

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, DECEMBER 20, 2017

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, December 20, 2017 at 9:10 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Charles P. Shotmeyer, Vice Chairman Carmen A. Orechio and Commissioners Alan S. Ashkinaze, Jerome P. Amedeo, Donald C. Kuser and Howard L. Burrell were recorded present. Also present were Todd R. Caliguire, Executive Director; William Schaffner, Chief Financial Officer, John Wyciskala, Esq., Commission Counsel from the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC and Mary Maples, Senior Counsel of the Governor's Authority Unit. Commissioner Robert C. Garofalo was absent.

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 in the affidavit attached to and made a part of these minutes. 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 Personnel, 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 Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative. The Public Meeting was recessed at 9:12 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 11:00 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Vice Chairman Orechio offered a motion to approve the Public Commission Meeting Minutes of November 22, 2017; seconded by Commissioner Ashkinaze and approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell voting in the affirmative. Commissioner Amedeo abstained.

Vice Chairman Orechio offered a motion to approve the Public Work Session Minutes of November 22, 2017; seconded by Commissioner Ashkinaze and approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell voting in the affirmative. Commissioner Amedeo abstained.

Vice Chairman Orechio offered a motion to approve the Purchase Requisitions over \$5000 Report for December 2017 in the amount of \$93,600.00 seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Commission Invoices:

a. Various Invoices from Stone Hill Construction for Contract #1096 – Clarifier System Rehabilitation in Basins 5 & 6 in the amount of \$205,649.11

Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(a) for payment.

b. Invoice #20194 from Landscape Materials, Inc. for Contract #1089A – Removal of Residuals in the amount of \$20,608.00

David Kirkham, Director of Residuals Treatment Operations and Douglas Delorie, Manager approved invoice 3(b) for payment.

c. Invoice #264365 from Premier Utility Services for Contract #1013 – Underground Locating in the amount of \$456.28

Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(c) for payment.

d. Invoice #2020-1 from Alpine Painting & Sandblasting for Contract #2021 – Washwater Tank Painting & Rehabilitation in the amount of \$222,173.65

Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(d) for payment.

e. Invoice #2020-4 from Alpine Painting & Sandblasting for Contract #2020 – Task 2 Surge Tank Painting & Rehabilitation in the amount of \$159,172.50

Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(e) for payment.

f. Various Invoices from BNY Mellon – W/N/P Revenue Bonds in the amount of \$4,081.00

William Schaffner, Chief Financial Officer approved invoice 3(f) for payment.

g. Invoice #32626 from Princeton Hydro LLC for Contract #1097 – Reservoir & Watershed Management Consulting in the amount of \$2,816.13

Lewis Schneider, Director of Treatment, Laboratory & Compliance – Licensed Operator Water Treatment/Residuals and Maureen Kneser, Laboratory Manager approved invoice 3(g) for payment.

h. Invoice #87940-9694 from JBL Electric, Inc. for Contract #1092 – Electrical Upgrades to Low Lift Pump Station in the amount of \$102,195.00

Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved Invoice 3(h) for payment.

i. Invoice #69928 from Total Recall Corp. for Contract #1094 – Security Enhancements in the amount of \$367,109.59

Charles Billings, Director of IT and Edwin Reyes, Project Engineer approved invoice 3(i) for payment.

j. Various Invoices from Maser Consulting P.A. for Contract #1099 – Professional Land & Dam Surveying in the amount of \$11,122.50

Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(j) for payment.

k. Invoice #2006(B)-01 from Peterson & Sons Tree Service, Inc. for Contract #2006-02 – Clear & Remove Trees in the amount of \$41,895.00

Maria Alliegro, Director of Engineering and Ron Farr, Project Manager approved invoice 3(k) for payment.

l. Invoice #2017-014-1 from Paving Materials & Contracting, LLC for Contract #2012R – Milling & Paving of Raymond Dam Toe Road in the amount of \$75,415.75

James Stachura, Project Engineer and Edward Newman, Construction Manager approved invoice 3(l) for payment.

m. Invoice #215234 from Acrison, Inc. for Contract #2001 – Provision of PAC Storage and Feeding System in the amount of \$69,496.80

Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(m) for payment.

n. Invoice #2007-05 from Allied Construction Group, Inc. for Contract #2007 – PAC Construction in the amount \$9,800.00

Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(n) for payment.

o. Invoice #2009-04 from Allied Construction Group, Inc. for Contract #2009 – Wash Water Pump Modifications in the amount of \$5,071.50

Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(o) for payment.

p. Invoice #2003 & #2004 from All County Irrigation for Contract #2007 – Installment of an Irrigation System in the amount of \$71,264.25

Robert Barone, Manager of GFM and Robert Malone, Assistant Manager of GFM approved invoice 3(p) for payment.

q. Various Invoices #WBXB2200-999-PN-17 from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services – Year 2 – in the amount of \$12,719.61

Maria Alliegro, Director of Engineering, Michael Dox, Plant Electrical Engineer, James Stachura, Project Engineer, Chris Clamser, Project Engineer, Ron Farr, Project Manager and Les Malytskyy, Engineering Project Manager approved invoice 3(q) for payment.

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

Resolution – Authorizing the Posting and Publishing of a Notice of Meetings in Accordance with the New Jersey Open Public Meetings Act

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF
THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
AUTHORIZING THE POSTING AND PUBLISHING OF A NOTICE OF MEETINGS IN
ACCORDANCE WITH THE NEW JERSEY OPEN PUBLIC MEETINGS ACT**

WHEREAS, pursuant to Public Law 1975, c.231, Open Public Meetings Act, Paragraph 10, Section 13 (the “Act”), the North Jersey District Water Supply Commission (the “Commission”) may adopt and publish an “Annual Notice of Meetings” listing the location and the time and date of the regular meetings of the Commission scheduled during the year; and

WHEREAS, the Commission desires to hereby adopt its Annual Notice of Meetings for the period from January 2018 through December 2018 at which time a new Annual Notice shall be adopted and posted by the Commission in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby adopts the Notice set forth in “Schedule A”, attached hereto, as its Annual Notice of Meetings for the period January 2018 through December 2018 and the Commission’s Secretary is authorized by adoption of this Resolution to post and publish same in accordance with Section 10:4-18 (N.J.S.A. 10:4-18) of the Act.

Vice Chairman Orechio offered a motion to adopt the resolution authorizing the posting and publishing of a notice of meetings in accordance with the New Jersey Open Public Meetings Act; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing the Online Sale of Surplus Vehicles and Equipment

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE ONLINE SALE OF SURPLUS VEHICLES
AND EQUIPMENT**

WHEREAS, pursuant to N.J.S.A. 58:5-1 *et seq.*, 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, pursuant to the broad power conferred in N.J.S.A. 58:5-7, the Commission is empowered to dispose of all such property as may no longer be necessary for the uses and purposes for which the Commission was created; and

WHEREAS, the staff of the Commission has identified certain vehicles and equipment (Exhibit “A” attached) that are no longer necessary for the provision of potable water supplies to its member municipalities in accordance with its statutory responsibilities; and

WHEREAS, the Commission desires to dispose of such surplus vehicles and equipment pursuant to a publicly advertised process in order to obtain the fair market value for such vehicles and equipment for the benefit of its member municipalities; and

WHEREAS, the sale and disposition of such surplus vehicles and equipment is necessary for the Commission's efficient operations and the protection of its water supply facilities; and

WHEREAS, the Commission had previously authorized the sale of surplus vehicles and equipment through GovDeals, a state contract online government surplus auction website; and

WHEREAS, the Commission desires to sell the surplus vehicles and equipment identified on Exhibit A through GovDeals.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby approves and authorizes the sale and disposition of surplus vehicles and equipment identified on Exhibit A attached hereto through GovDeals as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with its terms and conditions.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.

- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

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

Vice Chairman Orechio offered a motion to adopt the resolution authorizing the online sale of surplus vehicles and equipment; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Approving the Utilization of Wanaque South Renewal & Replacement Reserves for Wanaque South Capital Budget Appropriations

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT
WATER SUPPLY COMMISSION APPROVING THE UTILIZATION
OF WANAQUE SOUTH RENEWAL & REPLACEMENT RESERVES
FOR WANAQUE SOUTH CAPITAL BUDGET APPROPRIATIONS**

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 recently determined there is an exigent need for an additional Wanaque South capital appropriation in the current year for the purpose of replacing the traveling screens at the Wanaque South Pump Station; and

WHEREAS, the Commission has determined that it is necessary to utilize \$900,000.00 held in the Wanaque South Renewal & Replacement Reserve in order to address this immediate funding concern.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that \$900,000.00 is hereby appropriated from the Wanaque South Renewal & Replacement Reserve for the purpose of replacing the traveling screens at the Wanaque South Pump Station; and

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

Vice Chairman Orechio offered a motion to adopt the resolution approving the utilization of Wanaque South renewal and replacement reserves for Wanaque South capital budget appropriations; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Approving the Reallocation of a Portion of the \$10,715,000 Aggregate Principal Amount of Wanaque North Project Revenue Bonds, Series 2015A

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT
WATER SUPPLY COMMISSION APPROVING THE
REALLOCATION OF A PORTION OF THE \$10,715,000 AGGREGATE
PRINCIPAL AMOUNT OF WANAQUE NORTH PROJECT REVENUE BONDS, SERIES 2015A**

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 August 25, 2015, the Commission issued \$10,715,000 aggregate principal amount of Wanaque North Project Revenue Bonds, Series 2015A (the “2015 North Bonds”) to finance the costs of various projects related to its Wanaque North Project; and

WHEREAS, the Commission has recently examined the proceeds of the 2015 North Bonds in order to address immediate funding concerns, and determined that there are capital projects with excess funds, and capital projects which are currently underfunded; and

WHEREAS, the Commission has determined that it is necessary to reallocate funds from the 2015 North Bonds in order to address the immediate funding concerns; and

WHEREAS, the Commission’s staff has prepared a 2015 North Bonds Reallocation List which would transfer the balances from capital projects with excess funds to capital projects that are currently underfunded, and the Commission desires to approve said Reallocation List.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the 2015 North Bonds Reallocation List prepared by and on behalf of the Commission, a copy of which is attached hereto as Exhibit A, is hereby approved; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to implement the transfer of funds as indicated on the 2015 North Bonds Reallocation List; and

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

Vice Chairman Orechio offered a motion to adopt the resolution approving the reallocation of a portion of the \$10,715,000 aggregate principal amount of Wanaque North Project revenue bonds, series 2015A; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Approving the Reallocation of a Portion of the \$4,155,000 Aggregate Principal Amount of Wanaque South Project Revenue Bonds, Series 2015A (Tax-Exempt) and \$1,605,000 Aggregate Principal Amount of Wanaque South Project Revenue Bonds, Series 2015B (Taxable)

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT
WATER SUPPLY COMMISSION APPROVING THE REALLOCATION OF
A PORTION OF THE \$4,155,000 AGGREGATE PRINCIPAL AMOUNT OF
WANAQUE SOUTH PROJECT REVENUE BONDS, SERIES 2015A (TAX-EXEMPT) AND
\$1,605,000 AGGREGATE PRINCIPAL AMOUNT OF WANAQUE SOUTH PROJECT
REVENUE BONDS, SERIES 2015B (TAXABLE)**

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 August 25, 2015, the Commission issued \$4,155,000 aggregate principal amount of Wanaque South Project Revenue Bonds, Series 2015A (Tax-Exempt) and \$1,605,000 aggregate principal amount of Wanaque South Project Revenue Bonds, Series 2015B (Taxable) (collectively, the “2015 South Bonds”) to finance the costs of various projects related to its Wanaque South Project; and

WHEREAS, the Commission has recently examined the proceeds of the 2015 South Bonds in order to address immediate funding concerns, and determined that there are capital projects with excess funds, and capital projects which are currently underfunded; and

WHEREAS, the Commission has determined that it is necessary to reallocate funds from the 2015 South Bonds in order to address the immediate funding concerns; and

WHEREAS, the Commission’s staff has prepared a 2015 South Bonds Reallocation List which would transfer the balances from capital projects with excess funds to capital projects that are currently underfunded, and the Commission desires to approve said Reallocation List.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the 2015 South Bonds Reallocation List prepared by and on behalf of the Commission, a copy of which is attached hereto as Exhibit A, is hereby approved; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to implement the transfer of funds as indicated on the 2015 South Bonds Reallocation List; and

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

Vice Chairman Orechio offered a motion to adopt the resolution approving the reallocation of a portion of the \$4,155,000 aggregate principal amount of Wanaque South Project revenue bonds, series 2015A (tax-exempt) and \$1,605,000 aggregate principal amount of Wanaque South Project revenue bonds, series 2015B (taxable); seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Adopting the 2018 Annual Budget for the Wanaque North Project and Authorizing the Executive Director to take all Necessary and Appropriate Steps in Furtherance Thereof

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
ADOPTING THE 2018 ANNUAL BUDGET FOR THE WANAQUE NORTH PROJECT
AND AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ALL NECESSARY AND
APPROPRIATE STEPS IN FURTHERANCE THEREOF**

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, pursuant to N.J.S.A. 58:5-40, the Commission shall cause to be prepared, not later than December 31st of each year, a separate annual budget for the operating expenses of each water supply system and water transmission facility which it operates; and

WHEREAS, in accordance with N.J.S.A. 58:5-40, the Commission shall fix a time and place for a hearing on each budget and shall send notice of such hearing to the participants and contracting municipalities at least 10 days before the date fixed for the hearing; and

WHEREAS, the Commission has developed a Wanaque North Project Annual Budget for the calendar year beginning on January 1, 2018 and ending on December 31, 2018 (the “2018 Annual Budget”), including total appropriations of \$39,386,856.00 which appropriations are anticipated to be sufficient to meet all of the Commission’s operating, capital and debt service obligations for the Wanaque North Project during that period; and

WHEREAS, following notice to each of the participants and contracting municipalities, a hearing on the 2018 Annual Budget was duly held on December 8, 2017, in accordance with N.J.S.A. 58:5-40; and

WHEREAS, the Commission desires to approve the 2018 Annual Budget and to authorize its Executive Director to take all steps necessary and appropriate to implement this budget on behalf of the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission at its meeting held on December 20, 2017, as follows:

1. The Commission has duly reviewed and approves the proposed 2018 Annual Budget with a total appropriation of \$39,386,856.00; and
2. The Commission’s Executive Director is hereby authorized and directed to take all steps necessary to implement the 2018 Annual Budget, including any appropriate reorganization plans and staffing modifications, including without limitation the elimination of any staff positions; and

3. Copies of the Annual Budget shall be provided to all contracting municipalities in accordance with N.J.S.A. 58:5-40.

Vice Chairman Orechio offered a motion to adopt the resolution adopting the 2018 Annual Budget for the Wanaque North Project and authorizing the Executive Director to take all necessary and appropriate steps in furtherance thereof; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Adopting the 2018 Annual Budget for the Wanaque South Project and Authorizing the Executive Director to take all Necessary and Appropriate Steps in Furtherance Thereof

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
ADOPTING THE 2018 ANNUAL BUDGET FOR THE WANAQUE SOUTH PROJECT
AND AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ALL NECESSARY AND
APPROPRIATE STEPS IN FURTHERANCE THEREOF**

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, pursuant to N.J.S.A. 58:5-40, the Commission shall cause to be prepared, not later than December 31st of each year, a separate annual budget for the operating expenses of each water supply system and water transmission facility which it operates; and

WHEREAS, in accordance with N.J.S.A. 58:5-40, the Commission shall fix a time and place for a hearing on each budget and shall send notice of such hearing to the participants and contracting municipalities at least 10 days before the date fixed for the hearing; and

WHEREAS, the Commission has developed a Wanaque South Project Annual Budget for the calendar year beginning on January 1, 2018 and ending on December 31, 2018 (the “2018 Annual Budget”), including total appropriations of \$17,258,571.00 which appropriations are anticipated to be sufficient to meet all of the Commission’s operating, capital and debt service obligations for the Wanaque South Project during that period; and

WHEREAS, following notice to each of the participants and contracting municipalities, a hearing on the 2018 Annual Budget was duly held on December 8, 2017, in accordance with N.J.S.A. 58:5-40; and

WHEREAS, the Commission desires to approve the 2018 Annual Budget and to authorize its Executive Director to take all steps necessary and appropriate to implement this budget on behalf of the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission at its meeting held on December 20, 2017, as follows:

1. The Commission has duly reviewed and approves the proposed 2018 Annual Budget with a total appropriation of \$17,258,571.00; and

2. The Commission’s Executive Director is hereby authorized and directed to take all steps necessary to implement the 2018 Annual Budget, including any appropriate reorganization plans and staffing modifications, including without limitation the elimination of any staff positions; and

3. Copies of the Annual Budget shall be provided to all contracting municipalities in accordance with N.J.S.A. 58:5-40.

Vice Chairman Orechio offered a motion to adopt the resolution adopting the 2018 Annual Budget for the Wanaque South Project and authorizing the Executive Director to take all necessary and appropriate steps in furtherance thereof; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing an Amendment to an Interconnection Agreement Between the North Jersey District Water Supply Commission and the Borough of Wanaque

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING AN AMENDMENT TO AN INTERCONNECTION
AGREEMENT BETWEEN THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AND THE BOROUGH OF WANAQUE**

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 June 11, 2004, the Commission entered into a certain agreement with the Borough of Wanaque (“Borough”) titled “Interconnection Agreement,” which agreement allowed for the implementation of a separate agreement (“Water Supply Agreement”) by and between the Passaic Valley Water Commission (“PVWC”) and the Borough by which PVWC would provide up to one million (1,000,000) gallons per day of potable water to the Borough for regular domestic use and emergency use; and

WHEREAS, the Interconnection Agreement provided for the installation of certain equipment and appurtenances (“Water Supply Equipment”) by the Borough to allow water to be provided to the Borough; and

WHEREAS, the Interconnection Agreement provides the Borough with access to a small area in the Commission’s Original Treatment Plant to install and operate the Water Supply Equipment during the entire term of the Water Supply Agreement; and

WHEREAS, pursuant to Section 4 of the Interconnection Agreement, the annual consideration from the Borough to the Commission for the use of this area is twenty thousand (\$20,000.00) dollars; and

WHEREAS, due to the limited nature of the use of and access to the Commission’s facilities by the Borough for the operation and maintenance of the Water Supply Equipment, the Borough has requested a reduction of the annual consideration to ten thousand (\$10,000.00) dollars; and

WHEREAS, the Commission has determined that, based on the limited nature of the use and access of its facilities and other considerations, a reduction in the required annual consideration due from the Borough under the Interconnection Agreement is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby authorizes an amendment to the Interconnection Agreement to provide that the annual consideration due and owing from the Borough pursuant to Section 4 of the Interconnection Agreement be reduced to ten thousand (\$10,000.00) dollars; and

BE IT FURTHER RESOLVED that all other terms and conditions of the Interconnection Agreement shall remain in effect for the duration of the Interconnection Agreement; and

BE IT FURTHER RESOLVED that the General Counsel to the Commission is authorized to draft the necessary amendment to the Interconnection Agreement to effectuate the terms of this resolution; and

BE IT FUTHER RESOLVED, that the Chairman or Vice Chairman of the Commission are hereby authorized to execute the necessary amendment to the Interconnection Agreement and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman; and

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

Vice Chairman Orechio offered a motion to adopt the resolution authorizing an amendment to an Interconnection Agreement between the North Jersey District Water Supply Commission and the Borough of Wanaque; seconded by Commissioner Ashkinaze and

unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing an Amendment to Contract #1090

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING AN AMENDMENT TO CONTRACT #1090**

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 had previously determined there was a need to retain the services of a general consulting engineering firm with expertise in the planning, design, construction, maintenance and operations of public water supply systems, for an initial two-year term (the “Engineering Services”); and

WHEREAS, on November 12, 2015, the Commission publicly advertised and solicited proposals referenced as RFP #016-2015 for Engineering Services, and received proposals from interested firms on or about December 1, 2015; and

WHEREAS, on or about January 22, 2016, the Commission adopted Resolution No. 1606 awarding RFP #016-2015 to Jacobs Engineering Group, Inc. (“Jacobs”) for a two-year term in the not-to-exceed contract amount of \$250,000.00 per contract year (“Contract #1090”); and

WHEREAS, on or about July 27, 2016, the Commission adopted a resolution authorizing an amendment to Contract #1090 to increase the \$250,000.00 not-to-exceed cap for year one by an additional \$250,000.00, to \$500,000.00 for year one, to permit Jacobs to undertake several additional projects within the scope of the Engineering Services; and

WHEREAS, on or about September 27, 2017, the Commission adopted a resolution extending Contract #1090 for an additional one-year period on the same terms and conditions set forth in Contract #1090, to run from April 2018 to April 2019; and

WHEREAS, in order to align the extended term of Contract #1090 with the Commission’s 2018 budgetary year, the Commission desires to modify the term of the one-year extension to run from January 2018 to December 2018, without altering any other terms and conditions of Contract #1090; and

WHEREAS, the Commission has obtained the written consent of Jacobs for this modification to the term of Contract #1090; and

WHEREAS, the award of this modification to the term of Contract #1090 is beneficial to the efficient operation of the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the additional one-year term of Contract #1090 with Jacobs Engineering Group, Inc. be and is hereby modified to run from January 2018 to December 2018; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare an amendment to Contract #1090 modifying its term to run from January 2018 to December 2018, upon the same terms and conditions of the original contract, as amended; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute such an amendment to Contract #1090 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.

Vice Chairman Orechio offered a motion to adopt the resolution authorizing an amendment to Contract #1090; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing the Award and Execution of Amendment No. 1 to Contract #2021 for Work Associated with Washwater Tank Painting and Rehabilitation

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING THE AWARD AND EXECUTION OF
AMENDMENT NO. 1 TO CONTRACT #2021 FOR WORK ASSOCIATED WITH
WASHWATER TANK PAINTING AND REHABILITATION**

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 had previously determined that there was a need to retain the services of certified contractors with experience in lead abatement, painting of elevated tanks and steel structures, and sandblasting to undertake the painting of two (2) elevated water storage tanks and the recoating of pipes and structural elements, the replacement of filter room lighting, the demolition of dehumidification ducts, superficial concrete repair, and the replacement of existing natural gas lines at the Wanaque Water Treatment Plant (the “Services”); and

WHEREAS, on or about April 11, 2017, the Commission publicly advertised and solicited proposals, referenced as RFP #001-2017 for the Provision of Contractor Services for Work Associated with the Maintenance and Painting of Multiple Commission-Owned Facilities (“RFP #001-2017”) which included the following six (6) tasks:

- Task 1 - Washwater Tank Painting and Rehabilitation;
- Task 2 - Surge Tank Painting and Rehabilitation;
- Task 3 - Filters 1 through 10 Roof Steel and Lighting (Filter Bays 1 through 13) and Misc. items;
- Task 4 - Surface Wash and Washwater Pump Rooms, and Drain Channel Piping;
- Task 5 - Pipe Gallery in area of Filters 1 through 10; and
- Task 6 - Pipe Gallery in area of Filters 11 through 13.

WHEREAS, on or about September 27, 2017, the Commission adopted a resolution awarding a contract for Task 1 of the Services to Alpine Painting & Sandblasting Contractors (“Alpine”) for a not-to-exceed contract amount of \$1,378,344.00 (“Contract 2021”); and

WHEREAS, during the performance of the Services, Alpine discovered extensive paint blistering on the interior of the Washwater Tank due to salt exposure, and recommended that the Commission authorize it to undertake additional sandblasting and pressure washing of the interior of the Washwater Tank to remove the salt and corrosion for the not-to-exceed cost of \$169,800.00, and further recommended that the Commission install a five-foot diameter safety railing in the interior of the tank bowl on the top of the wet riser as a fall prevention safety measure for the not-to-exceed cost of \$6,700.00 (“Amendment No. 1 to Contract #2021”); and

WHEREAS, Commission staff examined Alpine’s requested Amendment No. 1 and determined that the services and fees set forth therein are reasonable, necessary and appropriate, and further determined that it was no longer necessary to install a 36” butterfly valve in the wet riser, resulting in cost savings of \$45,632.00, for a net total change in the price of Contract #2021 in the not-to-exceed amount of \$130,868.00; and

WHEREAS, the award of Amendment No. 1 to Contract #2021 is necessary for the efficient operation of the Commission and the maintenance of the Commission’s water supply system; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds are available for Amendment No. 1 to Contract #2021.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Amendment No. 1 to Contract #2021 with Alpine be and is hereby approved in the not-to-exceed amount of \$130,868.00; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Amendment No. 1 to Contract #2021; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Amendment No. 1 to Contract #2021 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.

Vice Chairman Orechio offered a motion to adopt the resolution authorizing the award and execution of amendment No. 1 to Contract #2021 for work associated with washwater tank painting and rehabilitation; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing Emergency Repairs to the Sharples DSX-706 Centrifuge at One Orechio Drive

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING EMERGENCY REPAIRS TO THE SHARPLES
DSX-706 CENTRIFUGE AT ONE ORECHIO DRIVE**

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’s Sharples DSX-706 Centrifuge (“Centrifuge”) is in need of emergency service due to noise, vibration, wear and erosion of components; 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, Chief Financial Officer (“CFO”) and Chief Operations Officer (“COO”) that an emergency exists; and

WHEREAS, based upon the recommendation of the Commission’s engineering staff, the Commission’s Executive Director, CFO, and COO have all determined that a prompt rebuild of the Centrifuge rotating assembly is required and constitutes an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

WHEREAS, the Commission has obtained a quote for the emergency rebuild and repair of the Centrifuge rotating assembly and repair services from Pace DS (“Pace”), a qualified firm experienced in such work; and

WHEREAS, Pace has proposed to perform all necessary emergency repair work to the Centrifuge for an initial fee of \$150,191.00; including shipping; and

WHEREAS, the Commission finds that Pace’s quote is reasonable under the circumstances; and

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

WHEREAS, the Commission desires to authorize Pace to perform the necessary emergency repair work to the Centrifuge for a not-to-exceed amount of \$150,191.00.

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 need to repair and rebuild the Centrifuge constitutes an emergency warranting immediate action and repairs without the necessity of

engaging in public advertisement and bidding; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby ratifies the actions of the Executive Director, CFO and COO of the Commission in determining that an emergency exists; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorizes the retention of Pace DS to undertake the emergency work to the Centrifuge, without public bidding, for an amount not to exceed \$150,191.00; and

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

Vice Chairman Orechio offered a motion to adopt the resolution authorizing emergency repairs to the Sharples DSX-706 centrifuge at One Orechio Drive; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing the Execution of a Tax Appeal Settlement Agreement with the Borough of Wanaque

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
APPROVING AND AUTHORIZING THE EXECUTION OF A TAX APPEAL SETTLEMENT
AGREEMENT WITH THE BOROUGH OF WANAQUE**

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

WHEREAS, the Commission is the owner of the following properties located within the boundaries of the Borough of Wanaque (“Borough”):

Block	Lot	Address
100	1	Borough at Lrg
101	1	Borough at Lrg
106	1	Reservoir Bldgs
106	8.01	Ringwood Ave.
106	8.02	781 Ringwood Ave.
107	1	Borough at Lrg
108	1	Borough at Lrg
109	1	Borough at Lrg
245	1	Borough at Lrg
248	4	Borough at Lrg
302	2	Borough at Lrg
302	7	Borough at Lrg
306	13	787 Ringwood Ave
402	2	Borough at Lrg
402	2.01	Borough at Lrg
403	66	8 Greenwood Ave
403	69	Borough at Lrg
430	2	Borough at Lrg
430	3	Borough at Lrg
430	4	Borough at Lrg
430	15	Borough at Lrg
436	3.01	Borough at Lrg
436	3	Borough at Lrg
448	6	Borough at Lrg
464	21	Borough at Lrg

(collectively the “Properties”); and

WHEREAS, as a result of the 2013 revaluation by the Borough, the Commission, feeling aggrieved by the increase in total assessment of the Properties, caused tax appeals to be filed against the Borough, challenging the assessments levied against the Properties for tax years 2013, 2014, 2015, 2016 and 2017 as being more than the Properties’ fair market values and/or discriminatory; and

WHEREAS, the Borough has defended the propriety of the assessments levied against the Properties for tax years 2013, 2014, 2015, 2016 and 2017 as fair and nondiscriminatory; and

WHEREAS, the Commission and the Borough having conferred with their respective valuation professionals and having engaged in negotiations to settle the pending tax appeals so as to avoid the time, expense and uncertainty of further litigation; and

WHEREAS, the Commission is of the opinion that said settlement is in the best interests of the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a Settlement Agreement by and between the Commission and the Borough is hereby authorized as follows:

- 1. **Future Assessments:** In consideration for the resolution of the pending tax appeals, the Borough and its Tax Assessor hereby agree to set the total assessment of the Properties as follows:
 - a. **Tax Year 2018:** The total assessment of the Properties for tax year 2018 shall be \$21,365,690. The Borough’s Tax Assessor may allocate the reduction in the total assessment across the Properties has he sees fit, so long as the total assessment of the Properties equals \$21,365,690 for tax year 2018;
 - b. **Tax Year 2019:** The total assessment of the Properties for tax year 2019 shall be \$20,297,406. The Borough’s Tax Assessor may allocate the reduction in the total assessment across the Properties has he sees fit, so long as the total assessment of the Properties equals \$20,297,406 for tax year 2019;
 - c. **Tax Year 2020:** The total assessment of the Properties for tax year 2020 shall be \$17,374,210. The Borough’s Tax Assessor may allocate the reduction in the total assessment across the Properties has he sees fit, so long as the total assessment of the Properties equals \$17,374,210 for tax year 2020.

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the Settlement Agreement 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 Counsel to the Commission is hereby authorized to execute Stipulations of Dismissal and file same with the Tax Court of New Jersey.

Vice Chairman Orechio offered a motion to adopt the resolution authorizing the execution of a tax appeal settlement agreement with the Borough of Wanaque; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing the Execution of a Tax Appeal Settlement Agreement with the Borough of Ringwood

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION
APPROVING AND AUTHORIZING THE EXECUTION OF A TAX APPEAL SETTLEMENT
AGREEMENT WITH THE BOROUGH OF RINGWOOD**

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

WHEREAS, the Commission is the owner of the following properties located within the boundaries of the Borough of Ringwood (“Borough”):

Block	Lot	Address
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100	16	145 Stonetown Rd.
300	3.01	Off Stonetown Rd
311	6.01	Margaret King Ave.
311.01	1.01	Greenwood Lake Tpk
500	1	Reservoir Acres
500.01	1	Reservoir Acres
501	1	West Brook Ave.
502	1	West Brook Ave.
503	1	West Brook Ave.
504	1	Greenwood Lake Tpk
505	1	Short Pl
506	1	Greenwood Lake Tpk
507	1	Sloatsburg Road
508	1	Greenwood Lake Tpk
508	5	Off Margaret King Ave
508.01	1	Greenwood Lake Tpk
601	2	Margaret King Ave.
739.01	1	Greenwood Lake Tpk
924	22	End of Welch Rd.

(collectively the “Properties”); and

WHEREAS, as a result of the 2009 revaluation by the Borough, the Commission, feeling aggrieved by the increase in total assessment of the Properties, caused tax appeals to be filed against the Borough, challenging the assessments levied against the Properties for tax years 2010, 2011, 2012, 2013, 2014, 2015, 2016 and 2017 as being more than the Properties’ fair market values and/or discriminatory; and

WHEREAS, the Borough has defended the propriety of the assessments levied against the Properties for tax years 2010, 2011, 2012, 2013, 2014, 2015, 2016 and 2017 as fair and nondiscriminatory; and

WHEREAS, the Commission and the Borough having conferred with their respective valuation professionals and having engaged in negotiations to settle the pending tax appeals so as to avoid the time, expense and uncertainty of further litigation; and

WHEREAS, the Commission is of the opinion that said Settlement is in the best interests of the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a Settlement Agreement by and between the Commission and the Borough is hereby authorized as follows:

- 2. **Future Assessments:** In consideration for the resolution of the pending tax appeals, the Borough and its Tax Assessor hereby agree to set the total assessment of the Properties as follows:
 - a. **Tax Year 2018:** The total assessment of the Properties for tax year 2018 shall be \$54,100,000. The Borough’s Tax Assessor may allocate the reduction in the total assessment across the Properties as he sees fit, so long as the total assessment of the Properties equals \$54,100,000 for tax year 2018;
 - b. **Tax Year 2019:** The total assessment of the Properties for tax year 2019 shall be \$49,100,000. The Borough’s Tax Assessor may allocate the reduction in the total assessment across the Properties as he sees fit, so long as the total assessment of the Properties equals \$49,100,000 for tax year 2019;
 - c. **Tax Year 2020:** The total assessment of the Properties for tax year 2020 shall be \$44,000,000. The Borough’s Tax Assessor may allocate the reduction in the total assessment across the Properties as he sees fit, so long as the total assessment of the Properties equals \$44,000,000 for tax year 2020.

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the Settlement Agreement 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 Counsel to the Commission is hereby authorized to execute Stipulations of Dismissal and file same with the Tax Court of New Jersey.

Vice Chairman Orechio offered a motion to adopt the resolution authorizing the execution of a tax appeal settlement agreement with the Borough of Ringwood; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Approving the Execution of Joint Funding Agreement No. 18ENNJ000000028 Between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION APPROVING THE EXECUTION OF JOINT FUNDING
AGREEMENT NO. 18ENNJ000000028 BETWEEN U.S. GEOLOGICAL
SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR AND THE
NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION**

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

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

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

WHEREAS, the Commission is in receipt of Joint Funding Agreement No. 18ENNJ000000028 (the “Agreement”) with the USGS for the purpose of: (1) continuing the investigation and monitoring water resources, specifically, the operation and maintenance of two (2) continuous-record discharge gaging stations at 01384500 Ringwood Creek near Wanaque and 01387000 Wanaque River in Wanaque, which are key points in the Wanaque River basins; and (2) continuing the investigation and monitoring of the Wanaque South Project, Ramapo River at Pompton Lakes, recording hourly water temperature, pH, specific conductance, dissolved oxygen and dissolved oxygen percent saturation, two (2) surface water low-flow sites, and a stage-only gage station; and

WHEREAS, the Agreement states that the Commission will contribute the sum of \$185,700.00 to the USGS, for the period from October 1, 2017 to September 30, 2018, to cover the cost of the necessary field and analytical work as set forth in the Agreement; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission hereby approves the execution by the Executive Director of Joint Funding Agreement No. 18ENNJ000000028 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission effective October 1, 2017 to September 30, 2018; and

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

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

Vice Chairman Orechio offered a motion to adopt the resolution approving the execution of Joint Funding Agreement No. 18ENNJ000000028 between U.S. Geological Survey, United States Department of the Interior and the North Jersey District Water Supply Commission; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice

Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing a Sole Source Contract Award for the Purchase of Perimeter Security Fencing for the Headworks Facility

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD FOR
THE PURCHASE OF PERIMETER SECURITY FENCING FOR THE
HEADWORKS FACILITY**

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, 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 or about November 13, 2014, the New Jersey Department of Environmental Protection (“NJDEP”) identified the existing fencing at the Commission’s Headworks facility as being in need of evaluation in order to determine the level of security and protection provided by the existing fencing; and

WHEREAS, as a result of the 2014 NJDEP findings, an evaluation was conducted by Commission staff and it was recommended that a new security fence be installed at the Headworks facility; and

WHEREAS, the Commission conducted extensive research of available security fencing systems, taking into account both security and visual aesthetics because of the historical structures located at the Headworks facility, and the close proximity of the facility to the downtown of the Borough of Wanaque; and

WHEREAS, as a result of this research, ClearVu Invisible Wall fencing (“ClearVu”) was determined to provide a high level of security while maintaining the aesthetics and visibility of the Headworks historical structures; and

WHEREAS, on or about January 31, 2017, the Commission applied to the U.S. Department of Homeland Security, Federal Emergency Agency (“FEMA”) for grant funding for the purchase and installation of new security fencing at the Headworks facility; and

WHEREAS, on or about April 6, 2017, FEMA awarded a grant in the amount of \$150,000.00 to the Commission to fund the purchase and installation of a new fencing system at the Headworks security; and

WHEREAS, Cochrane USA (“Cochrane”) is the sole manufacturer and distributor of ClearVu in the United States and ClearVu is proprietary to Cochrane which holds over 30 patents and design registrations; and

WHEREAS, there is no known equivalent security fencing system available in the United States and Cochrane does not utilize outside distributors to sell ClearVu; and

WHEREAS, the Commission is in receipt of a proposal from Cochrane USA (“Cochrane”) for the provision of ClearVu and associated equipment in the amount of \$227,529.18; and

WHEREAS, as a result of the foregoing, the Commission has determined that Cochrane constitutes a sole source provider of ClearVu; and

WHEREAS, the Commission desires to purchase ClearVu from Cochrane; 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 a contract be awarded to Cochrane USA for the purchase of ClearVu and associated equipment at a cost of \$227,529.18; and

BE IT FURTHER RESOLVED that the Commission shall separately solicit proposals for the installation of the fencing and associated equipment; and

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

Vice Chairman Orechio offered a motion to adopt the resolution authorizing a sole source contract award for the purchase of perimeter security fencing for the Headworks facility; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing Emergency Work Associated with the Relocation of Variable Frequency Drive 6 on to Pump 4

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER
SUPPLY COMMISSION AUTHORIZING EMERGENCY WORK ASSOCIATED
WITH THE RELOCATION OF VARIABLE
FREQUENCY DRIVE 6 ON TO PUMP 4**

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’s Wanaque South Pumping Station currently has six pumps that are designed and intended to pump water from the Pompton River into the Wanaque Reservoir during low water periods; and

WHEREAS, at present Pumps 1, 2, 5 and 6 are non-operational due to recent failure issues associated with the traveling screens that serve those pumps, and the traveling screens must be replaced before these pumps can be brought back on-line, which may require a minimum twelve week lead time from order to delivery and installation; and

WHEREAS, the variable frequency drive (“VFD”) for Pump 4 has also recently reached the end of its useful life and failed, rendering Pump 4 non-operational; and

WHEREAS, as a result of the foregoing, Pump 3 is the only pump available to the Commission to pump water from the Pompton River into the Wanaque Reservoir at this time; and

WHEREAS, due to the lack of precipitation and current low water levels, the Commission must be prepared to pump water from the Pompton River into the Wanaque Reservoir when sufficient levels of water are available in the river, and it is imperative that the Commission have at least two pumps available for this purpose; and

WHEREAS, the Commission’s engineering staff has determined that it is imperative that the non-operational VFD for Pump 4 (“VFD#4”) be removed and replaced with the VFD for Pump 6 (VFD #6) to render Pump 4 operational, and has recommended that this work be immediately undertaken as an emergency procurement; 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, Chief Financial Officer (“CFO”) and Chief Operations Officer (“COO”) that an emergency exists; and

WHEREAS, based upon the recommendation of the Commission's engineering staff, the Commission's Executive Director, CFO, and COO have all determined that this work with respect to the VFDs constitutes an emergency warranting immediate action without the necessity of engaging in public advertisement and bidding; and

WHEREAS, the Commission has obtained a quote for this emergency work from Stone Hill Contracting Co., Inc. ("Stone Hill"), a firm experienced in the relocation and installation of VFDs and pumps; and

WHEREAS, Stone Hill has proposed to perform the necessary emergency work for a lump sum fee of \$164,816.00; and

WHEREAS, the Commission finds that Stone Hills's quote is reasonable under the circumstances; and

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

WHEREAS, the Commission desires to authorize Stone Hill to perform the necessary emergency work at the Wanaque South Pump Station for a not-to-exceed amount of \$164,816.00.

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 removal and relocation of certain of the Commission's VFDs and associated pump work at the Wanaque South Pump Station constitutes an emergency warranting immediate action without the necessity of engaging in public advertisement and bidding; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby ratifies the actions of the Executive Director, CFO and COO of the Commission in determining that an emergency exists; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorizes the retention of Stone Hill to undertake the emergency work, without public bidding, for an amount not to exceed \$164,816.00; and

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

Vice Chairman Orechio offered a motion to adopt the resolution authorizing emergency work associated with the relocation of variable frequency drive 6 on to pump 4; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing PFM Asset Management, LLC to Commence Implementation of the Commission's Investment Program and Appointing U.S. Bank as the Provider of Third Party Custody Services for the Commission's Wanaque North and Wanaque South Investment Accounts

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING PFM ASSET MANAGEMENT, LLC TO
COMMENCE IMPLEMENTATION OF THE COMMISSION'S INVESTMENT
PROGRAM AND APPOINTING U.S. BANK AS THE PROVIDER OF THIRD
PARTY CUSTODY SERVICES FOR THE COMMISSION'S WANAQUE NORTH
AND WANAQUE SOUTH INVESTMENT ACCOUNTS**

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 that it was necessary to retain the services of a qualified financial advisory firm to provide advice with respect to the development and implementation of a comprehensive investment and cash management program; and

WHEREAS, on or about October 11, 2016, the Commission publicly advertised and issued a request for proposals, referenced as RFP #013-2016 for the Provision of Financial Advisory Services – Cash Management Program, and received proposals from interested firms; and

WHEREAS, on or about December 14, 2016, the Commission awarded RFP #013-2016 to PFM Asset Management, LLC (“PFM”); and

WHEREAS, pursuant to Resolution 1659, PFM entered into a contract with the Commission (the “Financial Advisory Contract”) which provides that PFM shall advise the Commission with respect to the development and implementation of a comprehensive investment and cash management program for the price of \$25,000.00, and an additional \$8,500.00 for certain supplemental advisory services, which amount is to be credited against PFM’s proposed minimum assets under management annual fee of \$25,000.00 if the Commission determines to authorize such management services as provided in the Financial Advisory Contract; and

WHEREAS, the Commission has now determined to authorize PFM to commence implementation of the approved investment program and provide the asset management services, as included in PFM’s proposal and the Financial Advisory Contract, for a fee of ten basis points (.10%) of the amount under management up to the first \$25 million, eight basis points (.08%) of the next \$25 million, and seven basis points (.07%) of any amount over \$50 million, with a minimum annual fee of \$25,000.00; and

WHEREAS, PFM has prepared an investment policy that defines the parameters within which Commission funds are to be managed to ensure the safety of principal, the maintenance of liquidity, a return on investment, and standards of care applicable to investment or reinvestment of Commission assets, amongst other things; and

WHEREAS, on November 22, 2017, the Board of Commissioners adopted Resolution No. 1725 which approved the investment policy; and

WHEREAS, one of the prerequisite requirements for implementation of the investment program is the selection of a provider of third party custody services for the Commission’s Wanaque North and Wanaque South investment accounts; and

WHEREAS, Commission staff solicited quotations for the provision of the required third-party custody services from a number of qualified banking institutions, and received responses from U.S. Bank, N.A. (“U.S. Bank”) and TD Bank; and

WHEREAS, the responses were reviewed by both Commission staff and PFM; and

WHEREAS, Commission staff, in consultation with PFM, concluded that the U.S. Bank proposal provided the lowest fees for the required level of service, and that the fees are competitive; and

WHEREAS, based on the foregoing, Commission staff has recommended that U.S. Bank be selected to provide the required third-party custody services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that PFM Asset Management, LLC is hereby authorized to implement the Commission’s approved investment program and provide the asset management services, in accordance with its proposal and the Financial Advisory Contract; and

BE IT FURTHER RESOLVED, that U.S. Bank is hereby designated to serve as the provider of third party custody services for both the Wanaque North and Wanaque South Projects’ investment accounts in accordance with its proposal; and

BE IT FURTHER RESOLVED that the Commission is hereby authorized to open custody accounts with U.S. Bank for this intended purpose; and

BE IT FURTHER RESOLVED that Michael Broncatello is hereby appointed to serve as the Commission’s Chief Investment Officer with respect to the Commission’s approved investment policy and program; and

BE IT FURTHER RESOLVED that the Commission may invest funds in such amounts as deemed appropriate by the Chief Investment Officer, with the approval of the Executive Director, and in accordance with the approved investment policy and program; and

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

Vice Chairman Orechio offered a motion to adopt the resolution authorizing PFM Asset Management, LLC to commence implementation of the Commission's Investment Program and appointing U.S. Bank as the provider of third party custody services for the Commission's Wanaque North and Wanaque South investment accounts; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell voting in the affirmative.

Resolution – Authorizing a Sole Source Contract Award for the Purchase of Polymer Water Screens

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING A SOLE SOURCE CONTRACT AWARD FOR
THE PURCHASE OF POLYMER WATER SCREENS**

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 currently utilizes a metal water screen system to remove debris and materials from untreated water prior to transmission through the Wanaque South Pump Station; and

WHEREAS, the Commission's existing metal screens at the Wanaque South Pump Station are failing and in need of immediate replacement; and

WHEREAS, the existing metal screens periodically require costly maintenance and repairs; and

WHEREAS, Commission staff have recommended that the Commission replace the existing metal screens with non-metallic screens to reduce maintenance costs and improve filtering capacity; and

WHEREAS, after conducting an extensive evaluation of potential replacement screens, Commission staff recommended that the Commission procure Hydrolox® water screens, from Intralox, LLC ("Intralox"), to replace the existing metal screens at the Wanaque South Pump Station; and

WHEREAS, Hydrolox® is a registered trademark of Laitram, LLC, under exclusive license to Intralox; and

WHEREAS, the Commission has confirmed that Laitram is the inventor, and sole manufacturer of the polymer material used in the Hydrolox® water screens and that it does not sell this equipment through any other outside distributor other than Intralox; and

WHEREAS, as a result of the foregoing, the Commission has determined that Intralox constitutes a sole source provider of the Hydrolox® water screens; and

WHEREAS, the Commission requested and received a proposal from Intralox in the amount of \$1,763,154.00 to produce and deliver three (3) Hydrolox® water screens and related equipment and services to the Commission; and

WHEREAS, the Commission has determined that the price is reasonable, and desires to purchase three (3) Hydrolox® water screens and related equipment and services from Intralox; 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 a contract be awarded to Intralox, LLC in the not-to-exceed amount of \$1,763,154.00, to produce and deliver three (3) Hydrolox® water screens and related equipment and services to the Commission, as a sole source provider; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare a contract in the amount of \$1,763,154.00 for the production and delivery of three (3) Hydrolox® water screens and related equipment and services; and

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

BE IT FURTHER RESOLVED that the Commission shall separately solicit proposals for the installation of the water screens and related equipment; and

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

Vice Chairman Orechio offered a motion to adopt the resolution authorizing a sole source contract award for the purchase of polymer water screens; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Amedeo, Kuser and Burrell 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, Vice Chairman Orechio offered a motion to approve the Wanaque North Operating Account in the amount of \$7,404,672.47; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell voting in the affirmative.

Wanaque South Operating Account:

Upon Chief Financial Officer Schaffner's certification of the attached bills and payroll transfers as being proper and accurate, Vice Chairman Orechio offered a motion to approve the Wanaque South Operating Account in the amount of \$736,990.71; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell 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, Vice Chairman Orechio offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$407,754.15; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell voting in the affirmative.

There being no further business, Vice Chairman Orechio offered a motion to adjourn the meeting at 11:11 a.m.; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Shotmeyer, Vice Chairman Orechio and Commissioners Ashkinaze, Kuser and Burrell voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary