

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
JULY 24, 2014**

**In the matter of the 426th Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the July 24, 2014 meeting was read into the record by Richard Wierer, Acting Secretary.

2. Roll Call:

COMMISSIONERS PRESENT:

Andrew "Chuck" Vaccaro, Chairman
Ronald Phillips, Vice Chairman
Catherine T. Bentz, Commissioner
James L. Cassella, Commissioner
Louis J. DeLisio, Commissioner
Paul A. Juliano, Commissioner
Richard D. Schooler, Commissioner
George P. Zilocchi, Commissioner

ALSO PRESENT: Richard D. Wierer, Deputy Executive Director
Authority Staff and Professional Consultants

3. Motion that the Minutes covering the June 26, 2014 Work Session be approved was moved by Commissioner Schooler and seconded by Commissioner Juliano and was carried.
4. Chairman Vaccaro opened the meeting to the public and asked if anyone present wished to be heard. Hearing no further response, the meeting was closed to the public.
5. FINANCE AND LEGAL COMMITTEE:

Resolution 14-1-040 – Approve bills and the claims supported by vouchers totaling \$5,921,773.21 and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-1-041 – Ratify and Approve Financial Actions directed by Wallace Nowosielecki, Treasurer, and Mathew McCarter, Acting Treasurer, during the month of June and July 2014. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

BERGEN COUNTY UTILITIES AUTHORITY

Minutes of the Regular Meeting

July 24, 2014

Resolution 14-1-042 – Resolution of the Bergen County Utilities Authority authorizing the resubmission of the August 21, 2013, application to the New Jersey Local Finance Board pursuant to N.J.S.A. 40A:5A-6 and seeking renewal of the prior Local Finance Board approval. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-1-043 – Change in Custodian of Petty Cash Fund. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-1-044 – Resolution of the Bergen County Utilities Authority authorizing a review of the Authority's Annual Continuing Disclosure obligations and the submission of related information to the SEC, if necessary. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 14-2-038 – Award Contract 14-11 to Longo Electrical-Mechanical, Inc. - Testing of Low and Medium Voltage Cables. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-039 – Award Contract 14-14 – Natural Gas Supply Services to – Direct Energy. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-040 – Award Contract 96897-14 to Standard Aero Limited- Evaluation and Inspection of Three Rolls Royce/Allison 501 KB Turbine Engines. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-041 – Authorize execution of Change Order No. 1 to Requisition 95761-14 Avagadro Environmental Corp. for the 2014 Compliance Test of Co-Gen Engines. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-042 – Amendment to Solid Waste Service Agreements. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by

Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes

Resolution 14-2-043 – Authorize Easement Agreement with Public Service Electric & Gas Company. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 14-2-044 – Award Contract A897-1 to Ram Industrial Services, LLC. to Rebuild GE 400 HP Motor Model 5K6356X106A. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner Zilocchi. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. PERSONNEL & ADMINISTRATION COMMITTEE:

Resolution 14-3-011 – Appointment of Chief Engineer. Motion to adopt the resolution was made by Commissioner DeLisio and Seconded by Commissioner Juliano. A roll call was taken and the resolution was adopted as reflected in these minutes.

8. SECURITY AND SAFETY COMMITTEE

Resolution 14-5-001 - Safety Incentive Program. Motion to adopt the resolution was made by Commissioner Phillips and Seconded by Commissioner DeLisio. A roll call was taken and the resolution was adopted as reflected in these minutes.

9. Chairman Vaccaro announced a short recess to allow time for the Acting Secretary to prepare minutes of this Regular Meeting.
10. Chairman Vaccaro announced the Regular Meeting would reconvene.
11. The Acting Secretary then distributed proposed minutes of the July 24, 2014 Regular Meeting for review by the Commissioners.
12. Move to approve the Minutes of the Regular Meeting of July 24, 2014 as distributed by the Acting Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting July 24, 2014 was made by Commissioner Juliano and second by Commissioner DeLisio and was unanimously carried.
13. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

BERGEN COUNTY UTILITIES AUTHORITY
 Minutes of the Regular Meeting
 July 24, 2014

Resolution #	14-1-040	14-1-041	14-1-042	14-1-043	14-1-044
Chairman Vaccaro	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y
Comm. Juliano	A	Y	Y	Y	Y
Comm. Lorenzo	-	-	-	-	-
Comm. Schooler	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y

Resolution #	14-2-038	14-2-039	14-2-040	14-2-041	14-2-042	14-2-043	14-2-044
Chairman Vaccaro	Y	Y	Y	Y	Y	Y	Y
Comm. Phillips	Y	Y	Y	Y	Y	Y	Y
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y
Comm. DeLisio	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y
Comm. Lorenzo	-	-	-	-	-	-	-
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y

Resolution #	14-3-011
Chairman Vaccaro	Y
Comm. Phillips	Y
Comm. Bentz	Y
Comm. Cassella	Y
Comm. DeLisio	Y
Comm. Juliano	Y
Comm. Lorenzo	-
Comm. Schooler	Y
Comm. Zilocchi	Y

Resolution #	14-5-001
Chairman Vaccaro	Y
Comm. Phillips	Y
Comm. Bentz	Y
Comm. Cassella	Y
Comm. DeLisio	Y
Comm. Juliano	Y
Comm. Lorenzo	-
Comm. Schooler	Y
Comm. Zilocchi	Y

Y = Yes
 R = Recuse
 A = Abstain
 N = No
 - = Absent

Respectfully submitted,



Richard Wierer
 Acting Secretary

July 24, 2014

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the Financial Actions directed by Wallace Nowosielecki, Treasurer and Mathew McCarter, Acting Treasurer, during the months of June and July 2014 be and are hereby ratified and approved.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.



Richard Wierer
Acting Secretary

Dated: July 24, 2014

**RESOLUTION OF THE BERGEN COUNTY UTILITIES AUTHORITY
AUTHORIZING THE RESUBMISSION OF THE AUGUST 21, 2013, APPLICATION
TO THE NEW JERSEY LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6
FOR THE PURPOSE OF SEEKING RENEWAL OF THE PRIOR LOCAL FINANCE
BOARD APPROVAL**

WHEREAS, The Bergen County Utilities Authority (the "Authority"), pursuant to Resolution 13-1-035 adopted by the Board of Commissioners of the Authority on July 25, 2013, previously submitted an application dated August 21, 2013 to the New Jersey Local Finance Board (the "2013 Application") for its review pursuant to N.J.S.A. 40A:5A-6 of (i) the proposed bond resolution of the Authority of up to \$30,000,000.00 aggregate principal amount of Water Pollution Control System Revenue Bonds or other debt obligations (the "Refunding Bonds") in one or more series as may be permitted by applicable law to advance refund the callable maturities of the Authority's outstanding Water Pollution Control System Revenue Bonds, Series A of 2004 (the "2004A Bonds") and (ii) Water Pollution Control System Revenue Bonds, Series 2006 (the "2006 Bonds" and together with the 2004A Bonds, the "Refunded Bonds") to generate debt service savings; and

WHEREAS, the New Jersey Local Finance Board approved the 2013 Application by resolution adopted September 11, 2013, which approval expires on or about September 11, 2014; and

WHEREAS, the Authority has completed the advance refunding of the 2004A Bonds; and

WHEREAS, the Authority has not yet advance refunded the 2006 Bonds as the potential savings to be realized from refunding the 2006 Bonds has been below the three (3%) percent savings threshold mandated by New Jersey Local Finance Board; and

WHEREAS, interest rates have now improved and the Authority desires to proceed with the advance refunding of the 2006 Bonds on substantially the same terms and conditions as those set forth and contained in the 2013 Application; and

WHEREAS, the Authority believes that:

- (a) It is in the public interest to accomplish such purpose;
- (b) Said purpose or improvements are for the health, welfare, convenience and betterment of the ratepayers of the Authority;
- (c) The amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) The proposal is an efficient and feasible means of providing services for the needs of the ratepayers of the Authority and will not create an undue financial burden to be placed upon the Authority.

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

Section 1. The 2013 Application to the New Jersey Local Finance Board shall be and hereby is ratified, confirmed and approved and the Authority's Bond Counsel, General Counsel and Financial Advisor, along with other representatives of the Authority are hereby authorized to (i) re-submit the 2013 Application to the New Jersey Local Finance Board, (ii) seek a renewal/extension of the prior New Jersey Local Finance Board approval of the 2013 Application and (iii) represent the Authority in matters pertaining thereto.

Section 2. The Executive Director/Secretary of the Authority is hereby directed to prepare and file a copy of this resolution with the New Jersey Local Finance Board as part of such re-submitted 2013 Application.

Section 3. The New Jersey Local Finance Board is hereby respectfully requested to consider such re-submitted 2013 Application and to record its findings, recommendations and/or approvals (including any renewals or extensions of prior New Jersey Local Finance Board approvals) as provided by the applicable New Jersey Statute.

Section 4. This resolution shall take effect immediately upon adoption this 24th day of July, 2014.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

14-1-042

MOTION: Cassella

SECOND: Schooler

Commissioners	AYE	NO	ABSTAIN	NOT PRESENT
Andrew Vaccaro	X			
Ronald Phillips	X			
Catherine T. Bentz	X			
Louis J. DeLisio	X			
Paul A. Juliano	X			
David J. Lorenzo				X
Richard D. Schooler	X			
George P. Zilocchi	X			

The foregoing is a true copy of the Resolution adopted by the governing body of THE BERGEN COUNTY UTILITIES AUTHORITY at a meeting thereof duly called and held on July 24, 2014.



Richard Wierer, Acting Secretary

14-1-042

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, Wallace Nowosielecki was custodian of the Finance Department Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Bergen County Utilities Authority is changing custodians of the Finance Department Petty Cash Fund to Mathew McCarter; and

WHEREAS, Mathew McCarter is bonded in the amount of \$500,000.00 by virtue of a surety bond.

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

1. Mathew McCarter shall be and is hereby designated as custodian of the Finance Department Petty Cash Fund.
2. Two (2) copies of this resolution shall be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of June 26, 2014.



Richard Wierer
Acting Secretary

Dated: July 24, 2014

THE BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION. 14-1-044

**RESOLUTION OF THE BERGEN COUNTY
UTILITIES AUTHORITY AUTHORIZING A
REVIEW OF THE AUTHORITY'S ANNUAL
CONTINUING DISCLOSURE
OBLIGATIONS AND THE SUBMISSION OF
RELATED INFORMATION TO THE SEC, IF
NECESSARY.**

WHEREAS, the Securities and Exchange Commission ("SEC") has recently focused attention on what is alleged to be a widespread failure of local government issuers across the nation to meet their continuing disclosure obligations of annual and financial information and to misrepresent (sometimes innocently or inadvertently) past compliance with continuing disclosure obligations when issuing new debt; and

WHEREAS, to rectify this issue the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (the "SEC Program") as a limited-time program ending on September 10, 2014, that allows issuers of municipal bonds, including the Authority to self-report material misstatements or omissions, made in an official statement regarding prior continuing disclosure obligations of the Authority within the last 5 years and accept certain non-monetary penalties, in lieu of possible future harsher monetary and non-monetary penalties for misrepresentation of past compliance with continuing disclosure undertakings; and

WHEREAS, it is likely that the overwhelming majority of issuers of governmental bonds in the State of New Jersey shall self-report as a precautionary method and to avoid future SEC enforcement action regarding this issue; and

WHEREAS, the penalties for such voluntary self-reporting, if imposed by the SEC, include (i) complying with a cease and desist order in which the issuer neither admits nor denies the findings of the SEC, (ii) implementing policies, procedures and training regarding continuing disclosure obligations, (iii) complying with all existing continuing disclosure undertakings, (iv) cooperating with any further SEC investigation, (v) disclosing settlement terms in any final official statement issued within five years of the date of institution of the proceedings, and (vi) providing the SEC with a compliance certificate regarding the applicable undertakings on the one year anniversary of the proceedings; and

WHEREAS, the State of New Jersey Division of Local Government Services is preparing a Public Finance Notice directing that governmental bond issuers examine their continuing disclosure contractual obligations and past official statements; and

WHEREAS, the Authority has prepared an official statement and issued bonds within the last 5 years and therefore falls within the parameters of the SEC Program; and

WHEREAS, the Authority has determined to conduct an assessment of past continuing disclosure compliance to insure compliance with all Federal requirements; and

WHEREAS, pending the results of the assessment, the Authority has determined to authorize the Executive Director to prepare and submit, if necessary, any information and documents to the SEC, so that the Authority may participate in the SEC Program, as necessary;

NOW, THEREFORE, BE IT RESOLVED BY THE BERGEN COUNTY UTILITIES AUTHORITY AND THE MEMBERS THEREOF, AS FOLLOWS:

Section 1. The Authority authorizes an assessment of the Authority's existing continuing disclosure obligations by the Authority or its professional staff, which review shall include a review of any statements made in past official statements of the Authority.

Section 2. The Authority hereby authorizes Executive Director to prepare and submit any information and documents necessary to the SEC as a result of such assessment, if such submission is necessary or in the best interests of the Authority.

Section 3. This resolution shall take effect immediately.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

14-1-044

MOTION: Cassella

SECOND: Schooler

Commissioners	AYE	NO	ABSTAIN	NOT PRESENT
Andrew Vaccaro	X			
Ronald Phillips	X			
Catherine T. Bentz	X			
Louis J. DeLisio	X			
Paul A. Juliano	X			
David J. Lorenzo				X
Richard D. Schooler	X			
George P. Zilocchi	X			

The foregoing is a true copy of the Resolution adopted by the governing body of THE BERGEN COUNTY UTILITIES AUTHORITY at a meeting thereof duly called and held on July 24, 2014.



Richard Wierer, Acting Secretary

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for the **Testing of Low and Medium Voltage Cables**, pursuant to and in accordance with **Contract No. 14-11**; and

WHEREAS, the following bid proposals were received by the Authority on **July 15, 2014** for **Contract No.14-11**:

Vendor	Total Amount Bid
Longo Electrical-Mechanical, Inc. Wharton, NJ	\$49,200.00
Reuter Hanney, Inc. Ivyland, PA	\$57,800.00
M&L Power Systems Maintenance, Inc. Old Bridge, NJ	\$131,720.00

WHEREAS, the Authority's **Chief Engineer/Director of Water Pollution Control** and **Qualified Purchasing Agent** have reviewed the bid proposals and have recommended that **Longo Electrical-Mechanical, Inc.** be awarded **Contract No. 14-11** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Longo Electrical-Mechanical, Inc.** constitutes the lowest complying and responsible bidder for **Contract No.14-11**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

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

1. **Longo Electrical-Mechanical, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder for the **Testing of Low and Medium Voltage Cables**, constituting **Contract No. 14-11**, for a total sum of **\$49,200.00**.
2. The Chairman shall be and is hereby authorized to execute an agreement with **Longo Electrical-Mechanical, Inc.** of **1 Harry Shupe Blvd., PO Box 511, Wharton, NJ 07885-0511** for the **Testing of Low and Medium Voltage Cables**, constituting **Contract No.14-11** for a total sum of **\$49,200.00**.

3. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.
4. The Acting Treasurer's Certification that funds are available shall be on file at the Authority and made a part hereof.
5. A notice of this contract award shall be published in the form prescribed by law.
6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 14-11, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Longo Electrical-Mechanical, Inc. and the Authority.
7. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.



Richard Wierer
Acting Secretary

Dated: July 24, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 07/24/2014
RESOLUTION #: 14-2-038

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE	<u>FUNDS WILL BE CERTIFIED WHEN PURCHASE ORDERS ARE ISSUED</u>
FUNDS ARE NOT AVAILABLE	<u> </u>
BUDGET ACCOUNT	<u>2014 WPC BOND ISSUE</u>
VENDOR	<u>LONGO ELECTRICAL - MECHANICAL, INC.</u>
CONTRACT NUMBER	<u>14-11</u>
REASON	<u>TESTING OF LOW AND MEDIUM VOLTAGE CABLES</u>
AMOUNT	<u>\$49,200.00</u>
CONTRACT LENGTH	<u>AUGUST 1, 2014 - JULY 31, 2016</u>

Matthew M. Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Board of Commissioners of the Bergen County Utilities Authority (the "Authority"), having previously deemed it necessary to engage the services of **Premier Energy Group, L.L.C.** to perform a reverse auction for the **Delivery of Firm Transportation Natural Gas for Bergen County Utilities Authority** for the purpose of addressing the need to **Procure Electric & Gas Supply** in order to ensure the necessary and efficient operations of the Authority, by Resolution 14-2-026 adopted April 24, 2014 authorized the Chairman of the Authority to enter into an agreement with **Premier Energy Group, L.L.C.**, setting forth the scope of performing such a reverse auction on behalf of the Authority; and

WHEREAS, on prior occasion upon advertisement and pursuant to specifications, the **Authority** solicited online electronic bid proposals via Reverse Auction for the **Delivery of Firm Transportation Natural Gas for Bergen County Utilities Authority**, pursuant to and in accordance with **Contract No. 14-14**; and

WHEREAS, the following bid proposals were received by the **Authority** on July 24, 2014:

Vendor	Option A NYMEX+ Price (12 Months) \$ / dth	Option B NYMEX+ Price (24 Months) \$ / dth
Direct Energy	\$1.4990	\$1.3000
Great Eastern Energy	\$1.4890	\$1.5100
Infinite Energy	\$1.8869	1.6822

WHEREAS, the **Authority's** Consultant, **Premier Energy Group, L.L.C.**, in consultation with the **Authority's** Chief Engineer and Purchasing Assistant, has reviewed the above listed bid proposals and have recommended that **Direct Energy** should be awarded **Contract No. 14-14**, in accordance with N.J.S.A. 40A:11-1, et seq., as the lowest complying and responsible bidder, for a term of **Twenty-Four (24) Months** at the rate of **NYMEX + \$1.30 per dth as per Option B** and that the Authority should also fix the commodity price for the 24 months at **\$4.022 per dth yielding a total city gate price of \$5.322 per dth (\$5.69454 per dth including New Jersey Sales and Use Tax)**; and

WHEREAS, on the basis of the foregoing, the **Authority** has determined that **Direct Energy** should be awarded **Contract No. 14-14**, in accordance with N.J.S.A. 40A:11-1 et seq., as the lowest complying and responsible bidder, for a term of **Twenty-Four (24) months**, as per **Option B** at the rate of **NYMEX + \$1.30 per dth for an estimated total sum of \$158,600 bid for Option B (\$694,734 including the commodity lock and New Jersey Sales and Use Tax)**, as the **Authority** estimates that the amount of usage under

14-2-039

Contract No. 14-14 during the term of **Twenty-Four (24) Months** would be **1220,000 dths** of usage; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the **Authority**; and

WHEREAS, the **Authority's** Acting Treasurer has certified that funds are available for this purpose.

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

1. **Direct Energy** shall be and is hereby determined to be the lowest complying and responsible bidder for the **Delivery of Firm Transportation Natural Gas for Bergen County Utilities Authority** constituting **Contract No. 14-14**, for a term of **Twenty-Four (24) Months** at the rate of **NYMEX + \$1.30 per dth for an estimated total sum of \$158,600 bid for Option B (total city gate price of \$5.69454 per dth with the commodity lock and New Jersey Sales and Use Tax for an estimated total sum of \$694,734).**

2. The Chairman be and is hereby authorized to execute an agreement with **Direct Energy**, and any other necessary documents relating to that agreement, for the **Delivery of Firm Transportation Natural Gas for Bergen County Utilities Authority** constituting **Contract No. 14-14**, for a term of **Twenty-Four (24) Months**, at the rate of **NYMEX + \$1.30 per dth for an estimated total sum of \$158,600 bid for Option B (total city gate price of \$5.69454 per dth with the commodity lock and New Jersey Sales and Use Tax for an estimated total sum of \$694,734).**

3. The bid security of all unsuccessful bidders shall be returned in accordance with N.J.S.A. 40A:11-1, et seq.

4. The Acting Treasurer's Certification that funds are available shall be on file at the Authority and made a part hereof.

5. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 14-14, shall be placed on file and made available for public inspection in the office of the Executive Director, upon execution by **Direct Energy** and the Authority.

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 Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A 40:14B-14b.

14-2-039

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.



Richard Wierer
Acting Secretary

Dated: July 24, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 07/24/2014
RESOLUTION #: 14-2-039

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT W-370-59500-000
GAS

VENDOR HESS

CONTRACT NUMBER 14-14

REASON DELIVERY OF FIRM TRANSPORTAION
NATURAL GAS

AMOUNT \$853,334

CONTRACT LENGTH January 1, 2015 to December 31, 2016

Matthew M. Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement on the website of the Bergen County Utilities Authority (the "Authority") and pursuant to specifications, the Authority solicited bid proposals for the **Evaluation and Inspection of Three Rolls Royce/Allison 501 KB Turbine Engines**, pursuant to and in accordance with **Requisition No. 96897-14**; and

WHEREAS, the following proposal was received by the Authority on **June 26, 2014** for **Requisition No. 96897-14**:

<u>Vendor</u>	<u>Total Amount Bid</u>
Standard Aero Limited Winnipeg, Canada	\$21,646.00

WHEREAS, this procurement item is below the Authority's bid threshold of \$36,000.00; and

WHEREAS, this contract has been solicited through a fair and open process and it was publicly advertised and opened pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Authority's Qualified Purchasing Agent has reviewed the sole bid proposal and has recommended that **Standard Aero Limited** should be awarded **Requisition No.96897-14** as the lowest complying and responsible vendor, as defined under N.J.S.A. 40A:11-2 and allowable under the fair and open process pursuant to N.J.S.A. 19:44A-20.4; and

WHEREAS, on the basis of the foregoing, the Authority has determined that the proposal from **Standard Aero Limited** constitutes the lowest complying and responsible proposal for **Requisition No. 96897-14**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the award of the Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

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

1. The proposal of **Standard Aero Limited** in the sum of \$21,646.00 shall be and is determined to be the lowest complying and responsible proposal for the **Evaluation and Inspection of Three Rolls Royce/Allison 501 KB Turbine Engines** constituting **Requisition No.96897-14** for the total sum of **\$21,646.00**.

2. The Executive Director shall be and is hereby authorized to execute an agreement with **Standard Aero Limited** of **33 Allen Dyne Road, Winnipeg, Canada MB R3H1A1** for the **Evaluation and Inspection of Three Rolls Royce/Allison 501 KB Turbine Engines**, constituting **Requisition No. 96897-14** for the total sum of **\$21,646.00**.

3. The Acting Treasurer's Certification that funds are available shall be on file at the Authority and made a part hereof.

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

5. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with **Requisition No. 96897-14**, shall be placed on file and made available for public inspection in the office of the Executive Director upon execution by Standard Aero Limited and the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.



Richard Wierer
Acting Secretary

Dated: July 24, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 07/24/2014
RESOLUTION #: 14-2-040

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT W-550-62500-000
STANDBY POWER GENERATORS

VENDOR STANDARD AERO LIMITED

CONTRACT NUMBER REQ. NO. 96897-14

REASON EVALUATION & INSPECTION OF THREE
ROLLS ROYCE/ALLISON
501K TURBINE ENGINES

AMOUNT \$21,646.00

CONTRACT LENGTH



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for the **2014 Compliance Test of Co-Gen Engines**, pursuant to and in accordance with **Requisition No. 95761-14**; and

WHEREAS, by Resolution dated March 27, 2014, **Avagadro Environmental Corp.** was determined by the Authority to be the lowest complying and responsible bidder and was therefore awarded **Requisition No. 95761-14** in the sum of **\$24,350.00**; and

WHEREAS, as a result of additional hours spent by stack testing personnel due to delays caused by engine problems at the Authority, **Requisition No. 95761-14** has exhausted its funds prior to the completion of the compliance testing pursuant to and in accordance with **Requisition No. 95761-14**; and

WHEREAS, the Authority's Chief Engineer submitted a change order proposal, requesting an Increase in the sum of **\$3,628.00**, which does not change the quality or character of the items to be provided and are now required in order to successfully complete **Requisition No. 95761-14**; and

WHEREAS, the Authority's Chief Engineer and Qualified Purchasing Agent have reviewed, approved and recommended Change Order No. 1 to Process the Net Increase in the sum of **\$3,628.00** for the **2014 Compliance Test of Co-Gen Engines**, in accordance with **Requisition No. 95761-14**, for a total amended sum of **\$27,978.00**; and

WHEREAS, the aforesaid Change Order No. 1 to Process the Net Increase in the sum of **\$3,628.00** is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

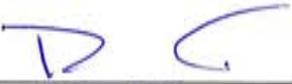
NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. The Chairman shall be and is hereby authorized to execute Change Order No. 1 to Process the Net Increase in the sum of **\$3,628.00** as stated in the July 2, 2014 change order proposal of **Avagadro Environmental Corp.** for the **2014 Compliance Test of Co-Gen Engines**, in accordance with **Requisition No. 95761-14**, for an adjusted total amended sum of **\$27,978.00**;
2. A copy of this resolution and Change Order No. 1 to Process the Net Increase in the sum of **\$3,628.00** shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Avagadro Environmental Corp. and the Authority.

14-2-041

3. The total aggregate amount awarded together with this amendment shall not exceed the sum of \$27,978.00 without further action by the Board of Commissioners of the Authority.
4. A notice of this amendment shall be published in the for prescribed by law.
5. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.
6. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.



Richard Wierer
Acting Secretary

Dated: July 24, 2014

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 07/24/2014
RESOLUTION #: 14-2-041

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT W-550-62450-000
COGENERATION

VENDOR AVAGADRO ENVIRONMENTAL CORP.

CONTRACT NUMBER C/O #1 TO
REQ. NO. 95761-14

REASON ADDITIONAL HOURS FOR STACK TESTING
PERSONNEL DUE TO DELAY
CAUSED BY ENGINE PROBLEMS

AMOUNT \$3,628.00

CONTRACT LENGTH _____

Matthew Carter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") previously issued bid specifications for solid waste processing, transport and disposal services under Contract 13-04 and the Authority awarded Contract 13-04 to ADS Solid Waste of New Jersey, Inc. by Resolution 13-2-035 adopted April 25, 2013; and

WHEREAS, subsequent to the awarding of Contract No. 13-04 by the Authority to ADS Solid Waste of New Jersey, Inc., the Authority was informed that ADS Solid Waste of New Jersey, Inc. made the business decision to no longer conduct business in the State of New Jersey and in connection with that business decision ADS Solid Waste of New Jersey, Inc. sold, among other things, its waste and recycling assets located in the State of New Jersey; and

WHEREAS, ADS Solid Waste of New Jersey, Inc. advised the Authority that ADS Solid Waste of New Jersey, Inc. had entered into an Asset Purchase Agreement with Covanta 4Recovery, L.P. pursuant to which ADS Solid Waste of New Jersey, Inc. would transfer to Covanta 4Recovery, L.P., and Covanta 4Recovery, L.P. agreed to accept from ADS Solid Waste of New Jersey, Inc., all of the rights, title and interests of ADS Solid Waste of New Jersey, Inc. in and to Contract No. 13-04 and also pursuant to which Covanta 4Recovery, L.P. agreed to assume all obligations of ADS Solid Waste of New Jersey, Inc. under Contract No. 13-04; and

WHEREAS, the Authority, having determined that the assignment of Contract No. 13-04 from ADS Solid Waste of New Jersey, Inc. to Covanta 4Recovery, L.P. is necessary for the continued efficient operation of the Authority, by Resolution 13-2-075 adopted December 19, 2013, consented to the assignment of Contract No. 13-04 from ADS Solid Waste of New Jersey, Inc. to Covanta 4Recovery, L.P.; and

WHEREAS, the Authority, by Resolution 13-2-038 adopted April 25, 2013, previously authorized the Executive Director to execute a Solid Waste Service Agreement with municipalities wishing to participate in solid waste processing, transport and disposal services under Contract 13-04; and

WHEREAS, Covanta 4Recovery, L.P. and certain municipalities, subsequent to the assignment of Contract No. 13-04 by ADS Solid Waste of New Jersey, Inc. to Covanta 4Recovery, L.P., requested that the Authority include the 30 Fulton Street, Paterson, New Jersey disposal facility as a Permitted Disposal Facility under Contract 13-04 and on June 12, 2014 the Authority, pursuant to Section 22.06 of Contract No. 13-04, approved the inclusion of the 30 Fulton Street, Paterson, New Jersey disposal facility as a Permitted Disposal Facility under Contract No. 13-04; and

WHEREAS, for those municipalities that wish to utilize the 30 Fulton Street, Paterson New Jersey disposal facility as a designated Transfer Station Facility in accordance with the terms of those Solid Waste Service Agreements entered into by the Authority with municipalities pursuant to Resolution 13-2-038, each such respective Solid Waste Service Agreement entered into with the Authority must now be amended to include the 30 Fulton Street, Paterson, New Jersey disposal facility as a designated Transfer Station Facility to be utilized by the municipalities in accordance with the terms of those Solid Waste Service Agreements; and

WHEREAS, the Commissioners of the Authority have determined, based upon the foregoing, that it is necessary for its efficient operations to enter into a Solid Waste Service Agreement Amendment with each municipality wishing to utilize the 30 Fulton Street, Paterson, New Jersey disposal facility as a designated Transfer Station Facility in accordance with the terms of the Solid Waste Service Agreement previously entered into by and between the Authority and the municipality.

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

1. The Executive Director shall be and is hereby authorized to execute a Solid Waste Service Agreement Amendment, in substantially the form attached hereto or in such final form as is acceptable to the Authority as evidenced by the Chairman's signature thereon, with each municipality wishing to utilize the 30 Fulton Street, Paterson, New Jersey disposal facility as a designated Transfer Station Facility in accordance with the terms of the Solid Waste Service Agreement previously entered into by and between the Authority and the municipality.

2. A copy of this Resolution and each Solid Waste Service Agreement Amendment executed pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by the Authority.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.



Richard Wierer
Acting Secretary

DATED: July 24, 2014

SOLID WASTE SERVICE AGREEMENT
AMENDMENT

This Service Agreement Amendment dated _____ by and between **The Bergen County Utilities Authority**, a public body politic and corporate of the State of New Jersey, having its principal offices for the performance of essential governmental functions and services located at the Foot of Mehrhof Road, Little Ferry, New Jersey 07643 (hereinafter referred to as "BCUA"), and the Borough of _____, a Municipal Corporation of the State of New Jersey, having its principal offices for the performance of essential governmental functions and services located at _____, New Jersey Zip _____ (hereinafter referred to as the "Municipality").

WHEREAS, on April 25, 2013, ADS Solid Waste of NJ, Inc. ("ADS") was awarded a contract with the BCUA for the acceptance, processing and disposal of municipal solid waste ("Contract 13-04"); and

WHEREAS, on December 23, 2013, Contract 13-04 was assigned by and from ADS to Covanta 4Recovery L.P. with the approval of the BCUA; and

WHEREAS, on _____ the BCUA and the Municipality entered into a Solid Waste Service Agreement (the "Service Agreement") for the processing, transportation and disposal of solid waste generated from within the Municipality; and

WHEREAS, in accordance with the Contract 13-04, the following transfer station facility was designated by the BCUA as a Permitted Disposal Facility to be utilized by the

Municipality in accordance with the Service Agreement: 301 Maltese Drive, Totowa, NJ 07512 (the "Transfer Station Facility"); and

WHEREAS, certain municipalities and Covanta 4Recovery L.P have requested to include the following additional facility as a Permitted Disposal Facility: 30 Fulton Street, Paterson, New Jersey; and

WHEREAS, in accordance with Contract 13-04, on June 12, 2014 the BCUA approved the inclusion of the 30 Fulton Street, Paterson, New Jersey facility as a Permitted Disposal Facility; and

WHEREAS, the BCUA and the Borough are desirous of amending the Service Agreement to include 30 Fulton Street, Paterson, New Jersey facility as a Transfer Station Facility in accordance with the terms of the Service Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties hereto agree as follows:

1. The Service Agreement shall be and hereby is amended to include the 30 Fulton Street, Paterson, New Jersey disposal facility as a Transfer Station Facility designated by the BCUA to be utilized by the Municipality in accordance with the terms of the Service Agreement.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the Authority and the Municipality have caused this Service Agreement Amendment to be executed in their respective names by representatives of each thereof there unto duly authorized, and have caused this Service Agreement Amendment to be dated as of the date and year first above written.

WITNESS:

BERGEN COUNTY UTILITIES AUTHORITY

By: _____

Executive Director

ATTEST:

Borough of

By: _____

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Public Service Electric and Gas Company ("PSE&G") owns the transmission system, which services the majority of Bergen County; and

WHEREAS, the Federal Government has divided the electric grid system of the United States into regions; and

WHEREAS, the 13 State plus District of Columbia region which includes New Jersey is operated and managed by PJM Interconnection, LLC ("PJM"), a Regional Transmission Organization ("RTO") regulated by the Federal Energy Regulatory Commission ("FERC"); and

WHEREAS, PJM is responsible for the planning, operation and reliability of the Interstate Transmission System under its functional control, thereby coordinating the movement of wholesale electricity on and across the grid under its jurisdiction; and

WHEREAS, the PJM system serves approximately 60,000,000 customers, dispatching nearly 185,000 megawatts of generation capacity over more than 60,000 miles of transmission lines (a system that serves approximately 20% of the United States economy); and

WHEREAS, PJM's role as a federally regulated RTO means that it is required to act independently in operating and planning the Regional Transmission System, and in overseeing the wholesale electric market; and

WHEREAS, PSE&G is a member of PJM and is considered a "Transmission Owner" under the Amended and Restated Operating Agreement of PJM Interconnection, LLC ("Operating Agreement"), a copy of which is found on PJM's website at <http://www.pjm.com/~media/documents/agreements/oa.ashx>; and

WHEREAS, PSE&G has turned over the operation of its transmission system to PJM pursuant to the Operating Agreement; and

WHEREAS, pursuant to FERC Order 888, every transmission owner is to provide open and non-discriminatory access to its transmission system, allowing third parties, known as merchant transmission providers, to tap into the utility system and sell power to different areas; and

WHEREAS, the only obligation of the merchant transmission provider is to pay for the fair and reasonable cost of any upgrades that PJM determines are necessary to maintain reliability of the system; and

14-2-043

WHEREAS, Hudson Transmission Partners ("HTP") is a third party merchant transmission provider who has proposed a merchant transmission project that connects to the PSE&G system in northern New Jersey; and

WHEREAS, HTP submitted an interconnection request pursuant to Section 36.103 of the PJM Tariff; and

WHEREAS, PJM and PSE&G are obligated under FERC Orders 888 to provide access to HTP; and

WHEREAS, PJM has analyzed the proposed HTP system to determine the transmission upgrades necessary to maintain reliability once HTP has tapped into the PSE&G system; and

WHEREAS, PJM has determined that HTP has met the legal requirements to tap into the PSE&G system; and

WHEREAS, PJM has designated PSE&G with construction responsibility for upgrades necessary to maintain the system after HTP's interconnection; and

WHEREAS, PJM, PSE&G and HTP have entered into an Interconnection Services Agreement which has been approved by FERC, which Agreement provides that PSE&G will construct the necessary upgrades to its system to accommodate the HTP Connection (which Agreement is attached hereto as Exhibit A); and

WHEREAS, the additional transmission lines required have been determined to transverse the property owned by the Bergen County Utility Authority ("BCUA"); and

WHEREAS, the proposed location of the utility lines have been submitted to the BCUA (a description of which is attached hereto as Exhibit B), which has approved the location subject to an easement in recordable form, and final approval by the BCUA, including but not limited to its engineers and attorneys, with regard to final plans, specifications, terms and conditions, hereinafter the "Easement"; and

WHEREAS, PSE&G has submitted signed and sealed plans and drawings to the BCUA which are being reviewed by BCUA staff and engineers (hereinafter referred to as "Final Construction Plans and Specifications")

NOW, THEREFORE, the Commissioners of the BCUA hereby approve the Easement described in Exhibit C expressly subject to the following:

1. Final approval by the BCUA of the Final Construction Plans and Specifications;

14-2-043

2. Execution of a Construction Agreement by and between PSE&G and BCUA setting forth the property description of the Easement and incorporating the items listed in Exhibit C attached hereto;

3. Agreement as to the payment by PSE&G to BCUA for the permanent Easement and additional payment for temporary uses of BCUA property during construction;

4. Establishment of appropriate escrow funds as set forth in Exhibit C, paragraph 15;

5. A copy of this Resolution and the final form of agreement executed pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by PSE&G and BCUA; and

6. The formal action(s) of the Commissioners of the BCUA embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.



Richard Wierer
Acting Secretary

DATED: July 24, 2014

14-2-043

14-2-043

EXHIBIT A
INTERCONNECTION SERVICES AGREEMENT

<http://www.pjm.com/~media/documents/agreements/oa.ashx>

14-2-043

EXHIBIT B
LOCATION OF UTILITY LINES AND EASEMENT

14-2-043



Carroll Engineering

105 Raider Boulevard, Suite 206
Hillsborough, NJ 08844
(908) 874'7500 • Fax (908) 874'5762
www.carrollengineering.com

JUNE 25, 2014

**METES AND BOUNDS DESCRIPTION
PUBLIC SERVICE ELECTRIC & GAS COMPANY
20' WIDE PERMANENT UTILITY EASEMENT
BLOCK 23, PORTION LOT 2
BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY**

BEGINNING at a point located at the intersection formed by the easterly line of State Street (60' wide right-of-way) with the southerly line of a 20' wide permanent utility easement to be conveyed to Public Service Electric & Gas Company (as being described herein), said point-of-beginning being located on a tie bearing and distance of, North 00°03'48" East, a distance of 20.67 feet from the intersection of the same with the dividing line between Block 23, Lot 2 and Lot 3, furthermore said beginning point having New Jersey State Plane Coordinate Grid System Coordinate Values (NAD '83-2011; U.S. Survey Feet) of North: 728,090.2333 feet; East: 619,065.4790 feet, running thence using ground distances and a NAD-83 2011 NJSPCS bearing base;

1. Along the easterly line of said State Street, North 00°03'48" East, a distance of 21.14 feet to a point in line of the same, thence leaving said State Street and continuing through the bounds of Block 23, Lot 2 the following four (4) courses:
2. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the left, having a radius of 490.00 feet, an arc length of 74.98 feet, turning a central angle of 08°46'02" and having a chord which bears, North 66°22'06" East, a chord distance of 74.90 feet to a point-of-tangency located in line of the same, thence;
3. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, North 61°59'05" East, a distance of 403.37 feet to a point-of-curvature located in line of the same, thence;

PSE&G 20' WIDE PERMANENT UTILITY EASEMENT
BLOCK 23, PORTION LOT 2
BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

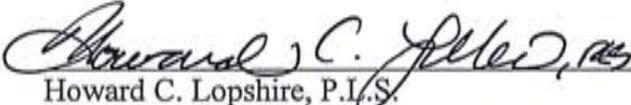
4. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the left, having a radius of 60.00 feet, an arc length of 23.48 feet, turning a central angle of $22^{\circ}25'09''$ and having a chord which bears, North $50^{\circ}46'31''$ East, a chord distance of 23.33 feet to a point-of-tangency located in line of the same, thence;
5. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, North $39^{\circ}33'56''$ East, a distance of 66.68 feet to a point located at the intersection of the same with the dividing line between Block 23, Lot 2 and Lot 1, thence;
6. Along the dividing line between Block 23, Lot 2 and Lot 1, North $62^{\circ}21'54''$ East, a distance of 55.20 feet to a point-of-non-tangent curvature located in line of the same, thence through the bounds of Block 23, Lot 2, the following five (5) courses;
7. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on curve to the left, having a radius of 60.00 feet, an arc length of 12.93 feet, turning a central angle of $12^{\circ}21'03''$, the chord of which bears, South $45^{\circ}44'28''$ West, a chord distance of 12.91 feet to a point-of-tangency located in line of the same, thence;
8. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South $39^{\circ}33'56''$ West, a distance of 104.73 feet to a point-of-curvature located in line of the same, thence;
9. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on curve to the right, having a radius of 80.00 feet, an arc length of 31.30 feet, turning a central angle of $22^{\circ}25'09''$, the chord of which bears, South $50^{\circ}46'31''$ West, a chord distance of 31.10 feet to a point-of-tangency located in line of the same, thence;
10. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South $61^{\circ}59'05''$ West, a distance of 403.37 feet to a point-of-curvature located in line of the same, thence;
11. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on curve to the right, having a radius of 510.00 feet, an arc length of 85.03 feet, turning a central angle of $09^{\circ}33'09''$, the chord of which bears, South $66^{\circ}45'40''$ West, a chord distance of 84.93 feet to the point and place of **BEGINNING**.

Public Service Electric & Gas 20' Wide Permanent Utility Easement as described above containing 12,028 square feet of land or 0.276 Acre, more or less.

PSE&G 20' WIDE PERMANENT UTILITY EASEMENT
BLOCK 23, PORTION LOT 2
BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

Together with a Temporary Construction Easement of variable width as shown on the proposed PSE&G Permanent Utility Easement plan herein described which is attached hereto and made a part hereof.

This description was prepared with reference to a map entitled, "Proposed PSE&G Permanent Utility Easements, Athenia-Bergen U.G. Utility Route Survey (Prj-11018A) Northeast Grid Reliability Project PSEG Services Corporation situated in Borough of Little Ferry Borough of Moonachie Bergen County, New Jersey" prepared by Carroll Engineering 105 Raider Boulevard, Hillsborough, New Jersey 08844, map dated February 17, 2014, last revised June 20, 2014 as revision #3.

 Date 2/27/2014
Howard C. Lopshire, P.L.S.
New Jersey Professional Land Surveyor License Number: 24GS02680300



Carroll Engineering

105 Raider Boulevard, Suite 206
Hillsborough, NJ 08844
(908) 874'7500 • Fax (908) 874'5762
www.carrollengineering.com

JUNE 25, 2014

**METES AND BOUNDS DESCRIPTION
PUBLIC SERVICE ELECTRIC & GAS COMPANY
PERMANENT UTILITY EASEMENT
BLOCK 106.01, PORTION LOTS 11, 13.01 & 13.04
BOROUGH OF LITTLE FERRY
BERGEN COUNTY, NEW JERSEY**

BEGINNING at a point located at the intersection formed by the U.S. Pierhead & Bulkhead Line of the Hackensack River with the northerly line of a permanent utility easement to be conveyed to Public Service Electric & Gas Company (as being described herein), said point-of-beginning being located on the following two tie bearings and distances as measured along said U.S. Pierhead & Bulkhead Line from the intersection of the same with the dividing line between Block 106.01, Lot 13.01 and Block 107.01, Lot 1:

- a.) Along said U.S. Pierhead & Bulkhead Line, South $00^{\circ}12'17''$ East, a distance of 110.10 feet to an angle point in the same, thence;
- b.) Along the same, South $16^{\circ}59'46''$ East, a distance of 66.53 feet to said point-of-beginning;

Furthermore, said beginning point having New Jersey State Plane Coordinate Grid System Coordinate Values (NAD '83-2011; U.S. Survey Feet) of North: 730,370.3002 feet; East: 621,650.9811 feet, running thence using ground distances and a NAD-83 2011 NJSPCS bearing base;

1. Along said U.S. Pierhead and Bulkhead Line of the Hackensack River, South $16^{\circ}59'46''$ East, a distance of 20.48 feet to a point located in line of the same at the intersection of the same with the southerly line of the aforementioned permanent utility easement to be conveyed to Public Service Electric & Gas Company (as being described herein), thence through the bounds of Block 106.01, Lots 11 and 13.01 the following seventeen (17) courses;

PSE&G PERMANENT UTILITY EASEMENT
BLOCK 106.01, PORTION LOTS 11, 13.01 & 13.04
BOROUGH OF LITTLE FERRY
BERGEN COUNTY, NEW JERSEY

2. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South 85°24'58" West, a distance of 269.00 feet to a point-of-non-tangent curvature located in line of the same, thence;
3. Through the same, on a curve to the right, having a radius of 55.00 feet, an arc length of 46.54 feet, turning a central angle of 48°28'56" and having a chord which bears, South 44°41'11" West, a chord distance of 45.16 feet to a point-of-tangency located in line of the same, thence;
4. Through the same, South 68°55'39" West, a distance of 25.00 feet to a point located in line of the same, thence;
5. Through the same, North 21°11'45" West, a distance of 38.16 feet to a point located in line of the same, thence;
6. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South 85°24'58" West, a distance of 50.23 feet to a point-of-curvature located in line of the same, thence;
7. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the left, having a radius of 80.00 feet, an arc length of 149.97 feet, turning a central angle of 107°24'22" and having a chord which bears, South 31°42'47" West, a chord distance of 128.95 feet to a point-of-tangency located in line of the same, thence;
8. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South 21°59'24" East, a distance of 260.08 feet to a point-of-curvature located in line of the same, thence;
9. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the right, having a radius of 80.00 feet, an arc length of 69.22 feet, turning a central angle of 49°34'26" and having a chord which bears, South 02°47'49" West, a chord distance of 67.08 feet to a point-of-tangency located in line of the same, thence;
10. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South 27°35'01" West, a distance of 426.71 feet to a point-of-curvature located in line of the same, thence;

PSE&G PERMANENT UTILITY EASEMENT
BLOCK 106.01, PORTION LOTS 11, 13.01 & 13.04
BOROUGH OF LITTLE FERRY
BERGEN COUNTY, NEW JERSEY

11. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the right, having a radius of 1010.00 feet, an arc length of 61.93 feet, turning a central angle of $03^{\circ}30'48''$ and having a chord which bears, South $29^{\circ}20'25''$ West, a chord distance of 61.92 feet to a point-of-tangency located in line of the same, thence;
12. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South $31^{\circ}05'49''$ West, a distance of 353.23 feet to a point-of-curvature located in line of the same, thence;
13. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the right, having a radius of 260.00 feet, an arc length of 130.43 feet, turning a central angle of $28^{\circ}44'35''$ and having a chord which bears, South $45^{\circ}28'06''$ West, a chord distance of 129.07 feet to a point-of-tangency located in line of the same, thence;
14. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South $59^{\circ}50'24''$ West, a distance of 186.51 feet to a point-of-curvature located in line of the same, thence;
15. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the right, having a radius of 110.0 feet, an arc length of 22.73 feet, turning a central angle of $11^{\circ}50'20''$ and having a chord which bears, South $65^{\circ}45'34''$ West, a chord distance of 22.69 feet to a point-of-tangency located in line of the same, thence;
16. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South $71^{\circ}40'43''$ West, a distance of 46.46 feet to a point-of-curvature located in line of the same, thence;
17. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the left, having a radius of 90.00 feet, an arc length of 16.82 feet, turning a central angle of $10^{\circ}42'39''$ and having a chord which bears, South $66^{\circ}19'24''$ West, a chord distance of 16.80 feet to a point-of-tangency located in line of the same, thence;
18. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, South $60^{\circ}58'04''$ West, a distance of 1028.48 feet to a point located at the intersection of the same in or near the center of the Losen Slote, said center of the Losen Slote being the approximate municipal boundary line between the Borough of Little Ferry and The Borough of Moonachie, thence;

PSE&G PERMANENT UTILITY EASEMENT
BLOCK 106.01, PORTION LOTS 11, 13.01 & 13.04
BOROUGH OF LITTLE FERRY
BERGEN COUNTY, NEW JERSEY

19. Following along or near the center of said Losen Slote, being the approximate municipal boundary line between the Borough of Little Ferry and the Borough of Moonachie, North $43^{\circ}15'19''$ West, a distance of 20.63 feet to a point located at the intersection of the same with the northerly line of the aforementioned permanent utility easement to be conveyed to Public Service Electric & Gas Company (as being described herein), thence through the bounds of Block 106.01, Lots 11, 13.01 & 13.04 the following seventeen (17) courses;
20. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, North $60^{\circ}58'04''$ East, a distance of 1033.55 feet to a point-of-curvature in the same, thence;
21. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the right, having a radius of 110.00 feet, an arc length of 20.56 feet, turning a central angle of $10^{\circ}42'39''$ and having a chord which bears, North $66^{\circ}19'24''$ East, a chord distance of 20.53 feet to a point-of-tangency located in line of the same, thence;
22. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, North $71^{\circ}40'43''$ East, a distance of 46.46 feet to a point-of-curvature located in line of the same, thence;
23. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the left, having a radius of 90.00 feet, an arc length of 18.60 feet, turning a central angle of $11^{\circ}50'20''$ and having a chord which bears, North $65^{\circ}45'34''$ East, a chord distance of 18.56 feet to a point-of-tangency located in line of the same, thence;
24. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, North $59^{\circ}50'24''$ East, a distance of 186.51 feet to a point-of-curvature located in line of the same, thence;
25. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the left, having a radius of 240.00 feet, an arc length of 120.40 feet, turning a central angle of $28^{\circ}44'35''$ and having a chord which bears, North $45^{\circ}28'06''$ East, a chord distance of 119.14 feet to a point-of-tangency located in line of the same, thence;
26. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, North $31^{\circ}05'49''$ East, a distance of 353.23 feet to a point-of-curvature located in line of the same, thence;

PSE&G PERMANENT UTILITY EASEMENT
BLOCK 106.01, PORTION LOTS 11, 13.01 & 13.04
BOROUGH OF LITTLE FERRY
BERGEN COUNTY, NEW JERSEY

27. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the left, having a radius of 990.00 feet, an arc length of 60.70 feet, turning a central angle of $03^{\circ}30'48''$ and having a chord which bears, North $29^{\circ}20'25''$ East, a chord distance of 60.69 feet to a point-of-tangency located in line of the same, thence;
28. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, North $27^{\circ}35'01''$ East, a distance of 426.71 feet to a point-of-curvature located in line of the same, thence;
29. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the left, having a radius of 60.00 feet, an arc length of 51.91 feet, turning a central angle of $49^{\circ}34'26''$ and having a chord which bears, North $02^{\circ}47'49''$ East, a chord distance of 50.31 feet to a point-of-tangency located in line of the same, thence;
30. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, North $21^{\circ}59'24''$ West, a distance of 260.08 feet to a point-of-curvature located in line of the same, thence;
31. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the right, having a radius of 100.00 feet, an arc length of 89.69 feet, turning a central angle of $51^{\circ}23'22''$ and having a chord which bears, North $03^{\circ}42'17''$ West, a chord distance of 86.72 feet to a point-of-non-tangency located in line of the same, thence;
32. Through the same, parallel with and 5' as measured perpendicularly from the centerline of a proposed 2"pvc underground conduit, North $27^{\circ}40'52''$ West, a distance of 186.87 feet to a point-of-curvature located in line of the same, thence;
33. Through the same, parallel with and 5' as measured perpendicularly from the centerline of proposed 2"pvc underground conduit, on a curve to the left, having a radius of 45.00 feet, an arc length of 8.86 feet, turning a central angle of $11^{\circ}16'44''$ and having a chord which bears, North $33^{\circ}19'14''$ West, a chord distance of 8.84 feet to a point-of-tangency located in line of the same, thence;
34. Through the same, parallel with and 5' as measured perpendicularly from the centerline of a proposed 2"pvc underground conduit, North $38^{\circ}57'35''$ West, a distance of 158.21 feet to a point-of-curvature located in line of the same, thence;

PSE&G PERMANENT UTILITY EASEMENT
BLOCK 106.01, PORTION LOTS 11, 13.01 & 13.04
BOROUGH OF LITTLE FERRY
BERGEN COUNTY, NEW JERSEY

35. Through the same, parallel with and 5' as measured perpendicularly from the centerline of proposed 2"pvc underground conduit, on a curve to the left, having a radius of 95.00 feet, an arc length of 19.53 feet, turning a central angle of $11^{\circ}46'54''$ and having a chord which bears, North $44^{\circ}51'02''$ West, a chord distance of 19.50 feet to a point-of-tangency located in line of the same, thence;
36. Through the same, parallel with and 5' as measured perpendicularly from the centerline of a proposed 2"pvc underground conduit, North $50^{\circ}44'30''$ West, a distance of 58.15 feet to a point located at the intersection of the same with the dividing line between Block 106.01, Lot 13.04 and Lot 13.06 (Private Row), said point being located on a tie bearing and distance of, North $76^{\circ}12'37''$ East- a distance of 67.72 feet as measured along the same from the intersection of the same with the easterly line of Merhoff Road, thence;
37. Along the dividing line between Block 106.01, Lot 13.04 & Lot 13.06 (Private Row), North $76^{\circ}12'37''$ East, a distance of 12.51 feet to a point located at the intersection of the same with the easterly line of the aforementioned permanent utility easement to be conveyed to Public Service Electric & Gas Company (as being described herein), thence through the bounds of Block 106.01, Lots 13.04 & 13.01 the following seven (7) courses;
38. Through the same, parallel with and 5' as measured perpendicularly from the centerline of a proposed 2"pvc underground conduit, South $50^{\circ}44'30''$ East, a distance of 50.62 feet to a point-of-curvature located in line of the same, thence
39. Through the same, parallel with and 5' as measured perpendicularly from the centerline of proposed 2"pvc underground conduit, on a curve to the right, having a radius of 105.00 feet, an arc length of 21.59 feet, turning a central angle of $11^{\circ}46'54''$ and having a chord which bears, South $44^{\circ}51'02''$ East, a chord distance of 21.55 feet to a point-of-tangency located in line of the same, thence;
40. Through the same, parallel with and 5' as measured perpendicularly from the centerline of a proposed 2"pvc underground conduit, South $38^{\circ}57'35''$ East, a distance of 158.21 feet to a point-of-curvature located in line of the same, thence;
41. Through the same, parallel with and 5' as measured perpendicularly from the centerline of proposed 2"pvc underground conduit, on a curve to the right, having a radius of 55.00 feet, an arc length of 10.83 feet, turning a central angle of $11^{\circ}16'44''$ and having a chord which bears, South $33^{\circ}19'14''$ East, a chord distance of 10.81 feet to a point-of-tangency located in line of the same, thence;

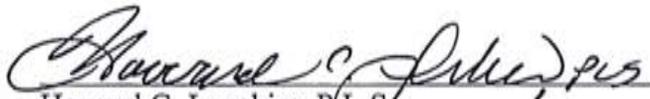
PSE&G PERMANENT UTILITY EASEMENT
BLOCK 106.01, PORTION LOTS 11, 13.01 & 13.04
BOROUGH OF LITTLE FERRY
BERGEN COUNTY, NEW JERSEY

42. Through the same, parallel with and 5' as measured perpendicularly from the centerline of a proposed 2"pvc underground conduit, South 27°40'52" East, a distance of 181.19 feet to a point-of-non-tangent curvature located in line of the same, thence;
43. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, on a curve to the right, having a radius of 100.00 feet, an arc length of 86.26 feet, turning a central angle of 49°25'19" and having a chord which bears, North 60°42'18" East, a chord distance of 83.61 feet to a point-of-tangency located in line of the same, thence;
44. Through the same, parallel with and 10' as measured perpendicularly from the centerline of the proposed underground conduit, North 85°24'58" East, a distance of 383.93 feet to the point and place of **BEGINNING**.

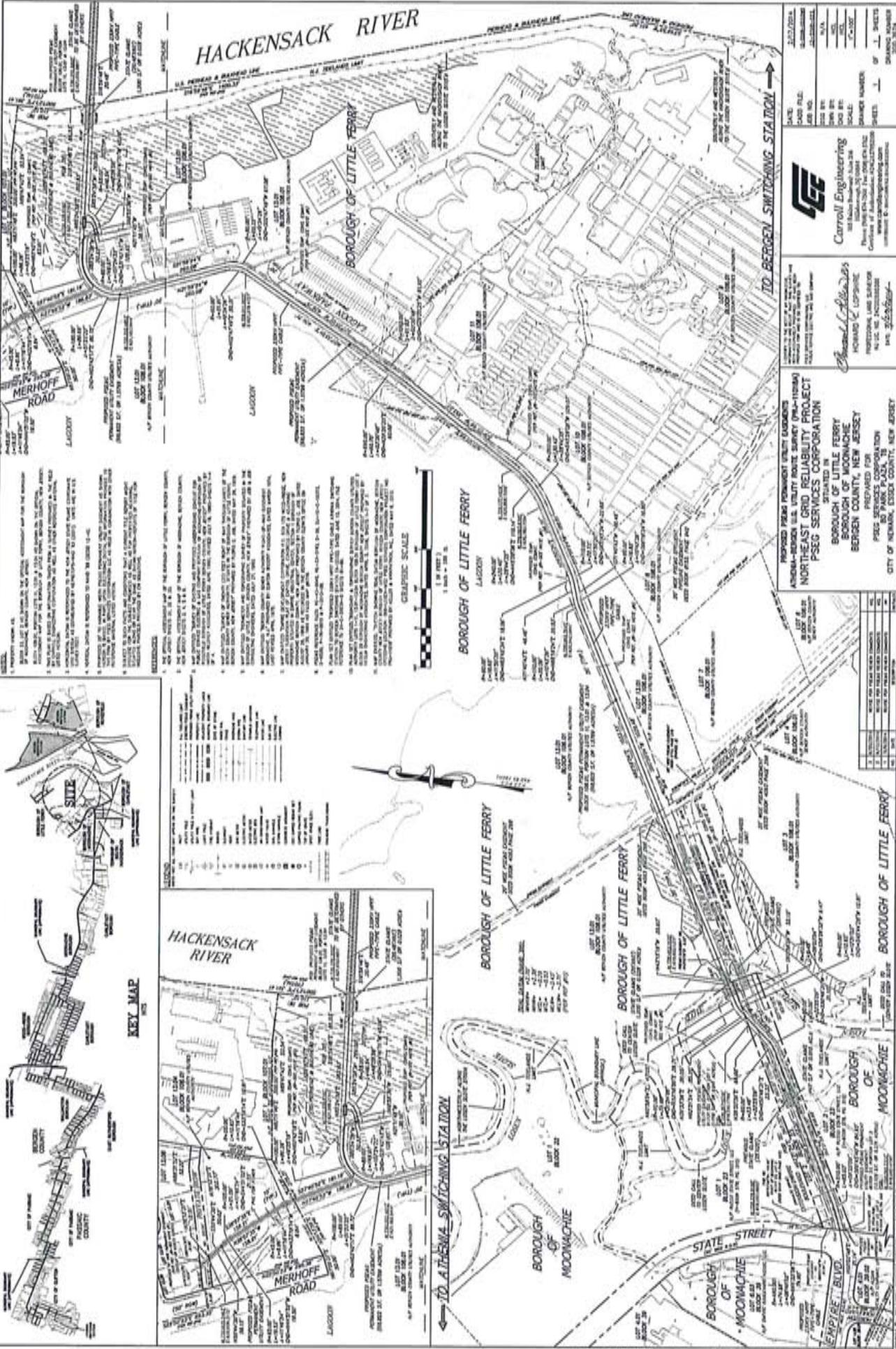
Public Service Electric & Gas Permanent Utility Easement as described above containing 68,822 square feet of land or 1.5799 Acres, more or less.

Together with a Temporary Construction Easement of variable width as shown on the proposed PSE&G Permanent Utility Easement plan herein described which is attached hereto and made a part hereof.

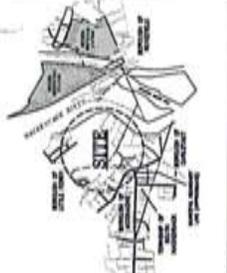
This description was prepared with reference to a map entitled, "Proposed PSE&G Permanent Utility Easements, Athenia-Bergen U.G. Utility Route Survey (Prj-11018A) Northeast Grid Reliability Project PSEG Services Corporation situated in Borough of Little Ferry Borough of Moonachie Bergen County, New Jersey" prepared by Carroll Engineering 105 Raider Boulevard, Hillsborough, New Jersey 08844, map dated February 17, 2014, last revised June 20, 2014 as revision #3.

 Date 7/23/2014
Howard C. Lopshire, P.L.S.
New Jersey Professional Land Surveyor License Number: 24GS02680300

HACKENSACK RIVER



- NOTES:**
1. ALL UTILITIES SHOWN ARE BASED ON THE MOST RECENT RECORD DRAWINGS AND FIELD SURVEY DATA. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.
 2. THE UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE UTILITIES SHOWN. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.
 3. THE UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE UTILITIES SHOWN. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.
 4. THE UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE UTILITIES SHOWN. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.
 5. THE UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE UTILITIES SHOWN. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.
 6. THE UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE UTILITIES SHOWN. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.
 7. THE UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE UTILITIES SHOWN. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.
 8. THE UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE UTILITIES SHOWN. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.
 9. THE UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE UTILITIES SHOWN. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.
 10. THE UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE UTILITIES SHOWN. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.



Carroll Engineering
 1000 ROUTE 17 NORTH
 SUITE 200
 CLIFTON, NJ 07011
 TEL: 973-781-1111
 FAX: 973-781-1112
 WWW: CARROLLENGINEERING.COM

PROJECT INFORMATION

DATE: 10/15/2014
 DRAWING NO.: 1000-1000-1000-1000
 SHEET NO.: 1000-1000-1000-1000
 SHEETS: 1000-1000-1000-1000
 DRAWING NUMBER: 1000-1000-1000-1000

PREPARED FOR:
 PSEG SERVICES CORPORATION
 1000 ROUTE 17 NORTH
 SUITE 200
 CLIFTON, NJ 07011
 TEL: 973-781-1111
 FAX: 973-781-1112
 WWW: PSEG.COM

PROJECT INFORMATION:
 PROJECT NAME: 1000-1000-1000-1000
 PROJECT NUMBER: 1000-1000-1000-1000
 PROJECT LOCATION: 1000-1000-1000-1000
 PROJECT DATE: 10/15/2014

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	10/15/2014
2	ISSUED FOR PERMITS	10/15/2014
3	ISSUED FOR PERMITS	10/15/2014
4	ISSUED FOR PERMITS	10/15/2014
5	ISSUED FOR PERMITS	10/15/2014

EXHIBIT C

1. If the BCUA requires relocation of the PSE&G facilities, PSE&G will pay all costs associated with the relocation of the PSE&G facilities so long as the launch point remains at its existing location.
2. PSE&G shall provide signed and sealed construction plans and specifications, which shall include the location and size of contractor's staging area and crane lift plans, if necessary, subject to BCUA's review and approval.
3. PSE&G will provide a noise control plan subject to BCUA's review and approval, which will include noise control barriers, if necessary, to protect the adjoining residential area from undue noise or disruption.
4. The weekday work hours will be from 7:00 a.m. to 7:00 p.m. and the work on weekends will be done with reasonable advance notice to the BCUA, to be determined by BCUA.
5. PSE&G will set up a wash station to hose down the tires of trucks and have gravel available to handle muddy areas as requested by the BCUA.
6. PSE&G shall adopt security clearance procedures that are consistent with such procedures employed previously by the BCUA, in BCUA's sole discretion.
7. PSE&G shall obtain all permits necessary with copies to the BCUA.
8. PSE&G will provide a traffic control plan with emergency access routes acceptable to the BCUA.
9. PSE&G shall provide an unconditional environmental indemnification for the area of the Easement to the BCUA.
10. PSE&G agrees that the BCUA's designated representative,, shall be on site to insure that the select backfill density tests are acceptable to BCUA.
11. PSE&G shall be responsible for providing proper backfill and compaction of sand fill over cables to prevent future pavement settlement.
12. PSE&G shall saw cut pavement for the cable trench as agreed to with the BCUA.
13. PSE&G shall provide public liability, property, and automobile insurance as required by Appendix A of BCUA "Rules and Regulations." Furthermore, PSE&G shall

14-2-043

provide and maintain evidence of all insurance coverage required by BCUA, at PSE&G's expense, prior to and during the project, until completed in its entirety.

14. PSE&G agrees to provide a five (5) year pavement maintenance bond in the amount of ten percent (10%) of the actual construction cost to cover the cost of repairs for any latent pavement defects during the five (5) year period.

15. PSE&G agrees that it shall provide an escrow to cover professional expenses incurred by the BCUA, including but not limited to engineers and attorneys, in an initial amount of Fifty Thousand (\$50,000.00) Dollars. In the event that the escrow fund is depleted or in deficit, PSE&G shall post additional escrow funds with the BCUA in an amount to be set by the BCUA.

16. PSE&G shall mill and resurface all BCUA roadways disturbed by construction, including Bio-Solids Road to the Channel Bridge, from edge to edge as part of the easement acquisition, including, but not limited to, pavement markings and rumble strip restoration in accordance with the plans and specifications submitted by PSE&G to the BCUA.

17. PSE&G shall provide as-built drawings. Each drawing shall be signed and sealed by a State of New Jersey licensed surveyor.

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, there exists the need for the **Re-Building of GE 400 HP Motor Model 5K6356X106A** in order to ensure the necessary and efficient operations of the Bergen County Utilities Authority (the "Authority"); and

WHEREAS, the Local Public Contracts Law, at N.J.S.A. 40A:11-12, provides that contracting units may purchase goods and/or services pursuant to contracts authorized by the State of New Jersey without the necessity of public bidding therefore; and

WHEREAS, the Authority is a member of the North Jersey Wastewater Cooperative Pricing System; and

WHEREAS, contract **A897-1** has been designated as a Cooperative Pricing System contract with the lead agency being Passaic Valley Sewerage Commission (the "PVSC"); and

WHEREAS, **Ram Industrial Services, LLC.** has been awarded New Jersey Co-op Contract **A897-1** for **Various Manufacturer Pumps and Motors-Repair and Replacement and Installation**; and

WHEREAS, on July 15, 2014, **Ram Industrial Services, LLC.** provided the Authority with a quote for the **Re-Building of GE 400 HP Motor Model 5K6356X106A** under New Jersey Co-op Contract **A897-1**, in the total sum of **\$38,819.00**; and

WHEREAS, the Authority's Qualified Purchasing Agent has reviewed the quote provided to the Authority by **Ram Industrial Services, LLC.** and has recommended that **Ram Industrial Services, LLC.** be awarded and issued a purchase order as per the quote provided; and

WHEREAS, the **Re-Building of GE 400 HP Motor Model 5K6356X106A** may be procured through New Jersey Co-op Contract **A897-1** for a total sum of **\$38,819.00** as quoted by **Ram Industrial Services, LLC.**; and

WHEREAS, contracts awarded pursuant to authorization from the State of New Jersey are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

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

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority.

14-2-044

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

1. The Executive Director, or his designee, shall be and is hereby authorized to execute a purchase order, or purchase orders as may be required, for the **Re-Building of GE 400 HP Motor Model 5K6356X106A** in the total sum of **\$38,819.00**, as per the quote of **Ram Industrial Services, LLC.** dated July 15, 2014 and in accordance with the terms of New Jersey Co-op Contract **A897-1**.

2. The Acting Treasurer's Certification that funds are available shall be on file at the Authority and made a part hereof.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.



Richard Wierer
Acting Secretary

Dated: July 24, 2014

14-2-044

BERGEN COUNTY UTILITIES AUTHORITY
CERTIFICATE OF FUNDS

RESOLUTION DATE: 07/24/2014
RESOLUTION #: 14-2-044

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT W-550-61200-000
MOTORS

VENDOR RAM INDUSTRIAL SERVICES, LLC

CONTRACT NUMBER COOP CONTRACT
A-897-1

REASON REBUILDING OF GE400 HP MOTOR

AMOUNT \$38,819.00

CONTRACT LENGTH



ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Authority serves as a body politic and corporate constituting a political subdivision of the State of New Jersey, existing under and by virtue of N.J.S.A. 40:14B-1 et seq.; and

WHEREAS, N.J.S.A. 40:14B-18 provides, inter alia, that the Authority may "employ, full or part-time, a secretary, an executive director, [and] managerial personnel . . . as the Authority may determine necessary for its efficient operations, and it shall determine their qualifications, terms of office, for periods not to exceed five years, duties and compensation and enter into contracts therefore, for periods not to exceed five years, as it determines necessary" and that "[t]he appointing and employing powers of the municipal authority set forth in this section shall be exercised without regard to the provisions of [the Civil Service Act]"; and

WHEREAS, **Eric Andersen** presently serves as the Authority's Chief Engineer; and

WHEREAS, **Eric Andersen** has fulfilled the duties and obligations of Chief Engineer in an exemplary manner; and

WHEREAS, **Eric Andersen**, in addition to his duties as the Authority's Chief Engineer, also presently serves as Director of the Water Pollution Control Division of the Authority, and was most recently appointed to that title pursuant to a resolution by the Commissioners dated March 25, 2010; and

WHEREAS, the Commissioners of the Authority consider **Eric Andersen** competent and qualified to perform the duties of the office of Chief Engineer of the Authority and desire to appoint **Eric Andersen** as Chief Engineer for a period of five (5) years commencing upon the legal approval of the minutes of the meeting of July 24, 2014, pursuant to N.J.S.A. 40:14B-14(b), at his current annual compensation of **\$144,910.00**, plus the following annual cost-of-living increases:

- a. On January 1, 2015 Andersen shall receive an increase of 2.50%; and
- b. On January 1, 2016 Andersen shall receive an increase of 2.00%; and
- c. On January 1, 2017 Andersen shall receive an increase of 2.00%; and
- d. On January 1, 2018 Andersen shall receive an increase of 2.00%; and
- e. On January 1, 2019 Anderson shall receive an increase of 2.00%; and

WHEREAS, the Commissioners of the Authority deem it appropriate that, as an emolument of compensation for the office of Chief Engineer, **Eric Andersen** shall be entitled to receive such benefits as the Authority may confer upon its executive/managerial level employees, which are or may become effective during the term of appointment; and

WHEREAS, the Authority concludes that the appointment contemplated herein shall be and is hereby determined to be necessary for the efficient operations of the Authority;

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

1. **Eric Andersen** shall be and is hereby appointed to serve as Chief Engineer of the Authority for a period of five (5) years commencing upon the legal approval of the minutes of the meeting of July 24, 2014, pursuant to N.J.S.A. 40:14B-14(b), in accordance with an agreement, memorializing the scope of services to be performed and compensation to be paid in connection with providing the services outlined herein in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

2. The Chairman is hereby authorized to execute an agreement with **Eric Andersen** for his services as Chief Engineer for the salary and terms described above, setting forth the compensation to be paid as provided for herein and summarizing the scope of services, in such final form as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. Upon the legal approval of the minutes of the meeting of July 24, 2014, pursuant to N.J.S.A. 40:14B-14(b), any and all resolutions, appointments, engagements and/or agreements inconsistent with this Resolution shall, to the extent of their inconsistency, be and the same are hereby superseded, and this resolution shall serve as authorization to implement the terms hereof.

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.



Richard Wierer
Acting Secretary

Dated: July 24, 2014

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, pursuant to and in accordance with N.J.S.A. 40:14B-20(12), the Authority is authorized to make and enforce rules and regulations for the management and regulation of the use, maintenance and operation of the utility system(s) it operates; and

WHEREAS, the Executive Director is authorized to regulate the work force for maximum productivity and efficiency in accordance with and pursuant to New Jersey Civil Service Statutes and those rights expressly reserved by the Collective Negotiations Agreements; and

WHEREAS, the Authority is committed to a safe and healthy working environment; and

WHEREAS, in furtherance of this commitment, the Authority has on prior occasion implemented a Safety Incentive Program which combines safety training and recognition for safe work habits; and

WHEREAS, the Commissioners of the Authority recognize that a Safety Incentive Program encourages and rewards safety in the work place; and

WHEREAS, the Commissioners of the Authority wish to recognize the efforts and successes of the Authority employees regarding the increase in safety awareness; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the Safety Incentive Program shall incorporate a safety incentive for all eligible Authority employees; and

BE IT FURTHER RESOLVED that each eligible Authority employee will receive a safety incentive as determined by the Commissioners on an annual basis; and

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of July 24, 2014.


Richard Wierer
Acting Secretary

Dated: July 24, 2014