

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

FRIDAY, APRIL 22, 2016

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Friday, April 23, 2016 at 9:10 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Charles P. Shotmeyer, Vice Chairman Carmen A. Orechio and Commissioners Alan S. Ashkinaze, Donald C. Kuser, Howard L. Burrell and Robert C. Garofalo 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 Mary K. E. Maples, Associate Counsel of the Governor's Authorities Unit. Commissioner Jerome P. Amedeo 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, Kuser, Burrell and Garofalo voting in the affirmative. The Public Meeting was recessed at 9:12 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 10:44 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Vice Chairman Orechio offered a motion to approve the Public Commission Meeting Minutes of March 23, 2016; seconded by Commissioner Ashkinaze and approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell voting in the affirmative. Commissioner Garofalo abstained.

Vice Chairman Orechio offered a motion to approve the Public Work Session Minutes of March 23, 2016; seconded by Commissioner Ashkinaze and approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell voting in the affirmative. Commissioner Garofalo abstained.

Vice Chairman Orechio offered a motion to approve the Purchase Requisitions over \$5000 Report for April 2016 in the amount of \$135,124.87; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Commission Invoices:

a. Invoice #20173 from Landscape Materials, Inc. for Contract #1043-0100 – Removal of Residuals in the amount of \$6,550.00

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 \$6,550.00 to Landscape Materials, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

b. Invoice #20172 from Landscape Materials, Inc. for Contract #1043-0100 – Removal of Residuals in the amount of \$26,404.00

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 \$26,404.00 to Landscape Materials, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

c. Invoice #1060-5 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$41,516.00

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 \$41,516.00 to Stone Hill Construction; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

d. Invoice #1083-2 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$47,912.18

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 \$47,912.18 to Stone Hill Construction; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- e. **Invoice #IV00227809 from Hatch Mott MacDonald for Contract #1086 – Resiliency Study in the amount of \$94,607.10**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$94,607.10 to Hatch Mott MacDonald; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- f. **Invoice #101831 from French & Parrello Associates for Contract #1084 – 2015 Regular Dam Inspections in the amount of \$4,587.50**

Paul Serillo, Director of Facilities and James Stachura, Project Engineer approved invoice 3(f) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$4,587.50 to French & Parrello Associates; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- g. **Invoice #0768178 from Arcadis US, Inc. for Contract #1052 – General Consulting; Taste and Odor Study in the amount of \$3,550.10**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,550.10 to Arcadis US, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- h. **Invoice #074019 from Arcadis US, Inc. for Contract #1052 – General Consulting; Taste and Odor Study in the amount of \$10,695.90**

Maria Alliegro, Director of Engineering and Les Malyskyy, Engineer approved invoice 3(h) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$10,695.90 to Arcadis US, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- i. **Invoice #074018 from Arcadis US, Inc. for Contract #1052 – General Consulting; LLPS Pump Removal Design in the amount of \$3,672.45**

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 \$3,672.45 to Arcadis US, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- j. **Invoice #16961 from Premier Utility Services for Contract #1013 – Underground Locating in the amount of \$2,331.90**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,331.90 to Premier Utility Services; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Approving the Reallocation of the Capital Budget Reserve

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT
WATER SUPPLY COMMISSION APPROVING THE
REALLOCATION OF THE CAPITAL BUDGET RESERVE**

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 recently examined its Capital Budget Reserve in order to address immediate funding concerns, and determined that there are capital projects with excess funds, and capital projects which are currently underfunded; and

WHEREAS, the Commission has determined that it is necessary to reallocate funds in the Capital Budget Reserve in order to address the immediate funding concerns; and

WHEREAS, the Commission’s staff has prepared a Capital Budget Reallocation List which would transfer the balances from capital projects with excess funds to capital projects that are currently underfunded, and the Commission desires to approve said Capital Budget Reallocation List.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Capital Budget Reallocation List prepared by and on behalf of the Commission, a copy of which is attached hereto as Exhibit A, is hereby approved; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to implement the transfer of funds as indicated on the Capital Budget Reallocation List.

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 reallocation of the capital budget reserve; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract for the Performance of Professional Land Surveying 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
PROFESSIONAL LAND SURVEYING 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 licensed professional land surveyor to survey Commission property, locate existing monuments, install monuments, and prepare topographical drawings for several of the Commission’s dams (the “Surveying 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 March 22, 2016, the Commission publicly advertised and issued a request for proposals, referenced as RFP #007-2016, and received proposals from five (5) firms on or about April 12, 2016; and

WHEREAS, the Commission’s evaluation committee has reviewed and evaluated the proposals and determined that Maser Consulting, P.A. (“Maser”) submitted the most responsible and complying proposal for the performance of the Surveying Services based upon predetermined criteria set forth in RFP #007-2016, and recommended that Maser 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, Maser proposed a total not-to-exceed contract price of \$55,900.00, which is required to be inclusive of expenses; and

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

WHEREAS, Maser possesses the requisite expertise and skilled personnel required to perform the Surveying Services; and

WHEREAS, the Commission desires to retain the services of Maser to perform the Surveying Services in accordance with the terms and conditions set forth in RFP #007-2016 and Maser’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;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission, that a contract be awarded to Maser in accordance with the Commission’s enabling legislation and applicable State law, in an amount not to exceed \$55,900.00 inclusive of expenses, for the performance of the Surveying 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 Surveying Services, incorporating the Commission’s requirements as set forth in the RFP #007-2016 and the proposal submitted by Maser; 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 professional land surveying services; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract for the Performance of Valve Exercising 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 VALVE EXERCISING 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 qualified contracting firm with experience in valve exercising and maintenance to physically assess the condition and verify the operability of approximately three hundred (300) valves and to prepare an operations protocol for valve exercising and maintenance (the “Valve Exercising 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 March 16, 2016, the Commission publicly advertised and issued a request for proposals, referenced as RFP #005-2016, and received proposals from two (2) firms on or about April 7, 2016; and

WHEREAS, the Commission’s evaluation committee has reviewed and evaluated the proposals and determined that Wachs Water Services (“Wachs”) submitted the most responsible and complying proposal for the performance of Valve Exercising Services based upon predetermined criteria set forth in RFP #005-2016, and recommended that Wachs 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, Wachs provided a rate sheet setting forth the hourly rates of its professionals and a firm, fixed-price proposal, assuming optimal conditions, for entry, inspection and valve exercising for typical valve chambers, and the Commission has determined that the rates and the fixed fee proposal are reasonable; and

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

WHEREAS, Wachs possesses the requisite expertise and skilled personnel required to perform the Valve Exercising Services; and

WHEREAS, the Commission desires to retain the services of Wachs to perform the Valve Exercising Services in accordance with the terms and conditions set forth in RFP #005-2016 and Wachs’ 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 Wachs in accordance with the Commission’s enabling legislation and applicable State law, in an amount not to exceed \$500,000.00, for the performance of the Valve Exercising 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 Valve Exercising Services, incorporating the Commission’s requirements as set forth in the RFP #005-2016 and the proposal submitted by Wachs; 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 valve exercising services; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo 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 Michael DiMaio, Union Chemical Building Operator, subject to all Commission policies and procedures; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo 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 Wesley Drelich, SSEM, subject to all Commission policies and procedures; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo 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 \$7,387,732.87; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo 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 \$804,084.10; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo 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 \$438,299.36; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

There being no further business, Vice Chairman Orechio offered a motion to adjourn the meeting at 10:49 a.m.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary