

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, SEPTEMBER 28, 2016

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, September 28, 2016 at 9:12 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, 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 Maples, Associate Counsel of the Governor's Authorities Unit.

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 Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative. The Public Meeting was recessed at 9:14 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 10:38 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

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

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

Vice Chairman Orechio offered a motion to approve the Purchase Requisitions over \$5000 Report for August 2016 in the amount of \$107,090.61 seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Commission Invoices:

a. Invoice #0724865 from GZA GeoEnvironmental, Inc. for Contract #1061 - Shooting Range Site Remediation in the amount of \$5,400.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$5,400.00 to GZA GeoEnvironmental, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

b. Invoice #1060-8 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$1,590,242.65

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$1,590,242.65 to Stone Hill Construction; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

c. Invoice #1060-9 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$29,298.36

Michael Dox, Plant 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 \$29,298.36 to Stone Hill Construction; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

d. Invoice #1083-7 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$14,065.00

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 \$14,065.00 to Stone Hill Construction; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

e. Invoice #IV00238612 from Hatch Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$3,740.70

Michael Dox, Plant 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 \$3,740.70 to Hatch Mott MacDonald; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

f. Invoice #20177 from Landscape Materials, Inc. for Contract #1043-0100 – Removal of Residuals in the amount of \$28,336.00

David Kirkham, Director of Residuals Treatment Operations and Douglas Delorie, Manager approved invoice 3(f) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$28,336.00 to Landscape Materials, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

g. Invoice #198355 from Premier Utility Services for Contract #1013 – Underground Locating in the amount of \$5,452.70

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 \$5,452.70 to Premier Utility Services; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

h. Invoice #29579 from Princeton Hydro LLC. for Contract #1097 – Reservoir & Watershed Management Consulting in the amount of \$1,177.00

Lewis Schneider, Director of Treatment, Laboratory & Compliance – Licensed Operator Water Treatment/Residuals and Maureen Kneser, Laboratory Manager approved invoice 3(h) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$1,177.00 to Princeton Hydro LLC.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

i. Invoice #1031438 from Wilmington Trust for 2006-1 Series Debt Service Fund in the amount of \$2,000.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,000.00 to Wilmington Trust; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

j. Invoice #1031439 from Wilmington Trust for 2006-2 Series Debt Service Fund in the amount of \$2,000.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,000.00 to Wilmington Trust; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- k. Invoice #WBXB2200-999-JN-05 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$800.00**

Maria Alliegro, Director of Engineering and Les Malytskyy, Engineering Project Manager approved invoice 3(k) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$800.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- l. Invoice #WBXB2200-999-JN-05 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$55.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$55.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- m. Invoice #WBXB2200-004-JN-02 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$21,633.50**

Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(m) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$21,633.50 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- n. Invoice #WBXB2200-007-JN-04 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$270.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$270.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- o. Invoice #WBXB2200-012-JN-04 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$213.72**

Maria Alliegro, Director of Engineering and Edwin Reyes, Project Engineer approved invoice 3(o) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$213.72 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- p. Invoice #WBXB2200-015-JN-01 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$320.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$320.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- q. Invoice #WBXB2200-017-JN-02 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$4,540.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$4,540.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- r. Invoice #WBXB2200-999-JN-04 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$1,240.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$1,240.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- s. Invoice #WBXB2200-999-JN-04A from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$2,520.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,520.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- t. Invoice #WBXB2200-003-JN-02 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$17,465.00**

Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(t) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$17,465.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract for the Provision of Powdered Activated Carbon Storage and Feeding System and the Appropriation of Necessary Funding

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 POWDERED ACTIVATED CARBON
STORAGE AND FEEDING SYSTEM AND THE APPROPRIATION OF
NECESSARY FUNDING**

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 firm to provide a powdered activated carbon storage and feeding system at its water treatment plant (the "PAC 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 August 16, 2016, the Commission publicly advertised and issued a request for proposals, referenced as RFP #010-2016, for the provision of PAC Services, and received proposals from two (2) firms on or about September 1, 2016; and

WHEREAS, the Commission's evaluation committee has reviewed and evaluated the proposals and determined that Acrison, Inc. ("Acrison"), submitted the lowest, most responsible and complying proposal for the performance of the PAC Services, based upon predetermined criteria set forth in RFP #010-2016, and recommended that Acrison be awarded the contract in accordance with the Commission's enabling legislation and applicable State law as the lowest and most qualified proposer, considering its experience and pricing proposal; and

WHEREAS, Acrison proposed a total not-to-exceed contract price of \$694,968.00 for the PAC Services, and the Commission has determined that this price is reasonable; and

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

WHEREAS, Acrison possesses the requisite expertise and skilled personnel required to perform the PAC Services; and

WHEREAS, the Commission desires to retain the services of Acrison to perform the PAC Services in accordance with the terms and conditions set forth in RFP #010-2016, any addenda thereto, and Acrison's proposal; and

WHEREAS, the Commission intends to fund the award of this contract from the Wanaque North Project-2015 Bond Proceeds and the Wanaque South Project-2015 Bond Proceeds; 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 through the Wanaque North and South Project-2015 Bond Proceeds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to Acrison 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 \$694,968.00, for the performance of the PAC Services; and

BE IT FURTHER RESOLVED that the appropriation of necessary funds for the PAC Services from the Wanaque North Project-2015 Bond Proceeds and Wanaque South Project-2015 Bond Proceeds is hereby authorized; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of the PAC Services, incorporating the Commission's requirements as set forth in RFP #010-2016, any addenda thereto, and the proposal submitted by Acrison; and

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

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

Vice Chairman Orechio offered a motion to adopt the resolution authorizing the award and execution of a contract for the provision of powdered activated carbon storage and feeding system and the appropriation of necessary funding; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Authorizing the Award and Execution of Two (2) Separate Contracts with Landscape Materials, Inc. and Beneficial Soil Solutions, Inc. for the Provision of Residual Trucking & Management Services

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF TWO (2) SEPARATE CONTRACTS WITH LANDSCAPE MATERIALS, INC. AND BENEFICIAL SOIL SOLUTIONS, INC. FOR THE PROVISION OF RESIDUAL TRUCKING & MANAGEMENT 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 that it has a pressing need for a New Jersey Department of Environmental Protection (“NJDEP”) certified contractor who has expertise in (1) the management and operation of solid blending activities associated with the removal and beneficial re-use of water treatment residuals and (2) soil testing and analysis, soil erosion and sediment control, reservoir mining and record keeping (the “Residuals 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 June 30, 2016, the Commission publicly advertised and issued a request for proposals, referenced as RFP #009-2016, for the provision of Residuals Services for a term of two (2) years; and

WHEREAS, in response to RFP #009-2016, the Commission received the following two (2) proposals: Landscape Materials, Inc. (“LMI”) at \$34.75 per cubic yard of residuals removed with a loader and \$34.20 per cubic yard of residuals removed via sealed containers; and Beneficial Soil Solutions (“Beneficial”) at \$32.75 per cubic yard of residuals removed; and

WHEREAS, the Commission’s evaluation committee has reviewed and evaluated the proposals and determined that, while both LMI and Beneficial are qualified to perform the Residuals Services, neither proposer has sufficient site capacity to process the necessary volume of residuals generated by the Commission on an annual basis as called for in the technical specifications of RFP #009-2016; and

WHEREAS, due to the emergent need of the Commission to address the removal and management of its water treatment residuals in order to meet its statutory mandate to ensure the safe, secure and uninterrupted delivery of potable water, and in lieu of again rejecting all proposals as non-responsive, the Commission determined that it was preferable to offer each proposer the opportunity to enter into separate contracts with the Commission to provide Residual Services at the lowest proposed

price received in response to the public advertisement, or \$32.75 per cubic yard of residuals removed and processed; and

WHEREAS, the Commission sent inquiry letters to each proposer to ascertain their interest in entering into a contract with the Commission at a price of \$32.75 per cubic yard of residuals removed and processed; and

WHEREAS, in response to the Commission's inquiry letters, both LMI and Beneficial expressed their willingness to enter into a contract with the Commission at the aforementioned price; and

WHEREAS, the Commission has determined that both LMI and Beneficial possess the requisite expertise and skilled personnel required to perform the Residuals Services; and

WHEREAS, the Commission has determined, on the basis of the foregoing, that LMI and Grinnell constitute the only qualified and responsible proposers for the performance of the Residuals Services in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the Commission desires to award separate contracts to LMI and Beneficial for the provision of Residuals Services, with the total volume to be determined by the Commission in its sole discretion and subject to each of the parties securing all required federal, state, county and local approvals, permits and licenses; 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 contracts be awarded to LMI and Beneficial in accordance with the Commission's enabling legislation and applicable State law as the only qualified and responsible proposers, contingent upon receipt and maintenance of all necessary federal, state, county, and local governmental approvals, to provide Residuals Services in an amount to be later determined in the sole discretion of the Commission, at the price of \$32.75 per cubic yard of residuals removed and processed; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare contracts for the performance of the Residuals Services, incorporating the Commission's requirements as set forth in RFP #009-2016, the pricing proposal set forth in the Commission's inquiry letter, and the proposals submitted by LMI and Beneficial; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such contracts 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 contracts 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 two (2) separate contracts with Landscape Materials, Inc. and Beneficial Soil Solutions, Inc. for the provision of residual and trucking management services; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Awarding a Contract for the Repaving of Raymond Dam, Centrifuge Complex, and Carter Hill Road

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AWARDING A CONTRACT FOR THE REPAVING OF
RAYMOND DAM, CENTRIFUGE COMPLEX, AND CARTER HILL ROAD**

WHEREAS, the North Jersey District Water Supply Commission ("Commission") is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey,

exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission has determined that certain roadways at the Commission's Raymond Dam, Centrifuge Complex, and Carter Hill Road are in need of milling and paving/resurfacing (the "Paving 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 bids in writing and award contracts after public advertisement; and

WHEREAS, on or about August 23, 2016, the Commission publicly advertised and solicited bids, referenced as Contract #1091, for the performance of the Paving Services; and

WHEREAS, in response to the Commission's advertisement for public bids, Haskell Paving, Inc. ("Haskell") and Intercounty Paving Associates, LLC ("Intercounty") submitted identical bids in the amount of \$160,000.00 for the Paving Services; and

WHEREAS, the Commission subsequently advised Haskell and Intercounty of the circumstances and requested that both contractors submit their best and final fee proposal for the Paving Services by September 16, 2016; and

WHEREAS, in response to the Commission's request, Haskell submitted a revised fee proposal of \$148,886.00 and Intercounty proposed \$147,723.51; and

WHEREAS, the Commission's evaluation committee has reviewed and evaluated the bids and determined that Intercounty submitted the lowest, most responsive, and responsible bid based on the criteria set forth in Bid #1091, and recommended that Intercounty be awarded the contract in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the Commission has determined that Intercounty's revised fee proposal of \$147,723.51 for the Paving Services is reasonable; and

WHEREAS, Intercounty possesses the requisite expertise and capability to perform the Paving Services as specified in the bid documents; and

WHEREAS, the Commission desires to retain the services of Intercounty to perform the Paving Services in accordance with Contract #1091 and its proposal, as revised; 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 Intercounty as the lowest, most responsive and responsible bidder in accordance with the Commission's enabling legislation and applicable State law, for a lump sum amount not to exceed \$147,723.51 for the Paving 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 Paving Services incorporating the Commission's requirements as set forth in Contract #1091 and the proposal submitted by Intercounty, as revised; and

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

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

Vice Chairman Orechio offered a motion to adopt the resolution awarding a contract for the repaving of Raymond Dam, Centrifuge Complex, and Carter Hill Road; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Authorizing the Preliminary Award of a Contract for Electrical Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE PRELIMINARY AWARD OF A
CONTRACT FOR ELECTRICAL 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 has a need to retain the services of a qualified electric power supply company to provide electricity to its water treatment plant and related facilities (the “Electric 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 bids in writing and award contracts after public advertisement; and

WHEREAS, the Commission intends to issue a request for proposals (“RFP”) for the provision of Electric Services; and

WHEREAS, due to the nature of the Electric Services, pricing proposals received in response to the RFP are expected to only remain valid for a period of twenty-four (24) hours, thereby necessitating the prompt review of said proposals and the award of contract to the lowest and most responsible proposer; and

WHEREAS, in light of the foregoing, the Commission intends to promptly review the proposals received in response to the RFP and preliminarily award a contract to the lowest and most responsible proposer, with said action to be ratified at a subsequent Board meeting; and

WHEREAS, the issuance of this RFP and preliminary award of 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 will certify that the funds will be available for this contract upon receipt and evaluation of proposals and subsequent Board ratification of said contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission is hereby authorized to issue an RFP for the Electric Services and make a preliminary award of contract to the lowest and most responsible proposer, in accordance with the Commission’s enabling legislation and applicable State law, in an amount to be determined upon receipt of proposals and subject to future ratification by the Board; 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 the preliminary award of a contract for electrical services; seconded by Commissioner Burrell and

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

Resolution – Approving the Reallocation of a Portion of the \$10,715,000 Aggregate Principal Amount of Wanaque North Project Revenue Bonds, Series 2015A

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT
WATER SUPPLY COMMISSION APPROVING THE
REALLOCATION OF A PORTION OF THE \$10,715,000 AGGREGATE
PRINCIPAL AMOUNT OF WANAQUE NORTH PROJECT REVENUE BONDS, SERIES 2015A**

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, on August 25, 2015, the Commission issued \$10,715,000 aggregate principal amount of Wanaque North Project Revenue Bonds, Series 2015A (the “2015 North Bonds”) to finance the costs of various projects related to its Wanaque North Project; and

WHEREAS, the Commission has recently examined the proceeds of the 2015 North Bonds 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 from the 2015 North Bonds in order to address the immediate funding concerns; and

WHEREAS, the Commission’s staff has prepared a 2015 North Bonds 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 Reallocation List.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the 2015 North Bonds 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 2015 North Bonds Reallocation List; 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 reallocation of a portion of the \$10,715,000 aggregate principal amount of Wanaque North Project Revenue Bonds, Series 2015A; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Approving the Reallocation of a Portion of the \$4,155,000 Aggregate Principal Amount of Wanaque South Project Revenue Bonds, Series 2015A (Tax-Exempt) and \$1,605,000 Aggregate Principal Amount of Wanaque South Project Revenue Bonds, Series 2015B (Taxable)

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT
WATER SUPPLY COMMISSION APPROVING THE REALLOCATION OF A
PORTION OF THE \$4,155,000 AGGREGATE PRINCIPAL AMOUNT OF
WANAQUE SOUTH PROJECT REVENUE BONDS, SERIES 2015A (TAX-EXEMPT)
AND \$1,605,000 AGGREGATE PRINCIPAL AMOUNT OF
WANAQUE SOUTH PROJECT REVENUE BONDS, SERIES 2015B (TAXABLE)**

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, on August 25, 2015, the Commission issued \$4,155,000 aggregate principal amount of Wanaque South Project Revenue Bonds, Series 2015A (Tax-Exempt) and \$1,605,000 aggregate principal amount of Wanaque South Project Revenue Bonds, Series 2015B (Taxable) (collectively, the “2015 South Bonds”) to finance the costs of various projects related to its Wanaque South Project; and

WHEREAS, the Commission has recently examined the proceeds of the 2015 South Bonds 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 from the 2015 South Bonds in order to address the immediate funding concerns; and

WHEREAS, the Commission’s staff has prepared a 2015 South Bonds 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 Reallocation List.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the 2015 South Bonds 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 2015 South Bonds Reallocation List; 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 reallocation of a portion of the \$4,155,000 aggregate principal amount of Wanaque South Project Revenue Bonds, Series 2015A (tax-exempt) and \$1,605,000 aggregate principal amount of Wanaque South Project Revenue Bonds, Series 2015B (taxable); seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, 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 accept the retirement of James Thorpe, Lead Mechanical Maintenance, subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, 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 accept the retirement of Patricia Costello, Chemist, subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, 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 hire Sean Irwin, Acting Manager of Facilities, subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, 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 Ryan Furrey, Water Quality Tech to Water Quality Tech & Instruments, subject to all Commission policies and

procedures; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, 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 Matthew Cerami, Sr. Water Quality Tech to Sr. Water Quality Tech & Instruments, subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, 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 \$4,705,588.55; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, 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 \$734,593.16; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, 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 \$446,878.32; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

There being no further business, Vice Chairman Orechio offered a motion to adjourn the meeting at 11:16 a.m.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary