

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, MARCH 23, 2016

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, March 23, 2016 at 9:06 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.

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 9:08 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 10:48 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Vice Chairman Orechio offered a motion to approve the Public Commission Meeting Minutes of February 24, 2016; seconded by Commissioner Ashkinaze and approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo and Burrell voting in the affirmative. Commissioner Kuser abstained.

Vice Chairman Orechio offered a motion to approve the Public Work Session Minutes of February 24, 2016; seconded by Commissioner Ashkinaze and approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo and Burrell voting in the affirmative. Commissioner Kuser abstained.

Vice Chairman Orechio offered a motion to approve the Purchase Requisitions over \$5000 Report for March 2016 in the amount of \$181,931.13; seconded by Commissioner Ashkinaze 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 #6659384 from Landscape Materials, Inc. for Contract #1043-0100 – Removal of Residuals in the amount of \$13,524.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$13,524.00 to Landscape Materials, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

b. Invoice #6659383 from Landscape Materials, Inc. for Contract #1043-0100 – Removal of Residuals in the amount of \$48,470.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$48,470.00 to Landscape Materials, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Burrell and Garofalo voting in the affirmative.

c. Invoice #1060-4 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$20,731.32

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$20,731.32 to Stone Hill Construction; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

d. Invoice #1083-1 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$93,027.85

Maria Alliegro, Director of Engineering and Ron Farr, Project Manager approved invoice 3(d) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$93,027.85 to Stone Hill Construction; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

e. Invoice #IV00229142 from Hatch Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$240.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$240.00 to Hatch Mott MacDonald; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

f. Invoice #IV00227302 from Hatch Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$2,779.30

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,779.30 to Hatch Mott MacDonald; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

g. Invoice #101335 from French & Parrello Associates for Contract #1084 – 2015 Regular Dam Inspections in the amount of \$8,257.50

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$8,257.50 to French & Parrello Associates; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

h. Invoice #0732021 from Arcadis US, Inc. for Contract #1044 – Commission Owned Pipeline Consulting Engineering Services in the amount of \$28,941.63

Maria Alliegro, Director of Engineering and Paul Serillo, Director of Facilities approved invoice 3(h) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$28,941.63 to Arcadis US, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

i. Invoice #0720508 from Arcadis US, Inc. for Contract #1044 – Commission Owned Pipeline Study in the amount of \$23,442.18

Maria Alliegro, Director of Engineering and Paul Serillo, Director of Facilities approved invoice 3(i) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$23,442.18 to Arcadis US, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

j. Invoice #0651257A from Arcadis US, Inc. for Contract #1044 – Commission Owned Pipeline Study in the amount of \$13,264.75

Maria Alliegro, Director of Engineering 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 \$13,264.75 to Arcadis US, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

k. Invoice #0737159 from Arcadis US, Inc. for Contract #1044 – Commission Owned Pipeline Study in the amount of \$44,425.96

Maria Alliegro, Director of Engineering and Paul Serillo, Director of Facilities approved invoice 3(k) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$44,425.96 to Arcadis US, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

l. Invoice #165471 from Premier Utility Services for Contract #1013 – Underground Locating in the amount of \$1,541.90

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$1,541.90 to Premier Utility Services; 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 the Execution of Joint Funding Agreement No. 16ENNJ00000029 Between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION APPROVING THE EXECUTION OF JOINT FUNDING
AGREEMENT NO. 16ENNJ00000029 BETWEEN U.S. GEOLOGICAL SURVEY,
UNITED STATES DEPARTMENT OF THE INTERIOR AND THE NORTH
JERSEY DISTRICT WATER SUPPLY COMMISSION**

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 is the holder of certain permits (“Permits”) issued by the New Jersey Department of Environmental Protection (“NJDEP”) that allow it to pump water from both the Passaic River and Ramapo Rivers as needed; and

WHEREAS, as a condition of its Permits, the Commission is required to investigate and monitor the water resources in conjunction with the U.S. Geological Survey, United States Department of the Interior (“USGS”); and

WHEREAS, the Commission is in receipt of Joint Funding Agreement No. 16ENNJ00000029 (the “Agreement”) with the USGS for the purpose of: (1) continuing the investigation and monitoring of water resources, specifically, the operation and maintenance of two (2) continuous-record discharge gaging stations at 01384500 Ringwood Creek near Wanaque and 01387000 Wanaque River in Wanaque, which are key points in the Wanaque River basins; and (2) continuing the investigation and monitoring of the Wanaque South Project, Ramapo River at Pompton Lakes, recording hourly water temperature, pH, specific conductance, dissolved oxygen and dissolved oxygen percent saturation, two (2) surface water low-flow sites, and a stage-only gage station; and

WHEREAS, Agreement No. 16ENNJ00000029 states that the Commission will contribute the sum of \$181,585.00 to the USGS, for the term period of October 1, 2015 to September 30, 2016, to cover the cost of the necessary field and analytical work as set forth in the Agreement; and

WHEREAS, the Commission desires to approve the execution of the Agreement and authorize the payments in accordance therewith.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby approves the execution by the Executive Director of Joint Funding Agreement No. 16ENNJ000000029 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission effective October 1, 2015 to September 30, 2016; and

BE IT FURTHER RESOLVED, that the Commission authorizes the payment to the USGS in accordance with the terms of the Agreement; and

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 the execution of Joint Funding Agreement No. 16ENNJ000000029 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission; 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 – Authorizing a One-Year Extension of Contract #1048 for the Performance of Media Relations Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
AUTHORIZING A ONE-YEAR EXTENSION OF CONTRACT #1048 FOR THE PERFORMANCE
OF MEDIA RELATIONS SERVICES**

WHEREAS, pursuant to N.J.S.A. 58:5-1 et seq., 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 previously determined there was a need to retain the services of a public and media relations consulting firm to provide community and media relations consulting services (the "Media Relations Services"), which Media Relations Services include communicating with media contacts, the preparation and issuance of press releases on behalf of the Commission as requested by the Commission, and other related media services; and

WHEREAS, on or about Wednesday, June 20, 2013, the Commission publicly advertised and issued a request for proposals referenced as RFP #010-2013, as amended by Amendment #1 issued on June 28, 2013, for the provision of Media Relations Services and received proposals from interested parties on or before July 9, 2013; and

WHEREAS, the Commission thereafter adopted a resolution awarding Public Strategies Impact ("Public Strategies") a one-year contract (Contract #1048) for the provision of Media Relations Services for flat fee of \$17,000, based on quarterly payments of \$4,250.00; and

WHEREAS, the Commission extended Contract #1048 with Public Strategies for calendar year 2015; and

WHEREAS, it is necessary to procure Media Relations Services for year 2016 in a prompt manner so that the Commission may continue to ensure its 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 Commission finds that Public Strategies has performed the Media Relations Services in an effective and efficient manner over the term of Contract #1048, as extended, and desires to extend Contract #1048 for an additional one-year period upon the same terms and conditions set forth in Contract #1048; and

WHEREAS, said extension is in accordance with the Commission's Purchasing Policies and Procedures governing the extension of service contracts, and falls below the applicable threshold amount established by N.J.S.A. 58:5-20(b); and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this one-year extension of Contract #1048; and

WHEREAS, the award of this one-year extension of Contract #1048 is necessary for the efficient operation of the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Contract #1048 with Public Strategies Impact for the performance of Media Relations Services be and is hereby extended for calendar year 2016 upon the same terms and conditions set forth in Contract #1048; and

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 authorizing a one-year extension of Contract #1048 for the performance of media relations services; 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 – Authorizing the Online Sale of Surplus Vehicles and Equipment

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING THE ONLINE SALE OF SURPLUS VEHICLES AND EQUIPMENT

WHEREAS, pursuant to N.J.S.A. 58:5-1 et seq., 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, pursuant to the broad power conferred in N.J.S.A. 58:5-7, the Commission is empowered to dispose of all such property as may no longer be necessary for the uses and purposes for which the Commission was created; and

WHEREAS, the Staff of the Commission has identified certain vehicles and equipment (Exhibit “A” attached) that are no longer necessary for the provision of potable water supplies to its member municipalities in accordance with its statutory responsibilities; and

WHEREAS, the Commission desires to dispose of such surplus vehicles and equipment pursuant to a publicly advertised process in order to obtain the fair market value for such vehicles and equipment for the benefit of its member municipalities; and

WHEREAS, the sale and disposition of such surplus vehicles and equipment is necessary for the Commission's efficient operations and the protection of its water supply facilities; and

WHEREAS, the Commission had previously authorized the sale of surplus vehicles and equipment through GovDeals, a State Contract online government surplus auction website; and

WHEREAS, the Commission desires to sell the surplus vehicles and equipment identified on Exhibit A through GovDeals.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the North Jersey District Water Supply Commission, that the Commission hereby approves and authorizes the sale and disposition of surplus vehicles and equipment identified on Exhibit A annexed hereto through an online government surplus auction website as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and are also available from the Commission.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

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 authorizing the online sale of surplus vehicles and equipment; 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 – Authorizing the Award and Execution of a Contract for the Provision of a Fluid Microscope with Camera for Algae Identification

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 A FLUID MICROSCOPE WITH CAMERA FOR ALGAE IDENTIFICATION

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 purchase a fluid microscope with camera for algae identification purposes; 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 or about February 16, 2016, the Commission publicly advertised and issued a request for proposals, referenced as RFP #004-2016 for the provision of a fluid microscope with camera for algae identification; and

WHEREAS, on or about March 3, 2016, the Commission received responses to RFP #004-2016 from two (2) firms; and

WHEREAS, the Commission’s evaluation committee has reviewed and evaluated the proposals and determined that Fluid Imaging Technologies, Inc. (“Fluid”) submitted the lowest, most responsible and complying proposal for the provision of a fluid microscope with camera for algae identification purposes based on the criteria set forth in the RFP #004-2016, and recommended that Fluid be awarded the contract in accordance with the Commission’s enabling legislation and applicable State law; and

WHEREAS, Fluid proposed a contract price of Seventy-Six Thousand Four Hundred Dollars and 00/100ths (\$76,400.00) for the provision of a fluid microscope with camera for algae identification purposes, and the Commission has determined that the price is reasonable; and

WHEREAS, the Commission has determined, on the basis of the foregoing, that Fluid is the lowest, most qualified and responsible proposer for the provision of a fluid microscope with camera for algae identification purposes; and

WHEREAS, the Commission desires to retain the services of Fluid to provide a fluid microscope with camera for algae identification purposes in accordance with the Commission’s RFP #004-2016 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 Fluid as the lowest, most qualified and responsible proposer in accordance with the Commission’s enabling legislation and applicable State law, for an amount not to exceed \$76,400.00, for the provision of a fluid microscope with camera for algae identification purposes; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the provision of a fluid microscope with camera for algae identification purposes, incorporating the Commission's requirements as set forth in the RFP #004-2016 and the proposal submitted by Fluid; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute an agreement 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 a fluid microscope with camera for algae identification; 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 – Authorizing the Award and Execution of a Contract for Fabrication and Installation of a Custom Control House Generator

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 FABRICATION AND INSTALLATION OF A CUSTOM
CONTROL HOUSE GENERATOR**

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 qualified contractor to fabricate and install a custom control house generator with related accessories; 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, N.J.S.A. 52:34-6.2 authorizes contracting units, including the Commission, to make purchases and contract for services through the use of nationally-recognized and accepted cooperative purchasing agreements that have been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available; and

WHEREAS, on or about March 25, 2015, the Commission joined the National Joint Powers Alliance Cooperative ("NJPA"), a nationally-recognized and accepted purchasing cooperative commonly utilized by contracting units throughout the State of New Jersey; and

WHEREAS, the Commission has reviewed the contracts available through the NJPA and determined that utilization of NJPA Contract #080613 with Caterpillar, Inc. for the control house generator purchase would save the Commission substantial time and expenses associated with a separate procurement and, moreover, would result in substantial financial savings for the Commission as a result of the discount offered exclusively through the NJPA; and

WHEREAS, the Commission currently owns and operates two (2) generators manufactured by Caterpillar, Inc. and considers their products to be highly reliable; and

WHEREAS, Foley, Inc. is the exclusive Caterpillar, Inc. representative for this region under NJPA Contract #080613; and

WHEREAS, the Commission published notice of its intent to award a contract to Foley, Inc. in its designated newspapers at least ten (10) days prior to this award; and

WHEREAS, the pricing under NJPA Contract #080613 for the fabrication and installation of a custom control house generator is \$1,391,402.00, and the Commission has determined that this price is reasonable; and

WHEREAS, Foley, Inc., as the exclusive regional representative of Caterpillar, Inc., possesses the requisite expertise and skilled personnel required to perform in accordance with NJPA Contract #080613; and

WHEREAS, the Commission has determined, on the basis of the foregoing, that it is cost-efficient and appropriate to award a contract to Foley, Inc., the exclusive regional representative of Caterpillar, Inc., for the fabrication and installation of a custom control house generator; 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; 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 Foley, Inc. in accordance with the Commission's enabling legislation, applicable State law, and NJPA Contract #080613, in an amount not to exceed \$1,391,402.00, for the fabrication and installation of a custom control house generator; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the fabrication and installation of a custom control house generator, incorporating the requirements of NJPA Contract #080613, the Commission's specifications for the custom control house generator, and the proposal submitted by Caterpillar, Inc. for NJPA Contract #080613; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute an agreement 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 fabrication and installation of a custom control house generator; 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 – Authorizing the Award and Execution of a Contract for the Performance of Reservoir and Watershed Consulting 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 RESERVOIR AND
WATERSHED CONSULTING 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 environmental consulting firm to review, advise and recommend actions to preserve the pristine water quality of the Commission's watershed and reservoirs ("Reservoir and Watershed Consulting 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 February 10, 2016, the Commission publicly advertised and issued a request for proposals, referenced as RFP #003-2016 for Reservoir and Watershed Consulting Services, and received proposals from two firms; and

WHEREAS, the Commission’s evaluation committee has reviewed and evaluated the proposals and determined that Princeton Hydro (“Princeton”) submitted the most responsible and complying proposal for the performance of the Reservoir and Watershed Consulting Services based upon predetermined criteria set forth in RFP #003-2016, and recommended that Princeton 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, Princeton proposed a not-to-exceed price of Sixty-One Thousand One Hundred and Eighty Dollars and 00/100ths (\$61,180.00) and the Commission has determined that this price is reasonable; and

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

WHEREAS, Princeton possesses the requisite expertise and skilled personnel required to perform the Reservoir and Watershed Consulting Services; and

WHEREAS, the Commission desires to retain the services of Princeton to perform the Reservoir and Watershed Consulting Services in accordance with RFP #003-2016 and the specific terms set forth in Princeton’s 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; 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 Princeton as the most qualified and responsible proposer in accordance with the Commission’s enabling legislation and applicable State law, in an amount not to exceed \$61,180.00, for the performance of the Reservoir and Watershed Consulting Services; and

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

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute an agreement 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 reservoir and watershed consulting services; 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 – Authorizing the Sale of Commission-Owned Property Located at Rear of Perrin Avenue in Pompton Lakes, New Jersey

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE SALE OF COMMISSION-OWNED
PROPERTY LOCATED AT REAR OF PERRIN AVENUE IN
POMPTON LAKES, NEW JERSEY**

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 compiled a list of surplus properties which are extraneous parcels that do not contain Commission infrastructure and the parcel to be conveyed is on said list; and

WHEREAS, there are no plans to utilize this parcel in the future for Commission business or infrastructure; and

WHEREAS, the Commission property proposed to be sold is located at Rear of Perrin Avenue and legally described as Block 4600, Lot 17.01 in Pompton Lakes, New Jersey, consisting of 4.25 acres of use-restricted lake front/lake bottom vacant land in a very irregularly shaped lot; and

WHEREAS, the parcel is landlocked with no road access from Perrin Avenue; and

WHEREAS, the parcel is located entirely within floodplain areas, most of the parcel lies within the 100-year flood hazard zone and approximately 30% of the parcel area is presently covered by waters of the Pompton Lake; and

WHEREAS, the Commission does not have any infrastructure located within the property boundary; and

WHEREAS, the Commission currently pays \$2,930.93 annually in taxes and is responsible to maintain the parcel; and

WHEREAS, the Commission obtained a summary appraisal of the parcel valued as of December 19, 2014 prepared by Landmark I Appraisal, LLC (“Landmark”), which valued the parcel at \$78,000.00; and

WHEREAS, the Commission staff, in reviewing same, questioned the validity of the Landmark appraisal and the valuation to the extent that its findings were based, in part, on the assumption that the parcel had access for what it determined was the highest and best use; and

WHEREAS, as a result of the foregoing, the Commission obtained an appraisal from Norman J. Goldberg, SRA, CRE, GAA, IFAS (“Goldberg”), a New Jersey licensed appraiser; and

WHEREAS, the Goldberg Appraisal, which had a valuation date of December 12, 2015, valued the parcel at \$23,500.00, based largely on the findings relative to lack of access, flood hazard and other environmental factors that impact and prohibit development; and

WHEREAS, upon review of both the Landmark Appraisal and the Goldberg Appraisal, the Commission is of the opinion that the Goldberg Appraisal made the more appropriate assumptions, findings and conclusions on value, and is the more credible appraisal; and

WHEREAS, the Pompton Lakes Elks Lodge #1895 owns property directly adjacent to the parcel; and

WHEREAS, the Pompton Lakes Elks Lodge #1895 has made an offer of \$16,500.00 to purchase the property; and

WHEREAS, the Commission believes that there are no other likely purchasers of this property given its location, lack of direct access and development and use restrictions; and

WHEREAS, the Commission has determined that the value offered for the parcel by the Pompton Lakes Elks Lodge #1895 is sufficient and reasonable; and

WHEREAS, the Commission desires to sell the property to the Pompton Lakes Elks Lodge #1895 for open space/recreation use only in conjunction with its existing Lodge and Lodge activities.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission agrees to sell the property to the Pompton Lakes Elks Lodge #1895 for \$16,500.00; and

BE IT FURTHER RESOLVED, that the deed of conveyance of the property from the Commission to the Pompton Lakes Elks Lodge #1895 shall include a permanent deed restriction limiting the use of the subject property to open space/recreation use only; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the sale of Block 4600, Lot 17.01 in Pompton Lakes.; 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 the Chairman or Vice Chairman are further authorized to execute a Deed, Affidavit of Title, Settlement Statement and other customary closing documents required for title conveyance at such time that the closing of title is effectuated; 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 sale of Commission-owned property located at rear of Perrin Avenue in Pompton Lakes, New Jersey; seconded by Commissioner Ashkinaze 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 resignation and release agreement of Kristine Hale, Human Resources Manager, subject to all Commission policies and procedures; seconded by Commissioner Ashkinaze 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 promotion of Daniel DeCepoli from Assistant Human Resources Manager/ELO to Human Resources Manager/ELO, subject to all Commission policies and procedures; seconded by Commissioner Ashkinaze 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 \$5,392,459.85; seconded by Commissioner Ashkinaze 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 \$1,108,144.91; seconded by Commissioner Ashkinaze 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 \$835,074.12; seconded by Commissioner Ashkinaze 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 10:54 a.m.; seconded by Commissioner Ashkinaze 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