

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, JULY 25, 2018

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, July 25, 2018 at 9:03 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Charles P. Shotmeyer, Vice Chairman Howard L. Burrell and Commissioners Alan S. Ashkinaze and Donald C. Kuser were recorded present. Also present were Timothy J. Eustace, Executive Director; Todd R. Caliguire, Deputy Executive Director, William Schaffner, Chief Financial Officer and John Wyciskala, Esq., Commission Counsel from the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC. Commissioner Jerome P. Amedeo was absent. Commissioner Robert C. Garofalo and Craig Ambrose, Assistant Counsel of the Governor's Authority Unit, participated via teleconference.

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. 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 Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative. The Public Meeting was recessed at 9:06 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 9:48 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Commissioner Ashkinaze offered a motion to approve the Public Commission Meeting Minutes of June 27, 2018; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

Commissioner Ashkinaze offered a motion to approve the Public Work Session Minutes of June 27, 2018; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

Commissioner Ashkinaze offered a motion to approve the Purchase Requisitions over \$5000 Report for June 2018 in the amount of \$15,631.00; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Commission Invoices:

- a. Invoice #2020-07 from Alpine Painting & Sandblasting for Contract #2020 – Release of Retainage in the amount of \$70,175.70**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(a) for payment.
- b. Invoice #2022-04 from Alpine Painting & Sandblasting for Contract #2022 – Task #3-6 Filters, Surface Wash & Pipe Gallery in the amount of \$302,812.50**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(b) for payment.
- c. Invoice #18 from Stone Hill Construction for Contract #1096 – Clarifier System Rehabilitation in Basins 5 & 6 in the amount of \$184,500.23**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(c) for payment.
- d. Invoice #1083-21 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$150,000.00**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(d) for payment.
- e. Invoice #0915558 from Arcadis US, Inc. for Contract #1095 – Security Project Construction Oversight in the amount of \$7,054.25**
Charles Billings, Director of IT and Edwin Reyes, Project Engineer approved invoice 3(e) for payment.
- f. Various Invoice from Intralox LLC for PO #17-01710 – Purchase of Traveling Screens for WSPS in the amount of \$83,927.51**
Paul Serillo, Director of Facilities and Chris Clamser, Project Engineer approved invoice 3(f) for payment.
- g. Invoice #2015R-02 from Brave Industrial Paint, LLC for Contract #2015R – Pipe Coating in the amount of \$266,988.00**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(g) for payment.
- h. Invoice #89645 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$2,083.33**
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(h) for payment.

i. Invoice #2357 from Boulder Hill Tree Service, LLC for Contract #2006-03 (C) – Clear and Remove Trees in the amount of \$74,127.20

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

j. Invoice from Trees Plus, Inc. for Contract #2006-01 (A) – Clear and Remove Trees in the amount of \$2,891.00

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

Commissioner Ashkinaze offered a motion to approve invoices 3(a) through 3(j); seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing a Transfer of Funds from the Capital Reserve Account to the General Capital Account

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
AUTHORIZING A TRANSFER OF FUNDS FROM THE CAPITAL RESERVE ACCOUNT TO
THE GENERAL CAPITAL ACCOUNT**

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 previously determined that there was a need to retain the services of a qualified firm to analyze existing conditions at the Commission’s water treatment residual storage lagoon and to design and construct a solution to enable the Commission to comply with the Commission’s New Jersey Pollutant Discharge Elimination System Permit for Discharge to Surface Water (the “Project Services”); and

WHEREAS, on or about March 30, 2015, the Commission issued a request for proposals (“RFP #008-2014”) for the Project Services to three (3) pre-qualified firms previously selected through a request for qualifications; and

WHEREAS, on or about September 23, 2015, the Commission adopted a resolution awarding a contract for the Project Services (“Contract #1038”) to Stone Hill Contracting, Inc. (“Stone Hill”), subject to the approval of the New Jersey Department of Environmental Protection (“NJDEP”) due to the use of a New Jersey Environmental Infrastructure Trust Fund loan to pay for the Project Services; and

WHEREAS, the NJDEP subsequently approved the contract award in the total not to exceed amount of \$4.1 million, with \$1,631,606.00 allocated for the planning and design component of the Project Services; and

WHEREAS, Stone Hill has been actively performing the Project Services and has reached the limit of the \$1,631,606.00 allocation for the planning and design component under the contract authorization from the NJDEP; and

WHEREAS, the project design is currently under independent third-party review, preventing the Commission from applying to the NJDEP for a change order to the contract which would increase the amount allocated for planning and design services and allow the Commission to pay Stone Hill’s outstanding invoices; and

WHEREAS, the Commission desires to make a partial payment towards Stone Hill’s outstanding invoices in the amount of \$150,000.00 by transferring said amount from the Capital Reserve Account to the General Capital Account and remitting the same to Stone Hill; and

WHEREAS, the Commission has obtained confirmation from the NJDEP that it may make such a payment without jeopardizing its NJEIT loan and, once the independent third-party review is completed, apply to the NJDEP for an increase in the amount allocated for the planning and design component; and

WHEREAS, the Commission Chief Financial Officer has certified that there are sufficient funds available for the transfer of funds and payment to Stone Hill.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the transfer of \$150,000.00 from the Commission’s capital reserve account to the general capital account and the remittance of the same to Stone Hill be and is hereby authorized; 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 a transfer of funds from the Capital Reserve Account to the General Capital Account; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

Resolution – Designating Directors to the Dundee Water, Power & Land Company

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION DESIGNATING DIRECTORS TO THE DUNDEE WATER, POWER & LAND COMPANY

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 Dundee Water Power and Land Company (“Dundee”) is a corporation of the State of New Jersey which owns, operates and maintains property and certain water resources located in the municipalities of Clifton and Garfield, New Jersey; and

WHEREAS, the Commission and United Water Resources, Inc. (“United Water”) are each respectively 50% shareholders in Dundee; and

WHEREAS, pursuant to the Dundee Shareholder Agreement and By-Laws, the Dundee Board of Directors is comprised of four (4) Directors, two (2) of whom shall be designated by the Commission, and two (2) of whom shall be designated by United Water; and

WHEREAS, the Commission needs to designate two (2) of its Commissioners to serve as the Commission’s representative Directors on the Dundee Board of Directors.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Charles P. Shotmeyer and Howard L. Burrell are hereby designated to serve as the Commission’s representative Directors on the Dundee Water Power and Land Company Board of Directors until future designations are made; 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 Kuser offered a motion to adopt the resolution designating directors to the Dundee Water, Power & Land Company; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

Resolution –Authorizing the Award and Execution of Contract #2027 for the Milling and Paving of the Headworks Complex, the Wanaque South Pump Station, the Ramapo Pump Station, and the Orechio Drive Gravel Area

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING THE AWARD

**AND EXECUTION OF CONTRACT #2027 FOR THE MILLING
AND PAVING OF THE HEADWORKS COMPLEX,
THE WANAQUE SOUTH PUMP STATION, THE RAMAPO PUMP STATION,
AND THE ORECHIO DRIVE GRAVEL AREA**

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 is necessary to retain the services of a qualified contractor to mill, repair, and pave/repave roadways and/or parking areas located at the Commission’s Headworks Complex, the Wanaque South Pump Station, the Ramapo Pump Station, and the Orechio Drive gravel area (the “Paving Services”); 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 #2027 for the Paving Services, which were publicly opened on June 28, 2018; and

WHEREAS, bidders were asked to submit one not-to-exceed price and a separate, fixed unit price per square foot of base course repair in the event milling operations uncover additional areas requiring paving; and

WHEREAS, in response to the Commission’s advertisement for public bids, the Commission received two (2) bids from the following contractors: (a) D&L Paving Company in the amount of \$175,000.00 and no unit price per square foot of base course repair; and (b) Paving Materials & Contracting, LLC (“Paving Materials”) in the amount of \$152,600.00 and \$2.30 per square foot of base course repair; and

WHEREAS, the Commission’s evaluation committee reviewed and evaluated the bids and determined that Paving Materials submitted the lowest, most responsive, and responsible bid for the Paving Services, and recommended that Paving Materials be awarded the contract in accordance with the Commission’s enabling legislation and applicable State law; and

WHEREAS, the Commission has determined that the pricing proposed by Paving Materials is reasonable; and

WHEREAS, the Commission has further determined that Paving Materials possesses the requisite expertise and capability to perform the Paving Services; and

WHEREAS, the Commission desires to retain the services of Paving Materials in accordance with the bid documents, Contract #2027, 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract for the Paving Services be awarded to Paving Materials as the lowest most responsive and responsible bidder in accordance with the Commission’s enabling legislation and applicable State law, for the not-to-exceed amount of \$152,600.00 and a fixed \$2.30 per square foot of base course repair as the Commission may determine is necessary; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the Paving Services, incorporating the Commission’s requirements as set forth in the bid documents, Contract #2027, and Paving Material’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.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing the award and execution of Contract #2027 for the milling and paving of the Headworks complex, the Wanaque South Pump Station, the Ramapo Pump Station, and the Orechio Drive gravel area; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

Resolution –Authorizing the Emergency Removal, Rehabilitation, and Replacement of an Underground Fuel Storage Tank

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE EMERGENCY REMOVAL,
REHABILITATION, AND REPLACEMENT OF AN UNDERGROUND FUEL
STORAGE TANK**

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 maintains a 1,500-gallon underground fuel storage tank (“UST”) to power an auxiliary generator to run the computer and lighting systems in the Orechio Building in the event of a power outage; and

WHEREAS, the Commission has determined that the primary containment system of the UST is compromised; and

WHEREAS, if the UST’s secondary containment system also fails, then the UST will leak diesel fuel into the surrounding area; and

WHEREAS, Commission staff have recommended that the Commission remove the UST on an emergency basis, install an above-ground storage tank in its place, conduct an environmental site investigation, and remediate the potentially affected area, and have further recommended that the Commission authorize the expenditure of \$50,000.00 to accomplish the foregoing tasks; 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 staff, the Commission’s Executive Director, CFO, and COO have all determined that the failure of the UST’s primary containment

system constitutes an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

WHEREAS, the Commission has determined that the emergency work and projected costs associated with the same are reasonable under the circumstances and have decided to authorize the same; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds are available for these emergency services.

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 failure of the UST's primary containment system 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 a qualified contractor and the expenditure of funds not to exceed \$50,000.00 to remove the UST, install an above-ground storage tank in its place, conduct an environmental site investigation, and remediate the potentially affected area in an emergency fashion, without public bidding; 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 Kuser offered a motion to adopt the resolution authorizing the emergency removal, rehabilitation, and replacement of an underground fuel storage tank; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing the Extension of Emergency Contracts for the Lease of a Mobile Belt Filter Press and Related Residual Transport Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE EXTENSION OF EMERGENCY
CONTRACTS FOR THE LEASE OF A MOBILE BELT FILTER PRESS AND
RELATED RESIDUAL TRANSPORT SERVICES**

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

WHEREAS, there has been a significant buildup of sludge in the Commission's Lagoon while its Sharples DSX-706 Centrifuge and a plate press in the Residual Treatment Facility have been out of service for necessary repairs; and

WHEREAS, in order to remove the sludge and ensure the continued operation of Commission facilities, the Commission entered into an emergency lease agreement for a mobile belt filter press from Metropolitan Environmental Services, Inc. ("Metropolitan") in the not-to-exceed amount of \$82,000.00 while the centrifuge and plate press are being repaired; and

WHEREAS, in light of the fact that the Commission's residual contractors currently do not have capacity to store or process additional residuals, the Commission also entered into a temporary agreement in the not-to-exceed amount of \$55,000.00 with Fogg Trucking ("Fogg") to transport the residuals generated by the mobile filter press to an appropriate storage site on Commission property; and

WHEREAS, both of the temporary agreements are due to expire at the end of July 2018, and the Commission’s operations and engineering staff have recommended that the contracts be extended for a period of three months due to the ongoing need to process and remove residuals from the Lagoon; and

WHEREAS, Metropolitan has proposed a not-to-exceed cost of \$63,000.00 for the three-month contract extension of the lease for the mobile belt filter press, while Fogg has proposed a not-to-exceed cost of \$60,125.00 for the three-month contract extension of the residual trucking and transport services; and

WHEREAS, the Commission determined that these fees are reasonable under the circumstances and desire to extend both agreements for a period of three months; and

WHEREAS, the extension of these contracts 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 are available for these contract extensions.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the three-month contract extension for the lease of the mobile belt filter press with Metropolitan be and is hereby authorized in the not-to-exceed amount of \$63,000.00, and the three-month contract extension for the residual trucking and transport services with Fogg Trucking be and is hereby authorized in the not-to-exceed amount of \$60,125.00; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare contract extensions for the foregoing equipment and services; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the contract extensions 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 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 extension of emergency contracts for the lease of a mobile belt filter press and related residual transport services; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

Resolution – Conditionally Authorizing an Extension and Amendment No. 1 to Contract #1094 for Security Enhancements to Commission-Owned Facilities

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION CONDITIONALLY AUTHORIZING AN EXTENSION AND
AMENDMENT NO. 1 TO CONTRACT #1094 FOR SECURITY
ENHANCEMENTS TO COMMISSION-OWNED FACILITIES**

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 undertake a major upgrade and enhancement to the Commission’s security assets, including an in-depth survey of the Commission’s current security needs and vulnerabilities and the provision of an integrated turn-key solution to implement the recommended security enhancements (the “Security Services”); and

WHEREAS, in 2016, the Commission publicly advertised and solicited proposals referenced as RFP #004-2015 for the Security Services, and received proposals from interested firms on or about December 2, 2015; and

WHEREAS, on or about February 24, 2016, the Commission adopted a resolution awarding RFP #004-2015 to Total Recall, Inc. (“Total Recall”) in the not-to-exceed amount of \$3,306,711.22 (“Contract #1094”); and

WHEREAS, given that the financing for Contract #1094 was provided through the New Jersey Environmental Infrastructure Trust (“NJEIT”), now known as the New Jersey Infrastructure Bank (“NJIB”), the award of the contract was subject to the prior review and approval of the New Jersey Department of Environmental Protection (“NJDEP”); and

WHEREAS, the NJDEP subsequently approved the award of Contract #1094 to Total Recall and financing for the Security Services was issued by the NJIB; and

WHEREAS, during the course of the performance of the Security Services, Total Recall identified additional areas that would benefit from new security equipment, including but not limited to cameras, door access card readers, door sensors, and crash-rated bollards, and proposed that the Commission amend Contract #1094 and authorize it to install these additional improvements for the not-to-exceed cost of \$171,058.49, and to extend the term of the contract for a period of 546 calendar days; and

WHEREAS, Commission staff examined Total Recall’s proposed Amendment No. 1 to Contract #1094 and determined that the services and fees set forth therein are reasonable, necessary and appropriate, and recommended that the Commission authorize said amendment and contract extension; and

WHEREAS, based on the foregoing, the Commission desires to amend and extend Contract #1094 to authorize the installation of the additional security improvements; and

WHEREAS, the award of this Amendment No. 1 to Contract #1094 is necessary for the efficient operation of the Commission and the maintenance of the Commission’s water supply system; and

WHEREAS, the award of this Amendment No. 1 to Contract #1094 shall be subject to the prior review and approval of the NJDEP and the provision of additional financing by the NJIB.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the proposed Amendment No. 1 to Contract #1094 with Total Recall be and is hereby conditionally approved, subject to the prior review and approval of the NJDEP and the issuance of financing by the NJIB; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Amendment No. 1 to Contract #1094; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby conditionally authorized, as set forth above, to execute Amendment No. 1 to Contract #1094, 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 conditionally authorizing an extension and Amendment No. 1 to Contract #1094 for security enhancements to Commission-owned facilities; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser 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, Commissioner Kuser offered a motion to approve the Wanaque North Operating Account in the amount of \$5,946,904.71; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser 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, Commissioner Ashkinaze offered a motion to approve the Wanaque South Operating Account in the amount of \$938,475.23; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser 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, Commissioner Kuser offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$1,351,971.25; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 9:55 a.m.; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Kuser and Garofalo voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary