

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, NOVEMBER 15, 2023

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, November 15, 2023 at 9:00 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

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

Vice Chairman Shotmeyer asked everyone to stand and recite the Pledge of Allegiance.

Pursuant to the requirements of N.J.S.A. 10:4-6, et seq., Commission Secretary Kim Diamond acknowledged compliance with the statute. Commission Secretary Diamond advised that the provisions of the Open Public Meetings Act have been complied with as to the posting of notice in a public place reserved for such announcement and transmittal to the mass media for publication.

Commission Secretary Kim Diamond read the following resolution:

WHEREAS, *Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and*

WHEREAS, *the public body is of the opinion that such circumstances recently exist.*

NOW, THEREFORE, BE IT RESOLVED, *by the Commissioners of the North Jersey District Water Supply Commission of the State of New Jersey as follows:*

- 1. The public shall be excluded from discussions of the hereinafter-specified subject matters; the general natures of the subject matters to be discussed are Pending Litigation and Contracts;*
- 2. It is anticipated at this time that the above stated subject matters will be ratified during the Public Meeting to follow or as soon thereafter as the reason for discussing the matters in the Executive Conference no longer exists.*
- 3. This Resolution shall take effect immediately.*

Commissioner Kuser offered a motion to adopt the resolution regarding Section 8, Chapter 231, P.L. 1975 of the Open Public Meetings Act; seconded by Commissioner Cassella and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative. The Public Meeting was recessed at 9:05 a.m.

Vice Chairman Shotmeyer reconvened the Public Meeting at 9:29 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Commissioner Ashkinaze offered a motion to approve the Public Commission Meeting Minutes of October 25, 2023; seconded by Commissioner Kuser and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Commissioner Ashkinaze offered a motion to approve the Public Work Session Minutes of October 25, 2023; seconded by Commissioner Cassella and unanimously approved

with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Commissioner Ashkinaze offered a motion to approve the Purchase Requisitions over \$5000 Report for November 2023 in the amount of \$87,990.81; seconded by Commissioner Cassella and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Commission Invoices:

- a. **Invoice #1083-67 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$34,506.84**
Paul Serillo, Director of Facilities and Les Malyskyy, Project Engineer approved invoice 3(a) for payment.
- b. **Invoice #13929300 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$1,724.00**
William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(b) for payment.
- c. **Various Invoices from Suburban Consulting Engineers, Inc. for Contract #2074 – Freshwater Wetlands General Permit in the amount of \$1,274.92**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(c) for payment.
- d. **Invoice #E6X94200044 from Jacobs Engineering Group, Inc. for Contract #2052 – Construction Administration for RTF in the amount of \$6,405.74**
Maria Alliegro, Director of Engineering and Les Malyskyy, Project Engineer approved invoice 3(d) for payment.
- e. **Invoice #E6Y04000-003 from Jacobs Engineering Group, Inc. for Contract #2111 – Design for Wanaque South Pump Station in the amount of \$17,547.50**
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(e) for payment.
- f. **Various Invoices from Jacobs Engineering Group, Inc. for Contract #2061 – General Consulting Engineering Services in the amount of \$21,017.50**
Maria Alliegro, Director of Engineering and Les Malyskyy, Project Engineer approved invoice 3(f) for payment.
- g. **Invoice #90076 from Landscape Materials, Inc. for Contract #2083 – Removal of Residuals in the amount of \$51,150.00**
Geordie Allegri, Manager of Residuals and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(g) for payment.
- h. **Invoice #53102 from RVH Mulch Supply, LLC for Contract #2059 – Residual Removal in the amount of \$14,800.00**
Lewis Schneider, Director of Operations/Licensed Operator and Geordie Alliegro, Manager of Residuals approved invoice 3(h) for payment.
- i. **Invoice #2075R3 from Current Elevator Technology, Inc. for Contract #2075R – Modernization of Chemical Building Elevator & Elevator Maintenance in the amount of \$98,325.00**
Paul Serillo, Director of Facilities and James Michels, Manager, Mechanical & Electrical Maintenance approved invoice 3(i) for payment.
- j. **Invoice #621363 from Premier Services/USIC, LLC for Contract #2097 – Underground Locating in the amount of \$4,580.38**
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(j) for payment.

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

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

Resolution – Authorizing the Award and Execution of a Contract for the Provision of Media Relations Consulting Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A
CONTRACT FOR THE PROVISION OF MEDIA RELATIONS 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 has determined there is a need to retain a consulting firm to provide media relations and other related services for a term of one year (“Media Relations 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, the Commission’s Purchasing Policies and Procedures provide that the Commission may delegate authority to the Executive Director to obtain professional consulting services pursuant to a letter of engagement where the cost of such services is below the approved threshold amount as set by N.J.S.A. 58:5-20; and

WHEREAS, Public Strategies Impact, LLC (“Public Strategies”) has proposed to provide the Media Relations Consulting Services for a term of one year for a total fee of \$17,000.00, to be billed quarterly; and

WHEREAS, the Executive Director has determined that Public Strategies has the requisite skills

and experience to perform the Media Relations Consulting Services and wishes to retain the services of Public Strategies for a term of one year for this purpose; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for these services; and

WHEREAS, obtaining these 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Executive Director is hereby authorized to engage Public Strategies for a term of one year for a total fee of \$17,000.00, to be billed quarterly, for the purpose of providing the Commission with Media Relations Consulting Services; and

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to prepare and execute a letter of engagement with Public Strategies for the performance of Media Relations Consulting Services; and

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

Commissioner Cassella offered a motion to adopt the resolution authorizing the award and execution of a contract for the provision of media relations consulting services; seconded by Commissioner Ashkinaze and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Resolution – Authorizing Extension No. 1 and Change Order No. 1 to Contract #2084 with Usalco Baltimore Plant, LLC for the Furnishing and Delivery of Polyaluminum Chloride

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING EXTENSION NO. 1 AND CHANGE ORDER
NO. 1 TO CONTRACT #2084 WITH USALCO BALTIMORE PLANT, LLC FOR
THE FURNISHING AND DELIVERY OF POLYALUMINUM CHLORIDE**

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 to furnish and deliver Polyaluminum Chloride ("Polyaluminum Chloride") to be used at the Water Filtration Plant in the treatment and provision of potable water; 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 October 5, 2021, the Commission publicly advertised a Bid Specification for Contract #2084 for the furnishing and delivery of Polyaluminum Chloride ("Contract #2084") in accordance with the requirements and specifications set forth therein, and subsequently received one bid (the "Bid") on or about November 9, 2021, from USALCO Baltimore Plant, LLC ("USALCO"); and

WHEREAS, the Commission thereafter evaluated the Bid and adopted Resolution No. 2032 on December 15, 2021, authorizing the award and execution of Contract #2084 with USALCO for the furnishing and delivery of Polyaluminum Chloride, as the sole and lowest conforming bidder, at the price of \$377.80 per ton; and

WHEREAS, on January 19, 2021, the Commission and USALCO executed Contract #2084, wherein the initial term of Contract #2084 is for two (2) years for Calendar Years 2022 and 2023, with the Commission reserving the right to renew Contract #2084 for up to two (2) additional consecutive one (1) year terms under the same terms and conditions set forth therein; and

WHEREAS, the Commission having been satisfied with USALCO, relayed its request to USALCO to invoke its first renewal option for a one (1) year extension to Contract #2084 under the same terms and conditions set forth therein ("Extension No. 1"); and

WHEREAS, USALCO has represented to the Commission that it cannot renew Contract #2084 for an additional year under the same terms and conditions in Contract #2084 due to price increases associated with the furnishing and delivery Polyaluminum Chloride; and

WHEREAS, on or about November 6, 2023, USALCO submitted a proposal to the Commission for Extension No.1, requesting price relief for the aforementioned reasons, and proposing to furnish and deliver Polyaluminum Chloride at the delivered price of \$448.60 per ton; and

WHEREAS, at the request of the Commission, USALCO submitted Change Order No. 1 to Contract #2084 for the price increase for the furnishing and delivery of Polyaluminum Chloride from the price of \$377.80 per ton to the price of \$448.60 per ton (“Change Order No. 1”); and

WHEREAS, Commission staff have examined USALCOS’s requested Change Order No. 1 with Extension No.1, and have determined that the price increase for the furnishing and delivery of Polyaluminum Chloride set forth therein is reasonable, necessary, and appropriate, and have recommended that the Commission approve Change Order No. 1; and

WHEREAS, the award of Change Order No.1 with Extension No. 1 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 Change Order No. 1 to Extension No. 1.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Extension No. 1 and Change Order No. 1 with USALCO are hereby approved, increasing the price for the furnishing and delivery of Polyaluminum Chloride from the price of \$377.80 per ton to the price of \$448.60 per ton during the one (1) year renewal term for calendar year 2024; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare the renewal for Contract #2084, incorporating Change Order No. 1, with all other terms and conditions of Contract #2084 to remain unchanged; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the renewal for Contract #2084, incorporating 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 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 extension no. 1 and change order no. 1 to Contract #2084 with Usalco Baltimore Plant, LLC for the furnishing and delivery of polyaluminum chloride; seconded by Commissioner Duffy and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Resolution – Authorizing Extension No. 1 and Change Order No. 1 to Contract #2085 with Usalco Baltimore Plant, LLC for the Furnishing and Delivery of Aluminum Sulfite

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING EXTENSION NO. 1 AND CHANGE ORDER
NO. 1 TO CONTRACT #2085 WITH USALCO BALTIMORE PLANT, LLC FOR
THE FURNISHING AND DELIVERY OF LIQUID ALUMINUM SULFITE**

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 to furnish and deliver Liquid Aluminum Sulfite (“Liquid Alum”) to be used at the Water Filtration Plant in the treatment and provision of potable water; 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 October 5, 2021, the Commission publicly advertised a Bid Specification for Contract #2085 for the furnishing and delivery of Liquid Alum (“Contract #2085”) in accordance with the requirements and specifications set forth therein, and subsequently received one bid (the “Bid”) on or about November 9, 2021, from USALCO Baltimore Plant, LLC (“USALCO”); and

WHEREAS, the Commission thereafter evaluated the Bid and adopted Resolution No. 2033 on December 15, 2021, authorizing the award and execution of Contract #2085 with USALCO for the furnishing and delivery of Liquid Alum, as the sole and lowest conforming bidder, at the price of \$234.38 per wet ton; and

WHEREAS, on January 19, 2021, the Commission and USALCO executed Contract #2085, wherein the initial term of Contract #2085 is for two (2) years for Calendar Years 2022 and 2023, with the Commission reserving the right to renew Contract #2085 for up to two (2) additional consecutive one (1) year terms under the same terms and conditions set forth therein; and

WHEREAS, the Commission having been satisfied with USALCO, relayed its request to USALCO to invoke its first renewal option for a one (1) year extension to Contract #2085 under the same terms and conditions set forth therein (“Extension No. 1”); and

WHEREAS, USALCO has represented to the Commission that it cannot renew Contract #2085 for an additional year under the same terms and conditions in Contract #2085 due to price increases associated with the furnishing and delivery Liquid Alum; and

WHEREAS, on or about November 6, 2023, USALCO submitted a proposal to the Commission for Extension No.1, requesting price relief for the aforementioned reasons, and proposing to furnish and deliver Liquid Alum at the delivered price of \$247.66 per wet ton; and

WHEREAS, at the request of the Commission, USALCO submitted Change Order No. 1 to Extension 1 for the price increase for the furnishing and delivery of Liquid Alum from the price of \$234.38 per wet ton to the price of \$247.66 per wet ton (“Change Order No. 1”); and

WHEREAS, Commission staff have examined USALCOS’s requested Change Order No. 1 with Extension No.1, and have determined that the price increase for the furnishing and delivery of Liquid Alum set forth therein is reasonable, necessary, and appropriate, and have recommended that the Commission approve Change Order No. 1; and

WHEREAS, the award of Change Order No. 1 with Extension No. 1 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 Change Order No. 1 with Extension No. 1.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Extension No. 1 and Change Order No. 1 with USALCO are hereby approved, increasing the price for the furnishing and delivery of Liquid Alum from the price of \$234.38 per wet ton to the price of \$247.66 per wet ton during the one (1) year renewal term; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare the renewal for Contract #2085, incorporating Change Order No. 1, with all other terms and conditions of Contract #2085 to remain unchanged; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the renewal for Contract #2085, incorporating 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 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 extension no. 1 and change order no. 1 to Contract #2085 with Usalco Baltimore Plant, LLC for the furnishing and delivery of aluminum sulfite; seconded by Commissioner Duffy and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Resolution – Authorizing the Award and Execution of a Contract with HDR Engineering, Inc. for General Consulting Engineering Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF A
CONTRACT WITH HDR ENGINEERING, INC. FOR GENERAL CONSULTING
ENGINEERING 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 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 multi-disciplined professional engineering firm that has expertise in the principles and practices of engineering as applied to the planning, design, construction, maintenance and operations of public water supply systems to provide General Consulting Engineering Services in connection with management and administration of the Commission’s planned capital and/or maintenance projects (the “Consulting Engineering 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 August 8, 2023, the Commission publicly advertised a Request for Proposals for work associated with the Consulting Engineering Services in accordance with the requirements and specifications set forth therein (“RFP #008-2023”), and subsequently received seven proposals (the “Proposals”) from interested firms on or about September 20, 2023; and

WHEREAS, the Commission’s evaluation committee reviewed and evaluated the Proposals based upon predetermined criteria set forth in the RFP #008-2023, and determined that HDR Engineering, Inc. (“HDR”), achieved the highest average evaluation score for the Consulting Engineering Services (the “HDR Proposal”) for a not-to-exceed amount of Two Hundred and Fifty Thousand Dollars (\$250,000.00) per year, and has recommended that HDR be awarded a contract in accordance with the Commission’s enabling legislation and applicable State law; and

WHEREAS, the initial contract term shall be for a one (1) year term, with the right of the Commission, in its sole discretion, to renew the contract for up to three (3) consecutive one (1) year terms under the same terms and conditions as the initial contract; and

WHEREAS, the Commission desires to retain the services of HDR to perform the Consulting Engineering Services in accordance with the Commission’s requirements as set forth in the RFP #008-2023, the HDR Proposal, and any applicable laws, rules, or regulations; 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 the contract for the provision of General Consulting Engineering Services be awarded to HDR, in accordance with the Commission’s enabling legislation and applicable State law, for an amount not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000.00) per year, for a one (1) year term, with the right of the Commission, in its sole discretion, to renew the contract for up to three (3) consecutive one (1) year terms under the same contract terms; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract for the General Consulting Engineering Services, incorporating the Commission's requirements as set forth in the RFP #008-2023, the HDR Proposal, and any applicable law, rule or regulation; and

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

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

Commissioner Cassella offered a motion to adopt the resolution authorizing the award and execution of a contract with HDR Engineering, Inc. for general consulting engineering services; seconded by Commissioner Duffy and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Resolution – Authorizing, Pursuant to P.L. 2011, CH. 78, the Establishment of 2024 Healthcare Contributions for Employees in Connection with the Provision of Benefits under the New Jersey State Health Benefits Program

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING, PURSUANT TO P.L. 2011, CH. 78, THE
ESTABLISHMENT OF 2024 HEALTHCARE CONTRIBUTIONS FOR
EMPLOYEES IN CONNECTION WITH THE PROVISION OF BENEFITS
UNDER THE NEW JERSEY STATE HEALTH BENEFITS PROGRAM**

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, on January 25, 2023, Resolution No. 2119 was passed establishing the 2023 employee healthcare contribution increase; and

WHEREAS, in connection with the 2024 Calendar Year for health benefits, the State of New Jersey has announced substantial increases in the premium costs associated with public employee enrollment within the New Jersey State Health Benefits Program ("SHBP") for that year, amounting to 7.4% (see, chart of 2024 premium increases by plan and bracket maintained by the SHBP on its website for further information); and

WHEREAS, SHBP premiums are paid in full by the Commission for its employees, with employee contribution to the cost of such premiums being withheld from biweekly earnings; and

WHEREAS, in order to partially offset this burden to the employees of the Commission who are enrolled within the SHBP, the Commission has determined to incur 85% of the above mentioned premium increase in SHBP for the 2024 Calendar Year. (85% of 7.4% = 6.3% net increase.) The remaining 15% of the above mentioned premium increase to employee contribution (15% of 7.4% = 1.1% net increase) shall be withheld from biweekly pay, and which shall be determined following any employee movement on the State of NJ Percentage of Premium Chart; and

WHEREAS, as a result thereof and in accordance with the provisions of New Jersey P.L. 2011, Ch. 78, the Commission is desirous of incurring all net increases after employee contribution for premium costs in SHBP for the 2024 Calendar Year for Commission non-unionized employees. The increase of 1.1% to employee contribution shall be withheld from biweekly pay, and which shall be determined following any employee movement on the State of NJ Percentage of Premium Chart; and

WHEREAS, as a result thereof in accordance with the provisions of New Jersey P.L. 2011, Ch. 78, the Commission is desirous of incurring all net increases after employee contribution for premium costs for SHBP for the 2024 Calendar Year for Commission unionized employees. The net increase of 1.1% to employee contribution shall be withheld from biweekly pay, and which shall be determined following any employee movement on the State of NJ Percentage of Premium Chart, subject however to collective bargaining with respect to the same as may be necessary in accordance with applicable law; and

WHEREAS, the Commission is desirous of authorizing the foregoing, along with any documentation necessary to effectuate the same.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission, that the foregoing recitals be and hereby are incorporated herein by reference, and the Commission hereby authorizes, in order to partially offset the burden to the employees of the Commission who are enrolled within the SHBP, to incur all net increases after employee contribution costs for SHBP premiums for the 2024 Calendar Year. The increase of 1.1% to employee contribution shall be withheld from biweekly pay, and which shall be determined following any employee movement on the State of NJ Percentage of Premium Chart, (and as applicable, collective bargaining), all as aforesaid, subject however to all applicable withholding and taxes imposed on the same pursuant to and in accordance with applicable law; and

BE IT FURTHER RESOLVED that the Commission hereby authorizes to incur, in accordance with the provisions of New Jersey P.L. 2011, Ch. 78, of all net increases after employee contribution costs for SHBP premiums for the 2024 Calendar Year for Commission non-unionized employees. The increase of 1.1% to employee contribution shall be withheld from biweekly pay, and which shall be determined following any employee movement on the State of NJ Percentage of Premium Chart; and

BE IT FURTHER RESOLVED that the Commission hereby authorizes to incur, in accordance with the provisions of New Jersey P.L. 2011, Ch. 78, of all net increases after employee contribution costs in SHBP premiums for the 2024 Calendar Year for Commission unionized employees. The increase of 1.1% to employee contribution shall be withheld from biweekly pay, and which shall be determined following any employee movement on the State of NJ Percentage of Premium Chart, subject however, to collective bargaining with respect to the same as may be necessary in accordance with applicable law; and

BE IT FURTHER RESOLVED that the Executive Director, Chief Financial Officer, General Counsel and/or Labor Counsel, as appropriate, are hereby authorized and directed to prepare such documents as are appropriate to implement the provisions of this resolution, including as necessary any agreement, memorandum of understanding or similar memorialization as may be necessary with respect to the collective bargaining requirements of applicable law governing any unionized employees of the Commission with respect to the transactions contemplated hereby; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized and directed to execute any such documents, agreements, memoranda of understanding or other similar indicia of the foregoing (including with respect to collective bargaining requirements of applicable law), 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 as appropriate; 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, pursuant to P.L. 2011, CH. 78, the establishment of 2024 healthcare contributions for employees in connection with the provision of benefits under the New Jersey State Health Benefits Program; seconded by Commissioner Duffy and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Wanaque North Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Cassella offered a motion to approve the Wanaque North Operating Account in the amount of \$10,204,377.94; seconded by Commissioner Kuser and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative. Vice Chairman Shotmeyer abstained on check #67164.

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 \$4,488,052.18; seconded by Commissioner Duffy and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Wanaque South Joint Venture Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Commissioner Cassella offered a motion to approve

PUBLIC COMMISSION MEETING

NOVEMBER 15, 2023

the Wanaque South Joint Venture Operating Account in the amount of \$497,630.33; seconded by Commissioner Duffy and approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

There being no further business, Commissioner Duffy offered a motion to adjourn the meeting at 9:37 a.m.; seconded by Commissioner Cassella and unanimously approved with Vice Chairman Shotmeyer and Commissioners Ashkinaze, Kuser, Cassella and Duffy voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary