

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
PUBLIC COMMISSION MEETING
WEDNESDAY, FEBRUARY 22, 2023

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, February 22, 2023 at 9:03 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Howard L. Burrell, Vice Chairman Charles P. Shotmeyer, Commissioner Alan S. Ashkinaze, Commissioner Donald C. Kuser, Commissioner James L. Cassella, Commissioner Cristina M. Cutrone 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.

Commission Counsel Francine C. McManimon administered the oath of office to Terrence J. Duffy. The Board extended congratulations to Commissioner Duffy upon his appointment to the Commission.

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 Ashkinaze 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 9:10 a.m.

Chairman Burrell reconvened the Public Meeting at 9:30 a.m.

PUBLIC COMMISSION BUSINESS
ACTION REQUIRED:

Commissioner Ashkinaze offered a motion to approve the Public Commission Meeting Minutes of January 25, 2023; seconded by Commissioner Kuser and approved with

Chairman Burrell and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative. Vice Chairman Shotmeyer and Commissioner Duffy abstained.

Commissioner Ashkinaze offered a motion to approve the Public Work Session Minutes of January 25, 2023; seconded by Commissioner Cutrone and approved with Chairman Burrell and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative. Vice Chairman Shotmeyer and Commissioner Duffy abstained.

Vice Chairman Shotmeyer offered a motion to approve the Purchase Requisitions over \$5000 Report for February 2023 in the amount of \$133,002.40; 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.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Commission Invoices:

- a. **Invoice #5 from Stone Hill Construction for Contract #2087 – Clarifier Rehab Basins 1-4 in the amount of \$261,902.11**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(a) for payment.
- b. **Invoice #564411 from Premier Services/USIC, LLC for Contract #2097 – Underground Locating in the amount of \$3,097.57**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(b) for payment.
- c. **Invoice #32 from Clean Waters Consulting LLC for Contract #2066 – Reservoir Consulting in the amount of \$525.00**
Lewis Schneider, Director of Operations/Licensed Operator and Maureen Kneser, Lab Manager approve invoice 3(c) for payment.
- d. **Various Invoices from Downes Tree Service, Inc. for Contract #2078R-2-B – Hazardous Tree Removal in the amount of \$321,622.50**
Maria Alliegro, Director of Engineering and Les Malytskyy, Project Engineer approved invoice 3(d) for payment.
- e. **Invoice #13546065 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$1,747.36**
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(e) for payment.
- f. **Invoice #24136 from Landscape Materials, Inc. for Contract #2083 – Removal of Residuals in the amount of \$3,100.00**
Doug Delorie, Manager of Residuals and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(f) for payment.
- g. **Various Invoices from GZA GeoEnvironmental, Inc. for Contract #1061 – Shooting Range Site Remediation in the amount of \$5,300.00**
Maria Alliegro, Director of Engineering and Les Malytskyy, Engineering Project Manager approved invoice (g) for payment.
- h. **Invoice #51218 from RVH Mulch Supply, LLC for Contract #2059 – Residual Removal in the amount of \$9,875.00**
Lewis Schneider, Director of Operations/Licensed Operator and Doug Delorie, Manager of Residuals approved invoice 3(h) for payment.
- i. **Various Invoices from Suburban Consulting Engineers, Inc. for Contract #2074 – Freshwater Wetlands General Permit in the amount of \$5,132.17**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(i) for payment.

- j. Invoice #66522 from DLB Associates Consulting Engineers for Contract #2063 – Electrical Consulting Services in the amount of \$4,200.00**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(j) for payment.
- k. Invoice #E6X94500030 from Jacobs Engineering Group, Inc. for Contract #2051 – Construction Administration for Clarifier Rehab 1-4 in the amount of \$3,784.52**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(k) for payment.
- l. Invoice #E6X94200036 from Jacobs Engineering Group, Inc. for Contract #2052 – Construction Administration for RTF in the amount of \$8,529.41**
Maria Alliegro, Director of Engineering and Les Malytskyy, Project Engineer approved invoice 3(l) for payment.
- m. Various Invoices from Jacobs Engineering Group, Inc. for Contract #2061 – General Consulting Engineering Services in the amount of \$3,135.07**
Maria Alliegro, Director of Engineering, Paul Serillo, Director of Facilities, Chris Clamser, Project Engineer, Michael Dox, Plant Electrical Engineer and Les Malytskyy, Project Engineer approved invoice 3(m) for payment.
- n. Invoice #3 from Iron Hills Construction for Contract #2086R – Potassium Permanganate System Rehabilitation in the amount of \$78,543.00**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(n) for payment.

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

Resolution – Authorizing the Second Renewal Option and One-Year Extension to Contract #2066 with Clean Waters Consulting, LLC for Work Associated with Reservoir & Watershed Management Advisory and Consulting Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE SECOND RENEWAL OPTION AND ONE-
YEAR EXTENSION TO CONTRACT #2066 WITH CLEAN WATERS
CONSULTING, LLC FOR WORK ASSOCIATED WITH RESERVOIR &
WATERSHED MANAGEMENT ADVISORY AND CONSULTING 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 reservoir and watershed management advisory and consulting to provide reservoir and watershed management services for the Commission (the “Reservoir and Watershed Management Advisory/Consulting 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 January 28, 2020, the Commission publicly advertised a Request for Proposals #002-2020 for the work associated with the Reservoir and Watershed Management Advisory/Consulting Services in accordance with requirements and specifications set forth therein, and subsequently received two proposals (the “Proposals”) on or about February 27, 2020, from various firms; and

WHEREAS, the Commission thereafter evaluated the Proposals and adopted Resolution #1914 on March 25, 2020, awarding Clean Waters Consulting, LLC (“Clean Waters”) a contract for the provision of Reservoir and Watershed Management Advisory/Consulting Services as the most qualified proposer, considering its experience and pricing (“Contract #2066”); and

WHEREAS, on April 2, 2020, the Commission and Clean Waters executed Contract #2066, wherein the term of Contract #2066 is two (2) years, with the Commission reserving the right to renew Contract #2066 for up to two (2) additional, consecutive, one (1) year terms under the same terms and conditions; and

WHEREAS, on or about March 23, 2022, the Commission adopted Resolution #2048, authorizing and ratifying a one-year extension of Contract #2066 under the same terms and conditions as outlined in Contract #2066, and reserving the right to extend the contract for a second renewal under the same terms and conditions; and

WHEREAS, the Commission has been satisfied with Clean Waters, and wishes to invoke its second renewal option for a one (1) year extension to Contract #2066 under the same terms and conditions in the original contract; and

WHEREAS, the renewal of Contract #2066 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 #2066.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Contract #2066 with Clean Waters is hereby renewed for a term of one (1) year, to April 2, 2024, to provide the Reservoir and Watershed Management Advisory/Consulting Services as described in Contract #2066; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare the renewal under the same terms and conditions as Contract #2066; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the renewal of Contract #2066, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or the Vice Chairman; and

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

Commissioner Cassella offered a motion to adopt the resolution authorizing the second renewal option and one-year extension to Contract #2066 with Clean Waters Consulting, LLC for work associated with reservoir & watershed management advisory and consulting services; seconded by Commissioner Ashkinaze and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative. Commissioner Duffy abstained.

Resolution – Authorizing the 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.

Commissioner Kuser offered a motion to adopt the resolution authorizing disposition of obsolete equipment; 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.

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 \$6,213,077.54; 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 abstained from check #65927.

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 \$2,302,168.14; 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.

Wanaque South Joint Venture Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Kuser offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$1,123,748.90; seconded by Commissioner Ashkinaze and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative. Commissioner Duffy abstained.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 9:35 a.m.; 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.

Respectfully submitted,

Kim Diamond
Commission Secretary