVE, BLOCK 443 LOT 32,
TOWNSHIP OF WYCKOFF, NEW JERSEY**

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 February 19, 2025.

FRANK KELAHER, CHAIRMAN

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 28-2025

Date: February 19, 2025

**RESOLUTION AUTHORIZING
THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
TO APPROVE THE SEWER CONNECTION/EXTENSION FOR PREMISES
LOCATED AT THE MOUNTAIN PFAS TREATMENT FACILITY,
RIDGEWOOD WATER
336 HOLLY DRIVE, BLOCK 443 LOT 32,
TOWNSHIP OF WYCKOFF, NEW JERSEY**

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY
DATE: February 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 29-2025

Date: February 19, 2025

OFFICIAL NEWSPAPER FOR 2025

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 2025 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.

BE IT FURTHER RESOLVED that the formal action(s) of the Commissioners of the Northwest Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to N.J.S.A. 40:14B-14(b).

FRANK KELAHER, CHAIRMAN

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

DOUGLAS M. BERN, ESQ.
ASSISTANT SECRETARY
DATE: February 19, 2025

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 30-2025

Date: February 19, 2025

RESOLUTION OF THE NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY APPROVING AND AUTHORIZING THE 2025 PROJECT; AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF UTILITY SYSTEM REVENUE BONDS, SERIES 2025 TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, RESPECTIVELY, IN ORDER TO EVIDENCE OBLIGATIONS TO REPAY CERTAIN LOANS TO BE MADE TO THE AUTHORITY; ESTABLISHING CERTAIN TERMS AND PROVISIONS OF SUCH SERIES 2025 BONDS AND DETERMINING CERTAIN MATTERS RELATING THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENTS AND THE ESCROW AGREEMENT WITH THE I-BANK AND THE STATE; AUTHORIZING THE EXECUTION AND DELIVERY OF THE TRUST INDENTURE AND EIGHTH SUPPLEMENTAL TRUST INDENTURE BETWEEN THE AUTHORITY AND TRUSTEE BANK NAMED THEREIN; DELEGATING TO THE CHAIRMAN, VICE-CHAIRMAN AND EXECUTIVE DIRECTOR OF THE AUTHORITY THE POWER AND AUTHORITY TO DETERMINE CERTAIN TERMS OF SUCH SERIES 2025 BONDS; AND AUTHORIZING OFFICERS OF THE AUTHORITY TO TAKE ALL OTHER ACTION NECESSARY, ADVISABLE OR INCIDENTAL THERETO

Adopted: February 19, 2025

WHEREAS, the Northwest Bergen County Utilities Authority (the “Authority”) is a body politic and corporate of the State of New Jersey, presently existing under the Municipal and County Utilities Law, constituting Chapter 183 of the Laws of 1957 of New Jersey (*N.J.S.A. 40:14B-1, et seq.*), as amended and supplemented (the “Act”) to provide sewage collection and disposal services and water sanitation services to residents of the district served by the Authority; and

WHEREAS, the Authority entered into a Trust Indenture, dated as of November 1, 2010, between the Authority and The Bank of New York Mellon (the “Trust Indenture”), which Trust Indenture provides for the issuance from time to time by the Authority of its revenue bonds to finance the costs of improvements and expansions to the System (as defined in the Trust Indenture); and

WHEREAS, pursuant to the “Resolution Authorizing the Issuance of Project Notes of the Northwest Bergen County Utilities Authority in Connection with The Construction Financing Loan Program of the New Jersey Environmental Infrastructure Bank” which was duly adopted by the Authority on April 17, 2018, the Authority had determined to finance various sewer improvements, through the issuance of its project notes issued on February 13, 2019, including (a) 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 (S340700-15), (b) improvements at the wastewater treatment plant facility located in Waldwick, New Jersey (S340700-16) and (c) improvements to the Authority’s gravity interceptor piping system and manholes (S340700-18 and S340700-19) (the “Project”); and

WHEREAS, the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”) has made funds available to local governmental entities, including the Authority, for the construction and rehabilitation of new and existing sewage conveyance and treatment systems pursuant to the New Jersey Infrastructure Bank Act, Chapter 334 of the Laws of 1985 of the State of New Jersey (the “I-Bank Act”) and pursuant to the Wastewater Treatment Bond Act, Chapter 329 of the Laws of 1985 of the State of New Jersey (“Fund Act”); and

WHEREAS, after reviewing the economic feasibility of such loan program, the Authority desires to permanently finance a portion of the costs of the Project, specifically improvements to the Authority’s gravity interceptor piping system and manholes (S340700-19) (the “2025 Project”) through the procurement of loans available from the New Jersey Infrastructure Bank (the “I-Bank”) established pursuant to the I-Bank Act and from the State pursuant to the Fund Act; and

WHEREAS, in order to obtain such loans from the I-Bank and the State, the Authority is required to enter into a loan agreement with each of the I-Bank (the “2025 I-Bank Loan Agreement”) and the State (“2025 State Loan Agreement”) and to issue its bonds to the I-Bank and the State to evidence its obligation to repay each respective loan as provided in each such loan agreement; and

WHEREAS, the Authority desires to authorize (i) the issuance, sale and delivery of its Utility System Revenue Bonds, Series 2025-A, in an aggregate principal amount not to exceed \$4,000,000 (unless a higher amount is required by the I-Bank but in no event shall the 2025 Bonds in the aggregate exceed \$8,000,000) (the “Series 2025-A Bonds”) to the I-Bank in order to evidence its obligation to repay the loan made to the Authority by the I-Bank to finance the 2025 Project, (ii) the issuance, sale and delivery of its Utility System Revenue Bonds, Series 2025-B, in an aggregate principal amount not to exceed \$4,000,000 (unless a higher amount is required by the State but in no event shall the 2025 Bonds in the aggregate exceed \$8,000,000) (the “Series 2025-B Bonds”) to the State in order to evidence its obligation to repay the loan made to the Authority by the State to finance the 2025 Project, and (iii) certain Authority officers to do all things necessary or desirable to carry out the transactions contemplated by this Resolution; and

WHEREAS, the Authority desires hereby to authorize the issuance of Bonds in accordance with the provisions of the Act and the Trust Indenture to finance costs of the 2025 Project and certain other costs related thereto from the I-Bank and the Fund, to provide for certain deposits and to take all necessary and appropriate actions in connection therewith.

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

SECTION 1. Acquisition and Construction of 2025 Project. Pursuant to the provisions of the Act and the Trust Indenture, the Authority does hereby determine to acquire and construct the 2025 Project and to operate the 2025 Project as a part of the System.

SECTION 2. Estimated Cost of the 2025 Project. The estimated cost of the 2025 Project is \$8,000,000.

SECTION 3. Authorization for the Issuance of 2025 Bonds; Purposes.

A. The Authority hereby authorizes the issuance of Bonds under the Trust Indenture which shall be designated and shall be distinguished from the Bonds of all other Series by the title, "Utility System Revenue Bonds, Series 2025-A" and which shall be issued to the I-Bank in accordance with *N.J.S.A. 58:11B-9(a)* in the aggregate principal amount not to exceed \$4,000,000 (unless a higher amount is required by the I-Bank but in no event shall the 2025 Bonds in the aggregate exceed \$8,000,000) (the "Series 2025-A Bonds") to finance a portion of the costs of the 2025 Project.

B. The Authority hereby authorizes the issuance of Bonds under the Trust Indenture which shall be designated and shall be distinguished from the Bonds of all other Series by the title, "Utility System Revenue Bonds, Series 2025-B" and which shall be issued to the Fund in accordance with *N.J.S.A. 58:11B-9(a)* in the aggregate principal amount not to exceed \$4,000,000 (unless a higher amount is required by the State but in no event shall the 2025 Bonds in the aggregate exceed \$8,000,000) (the "Series 2025-B Bonds") to finance a portion of the costs of the 2025 Project. The Series 2025-A Bonds and the Series 2025-B Bonds are collectively referred to as the "2025 Bonds".

C. The Series 2025-A Bonds shall be issued to the I-Bank for the purpose of securing the Authority's obligations under the 2025 I-Bank Loan Agreement, and the Series 2025-B Bonds shall be issued to the State for the purpose of securing the Authority's obligations under the 2025 Fund Loan Agreement. The proceeds of the 2025 I-Bank Loan and the 2025 Fund Loan shall be used to pay the costs of the 2025 Project.

SECTION 4. Terms and Provisions of 2025 Bonds.

A. The 2025 Bonds shall be issued under and pursuant to the Trust Indenture, dated as of November 1, 2010 (the "Trust Indenture"), between the Authority and The Bank of New York Mellon, as trustee (the "Trustee"), as supplemented by the Eighth Supplemental Trust Indenture to be hereafter executed by the Authority and the Trustee (the "Supplemental Indenture") authorizing the issuance of the 2025 Bonds, which Trust Indenture and Supplemental Indenture shall be in substantially the form attached hereto as Exhibit A.

B. The Series 2025-A Bonds shall be dated as set forth in the Supplemental Indenture. The Series 2025-A Bonds shall be issued in the aggregate principal amount not exceeding \$4,000,000 (unless a higher amount is required by the I-Bank but in no event shall the 2025 Bonds in the aggregate exceed \$8,000,000) as shall be determined by the Chairman, the Vice-Chairman or Executive Director of the Authority as provided in paragraph D of this Section 4 of this Resolution. The Series 2025-A Bonds shall mature on July 15 in each of the years and in the principal amounts, and shall bear interest from their dated date, payable on January 15 and July 15 of each year, commencing July 15, 2025 or such other date as shall be set forth in the Supplemental Indenture, at the rate per annum, as shall be determined by the Chairman, the Vice-Chairman or Executive Director of the Authority as provided in paragraph D

of this Section 4 of this Resolution. The Series 2025-A Bonds shall have the conversion and registration privileges set forth in the Trust Indenture. The Series 2025-A Bonds shall be subject to redemption (with or without premium) as provided in the Supplemental Indenture.

C. The Series 2025-B Bonds shall be dated as set forth in the Supplemental Indenture. The Series 2025-B Bonds shall be issued in the aggregate principal amount not exceeding \$4,000,000 (unless a higher amount is required by the State but in no event shall the 2025 Bonds in the aggregate exceed \$8,000,000) as shall be determined by the Chairman, the Vice-Chairman or Executive Director of the Authority as provided in paragraph E of this Section 4 of this Resolution. The Series 2025-B Bonds shall mature on July 15th in each of the years and in the principal amounts, as shall be set forth in the Supplemental Indenture, as shall be determined by the Chairman, the Vice-Chairman or the Executive Director of the Authority as provided in paragraph E of this Section 4 of this Resolution. The Series 2025-B Bonds shall have the conversion and registration privileges set forth in the Trust Indenture. The Series 2025-B Bonds shall be subject to redemption (with or without premium) as provided in the Supplemental Indenture. The Series 2025-B Bonds shall bear interest at the rate of zero percent (0%) per annum.

D. There is hereby delegated to the Chairman, the Vice-Chairman or Executive Director of the Authority, subject to the limitations contained in the Trust Indenture and this Resolution, the power with respect to the Series 2025-A Bonds to determine the following:

- (i) the aggregate principal amount of the Series 2025-A Bonds to be issued, which principal amount shall not exceed the lesser of (a) \$4,000,000 (unless a higher amount is required by the I-Bank but in no event shall the 2025 Bonds in the aggregate exceed \$8,000,000) or (b) the principal amount of the loan to be made by the I-Bank to the Authority as set forth in the 2025 I-Bank Loan Agreement with respect to the 2025 Project;
- (ii) the maturity dates and principal amount of each maturity for the Series 2025-A Bonds, which dates and principal amounts shall comply with the provisions of paragraph B of this Section 4 of this Resolution and shall be the same dates and in the same amounts when and as the principal of the loans from the I-Bank to the Authority must be repaid in accordance with the 2025 I-Bank Loan Agreement; provided, however, that the final maturity date for the Series 2025-A Bonds shall not be later than July 15, 2055; and
- (iii) the interest rate for the Series 2025-A Bonds, which interest rate shall (a) not exceed 6.00% per annum, and (b) be the same rate of interest as the rate of interest, which the Authority is required to pay on the loans from the I-Bank to the Authority as set forth in the 2025 I-Bank Loan Agreement.

E. There is hereby delegated to the Chairman, the Vice-Chairman or Executive Director of the Authority, subject to the limitations contained in the Trust Indenture and this Resolution, the power with respect to the Series 2025-B Bonds to determine the following:

- (i) the aggregate principal amount of the Series 2025-B Bonds to be issued, which principal amount shall not exceed the lesser of (a) \$4,000,000 (unless a higher amount is required by the State but in no event shall the 2025 Bonds in the aggregate exceed \$8,000,000) or (b) the principal amount of the loan to be made by the State to the Authority as set forth in the 2025 Fund Loan Agreement with respect to the 2025 Project; and
- (ii) the maturity dates and principal amount of each maturity for the Series 2025-B Bonds, which dates and principal amounts shall comply with the provisions of paragraph C of this Section 4 of this Resolution and shall be the same dates and in the same amounts when and as the principal of the loans from the State to the Authority must be repaid in accordance with the 2025 Fund Loan Agreement provided, however, that the final maturity date for the Series 2025-B Bonds shall not be later than July 15, 2055.

F. The 2025 Bonds shall be issued in the aggregate principal amount shall mature on the date or dates, shall bear interest at the rate or rates of interest payable on the dates, and shall be subject to redemption, as shall be set forth in the Supplemental Indenture. The Supplemental Indenture shall also contain such other terms and provisions of the 2025 Bonds which are not established by this Resolution and which are not inconsistent with the terms and provisions of the Trust Indenture and this Resolution.

SECTION 5. Pledge, Source and Payment.

A. The 2025 Bonds shall be issued on a parity as to both payment and security with all other Bonds then outstanding under the Trust Indenture. Pursuant to the Trust Indenture, there will be pledged for the payment of the principal of Redemption Price of and interest on the 2025 Bonds in accordance with their terms and the provisions of the Trust Indenture (i) the Net Revenues, and (ii) the amounts on deposit in the Funds and Accounts (except the Operating Account and the General Account) established under the Trust Indenture.

B. The Authority expressly reserves the right to adopt one or more resolutions separate and apart from this Resolution and reserves the right to issue bonds under the Trust Indenture or other obligations of the Authority under such resolutions for any of its authorized purposes, including financing or refinancing the costs of any project, facility or undertaking permitted by the Act, provided that such other obligations shall not, in whole or in part, be payable from those moneys, investments, funds or assets expressly pledged by the Trust Indenture.

C. The 2025 Bonds shall be special and limited obligations of the Authority. The 2025 Bonds shall not be in any way a debt or liability of the State of New Jersey or of any political subdivision thereof (other than general obligations of the Authority) and shall not create or constitute any indebtedness, liability or obligation of the State of New Jersey or any such political subdivision or be or constitute a pledge of the faith and credit of the State of New Jersey or any such political subdivision.

SECTION 6. Approval of Trust Indenture and Eighth Supplemental Indenture. The Eighth Supplemental Trust Indenture in substantially the form attached hereto as Exhibit A is hereby approved. The Chairman, the Vice-Chairman or Executive Director of the Authority is hereby authorized and directed to execute and deliver the Eighth Supplemental Trust Indenture with such changes, insertions and omissions as may be approved by the Chairman, Vice-Chairman or Executive Director, said execution of the Eighth Supplemental Indenture being conclusive evidence of such approval and the Secretary is hereby authorized to affix and attest the seal of the Authority thereto.

SECTION 7. Execution and Authentication. The 2025 Bonds shall be executed in the name of the Authority by the manual or facsimile signatures of the Chairman or Vice-Chairman and the Treasurer, and its corporate seal (or a facsimile thereof) shall be impressed, imprinted, engraved or otherwise reproduced thereon, and attested by the manual or facsimile signature of the Secretary.

SECTION 8. The 2025 I-Bank Loan Agreement and 2025 Fund Loan Agreement.

A. The Authority hereby ratifies and confirms the Authority's application for loans for eligible costs of the 2025 Project from the I-Bank and the Fund and the associated costs of the I-Bank's financing therewith (the "2025 I-Bank Loan" and the "2025 Fund Loan", respectively). The Authority hereby approves the terms and provisions of the 2025 I-Bank Loan Agreement and the 2025 Fund Loan Agreement, and hereby authorizes and directs the Chairman, Vice-Chairman or Executive Director (each an "Authorized Officer") to execute and deliver on behalf of the Authority the 2025 I-Bank Loan Agreement and the 2025 Fund Loan Agreement with such changes as the Authorized Officer in their sole discretion, after consultation with counsel to the Authority and after further consultation with the I-Bank and the State and their representatives, agents, counsel and advisors, shall determine, such determination to be conclusively evidenced by the execution of each such agreement by an Authorized Officer as determined hereunder, provided that (i) the aggregate principal amount of the 2025 I-Bank Loan (including capitalized interest on the Series 2025-A Bonds, if any, and the Authority's pro rata share of the I-Bank's costs of issuance and underwriters' compensation) and the maximum interest rate on the principal installments thereof does not exceed the principal amount and interest rate allocated thereto as set forth in Section 4 hereof, and (ii) the aggregate principal amount of the 2025 Fund Loan does not exceed the principal amount allocated thereto as set forth in Section 4 hereof. The 2025 I-Bank Loan Agreement and the 2025 Fund Loan Agreement shall be in substantially the forms presented at this meeting together with such changes or additional terms and conditions as shall be consistent with this Resolution and the Supplemental Indenture, and shall not conflict with any other contract or court order to which the Authority is a party or by which the Authority or any of its properties may be bound. The Secretary of the Authority is hereby authorized to attest to the execution of the 2025 I-Bank Loan

Agreement and the 2025 Fund Loan Agreement by an Authorized Officer as determined hereunder and to affix the corporate seal of the Authority to such agreements.

B. All amounts payable by the Authority in respect of the 2025 I-Bank Loan and the 2025 Fund Loan, under the 2025 I-Bank Loan Agreement and the 2025 Fund Loan Agreement, respectively, shall be paid by the Trustee on behalf of the Authority pursuant to and in accordance with the provisions of the Supplemental Resolution.

SECTION 9. Escrow Agreement. The Authority hereby approves the terms and provisions of the Escrow Agreement in the form presented at this meeting. An Authorized Officer is hereby authorized and directed to execute and deliver the Escrow Agreement in the form presented at this meeting together with such changes as the Authorized Officer, in their sole discretion after consultation with counsel to the Authority and after further consultation with the I-Bank and the State and their representatives, agents, counsel and advisors, shall determine, such determination to be conclusively evidenced by the execution of the Escrow Agreement by an Authorized Officer as determined hereunder. The Secretary of the Authority is hereby authorized to attest to the execution of the Escrow Agreement by an Authorized Officer as determined hereunder and to affix the corporate seal of the Authority to such agreements.

SECTION 10. Official Intent to Reimburse.

A. The Authority reasonably expects to reimburse its expenditure of costs of the 2025 Project paid prior to the issuance of the 2025 Bonds with proceeds of the 2025 Bonds.

B. This resolution is intended to be and hereby is a declaration of the Authority's official intent to reimburse the expenditure of costs of the 2025 Project paid prior to the issuance of the 2025 Bonds with the proceeds of a borrowing to be incurred by the Authority, in accordance with Treasury Regulations Section 150-2.

C. The costs of the 2025 Project to be reimbursed with the proceeds of the 2025 Bonds will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

D. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations 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 2025 Bonds used to reimburse the Authority for costs of the 2025 Project, 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 Regulations Section 1.148-1) of the 2025 Bonds or another issue of debt obligations of the Authority, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations Section 1.148-1).

E. 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 2025 Bonds is paid, or (ii) the date the 2025 Project is "placed in service" (within the meaning of Treasury Regulations Section 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 11. Estoppel Statement. The Secretary of the Authority is hereby directed to have a notice of the adoption of this Resolution published in The Record and The Ridgewood News and posted in the office of the Authority and the office of the clerk of each municipality being a party to a Service Contract in the form prescribed by Section 40:14B-28 of the New Jersey Statutes.

SECTION 12. Prior Resolutions. All prior resolutions of the Authority or portions thereof inconsistent herewith are hereby repealed.

SECTION 13. Incidental Action. The Chairman, Vice-Chairman, Secretary, Treasurer, Executive Director and all other proper officers of the Authority are hereby authorized and directed to execute and deliver such other documents or instruments and to take such other action as may be necessary or appropriate in order to effectuate the issuance and sale of the 2025 Bonds, and any other action to modify or amend existing trust indentures to conform to the provisions of the Trust Indenture, all in accordance with the provisions of this Resolution.

SECTION 14. Definitions. All words, terms and phrases which are capitalized in this Resolution shall be deemed to have the meanings given to them by the definitions set forth in the Trust Indenture, unless the context clearly indicates otherwise.

SECTION 15. Effective Date. This Resolution shall take effect immediately upon its adoption.

Frank Kelaher, Chairman

RECORDED VOTE:

	Bonagura	Biale	Jordan	Lo Iacono	Ortega	Tombalakian	Virk	Kelaher	
Offered									
Seconded									
Aye									
Nay									
Absent									
Abstain									
Recuse									

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 February 19, 2025.

Douglas M. Bern, Esq.
Assistant Secretary
DATE: February 19, 2025