

## NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

### PUBLIC COMMISSION MEETING

WEDNESDAY, SEPTEMBER 27, 2023

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, September 27, 2023 at 9:03 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Howard L. Burrell, Vice Chairman Charles P. Shotmeyer, Commissioner Donald C. Kuser, Commissioner James L. Cassella and Commissioner Terrence J. Duffy were recorded present. Also present were Timothy J. Eustace, Executive Director, Michael Broncatello, Comptroller, Kim Diamond, Commission Secretary, Francie McManimon, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Dorian Smith, Associate Counsel of the Governor's Authority Unit. Commissioner Alan S. Ashkinaze and Commissioner Cristina M. Cutrone 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.*

Commissioner Cassella 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, Kuser, Cassella, Cutrone and Duffy voting in the affirmative. The Public Meeting was recessed at 9:05 a.m.

Chairman Burrell reconvened the Public Meeting at 9:59 a.m.

### **PUBLIC COMMISSION BUSINESS**

#### **ACTION REQUIRED:**

Vice Chairman Shotmeyer offered a motion to approve the Public Commission Meeting Minutes of August 23, 2023; seconded by Commissioner Cassella and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative. Commissioner Duffy abstained.

Commissioner Cassella offered a motion to approve the Public Work Session Minutes of August 23, 2023; seconded by Commissioner Kuser and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative. Commissioner Duffy abstained.

Commissioner Duffy offered a motion to approve the Purchase Requisitions over \$5000 Report for September 2023 in the amount of \$98,855.86; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**Commission Invoices:**

- a. **Invoice #1083-66 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$46,009.04**  
Paul Serillo, Director of Facilities and Les Malytskyy, Project Engineer approved invoice 3(a) for payment.
- b. **Invoice #1-228-012 from Stone Hill Construction for Contract #2087 – Clarifier Rehab Basins 1-4 in the amount of \$744,163.74**  
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(b) for payment.
- c. **Invoice #13848925 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$1,770.64**  
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(c) for payment.
- d. **Various Invoices from Jacobs Engineering Group, Inc. for Contract #2061 – General Consulting Engineering Services in the amount of \$24,565.00**  
Maria Alliegro, Director of Engineering, Paul Serillo, Director of Facilities, Les Malytskyy, Engineering Project Manager and Michael Dox, Plant Electrical Engineer approved invoice 3(d) for payment.
- e. **Invoice #E6X94200042 from Jacobs Engineering Group, Inc. for Contract #2052 – Construction Administration for RTF in the amount of \$8,041.13**  
Maria Alliegro, Director of Engineering and Les Malytskyy, Project Engineer approved invoice 3(e) for payment.
- f. **Invoice #E6Y04000-01 from Jacobs Engineering Group, Inc. for Contract #2111 – Design for Wanaque South Pump Station in the amount of \$2,982.50**  
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(f) for payment.
- g. **Invoice #91330-2663 from McPhee Electric (formally JBL) for Contract #2060 – Electrical Contracting Services in the amount of \$5,786.85**  
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(g) for payment.
- h. **Invoice #24701 from Landscape Materials, Inc. for Contract #2083 – Removal of Residuals in the amount of \$18,600.00**  
Geordie Allegri, Manager of Residuals and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(h) for payment.
- i. **Invoice #39 from Clean Waters Consulting LLC for Contract #2066 – Reservoir Consulting in the amount of \$350.00**  
Lewis Schneider, Director of Operations/Licensed Operator and Maureen Kneser, Lab Manager approved invoice 3(i) for payment.
- j. **Invoice #52757 from RVH Mulch Supply, LLC for Contract #2059 – Residual Removal in the amount of \$37,000.00**

Lewis Schneider, Director of Operations/Licensed Operator and Geordie Alliegro, Manager of Residuals approved invoice 3(j) for payment.

- k. Invoice #4 from AJC0, LLC for Contract #2107 – Engineering Consulting & Planning Services in the amount of \$4,810.00**  
Maria Alliegro, Director of Engineering and Paul Serillo, Director of Facilities approved invoice 3(k) for payment.
- l. Various Invoices from Current Elevator Technology, Inc. for Contract #2075R – Modernization of Chemical Building Elevator & Elevator Maintenance in the amount of \$116,045.00**  
Paul Serillo, Director of Facilities and James Michels, Manager, Mechanical & Electrical Maintenance approved invoice 3(l) for payment.
- m. Invoice #608643 from Premier Services/USIC, LLC for Contract #2097 – Underground Locating in the amount of \$3,872.32**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(m) for payment.
- n. Various Invoices from BNY Mellon for Wanaque North Trustee Fees – NJ Infrastructure Bank Financing in the amount of \$5,000.00**  
William Schaffner, Chief Financial Officer approved invoice 3(n) for payment.
- o. Various Invoices from Wilmington Trust for Wanaque South Trustee Fees in the amount of \$13,500.00**  
William Schaffner, Chief Financial Officer approved invoice 3(o) for payment.

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

**Resolution – Approving the Execution of Joint Funding Agreement No. 24LJJFA28 Between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION APPROVING THE EXECUTION OF JOINT FUNDING  
AGREEMENT NO. 24LJJFA28 BETWEEN U.S. GEOLOGICAL SURVEY,  
UNITED STATES DEPARTMENT OF THE INTERIOR AND THE NORTH  
JERSEY DISTRICT WATER SUPPLY COMMISSION**

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

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

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

**WHEREAS**, the Commission is in receipt of Joint Funding Agreement No. 24LJJFA28 (the “Agreement”) with the USGS for the purpose of: (1) continuing the investigation and monitoring the water resources, specifically the operation and maintenance of two (2) continuous-record discharge gaging stations at Ringwood Creek near Wanaque and Wanaque River in Wanaque, which are key points in the Wanaque

River basins; (2) continuing the investigation and monitoring of the Passaic River near Two Bridges and Ramapo River at Pompton Lakes, recording hourly water temperature, pH, specific conductance, and dissolved oxygen percent saturation, and (3) two (2) surface water low-flow sites, and a stage-only gage station; and

**WHEREAS**, the Agreement states that the Commission will contribute the sum of \$179,635.00 to the USGS, for the period from October 1, 2023 to September 30, 2024, to cover the cost of the necessary field and analytical work as set forth in the Agreement; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby approves the execution by the Executive Director of Joint Funding Agreement No. 24LJJFA28 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission effective October 1, 2023 to September 30, 2024; and

**BE IT FURTHER RESOLVED**, that the Commission authorizes the payment to the USGS in accordance with the terms of the Agreement; and

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

Vice Chairman Shotmeyer offered a motion to adopt the resolution approving the execution of joint funding agreement No. 24LJJFA28 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

**Resolution – Authorizing a Sole Source Contract Award to Mobile Dredging and Video Pipe, Inc. for the Lease of Bankside Presses**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD TO MOBILE DREDGING AND VIDEO PIPE, INC. FOR THE LEASE OF BANKSIDE PRESSES**

**WHEREAS**, the North Jersey District Water Supply Commission (the “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 currently leases temporary presses and other dewatering equipment (collectively, the “Bankside Presses”), which sit bankside at the lagoon under the control of the Commission, from Stone Hill Contracting Co. (“Stone Hill”), pursuant to the Stone Hill Contracting RTF Upgrades Contract #1083 (the “Stone Hill Lease”) which will expire on September 30, 2023; and

**WHEREAS**, the Bankside Presses are utilized by the Commission to process lagoon solids; and

**WHEREAS**, Stone Hill currently leases the Bankside Presses from Mobile Dredging and Video Pipe, Inc. (“MDVP”), which lease is also set to expire on September 30, 2023; and

**WHEREAS**, MDVP submitted a proposal to the Commission, dated September 6, 2023 (the “Proposal”), to continue leasing the Bankside Presses, including two (2) 2.2 Meter Mobile Belt Filter Presses,

an inclined conveyor, and rental of an extended reach forklift during tear down, to the Commission commencing on October 2, 2023; and

**WHEREAS**, the Bankside Presses are unique in their configuration compared to other presses; and

**WHEREAS**, the Commission has accommodated the unique configuration of the Bankside Presses by constructing infrastructure to house the Bankside Presses according to their specific layout, and supplying the Bankside Presses with sufficient electricity within the tight constraints of the available electric utility at the RTF area; and

**WHEREAS**, given MDVP's unique knowledge of the Bankside Presses, the unique configuration and electrical demand of the Bankside Presses, and the lack of vendors who supply similar presses and dewatering equipment, it is recommended that the Commission enter into a weekly rental contract with MDVP for the lease of the Bankside Presses as per the Proposal for a maximum term of one (1) year (the "Agreement") and that MDVP be designated as a sole source provider for the lease of the Bankside Presses during the term of the Agreement to ensure the continued operation of this critical system; and

**WHEREAS**, as a result of the foregoing and pursuant to the recommendation memorandum from the Commission's Staff, Executive Order #37, and Section 1(G) of the Commission's Purchasing Policies and Procedures Manual (the "Manual"), the Commission has determined that MDVP constitutes a sole source provider for the lease of the Bankside Presses; 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 MDVP be designated as the sole source provider for the lease of the Bankside Presses in accordance with the Manual; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such documents as necessary to effectuate the lease of the Bankside Presses, 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 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 a sole source contract award to Mobile Dredging and Video Pipe, Inc. for the lease of bankside presses; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

**Resolution – Authorizing Payment to the Rockledge Association in Connection with the Discharge and Extinguishment of an Easement**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING PAYMENT TO THE ROCKLEDGE  
ASSOCIATION IN CONNECTION WITH THE DISCHARGE AND  
EXTINGUISHMENT OF AN EASEMENT**

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

**WHEREAS**, the Commission is the owner of certain real property currently identified as Block 500, Lot 1 on the Official Tax Maps of the Borough of Ringwood, County of Passaic, State of New Jersey (the "Property"); and

**WHEREAS**, the Property has the benefit of an easement for ingress and egress that runs atop of the cap of a certain dam (the "Easement"), which Easement burdens certain real property owned by the

Rockledge Association (the “Association”), and currently identified as a portion of Block 309, Lot 4 on the Official Tax Maps of the Borough of Ringwood, County of Passaic, State of New Jersey; and

**WHEREAS**, the Easement was established by an Indenture dated November 22, 1960, and recorded in the Passaic County Clerk’s Office on December 8, 1960, in Volume L74, beginning at Page 398 (Instrument Number 737791); and

**WHEREAS**, the Easement is no longer required for the benefit of the Property; and

**WHEREAS**, the Commission desires to have the Easement discharged so as to no longer benefit the Property; and

**WHEREAS**, in connection with the discharge and extinguishment of the Easement, the Commission has agreed to contribute the sum of \$6,500.00 to the Association to be used in the maintenance of the Association property or otherwise used however the Association otherwise sees fit; and

**WHEREAS**, the Association has indicated its consent to the discharge and extinguishment of the Easement and the Board of Directors of the Association has adopted a Resolution evidencing its intent to execute any documents necessary to accomplish the same; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds will be available to contribute \$6,500.00 to the Association in connection with the discharge and extinguishment of the Easement.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the North Jersey District Water Supply Commission hereby approves the sum of \$6,500.00 to be paid to the Rockledge Association in connection with the discharge and extinguishment of the Easement, as described herein, benefitting the Commission’s Property; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute any documents necessary to effectuate the discharge and extinguishment of the Easement 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 Duffy offered a motion to adopt the resolution authorizing payment to the Rockledge Association in connection with the discharge and extinguishment of an easement; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

**Resolution – Authorizing a Sole Source Contract Award to Blueleaf, Inc. to Conduct a Pilot Study on Various Treatment Alternatives to Comply with the Environmental Protection Agency’s New PFAS Regulations**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD TO BLUELEAF, INC. TO CONDUCT A PILOT STUDY ON VARIOUS TREATMENT ALTERNATIVES TO COMPLY WITH THE ENVIRONMENTAL PROTECTION AGENCY’S NEW PFAS REGULATIONS**

**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 owns and operates a conventional surface water treatment plant (the “Facility”) that provides drinking water to over 3 million people in 14 member municipalities and many consecutive systems; and

**WHEREAS**, the Environmental Protection Agency (the “EPA”) enacted new PFAS regulations (the “EPA Regulations”) which require the Commission to make significant capital and long-term O&M investments in the Facility to ensure compliance therewith; and

**WHEREAS**, Jacobs Engineering (“Jacobs”), the Commission’s consulting engineering firm, studied the potential impacts to the Commission assuming current industry standard treatment technology and provided CAPEX and OPEX cost estimates for the infrastructure required for compliance with the EPA Regulations (the “Jacob’s Findings”); and

**WHEREAS**, based on the Jacob’s Findings, in an effort to perform its due diligence, the Commission has determined to ascertain cost-effective treatment alternatives by commissioning a pilot study (the “Pilot Study”) on various possible treatment alternatives to meet the EPA Regulations including a novel filter media which, if successful, will result in comparatively fractional CAPEX and OPEX costs; and

**WHEREAS**, the Commission has determined that it is necessary to retain professional services of a firm with the necessary expertise and qualifications for the provisions of work associated with conducting the Pilot Study, including, but not limited to, the pilot plant’s design, fabrication, installation, start up, testing and reporting work. (the “Pilot Study 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**, on or about September 12, 2023, Blueleaf Incorporated (“Blueleaf”) submitted a proposal to the Commission for the Pilot Study Services (the “Blueleaf Proposal”); and

**WHEREAS**, the Commission's Engineering Consultant, AJC0, LLC (“AJC0”), reviewed and evaluated the Blueleaf Proposal and issued a justification report detailing the unique qualifications and capabilities of Blueleaf in providing the Pilot Study Services, including the fact that Blueleaf is the only firm in the geographic region with the qualifications and experience to provide the Pilot Study Services, additionally Blueleaf can perform the Pilot Study Services within the required time frame; and

**WHEREAS**, as a result of the foregoing and pursuant to the recommendation memorandum from the Commission Staff, Executive Order #37, and Section 1(G) of the Commission’s Purchasing Policies and Procedures Manual (the “Manual”), the Commission has determined that Blueleaf constitutes a sole source provider of the Pilot Study Services; 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, insofar as applicable.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that Blueleaf be designated as the sole source provider for the Pilot Study Services in accordance with the Manual and that a contract be awarded to Blueleaf for the Pilot Study Services for a total contract amount not to exceed \$250,000; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the performance of the Pilot Study Services, incorporating the Commission’s requirements and the Blueleaf Proposal; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such a contract and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

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

Vice Chairman Shotmeyer offered a motion to adopt the resolution authorizing a sole source contract award to Blueleaf, Inc. to conduct a pilot study on various treatment alternatives to comply with the Environmental Protection Agency’s new PFAS regulations; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

**Resolution – Authorizing the Award and Execution of Contract #2112 with Stone Hill Contracting Co., Inc. for the Wanaque South Pump Station HVAC Replacement Project**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF CONTRACT #2112 WITH STONE HILL CONTRACTING CO., INC. FOR THE WANAQUE SOUTH PUMP STATION HVAC REPLACEMENT PROJECT**

**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 qualified firm to provide HVAC rehabilitation and boiler replacement services for the Commission’s Wanaque South Pump Station (“WSPS”) including, but not limited to, repairing and replacing the components of the heating, cooling & ventilation systems that serve the WSPS (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 July 6, 2023, the Commission publicly advertised a Bid Specification (“Bid Specification”) for Contract #2112 for work associated with the Services in accordance with the requirements and specifications set forth therein (“Contract #2112”) and subsequently received three (3) bids (the “Proposals”) from interested firms on or about September 7, 2023; and

**WHEREAS**, the Commission's evaluation committee reviewed and evaluated the Proposals based upon predetermined criteria set forth in Bid Specification and Contract #2112 and determined that for the provision of the Services, Stone Hill Contracting Co., Inc. (“Stone Hill”) submitted the lowest, qualified, total bid (the “Stone Hill Proposal”) in the following amounts: a base bid amount of \$2,409,517.00 plus the option price for cleaning the heating and cooling ductwork for the office area only in the amount of \$8,600.00, for the total not-to-exceed amount of \$2,418,117.00; and

**WHEREAS**, the Commission desires to retain the services of Stone Hill to perform the Services in accordance with the Commission's requirements as set forth in the Bid Specification and Contract #2112, the Stone Hill Proposal, and any applicable laws, rules, or regulations, and recommends that Stone Hill be awarded a contract in accordance with the Commission's enabling legislation and applicable State law; and

**WHEREAS**, the award of Contract #2112 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 #2112 for the Services be awarded to Stone Hill, as the lowest qualified, responsive, and responsible bidder, utilizing the pricing as set forth herein in the following amounts: a base bid amount of \$2,409,517.00 plus the option price for cleaning the heating and cooling ductwork for the office area only in the amount of \$8,600.00, for the total not-to-exceed amount of \$2,418,117.00; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare Contract #2112 for the Services, incorporating the Commission’s requirements as set forth in the Bid Specifications, Contract #2112, the Stone Hill 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 Contract #2112, 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 #2112 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 #2112 with Stone Hill Contracting Co., Inc. for the Wanaque South Pump Station HVAC Replacement Project; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

**Resolution – Authorizing the Award and Execution of Contract #2113 with United Painters, Inc. for the Monksville Dam Cone Valve Painting Project**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF  
CONTRACT #2113 WITH UNITED PAINTERS, INC. FOR THE MONKSVILLE  
DAM CONE VALVE PAINTING PROJECT**

**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 contractor that has expertise in industrial painting and coating of large diameter pipes for drinking water conveyance/distribution systems to perform certain services on the Monksville Dam Cone Valve including, but not limited to, the testing of existing paint thereon for the presence of lead, inspecting the pipe/valve surface for any damage, repairing and painting the pipe saddles, cradles and couplings, removing existing paint on the Monksville Dam Cone Valve and preparing same for priming and repainting/recoating with NSF certified paint (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 July 13, 2023, in accordance with N.J.S.A. 58:5-20, the Commission publicly advertised a Bid Specification for Contract #2113 (the “Bid Specification”) for work associated with the Services in accordance with requirements and specifications set forth therein and subsequently received four bids (the “Proposals”) from interested contractors on August 29, 2023; and

**WHEREAS**, the Commission’s evaluation committee reviewed and evaluated the Proposals based upon predetermined criteria set forth in the Bid Specifications and determined that United Painters, Inc. (“United Painters”), who submitted a proposal to perform the work associated with the Services for a total not-to-exceed amount of Thirty-One Thousand Eight Hundred and 00/100 Dollars (\$31,800.00) (the “United Painters Proposal”), submitted the lowest conforming bid, that the price in the United Painters Proposal is reasonable, necessary and appropriate, and has recommended that United Painters be awarded a contract in accordance with the Commission’s enabling legislation and applicable State law; and

**WHEREAS**, the Commission desires to award a contract to United Painters for the Services in accordance with the Bid Specifications, the United Painters Proposal, and any applicable laws, rules, or regulations (“Contract #2113”); and

**WHEREAS**, the award of Contract #2113 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 #2113 for the work associated with the Services be awarded to United Painters as the lowest conforming bidder in accordance with the Commission's requirements set forth in the Bid Specification, Contract #2113, the United Painters Proposal, the Commission's enabling legislation, and any applicable laws, rules, or regulations, for the total not-to-exceed amount of Thirty-One Thousand Eight Hundred and 00/100 Dollars (\$31,800.00); and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare Contract #2113 for the Services, incorporating the Commission's requirements as set forth in the Bid Specification and the United Painters 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 #2113 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 Contract #2113 with United Painters, Inc. for the Monksville Dam cone valve painting project; seconded by Commissioner Duffy and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

**Resolution – Authorizing the Issuance of an Emergency Purchase Order to Dredge Rental & Marine, LLC for the Provision of Inner Lagoon Dredging Services**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING THE ISSUANCE OF AN EMERGENCY  
PURCHASE ORDER TO DREDGE RENTAL & MARINE, LLC FOR THE  
PROVISION OF INNER LAGOON DREDGING 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 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 authorized KEK Pond Cleaning and Dredging LLC ("**KEK**") to clean and dredge a local pond at 18 DuPont Terrace, the Inner and Outer Lagoon areas in June and July, 2023; and

**WHEREAS**, subsequent to KEK's Summer 2023 dredging and cleaning of the Inner Lagoon, the Commission discovered that additional residuals have accumulated in the Inner Lagoon which require removal prior to a potential Winter freeze; and

**WHEREAS**, the Commission has determined that there is a need to retain a vendor for the provision of emergency dredging services to the Inner Lagoon ("**Emergency Services**"); and

**WHEREAS**, the Commission solicited quotes from various vendors and found that Dredge Rental & Marine, LLC ("**DR&M**") provided the lowest, responsible and responsive quote in an amount not to exceed \$40,054.00, which includes a \$15,000.00 security deposit, for the Emergency Services (the "**DR&M Proposal**"); and

**WHEREAS**, the Commission has determined DR&M's Proposal to be reasonable; and

**WHEREAS**, pursuant to its enabling legislation, N.J.S.A., 58:5-20, the Commission is entitled to undertake work by its own employees or outside contractors when the safety or protection of its or other public property or the public convenience requires, or the exigency of the situation will not allow for advertisement or public bidding to address any emergency conditions; and

**WHEREAS**, pursuant to Section I, Subsection I of its Purchasing Policies and Procedures Manual,

the Commission may make purchases of materials and services without the necessity of public bidding when it is determined by the Commission's Executive Director and Chief Financial Officer ("CFO") that an emergency exists; and

**WHEREAS**, based upon the recommendation of the Commission's Engineering staff, the Commission's Executive Director and CFO determined that the aforementioned Emergency Services constituted an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; 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, 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 aforementioned Emergency Services constituted an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding.

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby ratifies the actions of the Executive Director and CFO of the Commission in determining that an emergency existed.

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby authorizes and ratifies the retention of DR&M to undertake the Emergency Services in an emergent fashion, without public bidding, and the issuance of a purchase order in an amount not to exceed \$40,054.00, which includes a \$15,000.00 security deposit, for payment to DR&M for the provision of the Emergency Services in accordance with the DR&M Proposal.

**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 Duffy offered a motion to adopt the resolution authorizing the issuance of an emergency purchase order to Dredge Rental & Marine, LLC for the provision of inner lagoon dredging services; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone 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 Cassella offered a motion to approve the Wanaque North Operating Account in the amount of \$5,331,078.31; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative. Vice Chairman Shotmeyer abstained on check #66697 and #66840.

**Wanaque South 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 Operating Account in the amount of \$3,639,497.92; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone 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 \$490,326.80; seconded by Commissioner Cassella and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

There being no further business, Commissioner Duffy offered a motion to adjourn the meeting at 9:52 a.m.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Duffy voting in the affirmative.

Respectfully submitted,

Kim Diamond  
Commission Secretary