

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

THURSDAY, APRIL 25, 2019

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Thursday, April 25, 2019 at 9:05 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Howard L. Burrell, Vice Chairman Charles P. Shotmeyer and Commissioners Alan S. Ashkinaze, Jerome P. Amedeo, Donald C. Kuser and Robert C. Garofalo were recorded present. Also present were Timothy J. Eustace, Executive Director, Todd R. Caliguire, Deputy Executive Director, William Schaffner, Chief Financial Officer, and Bhavini A. Doshi, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC. Craig Ambrose, Associate Counsel of the Governor's Authorities Unit participated via teleconference.

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

Chairman Burrell reconvened the Public Meeting at 10:02 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Commissioner Ashkinaze offered a motion to approve the Public Commission Meeting Minutes of February 27, 2019; seconded by Commissioner Amedeo and approved with Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative. Vice Chairman Shotmeyer and Commissioner Garofalo abstained.

Commissioner Ashkinaze offered a motion to approve the Public Work Session Minutes of February 27, 2019; seconded by Commissioner Amedeo and approved with Chairman Burrell and Commissioners Ashkinaze, Amedeo and Kuser voting in the affirmative. Vice Chairman Shotmeyer and Commissioner Garofalo abstained.

Commissioner Ashkinaze offered a motion to approve the Purchase Requisitions over \$5000 Report for April 2019 in the amount of \$191,416.78; seconded by Commissioner Amedeo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Commission Invoices:

- a. **Invoice #0961406 from Arcadis US, Inc. for Contract #1095 – Security Project Construction Oversight in the amount of \$1,374.71**
Charles Billings, Director of IT and Edwin Reyes, Project Engineer approved invoice 3(a) for payment.
- b. **Invoice #2022-12 from Alpine Painting & Sandblasting for Contract #2022 – Task #3-6 Filters, Surface Wash & Pipe Gallery in the amount of \$148,582.14**
Maria Alliegro, Director of Engineering and Edward Newman, Construction Manager approved invoice 3(b) for payment.
- c. **Various Invoices from Premier Services/USIC, LLC for Contract #2019 – Underground Locating in the amount of \$15,570.48**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(c) for payment.
- d. **Various Invoices 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(d) for payment.
- e. **Various Invoices 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(e) for payment.
- f. **Various Invoices from Landscape Materials, Inc. for Contract #2046 – Removal of Residuals in the amount of \$32,100.00**
David Kirkham, Director of Residuals Treatment Operations and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(f) for payment.
- g. **Invoice #IV00283042 from Mott MacDonald for Contract #1085 – WSPS Construction Administration in the amount of \$18.20**
Michael Dox, Plant Electrical Engineer and Edwin Reyes, Project Engineer approved invoice 3(g) for payment.
- h. **Various Invoices from J. Fletcher Creamer & Son, Inc. for JFC Job #00-2018-150 PAL Drive Wayne Aqueduct Repair in the amount of \$82,601.43**
Maria Alliegro, Director of Engineering and Les Malytskyy, Engineering Project Manager approved invoice 3(h) for payment.

i. Various Invoices from McPhee Electric (formerly JBL) for Contract #1092 – Electrical Contracting Services in the amount of \$225,828.90

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

j. Invoice #89920-0527 from McPhee Electric (formerly JBL) for Contract #1081 – Electrical Contracting Services in the amount of \$31,600.00

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

k. Various Invoices from Philadelphia Gear/Timken Gears & Services, Inc. for Contract #1038 – Inspection, Evaluation & Repair/Build Low Lift Gearboxes in the amount of \$127,782.50

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

l. Invoice #2007-09 from Allied Construction Group, Inc. for Contract #2007 – PAC Construction – Release Retainage in the amount \$9,342.26

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

m. Invoice #2028-01 from Systems Electronic, Inc. for Contract #2028 – Fire Alarm Upgrade in the amount of \$41,600.00

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

n. Various Invoices from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$119,356.61

Maria Alliegro, Director of Engineering, Michael Dox, Plant Electrical Engineer, Chris Clamser, Project Engineer, and Les Malytskyy, Engineering Project Manager approved invoice 3(n) for payment.

o. Various Invoices from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$63,937.50

Maria Alliegro, Director of Engineering, Michael Dox, Plant Electrical Engineer, Chris Clamser, Project Engineer, Edwin Reyes, Project Engineer, and Les Malytskyy, Engineering Project Manager approved invoice 3(o) for payment.

p. Invoice #111-1807873 from BNY Mellon – Trustee Fees – Series 2016 NJEIT Bond Anticipation Notes in the amount of \$2,500.00

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

q. Invoice #23442 from Public Strategies Impact LLC for Community/Media Relations Consulting in the amount of \$4,250.00

Tim Eustace, Executive Director approved invoice 3(q) for payment.

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

Resolution – Authorizing an Incentive Program for Employees to Obtain Certain Licenses for the Maintenance of the Commission’s Water Infrastructure and Facilities

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING AN INCENTIVE PROGRAM FOR
EMPLOYEES TO OBTAIN CERTAIN LICENSES FOR THE MAINTENANCE
OF THE COMMISSION’S WATER
INFRASTRUCTURE AND FACILITIES**

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

WHEREAS, the Commission’s water treatment, chemical and residual operators, lab chemists and distribution maintenance personnel, monitor, control and maintain the Commission’s water infrastructure and facilities; and

WHEREAS, their decision making in the face of changing water conditions and system parameters is critical to maintaining a sufficient flow of water to the Commission’s customers while meeting all requirements of the Safe Drinking Water Act and other environmental standards; and

WHEREAS, pursuant to regulations of the New Jersey Department of Environmental Protection (“NJDEP”), a series of licensing levels in three different categories, Treatment (T licenses), Distribution (W licenses), and Industrial Waste (N licenses), may be obtained by these personnel based on experience, and the successful completion of course training and licensing examinations; and

WHEREAS, the levels in each subject category range from level 1, the lowest, to level 4 the highest, and NJDEP regulations require that, given the size of the Commission’s water treatment plant, the Commission must maintain on staff at least one T-4 rated licensed operator, at least one T-1 rated licensee on duty 24/7, at least one W-4 licensee, and at least one N-2 licensee to oversee the residual treatment facility; and

WHEREAS, accordingly, it is in the interest of the Commission to encourage, through the provision of sufficient financial incentives, personnel working in the areas described above to further their training, and increase their licensing levels in all three licensing categories (the “Program”); and

WHEREAS, it is proposed that the following salary increments be awarded to personnel who participate in the Program with the approval of the Executive Director, and achieve advancement in any of the three (T, W, or N) licensing categories:

	Salary increase
License level 1	\$2,000
License level 2	\$3,000
License level 3	\$4,000
License level 4	\$5,000

WHEREAS, the Program shall not impact the ability of the Executive Director to make additional salaries adjustments for employees participating in the Program, or any employees of the Commission, whether or not they participate in the Program; and

WHEREAS, the Commission’s Executive Director shall retain the right to review the viability and success of the Program, including the Commission’s availability of funds for the Program, and retain the right to terminate the Program should it no longer be in the best interest of the Commission, as determined by the Executive Director, in his sole discretion.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the North Jersey District Water Supply Commission hereby approves implementation of the aforementioned Program; and

BE IT FURTHER RESOLVED that the Executive Director retains the right to review and terminate the Program in the future, as set forth above; 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 an incentive program for employees to obtain certain licenses for the maintenance of the Commission’s water infrastructure and facilities; seconded by Commissioner Amedeo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing a Sole Source Contract Award to Airmatic Compressor Systems Inc. for the Repair and Maintenance of the Commission’s Watershed Aeration Compressor

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD TO
AIRMATIC COMPRESSOR SYSTEMS INC. FOR THE REPAIR AND
MAINTENANCE OF THE COMMISSION’S WATERSHED AERATION
COMPRESSOR**

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, repair and maintenance of the Commission’s watershed aeration system (the “Aeration System”) is necessary because the Aeration System is an essential part of the Commission’s reservoir management, helping to maintain its raw water quality; and

WHEREAS, the required repairs and maintenance include certain repairs to the Aeration System compressor (the “Services”); and

WHEREAS, only Airmatic Compressor Systems Inc. (“Airmatic”) has the specific parts needed for the Services; and

WHEREAS, the Commission is in receipt of a proposal from Airmatic in the amount of \$23,314.58 for performance of the Services; and

WHEREAS, the cost of freight charges relating to the performance of the Services shall be in an amount not to exceed \$250.00; and

WHEREAS, as a result of the foregoing, the Commission has determined that Airmatic constitutes a sole source provider of the Services; and

WHEREAS, the award of a contract for the Services 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 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 Airmatic Compressor Systems Inc. for repair and maintenance of the Aeration System compressor, for a total contract amount of \$23,314.58 for the Services, plus a not to exceed amount of \$250.00 for freight charges; 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 Shotmeyer offered a motion to adopt the resolution authorizing a sole source contract award to Airmatic Compressor Systems Inc. for the repair and maintenance of the Commission’s watershed aeration compressor; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing a Contract with J. Fletcher Creamer & Son, Inc. to Continue Emergency Repair Work at Lime House Road

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING A CONTRACT WITH J. FLETCHER
CREAMER & SON, INC. TO COMPLETE EMERGENCY REPAIR WORK AT
LIME HOUSE ROAD**

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

WHEREAS, the Commission previously determined there was a need to retain a qualified contractor to provide services on an emergency basis to repair a leak in the Commission's pipeline at Lime House Road (the "Emergency Services"); and

WHEREAS, on or about April 25, 2018, the Commission adopted Resolution #1762 in the amount of \$128,000.00 authorizing the retention of J. Fletcher Creamer & Son, Inc. ("Creamer") on a time and materials basis to undertake the Emergency Services; and

WHEREAS, from October 29, 2018 through December 31, 2018, Creamer was on-site at Lime House Road performing extensive dewatering operations, and excavating openings on and around the pipeline to locate the area(s) of leakage; and

WHEREAS, because the leak has not yet been located or identified in scope due to unknown subterranean conditions, it is necessary to continue to use the services of Creamer to continue the excavation and investigatory work on a time and materials basis (the "Additional Emergency Services"); and

WHEREAS, pursuant to N.J.S.A. 58:5-20 and Section 1, Subsection I, of the Commission's Purchasing Policies and Procedures Manual, the Commission may make purchases of materials and services without the necessity of public advertisement and bidding when it is determined by the Commission's Executive Director, Deputy 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, Deputy Executive Director and CFO have determined that repair work at Lime House Road continues to constitute an emergency warranting the retention of a contractor to continue to dewater and excavate the area, and to investigate, locate and repair the leak; and

WHEREAS, Commission staff have determined that Creamer's fees are reasonable, necessary and appropriate, and have recommended that the Commission continue to utilize Creamer for the Additional Emergency Services; and

WHEREAS, the award of this is necessary for the efficient operation of the Commission; 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 repair work at Lime House Road continues to constitute an emergency warranting immediate action 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, Deputy Executive Director and CFO of the Commission in determining that an emergency continues to exist and utilizing Creamer to provide the Additional Emergency Services on a time and materials basis; and

BE IT FURTHER RESOLVED that the amount of \$300,000.00 is authorized and approved for the provision of the Additional Emergency Services; 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 a contract with J. Fletcher Creamer & Son, Inc. to continue emergency repair work at Lime House Road; seconded by Commissioner Amedeo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing the Goal of Reaching One Hundred Percent (100%) Renewable Energy Use for the Commission's Facilities and Operations

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE GOAL OF REACHING ONE HUNDRED
PERCENT (100%) RENEWABLE ENERGY USE FOR THE COMMISSION’S
FACILITIES AND OPERATIONS**

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

WHEREAS, there is overwhelming scientific consensus that climate change is a real and major threat; and

WHEREAS, renewable energy sources can potentially provide power for the Commission equally or more affordably than fossil fuel sources; and

WHEREAS, for the purposes of this resolution, “renewable energy” includes electricity derived from solar, hydropower, and wind; and

WHEREAS, renewable energy represents an opportunity for the creation of jobs, increases economic security, and reduces air pollution and associated public health risks; and

WHEREAS, cities and organizations across the nation have made commitments to transition to one hundred percent (100%) clean, renewable energy; and

WHEREAS, the Commission strives to remain a leader among its peers by making a commitment to reach one hundred percent (100%) renewable energy use by the year 2024.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the North Jersey District Water Supply Commission hereby affirms and formally adopts a goal of reaching one hundred percent (100%) renewable energy use for the Commission’s facilities and operations by 2024; and

BE IT FURTHER RESOLVED that Commission staff shall present an annual update to the Board of Commissioners on the Commission’s progress towards implementing aforementioned goal; 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 Shotmeyer offered a motion to adopt the resolution authorizing the goal of reaching one hundred percent (100%) renewable energy use for the Commission’s facilities and operations; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing the First Renewal Option and One Year Extension to Contract #2011 with PFM Asset Management LLC for Investment Advisory and Management Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE FIRST RENEWAL OPTION AND ONE
YEAR EXTENSION TO CONTRACT #2011 WITH PFM ASSET
MANAGEMENT LCC FOR INVESTMENT ADVISORY AND MANAGEMENT
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 previously determined there was a need to retain a qualified investment advisory firm to provide investment advice with respect to the development and implementation of a comprehensive investment and cash management program (the “Advisory Services”); and

WHEREAS, on or about October 11, 2016, the Commission publicly advertised a request for qualifications and proposals for the Advisory Services, referenced as RFP #013-2016, and received proposals from interested parties on or before October 27, 2016; and

WHEREAS, the Commission thereafter evaluated the proposals and adopted a resolution awarding PFM Asset Management LLC (“PFM”) a contract for the provision of the Advisory Services, as the most qualified proposer, considering its experience and pricing which is ten (10) basis points for the first \$25 million under management with a minimum fee of \$25,000.00 (“Contract #2011”); and

WHEREAS, on April 26, 2017, the Commission and PFM executed Contract #2011 which had a term of two (2) years, with the Commission reserving the right to renew Contract #2011 for up to two (2) consecutive, one (1) year terms under the same terms and conditions; and

WHEREAS, the Commission has been satisfied with PFM’s Advisory Services, and wishes to exercise its first renewal option for a one (1) year extension to Contract #2011 under the same terms and conditions, while also reserving the right to request the second renewal option for an additional one (1) year term as outlined in Contract #2011; and

WHEREAS, the renewal of Contract #2011 is necessary for the efficient operation of the Commission; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds are available for the renewal of Contract #2011.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Contract #2011 with PFM is hereby renewed for a term of one (1) year to provide the Advisory Services; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare the renewal under the same terms and conditions as Contract #2011; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the renewal of Contract #2011 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 Kuser offered a motion to adopt the resolution authorizing the first renewal option and one year extension to Contract #2011 with PFM Asset Management LLC for investment advisory and management services; seconded by Commissioner Amedeo and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing Amendment No. 2 to the Scope of Work for the Dive Repair of the 84-Inch Pipe at the High Lift Pump Station

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING AMENDMENT NO. 2 TO THE SCOPE OF
WORK FOR THE DIVE REPAIR OF THE 84-INCH PIPE AT
THE HIGH LIFT PUMP STATION**

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

WHEREAS, the Commission maintains a High Lift Pump Station (“High Lift”) in order to further the aforementioned purposes; and

WHEREAS, the Commission has previously determined that the 84-inch pipe at the High Lift (the “84-Inch Pipe”) had a leak; and

WHEREAS, Purchase Order #18-00769 in the amount of \$39,988.00 was executed in favor of W.J. Castle PE & Associates (“W.J. Castle”) and authorized by emergency resolution at the Commission’s May 23, 2018 meeting; and

WHEREAS, on or about November 27, 2018, the Commission adopted a resolution authorizing Amendment No. 1 to P.O. #18-00769 increasing the contract amount by \$2,760.00 for a total of \$42,760.00 (“Amendment No. 1”) to enable W.J. Castle to fully repair the 84-Inch Pipe; and

WHEREAS, additional costs were incurred by W.J. Castle relating to the planning and execution of the repair to the 84-Inch Pipe, which was successfully performed on or about March 2, 2019, including attendance at on-site meetings, conference calls with partner municipalities, coordination to comply with Department of Environmental Protection requests, additional dive set up for one more required standby diver, additional mobilization, as-built report/drawings, and materials such as locks, flowmeter/current sensors, and repair tools, for an additional amount of \$12,927.75, as set forth in the invoice prepared by W.J. Castle, dated March 4, 2019, attached hereto (“Amendment No. 2”) bringing the total contract cost to \$55,687.75; 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, Deputy Executive Director, and Chief Financial Officer (“CFO”) that an emergency exists; and

WHEREAS, based upon the recommendation of the Commission’s staff, the Commission’s Executive Director, Deputy Executive Director, and CFO had all determined that the leak at the 84-Inch Pipe constituted an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

WHEREAS, the Commission had determined that the additional costs as set forth in Amendment No. 2 to complete the emergency work were reasonable under the circumstances and have recommended that the Commission ratify Amendment No. 2; and

WHEREAS, the CFO 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 leak at the 84-Inch Pipe constituted a continuing 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, Deputy Executive Director and CFO of the Commission in determining that an emergency existed; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby ratifies Amendment No. 2 with W. J. Castle in the amount of \$12,927.75; and

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

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing Amendment No. 2 to the scope of work for the dive repair of the 84-inch pipe at the High Lift Pump Station; seconded by Commissioner Amedeo and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing the Adoption of the Updated Employee Handbook

Commission Secretary Kim Diamond read the following resolution:

RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING THE ADOPTION OF THE UPDATED EMPLOYEE HANDBOOK

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising

public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, there was a need to review and update the Commission's personnel policies and procedures as set forth in the Commission's employee handbook (the "Employee Handbook"); and

WHEREAS, the Commission's labor counsel has undertaken the aforementioned tasks and updated the Employee Handbook; and

WHEREAS, the Commission desires to accept the updated Employee Handbook, revised as of April 5, 2019, attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the North Jersey District Water Supply Commission hereby affirms and formally adopts the updated Employee Handbook revised as of April 5, 2019, as attached hereto; 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 Shotmeyer offered a motion to adopt the resolution authorizing the adoption of the updated Employee Handbook; seconded by Commissioner Ashkinaze and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract to Tuff Greens LLC for Work Associated with Vegetation Management 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 TO TUFF GREENS LLC
FOR WORK ASSOCIATED WITH VEGETATION
MANAGEMENT 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 that it is necessary to retain the services of a contractor with expertise in the application of herbicide, fertilizers and/or weed killer to apply such materials to the Commission's dykes, dams, spillways, roadside corners, landscape beds and stone areas, remove dead vegetation, and undertake associated record-keeping (the "Vegetation Management 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 December 27, 2018, the Commission publicly advertised a request for proposals for the Vegetation Management Services ("RFP #011-2018"), and subsequently received one proposal on or about January 23, 2019 from Tuff Greens, LLC ("Tuff"); and

WHEREAS, the Commission's evaluation committee reviewed and evaluated the proposal and determined that Tuff submitted a qualified, responsible, and responsive proposal for the Vegetation Management Services, and has recommended that Tuff be awarded a contract in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the Commission has determined to only award Part 2 "Dams" of RFP #011-2018, for which Tuff proposed a total not-to-exceed cost of \$55,211.00, which pricing the Commission finds reasonable based on the necessary scope of work; and

WHEREAS, the initial term shall be one (1) year, and the Commission may, in its sole discretion offer up to two (2) additional one year extensions under the same terms and conditions; and

WHEREAS, the Commission desires to retain the services of Tuff to perform the Vegetation Management Services in accordance with the Commission's requirements as set forth in RFP #011-2018, Tuff's proposal, and any applicable laws, rules or regulations; and

WHEREAS, the award of this contract is necessary for the Commission's efficient water treatment operations, the protection of the Commission's water supply facilities, and the health, safety and welfare of the public; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract for a one year term for Vegetation Management Services be awarded to Tuff as the sole qualified, responsive, and responsible proposer in accordance with the Commission's enabling legislation and applicable State law, for Part 2 "Dams" of RFP #011-2018, for an amount not to exceed \$55,211.00; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the Vegetation Management Services, incorporating the Commission's requirements as set forth in RFP #011-2018, Tuff's proposal and any applicable law, rule or regulation; 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 to Tuff Greens LLC for work associated with vegetation management services; seconded by Commissioner Amedeo and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing the Award of Contract #2045 to Statewide Fence, Inc. for the Furnishing and Installation of Perimeter Security Fencing for the Headworks Facility

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD OF CONTRACT #2045 TO
STATEWIDE FENCE, INC. FOR THE FURNISHING AND INSTALLATION OF
PERIMETER SECURITY FENCING FOR THE HEADWORKS FACILITY**

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 a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water, which includes the safety and protection of the public and public property pursuant to the Commission's enabling legislation, N.J.S.A. 58:5-1 et seq.; and

WHEREAS, an evaluation by the New Jersey Department of Environmental Protection Dam Safety and Flood Control recommended that new security fencing be installed at the Headworks facility; and

WHEREAS, the Commission subsequently applied to the U.S. Department of Homeland Security, Federal Emergency Agency ("FEMA") for a grant for funding the installation of the security fencing system, and was awarded the FEMA grant; and

WHEREAS, on December 20, 2017, based on the original specifications, the Commission authorized a sole source purchase order, No. 18-00181 ("Purchase Order") to Cochrane USA ("Cochrane"),

for the installation of new perimeter security fencing and associated equipment in the amount of \$227,529.18; and

WHEREAS, since then the Commission staff reevaluated the final layout of the perimeter fence and concluded that the original specifications needed to be modified and the scope of work revised, and therefore the Purchase Order was cancelled; and

WHEREAS, the Commission staff researched alternate options to provide the level of protection needed for the Commission's most critical facilities; and

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

WHEREAS, the Commission publicly advertised and solicited bids for Contract #2045 on March 8, 2019 (the "Bid Specification") for provision and installation of revised perimeter security fencing at the Headworks facility (the "Perimeter Fencing Services");

WHEREAS, on April 10, 2019, the Commission received three (3) bids in response to the solicitation for the Perimeter Fencing Services;

WHEREAS, Statewide Fence, Inc. ("Statewide") had the lowest conforming bid at a not-to-exceed price of \$126,600.00 for the Perimeter Fencing Services; and

WHEREAS, Commission staff have examined Statewide's bid and have determined that the services and fees set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission authorize the award of Contract #2045 to Statewide; and

WHEREAS, the award of this contract 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, as per the Bid Specification, the Perimeter Fencing Services shall be completed on or before July 1, 2019; 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 #2045 be awarded to Statewide Fence, Inc. for the Perimeter Fencing Services in a not-to-exceed amount of \$126,600.00; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of the Perimeter Fencing Services, incorporating the Commission's requirements as set forth in the Bid Specification and the bid submitted by Statewide; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission are hereby authorized to execute Contract #2045 with Statewide, 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 Shotmeyer offered a motion to adopt the resolution authorizing the award of Contract #2045 to Statewide Fence, Inc for the furnishing and installation of perimeter security fencing for the Headworks facility; seconded by Commissioner Ashkinaze and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Resolution – Authorizing Execution of a Professional Services Contract with ADP LLC for Human Resource Services Under a National Cooperative Purchasing Agreement

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 COMPREHENSIVE HUMAN RESOURCE SERVICES
UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT**

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 firm to provide certain human resource services, namely payroll and a time and attendance system (the “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, by resolution adopted on about March 25, 2015, the Commission authorized its Executive Director to join, on behalf of the Commission, any nationally-recognized and accepted cooperative that have been developed utilizing a competitive bidding process by another contracting unit within the State, or within any other state, in accordance with the provisions set forth in N.J.S.A. 52:34-5.2, et seq., and any other applicable law or governmental regulation; and

WHEREAS, on or about October 18, 2017, the Commission joined the National Intergovernmental Purchasing Alliance (“IPA”), a nationally-recognized and accepted purchasing cooperative utilized by contracting units in the State; and

WHEREAS, recently IPA joined with OMNIA Partners and U.S. Communities, and the combined organization is now known as OMNIA Partners, Public Sector (the “Cooperative”); and

WHEREAS, the Commission has reviewed the contracts available through the Cooperative and determined that it may use Contract #R151901 with ADP, LLC (“ADP”) to purchase the Services; and

WHEREAS, the Commission has determined that ADP possesses the requisite expertise and skilled personnel required to perform the Services in accordance with Contract #R151901; and

WHEREAS, the Commission currently utilizes ADP for comprehensive human resources including the Services at a cost of approximately \$140,000.00 annually and has determined that some of these are not required; and

WHEREAS, ADP has provided a cost for the Services in the amount of \$65,159.20 for one year, contingent upon the Commission’s current total number of employees, subject to an increase or decrease if the total number of employees changes; and

WHEREAS, the Commission desires to execute a contract with ADP for the Services, in the form attached hereto, for a term of one year, with a 10% contingency in the event the total number of employees changes during the contract term, for a total not-to-exceed amount of \$71,675.12; and

WHEREAS, on the basis of the foregoing, the Commission has determined that it is cost-efficient and appropriate to award a contract to ADP to perform the Services for a one-year term under Contract #R151901; 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 one-year contract be awarded to ADP in accordance with the Commission’s enabling legislation, applicable State law, and Contract #R151901 for the performance of the Services for a total-not-to exceed amount of \$71,675.12; 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 execution of a professional services contract with ADP LLC for Human Resources Services under a National Cooperative Purchasing Agreement; seconded by Commissioner Amedeo and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Wanaque North Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Vice Chairman Shotmeyer offered a motion to approve the Wanaque North Operating Account in the amount of \$3,619,507.36 for March 2019 and \$7,535,736.27 for April 2019; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Wanaque South Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Ashkinaze offered a motion to approve the Wanaque South Operating Account in the amount of \$1,994,440.42 for March 2019 and \$1,394,566.70 for April 2019; seconded by Commissioner Amedeo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Wanaque South Joint Venture Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Kuser offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$399,407.26 for March 2019 and \$629,881.33 for April 2019; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 10:11 a.m.; seconded by Commissioner Amedeo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser and Garofalo voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary