

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

FRIDAY, JANUARY 22, 2016

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Friday, January 22, 2016 at 9:35 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Charles P. Shotmeyer, Vice Chairman Carmen A. Orechio and Commissioners Alan S. Ashkinaze, Jerome P. Amedeo, Donald C. Kuser and Howard L. Burrell were recorded present. Also present were Todd R. Caliguire, Executive Director; Joseph E. Stroin, Jr., Chief Operating Officer; William Schaffner, Chief Financial Officer; John Wyciskala, Esq., Commission Counsel from the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC. and Lisa LeBoeuf, Assistant Counsel of the Governor's Authorities Unit. Commissioner Robert C. Garofalo was recorded absent.

Chairman Shotmeyer asked everyone to stand and recite the Pledge of Allegiance.

Pursuant to the requirements of N.J.S.A. 10:4-6, et seq., Commission Secretary Kim Diamond acknowledged compliance with the statute in the affidavit attached to and made a part of these minutes. Commission Secretary Kim Diamond advised that the provisions of the Open Public Meetings Act have been complied with as to the posting of notice in a public place reserved for such announcement and transmittal to the mass media for publication.

At this time, nominations were opened for the election of a Chairman and Vice Chairman for the period from January 2016 to December 2016.

Commissioner Burrell offered a motion to appoint Charles P. Shotmeyer to the position of Chairman for the period from January 2016 to December 2016; seconded by Vice Chairman Orechio and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Commissioner Amedeo then offered a motion to appoint Carmen A. Orechio to the position of Vice Chairman for the period from January 2016 to December 2016; seconded by Commissioner Kuser and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF
THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
APPOINTING A CHAIRMAN AND VICE CHAIRMAN
FOR THE YEAR 2016**

WHEREAS, the North Jersey District Water Supply Commission (the "Commission") is organized and exists pursuant to the provisions of N.J.S.A. 58:5-1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 58:5-6, the Commission is authorized to appoint one of its members as Chairman and to appoint such other officers as it may deem necessary to carry out its purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Charles P. Shotmeyer is hereby appointed as Chairman of the Commission, and Carmen A. Orechio is hereby appointed as Vice Chairman of the Commission; and

BE IT FURTHER RESOLVED that each of the above officers shall hold his office for the year 2016 or until his successor shall have been duly appointed in accordance with the Commission's authorizing legislation.

Commissioner Kuser offered a motion to adopt the resolution appointing a Chairman and Vice Chairman for the year 2016; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Commission Secretary Kim Diamond read the following resolution:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstances recently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the North Jersey District Water Supply Commission of the State of New Jersey as follows:

1. *The public shall be excluded from discussions of the hereinafter-specified subject matters; the general natures of the subject matters to be discussed are Personnel, Pending Litigation and Contracts;*
2. *It is anticipated at this time that the above stated subject matters will be ratified during the Public Meeting to follow or as soon thereafter as the reason for discussing the matters in the Executive Conference no longer exists.*
3. *This Resolution shall take effect immediately.*

Vice Chairman Orechio offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative. The Public Meeting was recessed at 9:38 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 12:39 p.m. and in attendance was Bill McCloy from Philadelphia Gear.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Vice Chairman Orechio offered a motion to approve the Public Commission Meeting Minutes of December 16, 2015; seconded by Commissioner Ashkinaze and approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell voting in the affirmative. Commissioner Amedeo abstained.

Vice Chairman Orechio offered a motion to approve the Public Work Session Minutes of November 18, 2015; seconded by Commissioner Burrell and approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell voting in the affirmative. Commissioner Amedeo abstained.

Vice Chairman Orechio offered a motion to approve the Purchase Requisitions over \$5000 Report for January 2016 in the amount of \$40,297.00; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Commission Invoices:

- a. **Invoice #53612 from DLB Associates Consulting Engineers PCNJ for Contract #1045 – Electrical Infrastructure Study in the amount of \$3,705.00**

Paul Serillo, Director of Facilities and Edwin Reyes, Electrical Engineer approved invoice 3(a) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,705.00 to DLB Associates Consulting Engineers PCNJ; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

b. Invoice #0712244 from GZA GeoEnvironmental, Inc. for Contract #1057 – Formal Dam Inspections in the amount of \$31,963.00

Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(b) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$31,963.00 to GZA GeoEnvironmental, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

c. Invoice #100925 from French & Parrello Associates for Contract #1084 – 2015 Regular Dam Inspections in the amount of \$5,505.00

Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(c) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$5,505.00 to French & Parrello Associates; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

d. Invoice #6659340 from Landscape Materials, Inc. for Contract #1043-0100 – Removal of Residuals in the amount of \$67,465.00

Lewis Schneider, Director of Lab Services and Douglas Delorie, Manager approved invoice 3(d) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$67,465.00 to Landscape Materials, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

e. Invoice #6659341 from Landscape Materials, Inc. for Contract #1043-0100 – Removal of Residuals in the amount of \$28,980.00

Lewis Schneider, Director of Lab Services and Douglas Delorie, Manager approved invoice 3(e) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$28,980.00 to Landscape Materials, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

f. Invoice #IV00224306 from Hatch Mott MacDonald for Contract #1066 – Resiliency Study in the amount of \$167,605.54

Joseph Stroin, Chief Operating Officer approved invoice 3(f) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$167,605.54 to Hatch Mott MacDonald; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

g. Invoice #IV00225749 from Hatch Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$2,115.00

Michael Dox, Electrical Engineer and Edwin Reyes, Project Engineer approved invoice 3(g) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,115.00 to Hatch Mott MacDonald; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

h. Invoice #9059 from Intercounty Paving Associates, LLC for Contract #1063 – Headworks Milling and Paving/Resurfacing in the amount of \$190,814.24

Maria Alliegro, Director of Engineering, James Stachura, Project Engineer and Edward Newman, Construction Manager approved invoice 3(h) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$190,814.24 to Intercounty Paving Associates, LLC; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

i. Invoice #152155 from Premier Utility Services for Contract #1013 – Underground Locating in the amount of \$2,594.60

Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(i) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,594.60 to Premier Utility Services; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

j. Invoice #771-54 from Stone Hill Construction for Contract #771 – Water Treatment Plant Improvements in the amount of \$36,098.00

Joseph Stroin, Chief Operating Officer and Paul Serillo, Director of Facilities approved invoice 3(j) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$36,098.00 to Stone Hill Construction; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

k. Invoice #1060-2 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$31,649.65

Michael Dox, Electrical Engineer and Edwin Reyes, Project Engineer approved invoice 3(k) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$31,649.65 to Stone Hill Construction; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Approving and Authorizing the Execution of a Tower Lease Agreement Between the North Jersey Police Radio Association and the North Jersey District Water Supply Commission for 2016

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION APPROVING AND AUTHORIZING THE EXECUTION OF A TOWER LEASE AGREEMENT BETWEEN THE NORTH JERSEY POLICE RADIO ASSOCIATION AND THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION FOR 2016

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is

engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the North Jersey Police Radio Association Incorporated (“NJPRA”) owns and operates a communications tower located on property owned by the Pompton Lakes Municipal Utility Authority (“MUA”) in Pompton Lakes, New Jersey; and

WHEREAS, the Commission has been leasing antenna space and related communications equipment space on the communications tower for approximately twenty (20) years for the purpose of providing continuous and uninterrupted radio communication service for the Commission’s Security and Emergency Management Department; and

WHEREAS, the existing Tower Lease Agreement provides for annual renewals, subject to the mutual agreement of the Commission and NJPRA, including one for the year 2016 at a total annual rental fee of \$16,668.14, and the Commission finds the Tower Lease Agreement, including the 2016 renewal, to be acceptable as to form and content.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission approves and authorizes the execution of the Tower Lease Agreement by and between the North Jersey Police Radio Association Incorporated and the North Jersey District Water Supply Commission for the year 2016, effective January 1, 2016 through December 31, 2016; and

BE IT FURTHER RESOLVED, that the Executive Director of the Commission is hereby authorized to execute the Tower Lease Agreement on behalf of the Commission.

Vice Chairman Orechio offered a motion to adopt the resolution approving and authorizing the execution of a Tower Lease Agreement between the North Jersey Police Radio Association and the North Jersey District Water Supply Commission for 2016; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing Banking Institutions for Calendar Year 2016

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING BANKING INSTITUTIONS FOR CALENDAR YEAR 2016

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission maintains both depository and operating accounts with certain banking institutions; and

WHEREAS, the Commission desires to authorize the use of certain banking institutions for calendar year 2016.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby authorizes and approves of the use of the banking institutions identified in Exhibit A for depository account purposes for calendar year 2016; and

BE IT FURTHER RESOLVED, that the Commission hereby authorizes and approves of the use of the banking institutions identified in Exhibit B for operating account purposes for calendar year 2016; and

BE IT FURTHER RESOLVED, the Executive Director is hereby empowered to determine which banking institutions from the attached lists are used for depository account and operating account purposes; and

BE IT FURTHER RESOLVED, no further action of the Board shall be necessary to authorize the use of such accounts.

Vice Chairman Orechio offered a motion to adopt the resolution authorizing banking institutions for calendar year 2016; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract for the Performance of General Consulting Engineering Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER
SUPPLY COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF
A CONTRACT FOR THE PERFORMANCE OF GENERAL CONSULTING
ENGINEERING SERVICES**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has determined there is a need to retain the services of a general consulting engineering firm for a two (2) year term which has experience in the planning, design, construction, maintenance and operations of public water supply systems, and can provide the Commission with in-house expertise in the fields of civil, mechanical, electrical, environmental, structural and instrumentation engineering as it relates to the Commission’s large public water supply systems (“Engineering Services”); and

WHEREAS, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation – specifically N.J.S.A. 58:5-20 – to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on November 12, 2015, the Commission publicly advertised and issued a request for proposals (referenced as RFP #016-2015) and received proposals from five engineering firms on or about December 1, 2015; and

WHEREAS, the Commission’s evaluation committee has reviewed and evaluated the proposals and determined that Jacobs Engineering Group, Inc. (“Jacobs”) submitted the most responsible and complying proposal for the performance of Engineering Services based upon predetermined criteria set forth in RFP #016-2015, and recommended that Jacobs be awarded the contract in accordance with the Commission’s enabling legislation and applicable State law as the most qualified proposer, considering its experience and pricing proposal; and

WHEREAS, Jacobs provided an all-inclusive rate sheet based on the professional titles listed in RFP #016-2015 for the performance of Engineering Services, and the Commission has determined that the rates are reasonable; and

WHEREAS, the Commission has determined, on the basis of the foregoing, that Jacobs constitutes the most qualified and responsible proposer for the Engineering Services in accordance with the Commission’s enabling legislation and applicable State law; and

WHEREAS, Jacobs possesses the requisite expertise and skilled personnel required to perform the Engineering Services; and

WHEREAS, the Commission desires to retain the services of Jacobs to provide the Engineering Services in accordance with RFP #016-2015 and the specific terms set forth in its proposal; and

WHEREAS, the award of this contract is necessary for the Commission’s efficient water treatment operations, the protection of the Commission’s water supply facilities, and the health, safety and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract to perform Engineering Services for a two (2) year term be awarded to Jacobs as the most qualified and responsible proposer in accordance with the Commission's enabling legislation and applicable State law, at the rates provided in the rate sheet included in Jacobs Engineering Group, Inc.'s proposal but with a total cost not to exceed the amount of \$250,000.00 per year; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of Engineering Services, incorporating the Commission's requirements as set forth in RFP #016-2015 and the proposal submitted by Jacobs; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such a contract and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be maintained in the Office of the Executive Director and made available for public inspection.

Vice Chairman Orechio offered a motion to adopt the resolution authorizing the award and execution of a contract for the performance of general consulting engineering services; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract for the Provision of Electrical Contracting Services for Work Associated with the Low Lift Pump Station Pumps 3 & 4 Electrical Upgrade

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A CONTRACT FOR THE PROVISION OF ELECTRICAL CONTRACTING SERVICES FOR WORK ASSOCIATED WITH THE LOW LIFT PUMP STATION PUMPS 3 & 4 ELECTRICAL UPGRADE

WHEREAS, the North Jersey District Water Supply Commission ("Commission") is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has determined there is a need to retain the services of a firm that provides electrical contracting services for work associated with electrical upgrades to Low Lift Pump Station (LLPS) Pumps #3 and #4 as outlined in RFP #015-2015 ("Electrical Contracting Services"); and

WHEREAS, the Commission is empowered pursuant to its enabling legislation – specifically N.J.S.A. 58:5-20 – to solicit proposals in writing and award contracts after public advertisement; and

WHEREAS, on October 13, 2015, the Commission publicly advertised and issued a request for proposals referenced as RFP #015-2015 for the provision of Electrical Contracting Services; and

WHEREAS, on December 1, 2015, the Commission received responsive proposals to RFP #015-2015 from three firms; and

WHEREAS, the Commission's evaluation committee has reviewed and evaluated the proposals and determined that JBL Electric, Inc. submitted the lowest, most responsible and complying proposal (which included the alternate bid price to furnish two new motors) for the performance of Electrical Contracting Services based on the criteria set forth in RFP #015-2015, and recommended that JBL Electric, Inc. be awarded the contract in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, JBL Electric, Inc. proposed a contract price not to exceed the amount of One Million, Six Hundred and Five Thousand, Nine Hundred and Fifty Dollars and 00/100ths (\$1,605,950.00) for the performance of Electrical Contracting Services, and the Commission has determined that the price is reasonable; and

WHEREAS, the Commission has determined, on the basis of the foregoing, that JBL Electric, Inc.'s constitutes the most qualified and responsible proposer for the Electrical Contracting Services and that JBL Electric, Inc. possesses the requisite expertise and skilled personnel required to perform Electrical Contracting Services; and

WHEREAS, the Commission desires to retain the services of JBL Electric, Inc. to perform the Electrical Contracting Services in accordance with RFP #015-2015 and its proposal; and

WHEREAS, the award of this contract is necessary for the Commission's efficient water treatment operations, the protection of the Commission's water supply facilities, and the health, safety and welfare of the public; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to JBL Electric, Inc. as the most qualified and responsible proposer in accordance with the Commission's enabling legislation and applicable State law, for an amount not to exceed \$1,605,950.00, for the performance of the Electrical Contracting Services; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of the Electrical Contracting Services, incorporating the Commission's requirements as set forth in RFP #015-2015 and the proposal submitted by JBL Electric, Inc.; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such a contract and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be maintained in the Office of the Executive Director and made available for public inspection.

Vice Chairman Orechio offered a motion to adopt the resolution authorizing the award and execution of a contract for the provision of electrical contracting services for work associated with the Low Lift Pump Station pumps 3 and 4 electrical upgrade; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Approving a Contract with the Law Firm of Carmagnola & Ritardi, LLC to Conduct an Independent, Internal Investigation of Personnel Related Matters

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION APPROVING A CONTRACT WITH THE LAW FIRM OF CARMAGNOLA & RITARDI, LLC TO CONDUCT AN INDEPENDENT, INTERNAL INVESTIGATION OF PERSONNEL RELATED MATTERS

WHEREAS, the North Jersey District Water Supply Commission ("Commission") is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has determined that it requires the assistance of special legal counsel regarding a personnel matter; and

WHEREAS, the Commission desires an independent, internal investigation of a personnel matter to be conducted and recommendations to be made regarding personnel of the Commission; and

WHEREAS, due to the nature of the personnel matter, it is important that the investigation be undertaken in the most expeditious manner; and

WHEREAS, pursuant to Resolution No. 1558 adopted May 27, 2015, the Commission designated general counsel status to, and executed a professional service agreement with Inglesino, Webster, Wyciskala & Taylor, LLC (“General Counsel”); and

WHEREAS, General Counsel has a conflict of interest or the appearance of a conflict of interest due to the firm’s current work on legal matters which involve interacting on a regular basis with various Commission employees; and

WHEREAS, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

WHEREAS, the Commission has determined, given the need to carry out the investigation in an expeditious manner, to select a law firm to undertake the independent internal investigation from the Attorney General’s list of labor and employment counsel, such list of law firms having been selected through a publicly advertised and competitive process conducted by the Attorney General’s Office; and

WHEREAS, the Commission recommends the engagement of the firm of Carmagnola & Ritardi, LLC, a firm on the Attorney General’s list of labor and employment counsel, to conduct the independent, internal investigation; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to the law firm of Carmagnola & Ritardi, LLC to conduct an independent, internal investigation of a personnel matter at an hourly rate for attorneys of \$140.00, and for a total amount not to exceed \$15,000.00; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a professional services agreement with the law firm of Carmagnola & Ritardi, LLC; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the professional services agreement and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman.

BE IT FURTHER RESOLVED that a copy of this resolution shall be maintained in the Office of the Executive Director and made available for public inspection.

Vice Chairman Orechio offered a motion to adopt the resolution approving a contract with the law firm of Carmagnola & Ritardi, LLC to conduct an independent, internal investigation of personnel related matters; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Personnel:

Upon the recommendation of Executive Director Todd Caliguire, and Department Heads, Vice Chairman Orechio offered a motion to approve the regular appointment of Justin Shreaves, Union Maintenance Construction, subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Upon the recommendation of Executive Director Todd Caliguire, and Department Heads, Vice Chairman Orechio offered a motion to approve the regular appointment of Sean Gallanthen, Union Distribution Mechanical Maintenance Worker, subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with

Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Wanaque North Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Vice Chairman Orechio offered a motion to approve the Wanaque North Operating Account in the amount of \$3,932,855.63; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Wanaque South Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Vice Chairman Orechio offered a motion to approve the Wanaque South Operating Account in the amount of \$2,699,530.78; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Wanaque South Joint Venture Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Vice Chairman Orechio offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$534,439.78; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

There being no further business, Vice Chairman Orechio offered a motion to adjourn the meeting at 12:45 p.m.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary