

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, FEBRUARY 22, 2017

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, February 22, 2017 at 9:26 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Charles P. Shotmeyer, Vice Chairman Carmen A. Orechio and Commissioners Alan S. Ashkinaze, Jerome P. Amedeo, Donald C. Kuser, and Howard L. Burrell were recorded present. Also present were Todd R. Caliguire, Executive Director; Joseph E. Stroin, Jr., Chief Operating Officer; William Schaffner, Chief Financial Officer, John Inglesino, Esq., Commission Counsel from the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC and Mary Maples, Associate Counsel of the Governor's Authorities Unit. Commissioner Robert C. Garofalo participated via conference call.

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 9:28 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 11:24 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Commissioner Amedeo offered a motion to approve the Public Commission Meeting Minutes of January 25, 2017; 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 Public Work Session Minutes of January 25, 2017; 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.

Commissioner Amedeo offered a motion to approve the Purchase Requisitions over \$5000 Report for February 2017 in the amount of \$88,600.00 seconded by Vice Chairman Orechio 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 #1060-15 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$41,180.38**
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 \$41,180.38 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.

- b. Invoice #1096-01 from Stone Hill Construction for Contract #1096 – Clarifier System Rehabilitation in Basins 5 & 6 in the amount of \$76,520.88**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(b) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$76,520.88 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 #1096-02 from Stone Hill Construction for Contract #1096 – Clarifier System Rehabilitation in Basins 5 & 6 in the amount of \$17,952.28**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(c) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$17,952.28 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 #1083-11 from Stone Hill Construction for Contract #1083 – Lagoon Decant Towner Discharge in the amount of \$134,681.31**
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 \$134,681.31 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 #1096-03 from Stone Hill Construction for Contract #1096 – Clarifier System Rehabilitation in Basins 5 & 6 in the amount of \$20,171.15

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 \$20,171.15 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.

f. Invoice #20183 from Landscape Materials, Inc. for Contract #1089A – Removal of Residuals in the amount of \$14,168.00

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 \$14,168.00 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 #20184 from Landscape Materials, Inc. for Contract #1089A – Removal of Residuals in the amount of \$5,895.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$5,895.00 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.

h. Invoice #216849 from Premier Utility Services for Contract #1013 – Underground Locating in the amount of \$846.04

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 \$846.04 to Premiere 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.

i. Invoice #212308 from Premier Utility Services for Contract #1013 – Underground Locating in the amount of \$2,463.20

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,463.20 to Premiere 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.

j. Invoice #87940-9068 from JBL Electric, Inc. for Contract #1092 – Electrical Contracting Services in the amount of \$317,388.60

Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(j) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$317,388.60 to JBL Electric, 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.

k. Invoice #PTUS-PIN-0000977 from Wachs Water Services for Contract #1093 – Valve Exercising Services in the amount of \$65,250.00

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 \$65,250.00 to Wachs Water 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.

l. Invoice #PTUS-PIN-0000910 from Wachs Water Services for Contract #1093 – Valve Exercising Services in the amount of \$58,500.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$58,500.00 to Wachs Water 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.

m. Invoice #29307 from Princeton Hydro LLC. for Contract #1097 – Reservoir & Watershed Management Consulting in the amount of \$656.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$656.00 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.

n. Invoice #29129 from Princeton Hydro LLC. for Contract #1097 – Reservoir & Watershed Management Consulting in the amount of \$5,678.37

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$5,678.37 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.

o. Invoice #30474 from Princeton Hydro LLC. for Contract #1097 – Reservoir & Watershed Management Consulting in the amount of \$5,199.50

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$5,199.50 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.

p. Invoice #111-1715457 from The BNY Mellon for W/N/P 2016 Bond Anticipation Notes in the amount of \$3,500.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,500.00 to BNY Mellon; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

q. Invoice #29209 from Lerch, Vinci & Higgins, LLP – Auditor’s Certification Note for NJEIT Notes in the amount of \$250.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$250.00 to Lerch, Vinci & Higgins, LLP; 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 #369557 from Maser Consulting P.A. – Dam Survey in the amount of \$12,263.75

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 \$12,263.75 to Maser Consulting P.A.; 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 #1V16122202 from Telog Instruments, Inc. for Contract #1055 – Provision of Telemetry Equipment in the amount of \$3,213.96

Paul Serillo, Director of Facilities and Edwin Reyes, Project Engineer approved invoice 3(s) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,213.96 to Telog Instruments, 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 #1V17012506 from Telog Instruments, Inc. for Contract #1055 – Provision of Telemetry Equipment in the amount of \$114.83

Paul Serillo, Director of Facilities and Edwin Reyes, Project Engineer approved invoice 3(t) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$114.83 to Telog Instruments, 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.

u. Invoice #330150 from Tectonic Engineering & Surveying for Contract #2000 – Land Surveying Services in the amount of \$23,726.58

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$23,726.58 to Tectonic Engineering & Surveying; 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.

v. Invoice #329365 from Tectonic Engineering & Surveying for Contract #2000 – Land Surveying Services in the amount of \$24,080.79

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$24,080.79 to Tectonic Engineering & Surveying; 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.

w. Invoice #WBXB2200-003-PN-07 Task #016 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$4,157.34

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$4,157.34 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.

- x. **Invoice #WBXB2200-003-PN-07 Task #999 (combined) from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$9,854.68**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$9,854.68 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.

- y. **Invoice #WBXB2200-003-PN-07 Task #002 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$245.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$245.00 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.

- z. **Invoice #WBXB2200-003-PN-07 Task #003 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$66,146.12**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$66,146.12 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.

- aa. **Invoice #WBXB2200-003-PN-07 Task #10A from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$10,060.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$10,060.00 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 – Approving the Transfer of Certain Funds Regarding Contract #1090

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION APPROVING THE TRANSFER OF CERTAIN FUNDS REGARDING CONTRACT #1090

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 January 22, 2016, the Commission awarded a Contract #1090, General Consulting Engineering Services Contract (the “Contract”) to Jacobs Engineering Group, Inc. (“Jacobs”) to perform general engineering services for a two (2) year term in accordance with the Commission’s RFP #016-2015 and the specific terms set forth in Jacobs’ proposal; and

WHEREAS, the Contract was awarded to Jacobs for a two (2) year term in an amount not to exceed \$250,000.00 per year; and

WHEREAS, pursuant to the terms of the Contract, the two (2) year term commences upon the issuance of a Notice to Proceed, which was issued by the Commission on April 12, 2016; and

WHEREAS, a transfer of funds from Contract Year #2 to Contract Year #1 is needed in order to authorize Jacobs to perform all of the work required by the Commission during the first year of the Contract; and

WHEREAS, the Commission has determined that it is necessary and appropriate to transfer funds in the amount of \$65,000.00 from Contract Year #2 to Contract Year #1 to assure that there are sufficient funds for Jacobs to perform engineering services necessary for the Commission’s efficient water treatment operations during the first year of the Contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Board hereby authorizes and directs the Commission’s Chief Financial Officer to transfer a sum total of \$65,000.00 from Contract Year #2 to Contract Year #1, resulting in a remaining balance for the Contract in Year #2 of \$185,000.00; 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 approving the transfer of certain funds regarding Contract #1090; 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 – Granting a Recreational Trail Easement to the Morris County Park Commission and the County of Morris

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER
SUPPLY COMMISSION GRANTING A RECREATIONAL
TRAIL EASEMENT TO THE MORRIS COUNTY PARK
COMMISSION AND THE COUNTY OF MORRIS**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission is the owner in fee simple of certain real property in the Township of Wayne, designated as Block 819, Lot 2, Block 100, Lots 8 and 9, and Block 817, Lot 1 on the official Tax Map of the Township of Wayne, County of Passaic, New Jersey (the “Commission Property”); and

WHEREAS, the Commission Property, in its present condition, has natural elements and ecological, aesthetic, educational and recreational values which the Commission wishes to have permanently preserved and maintained; and

WHEREAS, the Morris County Park Commission is a public corporation of the State of New Jersey, and the County of Morris is a body corporate and politic of the State of New Jersey (collectively referred to as “Morris County”); and

WHEREAS, Morris County has planned for the construction of a recreational trail that will extend from certain locations in the County of Morris to its end point in the Township of Wayne (the “Recreational Trail”); and

WHEREAS, Morris County proposes to construct the Recreational Trail through portions of the Commission Property; and

WHEREAS, in order to obtain uninterrupted continuation of the Recreational Trail, Morris County has requested that the Commission grant a perpetual, non-exclusive easement on, over and across said portions of the Commission Property to allow the Recreational Trail to reach its destination in the Township of Wayne (the "Easement"); and

WHEREAS, the Commission recognizes the importance of the Recreational Trail as part of the National Recreational Trail System and desires to convey the Easement in order to promote the development of the Recreational Trail, preserve open space, protect and enhance the natural and scenic resources, increase levels of physical activity, promote non-motorized modes and access to transit and prevent the use or development of the Commission Property for any purpose or in any manner that conflict with said goals; and

WHEREAS, the Commission is willing to grant such a perpetual, non-exclusive easement over portions of the Commission Property subject to conditions set forth in the Easement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission shall enter into the Easement with the Morris County Park Commission and/or the County of Morris to allow for the construction of a recreational trail that will extend from certain locations in Morris County through the Township of Wayne; and

BE IT FURTHER RESOLVED, that the exact location of the easement areas over the Commission Property shall be as set forth in the legal descriptions attached as Exhibit A to the Easement; and

BE IT FURTHER RESOLVED, that the grant of rights pursuant to the Easement shall be limited and restricted to those uses set forth in the Easement; and

BE IT FURTHER RESOLVED that the General Counsel to the Commission is authorized to prepare and negotiate the terms of the Easement with the Morris County Park Commission and the County of Morris; and

BE IT FURTHER RESOLVED, that the Chairman or Vice Chairman of the Commission are hereby authorized to execute the Easement and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman at such time as the terms of the Easement are finalized, as confirmed by the Commission's General Counsel; and

BE IT FURTHER RESOLVED that a copy of this resolution and the Easement 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 granting a recreational trail easement to the Morris County Park Commission and the County of Morris; 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 Change Order #1 to Contract #1061 with GZA Geoenvironmental, Inc.

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING CHANGE ORDER NO. 1 TO CONTRACT #1061
WITH GZA GEOENVIRONMENTAL, INC.**

WHEREAS, pursuant to N.J.S.A. 58:5-1 et seq., the North Jersey District Water Supply Commission ("Commission") is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities, and

WHEREAS, the Commission previously determined there was a need to retain a qualified environmental firm to provide consulting engineering services associated with final site assessment and

site characterization of the Commission's shooting range and supervision of subsequent remediation services (the "Environmental Consulting Services"); and

WHEREAS, on or about December 16, 2014, the Commission publicly advertised and solicited a request for qualifications and proposals for Environmental Consulting Services, referenced as RFP #012-2014, and received proposals from interested parties on or before February 3, 2015; and

WHEREAS, the Commission adopted a resolution on February 25, 2015 awarding GZA Geoenvironmental, Inc. ("GZA") a contract (Contract #1061) for the provision of Environmental Consulting Services ("Initial Contract Award"); and

WHEREAS, pursuant to Contract #1061, GZA is in the process of performing a remedial investigation of the Commission's shooting range site and developing bid specifications for the site's remediation; and

WHEREAS, subsequent to the Initial Contract Award, while conducting its site assessment and characterizing the site risks, GZA concluded that an Ecological Risk Assessment ("ERA") is not required as originally anticipated, and accordingly the Remedial Investigation ("RI") must include a write-up and documentation to support that conclusion; and

WHEREAS, GZA also found it necessary to expand the soil sampling in the berms, off-site and wetlands in order to meet clean-up regulations and complete the RI, to include a case management strategy in the RI, and to prepare and submit the application for a Freshwater Wetland General Permit 4 which is required to be completed and obtained before the start of any remediation; and

WHEREAS, GZA has submitted a proposed Change Order No. 1 to expand the soil sampling, provide documentation in the RI to support not undertaking an ERA, develop a case management strategy, and prepare and submit a Freshwater Wetland General Permit 4, all for a not-to-exceed, lump sum amount of \$44,000.00; and

WHEREAS, the Commission staff has examined GZA's proposed Change Order No.1, and has determined that the services and fees set forth therein are reasonable, necessary and appropriate, and has recommended that the Commission approve Change Order No. 1 to Contract #1061; and

WHEREAS, the award of this Change Order No. 1 to Contract #1061 is necessary for the efficient operation of the Commission and in accordance with the NJDEP's directives; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds are available for this Change Order No. 1 to Contract #1061.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Change Order No. 1 to Contract #1061 with GZA is hereby approved in the not-to-exceed, lump sum amount of \$44,000.00, to expand the soil sampling, provide documentation in the RI to support not undertaking an ERA, develop a case management strategy, and prepare and submit a Freshwater Wetland General Permit 4; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a Change Order No. 1 to Contract #1061 in the amount of \$44,000.00, with all other terms and conditions of the contract to remain unchanged; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Change Order No. 1 to Contract #1061 and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or the Vice Chairman; 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 Change Order No. 1 to Contract #1061 with GZA Geoenvironmental, 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 – Awarding Contract #2006 for Tree Removal

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AWARDED CONTRACT #2006 FOR TREE REMOVAL

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 clear and remove trees from, on, or near critical infrastructure, including the Commission’s Wanaque North Aqueduct and the Wanaque South Force Main; 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 publicly advertised and solicited bids, referenced as Contract #2006, to remove trees along the Commission aqueducts, which included clearing and removal of trees from the following areas:

- (1) Wanaque North Aqueduct:
 - a) Orechio Drive in Wanaque to Pequannock River in Pompton Lakes (4.4 miles)
 - b) Pequannock River in Pequannock to Mountain View Blvd. in Wayne (5.0 miles)
 - c) Mountain View Boulevard in Wayne to Francisco Avenue in Little Falls (4.6 miles)
 - d) Grove Street in Clifton to Belleville Reservoir in Belleville (4.7 miles)

- (2) Wanaque South Force Main:
 - e) Makemoney Avenue in Wanaque to Fairfield Road in Wayne (10.2 miles) (collectively the “Project Area” and individually referred to as “Section”); and

WHEREAS, in accordance with the bid specifications, bidders were required to bid on the total Project Area and individual Sections, and the Commission reserved the right to award a contract to multiple bidders, one bidder or none; and

WHEREAS, in response to the Commission’s advertisement for public bids, on February 7, 2017, the Commission received responses from six (6) bidders; and

WHEREAS, the Commission’s evaluation committee has reviewed and evaluated the bids and determined that the following bidders submitted the lowest, most responsive, and responsible bids for the clearing and removal of trees in each Section of the Project Area as follows:

- | | |
|---|---|
| a) Orechio Drive in Wanaque to Pequannock River in Pompton Lakes (4.4 miles) | Peterson and Sons Tree Service for an amount not to exceed \$85,500.00 |
| b) Pequannock River in Pequannock to Mountain View Blvd. in Wayne (5.0 miles) | Trees Plus in an amount not to exceed \$118,000.00 |
| c) Mountain View Boulevard in Wayne to Francisco Avenue in Little Falls (4.6 miles) | Boulder Hill Tree Service in an amount not to exceed \$121,440.00 |
| d) Grove Street in Clifton to Belleville Reservoir in Belleville (4.7 miles) | Boulder Hill Tree Service in an amount not to exceed \$124,000.00 |
| e) Makemoney Avenue in Wanaque to Fairfield Road in Wayne (10.2 miles) | Peterson and Sons Tree Service in an amount not to exceed \$102,000.00; and |

WHEREAS, the Commission’s evaluation committee has recommended that Peterson and Sons Tree Service, Boulder Hill Tree Service and Trees Plus be awarded the contracts as stated above in the not to exceed amounts set forth above, and in accordance with the Commission’s enabling legislation and

applicable State law; and

WHEREAS, the Commission has determined that the prices set forth in the bids and stated above are reasonable; and

WHEREAS, Peterson and Sons Tree Service, Boulder Hill Tree Service, and Trees Plus possess the requisite expertise and capability to clear and remove trees in each respective Section of the Project Area as specified in the bid documents; and

WHEREAS, the Commission desires to retain the services of Peterson and Sons Tree Service, Boulder Hill Tree Service, and Trees Plus to clear and remove trees along the Commission's Wanaque North Aqueduct and the Wanaque South Force Main as described above and in accordance with the bid documents, Contract #2006, and their respective bids; and

WHEREAS, the award of these contracts are 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 these contracts.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to Peterson and Sons Tree Service 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 \$85,500.00, to clear and remove trees from Section (a) Orechio Drive in Wanaque to Pequannock River in Pompton Lakes of the Project Area; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to Trees Plus 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 \$118,000.00, to clear and remove trees from Section (b) Pequannock River in Pequannock to Mountain View Blvd. in Wayne of the Project Area; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to Boulder Hill Tree Service 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 \$121,440.00, to clear and remove trees from Section (c) Mountain View Boulevard in Wayne to Francisco Avenue in Little Falls of the Project Area; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to Boulder Hill Tree Service 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 \$124,000.00, to clear and remove trees from Section (d) Grove Street in Clifton to Belleville Reservoir in Belleville of the Project Area; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to Peterson and Sons Tree Service 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 \$102,000.00, to clear and remove trees from Section (e) Makemoney Avenue in Wanaque to Fairfield Road in Wayne of the Project Area; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare the contracts for the clearing and removing of trees along the Commission's Wanaque North Aqueduct and the Wanaque South Force Main, incorporating the Commission's requirements as set forth in the bid documents, Contract #2006, and the bids; 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 awarding Contract #2006 for tree removal; seconded by Commissioner Ashkinaze and approved with Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative. Chairman Shotmeyer abstained.

Resolution – Awarding Contract #2009 for the Construction of Wastewater Pump Modification

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AWARDING CONTRACT #2009 FOR THE CONSTRUCTION OF WASTEWATER PUMP MODIFICATIONS

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 construct wastewater pump modifications as part of the water treatment process (the “Wastewater Pump Modifications”); 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 publicly advertised and solicited bids, referenced as Contract #2009, to construct the Wastewater Pump Modifications, which were publically opened on February 7, 2017; 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 Allied Construction Group (“Allied”) submitted the lowest, most responsive, and responsible bid for constructing the Wastewater Pump Modifications, and recommended that Allied be awarded the contract in accordance with the Commission’s enabling legislation and applicable State law; and

WHEREAS, the Commission has determined that the price is reasonable; and

WHEREAS, Allied possesses the requisite expertise and capability to construct the Wastewater Pump Modifications as specified in the bid documents; and

WHEREAS, the Commission desires to retain the services of Allied to construct the Wastewater Pump Modifications in accordance with the bid documents, Contract #2009, and its bid; 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 Allied 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 \$564,800.00, to construct the Wastewater Pump Modifications; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for constructing the Wastewater Pump Modifications, incorporating the Commission’s requirements as set forth in the bid documents, Contract #2009, and Allied’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 #2009 for the construction of washwater pump modifications; 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.

Personnel:

Upon the recommendation of Executive Director Todd Caliguire and Department Heads, Commissioner Ashkinaze offered a motion to hire Jeff Ehrmann, Acting Union Fleet Maintenance Mechanic, subject to all Commission policies and procedures; seconded by Vice Chairman Orechio 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 \$8,877,289.59; 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 \$468,709.64; 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 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 \$880,040.56; 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 11:30 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