

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, APRIL 25, 2018

The monthly Public Meeting of the Commission was called to order by Vice Chairman Charles P. Shotmeyer on Wednesday, April 25, 2018 at 9:08 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Vice Chairman Charles P. Shotmeyer 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; Timothy J. Eustace, Deputy Executive Director; Joseph E. Stroin, Chief Operating Officer, William Schaffner, Chief Financial Officer, John Wyciskala, Esq., Commission Counsel from the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC and Edmund Caulfield, Senior Counsel of the Governor's Authority Unit. Commissioner Robert C. Garofalo participated via teleconference.

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

At this time, nominations were opened for the election of a Chairman and Vice Chairman for the remainder of 2018.

Commissioner Kuser offered a motion to appoint Charles P. Shotmeyer to the position of Chairman; seconded by Commissioner Ashkinaze and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Commissioner Kuser then offered a motion to appoint Howard L. Burrell to the position of Vice Chairman; seconded by Commissioner Ashkinaze and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF
THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
APPOINTING A CHAIRMAN AND VICE CHAIRMAN
FOR THE YEAR 2018**

WHEREAS, the North Jersey District Water Supply Commission (the "Commission") is organized and exists pursuant to the provisions of N.J.S.A. 58:5-1 et seq; and

WHEREAS, pursuant to N.J.S.A. 58:5-6, the Commission is authorized to appoint one of its members as Chairman and to appoint such other officers as it may deem necessary to carry out its purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Charles P. Shotmeyer is hereby appointed as Chairman of the Commission and Howard L. Burrell is hereby appointed as Vice Chairman of the Commission; and

BE IT FURTHER RESOLVED that each of the above officers shall hold his office for the year 2018 or until his successor shall have been duly appointed in accordance with the Commission's authorizing legislation.

Commissioner Ashkinaze offered a motion to adopt the resolution appointing a Chairman and Vice Chairman for the remainder of 2018; seconded by Commissioner Kuser and

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

Pursuant to the requirements of N.J.S.A. 10:4-6, et seq., Commission Secretary Kim Diamond acknowledged compliance with the statute. Commission Secretary 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.*

Commissioner Ashkinaze 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 Burrell and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative. The Public Meeting was recessed at 9:19 a.m.

Vice Chairman Shotmeyer reconvened the Public Meeting at 11:17 a.m. Commissioner Garofalo was no longer present.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Commissioner Ashkinaze offered a motion to approve the Public Commission Meeting Minutes of March 28, 2018; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Commissioner Ashkinaze offered a motion to approve the Public Work Session Minutes of March 28, 2018; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Commissioner Ashkinaze offered a motion to approve the Purchase Requisitions over \$5000 Report for April 2018 in the amount of \$343,385.00; seconded by Commissioner Kuser and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Commission Invoices:

- a. **Invoice #15 from Stone Hill Construction for Contract #1096 – Clarifier System Rehabilitation in Basins 5 & 6 in the amount of \$473,776.95**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(a) for payment.
- b. **Invoice #2021-06 from Alpine Painting & Sandblasting for Contract #2021 – Task #1 Washwater Tank Painting & Rehabilitation in the amount of \$351,519.00**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(b) for payment.
- c. **Invoice #0901567 from Arcadis US, Inc. for Contract #1095 – Security Project Construction Oversight in the amount of \$3,551.10**
Charles Billings, Director of IT and Edwin Reyes, Project Engineer approved invoice 3(c) for payment.
- d. **Invoice #57318 from DLB Associates Consulting Engineering for Contract #1045 – Electrical Infrastructure Study in the amount of \$7,600.00**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(d) for payment.
- e. **Invoice #IV00263896 from Mott MacDonald for Contract #1066 – Resiliency Study in the amount of \$3,525.00**
Joseph Stroin, Chief Financial Officer approved invoice 3(e) for payment.
- f. **Invoice #IV00265656 from Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$254.00**
Michael Dox, Plant Electrical Engineer and Edwin Reyes, Project Engineer approved invoice 3(f) for payment.
- g. **Invoice #70454 from Total Recall Corp. for Contract #1094 – Security Enhancements in the amount of \$232,231.36**
Charles Billings, Director of IT and Edwin Reyes, Project Engineer approved invoice 3(g) for payment.
- h. **Invoice #19945400 from Intralox LLC for PO #17-01710 – Purchase of Traveling Screens for WSPS in the amount of \$352,630.80**
Paul Serillo, Director of Facilities and Chris Clamser, Project Engineer approved invoice 3(h) for payment.
- i. **Various Invoices from Tectonic Engineering & Surveying for Contract #2000 – Land Surveying Services in the amount of \$119,912.87**
Maria Alliegro, Director of Engineering and Ron Farr, Project Manager approved invoice 3(i) for payment.
- j. **Invoice #86286 from PFM Asset Management LLC for Fees for Oversight of Asset Management Program in the amount of \$1,123.82**
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller, Project Engineer approved invoice 3(j) for payment.
- k. **Invoice #60-140124 from RAM Industrial Services, LLC for Contract #2018 – Furnish & Deliver a Toshiba VFD Power Module in the amount of \$50,854.00**
Charles Billings, Director of IT and Edwin Reyes, Project Engineer approved invoice 3(k) for payment.
- l. **Invoice #1 from Rapid Pump & Meter Service Co., Inc. for Contract #2025 – WSPS Traveling Screen Replacement in the amount of \$166,481.10**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(l) for payment.
- m. **Invoice #267543 from USIC, LLC for Contract #2019 – Underground Locating in the amount of \$2,224.98**

Maria Alliegro, Director of Engineering and James Stachura, Plant Electrical Engineer approved invoice 3(m) for payment.

n. Various Invoices #WBXB2200-PN-21 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services – Extension #1 – in the amount of \$17,849.49

Maria Alliegro, Director of Engineering, Chris Clamser, Project Engineer, and Les Malytsky, Engineering Project Manager approved invoice 3(n) for payment.

Commissioner Ashkinaze offered a motion to approve invoices 3(a) through 3(n); seconded by Commissioner Burrell and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Burrell 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.

Commissioner Ashkinaze 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 Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser 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.

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

Resolution –Approving the Reallocation of the 2018 Wanaque North Operating Budget

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT
WATER SUPPLY COMMISSION
APPROVING THE REALLOCATION OF THE
2018 WANAQUE NORTH OPERATING BUDGET**

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 2018 Wanaque North Operating Budget in order to address immediate funding concerns, and determined that there are accounts with excess funds, and accounts which are currently underfunded; and

WHEREAS, the Commission has determined that it is necessary to reallocate funds in the 2018 Wanaque North Operating Budget in order to address the immediate funding concerns; and

WHEREAS, the Commission's staff has prepared a 2018 Wanaque North Operating Budget Reallocation List which would transfer the balances from accounts with excess funds to accounts that are currently underfunded, and the Commission desires to approve said 2018 Wanaque North Operating Budget Reallocation List.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the 2018 Wanaque North Operating 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 2018 Wanaque North Operating Budget 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.

Commissioner Ashkinaze offered a motion to adopt the resolution approving the reallocation of the 2018 Wanaque North Operating Budget; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Resolution –Authorizing the Award and Execution of Amendment No. 2 to Contract #2021 for Work Associated with Washwater Tank Painting and Rehabilitation

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF AMENDMENT NO. 2 TO CONTRACT #2021 FOR WORK ASSOCIATED WITH WASHWATER TANK PAINTING AND REHABILITATION

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 had previously determined that there was a need to retain the services of certified contractors with experience in lead abatement, painting of elevated tanks and steel structures, sandblasting, and paint systems as it pertains to the maintenance and painting of two (2) elevated water storage tanks, recoating of pipes and structural elements, replacement of filter room lighting, demolition of dehumidification ducts, superficial concrete repair, and the replacement of existing natural gas lines at the Wanaque Water Treatment Plant (the "Services"); and

WHEREAS, on or about April 11, 2017, the Commission publicly advertised and solicited proposals for the Services, referenced as RFP #001-2017, which included the following six (6) tasks:

- Task 1 - Washwater Tank Painting and Rehabilitation;
- Task 2 - Surge Tank Painting and Rehabilitation;
- Task 3 - Filters 1 through 10 Roof Steel and Lighting (Filter Bays 1 through 13) and Misc. items;
- Task 4 - Surface Wash and Washwater Pump Rooms, and Drain Channel Piping;
- Task 5 - Pipe Gallery in area of Filters 1 through 10; and
- Task 6 - Pipe Gallery in area of Filters 11 through 13.

WHEREAS, on or about September 27, 2017, the Commission adopted a resolution awarding a contract for Task 1 of the Services to Alpine Painting & Sandblasting Contractors ("Alpine") for a not-to-exceed contract amount of \$1,378,344.00 ("Contract #2021"); and

WHEREAS, on or about December 20, 2017, the Commission adopted a resolution approving Amendment No. 1 to Contract #2021 in the not-to-exceed amount of \$130,868.00; and

WHEREAS, as Alpine has continued sandblasting operations, it has discovered extensive pitting on the exterior walls of the interior dry belly and wet riser of the Washwater Tank, and has recommended that Amendment No. 2 to Contract #2021 be made to provide that an additional coat of exterior paint be applied to these walls for the not-to-exceed amount of \$11,740.00; and

WHEREAS, Alpine has further advised that, should the Commission authorize the application of the additional paint, then it would no longer be necessary to insulate the exterior of the wet riser, resulting in cost savings in the amount of \$11,740.00, for a net contract amendment price of \$0.00; and

WHEREAS, Commission staff examined Alpine’s requested Contract Amendment No. 2 and determined that the services and fees set forth therein are reasonable, necessary and appropriate, and recommended that the Commission authorize Amendment No. 2 to Contract #2021; and

WHEREAS, the award of this Amendment No. 2 to Contract #2021 is necessary for the efficient operation of the Commission and the maintenance of the Commission’s water supply system.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission, that Amendment No. 2 to Contract #2021 with Alpine be and is hereby approved at no additional cost to the Commission; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Amendment No. 2 to Contract #2021 authorizing the application of an additional coat of paint on the exterior walls of the interior dry belly and wet riser of the Washwater Tank and eliminating the scope of work calling for the installation of insulation on the exterior of the wet riser, for a net contract amendment price of \$0.00; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Amendment No. 2 to Contract #2021 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.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing the award and execution of Amendment No. 2 to Contract #2021 for work associated with washwater tank painting and rehabilitation; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Resolution – Authorizing Emergency Work Associated with the Lime House Road Leak

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING EMERGENCY WORK ASSOCIATED WITH THE LIME HOUSE ROAD LEAK

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, following periodic inspections of a leak located along Lime House Road, the Commission has observed a significant increase in the leakage rate due to severe winter weather; and

WHEREAS, the leak is under pressure and is located in a critical area of the Commission’s aqueduct, it is imperative that it be repaired as soon as possible to mitigate the risk of aqueduct failure; and

WHEREAS, in light of the foregoing, the Commission’s engineering staff have recommended that the Commission excavate to locate and repair the leak as soon as possible; 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 leak at Lime House Road constitutes an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

WHEREAS, the Commission has obtained a quote of \$38,000.00 from J. Fletcher Creamer & Son, Inc. (“Creamer”) to cover the cost of excavating the site to find the leak location and restore the site, based on a time and materials basis and up to five (5) days of work; and

WHEREAS, because the leak cannot be precisely located or identified in scope due to unknown subterranean conditions, and the cost of repairing the leak(s) cannot be estimated until the leak(s) are located, the Commission’s engineering staff has estimated that up to an additional \$90,000.00 may be needed for these purposes, for a total not-to-exceed cost of \$128,000.00; and

WHEREAS, the Commission finds that Creamer’s rates are reasonable under the circumstances; and

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

WHEREAS, the Commission desires to authorize Creamer to perform the necessary emergency repair work at Lime House Road on a time and materials basis.

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 repair of the leak at Lime House Road 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 Creamer to undertake the services in an emergent fashion, without public bidding, on a time and materials basis, with a total not-to-exceed cost of \$128,000.00; 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.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing emergency work associated with the Lime House Road leak; seconded by Commissioner Kuser and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract for the Purchase of Radio Communication Equipment Under State Contract #83909

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 PURCHASE OF RADIO COMMUNICATION EQUIPMENT UNDER STATE CONTRACT #83909

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 purchase thirteen (13) new radios and associated equipment; and

WHEREAS, the purchase of the new radios will permit the Commission to join the New Jersey State Radio Network (the “Network”) and improve communications for the Commission’s security department; and

WHEREAS, the Commission will utilize existing State Contract #83909 with Motorola Solutions, Inc. to purchase the radios and related equipment, for a total cost of \$77,228.40; and

WHEREAS, due to substantially reduced operating, tower leasing, and maintenance costs associated with the Network, the Commission will realize significant savings over time by purchasing the radio equipment and joining the Network; and

WHEREAS, in light of the foregoing, the Commission has determined that the cost associated with the purchase of the radios and related equipment is reasonable and that the use of State Contract #83909 will result in financial savings to the Commission; and

WHEREAS, joining the Network 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 Motorola Solutions, Inc. under State Contract #83909 for the purchase of radios and related equipment, in the not-to-exceed amount of \$77,228.40, in accordance with the Commission's enabling legislation, applicable State law, and State Contract #83909; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract, or purchase order as applicable, in accordance with the Commission's needs and State Contract #83909; and

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to execute an agreement or purchase order and the Secretary of the Commission is authorized to attest to the signature of the Executive Director, as necessary; and

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

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing the award and execution of a contract for the purchase of radio communication equipment under State Contract #83909; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Resolution – Approving and Authorizing the Establishment of a Financial Pool for Merit Wage Increases for Non-Union Employees

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION APPROVING AND AUTHORIZING THE
ESTABLISHMENT OF A FINANCIAL POOL FOR MERIT WAGE INCREASES
FOR NON-UNION EMPLOYEES**

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 desires to establish a pool of funds of up to two (2%) percent of total annual salaries of all non-union employees to be utilized to grant wage increases to such employees based on merit; and

WHEREAS, the Commission believes that such merit wage increases for non-union employees are necessary and warranted; and

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 establishment of a pool of funds of up to two (2%) percent of total annual salaries of all non-union employees to be utilized to grant wage increases to such employees based on merit; and

BE IT FURTHER RESOLVED, that the Executive Director of the Commission, in consultation with staff, is hereby authorized to recommend wage increases from the established pool for all non-union employees based on merit.

Commissioner Kuser offered a motion to adopt the resolution approving and authorizing the establishment of a financial pool for merit wage increases for non-union employees; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Resolution – Authorizing Amendment No. 3 to Contract #1090

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING AMENDMENT NO. 3
TO 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, the Commission had previously determined there was a need to retain the services of a general consulting engineering firm with expertise in the principles and practices of engineering as applied to the planning, design, construction, maintenance and operation of public water supply systems, for an initial two-year term (the “Engineering Services”); and

WHEREAS, on November 12, 2015, the Commission publicly advertised and solicited proposals referenced as RFP #016-2015 for Engineering Services, and received proposals from interested firms on or about December 1, 2015; and

WHEREAS, on or about January 22, 2016, the Commission adopted Resolution No. 1606 awarding RFP #016-2015 to Jacobs Engineering Group, Inc. (“Jacobs”) for a two-year term in the not-to-exceed contract amount of \$250,000.00 per contract year (“Contract #1090”); and

WHEREAS, on or about July 27, 2016, the Commission adopted a resolution authorizing Amendment #1 to Contract #1090 to increase the \$250,000.00 not-to-exceed cap for year one by an additional \$250,000.00, to \$500,000.00 for year one, to permit Jacobs to undertake several additional projects within the scope of the Engineering Services; and

WHEREAS, on or about September 27, 2017, the Commission adopted a resolution extending Contract #1090 for an additional one-year period, as provided under Contract #1090, on the same terms and conditions set forth in Contract #1090, to run from April 2018 to April 2019; and

WHEREAS, on or about December 20, 2017, the Commission adopted a resolution to modify the term of the one-year extension to run from January 2018 to December 2018 in order to align the extended term of Contract #1090 with the Commission’s 2018 budgetary year, without altering any other terms and conditions of Contract #1090 (Amendment #2); and

WHEREAS, several unforeseen and crucial projects have arisen within the scope of Contract #1090, including but not limited to the preparation of as-built drawings for the Powder Activated Carbon System and asset management plan guidance; and

WHEREAS, after reviewing these projects and estimating the total cost associated therewith, the Commission’s engineering staff have recommended that Contract #1090 be amended to allocate an additional \$250,000.00 for year 2018, for a total not-to-exceed amount of \$500,000.00; and

WHEREAS, in light of the foregoing, the Commission has determined that it is necessary and appropriate to authorize Amendment #3 to Contract #1090 to allocate an additional \$250,000.00 for year 2018, for a total not-to-exceed amount of \$500,000; and

WHEREAS, Amendment #3 to Contract #1090 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 amendment to Contract #1090.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission, that the not-to-exceed cap for Contract #1090 with Jacobs for calendar year 2018 is hereby modified from \$250,000 to \$500,000; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Amendment #3 to Contract #1090 modifying its not-to-exceed amount upon the same terms and conditions of the original contract, as amended; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Amendment #3 to Contract #1090 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.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing Amendment No. 3 to Contract #1090; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser 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, Commissioner Ashkinaze offered a motion to approve the Wanaque North Operating Account in the amount of \$6,419,539.53; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser 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, Commissioner Ashkinaze offered a motion to approve the Wanaque South Operating Account in the amount of \$973,280.14; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser 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, Commissioner Ashkinaze offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$1,206,498.08; seconded by Commissioner Kuser and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 10:48 a.m.; seconded by Vice Chairman Burrell and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary