

## NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

### PUBLIC COMMISSION MEETING

WEDNESDAY, OCTOBER 24, 2018

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, October 24, 2018 at 9:07 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Charles P. Shotmeyer, Vice Chairman Howard L. Burrell and Commissioners Alan S. Ashkinaze, Jerome P. Amedeo, and Donald C. Kuser were recorded present. Also present were Timothy J. Eustace, Executive Director, Todd R. Caliguire, Deputy Executive Director, John Wyciskala, Esq., Commission Counsel from the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC and Edmund Caulfield, Senior Counsel of the Governor's Authority Unit. Commissioner Robert C. Garofalo was 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. Commission Secretary Diamond advised that the provisions of the Open Public Meetings Act have been complied with as to the posting of notice in a public place reserved for such announcement and transmittal to the mass media for publication.

Commission Secretary Kim Diamond read the following resolution:

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

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

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

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

Commissioner Ashkinaze offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Kuser and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative. The Public Meeting was recessed at 9:09 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 10:06 a.m.

## PUBLIC COMMISSION BUSINESS

### ACTION REQUIRED:

Commissioner Kuser offered a motion to approve the Public Commission Meeting Minutes of September 26, 2018; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Commissioner Ashkinaze offered a motion to approve the Public Work Session Minutes of September 26, 2018; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Commissioner Ashkinaze offered a motion to approve the Purchase Requisitions over \$5000 Report for October 2018 in the amount of \$98,983.00; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Commission Invoices:**

- a. **Invoice #2022-07 from Alpine Painting & Sandblasting for Contract #2022 – Task #3-6 Filters, Surface Wash & Pipe Gallery in the amount of \$544,302.50**  
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(a) for payment.
- b. **Invoice #1060-24 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$67,900.00**  
Michael Dox, Plant Electrical Engineer and Edwin Reyes, Project Engineer approved invoice 3(b) for payment.
- c. **Various Invoices from Arcadis US, Inc. for Contract #1095 – Security Project Construction Oversight in the amount of \$17,025.19**  
Charles Billings, Director of IT and Edwin Reyes, Project Engineer approved invoice 3(c) for payment.
- d. **Invoice #301340 from USIC, LLC for Contract #2019 – Underground Locating in the amount of \$4,807.40**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(d) for payment.
- e. **Invoice #2017-14-2 from Paving Materials & Contracting, LLC for Contract #2012R – Milling and Paving of Raymond Dam Toe Road in the amount of \$3,969.25**  
James Stachura, Project Engineer and Ed Newman, Construction Manager approved invoice 3(e) for payment.
- f. **Invoice #2018-14-1 from Paving Materials & Contracting, LLC for Contract #2027 – Milling and Paving of Headworks, WSPS, RPS and Orechio Drive in the amount of \$166,225.97**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(f) for payment.
- g. **Various Invoices from GZA GeoEnvironmental, Inc. for Contract #1061 – Shooting Range Site Remediation in the amount of \$19,100.00**  
Maria Alliegro, Director of Engineering and Les Malyskyy approved invoice 3(g) for payment.
- h. **Invoice #201808031-62950A & 2018031-62951A from Wilmington Trust – Series 2006 Trustee Services in the amount of \$4,000.00**  
William Schaffner, Chief Financial Officer approved invoice 3(h) for payment.

**i. Invoice AUM-101589 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(i) for payment.

**j. Various Invoices #WBXB2200-PN-27 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services – Extension #1 – in the amount of \$11,262.46**

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

**k. Invoice #21266 from Landscape Materials, Inc. for Contract #1089A – Removal of Residuals in the amount of \$31,440.00**

David Kirkham, Director of Residuals Treatment Operations and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(k) for payment.

**l. Invoice #44474 from Philadelphia Gear/Timken Gears & Services, Inc. for Contract #1038 – Inspection, Evaluation & Repair/Build Low Lift Gearboxes in the amount of \$38,027.50**

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

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

**Resolution – Approving the Reallocation of a Portion of the \$10,715,000 Aggregate Principal Amount of Wanaque North Project Revenue Bonds, Series 2015A**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT  
WATER SUPPLY COMMISSION APPROVING THE  
REALLOCATION OF A PORTION OF THE \$10,715,000 AGGREGATE  
PRINCIPAL AMOUNT OF WANAQUE NORTH PROJECT REVENUE BONDS, SERIES 2015A**

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

**WHEREAS**, on August 25, 2015, the Commission issued \$10,715,000 aggregate principal amount of Wanaque North Project Revenue Bonds, Series 2015A (the “2015 North Bonds”) to finance the costs of various projects related to its Wanaque North Project; and

**WHEREAS**, the Commission has recently examined the proceeds of the 2015 North Bonds in order to address immediate funding concerns, and determined that there are capital projects with excess funds, and capital projects which are currently underfunded; and

**WHEREAS**, the Commission has determined that it is necessary to reallocate funds from the 2015 North Bonds in order to address the immediate funding concerns; and

**WHEREAS**, the Commission’s staff has prepared a 2015 North Bonds Reallocation List which would transfer the balances from capital projects with excess funds to capital projects that are currently underfunded, and the Commission desires to approve said Reallocation List.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the 2015 North Bonds Reallocation List prepared by and on behalf of the Commission, a copy of which is attached hereto as Exhibit A, is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Executive Director is authorized to implement the transfer of funds as indicated on the 2015 North Bonds Reallocation List; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Ashkinaze offered a motion to adopt the resolution approving the reallocation of a portion of the \$10,715,000 aggregate principal amount of Wanaque North Project revenue bonds, series 2015A; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Approving the Reallocation of a Portion of the \$4,155,000 Aggregate Principal Amount of Wanaque South Project Revenue Bonds, Series 2015A (Tax-Exempt) and \$1,605,000 Aggregate Principal Amount of Wanaque South Project Revenue Bonds, Series 2015B (Taxable)**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT  
WATER SUPPLY COMMISSION APPROVING THE REALLOCATION OF  
A PORTION OF THE \$4,155,000 AGGREGATE PRINCIPAL AMOUNT OF  
WANAQUE SOUTH PROJECT REVENUE BONDS, SERIES 2015A (TAX-EXEMPT) AND  
\$1,605,000 AGGREGATE PRINCIPAL AMOUNT OF WANAQUE SOUTH PROJECT  
REVENUE BONDS, SERIES 2015B (TAXABLE)**

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

**WHEREAS**, on August 25, 2015, the Commission issued \$4,155,000 aggregate principal amount of Wanaque South Project Revenue Bonds, Series 2015A (Tax-Exempt) and \$1,605,000 aggregate principal amount of Wanaque South Project Revenue Bonds, Series 2015B (Taxable) (collectively, the “2015 South Bonds”) to finance the costs of various projects related to its Wanaque South Project; and

**WHEREAS**, the Commission has recently examined the proceeds of the 2015 South Bonds in order to address immediate funding concerns, and determined that there are capital projects with excess funds, and capital projects which are currently underfunded; and

**WHEREAS**, the Commission has determined that it is necessary to reallocate funds from the 2015 South Bonds in order to address the immediate funding concerns; and

**WHEREAS**, the Commission’s staff has prepared a 2015 South Bonds Reallocation List which would transfer the balances from capital projects with excess funds to capital projects that are currently underfunded, and the Commission desires to approve said Reallocation List.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the 2015 South Bonds Reallocation List prepared by and on behalf of the Commission, a copy of which is attached hereto as Exhibit A, is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Executive Director is authorized to implement the transfer of funds as indicated on the 2015 South Bonds Reallocation List; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Ashkinaze offered a motion to adopt the resolution approving the reallocation of a portion of the \$4,155,000 aggregate principal amount of Wanaque South Project revenue bonds, series 2015A (tax-exempt) and \$1,605,000 aggregate principal amount of Wanaque South Project revenue bonds, series 2015B (taxable); seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – 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 ACCOUNTS 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’s Chief Financial Officer has determined that there are not sufficient funds available in the General Capital Account to pay for certain projects (Painting of Filter Bay Roof and Piping, and Asset Management Study), and funds need to be transferred from the Capital Reserve Accounts to pay for the projects.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the transfer of \$725,000.00 from the Commission’s Capital Reserve Accounts (\$479,950.00 from the Wanaque North account and \$245,050.00 from the Wanaque South account) to the General Capital Account 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 accounts to the general capital account; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Authorizing the Award and Execution of Contract #2031 – Sodium Hypochlorite Tanks Enclosure**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF  
CONTRACT #2031-SODIUM HYPOCHLORITE TANKS ENCLOSURE**

**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 stores its sodium hypochlorite disinfectant in four (4) tanks; and

**WHEREAS,** the Commission’s operations staff recommended that the Commission put out a public bid for the construction of a steel enclosure to house the Commission’s sodium hypochlorite tanks; and

**WHEREAS,** the Commission published a request for bids for the excavation of four (4) new concrete footings, formwork, placement of steel reinforcement and concrete to support a new steel enclosure to house the existing sodium hypochlorite tanks (Contract #2031), and the bid documentation also requested that each bidder provide an additional price for the erection of a steel enclosure building (the “Construction Services”); and

**WHEREAS,** a bid opening for Contract #2031 was held by the Commission on October 4, 2018, at which time bids were received from three firms; and

**WHEREAS,** the Commission’s evaluation committee reviewed and evaluated the bids and determined that Paving Materials & Contracting, LLC (“Paving Materials”) submitted the lowest and most responsible bids for both aspects of the Construction Services, and recommended that Paving Materials be awarded the contract in accordance with the Commission’s enabling legislation and applicable State law; and

**WHEREAS**, Paving Materials submitted a bid in the amount of \$34,608.00 for the concrete footings, formwork, placement of steel reinforcement and concrete to support the steel enclosure, and \$74,500.00 for the erection of a steel enclosure building, for a total not-to-exceed contract amount of \$109,108.00, and 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 services; and

**WHEREAS**, the Commission desires to retain the services of Paving Materials in accordance with the bid documents, Contract #2031, 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 Contract #2031.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract for the Construction Services be awarded to Paving Materials as the lowest and most responsible bidder, in accordance with the Commission's enabling legislation and applicable State law, for the not-to-exceed amount of \$109,108.00; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the Construction Services, incorporating the Commission's requirements as set forth in the bid documents, Contract #2031, 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 #20131 – sodium hypochlorite tank enclosures; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Authorizing the Award and Execution of a Contract for Consulting Engineering Services for Work Associated with an Asset Management Study**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A  
CONTRACT FOR CONSULTING ENGINEERING SERVICES FOR WORK  
ASSOCIATED WITH AN ASSET MANAGEMENT STUDY**

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

**WHEREAS**, on July 21, 2017, the New Jersey legislature adopted the Water Quality Accountability Act (the "WQAA"), N.J.S.A. 58:31-1 et seq., establishing new requirements for purveyors of public water systems to improve the safety, reliability and administrative oversight of water infrastructure; and

**WHEREAS**, among other things, the WQAA requires certain water purveyors to create and implement an asset management plan to inspect, maintain, repair and renew its infrastructure consistent with standards established by the American Water Works Association; and

**WHEREAS**, the provisions of the WQAA do not apply to the Commission, nevertheless the Commission believes that it is in its best interest to voluntarily follow certain of the guidelines and technical requirements of the WQAA in order to improve the safety, reliability and oversight of the Commission's infrastructure; and

**WHEREAS**, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

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

**WHEREAS**, on or about July 12, 2018, the Commission publicly advertised a request for proposals for the provision of consulting engineering services associated with an asset management study ("Engineering Services") in accordance with the general requirements of the WQAA (RFP #002-2018), and subsequently received several proposals from interested engineering firms on or before September 5, 2018; and

**WHEREAS**, on September 28, 2018 and October 9, 2018, the Commission's evaluation committee reviewed and evaluated the proposals and determined that Jacobs Engineering Group, Inc. ("Jacobs") submitted the most qualified, responsible, and responsive proposal for the Engineering Services, and has recommended that Jacobs be awarded a contract in accordance with the Commission's enabling legislation and applicable State law as the most qualified, responsible, and responsible proposer; and

**WHEREAS**, Jacobs proposed a not-to-exceed contract price of \$715,000.00 for the performance of the Engineering Services, and the Commission has determined that the price is reasonable based on the necessary scope of work; and

**WHEREAS**, the Commission has determined that Jacobs possesses the requisite expertise and skilled personnel to perform the Engineering Services; and

**WHEREAS**, the Commission has determined, on the basis of the foregoing, that Jacobs constitutes the most qualified, responsive, and responsible proposer for the performance of the Engineering Services in accordance with the Commission's enabling legislation and applicable State law; and

**WHEREAS**, the Commission desires to retain the services of Jacobs to perform the Engineering Services in accordance with the general requirements of the WQAA, the Commission's requirements as set forth in RFP #002-2018, and the proposal submitted by Jacobs; 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 in response to RFP #002-2018 to Jacobs as the most qualified, responsive, and responsible proposer in accordance with the Commission's enabling legislation and applicable State law, for an amount not to exceed \$715,000.00, for the performance of the Engineering Services; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of the Engineering Services, incorporating the general requirements of the WQAA, the Commission's requirements as set forth RFP #002-2018, and the proposal submitted by Jacobs; 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 a contract for consulting engineering services for work associated with an asset management study; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Extending Contract #2014 for the Provision of Contractor Services for Work Associated with Vegetation Management**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION EXTENDING CONTRACT #2014 FOR THE PROVISION OF  
CONTRACTOR SERVICES FOR WORK ASSOCIATED WITH VEGETATION  
MANAGEMENT**

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

**WHEREAS**, the Commission has determined there is a need to retain the services of a licensed contractor to perform services for work associated with vegetation management (the “Contractor Services”); and

**WHEREAS**, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

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

**WHEREAS**, on or about March 28, 2017, the Commission publicly advertised a request for proposals for the provision of Contractor Services (“RFP #002-2017”); and

**WHEREAS**, on or about April 12, 2017, the Commission received one (1) proposal for the provision of Contractor Services from Tuff Greens, LLC (“Tuff Greens”) for a lump sum amount of \$71,770.00 per year; and

**WHEREAS**, on April 26, 2017, the Commission awarded Contract #2014 to Tuff Greens for the provision of the Contractor Services for an initial term of one (1) year, with the Commission maintaining the right to extend Contract #2014, in its sole discretion, for up to two (2) consecutive one (1) year terms; and

**WHEREAS**, the Commission desires to exercise its right to extend the term of Contract #2014 for an additional one year period as provided in the contract, including without limitation the annual contract price of \$71,770.00 for the provision of Contractor Services; and

**WHEREAS**, the extension of this contract is necessary for 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 Contract #2014 with Tuff Greens be extended for an additional one-year period for an amount not to exceed \$71,770.00 for the provision of the Contractor Services; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare an amendment extending Contract #2014 for an additional year; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such an amendment 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 extending Contract #2014 for the provision of contractor services for work associated with vegetation management; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Authorizing the Award and Execution of a Contract for Provision of Insurance Broker Services: Risk Management**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION  
AUTHORIZING THE AWARD AND EXECUTION OF A CONTRACT FOR THE PROVISION OF  
INSURANCE BROKER SERVICES: RISK MANAGEMENT**

**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 an insurance broker to assist the Commission with its risk management insurance needs for a two-year term (the "Insurance Brokerage Services"); and

**WHEREAS**, on or about August 15, 2019, the Commission publicly advertised and issued a request for qualifications and proposals ("RFP #006-2018) for the provision of Insurance Brokerage Services and received proposals from interested parties on or before September 7, 2018; and

**WHEREAS**, the Commission's evaluation committee reviewed and evaluated the four (4) proposals that were submitted and determined that USI Insurance Services ("USI") submitted the most qualified, responsible, and responsive proposal for the Insurance Brokerage Services, and has recommended that USI be awarded a contract in accordance with the Commission's enabling legislation and applicable State law as the most qualified, responsible, and responsible proposer; and

**WHEREAS**, USI proposed a not-to-exceed contract price of \$40,000.00 per year for the performance of the Insurance Brokerage Services, and the Commission has determined that the price is reasonable based on the necessary scope of work; and

**WHEREAS**, the term of the contract shall be for two years, with the right of the Commission, in its sole discretion, to extend the contract for up to two (2) consecutive one-year terms pursuant to the same contractual price and terms; and

**WHEREAS**, the Commission has determined that USI possesses the requisite expertise and skilled personnel to perform the Insurance Brokerage Services; and

**WHEREAS**, the Commission has determined, on the basis of the foregoing, that USI constitutes the most qualified, responsive, and responsible proposer for the performance of the Insurance Brokerage Services in accordance with the Commission's enabling legislation and applicable State law; and

**WHEREAS**, the Commission desires to retain the services of USI to perform the Insurance Brokerage Services, in accordance with the requirements as set forth in RFP #006-2018 and the proposal submitted by USI for a two-year term; 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 USI, in accordance with the Commission's enabling legislation and applicable State law, for a two (2) year term in an amount not to exceed \$40,000.00 per year for the performance of the Insurance Brokerage Services, with a right to further extend the contract for up to two (2) consecutive one-year periods subject to the same contract terms; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of the Insurance Brokerage Services, incorporating the Commission's requirements as set forth RFP #006-2018, and the proposal submitted by USI; 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 a contract for provision of insurance broker services: risk management; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Authorizing the Emergency Replacement of Sodium Hypochlorite Tanks**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING THE EMERGENCY REPLACEMENT OF  
SODIUM HYPOCHLORITE TANKS**

**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 stores its sodium hypochlorite disinfectant in four (4) tanks and, due to the hazardous properties of this water treatment chemical, tests the integrity of the tanks every five (5) years in accordance with New Jersey Department of Environmental Protection ("NJDEP") standards; and

**WHEREAS**, as a result of the integrity testing initially performed on two (2) of the sodium hypochlorite tanks, it was discovered that the protective resin on the inside of both tanks has significantly degraded and requires immediate repair; and

**WHEREAS**, Commission staff anticipate that similar problems may exist on the remaining two (2) sodium hypochlorite tanks; and

**WHEREAS**, the Commission's operations staff had recommended that the Commission immediately proceed with the repair of the degraded sodium hypochlorite tanks and that such repair work be immediately undertaken as an emergency procurement given the necessity of continuously applying sodium hypochlorite during the water treatment process and the compromised condition of at least (2) and possibly all four (4); and

**WHEREAS**, by way of Resolution #1792, the Commission authorized the retention of Ryan Herco Flow Solutions ("Ryan") to undertake the necessary repairs to all four (4) tanks, at an initial cost of \$20,000.00 per tank, subject to price increases on a time and material basis depending upon further inspection and investigation once the tank work commences and the levels of degradation ultimately discovered; and

**WHEREAS**, upon further inspection, Ryan concluded, in consultation with the Commission's engineering department, that the degradation inside the two (2) tanks was significantly greater than originally anticipated, resulting in an expected cost of approximately \$63,200.00, plus potential additional cost overruns; and

**WHEREAS**, based on the age and make-up of the existing tanks, Ryan further concluded that these repairs may yield only an additional two to three years of operation before these tanks begin to degrade again; and

**WHEREAS**, as a result of the foregoing, Commission staff requested a proposal from Ryan for the replacement of the tanks in lieu of making repairs that may yield a limited return; and

**WHEREAS**, Ryan provided a price quote of approximately \$84,000.00 for the provision of two (2), new high-density polyethylene hypochlorite tanks ("HDPE Tanks"), including shipping, and the cost of rigging and crane charges relating to the installation of the two (2) tanks should be approximately \$10,000.00 for a total of \$94,000.00; and

**WHEREAS**, the HDPE Tanks have a normal life expectancy of ten (10) years, and come with a manufacturer's five (5) year warranty; and

**WHEREAS**, after review of the information available, and considering the cost of replacement of two (2) tanks at approximately \$63,000.00 with limitations on life expectancy versus an approximate cost of \$94,000.00 for the installation of two (2) new HDPE Tanks with a significantly greater life expectancy, Commission staff has recommended that the Commission proceed with the purchase and installation of the two (2) new HDPE Tanks, and possibly two (2) additional HDPE Tanks, if necessary, after the remaining two (2) sodium hypochlorite tanks are also inspected; 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 and Chief Financial Officer ("CFO") that an emergency exists; and

**WHEREAS**, based upon the recommendation of the Commission's operations staff, the Commission's Executive Director and CFO have determined that the internal damage to the sodium hypochlorite tanks constitutes an emergency warranting the immediate replacement of at least two (2) and possibly all four (4) sodium hypochlorite tanks without the necessity of engaging in public advertisement and bidding; and

**WHEREAS**, Commission staff have recommended that the Commission allocate \$188,000.00 for the emergency replacement of at least two (2) and possibly all (4) sodium hypochlorite tanks, including the cost of rigging and crane charges; and

**WHEREAS**, the Commission has reviewed Ryan's proposal and the recommendation of its staff and determined that a \$188,000.00 allocation for the emergency work is reasonable under the circumstances; 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 degradation of the sodium hypochlorite tanks constitutes an emergency warranting immediate action and replacement of the tanks with new HDPE Tanks 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 and CFO of the Commission in determining that an emergency exists; and

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby authorizes the retention of Ryan to provide up to four (4) new HDPE Tanks as an emergency, without public bidding, for an amount not to exceed \$168,000.00, and the additional expenditure of not to exceed \$20,000.00 for rigging and crane charges relating to the installation of the tanks; 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 emergency replacement of sodium hypochlorite tanks; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Approving the Execution of Joint Funding Agreement No. 19LJJFA28 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. 19LJJFA28 BETWEEN U.S. GEOLOGICAL SURVEY,  
UNITED STATES DEPARTMENT OF THE INTERIOR AND THE NORTH  
JERSEY DISTRICT WATER SUPPLY COMMISSION**

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**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 the 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. 19LJJFA28 (the “Agreement”) with the USGS for the purpose of: (1) continuing the investigation and monitoring the water resources, specifically the operation and maintenance of two (2) continuous-record discharge gaging stations at Ringwood Creek near Wanaque and Wanaque River in Wanaque, which are key points in the Wanaque River basins; (2) continuing the investigation and monitoring of the Passaic River near Two Bridges and Ramapo River at Pompton Lakes, recording hourly water temperature, pH, specific conductance, and dissolved oxygen percent saturation, and (3) two (2) surface water low-flow sites, and a stage-only gage station; and

**WHEREAS**, the Agreement states that the Commission will contribute the sum of \$186,860.00 to the USGS, for the period from October 1, 2018 to September 30, 2019, 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. 19LJJFA28 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission effective October 1, 2018 to September 30, 2019; 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.

Commissioner Ashkinaze offered a motion to adopt the resolution approving the execution of Joint Funding Agreement No. 19LJJFA28 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Authorizing Amendment No. 2 to Contract #2022**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING AMENDMENT NO. 2  
TO CONTRACT #2022**

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

**WHEREAS**, on or about April 11, 2017, the Commission publicly advertised and solicited proposals for the Services, which included the following six (6) tasks:

Task 1 - Washwater Tank Painting and Rehabilitation;

Task 2 - Surge Tank Painting and Rehabilitation;

Task 3 - Filters 1 through 10 Roof Steel Painting and Lighting (Filter Bays 1 through 13) and Misc. items;

Task 4 - Surface Wash and Washwater Pump Rooms Painting, and Drain Channel Piping;

Task 5 - Pipe Gallery Painting in area of Filters 1 through 10; and

Task 6 - Pipe Gallery Painting in area of Filters 11 through 13.

**WHEREAS**, on or about June 28, 2017, the Commission adopted a resolution awarding a contract to Alpine Painting & Sandblasting Contractors (“Alpine”) for Tasks 3-6 in the not-to-exceed amount of \$3,093,684.00 (“Contract 2022”); and

**WHEREAS**, during the performance of the Services, Commission engineering staff discovered additional deficiencies in the facilities located in the Washwater Pump Rooms, the Pipe Gallery, the Surface Wash Room, and the Filter Building, and recommended that the necessary repairs be undertaken in connection with Contract #2022; and

**WHEREAS**, at the request of the Commission, Alpine submitted a proposed Contract

Amendment No. 1 to perform the additional repair work in the amount of \$232,800.00; and

**WHEREAS**, Commission staff examined Alpine’s proposed Amendment No. 1 to Contract #2022 and determined that the services and fees set forth therein are reasonable, necessary and appropriate, and recommended that the Commission authorize said amendment; and

**WHEREAS**, on May 23, 2018, the Commission approved Amendment No. 1 to Contract #2022; and

**WHEREAS**, during the course of work pursuant to Amendment No. 1 to Contract #2022, it was determined that additional work is necessary in the area of the Filter Bays, including the caulking, painting of door hardware, replacement of all tread supporting electrical conduits, and painting of concrete walls (collectively “Painting of Filter Bays”); and

**WHEREAS**, Alpine has provided a proposal to undertake the additional work at a cost of \$385,947.00; and

**WHEREAS**, the Commission has determined that it is necessary and appropriate that Alpine undertake this necessary work in conjunction with its ongoing contract services, and that the costs are reasonable under the circumstances; and

**WHEREAS**, the Commission and Alpine desire to enter into Amendment No. 2 to Contract #2022 for the provision of the Painting of Filter Bays; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds are available for this Amendment No. 2 to Contract #2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that Amendment No. 2 to Contract #2022 with Alpine be and is hereby approved in the not-to-exceed amount of \$385,947.00; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare an Amendment No. 2 to Contract #2022 in the amount of \$385,947.00 to perform the Painting of Filter Bays as outlined herein and in the Alpine proposal; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Amendment No. 2 to Contract #2022 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 and Amendment No. 2 to Contract #2022 shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing Amendment No. 2 to Contract #2022; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Authorizing Emergency Work Associated with the Jackson Avenue and Newark-Pompton Turnpike (NPT) Joint Leak Repair**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING EMERGENCY WORK ASSOCIATED WITH  
THE JACKSON AVENUE AND NEWARK-POMPTON  
TURNPIKE (NPT) JOINT LEAK REPAIR**

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

participating municipalities; and

**WHEREAS**, on August 30, 2018, the Commission's maintenance crew discovered a leak ("Jackson Avenue Leak") at the Jackson Avenue cross connection chamber in Wayne which was found to be spilling out onto the roadway; and

**WHEREAS**, in order to perform a repair of this leak, the Commission needs to isolate the west leg of the Wanaque North Aqueduct from the Jackson Avenue cross-connection to the Newark-Pompton Turnpike (NPT) cross-connection vault, in which are also located two (2) joint leaks which need to be addressed while this portion of the aqueduct is out of service (the "Joint Leaks"); and

**WHEREAS**, in light of the foregoing, the Commission's engineering staff recommended that the Commission immediately proceed to have the necessary repairs performed on an emergency basis; 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 and Chief Financial Officer ("CFO") that an emergency exists; and

**WHEREAS**, based upon the recommendation of the Commission's engineering staff, the Commission's Executive Director and CFO have determined that the Jackson Avenue Leak constitutes an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding and that the Joint Leaks should be addressed on the same basis since they must be repaired while that portion of the aqueduct is out of service to repair the Jackson Avenue Leak; and

**WHEREAS**, the Commission has obtained a quote on a time and materials basis for the emergency repairs from J. Fletcher Creamer & Son, Inc. ("Creamer"), a qualified firm experienced in the work necessary to expeditiously undertake these emergency repairs with respect to the Jackson Avenue Leak and the Joint Leaks; and

**WHEREAS**, the Commission has determined that Creamer's rates are reasonable under the circumstances; and

**WHEREAS**, the preliminary estimated cost of the necessary repairs is \$52,000.00; and

**WHEREAS**, the Commission has authorized Creamer to perform the necessary emergency repair work to the Jackson Avenue Leak and the Joint Leaks on a time and materials basis; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds will be 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 repairs of the Jackson Avenue Leak and the Joint Leaks constitute 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 and CFO of the Commission in determining that an emergency exists; and

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby authorizes the retention of Creamer to undertake the emergency repairs, without public bidding, on a time and materials basis; and

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

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing emergency work associated with the Jackson Avenue and Newark-Pompton Turnpike (NPT) Joint Leak Repair; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Authorizing Sole Source Contract Award for the Purchase of Metering Pumps and Actuators**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING SOLE SOURCE CONTRACT AWARDS FOR  
THE PURCHASE OF METERING PUMPS AND ACTUATORS**

**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 currently utilizes an array of actuators and metering pumps in its water treatment plant (the “Treatment Plant”);

**WHEREAS**, the Commission is seeking to standardize its use of actuators and metering pumps across the Treatment Plant for maintenance and economic efficiency; and

**WHEREAS**, it is in the Commission’s best interest to standardize the purchase and replacement of actuators and metering pumps in the Treatment Plant because it provides familiarity for operators and maintenance technicians in both routine and emergency situations, limits the amount of spare parts required in inventory, and improves Treatment Plant reliability; and

**WHEREAS**, Commission staff have evaluated and tested various brands of actuators and metering pumps, and recommended that the Commission utilize Rotork Controls, Inc. actuators (the “Actuators”) and Blue-White Industries Pro-Series metering pumps (the “Pumps”) as the standardized equipment for the Treatment Plant;

**WHEREAS**, the Commission has received confirmation that Technical Components Co. (“Technical”) is the exclusive distributor of the Actuators and Pyrzs Water Supply Co. (“Pyrzs”) is the exclusive distributor of the Pumps in New Jersey; and

**WHEREAS**, as a result of the foregoing, the Commission has determined that Technical and Pyrzs constitute sole source providers of the Actuators and Pumps, respectively; and

**WHEREAS**, the Commission desires to authorize the purchase of the Actuators and Pumps from Technical and Pyrzs, respectively, in an amount as may be deemed necessary by Commission staff in consideration of ongoing Treatment Plant requirements; and

**WHEREAS**, this sole source award is necessary for the Commission’s efficient water treatment and delivery 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 will certify that the funds are available prior to any necessary purchases of the Actuators and Pumps.



**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that Technical and Pyrz be and are hereby designated the sole supplier of the Actuators and Pumps, respectively; and

**BE IT FURTHER RESOLVED** that Commission staff is authorized to purchase the Actuators and Pumps as may be required in light of ongoing Treatment Plant needs, provided that adequate funds are available for said purchases; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute any necessary contracts to facilitate said purchases and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or the Vice Chairman; and

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

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing sole source contract awards for the purchase of metering pumps and actuators; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Authorizing the Online Sale of Surplus Vehicles and Equipment**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING THE ONLINE SALE OF SURPLUS VEHICLES  
AND EQUIPMENT**

**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**, pursuant to the broad power conferred in N.J.S.A. 58:5-7, the Commission is empowered to dispose of all such property as may no longer be necessary for the uses and purposes for which the Commission was created; and

**WHEREAS**, the staff of the Commission has identified certain vehicles and equipment (Exhibit “A” attached) that are no longer necessary for the provision of potable water supplies to its member municipalities in accordance with its statutory responsibilities; and

**WHEREAS**, the Commission desires to dispose of such surplus vehicles and equipment pursuant to a publicly advertised process in order to obtain the fair market value for such vehicles and equipment for the benefit of its member municipalities; and

**WHEREAS**, the sale and disposition of such surplus vehicles and equipment is necessary for the Commission's efficient operations and the protection of its water supply facilities; and

**WHEREAS**, the Commission had previously authorized the sale of surplus vehicles and equipment through GovDeals, a state contract online government surplus auction website; and

**WHEREAS**, the Commission desires to sell the surplus vehicles and equipment identified on Exhibit A through GovDeals.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby approves and authorizes the sale and disposition of surplus vehicles and equipment identified on Exhibit A attached hereto through GovDeals as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with its terms and conditions.

(2) The sale will be conducted online and the address of the auction site is

govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9;  
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 online sale of surplus vehicles and equipment; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Resolution – Authorizing the Award and Execution of a Contract with McManimon, Scotland, & Baumann, LLC for the Provision of General Counsel Services**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A  
CONTRACT WITH MCMANIMON, SCOTLAND, & BAUMANN, LLC FOR  
THE PROVISION OF GENERAL COUNSEL 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**, the Commission has determined there is a need to retain the services of a qualified law firm to provide legal advice, representation, and assistance to the Commission in connection with general legal matters (the “General Counsel Services”); and

**WHEREAS**, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

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

**WHEREAS**, on or about July 25, 2018, the Commission publicly advertised and issued a request for proposals for the provision of General Counsel Services (RFP #003-2018) and received proposals from interested parties on or before August 30, 2018; and

**WHEREAS**, the Commission’s evaluation committee reviewed the proposals and determined that McManimon, Scotland, & Baumann, LLC (“MS&B”) submitted the most responsible and qualified proposal for the performance of General Counsel Services and recommended that MS&B be awarded a contract in accordance with the Commission’s enabling legislation and applicable State law as the most responsible and qualified proposer; and

**WHEREAS**, MS&B proposed to provide General Counsel Services at an hourly rate of \$175.00 for partners, \$150.00 for associates, and \$90.00 for paralegals, and the Commission has determined that the price is reasonable; and

**WHEREAS**, the Commission has determined, on the basis of the foregoing, that MS&B constitutes the most qualified and responsible proposer for the provision of General Counsel Services in accordance with the Commission’s enabling legislation and applicable State law; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds will be available for this Contract; and

**WHEREAS**, MS&B possesses the requisite expertise and skilled personnel required to provide General Counsel Services; and

**WHEREAS**, the Commission wishes to retain the services of MS&B to provide General Counsel Services in accordance with the Commission's RFP #003-2018 and MSB's proposal; and

**WHEREAS**, the award of the 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.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to MS&B as the most qualified and responsible proposer in accordance with the Commission's enabling legislation and applicable State law, at the hourly rates quoted in their proposal, for the provision of General Counsel Services; and

**BE IT FURTHER RESOLVED** that the Executive Director is hereby authorized to prepare a contract for the performance of General Counsel Services, incorporating the Commission's requirements as set forth in RFP #003-2018 and the proposal submitted by MS&B, for a two-year term with two (2) one-year extensions at the option of the Commission; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the 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 shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing the award and execution of a contract with McManimon, Scotland, & Baumann, LLC for the provision of general counsel services; seconded by Vice Chairman Burrell and approved with Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative. Chairman Shotmeyer abstained.

**Resolution – Authorizing the Award and Execution of a Contract with Kaufman Semeraro & Liebman LLP for the Provision of Special Real Estate Counsel Services**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A  
CONTRACT WITH KAUFMAN SEMERARO & LIEBMAN LLP FOR THE  
PROVISION OF SPECIAL REAL ESTATE COUNSEL 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**, the Commission has determined there is a need to retain the services of a qualified law firm to provide legal advice, representation, and assistance to the Commission in connection with special real estate matters (the "Real Estate Counsel Services"); and

**WHEREAS**, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

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

**WHEREAS**, on or about July 25, 2018, the Commission publicly advertised and issued a request for proposals for the provision of Real Estate Counsel Services (RFP #005-2018) and received proposals from interested parties on or before August 31, 2018; and

**WHEREAS**, the Commission's evaluation committee reviewed the proposals and determined that Kaufman Semeraro & Liebman LLP ("KS&L") submitted the most responsible and qualified proposal for the performance of Real Estate Counsel Services and recommended that KS&L be awarded a contract in accordance with the Commission's enabling legislation and applicable State law as the most responsible and qualified proposer; and

**WHEREAS**, KS&L proposed to provide Real Estate Counsel Services at an hourly rate of \$150.00 and the Commission has determined that the price is reasonable; and

**WHEREAS**, the Commission has determined, on the basis of the foregoing, that KS&L constitutes the most qualified and responsible proposer for the provision of Real Estate Counsel Services in accordance with the Commission's enabling legislation and applicable State law; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract; and

**WHEREAS**, KS&L possesses the requisite expertise and skilled personnel required to provide Real Estate Counsel Services; and

**WHEREAS**, the Commission wishes to retain the services of KS&L to provide Real Estate Counsel Services in accordance with the Commission's RFP #005-2018 and KS&L's proposal; and

**WHEREAS**, the award of the 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.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to KS&L as the most qualified and responsible proposer in accordance with the Commission's enabling legislation and applicable State law, at the hourly rate of \$150.00, for provision of Real Estate Counsel Services; and

**BE IT FURTHER RESOLVED** that the Executive Director is hereby authorized to prepare a contract for the performance of Real Estate Counsel Services, incorporating the Commission's requirements as set forth in RFP #005-2018 and the proposal submitted by KS&L, for a two-year term with two (2) one-year extensions at the option of the Commission; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the 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 shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing the award and execution of a contract with Kaufman Semeraro & Liebman LLP for the provision of special real estate counsel services; seconded by Vice Chairman Burrell and approved with Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative. Chairman Shotmeyer abstained.

**Resolution – Authorizing the Award and Execution of a Contract with DeCotiis, FitzPatrick, Cole & Giblin, LLP for the Provision of Special Labor and Employment Counsel Services**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A**

**CONTRACT WITH DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP FOR  
THE PROVISION OF SPECIAL LABOR AND EMPLOYMENT COUNSEL  
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**, the Commission has determined there is a need to retain the services of a qualified law firm to provide legal advice, representation, and assistance to the Commission in connection with labor and employment matters (the “Labor Counsel Services”); and

**WHEREAS**, the Commission is empowered by law to appoint and employ professionals, technical advisors and experts as the Commission may determine to be necessary for its efficient operation; and

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

**WHEREAS**, on or about August 26, 2018, the Commission publicly advertised and issued a request for proposals for the provision of Labor Counsel Services (RFP #008-2018) and received proposals from interested parties on or before August 31, 2018; and

**WHEREAS**, the Commission’s evaluation committee reviewed the proposals and determined that DeCotiis, FitzPatrick, Cole & Giblin, LLP (DFC&G) submitted the most responsible and qualified proposal for the performance of Labor Counsel Services and recommended that DFC&G be awarded a contract in accordance with the Commission’s enabling legislation and applicable State law as the most responsible and qualified proposer; and

**WHEREAS**, DFC&G proposed to provide the Labor Counsel Services at a blended rate of \$175.00, and the Commission has determined that the price is reasonable; and

**WHEREAS**, the Commission has determined, on the basis of the foregoing, that DFC&G constitutes the most qualified and responsible proposer for the contract in accordance with the Commission’s enabling legislation and applicable State law; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract; and

**WHEREAS**, DFC&G possesses the requisite expertise and skilled personnel required to perform Labor Counsel Services; and

**WHEREAS**, the Commission wishes to retain the services of DFC&G to perform Labor Counsel Services in accordance with the Commission’s RFP #008-2018 and DFC&G’s proposal; and

**WHEREAS**, the award of the 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.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract be awarded to DFC&G as the most qualified and responsible proposer in accordance with the Commission’s enabling legislation and applicable State law, at the hourly rates quoted in their proposal, for the provision of Labor Counsel Services; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of Labor Counsel Services, incorporating the

Commission's requirements as set forth in RFP #008-2018 and the proposal submitted by DFC&G, for a two-year term with two (2) one-year extensions at the option of the Commission; 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 shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing the award and execution of a contract with DeCotiis, FitzPatrick, Cole & Giblin, LLP for the provision of special labor and employment counsel services; seconded by Vice Chairman Burrell and approved with Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative. Chairman Shotmeyer abstained.

**Wanaque North Operating Account:**

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Ashkinaze offered a motion to approve the Wanaque North Operating Account in the amount of \$7,308,692.62; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Wanaque South Operating Account:**

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Ashkinaze offered a motion to approve the Wanaque South Operating Account in the amount of \$715,431.92; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

**Wanaque South Joint Venture Operating Account:**

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Ashkinaze offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$549,701.70; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 10:15 a.m.; seconded by Commissioner Amedeo and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative.

Respectfully submitted,

Kim Diamond  
Commission Secretary