

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

TUESDAY, NOVEMBER 22, 2016

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Tuesday, November 22, 2016 at 9:08 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.

Also in attendance was Jai Agnish, reporter from Northjersey.com.

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

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

Commission Secretary Kim Diamond read the following resolution:

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

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

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

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

Vice Chairman Orechio offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative. The Public Meeting was recessed at 9:10 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 11:22 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Vice Chairman Orechio offered a motion to approve the Public Commission Meeting Minutes of October 26, 2016; 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.

Vice Chairman Orechio offered a motion to approve the Public Work Session Minutes of October 26, 2016; 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.

Vice Chairman Orechio offered a motion to approve the Purchase Requisitions over \$5000 Report for November 2016 in the amount of \$180,076.00 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.

UNFINISHED BUSINESS:

None

NEW BUSINESS:**Commission Invoices:**

a. Invoice #1060-12 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$503,430.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$503,430.00 to Stone Hill Construction; 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.

b. Invoice #1060-11 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$454,092.88

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 \$454,092.88 to Stone Hill Construction; 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.

c. Invoice #1083-9 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$407,740.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$407,740.00 to Stone Hill Construction; 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.

d. Invoice #54571 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(d) 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, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- e. Invoice #54711 from DLB Associates Consulting Engineers PCNJ for Contract #1045 – Electrical Infrastructure Study in the amount of \$2,707.50**
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 \$2,707.50 to DLB Associates Consulting Engineers PCNJ; 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.

- f. Invoice #IV00241362 from Hatch Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$1,588.77**
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 \$1,588.77 to Hatch Mott MacDonald; 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.

- g. Invoice #29913 from Princeton Hydro LLC for Contract #1097 – Reservoir & Watershed Management Consulting in the amount of \$744.00**
Lewis Schneider, Director of Treatment/Lab Compliance/Licensed Operator and Maureen Kneser, Manager of Lab approved invoice 3(g) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$744.00 to Princeton Hydro LLC by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- h. Invoice #30018 from Princeton Hydro LLC for Contract #1097 – Reservoir & Watershed Management Consulting in the amount of \$2,976.00**
Lewis Schneider, Director of Treatment/Lab Compliance/Licensed Operator and Maureen Kneser, Manager of Lab approved invoice 3(h) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,976.00 to Princeton Hydro LLC by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- i. Invoice #90616 from Grinnell Enterprises, Inc. for Contract #1043-0200 Management & Removal of WWTP Residuals in the amount of \$12,081.48**
David Kirkham, Director of Residuals Treatment Operations and Douglas Delorie, Manager approved invoice 3 (i) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$12,081.48 to Grinnell Enterprises, Inc. by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- j. Invoice #83116 from Grinnell Enterprises, Inc. for Contract #1043-0200 Management & Removal of WWTP Residuals in the amount of \$13,807.40**
David Kirkham, Director of Residuals Treatment Operations and Douglas Delorie, Manager approved invoice 3 (j) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$13,807.40 to Grinnell Enterprises, Inc. by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

k. Invoice #90716 from Grinnell Enterprises, Inc. for Contract #1043-0200 Management & Removal of WWTP Residuals in the amount of \$13,807.40

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$13,807.40 to Grinnell Enterprises, Inc. by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

l. Invoice #90816 from Grinnell Enterprises, Inc. for Contract #1043-0200 Management & Removal of WWTP Residuals in the amount of \$13,807.40

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$13,807.40 to Grinnell Enterprises, Inc. by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

m. Invoice #111-1709104 from The BNY Mellon for Revenue Bonds Series 1999 1 & 2 Annual Service Fee in the amount of \$3,850.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,850.00 to BNY Mellon; 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.

n. Invoice #28988 from Lerch, Vinci & Higgins, LLP for Contract #1067 – Wanaque North 2015 Annual Audit in the amount of \$22,000.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$22,000.00 to Lerch, Vinci & Higgins, LLP; 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.

o. Invoice #28989 from Lerch, Vinci & Higgins, LLP for Contract #1067 – Wanaque South 2015 Annual Audit in the amount of \$18,000.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$18,000.00 to Lerch, Vinci & Higgins, LLP; 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.

p. Invoice #28990 from Lerch, Vinci & Higgins, LLP for Contract #1067 – Joint Venture 2015 Annual Audit in the amount of \$5,000.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$5,000.00 to Lerch, Vinci & Higgins, LLP; 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.

q. Invoice #326578 from Tectonic Engineering & Surveying for Contract #2000 – Land Surveying Services in the amount of \$4,850.00

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 \$4,850.00 to Tectonic Engineering & Surveying; 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.

r. Invoice #325372 from Tectonic Engineering & Surveying for Contract #2000 – Land Surveying Services in the amount of \$23,998.95

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$23,998.95 to Tectonic Engineering & Surveying; 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.

s. Invoice #322291 from Tectonic Engineering & Surveying for Contract #2000 – Land Surveying Services in the amount of \$14,840.52

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$14,840.52 to Tectonic Engineering & Surveying; 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.

t. Invoice #324073 from Tectonic Engineering & Surveying for Contract #2000 – Land Surveying Services in the amount of \$27,983.45

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$27,983.45 to Tectonic Engineering & Surveying; 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.

u. Invoice #NJDWSC.9.16 from Wachs Water Services for Contract #1093 – Valve Exercising Services in the amount of \$47,812.50

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$47,812.50 to Wachs Water Services; 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.

v. Invoice #WBXB2200-003-PN-05 Task #003 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$11,472.50

Chris Clamsner, Project Engineer and Paul Kearney, Manager approved invoice 3(v) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$11,472.50 to Jacobs Engineering Group, Inc.; 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.

w. Invoice #WBXB2200-003-PN-05 Task #004 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$31,310.00

Maria Alliegro, Director of Engineering and Edward Newman, Construction Manager approved invoice 3(w) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$31,310.00 to Jacobs Engineering Group, Inc.; 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.

- x. **Invoice #WBXB2200-003-PN-05 Task #005, 016, 021, 022 and 999 (combined) from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$10,620.78**

Maria Alliegro, Director of Engineering, Paul Serillo, Director of Facilities, Michael Dox, Plant Electrical Engineer, James Stachura, Project Engineer, Chris Clamser, Project Engineer and Les Malyskyy, Engineering Project Manager approved invoice 3(x) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$10,620.78 to Jacobs Engineering Group, Inc.; 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.

- y. **Invoice #WBXB2200-003-PN-05 Task # 015 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$34,392.41**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$34,392.41 to Jacobs Engineering Group, Inc.; 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.

- z. **Invoice #WBXB2200-003-PN-05 Task #017 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$8,107.49**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$8,107.49 to Jacobs Engineering Group, Inc.; 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.

Resolution – Authorizing and Approving the Execution of a Lease Agreement with Outfront Media, LLC

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION APPROVING AND AUTHORIZING THE EXECUTION OF A
LEASE AGREEMENT WITH OUTFRONT MEDIA, LLC**

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 a long-standing lease agreement with Outfront Media, LLC (“Outfront”) permitting Outfront to utilize certain property identified as S/S Route 46 W/O Riverview Drive, located in the Borough of Totowa, Passaic County, New Jersey, for the exclusive purpose of operating and maintaining an advertising sign; and

WHEREAS, the parties have renegotiated the terms of the existing lease to reflect an increase in the monthly rental payments due the Commission in accordance with current market conditions (the “Lease Agreement”); and

WHEREAS, the Lease Agreement provides for an initial term of ten (10) years commencing retroactively from October 1, 2010 and automatically terminating on September 30, 2020, with an option to extend the term for up to two (2) additional five (5) year periods; and

WHEREAS, the retroactive rent payable by Outfront to the Commission for the period of October 1, 2010 through September 30, 2016 shall total \$15,400.00, and the remaining annual rent payable from October 1, 2016 through September 30, 2020 shall commence at \$3,800.00 per year and increase incrementally to \$4,000.00 per year; and

WHEREAS, the Commission has reviewed the Lease Agreement and finds it acceptable as to form and content.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission, that the Commission approves and authorizes the execution of the Lease Agreement by and between the Commission and Outfront; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the Lease 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 Lease Agreement 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 and approving the execution of a lease agreement with Outfront Media, 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.

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, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Authorizing an Emergency Non-Destructive Concrete Condition Assessment for Green Swamp Dams Two and Four

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING AN EMERGENCY
NON-DESTRUCTIVE CONCRETE CONDITION ASSESSMENT
FOR GREEN SWAMP DAMS TWO AND FOUR**

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, due to current drought conditions, the upstream faces of Green Swamp Dams Two and Four (the “Dams”) are exposed and easily accessible; and

WHEREAS, the Commission convened a third-party Technical Review Board to deliberate on recommendations arising from the formal dam inspection performed by O’Brien & Gere in 2011; and

WHEREAS, said Technical Review Board recommended that the Commission undertake a non-destructive concrete condition assessment (the “Assessment”) of the Dams to determine whether the shotcrete needs to be removed and/or replaced to protect the structural integrity of the Dams; and

WHEREAS, the Commission’s engineering staff have determined that the short-term accessibility of the Dams constitutes an opportunity to undertake the Assessment without unnecessarily drawing down the Wanaque Reservoir, and recommended that the Assessment be conducted expeditiously while reservoir levels are low; 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 requirements 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 need to assess the condition of the Dams, together with the current accessibility of the Dams, constitutes an emergency situation that requires immediate action; and

WHEREAS, the Commission has obtained a quote for the Assessment from Olson Engineering (“Olson”), a qualified firm experienced in the material testing of concrete dams and recommended by the Technical Review Board; and

WHEREAS, Olson has proposed to perform the Assessment for a not-to-exceed, lump sum fee of \$42,576.00; and

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

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

WHEREAS, the Commission desires to authorize Olson to perform the Assessment on an emergency basis for a not-to-exceed, lump sum amount of \$42,576.00.

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 need to assess the condition of the Dams, together with the current accessibility of the Dams, constitutes an emergency situation that requires immediate action; 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 Olson to undertake the Assessment in an emergent fashion, without public bidding, for a lump sum amount not to exceed \$42,576.00; 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 an emergency non-destructive concrete condition assessment for Green Swamp Dams Two and Four; 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 Emergency Repairs to the Monksville Reservoir Dam

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING EMERGENCY REPAIRS TO THE MONKSVILLE RESERVOIR DAM

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 Monksville Reservoir Dam (the “Dam”) is being drawn down to increase the level of the Wanaque Reservoir and ensure that the water quality in the Wanaque Reservoir is not adversely affected by current drought conditions; and

WHEREAS, due to the draw down, the upstream face of the Dam is exposed and accessible; and

WHEREAS, the Commission’s dam inspection consultants have previously found that the Dam’s vertical construction joints located on its upstream face are delaminated and in need of repair; and

WHEREAS, the Commission’s engineering staff has determined that the short-term accessibility of the Dam’s upstream face constitutes an opportunity to undertake the necessary repair work to the Dam’s vertical construction joints, and has recommended that the repair work be immediately undertaken as an emergency procurement; 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 situation 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 short-term accessibility of the Dam’s upstream face and the need to repair its delaminated vertical joints constitutes an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

WHEREAS, the Commission has obtained quotes for the emergency vertical joint repair services from three firms, and Banks Industrial Group, LLC (“Banks”), a firm experienced in the work necessary to repair the Dam’s vertical construction joints, has submitted the lowest price to do such work; and

WHEREAS, Banks has proposed to perform all necessary emergency repair work to the vertical joints of the Dam for an initial not-to-exceed, lump sum fee of \$95,000.00, with any additional joints in excess of fifty-five (55) to be repaired at the cost of \$1,727.00 per joint; and

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

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for these emergency vertical joint repairs; and

WHEREAS, the Commission desires to authorize Banks to perform the necessary emergency repair work to the Dam for a not-to-exceed amount of \$95,000.00 and, if deemed necessary in the Commission’s sole discretion, to authorize the repair of additional joints in excess of fifty-five (55) at the cost of \$1,727.00 per joint.

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 short-term accessibility of the Dam’s upstream face and the need to repair its delaminated vertical joints constitutes an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; 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 Banks to undertake the emergency repairs to the Dam’s vertical joints for an initial amount not to exceed \$95,000.00 and, if deemed necessary, authorizes the repair of additional joints in excess of fifty-five (55) at the cost of \$1,727.00 per joint; 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 Monksville Reservoir Dam; 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 Contract #2002 to Furnish and Deliver Two (2) Dry-Pit Submersible, Centrifugal Pumps

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AWARDING CONTRACT #2002 TO FURNISH AND DELIVER
TWO (2) DRY-PIT SUBMERSIBLE, CENTRIFUGAL PUMPS**

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 needs to add two (2) dry-pit submersible, centrifugal pumps (the “Pumps”); 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 October 25, 2016, the Commission publicly advertised and solicited bids, referenced as Contract #2002 to Furnish and Deliver Two (2) Dry-Pit Submersible, Centrifugal Pumps, subsequently amended (“Contract #2002”); and

WHEREAS, in response to the Commission’s advertisement for public bids, the Commission received bids from three (3) bidders; and

WHEREAS, the Commission’s evaluation committee has reviewed and evaluated the bids and determined that DeMaio Electrical Company, Inc. (“DeMaio”) submitted the lowest, most responsive, and responsible bid for the furnishing and delivery of the Pumps, and recommended that DeMaio be awarded the contract in accordance with the Commission’s enabling legislation and applicable State law; and

WHEREAS, DeMaio’s bid proposed a contract price of \$142,750.00 for the furnishing and delivery of the Pumps, and the Commission has determined that the price is reasonable; and

WHEREAS, DeMaio possesses the requisite expertise and capability to furnish and deliver the Pumps as specified in the bid documents, as amended; 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 DeMaio 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 of \$142,750.00 to furnish and deliver the Pumps; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the furnishing and delivery of the Pumps, incorporating the Commission’s requirements as set forth in the bid documents, as amended, Contract #2002, and DeMaio’s bid; 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 Contract #2002 to furnish and deliver two (2) dry-pit submersible, centrifugal pumps; seconded by Commissioner Kuser 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 promote Michael Fisher, Chemist to Senior Chemist, subject to all Commission policies and procedures; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, 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 promote James Michels, Manager Distribution Maintenance to Manager Electrical & Mechanical, subject to all Commission policies and procedures; seconded by Commissioner Ashkinaze and unanimously approved with Chairman

Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, 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 \$12,799,028.58; 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.

Wanaque South Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Vice Chairman Orechio offered a motion to approve the Wanaque South Operating Account in the amount of \$1,434,255.02; 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 \$1,034,383.50; 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.

There being no further business, Vice Chairman Orechio offered a motion to adjourn the meeting at 11:32 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