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2026 SUBORDINATED SUPPLEMENTAL BOND RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $38,000,000 SUBORDINATED SEWER REVENUE BONDS OF THE NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY THROUGH THE NEW JERSEY INFRASTRUCTURE BANK

WHEREAS, The North Bergen Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey, created and organized pursuant to the Municipal and County Utilities Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1957 of the State of New Jersey, and the acts amendatory thereof and supplemental thereto (the "Act"); and

WHEREAS, the Township currently owns, operates and maintains certain combined sanitary and storm sewer pipes, sanitary only sewer pipes, catch basins, and culverts, which, with the exception and exclusion of certain storm sewer pipes that are only and exclusively storm sewer pipes, is defined as the "Township System"; and

WHEREAS, in conjunction with owning, operating and maintaining the Township System, the Township employs various personnel, owns various equipment and vehicles, has access to various third-party contractors, and provides various administrative support services, such as purchasing, employee management, police details and vehicle maintenance; and

WHEREAS, the Authority currently provides wastewater collection and treatment services within the Township, and the Authority currently owns various collection pipes, pump stations, a wastewater treatment plant and combined sewer overflow facilities (the "Authority System"), which operates in conjunction with the Township System; and

WHEREAS, the Township System and the Authority System together form the overall sewer system of the Township (the "Sewer System"); and

WHEREAS, the Township has become burdened by the increasing costs associated with operating and maintaining the Township System and has determined that transferring operation of the Township System to the Authority will relieve it of such financial and operational burdens, while enabling the Authority and the Township to realize combined cost and maintenance efficiencies by having the Authority operate the entire Sewer System; and

WHEREAS, the Authority has specific expertise in operating, managing, and maintaining a sewer system; and

WHEREAS, the Authority and the Township have determined it is in their best interests to have the Authority lease the Township System from the Township and assume the responsibility for the operation, maintenance and management of the Township System (the "2026 Project"); and

WHEREAS, the Authority will benefit from assuming responsibility for operating, maintaining and managing the Township System because it allows the Authority access to operate, maintain and manage the entire Sewer System; and

WHEREAS, Section 40:14B-48 of the Act provides that "…any municipality by ordinance of its governing body, or any other person is hereby empowered, without any referendum, to sell, lease, lend, grant or convey to any municipal authority, or to permit any municipal authority to use, maintain or operate as part of the utility system, any real or personal property owned by it, including all or any part of any water supply, water distribution or sewerage facilities, which may be necessary or useful and convenient for the purposes of the municipal authority and accepted by the municipal authority"; and

WHEREAS, Section 40:14B-48 of the Act further provides that any such sale, lease, loan, grant, conveyance or permit may be made with or without consideration and for a specified or an unlimited period of time and under any agreement and on any terms and conditions which may be approved by such municipality and which may be agreed to by the municipal authority in conformity with its contracts with the holders of any bonds; and

WHEREAS, the Public Utilities Law, N.J.S.A. 40:62-1, et seq. (the "Utilities Law"), permits a municipality owning a sewer system to long-term lease such system to a municipal authority; and

WHEREAS, the Township and the Authority have each determined that it will be economical and otherwise advantageous to each of them and the residents and property owners of the Township for the Township to lease the Township System to the Authority and for the Township and the Authority to share such services related to the Sewer System; and

WHEREAS, the Township and Authority have determined to enter into a lease agreement (the "Lease Agreement") whereby: (1) the Township leases the Township System to the Authority, (2) the Authority operates, maintains and manages the Township System, and (3) the Authority makes lease payments to the Township in exchange for the leasehold interest conveyed by the Township to the Authority in the Township System (the "Lease Payments") ; and

WHEREAS, the Authority intends to issue bonds/notes in an amount not to exceed $38,000,000 through the New Jersey Infrastructure Bank to finance the Lease Payments to the Township (the "Bonds");

WHEREAS, in accordance with the provisions of Sections 314 and 315 of the resolution adopted July 11, 2007, entitled "Resolution Authorizing the Issuance of Not To Exceed $40,000,000 Subordinated Sewer Revenue Bonds of the Township of North Bergen Municipal Utilities Authority" (the "General Bond Resolution") the Authority wishes to authorize a series of Additional Bonds of the Authority, each designated "Subordinated Sewer Revenue Bonds, Series 2026 of The North Bergen Municipal Utilities Authority", and any notes which may be issued in anticipation thereof, (hereinafter collectively referred to as the "Subordinated Sewer Revenue Bonds") in the principal amount of not to exceed $38,000,000 to provide for (i) the Costs associated with the 2026 Project and (2) the payment of all or a portion of the costs associated with the issuance of the Subordinated Sewer Revenue Bonds pursuant to this 2026 Subordinated Supplemental Resolution (as defined herein); and

WHEREAS, the Authority wishes to provide terms and conditions with respect to such Subordinated Sewer Revenue Bonds in addition to those which have been previously established under and pursuant to the General Bond Resolution and delegate the sale of such Subordinated Sewer Revenue Bonds to the Executive Director of the Authority;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY AS FOLLOWS:

ARTICLE I

DEFINITIONS AND INTERPRETATIONS

Section 101. **Short Title.** This 2026 Subordinated Supplemental Bond Resolution may hereinafter be cited by the Authority and is hereinafter sometimes referred to as the "2026 Subordinated Supplemental Bond Resolution."

Section 102. **Terms Defined in Resolution.** Whenever used or referred to in this 2026 Subordinated Supplemental Bond Resolution all words and terms which are defined in the General Bond Resolution of the Authority, as amended and supplemented, shall have the same meanings given to such words and terms, as determined in Section 101 thereof, except to the extent words and terms are defined or shall otherwise be established in Section 103 hereof.

Section 103. **Definitions.** As used or referred to in this 2026 Subordinated Supplemental Bond Resolution, unless a different meaning clearly appears from the context:

Articles and Sections mentioned by number are the respective Articles and Sections hereof so numbered.

"2026 Financing Program" means the New Jersey Infrastructure Bank Financing Program.

"2026 Project" is deemed to be an Additional Project as referenced in Section 314(a)(1) of the General Bond Resolution, the Costs of which are a permitted financing as referenced in such Section 314(a)(2), and which consists of (i) the Lease Payments and (2) the Costs associated with the issuance of the Subordinated Sewer Revenue Bonds.

"2026 Subordinated Supplemental Bond Resolution" means this subordinated supplemental bond resolution of the Authority adopted on June 10, 2026.

"Escrow Agreement" means that certain escrow agreement to be entered into by and between the Authority, the I-Bank, the State and the escrow agent named in such agreement (the "Escrow Agent"), as trustee for the holders of the Subordinated Sewer Revenue Bonds issued pursuant to the 2026 Financing Program.

"Escrow Trustee" shall have the meaning assigned to such term in the Officers Certificate referenced herein.

"Financing Documents" means the Escrow Agreement, the I-Bank Loan Agreement and the Fund Loan Agreement, as defined herein.

"Fund Loan Agreement" means that certain loan agreement to be entered into by and between the Authority and the State, pursuant to the 2026 Financing Program.

"Herein," "hereunder," "hereby," "hereto," and "hereof" and any similar terms refer to this Subordinated Supplemental Bond Resolution; the term "heretofore" means before the adoption of this 2026 Subordinated Supplemental Bond Resolution; and the term "hereafter" means after the adoption of this 2026 Subordinated Supplemental Bond Resolution.

"I-Bank" means the New Jersey Infrastructure Bank.

"I-Bank Loan Agreement" means that certain loan agreement to be entered into by and between the Authority and the I-Bank, pursuant to the 2026 Financing Program.

"Paying Agent" shall mean such financial institution, appointed by the Authority pursuant to an Officers Certificate, to carry out its duties and obligations as set forth in the Financing Documents.

"Registrar" shall mean such financial institution, appointed by the Authority pursuant to an Officers Certificate, to carry out its duties and obligations as set forth in the Financing Documents;

"State" means the State of New Jersey, and when used in reference to the 2026 Financing Program, the State, acting by and through the New Jersey Department of Environmental Protection.

"Subordinated Sewer Revenue Bonds" means the Authority's subordinated bonds, or any notes issued in anticipation thereof in a principal amount not to exceed $38,000,000 pursuant to this 2026 Subordinated Supplemental Bond Resolution.

"Trustee" shall mean such financial institution, appointed by the Authority by the Officers Certificate, to carry out its duties and obligations as set forth in the Financing Documents.

Words importing persons include firms, associations and corporations; and

Words importing the singular number include the plural number and vice versa.

Section 104. Incorporation of Resolution. This 2026 Subordinated Supplemental Bond Resolution supplements and amends the General Bond Resolution. The General Bond Resolution is incorporated herein by reference thereto.

Section 105. Severability of Invalid Provisions. If any one or more of the covenants or agreements provided in this 2026 Subordinated Supplemental Bond Resolution, on the part of the Authority, the I-Bank, the State, the Escrow Agent or the Trustee, to be performed should be contrary to law, then such covenant or covenants, agreement or agreements, shall be deemed separable from the remaining covenants and agreements and shall in no way affect the validity of the other provisions of this 2026 Subordinated Supplemental Bond Resolution or of any Subordinated Sewer Revenue Bond.

ARTICLE II

Determinations By and Obligations of the Authority

Section 201. **Authority for 2026 Subordinated Supplemental Bond Resolution**. This 2026 Subordinated Supplemental Bond Resolution is adopted pursuant to the Act and the General Bond Resolution and the Authority has ascertained and hereby determines that each and every act, matter, thing or course of conduct as to which provision is made in this 2026 Subordinated Supplemental Bond Resolution is appropriate in order to carry out and effectuate the purposes of the Authority in accordance with the Act and the General Bond Resolution to further secure the payment of the principal or redemption price of and interest on the Subordinated Sewer Revenue Bonds.

Section 202. **Subordinated Sewer Revenue Bonds to Constitute Additional Bonds**. The Subordinated Sewer Revenue Bonds shall constitute Additional Bonds as such term is defined in the General Bond Resolution and shall be issued pursuant to and in accordance with the General Bond Resolution and shall not be issued until the conditions of the I-Bank have been satisfied.

Section 203. **Resolution to Constitute Contract**. In consideration of the purchase and acceptance of the Subordinated Sewer Revenue Bonds by those who shall hold the same from time to time, the provisions of the General Bond Resolution shall be deemed to be and shall constitute a contract between the Authority, the Trustee and the holders from time to time of the Subordinated Sewer Revenue Bonds; the pledge made in the General Bond Resolution and the covenants and agreements herein set forth to be performed by or on behalf of the Authority shall be for the equal benefit, protection and security of the holders of any and all of the Subordinated Sewer Revenue Bonds, all of which, regardless of the time or times of their issue or maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other thereof except as expressly provided in or pursuant to the General Bond Resolution.

Section 204. **Estimated Cost of 2026 Project.** The Authority hereby determines that the aggregate estimated Cost of the 2026 Project shall not exceed $38,000,000.

ARTICLE III

Authorization, Purpose, Execution and Issuance of Subordinated Sewer Revenue Bonds

Section 301. **Authorization and Purpose of the Subordinated Sewer Revenue Bonds**. The Subordinated Sewer Revenue Bonds of the Authority in the principal amount of not to exceed $38,000,000 are hereby authorized to be issued pursuant to Sections 314 and 315 of the General Bond Resolution, such Bonds to be entitled "Subordinated Sewer Revenue Bonds, Series 2026 of The North Bergen Municipal Utilities Authority" or such other title as the Authority may designate. The Subordinated Sewer Revenue Bonds are authorized and will be issued to provide funds for the Cost of the 2026 Project.

Section 302. **Description of the Subordinated Sewer Revenue Bonds; Delegation of Sale of the Subordinated Sewer Revenue Bonds**.

(A) Term. The Subordinated Sewer Revenue Bonds shall be fixed in number and issued to the State and the I-Bank, respectively, with interest rates fixed to maturity, shall be dated, numbered and shall bear interest at the rate or rates, and shall mature over a term not exceeding thirty (30) years, shall mature but shall be payable at such dates and in the amounts as provided for by the Financing Documents, the Officers Certificate pursuant to subparagraph (B) of this Section.

(B) Delegation to Issue Subordinated Sewer Revenue Bonds. The Authorized Officer (as hereinafter defined) of the Authority is hereby designated as the individual who shall have the power to sell and to award the Subordinated Sewer Revenue Bonds (of the same or different series) on behalf of the Authority, to the State and I-Bank, respectively, pursuant to the 2026 Financing Program, including the power to determine (giving due consideration to the terms and conditions of the preceding paragraph and any applicable rules or restrictions of the 2026 Financing Program), among other things (i) the amount of Subordinated Sewer Revenue Bonds to be issued, provided such amount does not to exceed $38,000,000, (ii) the time and the manner of sale of the Subordinated Sewer Revenue Bonds and the Escrow Closing (as hereinafter defined) in connection therewith, (iii) the denominations and rate or rates of interest to be borne by the Subordinated Sewer Revenue Bonds, and (iv) such other terms and conditions as may be necessary or related to the sale of the Subordinated Sewer Revenue Bonds. Such sale, award, terms and conditions of the Subordinated Sewer Revenue Bonds issued pursuant to the 2026 Financing Program shall be determined and evidenced by the Financing Documents, to be executed by the Authorized Officer on behalf of the Authority, subject to the rules, conditions, maturity schedule and interest rate established by the Program, with respect to the Subordinated Revenue Bond being issued to the I-Bank, with such interest rate on such Subordinated Revenue Bond being based upon the pass through interest rates received by the I-Bank in connection with its sale of bonds (plus administrative fees) (the "I-Bank Loan Bond"), combined with the cash funds received from the State in connection with the Program, with respect to the Subordinated Revenue Bond being issued to the State (the "Fund Loan Bond"). Such sale and award provisions of the Subordinated Sewer Revenue Bonds, as set forth herein, may be further evidenced by a certificate of the Authorized Officer (the "Certificate"), executed as of the date of sale and award of the Subordinated Sewer Revenue Bonds. The Certificate is hereby deemed to satisfy the requirements of Section 315(2) of the General Bond Resolution. The Financing Documents and the Certificate, to the extent one is required, shall be presented by the Executive Director to the Members of the Authority at the next regular meeting of the Authority following such sale and award as evidence of the terms and details of the sale of such Subordinated Sewer Revenue Bonds.

(C) Execution of the Financing Documents. The Financing Documents are hereby authorized to be executed and delivered in connection with the Program. Such Financing Documents may be executed and delivered on behalf of the Authority by either the Chairman, the Vice Chairman, the Executive Director or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Authority (collectively, the "Authority Consultants"), and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", together with the Authority Consultants, the "Consultants") shall determine, with such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Secretary or Assistant Secretary of the Authority is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Authority as determined hereunder, and to affix the corporate seal of the Authority to such Financing Documents.

(D) Escrow Closing. The Authorized Officers of the Authority are hereby authorized to execute the Financing Documents and any additional certificates and opinions as may be required by the Program or Bond Counsel to the Authority, as further described in subsection (F) herein (together, the "Escrowed Documents") on or before the date when the Authority is scheduled to close the loans in escrow with the Program (the "Escrow Closing"), such Escrowed Documents to be delivered to Bond Counsel to the Authority and held by Bond Counsel to the Authority until such time as an Authorized Officer of the Authority authorizes release of same. Bond Counsel to the Authority is hereby authorized to accept and hold the Escrowed Documents in escrow on or before the Escrow Closing and to release same from escrow and deliver same upon direction of an Authorized Officer of the Authority.

(E) Form of Subordinated Sewer Revenue Bonds. The Subordinated Sewer Revenue Bonds shall be in substantially the form described and contained in the General Bond Resolution, with such changes as may be required by the Financing Documents.

(F) Further Authorizations. The Authorized Officers of the Authority are hereby further severally authorized to (i) execute and deliver, and the Secretary or Assistant Secretary of the Authority is hereby further authorized to attest to such execution and to affix the corporate seal of the Authority to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers, the Secretary or Assistant Secretary of the Authority, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution thereof.

Section 303. Issuance of the Subordinated Sewer Revenue Bonds and Application of Proceeds of Sale. The Subordinated Sewer Revenue Bonds authorized by Section 301 herein, are hereby directed to be executed by or on behalf of the Authority by its Authorized Officer and delivered to the State and the I-Bank, respectively. All of the proceeds of sale of the Subordinated Sewer Revenue Bonds, including accrued interest (if any) received upon delivery thereof, shall, simultaneously with the issuance of the Subordinated Sewer Revenue Bonds, be paid and applied by the Authority in accordance with the General Bond Resolution and the Financing Documents and as provided in an Order of the Authority executed by the Chairman or the Executive Director of the Authority consistent with the General Bond Resolution and the Financing Documents.

Section 304. No Recourse on the Subordinated Sewer Revenue Bonds. No recourse shall be had for the payment of the principal of or the interest on the Subordinated Sewer Revenue Bonds or for any claim based thereon or on this 2026 Subordinated Supplemental Bond Resolution or the General Bond Resolution against any member or other officer of the Authority or any person executing the Subordinated Sewer Revenue Bonds. The Subordinated Sewer Revenue Bonds are not and shall not be in any way a debt or liability of the State of New Jersey or of any county or municipality and do not and shall not create or constitute any indebtedness, liability or obligation of said State or of any county or municipality, either legal, moral or otherwise.

Section 305. Execution of Subordinated Sewer Revenue Bonds. The Chairman or Executive Director of the Authority is hereby authorized to execute by the manual or facsimile signature the Subordinated Sewer Revenue Bonds in the name and on behalf of the Authority attested by the manual or facsimile signature of its Secretary or Assistant Secretary.

Section 306. Appointment of Trustee, Paying Agent and Registrar. In accordance with the provisions of Article 11 of the General Bond Resolution, a certain financial institution (the "Bank") shall be appointed Trustee (the "Trustee"), Paying Agent (the "Paying Agent"), and Registrar (the "Registrar") for the Subordinated Sewer Revenue Bonds. The Bank shall accept and shall carry out its duties and obligations as Trustee, Paying Agent and Registrar as provided in and as required by the terms of the General Bond Resolution.

ARTICLE IV

Redemption of Subordinated Sewer Revenue Bonds

Section 401. **Subordinated Sewer Revenue Bonds Subject to Redemption.** The Subordinated Sewer Revenue Bonds may be subject to redemption prior to maturity.

ARTICLE V

Miscellaneous Provisions

Section 501. **Notices.** It shall be sufficient service or giving of any notice, request, complaint, demand or other instrument or document, if it is in writing duly mailed by first class mail. Notices to the Authority, the Trustee, the Registrar, and the Paying Agent shall be addressed as determined in the Officers Certificate.

The foregoing parties may designate, by notice given hereunder, any further or different addresses to which any subsequent notice, request, demand or other instrument or document shall be sent. The Trustee shall designate, by notice to the Authority addresses to which notices or copies thereof shall be sent to the Trustee's agents hereunder.

In connection with any notice mailed pursuant to the provisions of this Supplemental Resolution, a certificate of the Trustee, the Authority, the Paying Agent or the Holders, whichever mailed that notice, that the notice was so mailed shall be conclusive evidence of the proper mailing of the notice.

Section 502. **Successors and Assigns**. All the covenants, promises and agreements in this 2026 Subordinated Supplemental Bond Resolution contained by or on behalf of the Authority, or by or on behalf of the Trustee, shall bind and inure to the benefit of their respective successors and assigns, whether so expressed or not.

Section 503. **Headings for Convenience Only**. The descriptive headings in this 2026 Subordinated Supplemental Bond Resolution are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions hereof.

Section 504. **Additional Acts**. The Chairperson, Vice Chairperson, Executive Director, Secretary, Treasurer and any other Authority Officer, and the staff and consultants of the Authority are hereby authorized and directed to take all actions and execute all documents, certificates or agreements, which are necessary or which are convenient to effectuate the terms of the General Bond Resolution and this 2026 Subordinated Supplemental Bond Resolution in connection with the issuance, sale and delivery of the Subordinated Sewer Revenue Bonds.

The following resolution is a true and complete copy of a resolution of The North Bergen Municipal Utilities Authority adopted at a regular meeting thereof duly called and held on June 10, 2026.

BE IT FURTHER RESOLVED, that the Acting Clerk to the MUA be and she is hereby authorized and directed to send a certified copy of this resolution to the following:

1. Frank Pestana, Executive Director
2. Patricia Bartoli, Chief Financial Officer
3. John Napolitano, Esq.
4. Christopher B. Langhart, Esq.

DATED: June 10, 2026

ATTEST:

Maria I. Hernandez, Clerk

Municipal Utilities Authority	Yes	NO	Not Voting
DeSantis	☑	☐	☐
Piazza	☑	☐	☐
Henriquez	☑	☐	☐
Lombardi	☑	☐	☐
Goscinski	☑	☐	☐

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RESOLUTION AUTHORIZING EXECUTION OF LONG-TERM LEASE AGREEMENT WITH THE TOWNSHIP OF NORTH BERGEN FOR THE OPERATION AND MAINTENANCE OF THE COMBINED SEWER SYSTEM

WHEREAS, the North Bergen Municipal Utilities Authority ("Authority") is a public body corporate and politic of the State of New Jersey, duly created and existing under the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1, et seq.; and

WHEREAS, the Township of North Bergen (the "Township") currently owns a combined sanitary sewer system (the "System") designed for the collection and transmission of sanitary sewage and stormwater; and

WHEREAS, the Authority possesses the specialized expertise, personnel, and equipment necessary to efficiently operate, maintain, and manage wastewater and stormwater infrastructure; and

WHEREAS, the Authority and the Township have determined that it is in the best interest of the health, safety, and welfare of the residents of the Township for the Authority to assume the responsibility for the operation, maintenance, repair, and management of the System; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., authorizes public entities to enter into agreements for the shared provision of services to enhance efficiency and reduce costs; and

WHEREAS, the Authority and the Township have negotiated the terms of a Long-Term Lease Agreement (the "Agreement"), under which the Township will lease the System to the Authority, and the Authority will undertake the full operation, maintenance, and management of the System pursuant to the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the North Bergen Municipal Utilities Authority, County of Hudson, State of New Jersey, as follows:

1. The foregoing recitals are hereby incorporated by reference as if set forth at length herein.
2. The Authority hereby authorizes execution of a Long-Term Lease Agreement with the Township of North Bergen in a form reviewed and approved by the Authority's General Counsel and as authorized by necessary State agencies.
3. The Authority's Executive Director, Authority Attorney or any other official, officer or employee of the Authority be and they are hereby authorized to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.

4. A copy of this Resolution shall be sent to:

   a. Frank Pestana, Executive Director
   b. Pat Bartoli, CFO
   c. John A. Napolitano, Esq., Authority Attorney
   d. Janet Castro, Township Administrator
   e. Thomas R. Kobin, Esq., Township Attorney

DATED: June 10, 2026

ATTEST:

Maria I. Hernandez, Clerk

Municipal Utilities Authority

	Yes	NO	Not Voting
DeSantis	☑	☐	☐
Plazza	☑	☐	☐
Henriquez	☑	☐	☐
Lombardi	☑	☐	☐
Goscinski	☑	☐	☐

③

RESOLUTION

WHEREAS, per the 2013 Sewer Revenue Refunding Bonds,, it is necessary to perform wire transfers from Valley National Bank Sewer Revenue account to U.S. Bank Debt Service and Operating account; and

WHEREAS, the Chief Financial Officer, Patricia Bartoli is authorized and directed to execute the required wire transfers; and

RESOLVED, by the Members of the North Bergen Municipal Utilities Authority in the County of Hudson, State of New Jersey, that the wire transfer in the amount of $1,646,205.00 is hereby approved for payment; and

BE IT FURTHER RESOLVED, that the Acting Clerk to the MUA be and she is hereby authorized and directed to send a certified copy of this resolution to the following:

1. Frank Pestana, Executive Director
2. Patricia Bartoli, Chief Financial Officer
3. John Napolitano, Esq.

Municipal Utilities Authority

	Yes	NO	Not Voting
DeSantis	☑	☐	☐
Piazza	☑	☐	☐
Henriquez	☑	☐	☐
Lombardi	☑	☐	☐
Goscinski	☑	☐	☐

DATED: June 10, 2026
ATTEST:

Maria I. Hernandez, Clerk

CERTIFICATION OF FUNDS
ACCOUNT No. 01-00-000-1014
Contracted Amount $ 1,646,205.00
Date 6-10-2026
BY:
CHIEF FINANCIAL OFFICER
~~PATRICIA BARTOLI~~ ED. FRANK PESTANA

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RESOLUTION

WHEREAS, a Treatment Works Approval Application (TWA) has been filed by Acre 8200 River Road, LLC, for 8200 River Road, Block 438, Lots Portion of 1,16,17 & 18 in the Township of North Bergen; and

WHEREAS, Acre 8200 River Road LLC, C/O Jesse Kehoe, 670 DeKalb Ave NE, #100, Atlanta, Georgia 30307, wishes to construct a 358 Unit residential building; and

WHEREAS, said application dated June 8, 2026, and signed by Robert J. Foley, P.E., of T.Y. Lin International on behalf of Applicant, having set forth all the required information and the application having been referred to the North Bergen Municipal Utilities Authority (Authority) engineers, Boswell Engineering, to review and pending their recommendations in letter form; and

NOW THEREFORE BE IT RESOLVED BY THE MEMBERS OF THE NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY, that the application is hereby recommended to be approved as to the form submitted (form number TWA-1), subject to the following qualifications and/or conditions:

A. That the approval set forth in this Resolution is that approval by the Authority and that the applicant is directed to proceed with submitting same to any governmental units necessary;

B. The approval is subject to the recommendations pending in the engineering review by Boswell Engineering and payment of the appropriate connection fee; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to:

1. Applicant and/or engineer
2. Frank Pestana, Executive Director
3. Patricia Bartoli, Chief Financial Officer
4. John A. Napolitano, Esq.
5. North Bergen Construction Code Official
6. New Jersey Department of Environmental Protection

DATED: June 10, 2026

ATTEST:

Maria I. Hernandez, Clerk

Municipal Utilities Authority

	Yes	NO	Not Voting
DeSantis	☑	☐	☐
Piazza	☑	☐	☐
Henriquez	☑	☐	☐
Lombardi	☑	☐	☐
Goscinski	☑	☐	☐

5

RESOLUTION

RESOLVED, by the Members of the North Bergen Municipal Utilities Authority in the County of Hudson, State of New Jersey, that the following claims in the amount of $2,679,009.21 they are hereby approved for payment if and when funds are available.

SEE ATTACHED LIST

BE IT FURTHER RESOLVED, that the Acting Clerk to the M.U.A. be and she is hereby authorized and directed to send a certified copy of this resolution to the following:

1. Frank Pestana, Executive Director
2. Patricia Bartoli, Chief Financial Officer
3. John Napolitano, Esq.

Municipal Utilities Authority	Yes	NO	Not Voting
DeSantis	☑	☐	☐
Piazza	☑	☐	☐
Henriquez	☑	☐	☐
Lombardi	☑	☐	☐
Goscinski	☑	☐	☐

DATED: June 10, 2026
ATTEST:

Maria I. Hernandez, Clerk