

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
PUBLIC COMMISSION MEETING

WEDNESDAY, APRIL 26, 2023

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, April 26, 2023 at 9:18 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Howard L. Burrell, Commissioner Alan S. Ashkinaze, Commissioner Donald C. Kuser, Commissioner James L. Cassella and Commissioner Terrence J. Duffy were recorded present. Also present were Timothy J. Eustace, Executive Director, William Schaffner, Chief Financial Officer, Kim Diamond, Commission Secretary, Francine C. McManimon, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Dorian Smith, Associate Counsel of the Governor’s Authority Unit. Vice Chairman Charles P. Shotmeyer participated via teleconference. Commissioner Cristina M. Cutrone was absent.

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.*

Commissioner Kuser offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative. The Public Meeting was recessed at 9:21 a.m.

Chairman Burrell reconvened the Public Meeting at 9:43 a.m.

PUBLIC COMMISSION BUSINESS
ACTION REQUIRED:

Commissioner Duffy offered a motion to approve the Public Commission Meeting Minutes of March 22, 2023; seconded by Commissioner Ashkinaze and approved with Chairman Burrell and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative. Vice Chairman Shotmeyer abstained.

Commissioner Ashkinaze offered a motion to approve the Public Work Session Minutes of March 22, 2023; seconded by Commissioner Duffy and approved with Chairman Burrell and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative. Vice Chairman Shotmeyer abstained.

Commissioner Ashkinaze offered a motion to approve the Purchase Requisitions over \$5000 Report for April 2023 in the amount of \$350,609.15; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

UNFINISHED BUSINESS:

None

NEW BUSINESS:**Commission Invoices:**

- a. **Invoice #1-228-007 from Stone Hill Construction for Contract #2087 – Clarifier Rehab Basins 1-4 in the amount of \$906,319.85**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(a) for payment.
- b. **Invoice #576262 from Premier Services/USIC, LLC for Contract #2097 – Underground Locating in the amount of \$5,929.59**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(b) for payment.
- c. **Invoice #13630561 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$1,582.20**
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approve invoice 3(c) for payment.
- d. **Invoice #24135 from Landscape Materials, Inc. for Contract #2083 – Removal of Residuals in the amount of \$12,400.00**
Geordie Manning, Assistant Manager of Residuals and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(d) for payment.
- e. **Invoice #66893 from DLB Associates Consulting Engineers for Contract #2063 – Electrical Consulting Services in the amount of \$16,887.50**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(e) for payment.
- f. **Invoice #3 from Pax Mundus Enterprise, LLC for Contract #2088R-2-B – Control House Stone Repointing in the amount of \$3,054.00**
Maria Alliegro, Director of Engineering and Edward Newman, Construction Manager approved invoice 3(f) for payment.
- g. **Invoice #E6X94500031 from Jacobs Engineering Group, Inc. for Contract #2051 – Construction Administration for Clarifier Rehab 1-4 in the amount of \$4,699.97**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(g) for payment.
- h. **Invoice #E6X942000038 from Jacobs Engineering Group, Inc. for Contract #2052 – Construction Administration for RTF in the amount of \$4,430.96**
Maria Alliegro, Director of Engineering and Les Malyskyy, Project Engineer approved invoice 3(h) for payment.
- i. **Various Invoices from Jacobs Engineering Group, Inc. for Contract #2061 – General Consulting Engineering Services in the amount of \$3,542.50**
Maria Alliegro, Director of Engineering, Paul Serillo, Director of Facilities and Les Malyskyy, Project Engineer approved invoice 3(i) for payment.
- j. **Invoice #5 from Iron Hills Construction for Contract #2086R – Potassium Permanganate System Rehabilitation in the amount of \$211,486.00**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(j) for payment.

- k. **Invoice #2 from Peloda Systems, Inc. for Contract #2103 – Intrusion & Fire Alarm Systems in the amount of \$41,146.50**
Charles Billings, Director of IT approved invoice 3(k) for payment.
- l. **Various Invoices from Aspen Tree Service, Inc. for Contract #2078-R-2 – Hazardous Tree Removal in the amount of \$12,112.50**
Maria Alliegro, Director of Engineering and Robert Malone approved invoice 3(l) for payment.

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

Resolution – Authorizing Disposition of Obsolete Equipment

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF
THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
AUTHORIZING DISPOSITION OF OBSOLETE EQUIPMENT**

WHEREAS, the North Jersey District Water Supply Commission (hereinafter “Commission”) is organized and exists pursuant to the provisions of N.J.S.A. 58:5-1 et seq., and constitutes a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Commission Staff has identified certain equipment which is no longer necessary for the safe and efficient operation of the Commission and has been determined to be of no monetary value; and

WHEREAS, the Commission desires to dispose of such equipment as permitted by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby declares the equipment listed on Exhibit A to have no value and directs the Executive Director to dispose of all such equipment in the most economical fashion he deems appropriate, but in conformance to the greatest extent practicable with Treasury Circular 13-18-DPP.

Vice Chairman Shotmeyer offered a motion to adopt the resolution authorizing disposition of obsolete equipment; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract with French & Parrello Associates for Consulting Engineering Services for Work Associated with Commission-Owned Dams: Formal Inspection with Hydrologic and Hydraulic 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 WITH FRENCH & PARRELLO ASSOCIATES FOR
CONSULTING ENGINEERING SERVICES FOR WORK ASSOCIATED WITH
COMMISSION-OWNED DAMS: FORMAL INSPECTION WITH
HYDROLOGIC AND HYDRAULIC 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, the Commission has a responsibility by statute to ensure the safe, secure, and uninterrupted delivery of potable water to more than three million people, 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, the Commission has determined that it is necessary to retain the services of a consultant with expertise in Consulting Engineering Services for work associated with Commission-owned dams: Formal Inspection with Hydrologic and Hydraulic Study (the “Formal Dam Inspection 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 February 7, 2023, the Commission publicly advertised a Request for Proposals for work associated with the Formal Dam Inspection Services in accordance with the requirements and specifications set forth therein (“RFP #003-2023”), and subsequently received two proposals (“Proposals”) from interested firms on or about March 22, 2023; and

WHEREAS, the Commission’s evaluation committee reviewed and evaluated the Proposals based upon predetermined criteria set forth in the RFP #003-2023, and, after conducting interviews with both consultants, determined that French & Parrello Associates (“French & Parrello”), which submitted a proposal to perform the Formal Dam Inspection Services for a not-to-exceed amount of \$103,260.00, (the “French & Parrello Proposal”) submitted the most qualified, responsible, and responsive proposal and recommended that French & Parrello be awarded a contract for a term expiring December 31, 2025 in accordance with the Commission’s enabling legislation and applicable State law; and

WHEREAS, the Commission desires to retain the services of French & Parrello to perform the Formal Dam Inspection Services in accordance with the Commission’s requirements as set forth in the RFP #003-2023, the French & Parrello Proposal, and any applicable laws, rules, or regulations, and recommends that French & Parrello be awarded a contract in accordance with the Commission’s enabling legislation and applicable State law; 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, 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 the Formal Dam Inspection Services be awarded to French & Parrello based on the qualified, responsive, and responsible French & Parrello Proposal, for an amount not to exceed \$103,260.00 for a term expiring December 31, 2025; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the Formal Dam Inspection Services, incorporating the Commission’s requirements as set forth in the RFP #003-2023, the French & Parrello 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, including by electronic signature, 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 Cassella offered a motion to adopt the resolution authorizing the award and execution of a contract with French & Parrello Associates for consulting engineering services for work associated with Commission-owned dams: formal inspection with hydrologic and hydraulic study; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Resolution – Authorizing the Award and Execution of Contract #2105 to Winner Ford for the Purchase of a 2023 Ford Transit Van T250 148” Wheelbase Medium Roof

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF
CONTRACT #2105 TO WINNER FORD FOR THE PURCHASE OF A 2023
FORD TRANSIT VAN T250 148" WHEELBASE MEDIUM ROOF**

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 to a significant number of New Jersey residents, 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, the Commission has determined there is a need to purchase a 2023 Ford Transit Van T250 148" wheel base medium roof to replace vehicle #237 (the "**Services**"); 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 31, 2023, in accordance with N.J.S.A. 58:5-20, the Commission publicly advertised a Bid Specification for Contract #2105 (the "Bid Specification") for the furnishing and delivery of the Services in accordance with requirements and specifications set forth therein and subsequently received one bid (the "Proposal") from an interested firm on April 11, 2023; and

WHEREAS, Commission staff has reviewed and evaluated the Proposal and determined that Winner Ford (the "Winner Ford"), is the sole qualified, responsive, and responsible Proposal, for a total not-to-exceed amount of \$57,705.00, (the "Winner Ford Proposal"); and

WHEREAS, the Commission has examined the Winner Ford Proposal and has determined that the services and fees set forth therein are reasonable, necessary and appropriate, and has recommended that the Commission award and execute a contract with Winner Ford for the Services ("Contract #2105") in accordance with the Commission's enabling legislation and applicable State law; and

WHEREAS, the Commission desires award a contract to Winner Ford for the Services in accordance with the Bid Specifications, the Winner Ford Proposal, and any applicable laws, rules, or regulations; and

WHEREAS, the award of Contract #2105 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 Contract #2105 for furnishing and delivering of the Services as set forth in the Bid Specification, Contract #2105, and the Winner Ford Proposal be awarded to Winner Ford for a total not-to-exceed amount of \$57,705.00 in accordance with the Commission's enabling legislation and applicable State law; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Contract #2105 for the Services, incorporating the Commission's requirements as set forth in the Bid Specification and the Winner Ford 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 contract, including by electronic signature, 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 Contract #2105 shall be maintained in the Office of the Executive Director and made available for public inspection.

Commissioner Duffy offered a motion to adopt the resolution authorizing the award and execution of Contract #2105 to Winner Ford for the purchase of a 2023 Ford Transit Van T250 148" wheelbase medium roof; seconded by Commissioner Ashkinaze and unanimously approved

with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy 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, Commissioner Ashkinaze offered a motion to approve the Wanaque North Operating Account in the amount of \$11,644,396.67; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative. Vice Chairman Shotmeyer abstained from check #65740.

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 \$733,842.69; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy 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 Duffy offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$603,807.35; seconded by Commissioner Ashkinaze and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 9:50 a.m.; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary