

## NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

### PUBLIC COMMISSION MEETING

WEDNESDAY, NOVEMBER 28, 2018

The monthly Public Meeting of the Commission was called to order by Chairman Charles P. Shotmeyer on Wednesday, November 28, 2018 at 9:04 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Charles P. Shotmeyer, Vice Chairman Howard L. Burrell and Commissioners Alan S. Ashkinaze, Jerome P. Amedeo, and Robert C. Garofalo were recorded present. Also present were Timothy J. Eustace, Executive Director, Todd R. Caliguire, Deputy Executive Director, Bhavini A. Doshi, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC, Joseph P. Baumann, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Edmund Caulfield, Senior Counsel of the Governor's Authority Unit. Commissioner Donald C. Kuser 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. 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 Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative. The Public Meeting was recessed at 9:06 a.m.

Chairman Shotmeyer reconvened the Public Meeting at 11:03 a.m.

## PUBLIC COMMISSION BUSINESS

### ACTION REQUIRED:

Commissioner Ashkinaze offered a motion to approve the Public Commission Meeting Minutes of October 24, 2018; seconded by Vice Chairman Burrell and approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze and Amedeo voting in the affirmative. Commissioner Garofalo abstained.

Commissioner Ashkinaze offered a motion to approve the Public Work Session Minutes of October 24, 2018; seconded by Vice Chairman Burrell and approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze and Amedeo voting in the affirmative. Commissioner Garofalo abstained.

Commissioner Ashkinaze offered a motion to approve the Purchase Requisitions over \$5000 Report for November 2018 in the amount of \$158,034.00; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Commission Invoices:**

- a. **Invoice #2022-07 from Alpine Painting & Sandblasting for Contract #2022 – Task #3-6 Filters, Surface Wash & Pipe Gallery in the amount of \$255,217.50**  
Maria Alliegro, Director of Engineering and Chris Clamser, Project Engineer approved invoice 3(a) for payment.
- b. **Invoice #1060-25 from Stone Hill Construction for Contract #1060 – Wanaque South Pump Station Upgrades in the amount of \$385,765.51**  
Michael Dox, Plant Electrical Engineer and Edwin Reyes, Project Engineer approved invoice 3(b) for payment.
- c. **Various Invoices from Stone Hill Construction for Contract #1096 – Clarifier System Rehabilitation in Basins 5 & 6 in the amount of \$2,186,436.35**  
Paul Serillo, Director of Facilities and Michael Dox, Plant Electrical Engineer approved invoice 3(c) for payment.
- d. **Invoice #0934306 from Arcadis US, Inc. for Contract #1095 – Security Project Construction Oversight in the amount of \$3,918.36**  
Charles Billings, Director of IT and Edwin Reyes, Project Engineer approved invoice 3(d) for payment.
- e. **Invoice #304975 from USIC, LLC for Contract #2019 – Underground Locating in the amount of \$5,585.06**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(e) for payment.
- f. **Invoice #5368 from Tuff Greens, LLC for Contract #2014 – Vegetation Management in the amount of \$71,770.00**  
Robert Malone, Supervisor of GFM approved invoice 3(f) for payment.
- g. **Various Invoices from GZA GeoEnvironmental, Inc. for Contract #1061 – Shooting Range Site Remediation in the amount of \$7,600.00**  
Maria Alliegro, Director of Engineering and Les Malytskyy approved invoice 3(g) for payment.
- h. **Invoice #0764476 from GZA GeoEnvironmental, Inc. for Contract #2024 – Formal Dam Inspections in the amount of \$36,025.00**  
Maria Alliegro, Director of Engineering and James Stachura, Project Engineer approved invoice 3(h) for payment.
- i. **Various Invoices from BNY Mellon – W/N/P Revenue Refunding Bonds in the amount of \$7,931.00**  
William Schaffner, Chief Financial Officer approved invoice 3(i) for payment.

**j. Various Invoices from McPhee Electric (formerly JBL) for Contract #1081 – Electrical Contracting Services in the amount of \$36,337.29**

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

**k. Invoice AUM-102127 from PFM Asset Management LLC – Fees for Oversight of Asset Management Program in the amount of \$2,083.33**

William Schaffner, Chief Financial Officer and Michael Broncatello, Comptroller approved invoice 3(k) for payment.

**l. Invoice #P08954018 from Foley, Incorporated for Purchase of Custom Control House Generator in the amount of \$281,318.84**

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

**m. Invoice #21302 from Landscape Materials, Inc. for Contract #1089A – Removal of Residuals in the amount of \$39,300.00**

David Kirkham, Director of Residuals Treatment Operations and Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(m) for payment.

**n. Invoice #7595-NJ from Hydrologics – Joint Study of the Feasibility of Summer Pumping at WSPS in the amount of \$40,000.00**

Maria Alliegro, Director of Engineering and Paul Serillo, Director of Facilities approved invoice 3(n) for payment.

**o. Various Invoices from J. Fletcher & Son, Inc. for JFC Job #00-2018-150 Parish Drive Emergency Aqueduct Repair in the amount of \$278,671.30**

Maria Alliegro, Director of Engineering and Les Malyskyy approved invoice 3(o) for payment.

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

**Resolution – Approving the Reallocation of Capital Budget Appropriations**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION  
AUTHORIZING A TRANSFER OF FUNDS FROM THE CAPITAL RESERVE ACCOUNTS TO  
THE GENERAL CAPITAL ACCOUNT**

**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 Chief Financial Officer has determined that there are not sufficient funds available in the General Capital Account to pay for certain projects (Painting of Filter Bay Roof and Piping, and Asset Management Study), and funds need to be transferred from the Capital Reserve Accounts to pay for the projects.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the transfer of \$725,000.00 from the Commission’s Capital Reserve Accounts (\$479,950.00 from the Wanaque North account and \$245,050.00 from the Wanaque South account) to the General Capital Account is hereby authorized; 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 Ashkinaze offered a motion to adopt the resolution approving the reallocation of Capital Budget appropriations; seconded by Vice Chairman Burrell and unanimously

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

**Resolution – Authorizing Amendment No. 1 to Contract #2001 for the Provision of a Powdered Activated Carbon Storage and Feeding System**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION  
AUTHORIZING AMENDMENT NO. 1 TO CONTRACT #2001 FOR THE PROVISION OF A  
POWDERED ACTIVATED CARBON STORAGE AND FEEDING SYSTEM**

**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 a qualified firm to serve as professionals, technical advisors and experts for the construction of a powdered activated carbon storage and feeding system at the water treatment plant (the “PAC Services”); and

**WHEREAS**, on August 16, 2016, the Commission publicly advertised and solicited proposals referenced as RFP #010-2016 for the PAC Services, and received proposals from interested firms on or about September 1, 2016; and

**WHEREAS**, on or about September 28, 2016, the Commission adopted a resolution awarding RFP #010-2016 to Acrison, Inc. (“Acrison”) in the not-to-exceed amount of \$694,968.00 (“Contract #2001”); and

**WHEREAS**, during the construction of the system, a replacement Fill Line Sweep (“Replacement Elbow”) was required and was not on site; and

**WHEREAS**, timing was critical and Acrison was able to quickly supply the Replacement Elbow at a total cost of \$4,550.00, as per the invoice, attached hereto (“Amendment No. 1”); and

**WHEREAS**, Commission staff have examined Amendment No. 1 to Contract #2001 and determined that the Replacement Elbow has been provided and the fees set forth therein are reasonable, necessary and appropriate, and recommend that the Commission authorize said amendment; and

**WHEREAS**, based on the foregoing, the Commission desires to amend Contract #2001 to include provision and payment for the Replacement Elbow; and

**WHEREAS**, the award of this Amendment No. 1 to Contract #2001 is necessary for the efficient operation of the Commission and the maintenance of the Commission’s water supply system.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the proposed Amendment No. 1 to Contract #2001 with Acrison be and is hereby approved and the total contract amount is hereby amended to be an amount not-to-exceed \$699,518.00; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare Amendment No. 1 to Contract #2001; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized, as set forth above, to execute Amendment No. 1 to Contract #2001, 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 Ashkinaze offered a motion to adopt the resolution authorizing Amendment No. 1 to Contract #2001 for the provision of a powdered activated carbon storage and feeding system; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative.

**Resolution – Awarding Contracts #2032, #2033, #2034, #2035, #2036 and #2037 for the Furnishing and Delivery of Various Chemicals for Calendar Years 2019 and 2020**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION  
AWARDING CONTRACTS #2032, #2033, #2034, #2035, #2036 AND #2037 FOR THE  
FURNISHING AND DELIVERY OF VARIOUS CHEMICALS FOR  
CALENDAR YEARS 2019 AND 2020**

**WHEREAS**, the North Jersey District Water Supply Commission (“Commission”) is a public body and 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 need for Sodium Hypochlorite, Powder Activated Carbon, Liquid Alum, Polyaluminum Chloride, Liquid Non-Zinc Orthophosphate and Hydrated Lime (the “Various Chemicals”) to be used at the Water Filtration Plant in the treatment and provision of potable water; and

**WHEREAS**, in accordance with N.J.S.A. 58:5-20, the Commission publicly advertised for bids (the “Bid Documents”) for the furnishing and delivery of the Various Chemicals; and

**WHEREAS**, in response to the Commission’s advertisement for public bids, bids for the Various Chemicals were received and publicly opened on November 9, 2018 and revealed as follows:

1. Contract #2032 – Sodium Hypochlorite (“Contract #2032”)

JCI Jones Chemical Inc. \$.80/gallon  
Kuehne Chemical Co. Inc. \$1.05/gallon

2. Contract #2033 – Powder Activated Carbon (“Contract #2033”)

Calgon Carbon Corporation \$2,040/ton

3. Contract #2034 – Liquid Alum (“Contract #2034”)

USALCO Baltimore Plant, LLC \$194.20/ton  
Holland Company Inc. \$227.00/ton  
Chemtrade Chemical US LLC \$236.68/ton

4. Contract #2035 – Polyaluminum Chloride (“Contract #2035”)

USALCO Baltimore Plant, LLC \$319.00/ton  
Holland Company, Inc. \$425.00/ton  
Gulbrandsen Technologies Inc. (incomplete)

5. Contract #2036 – Liquid Non-Zinc Orthophosphate (“Contract #2036”)

Shannon Chemical Corp. \$577.57/ton  
Carus Corp. \$652.00/ton  
George S. Coyne Chemical Co. Inc. \$699.9850/ton

6. Contract #2037 – Hydrated Lime (“Contract #2037”)

Greer Lime Company \$196.50/ton  
Caremeuse Lime, Inc. \$225.00/ton

**WHEREAS**, the staff of the Commission has determined that JCI Jones Chemical Inc. has submitted the lowest, responsible and complying bid (the “Jones Bid”) for the furnishing and delivery of Contract #2032 and has recommended that JCI Jones Chemical Inc. be awarded Contract #2032 as the lowest, responsible and complying bidder in accordance with applicable law; and

**WHEREAS**, the staff of the Commission has determined that Calgon Carbon Corp. submitted a responsible and complying bid (the “Calgon Bid”) for the furnishing and delivery of Contract #2033 and has recommended that Calgon Carbon Corp. be awarded Contract #2033 as the sole responsible and complying bidder in accordance with applicable law; and

**WHEREAS**, the staff of the Commission has determined that USALCO Baltimore Plant, LLC has submitted the lowest, responsible and complying bid (the “USALCO Liquid Aluminum Bid”) for the furnishing and delivery of Contract #2034 and has recommended that USALCO Baltimore Plant, LLC be awarded Contract #2034 as the lowest, responsible and complying bidder in accordance with applicable law; and

**WHEREAS**, the staff of the Commission has determined that USALCO Baltimore Plant, LLC has submitted the lowest, responsible and complying bid (the “USALCO Polyaluminum Chloride Bid”) for the furnishing and delivery of Contract #2035 and has recommended that USALCO Baltimore Plant, LLC be awarded Contract #2035 as the lowest, responsible and complying bidder in accordance with applicable law; and

**WHEREAS**, the staff of the Commission has determined that Shannon Chemical Corp. has submitted the lowest, responsible and complying bid (the “Shannon Bid”) for the furnishing and delivery of Contract #2036 and has recommended that Shannon Chemical Corp. be awarded Contract #2036 as the lowest, responsible and complying bidder in accordance with applicable law; and

**WHEREAS**, the staff of the Commission has determined that Greer Lime Company has submitted the lowest, responsible and complying bid (the “Greer Bid”, and together with the Jones Bid, Calgon Bid, USALCO Liquid Aluminum Bid, USALCO Polyaluminum Chloride Bid and the Shannon Bid, the “Contractor Bids”) for the furnishing and delivery of Contract #2037 and has recommended that Greer Lime Company be awarded Contract #2037 as the lowest, responsible and complying bidder in accordance with applicable law; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds will be available for the aforementioned contracts; and

**WHEREAS**, the award of the aforementioned contracts 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 aforementioned contracts be awarded for an initial term of two years (for Calendar Years 2019 and 2020) to JCI Jones Chemical Inc., Calgon Carbon Corp., USALCO Baltimore Plant, LLC, Shannon Chemical Corp. and Greer Lime Company as the lowest complying and responsible bidders for the furnishing and delivery of Various Chemicals under Contracts #2032, #2033, #2034 and #2035, #2036 and #2037, respectively; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare contracts for the purchase of the Various Chemicals, incorporating the Commission’s requirements as set forth in the Bid Documents and Contracts #2032, #2033, #2034, #2035, #2036 and #2037, and the terms set forth in the Contractor Bids; and

**BE IT FURTHER RESOLVED** the Commission reserves the right to renew the contracts, in its sole discretion, for up to two (2) additional consecutive, one (1) year terms, on the same terms and conditions of the original contracts or provided in the Bid Documents; and

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

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

Commissioner Ashkinaze offered a motion to adopt the resolution awarding Contracts #2032, #2033, #2034, #2035, #2036 and #2037 for the furnishing and delivery of various chemicals for calendar years 2019 and 2020; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative.

**Resolution – Authorizing the Award and Execution of Contract #2038 for Site Development for Security Gates**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION  
AUTHORIZING THE AWARD AND EXECUTION OF CONTRACT #2038 FOR SITE  
DEVELOPMENT FOR SECURITY GATES**

**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 that it is necessary to retain the services of a qualified contractor to conduct several construction activities in connection with site development for the security gates, including, but not limited to, earth excavation, demolition, retaining wall re-construction, underground utility relocation, as well as removal and replacement of concrete curb and new base pavement (the “Site Development Services”); and

**WHEREAS**, the Commission has been empowered pursuant to its enabling legislation – specifically N.J.S.A. 58:5-20 – to solicit bids in writing and award contracts after public advertisement; and

**WHEREAS**, the Commission publicly advertised and solicited bids, referenced as Contract #2038 for the Site Development Services, which were publicly opened on November 8, 2018; and

**WHEREAS**, through a bid addendum the Commission requested the bidders to include an allowance of up to \$25,000 for any underground utility relocation that is deemed necessary; and

**WHEREAS**, in response to the Commission’s advertisement for public bids, the Commission received two (2) bids; and

**WHEREAS**, the Commission’s evaluation committee reviewed and evaluated the bids and determined that Paving Materials & Contracting LLC (“Paving Materials”) submitted the lowest, responsible and complying bid (the “Paving Materials Bid”) for the Site Development Services, and recommended that Paving Materials be awarded the contract in accordance with the Commission’s enabling legislation and applicable State law; and

**WHEREAS**, the Commission has determined that the pricing proposed by Paving Materials in the amount of \$83,350.00 is reasonable; and

**WHEREAS**, the Commission has further determined that Paving Materials possesses the requisite expertise and capability to perform the Site Development Services; and

**WHEREAS**, the Commission desires to retain the services of Paving Materials in accordance with the bid documents, Contract #2038, and the Paving Materials Bid; and

**WHEREAS**, the award of this contract is necessary for the Commission’s efficient water treatment operations, the protection of the Commission’s water supply facilities, and the health, safety and welfare of the public; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds will be available for this contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that a contract for the Site Development Services be awarded to Paving Materials as the lowest complying and responsible bidder in accordance with the Commission’s enabling legislation and applicable State law, for the not-to-exceed amount of \$83,350.00, plus an allowance of up to \$25,000.00 for underground utility relocation if deemed necessary; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare a contract for the Site Development Services, incorporating the Commission’s requirements as set forth in the bid documents, Contract #2038, and Paving Material’s Bid; 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 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 Ashkinaze offered a motion to adopt the resolution authorizing the award and execution of Contract #20138 for site development for security gates; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative.

**Resolution – Authorizing Amendment No. 1 to P.O. 18-00769 for the Dive Repair of the 84-Inch Pipe at the High Lift Pump Station**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION  
AUTHORIZING AMENDMENT NO. 1 TO CONTRACT #2024 FOR CONSULTING  
ENGINEERING SERVICES FOR WORK ASSOCIATED WITH COMMISSION-OWNED  
DAMS: FORMAL INSPECTION/STABILITY ANALYSIS**

**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 a qualified firm to serve as professionals, technical advisors and experts to 1) in order to fulfill certain statutory requirements under N.J.A.C. 7-20, undertake regular inspections of its dams in order to detect any signs of deterioration in material, developing weaknesses or unsafe hydraulic or structural behavior, including a review of records of project design, construction and performance and 2) undertake certain optional tasks for particular dams as the Commission deemed necessary or desirable (the “Dam Inspection Services”); and

**WHEREAS**, on April 25, 2017, the Commission publicly advertised and solicited proposals referenced as RFP #003-2017 for the Dam Inspection Services, and received proposals from interested firms on or about June 6, 2017; and

**WHEREAS**, on or about June 28, 2017, the Commission adopted a resolution awarding RFP #003-2017 to GZA GeoEnvironmental, Inc. (“GZA”) in the not-to-exceed amount of \$129,800.00 (“Contract #2024”); and

**WHEREAS**, in fulfillment of the Dam Inspection Services, the Hydrologic and Hydraulic Analysis for Monksville Dam was completed and submitted to the New Jersey Department of Environmental Protection, Division of Dam Safety and Flood Control (“NJDEP Dam Safety”) for review and comment; and

**WHEREAS**, NJDEP Dam Safety has submitted comments and questions to GZA, which requires additional work as per GZA’s proposal, attached hereto (“Amendment No. 1”); and

**WHEREAS**, Commission staff have examined proposed Amendment No. 1 to Contract #2024 and determined that the requests from NJDEP Dam Safety must be satisfied and the fees set forth in Amendment No. 1 are reasonable, necessary and appropriate, and recommend that the Commission authorize said amendment; and

**WHEREAS**, based on the foregoing, the Commission desires to amend Contract #2024 to include Amendment No. 1 in an amount not to exceed \$9,000; and

**WHEREAS**, the award of this Amendment No. 1 to Contract #2024 is necessary for the efficient operation of the Commission and the maintenance of the Commission’s water supply system.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the proposed Amendment No. 1 to Contract #2024 with GZA be and is hereby approved and the total contract amount is hereby amended to be an amount not-to-exceed \$138,800.00; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel are hereby authorized to prepare Amendment No. 1 to Contract #2024; and

**BE IT FURTHER RESOLVED** that the Chairman or Vice Chairman of the Commission is hereby authorized, as set forth above, to execute Amendment No. 1 to Contract #2024, 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 Ashkinaze offered a motion to adopt the resolution authorizing Amendment No. 1 to P.O. 18-00769 for the dive repair of the 84-inch pipe at the High Lift Pump Station; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer,



Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative.

**Resolution – Authorizing Emergency Repair to the Wanaque North Parish Drive Aqueduct**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION AUTHORIZING EMERGENCY REPAIR WORK TO THE  
WANAQUE NORTH PARISH DRIVE AQUEDUCT**

**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 retained Jacobs Engineering (“Jacobs”) to locate and identify the cause of leaks in the 74” Wanaque North Aqueduct in the vicinity of Parish Drive in Wayne (“Parish Drive Aqueduct”); and

**WHEREAS**, the Commission previously authorized Alpine Painting & Sandblasting to remove existing tar and burlap coating on the pipeline, on an emergency basis, to permit Jacobs to conduct its analysis and identify the source of the leaks; and

**WHEREAS**, Jacobs completed its analysis and determined that a ten-foot section of pipe had deteriorated and should be excavated, removed, and replaced with new piping to prevent future leaks; and

**WHEREAS**, the Commission’s engineering staff determined that the pipe removal and replacement work should be performed immediately on an emergency basis to bring the line back into service; and

**WHEREAS**, pursuant to its enabling legislation, N.J.S.A., 58:5-20, the Commission is entitled to undertake work by its own employees or outside contractors when the safety or protection of its or other public property or the public convenience requires, or the exigency of the situation will not allow for advertisement or public bidding to address any emergency conditions; and

**WHEREAS**, pursuant to Section I, Subsection I of its Purchasing Policies and Procedures Manual, the Commission may make purchases of materials and services without the necessity of public bidding when it is determined by the Commission’s Executive Director and Chief Financial Officer (“CFO”) that an emergency exists; and

**WHEREAS**, based upon the recommendation of the Commission’s engineering staff, the Commission’s Executive Director and CFO reaffirm their earlier determination that an emergency situation exists and warrants immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

**WHEREAS**, the Commission retained J. Fletcher Creamer & Son, Inc. (“Creamer”), a qualified firm experienced in the work necessary to expeditiously undertake these emergency services with respect to the Parish Drive Aqueduct; and

**WHEREAS**, the Commission determined that the total fee for these services will not exceed \$650,000.00 and this amount is reasonable under the circumstances, and desires to authorize Creamer to perform the emergency work on a time and materials basis; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds are available for these emergency services.

**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 Parish Drive Aqueduct leak 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 and CFO of the Commission in reaffirming that an emergency exists and authorizing said services to be performed; and

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby authorizes and ratifies the retention of Creamer to undertake the pipe removal and replacement work, without public bidding, for an amount not to exceed \$650,000.00 on a time and materials basis; 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 Ashkinaze offered a motion to adopt the resolution authorizing emergency repair work to the Wanaque North Parish Drive Aqueduct; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative.

**Resolution – Authorizing an Emergency Contract for Repair of the Fire Pump at the Administration Building Located at One F.A. Orechio Drive**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION  
AUTHORIZING AN EMERGENCY CONTRACT FOR REPAIR OF THE FIRE PUMP AT THE  
ADMINISTRATION BUILDING LOCATED AT ONE F.A. 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 maintains a fire pump at the Administration Building located at One F.A. Orechio Drive (“Fire Pump”) as part of its fire suppression system; and

**WHEREAS**, the Commission has determined that the casings on the Fire Pump are cracked and can no longer be replaced, and could lead to a failure of the Fire Pump should the system be activated; and

**WHEREAS**, the Commission has received a quote for the replacement of the Fire Pump from IT Fire Protection LLC (“IT Fire Protection”), in the amount of \$46,900.00 (the “Contractor Proposal”); and

**WHEREAS**, pursuant to its enabling legislation, N.J.S.A., 58:5-20, the Commission is entitled to undertake work by its own employees or outside contractors when the safety or protection of its or other public property or the public convenience requires, or the exigency of the situation will not allow for advertisement or public bidding to address any emergency conditions; and

**WHEREAS**, pursuant to Section I, Subsection I of its Purchasing Policies and Procedures Manual, the Commission may make purchases of materials and services without the necessity of public bidding when it is determined by the Commission’s Executive Director and Chief Financial Officer (“CFO”) that an emergency exists; and

**WHEREAS**, based upon the recommendation of the Commission’s staff, the Commission’s Executive Director and CFO have determined that the condition of the Fire Pump constitutes an emergency warranting immediate action and repairs without the necessity of engaging in public advertisement and bidding; and

**WHEREAS**, the Commission has determined that the emergency work and projected costs associated with the same as set forth in the Contractor Proposal are reasonable under the circumstances and have decided to authorize the same; and

**WHEREAS**, the Chief Financial Officer of the Commission has certified that the funds are available for these emergency services.

**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 condition of the Fire Pump 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 and CFO of the Commission in determining that an emergency exists; and

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby authorizes the Contractor Proposal in the amount of \$46,900.00; 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.

Commissioner Ashkinaze offered a motion to adopt the resolution authorizing an emergency contract for repair of the fire pump at the Administration Building located at One F.A. Orechio Drive; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative.

**Resolution – Granting a Right of Entry to Public Service Electric and Gas Company Across Certain Commission Property for Upgrades to Underground Transmission Facilities**

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER  
SUPPLY COMMISSION GRANTING A RIGHT OF ENTRY TO  
PUBLIC SERVICE ELECTRIC AND GAS COMPANY ACROSS CERTAIN  
COMMISSION PROPERTY FOR UPGRADES TO UNDERGROUND  
TRANSMISSION FACILITIES**

**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 in fee simple of certain real property known as 110 East Main Street, Little Falls, New Jersey 07424, and designated as Block 123, Lot 14 on the official Tax Map of the Township of Little Falls (the “Property”), on which the Commission owns, operates and maintains an aqueduct and associated improvements (“Pipeline Facilities”), which Pipeline Facilities are utilized for the transmission of potable water to the Commission’s member municipalities; and

**WHEREAS**, Public Service Electric and Gas Company (“PSE&G”) is in the process of converting its existing overhead electrical transmission facilities on the Property to underground facilities in order to provide safe and reliable service to the public (the “Facility Upgrades”), and has requested that the Commission grant it an irrevocable right of entry over and across the Property for the purpose of completing the Facility Upgrades; and

**WHEREAS**, PSE&G has agreed to obtain, at its own cost and expense, all necessary governmental approvals to complete the Facility Upgrades, to indemnify and hold the Commission harmless for any and all losses, claims, liabilities, damages, and/or costs associated with the Facility Upgrades, and to name the Commission as an additional insured on its applicable insurance policy; and

**WHEREAS**, the Commission is willing to grant PSE&G a right of entry to the Property, as the same shall be memorialized in a written agreement between the Commission and PSE&G subject to any appropriate conditions as deemed necessary by the Commission (“the Right of Entry Agreement”).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission that the Commission is authorized to enter into the Right of Entry Agreement, subject to any conditions as deemed appropriate by the Commission, which shall provide PSE&G with access over and across the Property for the purpose of completing the Facility Upgrades; and

**BE IT FURTHER RESOLVED**, that the exact location of the right of entry and Facility Upgrades over the Commission Property shall be as set forth in the legal descriptions and maps attached as exhibits to the Right of Entry Agreement; and

**BE IT FURTHER RESOLVED**, that the grant of rights to complete the Facility Upgrades shall be limited and restricted to those uses set forth in the Right of Entry Agreement; and

**BE IT FURTHER RESOLVED** that the Executive Director and General Counsel to the Commission are hereby authorized to prepare and negotiate the terms of the Right of Entry Agreement; and

**BE IT FURTHER RESOLVED**, that the Chairman or Vice Chairman of the Commission are hereby authorized to execute the Right of Entry Agreement and the Secretary of the Commission is authorized to attest to the signature of either the Chairman or Vice Chairman at such time as the terms of the agreement are finalized, as confirmed by the Commission's General Counsel; and

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

Commissioner Ashkinaze offered a motion to adopt the resolution granting a right of entry to Public Service Electric and Gas Company across certain Commission property for upgrades to underground transmission facilities; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative.

#### **Resolution – Approving the Transfer of Reserves**

Commission Secretary Kim Diamond read the following resolution:

#### **RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION APPROVING THE TRANSFER OF RESERVES**

**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 examined its Unrestricted Reserves for both the Wanaque North and Wanaque South Projects and determined that funds should be transferred from the Unrestricted Reserve Accounts to the Reserves for Renewal and Replacement for both projects; and

**WHEREAS**, these transfers are necessary because of the additional capital investments that the Commission must make to continue its ongoing rehabilitation and replacement of critical infrastructure.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the North Jersey District Water Supply Commission, that \$3,000,000.00 is hereby transferred from the Wanaque North Unrestricted Reserve Account to the Wanaque North Reserve for Renewal and Replacement; and

**BE IT FURTHER RESOLVED** that \$1,000,000.00 is hereby transferred from the Wanaque South Unrestricted Reserve Account to the Wanaque South Reserve for Renewal and Replacement; 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 Ashkinaze offered a motion to adopt the resolution approving the transfer of reserves; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo 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 Ashkinaze offered a motion to approve the Wanaque North Operating Account in the amount of \$8,522,887.50; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo 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, Commissioner Ashkinaze offered a motion to approve the Wanaque South Operating Account in the amount of \$4,153,556.16; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo 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 Ashkinaze offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$577,848.41; seconded by Vice Chairman Burrell and unanimously approved with Chairman Shotmeyer, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Garofalo voting in the affirmative.

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

Respectfully submitted,

Kim Diamond  
Commission Secretary