

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, JULY 26, 2023

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, July 26, 2023 at 9:05 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 and Commissioner Cristina M. Cutrone were recorded present. Also present were Timothy J. Eustace, Executive Director, William Schaffner, Chief Financial Officer, Kim Diamond, Commission Secretary, Francie McManimon, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Maneza M. Ali, Paralegal from the law firm of McManimon, Scotland & Baumann, LLC. Laura Wilton, Associate Counsel of the Governor's Authority Unit participated via teleconference. Commissioner Terrence J. Duffy 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 Ashkinaze offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative. The Public Meeting was recessed at 9:08 a.m.

Chairman Burrell reconvened the Public Meeting at 9:35 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Vice Chairman Shotmeyer offered a motion to approve the Public Commission Meeting Minutes of June 28, 2023; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative.

Commissioner Cutrone offered a motion to approve the Public Work Session Minutes of June 28, 2023; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative.

Commissioner Kuser offered a motion to approve the Purchase Requisitions over \$5000 Report for July 2023 in the amount of \$28,426.00; seconded by Commissioner Cutrone and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative.

UNFINISHED BUSINESS:

None

NEW BUSINESS:**Commission Invoices:**

- a. **Invoice #1083-64 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 Malyskyy, Project Engineer approved invoice 3(a) for payment.
- b. **Invoice #13715901 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$1,764.68**
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(b) for payment.
- c. **Various Invoices from DLB Associates Consulting Engineers for Contract #2063 – Electrical Consulting Services in the amount of \$6,393.75**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(c) for payment.
- d. **Invoice #4 from Peloda Systems, Inc. for Contract #2103 – Intrusion & Fire Alarm Systems in the amount of \$34,853.00**
Charles Billings, Director of IT approved invoice 3(d) for payment.
- e. **Invoice #E6X94500034 from Jacobs Engineering Group, Inc. for Contract #2051 – Construction Administration for Clarifier Rehab 1-4 in the amount of \$3,382.45**
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(e) for payment.
- f. **Invoice #2 from AJC0, LLC for Contract #2107 – Engineering Consulting & Planning Services in the amount of \$4,550.00**
Maria Alliegro, Director of Engineering and Paul Serillo, Director of Facilities approved invoice 3(f) for payment.
- g. **Invoice #714 from Allen Associates for Contract #2109 – Review and Advise on the Health Benefit Program in the amount of \$10,000.00**
Maria Alliegro, Director of Engineering and Edward Newman, Construction Manager approved invoice 3(g) for payment.
- h. **Various Invoices from Landscape Materials, Inc. for Contract #2083 – Removal of Residuals in the amount of \$20,925.00**
Geordie Manning, Assistant Manager of Residuals and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(h) for payment.
- i. **Invoice #37 from Clean Waters Consulting LLC for Contract #2066 – Reservoir Consulting in the amount of \$612.50**
Lewis Schneider, Director of Operations/Licensed Operator and Maureen Kneser, Lab Manager approved invoice 3(i) for payment.
- j. **Invoice #207 from Coastal Engineering, LLC for Contract #2099 – Post Brook Dam Improvements in the amount of \$18,399.12**
Lewis Schneider, Director of Operations/Licensed Operator and Geordie Allegri, Assistant Manager of Residuals approved invoice 3(j) for payment.

- k. Invoice #286985 from Go Organic Lawn & Tree Care for Contract #2067 – Vegetation Management in the amount of \$8,750.00**
Robert Malone, GFM Manager and William Jones, GFM Assistant Manager approved invoice 3(k) for payment.
- l. Various Invoices from Premier Services/USIC, LLC for Contract #2097 – Underground Locating in the amount of \$17,147.62**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(l) for payment.
- m. Invoice #503790 from Winner Ford for Contract #2105 – 2023 Ford Transit Van in the amount of \$57,705.00**
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(m) for payment.

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

Resolution – Authorizing Change Order No. 1 to Contract #2099 with Coastal Engineering, LLC for Work Associated with Post Brook Dam Improvements

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING CHANGE ORDER NO. 1 TO CONTRACT
#2099 WITH COASTAL ENGINEERING, LLC FOR WORK ASSOCIATED
WITH POST BROOK DAM IMPROVEMENTS**

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 has determined that it is necessary to retain the services of a qualified contractor with expertise in dam improvements for the Commission’s Post Brook Dam (the “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 November 22, 2022, the Commission publicly advertised a Bid Specification for Contract #2099 (the “Bid Specification”) for work associated with the Services in accordance with requirements and specifications set forth therein and subsequently received several bids (the “Proposals”) from interested firms on January 5, 2023; and

WHEREAS, the Commission reviewed the Proposals and determined that Coastal Engineering, LLC (“Coastal Engineering”) was the lowest, qualified, total bid for the Services as set forth in the Bid Specifications for a total not-to-exceed amount of \$58,689.40 for the Services (“Coastal Proposal”); and

WHEREAS, by Resolution No. 2120 dated January 25, 2023, the Commission authorized the award and execution of Contract #2099 (“Contract #2099”) with Coastal Engineering for the work associated with the Services; and

WHEREAS, as Coastal Engineering commenced the Services, they determined (i) there was much more silt than anticipated; (ii) that timber debris clogged the intake pit upstream of the control

tower; (iii) that the existing trash rack showed critical deterioration; and (iv) there is deteriorated masonry further into the dam, indicating infiltration from the dam's crest (the "Conditions"); and

WHEREAS, in order to address the Conditions, Coastal Engineering submitted a proposed change order to Contract #2099 dated June 20, 2023 (the "Letter") identifying certain repair, replacement and masonry services to be undertaken, including excavating timber debris and sediment build up, repairing deteriorated masonry along the dam's crest, and the removal, disposal and replacement of a new aluminum trash rack all as set forth in the Letter attached to Engineering Memorandum Eng #23-23 (the "Repair Services"); and

WHEREAS, Coastal Engineering agrees to perform the Repair Services for \$141,000; and

WHEREAS, the Conditions could not be known until the work commenced, but given the location and nature of the repairs/replacements, they need to be addressed as part of the Services so that Coastal Engineering can continue to complete the interconnected work that has been started which is essential to the operations of the Commission; and

WHEREAS, due to the time involved in processing Change Order No. 1, and the time required to provide the Repair Services, the time for completing the Services shall be revised to 210 calendar days from the commencement of work, no later than January 4, 2024; and

WHEREAS, due to the aforementioned reasons, Coastal Engineering requested Change Order No. 1 to Contract #2099 for a price increase to supply the Repair Services in the not-to-exceed amount of \$141,000 with a revised completion date of 210 calendar days from the commencement of work, or January 4, 2024 ("Change Order No. 1"); and

WHEREAS, Commission staff have examined Coastal Engineering's requested Change Order No. 1, have determined that the goods and fees set forth therein are reasonable, necessary, and appropriate, and recommended that the Commission approve Change Order No. 1; and

WHEREAS, the award of this Change Order No. 1 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 Change Order No. 1.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Change Order No. 1 in the not-to-exceed amount of \$141,000 for the Repair Services with a revised completion date for the Services of 210 calendar days from the commencement of work, or January 4, 2024, is hereby approved.

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Change Order No. 1 in accordance with the Letter and this resolution, with all other terms and conditions of Contract #2099, to remain unchanged.

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Change Order No. 1, including by electronic signature, and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman.

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 Kuser offered a motion to adopt the resolution authorizing Change Order No. 1 to Contract #2099 with Coastal Engineering, LLC for work associated with Post Brook Dam improvements; seconded by Commissioner Cutrone and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative.

Resolution – Authorizing a Sole Source Contract Award to Action Data Services for the Provision of Payroll and Pension/Tax filing Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD TO
ACTION DATA SERVICES FOR THE PROVISION OF PAYROLL AND
PENSION/TAX FILING SERVICES**

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 utilizes Action Data Services (the “ADS”) for the provision of Payroll and Pension/Tax Filing Services (the “Services”); and

WHEREAS, ADS prepares bi-weekly payroll processing along with payment and report of Federal and State taxes and New Jersey Pension obligations for the Commission employees; and

WHEREAS, ADS submitted a proposal to perform the Services for the years 2024 and 2025 with the option to extend through 2026 at an annual fee of \$14,355.00 (the “Proposal”); and

WHEREAS, ADS is the only payroll company recognized by the State of New Jersey to physically perform pension filing, reporting and payment services on behalf of clients and ADS’s system is able to interact with, and use the information provided by, the Commission’s existing time clock infrastructure; and

WHEREAS, the Chief Financial Officer recommends that the Commission enter into a two (2) year contract with a one (1) year extension option with ADS for the Services as per the Proposal; 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 ADS constitutes a sole source provider of the Services; 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 ADS be designated as the sole source provider for the Services at an annual fee of \$14,355.00 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 Services, 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 Action Data Services for the provision of payroll and pension/tax filing services; seconded by Commissioner Cutrone and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative.

Resolution – Authorizing a Sole Source Contract Award to LJS Electric, Inc. for Emergency Repairs of Commission HVAC Units

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD TO
LJS ELECTRIC, INC. FOR EMERGENCY REPAIRS OF COMMISSION HVAC
UNITS**

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 owns and maintains over fifty (50) HVAC units throughout its multiple complexes (the “Units”); the Units are utilized for a variety of purposes including cooling of critical computer equipment and servers used for plant control, cooling of sensitive laboratory analyzers, maintaining proper ventilation for personnel and equipment protection, as well as maintaining the OSHA recommended indoor working temperature range of 68 – 76 degrees; and

WHEREAS, the Commission utilizes LJS Electric, Inc. (the “LJS”) to provide regular preventive maintenance to its HVAC system (the “Services”) pursuant to a service agreement between the Commission and LJS, (the “Service Agreement”) which is procured via a purchase order on an annual basis and awarded to the LJS with the lowest quotation; and

WHEREAS, by virtue of the provision of the Services, LJS has intimate knowledge of the Units and their current condition and troubleshoots and identifies necessary repairs; and

WHEREAS, as all repairs to Units are handled as emergencies (the “Repairs”), the Commission staff recommends LJS make the Repairs utilizing the man-hour rates stipulated in the Service Agreement; and

WHEREAS, the cost of the Repairs varies greatly from year to year based on the unpredictable nature of the failures and the various types and sizes of the Units and thus overall costs may exceed the vendor limit; and

WHEREAS, all replacement Units are handled outside the Service Agreement and are quoted and procured separately; and

WHEREAS, given LJS unique knowledge of the Units, the Director of Facilities recommends LJS be designated as a sole source provider for the Repairs during the term of the Service 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 Staff, Executive Order #37, and Section 1(G) of the Commission’s Purchasing Policies and Procedures Manual (the “Manual”), the Commission has determined that LJS constitutes a sole source provider of the Repairs; 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 LJS be designated as the sole source provider for the Repairs 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 Repairs, 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 LJS Electric, Inc. for emergency repairs of Commission HVAC units; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative.

Resolution – Ratifying the Authorization of an Emergency Purchase Order to KEK Pond Cleaning & Dredging LLC for the Provision of Inner Lagoon Dredging and Cleaning Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION RATIFYING THE AUTHORIZATION OF AN EMERGENCY
PURCHASE ORDER TO KEK POND CLEANING & DREDGING LLC FOR
THE PROVISION OF INNER LAGOON DREDGING AND CLEANING
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, by Resolution No. 2137, the Commission authorized KEK Pond Cleaning and Dredging LLC (“KEK”) for the provision of Pond Dredging and Dewatering Services to a local pond at 18 DuPont Terrace, which was completed on June 16, 2023; and

WHEREAS, by Resolution No. 2140, the Commission ratified the authorization of an emergency purchase order to KEK for the cleaning and dredging of the inner and limited outer lagoon areas while KEK was on-site for the DuPont Terrace project; and

WHEREAS, KEK has been on site clearing the Inner Lagoon from circa June 21, 2023 to June 30, 2023, of non-continuous days; and

WHEREAS, in addition to the seven (7) days authorized by Resolution No. 2140, KEK is requesting an additional five (5) days for further cleaning of the Inner Lagoon to remove deeper sludge and additional solids (“Emergency Services”), which incorporates two (2) days of demobilization; and

WHEREAS, given that the Crisafulli Dredge, used to clean the Inner Lagoon, is no longer operable, Commission staff recommended authorization of the Emergency Services by KEK in an amount not to exceed \$17,000.00 (the “Proposal”); and

WHEREAS, the Commission determined the 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 KEK to undertake the Emergency Services in an emergent fashion, without public bidding, and the issuance of a purchase order in the not to exceed amount of \$17,000.00 for payment to KEK for the provision of the Emergency Services in accordance with the 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 Cutrone offered a motion to adopt the resolution ratifying the authorization of an emergency purchase order to KEK Pond Cleaning & Dredging LLC for the provision of inner lagoon dredging and cleaning services; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative.

Resolution – Authorizing Additional Funds for the Repair of the Commission’s Machinery

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING ADDITIONAL FUNDS FOR THE REPAIR OF
THE COMMISSION’S MACHINERY**

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, on September 28, 2022, by Resolution #2076, the Commission authorized Alber & Son Inc. (“Alber Son”), as the sole source provider to address and repair issues with the Commission’s machinery (the “Services”); and

WHEREAS, on July 5, 2023, Commission staff submitted a memorandum to the Executive Director advising that the Commission has spent \$16,881.55 for the Services , is approaching the vendor limit threshold for the calendar year of 2023 and recommending authorization for an additional \$20,000.00 for the Services for the remainder of 2023 (the “Additional Funds”); and

WHEREAS, the Commission requests the authorization of the Additional Funds for the Services through the end of the current calendar year in a not to exceed amount of \$20,000.00; and

WHEREAS, the authorization of these Additional Funds 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 the authorization of the Additional Funds, in an amount not to exceed \$20,000.00 for Alber Son as the sole source provider of the Services is hereby authorized; 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 Services, 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 additional funds for the repair of the Commission's machinery; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone 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 \$9,253,239.08; seconded by Commissioner Kuser and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative. Vice Chairman Shotmeyer abstained from check #66321.

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 \$4,164,560.44; seconded by Commissioner Cutrone and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone 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 \$857,934.75; seconded by Commissioner Cutrone and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 9:42 a.m.; seconded by Commissioner Cutrone and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Cutrone voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary