

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, OCTOBER 26, 2016

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, October 26, 2016 at 9:10 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

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

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

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

Commission Secretary Kim Diamond read the following resolution:

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

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

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

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

Vice Chairman Orechio offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative. The Public Meeting was recessed at 9:12 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 10:38 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

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

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

Vice Chairman Orechio offered a motion to approve the Purchase Requisitions over \$5000 Report for October 2016 in the amount of \$21,000.00 seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Commission Invoices:

a. Invoice #1083-8 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$22,174.20

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 \$22,174.20 to Stone Hill Construction; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

b. Invoice #1060-10 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$454,092.88

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$454,092.88 to Stone Hill Construction; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

c. Invoice #20178 from Landscape Materials, Inc. for Contract #1043-0100 – Removal of Residuals in the amount of \$21,896.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$21,896.00 to Landscape Materials, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

d. Invoice #54903 from DLB Associates Consulting Engineers PCNJ for Contract #1045 – Electrical Infrastructure Study in the amount of \$698.25

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$698.25 to DLB Associates Consulting Engineers PCNJ; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

e. Invoice #IV00239296 from Hatch Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$3,917.10

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,917.10 to Hatch Mott MacDonald; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

f. Invoice #ADV0276074 from SourceMedia LLC for Advertising in the “Bond Buyer” in the amount of \$5,759.40

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$5,759.40 to SourceMedia LLC; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

g. Invoice #3512 from Tuff’s Greens, LLC for Contract #1064 – Vegetation Management in the amount of \$66,000.00

Robert Barone, Manager and Robert Malone, Assistant Manager approved invoice 3(g) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$66,000.00 to Tuff’s Greens, LLC; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

h. Invoice #111-1701413 from BNY Mellon for Revenue Bonds Series 2015A Annual Service Fee in the amount of \$3,500.00

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

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

i. Invoice #111-1701414 from BNY Mellon for Revenue Bonds Series 2015B Annual Service Fee in the amount of \$2,500.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$2,500.00 to BNY Mellon; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

j. Invoice #WBXB2200-003-PN-05 Task #002 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$6,645.00

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$6,645.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- k. Invoice #WBXB2200-003-PN-05 Task #003 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$7,810.00**

Maria Alliegro, Director of Engineering and Paul Kearney, Manager approved invoice 3(k) for payment.

Vice Chairman Orechio offered a motion to approve payment in the amount of \$7,810.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- l. Invoice #WBXB2200-003-PN-05 Task #004 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$3,090.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$3,090.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- m. Invoice #WBXB2200-003-PN-05 Task #007 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$340.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$340.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- n. Invoice #WBXB2200-003-PN-05 Task #012 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$181.50**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$181.50 to Jacobs Engineering Group, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- o. Invoice #WBXB2200-003-PN-05 Task # 017 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$6,365.00**

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

Vice Chairman Orechio offered a motion to approve payment in the amount of \$6,365.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

- p. Invoice #WBXB2200-003-PN-05 Task #999 - 18 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$680.00**

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 \$680.00 to Jacobs Engineering Group, Inc.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Approving the Execution of Joint Funding Agreement No. 17ENNJ000000028 Between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION APPROVING THE EXECUTION OF JOINT FUNDING AGREEMENT NO. 17ENNJ000000028 BETWEEN U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR AND THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

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

WHEREAS, the Commission is the holder of certain permits (“Permits”) issued by the New Jersey Department of Environmental Protection (“NJDEP”) that allow it to pump water from both the Passaic River and Ramapo Rivers as needed; and

WHEREAS, as a condition of its Permits, the Commission is required to investigate and monitor the water resources in conjunction with the U.S. Geological Survey, United States Department of the Interior (“USGS”); and

WHEREAS, the Commission is in receipt of Joint Funding Agreement No. 17ENNJ000000028 (the “Agreement”) with the USGS for the purpose of: (1) continuing the investigation and monitoring of water resources, specifically, the operation and maintenance of two (2) continuous-record discharge gaging stations at 01384500 Ringwood Creek near Wanaque and 01387000 Wanaque River in Wanaque, which are key points in the Wanaque River basins; and (2) continuing the investigation and monitoring of the Wanaque South Project, Ramapo River at Pompton Lakes, recording hourly water temperature, pH, specific conductance, dissolved oxygen and dissolved oxygen percent saturation, two (2) surface water low-flow sites, and a stage-only gage station; and

WHEREAS, Agreement No. 17ENNJ000000028 states that the Commission will contribute the sum of \$184,820.00 to the USGS, for the term period of October 1, 2016 to September 30, 2017, to cover the cost of the necessary field and analytical work as set forth in the Agreement; and

WHEREAS, the Commission desires to approve the execution of the Agreement and authorize the payments in accordance therewith.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby approves the execution by the Executive Director of Joint Funding Agreement No. 17ENNJ000000028 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission effective October 1, 2016 to September 30, 2017; and

BE IT FURTHER RESOLVED, that the Commission authorizes the payment to the USGS in accordance with the terms of the Agreement; 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 execution of Joint Funding Agreement No. 17ENNJ000000028 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Resolution – Authorizing Change Order No. 4 to Contract #1045 with DLB Associates for Construction Administration Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING CHANGE ORDER NO. 4 TO CONTRACT #1045
WITH DLB ASSOCIATES FOR CONSTRUCTION ADMINISTRATOR SERVICES**

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

WHEREAS, the Commission previously determined there was a need to retain a qualified engineering firm to provide consulting engineering services for work associated with the Electrical Substation/Switchgear Infrastructure Reliability Study (the "Consulting Engineering Services"); and

WHEREAS, on or about Wednesday, August 6, 2013, the Commission publicly advertised and issued a request for qualifications and proposals referenced as RFQ/RFP #014-2013 for the provision of Consulting Engineering Services and received proposals from interested parties on or before October 1, 2013; and

WHEREAS, the Commission adopted a resolution on November 13, 2013 awarding DLB Associates ("DLB") a contract (Contract #1045) for the provision of Consulting Engineering Services; and

WHEREAS, pursuant to Contract #1045 and prior change orders approved by the Commission, DLB has provided the design specifications for two major projects that are currently in progress at the Commission's Low Lift Pump Station, i.e. the replacement of the Kinney Panel electrical distribution system and electrical upgrades to Pumps 3 & 4 (hereinafter the "Projects"). JBL Electric, Inc. has previously been awarded the contract(s) to perform the construction of the Projects; and

WHEREAS, because of the critical nature of the Low Lift Pump Station to the Commission's operations and the complex scheduling involved, the Commission has determined that it is necessary and advisable to retain the services of a Construction Administrator with electrical power distribution expertise to assist and advise the Commission staff on the construction of the Projects; and

WHEREAS, the Commission believes that DLB possesses the knowledge and expertise and is uniquely qualified to provide the necessary services as Construction Administrator, to the extent that DLB has performed all design services for the Projects, as well as a plant-wide condition assessment of the Commission's electrical distribution services pursuant to Contract #1045; and

WHEREAS, DLB is proposing to provide services as the Construction Administrator for the Projects for a contract price in the amount of Sixty Thousand (\$60,000.00) Dollars, which amount the Commission staff has determined is reasonable and appropriate; and

WHEREAS, based on the foregoing, the Commission has determined that it is necessary and appropriate to authorize Change Order No. 4 to Contract #1045 pursuant to which DLB shall provide services as the Construction Administrator for the Projects for the price of Sixty Thousand (\$60,000.00) Dollars; and

WHEREAS, the award of this Change Order No. 4 to Contract #1045 is necessary for the efficient operation of the Commission; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for this Change Order No. 4 to Contract #1045.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Change Order No. 4 to Contract #1045 is hereby approved in the amount of Sixty Thousand (\$60,000.00) Dollars for DLB to provide services as Construction Administrator in conjunction with the replacement of the Kinney Panel electrical distribution system and the electrical upgrades to Pumps 3 & 4 at the Commission's Low Lift Pump Station; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Change Order No. 4 to Contract #1045 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. 4 to Contract #1045 with DLB Associates for construction administration services; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Personnel:

Upon the recommendation of Executive Director Todd Caliguire and Department Heads, Vice Chairman Orechio offered a motion to hire James Giunta, Acting Union Distribution Mechanical Maintenance, subject to all Commission policies and procedures; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Upon the recommendation of Executive Director Todd Caliguire and Department Heads, Vice Chairman Orechio offered a motion to hire Patrick Walsh, Acting GFM, subject to all Commission policies and procedures; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Wanaque North Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Vice Chairman Orechio offered a motion to approve the Wanaque North Operating Account in the amount of \$3,987,563.12; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Wanaque South Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Vice Chairman Orechio offered a motion to approve the Wanaque South Operating Account in the amount of \$544,470.71; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Wanaque South Joint Venture Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Vice Chairman Orechio offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$2,216,673.53; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

There being no further business, Vice Chairman Orechio offered a motion to adjourn the meeting at 10:42 a.m.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser, Burrell and Garofalo voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary