

**NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION**  
**PUBLIC COMMISSION MEETING**  
**WEDNESDAY, FEBRUARY 28, 2024**

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, February 28, 2024 at 9:05 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

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

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 Cutrone 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 9:12 a.m.

Chairman Burrell reconvened the Public Meeting at 9:32 a.m.

**PUBLIC COMMISSION BUSINESS**  
**ACTION REQUIRED:**

Commissioner Cutrone offered a motion to approve the Public Commission Meeting Minutes of January 24, 2024; 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 January 24, 2024; seconded by Commissioner Cutrone and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative. Commissioner Duffy abstained.

Vice Chairman Shotmeyer offered a motion to approve the Purchase Requisitions over \$5000 Report for February 2024 in the amount of \$190,440.00; 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.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:****Commission Invoices:**

- a. **Invoice #1-239-001 from Stone Hill Construction for Contract #2112 – WSPS HVAC Replacement Project in the amount of \$75,010.58**  
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(a) for payment.
- b. **Invoice #1-228-017 from Stone Hill Construction for Contract #2087 – Clarifier Rehab Basins 1-4 in the amount of \$368,234.66**  
Paul Serillo, Senior Director of Facilities, Operations & Engineering and Michael Dox, Electrical Engineer approved invoice 3(b) for payment.
- c. **Invoice #E6Y04000-005 from Jacobs Engineering Group, Inc. for Contract #2111 – Design for Wanaque South Pump Station in the amount of \$1,425.00**  
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(c) for payment.
- d. **Various Invoices from Jacobs Engineering Group, Inc. for Contract #2051 – Construction Administration for Clarifier Rehab 1-4 in the amount of \$35,228.10**  
Paul Serillo, Senior Director of Facilities, Operations & Engineering and Michael Dox, Electrical Engineer approved invoice 3(d) for payment.
- e. **Various Invoices from Jacobs Engineering Group, Inc. for Contract #2061 – General Consulting Engineering Services in the amount of \$4,088.75**  
Maria Alliegro, Director of Engineering and Les Malyskyy, Project Engineer approved invoice 3(e) for payment.
- f. **Invoice #90262 from Landscape Materials, Inc. for Contract #2083 – Removal of Residuals in the amount of \$33,325.00**  
Adam Vandenbos, Industrial Waste Water Assistant Manager and Geordie Allegri, Industrial Waste Water Supervisor approved invoice 3(f) for payment.
- g. **Invoice #53517 from RVH Mulch Supply, LLC for Contract #2117 – Residual Removal in the amount of \$6,475.00**  
Adam Vandenbos, Industrial Waste Water Assistant Manager and Geordie Allegri, Industrial Waste Water Supervisor approved invoice 3(g) for payment.
- h. **Invoice #14905 from Current Elevator Technology, Inc. for Contract #2075R – Modernization of Chemical Building Elevator & Elevator Maintenance in the amount of \$1,095.00**  
Paul Serillo, Senior Director of Facilities, Operations & Engineering and James Michels, Manager, Mechanical & Electrical Maintenance approved invoice 3(h) for payment.
- i. **Invoice #638228 from Premier Services/USIC, LLC for Contract #2097 – Underground Locating in the amount of \$5,554.50**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(i) for payment.
- j. **Invoice #8 from AJC0, LLC for Contract #2107 – Engineering Consulting & Planning Services in the amount of \$4,160.00**

Maria Alliegro, Director of Engineering and Paul Serillo, Senior Director of Facilities, Operations & Engineering approved invoice 3(j) for payment.

- k. Invoice #144749 from French & Parrello Associates for Contract #2108 – 2023 Regular Dam Inspections in the amount of \$13,105.00**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(k) for payment.
- l. FINAL Invoice from Iron Hills Construction for Contract #2086R – Potassium Permanganate System Rehabilitation in the amount of \$45,835.00**  
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(l) for payment.
- m. Various Invoices from Clean Waters Consulting LLC for Contract #2066 – Reservoir Consulting in the amount of \$1,750.00**  
Maureen Kneser, Director of Lab and Ethan Snyder, Process Specialist/Regulatory Compliance approved invoice 3(m) for payment.
- n. Invoice #70858 from Suburban Consulting Engineers, Inc. for Contract #2074 – Freshwater Wetlands General Permit in the amount of \$86.50**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(n) for payment.
- o. Various Invoices from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$7,724.92**  
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(o) for payment.
- p. Various Invoices from Lerch, Vinci & Higgins, LLP for the Arbitrage Rebate Analysis for Period Ending 12/31/22 in the amount of \$25,412.50**  
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(p) for payment.
- q. FINAL Invoices from Aspen Tree Service, Inc. for Contract #2078-R-2 – Hazardous Tree Removal in the amount of \$44,884.60**  
Robert Malone, Manager of GFM and William Jones, Assistant Manager of GFM approve invoice 3(q) for payment.
- r. FINAL Invoices from Consolidated Environmental, Inc. for Contract #2092R – Orechio Building HVAC Cleaning in the amount of \$986.50**  
Maria Alliegro, Director of Engineering and Edward Newman, Construction Manager approved invoice 3(r) for payment.
- s. Invoice #91134118 from U.S. Department of the Interior for United States Geological Survey Agreement #23LJJFA28 in the amount of \$90,675.00**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(s) for payment.

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

**Resolution – Ratifying the Authorization of Emergency Work and the Issuance of Emergency Purchase Orders for the Work Associated with the Replacement of the Surge Tank Vault Valve**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION RATIFYING THE AUTHORIZATION OF EMERGENCY  
WORK AND THE ISSUANCE OF EMERGENCY PURCHASE ORDERS FOR  
THE WORK ASSOCIATED WITH THE REPLACEMENT OF THE SURGE  
TANK VAULT VALVE**

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**, on December 8, 2023, while performing preventative maintenance work on the Commission's pipelines, J. Fletcher Creamer and Son, Inc. ("Creamer") discovered a large leak on the south-west 48" valve at the Surge Tank cross connection chamber on the Wanaque North Aqueduct (WNA); and

**WHEREAS**, as further detailed in Engineering Memo ENG #24-07 dated February 14, 2023 (the "Memo") attached hereto, upon inspection, the leak was found to be emanating from a large crack in the valve body and due to the size and location of the leak, the Commission had to isolate a significant portion of the west WNA upstream and downstream of the Surge Tank cross connection and install additional valves and piping within the vault to ensure that the east leg of the WNA has sufficient surge protection; and

**WHEREAS**, because of the cast iron composition of the valve and the size of the crack, the entire 48" gate valve has to be replaced which requires a large amount of excavation and demolition work given the location of the vault directly below the Surge Tank, including design work, survey work, and leak detection services to mark out, locate, excavate, and repair the leak, address related items and restore the site (the "Emergency Services"); and

**WHEREAS**, due to the complexity of this repair and the need to return the isolated portions of the WNA back to service before the peak demand season, the Emergency Services need to proceed on an emergent basis; and

**WHEREAS**, in accordance with the Commission's Purchasing Policies and Procedures Manual and approved by the Executive Director and the CFO, the Commission procured the services of the following companies to undertake the Emergency Services on an emergent basis:

- HDR, Inc. ("HDR") is performing the design of the valve replacement, and root cause analysis
- Creamer is replacing the valve and associated work
- Colliers Engineering and Design ("Colliers") is conducting regular surveys
- FSC Leak Detection ("FSC" and together with HDR, Creamer and Colliers, the "Contractors") is assisting with locating any additional leaks

**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 emergencies warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

**WHEREAS**, the Commission finds that the Contractors have prior experience with the Commission's facilities, are qualified companies experienced in the work necessary to expeditiously undertake the Emergency Services, and that the Contractors' rates and proposals are reasonable under the circumstances; and

**WHEREAS**, the award of the contracts with the Contractors for the Emergency Services 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 CFO of the Commission has certified that the funds are available to pay for the Emergency Services; and

**WHEREAS**, the Commission desires to authorize and ratify the authorization and award of the Emergency Services to the Contractors in accordance with their proposals and invoices.

**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 constitutes 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 exists.

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby authorizes and ratifies the retention of the Contractors to undertake the Emergency Services in an emergent fashion, without public bidding, for the estimated amount of two million dollars (\$2,000,000.00) in accordance with invoices submitted by the Contractors.

**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 ratifying the authorization of emergency work and the issuance of emergency purchase orders for the work associated with the replacement of the surge tank vault valve; 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 \$9,850,349.71; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella, Cutrone and Cutrone voting in the affirmative. Vice Chairman Shotmeyer abstained on check #67864.

**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 \$3,490,097.38; 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.

**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 \$1,466,239.79; seconded by Commissioner Cutrone 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 Cassella offered a motion to adjourn the meeting at 9:40 a.m.; 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.

Respectfully submitted,

Kim Diamond  
Commission Secretary