

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, AUGUST 24, 2016

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, August 24, 2016 at 9:02 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Vice Chairman Carmen A. Orechio and Commissioners Alan S. Ashkinaze, 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 Wyciskala, Esq., Commission Counsel from the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC, and Lisa LeBoeuf, Assistant Counsel of the Governor's Authorities Unit. Chairman Charles P. Shotmeyer and Commissioner Robert C. Garofalo participated via conference call. Commissioner Jerome P. Amedeo was recorded absent.

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

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

Commission Secretary Kim Diamond read the following resolution:

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

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

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

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

Vice Chairman Orechio offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative. The Public Meeting was recessed at 9:04 a.m.

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

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Vice Chairman Orechio offered a motion to approve the Public Commission Meeting Minutes of July 28, 2016; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Vice Chairman Orechio offered a motion to approve the Public Work Session Minutes of July 28, 2016; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Vice Chairman Orechio offered a motion to approve the Purchase Requisitions over \$5000 Report for August 2016 in the amount of \$153,533.00 seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

UNFINISHED BUSINESS:

None

NEW BUSINESS:**Commission Invoices:**

- a. Invoice #07722643 from GZA GeoEnvironmental, Inc. for Contract #1061 - Shooting Range Site Remediation in the amount of \$16,700.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$16,700.00 to GZA GeoEnvironmental, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- b. Invoice #0721051 from GZA GeoEnvironmental, Inc. for Contract #1057 – Formal Dam Inspections in the amount of \$5,468.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$5,468.00 to GZA GeoEnvironmental, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- c. Invoice #1083-6 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$20,030.50**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$20,030.50 to Stone Hill Construction; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- d. Invoice #IV00236679 from Hatch Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$825.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$825.00 to Hatch Mott MacDonald; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- e. **Invoice #IV00237208 from Hatch Mott MacDonald for Contract #1066 – Resiliency Study in the amount of \$13,141.14**

Joseph Stroin, Chief Operating Officer approved invoice 3(e) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$13,141.14 to Hatch Mott MacDonald; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- f. **Invoice #IV00232875 from Hatch Mott MacDonald for Contract #1066 – Resiliency Study in the amount of \$30,034.00**

Joseph Stroin, Chief Operating Officer approved invoice 3(f) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$30,034.00 to Hatch Mott MacDonald; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- g. **Invoice #IV00231523 from Hatch Mott MacDonald for Contract #1066 – Resiliency Study in the amount of \$60,617.46**

Joseph Stroin, Chief Operating Officer approved invoice 3(g) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$60,617.46 to Hatch Mott MacDonald; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- h. **Invoice #20176 from Landscape Materials, Inc. for Contract #1043-0100 – Removal of Residuals in the amount of \$24,956.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$24,956.00 to Landscape Materials, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- i. **Invoice #87380-8717 from JBL Electric, Inc. for Contract #1081 – Electrical Contracting Services in the amount of \$2,974.40**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,974.40 to JBL Electric, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- j. **Invoice #87380-8782 from JBL Electric, Inc. for Contract #1081 – Electrical Contracting Services in the amount of \$2,789.18**

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 \$2,789.18 to JBL Electric, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- k. **Invoice #87380-8783 from JBL Electric, Inc. for Contract #1081 – Electrical Contracting Services in the amount of \$5,995.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$5,995.00 to JBL Electric, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

l. Invoice #3001408 from Wilmington Trust for Trustee Fee 2015 Series A & B Bonds Annual Service in the amount of \$9,500.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$9,500.00 to Wilmington Trust; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

m. Invoice #3001408 from the BNY Mellon for 2009 Revenue Refunding Bonds Annual Fee in the amount of \$3,850.00

Michael Broncatello, Comptroller approved invoice 3 (m) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,850.00 to BNY Mellon; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

n. Invoice #193181 from Premier Utility Services for Contract #1013 – Underground Locating in the amount of \$3,534.90

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,534.90 to Premier Utility Services; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

o. Invoice #WBXB2200-003-JN-01 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$20,220.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$20,220.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

p. Invoice #WBXB2200-004-JN-01 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$31,305.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$31,305.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

q. Invoice #WBXB2200-007-JN-03 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$570.00

Ed Newman, Construction Manager approved invoice 3(q) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$570.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- r. Invoice #WBXB2200-012-JN-03 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$650.00**

Edwin Reyes, Project Engineer approved invoice 3(r) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$650.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- s. Invoice #WBXB2200-999-JN-03 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$3,245.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,245.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- t. Invoice #WBXB2200-017-JN-01 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$2,620.00**

Maria Alliegro, Director of Engineering approved invoice 3(t) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,620.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

- u. Invoice #19765 from Public Strategies Impact LLC – Community/Media Relations Consulting in the amount of \$4,250.00**

Todd Caliguire, Executive Director approved invoice 3(u) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$4,250.00 to Public Strategies Impact LLC; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Approving the Reallocation of the 2016 Wanaque South Operating Budget

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT
WATER SUPPLY COMMISSION
APPROVING THE REALLOCATION OF THE
2016 WANAQUE SOUTH 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 2016 Wanaque South 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 2016 Wanaque South Operating Budget in order to address the immediate funding concerns; and

WHEREAS, the Commission's staff has prepared a 2016 Wanaque South 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 2016 Wanaque South Operating Budget Reallocation List.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the 2016 Wanaque South 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 2016 Wanaque South 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.

Vice Chairman Orechio offered a motion to adopt the resolution approving the reallocation of the 2016 Wanaque South Operating Budget; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Authorizing Change Order No. 2 to Contract #1057 for the Provision of Consulting Engineering Services for Work Associated with Commission-Owned Dams

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING CHANGE ORDER NO. 2
TO CONTRACT #1057 FOR THE PROVISION OF CONSULTING
ENGINEERING SERVICES FOR WORK ASSOCIATED WITH COMMISSION-
OWNED DAMS**

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 had previously determined that it was necessary to retain a professional engineering firm to conduct formal dam inspections of the Wanaque Reservoir dams, the Monksville Dam, the Pompton Lake Dam with flood control facilities, and the Post Brook masonry dam above the Wanaque Reservoir, in accordance with N.J.A.C. 7:20, and to review existing dam instrumentation (the "Dam Inspection Services"); and

WHEREAS, on or about June 19, 2014, the Commission publicly advertised a request for qualifications and proposals for Dam Inspection Services, referenced as RFQ/RFP #005-2014; and

WHEREAS, on or about September 24, 2014, the Commission adopted a resolution awarding GZA GeoEnvironmental, Inc. ("GZA") a contract (Contract #1057) for the provision of Dam Inspection Services; and

WHEREAS, GZA subsequently inspected the Commission's dams and recommended that the Commission undertake an additional inspection of the upstream faces of Green Swamp Dams #2 and #4 to determine the condition of the existing shotcrete overlay, and determine options for rehabilitation, if necessary, and to update and revise the current stability analysis of the Monksville Dam;

WHEREAS, at the request of the Commission, on or about September 11, 2015, GZA submitted a Change Order to Contract #1057 requesting approval to modify the scope of work set forth in Contract #1057 so as to incorporate an evaluation of the upstream faces at Green Swamp Dams #2 and #4 and performance of a stability analysis for the Monksville Dam; and

WHEREAS, on or about September 23, 2015, the Board of Commissioners adopted a resolution approving GZA's request for Change Order No. 1 to Contract #1057; and

WHEREAS, GZA subsequently performed a stability analysis for the Monksville Dam and, on May 22, 2016, presented, *inter alia*, the results of the analysis to the New Jersey Department of Environmental Inspection ("NJDEP"); and

WHEREAS, upon review of the results of the stability analysis on the Monksville Dam, the NJDEP directed the Commission to update the original hydrologic and hydraulic design analysis ("H&H Study") of the Monksville Dam to develop a revised possible maximum flood ("PMF") elevation and determine whether the hydraulic capacity of the Monksville Dam meets currently accepted standards and practices; and

WHEREAS, the NJDEP will not accept the results of the stability analysis on the Monksville Dam until the original H&H Study is updated; and

WHEREAS, GZA has submitted a proposal in the form of Change Order No. 2 to update the H&H Study and develop a revised PMF elevation, for a not-to-exceed, lump sum amount of \$50,500.00, in addition to the previously approved total contract award of \$70,300.00; and

WHEREAS, the Commission has examined GZA's requested Change Order No. 2, and has determined that the services and fees set forth therein are reasonable, necessary and appropriate, and has decided to authorize the same; and

WHEREAS, the award of this Change Order No. 2 to Contract #1057 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. 2 to Contract #1057.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Change Order No. 2 to Contract #1057 with GZA is hereby approved in the not-to-exceed, lump sum amount of \$50,500.00 for updating the H&H Study and developing a revised PMF elevation; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a Change Order No. 2 to Contract #1057 in the amount of \$50,500.00 for updating the H&H Study and developing a revised PMF elevation, with all other terms and conditions of Contract #1057 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. 2 to Contract #1057 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. 2 to Contract #1057 for the provision of consulting engineering services for work associated with Commission-owned dams; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Awarding Contract #1098 to Polydyne, Inc. for the Furnishing and Delivery of Liquid Cationic Polymer for a Two Year Term

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AWARDING CONTRACT #1098 TO POLYDYNE, INC. FOR
THE FURNISHING AND DELIVERY OF LIQUID CATIONIC POLYMER FOR
A TWO YEAR TERM**

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 there is a need to procure liquid cationic polymer to be used in the treatment and provision of potable water at the Treatment Plant and/or the Residuals Treatment Facility; and

WHEREAS, the Commission is empowered by law to purchase chemicals and such other products as it may determine are necessary for its efficient operation; and

WHEREAS, the Commission has been empowered pursuant to its enabling legislation – specifically N.J.S.A. 58:5-20 – to solicit bids in writing and award contracts after public advertisement; and

WHEREAS, on or about July 7, 2016, the Commission publicly advertised and solicited bids, referenced as Contract #1098, for the furnishing and delivery of liquid cationic polymer for a two (2) year term with the option of renewing the contract for up to two (2) consecutive, one-year terms under the same conditions of the original contract; and

WHEREAS, on or about August 11, 2016, in response to the Commission's public advertisement, the Commission received three (3) bids for the provision of furnishing and delivering cationic liquid polymer; and

WHEREAS, the Commission's evaluation committee has reviewed the three (3) bids and determined that Polydyne, Inc. submitted the lowest, responsible and responsive bid, based upon the criteria set forth in Contract #1098, and has recommended that Polydyne, Inc. be awarded the contract, in accordance with the Commission's enabling legislation and applicable State law, as the lowest, responsible and responsive bidder; and

WHEREAS, Polydyne, Inc. proposed a contract price of \$6.663 per gallon for the furnishing and delivery of liquid cationic polymer, and the Commission has determined that the price is reasonable; and

WHEREAS, Polydyne, Inc. possesses the requisite expertise and capability to provide the liquid cationic polymer as specified in its bid documents; and

WHEREAS, the Commission desires to retain the services of Polydyne, Inc. to provide the liquid cationic polymer in accordance with Contract #1098 and Polydyne, Inc.'s 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 be awarded to Polydyne Inc. as the lowest, responsible and responsive bidder in accordance with the Commission's enabling legislation and applicable State law, at a set rate of \$6.663 per gallon for the furnishing and delivery of liquid cationic polymer for a two (2) year term with the option of renewing the contract for up to two (2) consecutive, one-year terms under the same conditions of the original contract; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the furnishing and delivering of liquid cationic polymer, incorporating the Commission's requirements as set forth in Contract #1098, and the bid submitted by Polydyne, Inc.; 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 #1098 to Polydyne, Inc. for the furnishing and delivery of liquid cationic polymer for a two year term; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Authorizing Change Order No. 1 to Contract #1037 for the Performance of Engineering Services at Commission-Owned Dams

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING CHANGE ORDER NO. 1 TO CONTRACT
#1037 FOR THE PERFORMANCE OF ENGINEERING SERVICES AT
COMMISSION-OWNED DAMS**

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 the services of a consulting engineering firm with experience in inspecting and evaluating large High Hazard Class 1 dams ("Engineering Services"); and

WHEREAS, the Commission previously publicly advertised and issued a request for qualifications and proposals ("RFQ/RFP #005-2013) for the performance of Engineering Services on May 15, 2013; and

WHEREAS, O'Brien & Gere Engineers, Inc. ("O'Brien & Gere") responded to the RFP/RFQ #005-2013 and proposed a contract price not to exceed \$364,000.00 for the performance of the Engineering Services; and

WHEREAS, the Commission adopted a Resolution on July 24, 2013 awarding O'Brien & Gere a Contract ("Contract #1037") for the performance of the Engineering Services; and

WHEREAS, O'Brien & Gere performed and completed a formal dam inspection for the Commission under a separate contract and presented its findings to the Commission in 2011 (the "2011 Findings"); and

WHEREAS, the Commission is desirous of having O'Brien & Gere present the 2011 Findings to a Technical Review Board, consisting of three (3) dam experts ("Additional Task"); and

WHEREAS, the presentation will also address two (2) of the tasks performed under Contract #1037, and therefore, the Commission believes it is necessary and cost-effective for O'Brien & Gere to perform the Additional Task; and

WHEREAS, O'Brien & Gere has requested additional payment of \$5,500.00 to perform the Additional Task ("Change Order No. 1"); and

WHEREAS, the Commission's engineering staff has evaluated the scope of work and proposed cost for Change Order No. 1 to Contract #1037 and determined that the services and fees set forth therein are reasonable and appropriate and recommended that the Commission approve the Change Order; and

WHEREAS, based on the foregoing, the Commission has determined that it is necessary and appropriate to authorize Change Order No. 1 to Contract #1037 and direct O'Brien & Gere to present the 2011 Findings to the Technical Review Board for a not to exceed amount of \$5,500.00; and

WHEREAS, the award of this Change Order No. 1 to Contract #1037 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 Change Order No. 1 to Contract #1037.

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 #1037 with O'Brien & Gere Engineers, Inc. is hereby approved in the not to exceed amount of \$5,500.00 for the Additional Task; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Change Order No. 1 to Contract #1037 in the not to exceed amount of 5,500.00 for the Additional Task; 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 #1037 and the Secretary of the Commission is authorized to attest to the signature of either 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.

Vice Chairman Orechio offered a motion to adopt the resolution authorizing Change Order No. 1 to Contract #1037 for the performance of engineering services at Commission-owned dams; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Appointing an Affirmative Action Officer

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION APPOINTING AN AFFIRMATIVE ACTION OFFICER**

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 New Jersey Division of Equal Employment Opportunity/Affirmative Action (EEO/AA) (“Division”), a division of the State of New Jersey, requires that the Commission appoint an Affirmative Action Officer to administer the affirmative action requirements of the agency; and

WHEREAS, the Commission has determined that Daniel DeCepoli, Human Resource Manager, is the appropriate person at the Commission to serve as the Commission’s Affirmative Action Officer and that he possesses the necessary skills, experience and knowledge to serve as the Commission’s Affirmative Action Officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Daniel DeCepoli is hereby appointed to serve as the Commission’s Affirmative Action Officer.

Vice Chairman Orechio offered a motion to adopt the resolution appointing an affirmative action officer; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Conditionally Approving Change Order No. 1 to Contract #1060 with Stone Hill Contracting, Inc.

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION CONDITIONALLY APPROVING CHANGE ORDER NO. 1 TO
CONTRACT #1060 WITH STONE HILL CONTRACTING, INC.**

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 is a need to retain the services of a firm to plan, design and build certain upgrades to the Commission’s Wanaque South Pump Station (the “Project”); and

WHEREAS, on or about October 1, 2014, the Commission publicly advertised and issued a request for proposals (“RFP #001-2014”) for the provision of design/build services associated

with the upgrades and improvements to the Wanaque South Pump Station ("Project Services"), and subsequently issued Addendum #1 to RFP #001-2014 on October 30, 2014; and

WHEREAS, on or before November 19, 2014, the Commission received responsive bids to RFP #001-2014 from three firms; and

WHEREAS, the Commission's evaluation committee reviewed and evaluated the proposals and determined that Stone Hill Contracting, Inc. ("Stone Hill") submitted the most responsible and complying proposal for the performance of Project Services, based upon predetermined criteria set forth in the RFP #001-2014, and recommended that Stone Hill be awarded the contract in accordance with the Commission's enabling legislation and applicable State law as the most qualified proposer, considering its experience and pricing proposal; and

WHEREAS, on or about January 28, 2015, the Board of Commissioners adopted Resolution No. 1532 authorizing the retention of Stone Hill as the most qualified proposer to perform the Project Services and further authorizing the execution of a contract ("Contract #1060") with Stone Hill in an amount not to exceed \$6,872,386.00, all of the foregoing being subject to the prior approval and receipt of funding from the New Jersey Environmental Infrastructure Trust ("NJEIT") and the New Jersey Department of Environmental Protection ("NJDEP") (the "Initial Contract Award"); and

WHEREAS, subsequent to the Initial Contract Award, and while the Commission's application for final project approval and funding was pending before the NJEIT and the NJDEP, several of the Commission's existing pumps and related infrastructure at the Wanaque South Pump Station experienced serious and unforeseen mechanical issues; and

WHEREAS, the Commission's engineering staff evaluated said mechanical issues and determined that it was necessary to replace and modify certain components of the Wanaque South Pump Station in order to maintain the long-term integrity of the Commission's water supply system, and further determined that it was concomitantly necessary to modify the scope of work to be performed by Stone Hill; and

WHEREAS, at the request of the Commission, Stone Hill submitted three (3) supplemental proposals dated May 29, 2015, August 14, 2015 and September 8, 2015, in addition to Stone Hill's original proposals dated November 19, 2014, and December 5, 2014; and

WHEREAS, on or about October 14, 2015, the Board of Commissioners amended Resolution No. 1532 and authorized an increased contract award to Stone Hill in the amount of \$8,880,602.00 to provide for the modified scope of work required as a result of the unforeseen and serious mechanical issues associated with the Commission's existing pumps and infrastructure at the Wanaque South Pump Station; and

WHEREAS, during its performance of the Project Services, Stone Hill inspected the Commission's existing Ampgard contactors at the Wanaque South Pump Station, which were to be rehabilitated pursuant to Contract #1060, and determined that they were outdated and no longer serviceable, and recommended that the Commission replace the existing Ampgard contactors with new, updated contactors and install ProfiNet monitoring devices; and

WHEREAS, on July 28, 2016, Stone Hill submitted a proposal in the not-to-exceed amount of \$245,952.00 for the replacement of the six (6) existing Ampgard contactors with new, updated contactors and installation of ProfiNet monitoring devices after taking into account a credit to be given for the rehabilitation of the Ampgard contactors (the "Ampgard Services"); and

WHEREAS, the Commission's engineering staff has examined Stone Hill's proposal and determined that the services and fees set forth therein are reasonable, necessary and appropriate to ensure the continued operation of the Wanaque South Pump Station, and has recommended that the Commission approve Change Order No. 1 to Contract #1060; and

WHEREAS, the Commission has obtained a written commitment dated August 16, 2016, from SUEZ Water New Jersey, Inc., the co-owner of the Wanaque South Pump Station, guarantying payment of its fifty percent (50%) share of the costs for the Ampgard Services and the overall Project Services; and

WHEREAS, the award of this Change Order No. 1 to Contract #1060 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 Commission intends to obtain financing for Change Order No. 1 to Contract #1060 through the NJEIT and, unless the Commission opts to utilize its own funds for Change

Order No. 1, the approval of this change order is conditionally made subject to the review and approval of the NJDEP, the adoption of bond and/or note resolution(s) by the Commission, as the case may be, and the approval/issuance of funding by the NJEIT; and

WHEREAS, upon the final approval and receipt of funding from the NJEIT and the NJDEP, the Chief Financial Officer of the Commission will certify that the funds are available for this Change Order No. 1 to Contract #1060.

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 #1060 with Stone Hill is hereby conditionally approved in the not-to-exceed amount of \$245,952.00 for the replacement of the six (6) existing Ampgard contactors with new, updated contactors and installation of ProfiNet monitoring devices at the Wanaque South Pump Station; and

BE IT FURTHER RESOLVED, that the conditional approval of this Change Order No. 1 to Contract #1060 is subject to the review and approval of the NJDEP, the adoption of bond and/or note resolution(s) by the Commission, as the case may be, and the approval/issuance of funding by the NJEIT, unless the Commission opts to utilize its own funds for this change order; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a Change Order No. 1 to Contract #1060 in an amount not to exceed \$245,952.00 for the performance of the Ampgard Services, incorporating the Commission's requirements as set forth in RFP #001-2014 and any supplements thereof, the general and supplemental conditions to the contract, Stone Hill's proposal dated July 28, 2016, and all other contract documents, as are deemed appropriate in light of the Ampgard Services, including such terms and conditions that may be imposed by the NJEIT and NJDEP in connection with the Commission's application for financing; and

BE IT FURTHER RESOLVED that, unless the Commission's opts to utilize its own funds for the Ampgard Services, upon receipt of approval of the NJDEP, the adoption of bond and/or note resolution(s) by the Commission, as the case may be, and the approval/issuance of funding by the NJEIT, the Chairman or Vice Chairman of the Commission is hereby authorized to execute this Change Order No. 1 to Contract #1060 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.

Vice Chairman Orechio offered a motion to adopt the resolution conditionally approving Change Order No. 1 to Contract #1037 for the performance of engineering services at Commission-owned dams; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Personnel:

Upon the recommendation of Executive Director Todd Caliguire and Department Heads, Vice Chairman Orechio offered a motion to approve the promotion of Jose Pita, Treatment Plant Supervisor/Special Projects to Water Treatment Plant Supervisor/Residual Modeling & Special Projects subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Upon the recommendation of Executive Director Todd Caliguire and Department Heads, Vice Chairman Orechio offered a motion to approve the promotion of Joseph Giacchi, Union Chemical Treatment Operator to Union Water Treatment Operator subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Upon the recommendation of Executive Director Todd Caliguire and Department Heads, Vice Chairman Orechio offered a motion to approve the promotion of Michael Lawrence, Union Chemical Treatment Operator to Union Water Treatment Operator subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with

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

Upon the recommendation of Executive Director Todd Caliguire and Department Heads, Vice Chairman Orechio offered a motion to hire William O'Reilly, Acting Jr. Chemist, subject to all Commission policies and procedures; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, 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 \$9,844,414.38; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, 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 \$2,923,870.09; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, 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 \$603,374.79; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

There being no further business, Vice Chairman Orechio offered a motion to adjourn the meeting at 10:17 a.m.; seconded by Commissioner Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser, Burrell and Garofalo voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary