

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, MAY 25, 2016

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, May 25, 2016 at 9:05 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 9:07 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 10:20 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Vice Chairman Orechio offered a motion to approve the Public Commission Meeting Minutes of April 22, 2016; seconded by Commissioner Garofalo and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative. .

Vice Chairman Orechio offered a motion to approve the Public Work Session Minutes of April 22, 2016; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Vice Chairman Orechio offered a motion to approve the Purchase Requisitions over \$5000 Report for May 2016 in the amount of \$71,750.00 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 #20174 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(a) 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 Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

b. Invoice #87380-8612 from JBL Electric, Inc. for Contract #1084 – Electrical Contracting Services in the amount of \$2,753.00

Michael Dox, Plant Electrical Engineer approved invoice 3(b) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,753.00 to JBL Electric, 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 #87380-8611 from JBL Electric, Inc. for Contract #1084 – Electrical Contracting Services in the amount of \$3,753.00

Michael Dox, Plant Electrical Engineer approved invoice 3(c) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,753.00 to JBL Electric, 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

d. Invoice #1083-3 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$61,148.80

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 \$61,148.80 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 #54242 from DLB Associates Consulting Engineers PCNJ for Contract #1045 – Electrical Infrastructure Study in the amount of \$8,122.50**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(e) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$8,122.50 to DLB Associates Consulting Engineers PCNJ; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- f. **Invoice #IV00232706 from Hatch Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$5,490.00**
Michael Dox, Plant 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 \$5,490.00 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.

- g. **Invoice #19404 from Public Strategies Impact LLC – Community/Media Relations Consulting in the amount of \$4,250.00**
Todd Caliguire, Executive Director approved invoice 3(g) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$4,250.00 to Public Strategies Impact LLC; 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 #0777932 from Arcadis US, Inc. for Contract #1052 – General Consulting in the amount of \$817.48**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(h) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$817.48 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 #0777933 from Arcadis US, Inc. for Contract #1052 – General Consulting in the amount of \$3,223.00**
Maria Alliegro, Director of Engineering and Les Malysky, Engineer approved invoice 3(i) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,223.00 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 #174016 from Premier Utility Services for Contract #1013 – Underground Locating in the amount of \$2,557.10**
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 \$2,557.10 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.

- k. **Invoice #IV16050612 from Telog Instruments, Inc. for Contract #1055 – Provision of Telemetry Equipment in the amount of \$25,354.00**

Michael Dox, Plant 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 \$25,354.00 to Telog Instruments, 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 #1031437 from Wilmington Trust for Trustee Fee Series 2003B Revenue Debt Service Fund in the amount of \$7,500.00

William Schaffner, Chief Financial Officer approved invoice 3(l) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$7,500.00 to Wilmington Trust; 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 Emergency Repairs to the Ramapo Pump Station Screen House

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING EMERGENCY REPAIRS TO THE RAMAPO
PUMP STATION SCREEN HOUSE**

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’s engineering staff has detected significant soil erosion along the north side of the Ramapo Pump Station (the “Pump Station”) screen house, exposing a significant portion of the Pump Station’s foundation wall and compromising several utility conduits that supply electricity to the Pump Station; and

WHEREAS, the Commission’s engineering staff has determined that the source of the soil erosion is a leak from an eight-inch cast iron pipe that supplies washwater to the Pump Station’s screens during pumping operations, and pumping operations cannot occur at the Pump Station until the leak is repaired in order to prevent damage to the foundation of the Pump Station; and

WHEREAS, in light of the foregoing, the Commission’s engineering staff has recommended that an emergency repair of the leaking pipe be immediately undertaken, including all necessary excavation, shoring, and site restoration work to ensure safe access to the leaking pipe; and

WHEREAS, the Commission does not currently have the necessary equipment to excavate the subject area, and requires the assistance of an outside contractor in order to safely and expeditiously repair the leaking pipe and ensure the stability of the Pump Station’s foundation; and

WHEREAS, pursuant to its enabling legislation, N.J.S.A., 58:5-20, the Commission is entitled to undertake work by its own employees or outside contractors when the safety or protection of its or other public property or the public convenience requires, or the exigency of the Commission’s service will not allow for advertisement or public bidding to address any emergency conditions; and

WHEREAS, pursuant to Section I, Subsection I of its Purchasing Policies and Procedures Manual, the Commission may make purchases of materials and services without the necessity of public bidding when it is determined by the Commission’s Executive Director, Chief Financial Officer (“CFO”) and Chief Operations Officer (“COO”) that an emergency exists; and

WHEREAS, based upon the recommendation of the Commission’s engineering staff, the Commission’s Executive Director, CFO, and COO have all determined that the leaking pipe, exposure of utility conduits, and potential damage to the foundation of the Pump Station constitutes an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

WHEREAS, the Commission has obtained a quote for emergency repairs to the leaking pipe at the Pump Station, inclusive of any necessary excavation, shoring, and site restoration work, from J. Fletcher Creamer (“Creamer”), a qualified firm experienced in the repair work necessary to remediate the emergency situation at the Pump Station; and

WHEREAS, Creamer has proposed to perform all necessary emergency repair, excavation, shoring, and site restoration work to the Pump Station on a time and materials basis for an estimated cost of \$45,000.00; and

WHEREAS, the Commission finds that Creamer’s quote is reasonable under the circumstances; and

WHEREAS, the Commission desires to authorize Creamer to perform the necessary emergency repair, excavation, shoring, and site restoration work to the Pump Station for a not to exceed amount of \$45,000.00.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the North Jersey District Water Supply Commission, in accordance with the provisions of N.J.S.A. 58:5-20 and Section I, Subsection I of its Purchasing Policies and Procedures Manual, that the damage to the washwater pipe located at the Ramapo Pump Station screen house constitutes an emergency and exigent situation warranting the immediate repair of the damaged pipe; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby ratifies the actions of the Executive Director, CFO and COO of the Commission in determining that an emergency exists; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorizes the retention of J. Fletcher Creamer to undertake the emergency repair, excavation, shoring, and site restoration work to the Pump Station in an emergent fashion without public bidding, for amount not to exceed \$45,000.00, billed on a time and materials basis; 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 emergency repairs to the Ramapo Pump Station Screen House; 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 Conditional Award of a Contract for Design/Build Services Associated with Clarifier System Rehabilitation in Basins 5 and 6

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING THE CONDITIONAL AWARD OF A CONTRACT FOR DESIGN/BUILD SERVICES ASSOCIATED WITH CLARIFIER SYSTEM REHABILITATION IN BASINS 5 AND 6

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 engage a qualified firm to undertake the design, permitting, construction, and related work associated with the rehabilitation of two (2) existing sedimentation basins, including the replacement of clarification equipment, at the Commission’s water treatment plant located in Wanaque, New Jersey (the “Design/Build 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; and

WHEREAS, on or about August 27, 2013, the Commission publicly advertised and issued RFQ #016-2013, requesting statements of qualifications from experienced firms for the Design/Build Services; and

WHEREAS, in response to RFQ #016-2013, the Commission received statements of qualifications from Northeast Remsco Construction, Inc. ("Northeast") and Stone Hill Contracting Co., Inc. ("Stone Hill"), and pre-qualified both firms; and

WHEREAS, on or about January 8, 2016, the Commission issued a request for proposals for the design-build of the clarifier system rehabilitation in Basins Nos. 5 and 6 ("RFP #002-2016") to Northeast and Stone Hill; and

WHEREAS, in response to RFP #002-2016, Northeast and Stone Hill both submitted proposals on or about March 29, 2016; and

WHEREAS, the Commission's evaluation committee has reviewed and evaluated the proposals and determined that Stone Hill submitted the most responsible and complying proposal for the performance of the Design/Build Services based upon predetermined criteria set forth in RFP #002-2016, and recommended that Stone Hill 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, Stone Hill proposed a not-to-exceed contract price of \$8,233,356.00 for performance of the Design/Build Services, and the Commission has determined that the price is reasonable; and

WHEREAS, the Commission has determined, on the basis of the foregoing, that Stone Hill constitutes the most qualified and responsible proposer for the provision of the Design/Build Services in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, Stone Hill possesses the requisite expertise and skilled personnel required to perform the Design/Build Services; and

WHEREAS, the Commission desires to retain Stone Hill to perform the Design/Build Services in accordance with RFP #002-2016 and Stone Hill'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 Commission intends to obtain financing for this project through the New Jersey Environmental Infrastructure Trust ("NJEIT"), and as such, this conditional contract award to Stone Hill is subject to the review and approval of the New Jersey Department of Environmental Protection ("NJDEP"), the adoption of bond and/or note resolution(s) by the Commission, as the case may be, and in the Commission's complete discretion, the approval and/or issuance of funding by the NJEIT.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be conditionally awarded to Stone Hill 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 \$8,233,356.00, for the provision of the Design/Build Services; and

BE IT FURTHER RESOLVED, that the conditional award of this contract is subject to the review and approval of the NJDEP, the adoption of bond and/or note resolution(s) by the Commission, as the case may be, and in the Commission's complete discretion, the approval and/or issuance of funding by the NJEIT; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of Design/Build Services, incorporating the Commission's requirements as set forth in RFP #002-2016, the proposal submitted by Stone Hill, and any other terms and conditions as may be imposed by the NJEIT or the NJDEP in connection with the Commission's application for financing; and

BE IT FURTHER RESOLVED that, upon receipt of approval of the NJDEP, the adoption of bond and/or note resolution(s) by the Commission, as the case may be, and in the Commission's complete discretion, the approval and/or issuance of funding by the NJEIT, 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 conditional award of a contract for design/build services associated with clarifier system rehabilitation in Basins 5 and 6; 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 David Lugo, Union Chemical Treatment 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 Chris Acker, 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.

Upon the recommendation of Executive Director Todd Caliguire, and Department Heads, Vice Chairman Orechio offered a motion to approve the promotion of Francisco Jaconetta from Assistant Supervisor SSEM to Supervisor 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.

Upon the recommendation of Executive Director Todd Caliguire, and Department Heads, Vice Chairman Orechio offered a motion to approve the promotion of Robert Scholz from Journeyman Welder to Lead GFM/Welder, 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 \$5,046,824.00; 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 \$694,574.29; 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 \$798,682.03; 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 10:29 a.m.; seconded by Commissioner Burrell 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