

NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION

PUBLIC COMMISSION MEETING

WEDNESDAY, AUGUST 28, 2019

The monthly Public Meeting of the Commission was called to order by Chairman Howard L. Burrell on Wednesday, August 28, 2019 at 9:05 a.m., One F.A. Orechio Drive, Wanaque, New Jersey.

Chairman Howard L. Burrell, Vice Chairman Charles P. Shotmeyer and Commissioners Alan S. Ashkinaze, Jerome P. Amedeo and James L. Cassella were recorded present. Also present were Timothy J. Eustace, Executive Director, Todd R. Caliguire, Deputy Executive Director, William Schaffner, Chief Financial Officer, Bhavini A. Doshi, Esq., Commission Counsel from the law firm of McManimon, Scotland & Baumann, LLC and Edmund Caulfield, Senior Counsel of the Governor's Authorities Unit. Commissioners Donald C. Kuser and Robert C. Garofalo were absent.

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

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

Commission Secretary Kim Diamond read the following resolution:

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

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

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

- 1. The public shall be excluded from discussions of the hereinafter-specified subject matters; the general natures of the subject matters to be discussed are 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 Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative. The Public Meeting was recessed at 9:07 a.m.

Chairman Burrell reconvened the Public Meeting at 9:31 a.m.

PUBLIC COMMISSION BUSINESS

ACTION REQUIRED:

Commissioner Ashkinaze offered a motion to approve the Public Commission Meeting Minutes of July 28, 2019; seconded by Commissioner Cassella and approved with

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

Commissioner Ashkinaze offered a motion to approve the Public Work Session Minutes of July 28, 2019; seconded by Commissioner Cassella and approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze and Cassella voting in the affirmative. Commissioner Amedeo abstained.

Vice Chairman Shotmeyer offered a motion to approve the Purchase Requisitions over \$5000 Report for August 2019 in the amount of \$191,389.61 seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Commission Invoices:

a. Invoice #0983063 from Arcadis US, Inc. for Contract #2013 – Basins 5 & 6 in the amount of \$1,600.40

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

b. Invoice #1083-26 from Stone Hill Construction for Contract #1083 – Lagoon Decant Tower Discharge in the amount of \$433,405.21

Paul Serillo, Director of Facilities and Les Malytskyy, Engineering Project Manager approved invoice 3(b) for payment.

c. Invoice #342273 from Premier Services/USIC, LLC for Contract #2019 – Underground Locating in the amount of \$4,530.23

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

d. Invoice #SMA-M0619-11569 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(d) for payment.

e. Invoice #2022-14 from Alpine Painting & Sandblasting for Contract #2022 – Task #3-6 Filters, Surface Wash & Pipe Gallery in the amount of \$26,647.50

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

f. Invoice #58853 from DLB Associates Consulting Engineering for Contract #1045 – Electrical Infrastructure Study in the amount of \$4,446.00

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

g. Invoice #89920-0675 from McPhee Electric (formerly JBL) for Contract #1081 – Electrical Contracting Services in the amount of \$17,600.00

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

h. Various Invoices from Landscape Materials, Inc. for Contract #2046 – Removal of Residuals in the amount of \$65,075.00

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

i. Invoice #E6X93300004 from Jacobs Engineering Group, Inc. for Contract #2039 – Asset Management Study in the amount of \$34,687.88

Paul Serillo, Director of Facilities and Les Malytskyy, Engineering Project Manager approved invoice 3(i) for payment.

j. Invoice #24221 from Public Strategies Impact LLC for Community/Media Relations Consulting in the amount of \$4,250.00

Tim Eustace, Executive Director approved invoice 3(j) for payment.

k. Various Invoices from Wilmington Trust – 2019 Trustee Fees for Wanaque South Project in the amount of \$10,500.00

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

l. Invoice #111-1840674 from BNY Mellon – Trustee Fees – 2009 Wanaque North Revenue Refunding Bonds in the amount of \$3,850.00

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

m. Invoice #37011 from Princeton Hydro LLC for Contract #1097 – Reservoir & Watershed Management Consulting in the amount of \$850.00

Lewis Schneider, Director of Treatment/Lab & Compliance approved invoice 3(m) for payment.

n. Invoice #4627 from Beneficial Soil Solutions, Inc. for Contract #1089B – RTF Residual Removal in the amount of \$433,405.21

Paul Serillo, Director of Facilities and Les Malytskyy, Engineering Project Manager approved invoice 3(n) for payment.

o. Various Invoices from Jacobs Engineering Group, Inc. for Contract #1090 – General Consulting Engineering Services in the amount of \$29,431.12

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

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

Resolution – Authorizing Change Order No. 2 to Emergency Purchase Order No. 19-00256 with Coastal Technical Sales for Hypochlorite Tanks

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING CHANGE ORDER NO. 2 TO EMERGENCY
PURCHASE ORDER NO. 19-00256 WITH COASTAL TECHNICAL SALES FOR
HYPOCHLORITE TANKS**

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 stores its sodium hypochlorite disinfectant in four (4) tanks (“Hypo Tanks”) and, due to the hazardous properties of this water treatment chemical, tests the integrity of the Hypo Tanks every five (5) years in accordance with the New Jersey Department of Environmental Protection (“NJDEP”) standards; and

WHEREAS, the Commission previously determined that due to integrity testing performed on two (2) of the Hypo Tanks that revealed significant degradation of the tanks, an emergency replacement of all four (4) Hypo Tanks would prove more cost effective than repair, would last longer and have a longer warranty period and provide additional costs savings over the long term; and

WHEREAS, relying upon N.J.S.A. 58:5-20 and Section 1, Subsection I of the Commission’s Purchasing Policies and Procedures Manual, and based upon the recommendation of the Commission’s staff, Executive Director, and Chief Financial Officer, the Commission determined that the internal damage to the

Hypo Tanks constituted an emergency warranting the immediate replacement of the Hypo Tanks without the necessity of engaging in public advertisement and bidding; and

WHEREAS, on January 23, 2019, the Commission adopted Resolution No. 1837 authorizing an emergency purchase order with Coastal Technical Sales, Inc. (“Coastal”) to provide four (4) new Hypo Tanks for the not-to-exceed amount of \$301,977.14 (“Purchase Order No. 19-00256”); and

WHEREAS, the Commission concluded that further protection would be needed for the stored material during extreme weather conditions and authorized Coastal to outfit one (1) additional 6-inch manufactured flange per tank to accept an immersion heating system at a later date in the amount of \$1,360.00 (“Change Order No. 1”), bringing the total amount of Purchase Order No. 19-00256 to a not-to-exceed amount of \$303,357.14; and

WHEREAS, during the construction phase of the project, which included the plumbing of the new Hypo Tanks, it was discovered that the existing valves were compromised with hairline cracks along the bolted flanges, and Coastal advised that the tanks be outfitted with new valves to prevent the possibility of leakage; and

WHEREAS, at the Commission’s request, Coastal provided a cost proposal for the new valves that will provide eight (8) 2-inch diaphragm valves, four (4) 3-inch diaphragm valves, and labor, travel and expenses for a not-to-exceed amount of \$18,472.81 (“Change Order No. 2”), bringing the total amount of Purchase Order No. 19-00256 to a new amount of \$321,829.95; and

WHEREAS, Commission staff have examined Change Order No. 2 and have determined that the services and fees set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission approve Change Order No. 2 to Purchase Order No. 19-00256; and

WHEREAS, the award of Change Order No. 2 to Purchase Order No. 19-00256 is necessary for the efficient operation and security of the Commission; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds are available for Change Order No. 2 to Purchase Order No. 19-00256.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Change Order No. 2 to Purchase Order No. 19-00256 with Coastal is hereby approved, bringing the total authorized contract to a not-to-exceed \$321,829.95; and

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to modify Purchase Order No. 19-00256 with Change Order No. 2, in accordance with Coastal’s proposal and this resolution, with all other terms and conditions of Purchase Order No. 19-00256, as amended, to remain unchanged; and

BE IT FURTHER RESOLVED that the Executive Director of the Commission is hereby authorized to execute Change Order No. 2 to Purchase Order No. 19-00256, and the Secretary of the Commission is authorized to attest to the signature of the Executive Director; 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 Change Order No. 2 to emergency Purchase Order No. 19-00256 with Coastal Technical Sales for hypochlorite tanks; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative.

Resolution – Authorizing Amendment No. 2 to Contract #1094 with Total Recall for Security Enhancement Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER
SUPPLY COMMISSION AUTHORIZING AMENDMENT NO. 2 TO
CONTRACT #1094 WITH TOTAL RECALL FOR
SECURITY ENHANCEMENT SERVICES**

WHEREAS, the North Jersey District Water Supply Commission (“Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising

public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, the Commission previously determined there was a need to retain a firm specializing in security systems to provide enhanced security systems at Commission owned facilities (the “Security Services”); and

WHEREAS, the Commission publicly advertised a request for qualifications and proposals for the Security Services, and received proposals from interested parties; and

WHEREAS, on or about May 25, 2016, the Commission adopted a resolution awarding Total Recall Corporation (“Total Recall”) a contract for the provision of the Security Services (“Contract #1094”); and

WHEREAS, this Contract is funded through the New Jersey Infrastructure Bank, formerly NJEIT (“NJIB”); and

WHEREAS, the original contract amount for Security Services was an amount not to exceed \$3,306,711.22, but in July 2018, the Commission authorized Amendment No. 1 to Contract #1094 for the provision and installation of surveillance equipment, the purchase and installation of security gate bollards at the Commission owned facility at Orechio Drive (the “Orechio Drive Gate”) in the amount of \$171,058.49 as well as an extension of the completion date of Contract #1094 to September 15, 2019; and

WHEREAS, Total Recall now needs an additional extension of the completion date of Contract #1094 due to extenuating circumstances with the New Jersey Department of Community Affairs (“DCA”), specifically, review periods and construction permit release schedules that were unforeseen at the time of the execution of Contract #1094 and Amendment No. 1; and

WHEREAS, Total Recall requests an additional extension of the completion date to November 30, 2019, specifically for the construction and installation of the Orechio Drive Gate (“Amendment No. 2”); and

WHEREAS, the requested change in completion date of Amendment No. 2 will fall within the required “three state fiscal year” deadline for the short-term loan closing of December 29, 2019; and

WHEREAS, Commission staff have examined Amendment No. 2 to Contract #1094 and have determined that the terms set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission approve Amendment No. 2 to Contract #1094; and

WHEREAS, the award of this Amendment No. 2 to Contract #1094 is necessary for the efficient operation of the Commission; and

WHEREAS, no additional funds for Contract #1094 are needed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Amendment No. 2 to Contract #1094 with Total Recall extending the completion date to November 30, 2019 is hereby approved; and

BE IT FURTHER RESOLVED, that this conditional approval of Amendment No. 2 to Contract #1094 is subject to the review and approval of the NJIB and/or the New Jersey Department of Environmental Protection; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Amendment No. 2 to Contract #1094, with all other terms and conditions of Contract #1094, as amended, to remain unchanged; and

BE IT FURTHER RESOLVED that, upon issuance of approval by the NJIB and/or NJDEP, the Chairman or Vice Chairman of the Commission is hereby authorized to execute Amendment No. 2 to Contract #1094, 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 Shotmeyer offered a motion to adopt the resolution authorizing Amendment No. 2 to Contract #1094 with Total Recall for security enhancement services; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative.

Resolution – Authorizing a Revised Temporary Agreement with the Borough of Glen Ridge for Available Water from the Wanaque South Project

Chairman Burrell noted that no one from the Member Municipalities appeared to discuss the proposed resolution at a public hearing for that purpose during the Public Session.

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING A REVISED TEMPORARY AGREEMENT
WITH THE BOROUGH OF GLEN RIDGE FOR AVAILABLE WATER FROM
THE WANAQUE SOUTH PROJECT**

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 the Water Transmission Facilities Act, N.J.S.A. 58:5-33 et seq., the State declared its public policy to foster and promote the treatment, filtration and use of water supplies developed by the State, and granted the Commission powers to enable it, amongst other things, to finance, construct and to place into operation, operate and use facilities deemed necessary and incident to the treatment, filtration, transmission and distribution of potable water from raw water made available by the State to municipalities and persons pursuant to the provisions of the New Jersey Water Supply Law of 1958, N.J.S.A. 58:22-1 et seq.; and

WHEREAS, in 1982, the Commission, in a collaborative effort with United Water New Jersey (now SUEZ Water and hereinafter referred to as “SUEZ”), undertook the financing of an expansion of the Commission’s water supply system for the purpose of developing an additional 79 million gallons per day (“MGD”) supply of raw water (the “Wanaque South Project”); and

WHEREAS, on or about April 13, 1982, the Commission entered into a certain service contract regarding the provision of water from the Wanaque South Project (the “South Service Contract”), by and between the Commission and the City of Bayonne (now represented by the Bayonne Municipal Utilities Authority), the Township of Bloomfield, the Township of Cedar Grove, the Town of Kearny, the City of Newark, the Township of Nutley, and the Township of Wayne (collectively, the “Wanaque South Municipalities”), pursuant to which the Commission sets rates with respect to all water it supplies to the Wanaque South Municipalities; and

WHEREAS, pursuant to Article 7, Section 704 of the South Service Contract, the Commission may “enter into an agreement with any municipality” for the sale of excess available water from the Wanaque South Project, provided that the Commission has “obtained sufficient assurance of additional quantities of water from the State”; and

WHEREAS, on or about June 14, 2013, the New Jersey Department of Environmental Protection (“NJDEP”) issued a final determination to the Commission increasing the safe water yield attributable to the Wanaque South Project by 17 MGD, half of which (8.5 MGD) is attributed to the Commission and the other half to SUEZ (the “Increase”); and

WHEREAS, on or about November 24, 2013, the Commission notified the Wanaque South Municipalities of the Increase, and inquired as to whether any of the Wanaque South Municipalities were interested in increasing their supply of water from the Commission; and

WHEREAS, on April 12, 2019, the Borough of Glen Ridge (“Glen Ridge”), a non-Wanaque South municipality, petitioned the Commission to purchase, on a temporary basis, available water from the Wanaque South Project in the amount of .03 MGD; and

WHEREAS, after reviewing the petition by Glen Ridge, and holding a public hearing on the matter at its May 22, 2019 meeting, the Board of Commissioners of the Commission authorized a temporary agreement with Glen Ridge which included 1.) a ten (10) year sale agreement with Glen Ridge for .03 MGD, with a right to renew the sale agreement for up to three (3) consecutive five-year terms 2.) an agreement that Glen Ridge will pay the applicable water rate charged to the Wanaque South Municipalities, plus a ten percent (10%) premium charged to non-Wanaque South Municipalities and 3.) an agreement that during the first ten (10) year term of the temporary agreement, Glen Ridge shall have the option of purchasing a permanent membership interest in the Wanaque South Project, and if Glen Ridge so exercises this option, it will be permitted to allocate up to fifty percent (50%) of the premium payments it makes in excess of the rate

charged to the Wanaque South Municipalities towards the costs of joining the Wanaque South Project (the “Original Temporary Agreement”); and

WHEREAS, Glen Ridge has now, by letter dated June 25, 2019, requested that the aforementioned sale of .03 MGD be canceled and replaced with the sale of .689 MGD during calendar year 2020, followed by the purchase of an amount to be determined by the end of calendar year 2020 to meet Glen Ridge’s need to satisfy its firm capacity requirement as established at that time; and

WHEREAS, pursuant to the above request, prior to the end of 2020, Glen Ridge shall notify the Commission of its firm capacity requirement, which shall be purchased going forward under the same terms and conditions as the Original Temporary Agreement; and

WHEREAS, notice regarding this resolution and the proposed terms and conditions herein was provided to the Wanaque South Municipalities on July 10, 2019; and

WHEREAS, no South Municipalities objected to the revised sale of excess water supply to Glen Ridge from the Wanaque South Project or the proposed terms and conditions associated therewith.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that a revised temporary sale agreement with the Borough of Glen Ridge for available water from the Wanaque South Project is hereby authorized; and

BE IT FURTHER RESOLVED, that the available water that Glen Ridge is purchasing through the revised temporary sale agreement is .689 MGD for calendar year 2020 and an amount during the remainder of the term(s) of the sale agreement equal to what is needed to meet Glen Ridge’s firm capacity requirement, with the rate charged for such water to be the same as other municipalities within the Wanaque South Project plus a ten percent (10%) premium; and

BE IT FURTHER RESOLVED, that the Executive Director and General Counsel are hereby authorized to prepare the revised temporary sale agreement as described within this resolution; and

BE IT FURTHER RESOLVED, that the Executive Director and General Counsel are hereby authorized to prepare an amendment to Schedule A of the South Service Contract reflecting such temporary sale agreement with the Borough of Glen Ridge, and that all other terms and conditions of the South Service Contract shall remain in full force and effect; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute the temporary sale agreement and any other documents necessary to effectuate this resolution, 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 a revised temporary agreement with the Borough of Glen Ridge for available water from the Wanaque South Project; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Burrell and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative.

Resolution – Authorizing Emergency Work Associated with the Roof Replacement at the Control House Building

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING EMERGENCY WORK
ASSOCIATED WITH THE ROOF REPLACEMENT AT THE
CONTROL HOUSE BUILDING**

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 existing roof at the Control House Building (the “Control House”) has been

compromised with leaks due to the roof's age; and

WHEREAS, important mechanical and electrical equipment are located within the Control House and such critical infrastructure should be protected from any water damage; and

WHEREAS, in light of the foregoing, the Commission's engineering staff have recommended that the Commission immediately move ahead with a full roof replacement at the Control House (the "Emergency Services"); 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, Deputy Executive Director and Chief Financial Officer that an emergency exists; and

WHEREAS, based upon the recommendation of the Commission's engineering staff, the Commission's Executive Director, Deputy Executive Director and Chief Financial Officer have all determined that the full replacement of the roof at the Control House constitutes an emergency warranting immediate action without the necessity of engaging in public advertisement and bidding; and

WHEREAS, the Commission has made a concerted effort to replace the building roofs throughout the Headworks and Treatment Plant Facilities using Carlisle Roof Systems, with whom the Commission has a current maintenance contract, because the standardization of roofs throughout the facilities gives the Commission the ability to maintain the roofs more efficiently with regards to repairs based on one manufacturer and one warranty; and

WHEREAS, the Commission has obtained a quote for the Emergency Services from Pfister Maintenance Inc. ("Pfister"), a supplier and installer of Carlisle Roof products, to replace the Control House roof for a total price of \$23,500.00; and

WHEREAS, the Commission finds that Pfister's rates and proposal are reasonable under the circumstances; and

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

WHEREAS, the Commission desires to authorize Pfister to perform the Emergency Services in accordance with its proposal.

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 replacement of the roof at the Control House Building 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, Deputy Executive Director, and Chief Financial Officer of the Commission in determining that an emergency exists; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorizes the retention of Pfister to undertake the Emergency Services, without public bidding, for the amount of \$23,500.00 in accordance with its proposal; and

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

Commissioner Cassella offered a motion to adopt the resolution authorizing emergency work associated with the roof replacement at the control house building; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative.

Resolution – Authorizing Emergency Work Associated with the Flex Lines at the Low Lift Pump Station

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING EMERGENCY WORK ASSOCIATED WITH
THE FLEX LINES AT THE LOW LIFT PUMP STATION**

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 existing 2" diameter flex lines located at the Low Lift Pump Station (“LLPS”) are in a severely degraded condition, e.g., the outer sheath is crumbling away and the structural cordage is visible; and

WHEREAS, a number of contractors have stressed the importance of replacing the flex lines prior to a catastrophic failure; and

WHEREAS, in light of the foregoing, the Commission’s engineering staff have recommended that the Commission immediately move ahead with the removal and the replacement of the degraded flex lines at the LLPS (the “Emergency Services”); 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, Deputy Executive Director and Chief Financial Officer that an emergency exists; and

WHEREAS, based upon the recommendation of the Commission’s engineering staff, the Commission’s Executive Director, Deputy Executive Director and Chief Financial Officer have all determined that the removal and replacement of the flex lines at the LLPS 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 Services from Petro Mechanics (“Petro”) in the amount of \$23,800.00, a state contract vendor experienced in the work necessary to expeditiously undertake the Emergency Services; and

WHEREAS, the Commission finds that Petro’s rates and proposal are reasonable under the circumstances; and

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

WHEREAS, the Commission desires to authorize Petro to perform the Emergency Services in accordance with its proposal.

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 replacement of the flex lines at the LLPS 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, Deputy Executive Director and Chief Financial Officer of the Commission in determining that an emergency exists; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorizes the retention of Petro to undertake the Emergency Services, without public bidding, for the amount of \$23,800.00 in accordance with its proposal; 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 Shotmeyer offered a motion to adopt the resolution authorizing emergency work associated with the flex lines at the Low Lift Pump Station; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative.

Resolution – Authorizing Requisition R9-01259 with DLB Associates for Construction Administration Services for Orechio Building Boiler Replacement

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING REQUISITION R9-01259 WITH DLB
ASSOCIATES FOR CONSTRUCTION ADMINISTRATION SERVICES FOR
ORECHIO BUILDING BOILER REPLACEMENT**

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 boiler at the Commission’s Orechio Building (“Orechio Building Boiler”) is being replaced; and

WHEREAS, the Commission previously authorized and generated a requisition for the provision of engineering and design services (“Engineering and Design Services”) related to the Orechio Building Boiler Replacement (“Requisition R9-00242”), selecting DLB Associates Consulting Engineers (“DLB Associates”) to perform the Engineering and Design Services in an amount not-to-exceed \$16,400.00; and

WHEREAS, technical questions and issues associated with the project still exist which require additional expertise; and

WHEREAS, the Commission now desires to acquire the services of a qualified engineering firm to perform additional tasks related to the Orechio Building Boiler Replacement including: reviewing contractor submittals to evaluate whether “equivalent” equipment selections are valid, answering questions from the contractor regarding system design, and conducting site visits to verify proper equipment installation and start-up and commissioning (the “Construction Administration Services”); and

WHEREAS, DLB Associates completed the design and drawings for the Orechio Building Boiler Replacement as part of the Engineering and Design Services, and are uniquely qualified to address questions, review submittals, and ensure construction adherence to the design intent of the Orechio Building Boiler Replacement; and

WHEREAS, DLB Associates will be able to provide valuable expertise and assistance in expediting tasks related to the Orechio Building Boiler Replacement and will allow the Commission to be delivered a quality project on schedule;

WHEREAS, the Commission has generated Requisition R9-01259 for the provision of Construction Administration Services for the Orechio Building Boiler Replacement for a total not-to-exceed amount of \$8,000.00; and

WHEREAS, the Commission finds that the rates and terms under Requisition R9-01259 are reasonable under the circumstances; and

WHEREAS, pursuant to Section 16(c) of Executive Order #37 dated September 26, 2006, public procurement in this instance is not necessary as Requisition R9-01259 concerns Construction Administration services of a technical nature and DLB Associates is the best vendor to provide the required Construction Administration services; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds will be available for Requisition R9-01259; and

WHEREAS, the Commission desires to authorize DLB Associates to perform the Construction Administration Services in accordance with Requisition R9-01259.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission, that Requisition R9-01259 in the amount of \$8,000.00 be awarded to

DLB for the provision of Construction Administration Services for the Orechio Building Boiler Replacement; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Requisition R9-01259 with DLB Associates, and

BE IT FURTHER RESOLVED that the Executive Director of the Commission is hereby authorized to execute Requisition R9-01259, and the Secretary of the Commission is authorized to attest to the signature of the Executive Director; 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 Requisition R9-01259 with DLB Associates for construction administration services for Orechio Building boiler replacement; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative.

Resolution – Authorizing Amendment No. 6 to Contract #1090 with Jacobs Engineering, Inc. for General Consulting Engineering Services

Commission Secretary Kim Diamond read the following resolution:

**RESOLUTION OF THE NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION AUTHORIZING AMENDMENT NO. 6 TO CONTRACT #1090
WITH JACOBS ENGINEERING, INC. FOR GENERAL CONSULTING
ENGINEERING SERVICES**

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

WHEREAS, the Commission previously determined there was a need to retain a firm specializing in engineering services to provide general consulting services for the Commission on multiple projects (the “General Consulting Engineering Services”); and

WHEREAS, the Commission publicly advertised a request for qualifications and proposals for the General Consulting Engineering Services, and received proposals from interested parties; and

WHEREAS, the Commission previously adopted a resolution awarding Jacobs Engineering, Inc. (“Jacobs”) a contract for the provision of the General Consulting Engineering Services (“Contract #1090”); and

WHEREAS, the General Consulting Engineering Services are performed from year-to-year, with the Commission funding Contract #1090 through the Commission’s engineering operating budget, with the not-to-exceed amount of \$250,000 per year; and

WHEREAS, on October 24, 2018, the Commission approved an additional \$250,000 to Year 3 (2018) of Contract #1090 (“Amendment No. 4”) for Jacobs to perform tasks related to the Commission’s Lagoon Phase 2/Residual Treatment Facility (“RTF”) Upgrade project, such as additional bench-scale and full-scale testing, and developing the 10% design as required by the project, as well as additional on-call tasks as needed; and

WHEREAS, Amendment No. 4 increased the Year 3 (2018) not-to-exceed amount of Contract #1090 from \$500,000 to \$750,000, and Amendment No. 5 extended the term of Contract #1090 through December 31, 2019 and added certain specialist classifications; and

WHEREAS, by the end of Year 3 (2018) of Contract #1090, Jacobs had incurred \$592,707 in charges under Contract #1090, leaving approximately \$150,000 in unused funds; and

WHEREAS, due to the magnitude and schedule of certain projects, it is necessary for some of the work on larger tasks and work orders to continue from one year to the next; and

WHEREAS, in order to offset the loss of the \$150,000 in unspent funds under Contract #1090 and for Jacobs to complete the tasks and work orders that were previously approved in Year 3 (2018) of Contract

#1090, the Commission believes it is necessary to add \$150,000 to the budget of Year 4 (2019) of Contract #1090 (“Amendment No. 6”); and

WHEREAS, the increase of \$150,000 to the existing \$250,000 budget of Year 4 (2019) would bring the total not-to-exceed amount of Year 4 (2019) of Contract #1090 to \$400,000; and

WHEREAS, Commission staff have examined Amendment No. 6 to Contract #1090 and have determined that the terms set forth therein are reasonable, necessary and appropriate, and have recommended that the Commission approve Amendment No. 6 to Contract #1090; and

WHEREAS, the award of this Amendment No. 6 to Contract #1090 is necessary for the efficient operation of the Commission; and

WHEREAS, the Chief Financial Officer of the Commission has certified that the funds are available for this Amendment No. 6 to Contract #1090.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the North Jersey District Water Supply Commission that Amendment No. 6 to Contract #1090 with Jacobs adding \$150,000 in unspent funds to Year 4 (2019) of Contract #1090 is hereby approved, bringing the total authorized contract in Year 4 (2019) to a not-to-exceed amount of \$400,000; and

BE IT FURTHER RESOLVED that the Executive Director and General Counsel are hereby authorized to prepare Amendment No. 6 to Contract #1090, with all other terms and conditions of Contract #1090, as amended, to remain unchanged; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman of the Commission is hereby authorized to execute Amendment No. 6 to Contract #1090, and the Secretary of the Commission is authorized to attest to the signature of 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 Shotmeyer offered a motion to adopt the resolution authorizing Amendment No. 6 to Contract #1090 with Jacobs Engineering, Inc. for general consulting engineering services; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella 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 Shotmeyer offered a motion to approve the Wanaque North Operating Account in the amount of \$10,623,108.82; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella 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 \$3,812,757.64; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella 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 Shotmeyer offered a motion to approve the Wanaque South Joint Venture Operating Account in the amount of \$480,456.77; seconded by Commissioner Ashkinaze and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative.

There being no further business, Commissioner Ashkinaze offered a motion to adjourn the meeting at 9:38 a.m.; seconded by Commissioner Cassella and unanimously approved with Chairman Burrell, Vice Chairman Shotmeyer and Commissioners Ashkinaze, Amedeo and Cassella voting in the affirmative.

Respectfully submitted,

Kim Diamond
Commission Secretary