

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, FEBRUARY 23, 2022

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, February 23, 2022 at 9:00 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Present were Timothy J. Eustace, Executive Director, William Schaffner, Chief Financial Officer and Kim Diamond, Commission Secretary. Chairman Howard L. Burrell, Vice Chairman Charles P. Shotmeyer and Commissioners Alan S. Ashkinaze, Jerome P. Amedeo, Donald C. Kuser, Robert C. Garofalo and James L. Cassella participated via teleconference. Francine C. McManimon, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Janice Venables, Associate Counsel of the Governor's Authority also 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 Pending Litigation and Contracts;*
- 2. It is anticipated at this time that the above stated subject matters will be ratified during the Public Meeting to follow or as soon thereafter as the reason for discussing the matters in the Executive Conference no longer exists.*
- 3. This Resolution shall take effect immediately.*

Vice Chairman Shotmeyer 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 Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative. The Public Meeting was recessed at 9:04 a.m.

Chairman Burrell reconvened the Public Meeting at 9:27 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Commissioner Kuser offered a motion to approve the Public Commission Meeting Minutes of January 26, 2022; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

Vice Chairman Shotmeyer offered a motion to approve the Public Work Session Minutes of January 26, 2022; seconded by Commissioner Garofalo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

Vice Chairman Shotmeyer offered a motion to approve the Purchase Requisitions over \$5000 Report for February 2022 in the amount of \$144,829.00; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

UNFINISHED BUSINESS:

None

NEW BUSINESS:**Commission Invoices:**

- a. **Invoice #1083-56 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$94,791.65**
Paul Serillo, Director of Facilities and Les Malytskyy, Engineering Project Manager approved invoice 3(a) for payment.
- b. **Various Invoices from Premier Services/USIC, LLC for Contract #2019 – Underground Locating in the amount of \$2,169.90**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(b) for payment.
- c. **Invoice #48520 from RVH Mulch Supply, LLC for Contract #2059 – Residual Removal in the amount of \$24,750.00**
Lewis Schneider, Director of Operations/Licensed Operator and Doug Delorie, Manager of Residuals approved invoice 3(c) for payment.
- d. **Invoice #63489 from DLB Associates Consulting Engineers for Contract #2063 – Electrical Consulting Services in the amount of \$843.75**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(d) for payment.
- e. **Invoice #27920 from Public Strategies Impact LLC – Community/Media Relations Consulting in the amount of \$4,250.00**
Tim Eustace, Executive Director approved invoice 3(e) for payment.
- f. **Invoice #51023 from Suburban Consulting Engineers, Inc. for Contract #2074 – Freshwater Wetlands General Permit in the amount of \$1,159.44**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(f) for payment.
- g. **Various Invoices from Clean Waters Consulting LLC for Contract #2066 – Reservoir Consulting in the amount of \$1,662.50**
Lewis Schneider, Director of Operations/Licensed Operator and Maureen Kneser, Lab Manager approved invoice 3(g) for payment.
- h. **Various Invoices from GZA GeoEnvironmental, Inc. for Contract #1061 – Shooting Range Site Remediation in the amount of \$14,700.00**
Maria Alliegro, Director of Engineering and Les Malytskyy, Engineering Project Manager approved invoice (h) for payment.
- i. **Invoice #E6X94200027 from Jacobs Engineering Group, Inc. for Contract #2052 – Construction Administration for RTF in the amount of \$4,945.50**
Maria Alliegro, Director of Engineering and Les Malytskyy, Engineering Project Manager approved invoice 3(i) for payment.
- j. **Various Invoices from Jacobs Engineering Group, Inc. for Contract #2061 – General Consulting Engineering Services in the amount of \$12,520.01**
Maria Alliegro, Director of Facilities, Paul Serillo, Director of Engineering, Michael Dox, Plant Electrical Engineer and Les Malytskyy, Engineering Project Manager approved invoice 3(j) for payment.

- k. **Invoice #E6X96100022 from Jacobs Engineering Group, Inc. for Contract #2062 – Design of Interconnection with Newark in the amount of \$1,624.40**
Maria Alliegro, Director of Facilities and James Stachura, Project Engineer approved invoice 3(k) for payment.

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

Resolution – Authorizing the Award and Execution of Contract #2083 with Landscape Materials Inc. for Work Associated with the Wanaque Water Treatment Plant Residual & 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
CONTRACT #2083 WITH LANDSCAPE MATERIALS INC. FOR WORK
ASSOCIATED WITH THE WANAQUE WATER TREATMENT PLANT
RESIDUAL TRUCKING & 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 qualified vendor to provide services associated with the Wanaque Water Treatment Plant (WWTP) Residual Trucking & Management Services (the “WWTP Residual Trucking & 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 June 15, 2021, the Commission publicly advertised a Request for Proposals and qualification statements for work associated with WWTP Residual Trucking & Management Services in accordance with the requirements and specifications set forth therein (“RFP #005-2021”), and subsequently received two proposals from interested vendors on or about July 7, 2021; and

WHEREAS, on or about July 14, 2021, the Commission's evaluation committee reviewed and evaluated the proposals based upon predetermined criteria set forth in RFP #005-2021, and determined that Landscape Materials Inc. (“LMI”) was the most qualified proposer, considering its experience and pricing, as presented in its proposal (the “Proposal”) for the provision of the WWTP Residual Trucking & Management Services, for the not-to-exceed amount of \$38.75 per Cubic Yard (“CY”) for a two-year term with the option of up to two (2) consecutive one (1) year extensions; and

WHEREAS, on August 2, 2021, the Chapter 51 Review Unit, located within the State’s Department of Treasury, Division of Purchase and Property, based on review of the documents submitted by LMI, determined that the LMI was ineligible for the Contract Award #2083 through November 14, 2021 based on the prohibition against political contributions to a campaign or election committee of any gubernatorial candidate; and

WHEREAS, the Commission was directed to submit a new Two-Year Chapter 51/Executive Order 117 Vendor Certification (“Chapter 51 Form”) for review and approval after the expiration of the ineligibility period; and

WHEREAS, on or about January 20, 2022, the Commission submitted a new Chapter 51 Form to the Chapter 51 Review Unit, which was approved; and

WHEREAS, the Commission desires to retain the services of LMI to perform the WWTP Residual Trucking & Management Services in accordance with the Commission's requirements as set forth in RFP #005-2021, the Proposal, and any applicable laws, rules or regulations, and recommends that LMI be awarded a contract in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the award of this Contract #2083 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 Contract #2083 for the WWTP Residual Trucking & Management Services be awarded to LMI as the most qualified, responsive, and responsible proposal, for the not-to-exceed amount of \$38.75 per CY for a two-year term, with the option to renew for up to two (2) additional consecutive one (1) year terms; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the WWTP Residual Trucking & Management Services, incorporating the Commission's requirements as set forth in RFP #005-2021, the 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 Garofalo offered a motion to adopt the resolution authorizing the award and execution of Contract #2083 with Landscape Materials Inc. for work associated with the Wanaque Water Treatment Plant Residual & Management Services; seconded by Commissioner Amedeo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

Resolution – Authorizing Amendment No. 2 to Contract #2071 with French & Parrello Associates for Consulting Engineering Services for Work Associated with Commission-Owned Dams: Formal Inspection/Dive Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING AMENDMENT NO. 2 TO CONTRACT #2071
WITH FRENCH & PARRELLO ASSOCIATES FOR CONSULTING
ENGINEERING SERVICES FOR WORK ASSOCIATED WITH COMMISSION-
OWNED DAMS: FORMAL INSPECTION/DIVE 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 the services of a firm specializing in consulting engineering services for work associated with Commission-owned Dams: Formal Inspection/Dive Services (the "Engineering Services"); and

WHEREAS, on or about June 9, 2020, the Commission publicly advertised a Request for Proposals for the work associated with the Engineering Services in accordance with requirements and specifications set forth therein ("RFP #004-2020"), and subsequently received seven proposals (the "Proposals") on or about August 4, 2020 from various firms; and

WHEREAS, on or about August 26, 2020, the Commission adopted Resolution #1938 awarding French & Parrello Associates ("French & Parrello") a contract for the provision of the Engineering Services ("Contract #2071"); and

WHEREAS, on March 24, 2021, the Commission authorized Amendment No. 1 to Contract #2071 for an amount of \$13,950.00, increasing the total contract amount from \$97,620.00 to \$111,570.00 in order to 1.) for Task 2 of Contract #2071 to add services required to recover a gate retriever within the Raymond Dam Upper Gate House, and 2.) for Task 4 to add an amount not-to-exceed \$10,000.00 for “on-call” services relevant to Contract #2071, which line item was part of the original contract but previously not allocated a dollar amount (“Amendment No. 1”); and

WHEREAS, as part of Task 2, French & Parrello has submitted an underwater inspection report regarding both the Monksville Dam and the Raymond Dam; and

WHEREAS, during the inspection of the Monksville Intake Tower, several items were noted for repair that include, but are not limited to, 1.) adjusting wedges in the center 36-inch control gate; 2.) repair cracking with water seepage, at the upstream side of the mid-level platform in the left/north chamber (including sealing with an underwater epoxy system) and 3.) perform a detailed inspection of the condition and operability of all metal components subject to corrosion within the intake tower (“Additional Work”); and

WHEREAS, on or about January 11, 2022, French & Parrello submitted a proposal (the “**Proposal**”) to perform the Additional Work for \$29,400.00, inclusive of the additional services required from W.J. Castle P.E.; and

WHEREAS, Contract #2071 still contains a \$10,000.00 allowance under Task 4 and therefore the Commission staff have determined that an additional amount not-to-exceed \$19,400.00 is required to be allocated to the contract to perform the Additional Work under the Proposal (“Amendment No. 2”); and

WHEREAS, the Commission staff have examined the Proposal and Amendment No. 2 to Contract #2071 and have determined that the terms set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission approve Amendment No. 2 to Contract #2071; and

WHEREAS, the award of this Amendment No. 2 to Contract #2071 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 #2071.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Amendment No.2 to Contract #2071 with French & Parrello adding \$19,400.00 to Contract #2071 is hereby approved, bringing the total not-to-exceed amount for Contract #2071 to \$130,970.00; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Amendment No. 2 to Contract #2071, with all other terms and conditions of Contract #2071, to remain unchanged; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Amendment No.2 to Contract #2071, 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 Cassella offered a motion to adopt the resolution authorizing Amendment No. 2 to Contract #2071 with French & Parrello Associates for consulting engineering services for work associated with Commission-owned dams: formal inspection/dive services; seconded by Commissioner Garofalo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella 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 Cassella offered a motion to adopt the resolution authorizing the online sale of surplus vehicles and equipment; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella 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 \$7,296,083.94; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella 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 Cassella offered a motion to approve the Wanaque South Operating Account in the amount of \$2,257,896.02; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella 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 Cassella offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$1,692,923.95; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 9:36 a.m.; seconded by Commissioner Garofalo and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo, Kuser, Garofalo and Cassella voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary