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ONE F.A. ORECHIO DRIVE
WANAQUE, NJ 07465
973-835-3600 FAX: 973-835-6701
E-Mail: commissionoutreach@njdwsc.com

November 27, 2017

Mr. Michael J. Rohal, Town Administrator
825 Bloomfield Avenue
P.O. Box 66
Glen Ridge, NJ 07028

Dear Mr. Rohal:

In accordance with the requirements set forth in the Wanaque North and South Agreements and the Commission's enabling legislation, the Board of Commissioners held a formal public hearing on November 22, 2017 at the Commission's offices to consider revised Overdraft Rules for both Wanaque North and South. After holding the public hearing, the Board passed a resolution approving the revised Overdraft Rules, a copy of which is attached hereto.

The revised Overdraft Rules will take effect on January 1, 2018 pursuant to their terms.

Please also be aware that the Commission has excess safe yield relating to the Wanaque South Project resulting from a determination by the New Jersey Department of Environmental Protection. This excess safe yield has previously been offered to all Contracting Municipalities of both Wanaque North and Wanaque South and a portion is available. Any Contracting Municipality which wishes to increase its Proprietary Allotment should contact me at (973) 831-6238.

Sincerely yours,

Todd R. Caliguire
Executive Director

Attachment

WANAQUE NORTH
OVERDRAFT REGULATIONS

WHEREAS, pursuant to N.J.S.A. 58:5-1 et seq. the North Jersey District Water Supply Commission (the “Commission”) is a public body corporate duly organized and existing under and by virtue of the laws of the State of New Jersey, exercising public and essential governmental functions and providing for the public health and welfare, and is engaged in developing raw water sources, storing water and distributing a reliable supply of potable water to its participating municipalities; and

WHEREAS, on or about December 26, 1940, the Commission entered into that certain service contract regarding the provision of water from the Wanaque North System (the “North Service Contract”) by and between the Commission and the City of Newark, the Township of Montclair, the Borough of Glen Ridge, the Township of Bloomfield, the Town of Kearny, the City of Passaic, the City of Paterson, and the City of Clifton (with the latter three municipalities subsequently represented by the Passaic Valley Water Commission, as fiscal agent) (collectively, the “North Municipalities” or “Contracting Municipalities” with respect to the Wanaque North System, and individually, each a “North Municipality”), pursuant to which the Commission sets rates with respect to all water it supplies to the North Municipalities from the Wanaque North System; and

WHEREAS, the North Service Contract provides that each North Municipality is obligated to compensate the Commission for a specific amount of potable water supplied on a daily basis (the “Proprietary Allotment”); and

WHEREAS, the North Service Contract further provides that the Commission may adopt a schedule of maximum allowable flows to be drawn based upon a percentage of the North Municipalities’ Proprietary Allotments; and

WHEREAS, on October 1, 1934, the Commission adopted regulations that set forth the schedule of maximum allowable flows and established additional charges payable by North Municipalities for water taken in excess of said maximum allowable flows (the “Wanaque North Overdraft Policy”); and

WHEREAS, the Wanaque North Overdraft Policy was amended on September 1, 1966; and

WHEREAS, the Commission has determined that it is necessary to amend the Wanaque North Overdraft Policy to better reflect actual effects of overdrafting on the water supply, to preserve the integrity of its water treatment facilities and the Wanaque North System, and to

encourage water conservation, with such amendments to take effect on January 1, 2018; and

WHEREAS, this Policy shall supersede in all respects the earlier Wanaque North Overdraft Policy, and any amendments thereto.

NOW, THEREFORE, be it enacted and ordained by the Board of Commissioners of the North Jersey District Water Supply Commission as follows:

1. **Definitions.** The following words and phrases when used in this Policy shall have the meanings set forth as follows:

a. **Annual Allotment:** the amount of water which each North Municipality is authorized to withdraw in the course of a calendar year, which is equal to the North Municipality's Proprietary Allotment multiplied by 365.

b. **Proprietary Allotment:** the daily allocation of water specified in the North Service Contract which each North Municipality is authorized to continuously withdraw without interruption for a Daily Period.

c. **Daily Period:** the twenty-four (24) hour period from midnight to the following midnight in any given day.

d. **Effective Date:** January 1, 2018, or the date on which the Board of Commissioners of the North Jersey District Water Supply Commission has approved this Policy if later than such date.

e. **Policy:** this policy setting forth overdraft service regulations, and which shall supersede the Wanaque North Overdraft Policy, as well as any prior agreements or resolutions regarding overdraft service between the Commission and the North Municipalities.

f. **Peaking Factor:** the percentage in excess of the Proprietary Allotment which a North Municipality may divert without penalty.

g. **Water Rate:** the water service charge applied per one million gallons of water metered or estimated, or portion thereof, and delivered to the North Municipality. This rate may be amended by the Commission from time to time, and upon such action shall immediately become part of this Policy. For any North Municipality that is a Contracting Municipality of both the Wanaque North System and the Wanaque South System, the Water Rate shall be a blended rate calculated as follows:

Water Rate = (Proprietary Allotment North/Sum of North and South Proprietary Allotments) *
North Rate + (Proprietary Allotment South/Sum of North and South Proprietary Allotments) *
South Rate

h. **Wanaque North System:** the Commission's water supply system for the purpose of supplying potable water to the North Municipalities, including the reservoirs, the water

treatment plant, the aqueduct from the water treatment plant, and all other facilities existent on the effective date of this Policy and as may be constructed in the future for the purposes set forth herein.

2. **Recitals Incorporated.** The foregoing recitals are hereby expressly incorporated into this Policy and made a part hereof as if set forth at length herein.

3. **Effective Date.** This Policy shall become effective on the Effective Date.

4. **Peaking Factors.** North Municipalities shall be permitted to draw at the Water Rate then in effect as follows:

- a. 150% of their Proprietary Allotment for one (1) day.
- b. 120% of their Proprietary Allotment on an average daily basis during any calendar month.

5. **Overdraft Demand Charge Fee.** A North Municipality shall pay the Commission an Overdraft Demand Charge Fee equal to 100% of the Water Rate then in effect per one million gallons taken in excess of the permitted daily Peaking Factors as set forth in Paragraphs 4(a) and 4(b) above. The Overdraft Demand Charge Fee shall be in addition to the amount paid by the North Municipality for its Proprietary Allotment.

6. **Quarterly Billing.** Computations to determine the amount of Overdraft Demand Charge Fees payable by a North Municipality shall be made and invoiced for the quarterly periods ending March 31, June 30, September 30 and December 31 of each calendar year. Each North Municipality agrees to make such payments within 30 days of receipt of invoices from the Commission for such quarterly periods.

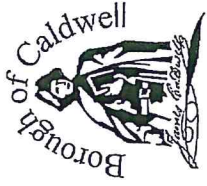
7. **Annual Overdraft Charge.** The payment for a North Municipality's total diversion for any calendar year in excess of the North Municipality's Annual Allotment shall be two hundred (200%) percent of the Water Rate then in effect multiplied by the amount of water per one million gallons taken in excess of the North Municipality's Annual Allotment. Each North Municipality agrees to make annual payments for the Annual Overdraft Charge as defined herein not later than the 10th day of February each year with respect to the calendar year ending on the last day of the immediately preceding December. Annual Overdraft Charges shall be paid by the North Municipality to the Commission in addition to any Overdraft Demand Charge Fees referenced in paragraph 5 above.

8. **Rates and Fees.** In the event that the Water Rates charged by Commission are raised or lowered, each North Municipality agrees to pay for Overdraft Demand Charge Fees and Annual Overdraft Charges at such new rates from the date any such change in the Water Rates shall become effective.

9. **Reduced Capacity.** Whenever, in the judgment of the Commission, lack of rainfall, the amount of storage in the reservoirs or any other reason makes it necessary to reduce the draft on

the reservoirs, the Daily Allotment of the North Municipalities may be reduced, but in that case all Daily Allotments shall be reduced by the same percentage. In the event of such a reduction, North Municipalities shall pay Overdraft Demand Charge Fees and Annual Overdraft Charges in proportion to their reduced Proprietary Allotments.

10. **Default.** In the event that any North Municipality shall fail to make payments to the Commission for Overdraft Demand Charge Fees or Annual Overdraft Charges for more than sixty (60) days after the date when such payment is due, the North Municipality shall be charged a fee of 10% of the total amount due.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-217

Date of Adoption: November 9, 2017

TITLE:

RESOLUTION MEMORIALIZING THE BOROUGH'S COMMITMENT TO THE GOALS OF THE PARIS CLIMATE ACCORD

WHEREAS, consensus exists among the world's leading climate scientists that climate change caused by emissions of greenhouse gases from human activities is among the most significant problems facing the world today; and

WHEREAS, documented impacts of climate change include but are not limited to increased occurrences of extreme weather events and adverse impacts on ecosystems; and

WHEREAS, the Borough of Caldwell, New Jersey is committed to its future generations of residents as demonstrated by its great schools and continuous improvement to the Township and its facilities and infrastructure; and

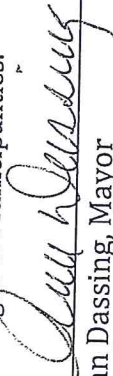
WHEREAS, responding to climate change provides communities an opportunity to access first mover advantages in the range of products, services, and know-how that transitioning to a climate-compatible future brings; and

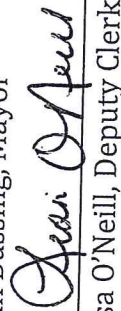
WHEREAS, the Paris Climate Accord (also known as the Paris Agreement) resulted in a commitment from almost every nation in the world to take action and enact programs to limit the global temperature increase to less than 2 degrees Celsius, with an expectation that this goal would be reduced to 1.5 degrees Celsius in the future.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Caldwell that the Borough of Caldwell:

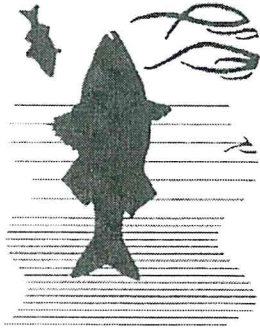
1. Joins other US cities in the Climate Mayors network (<http://climatemayors.org>) in adopting and supporting the goals of the Paris Climate Accord; and
2. Commits to exploring policies and programs that promote the long-term goal of greenhouse gas emissions reduction, while maximizing economic and social co-benefits of such action for the Borough; and
3. Sign the open letter available at wearestillin.com.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to President Donald Trump, Senator Bob Menendez, Senator Cory Booker, Congressman Rodney Frelinghuysen, Governor Chris Christie, State Senator Richard J. Codey, Assemblywoman Mila M. Jasey, Assemblyman John F. McKeon, Municipalities in Essex County, and the League of Municipalities.


Ann Dassing, Mayor


Lisa O'Neill, Deputy Clerk

RECORD OF COUNCIL VOTE



PASSAIC RIVER COALITION

at Willow Hall

330 Speedwell Ave, Morristown, NJ 07960
Phone: (973) 532-9830
Fax : (973) 889-9170

November 2017

Dear Mayor and Council
And/or Environmental Commission:

Water in the right places at the right-time is a top priority of any municipality; and it is not an easy task. We can have too much with flooding or too little with drought restrictions. Managing our water resources is complex, yet critical to our individual and community well being. With our populated urban and suburban areas dependent upon the Passaic River Watershed for their drinking waters, clearly our watershed is a natural resource commodity that demands the vigilance of every municipal governing body.

The Passaic River Coalition, in place since 1969, is here to assist you. Flooding, storm water management, sewage, water supply planning and water quality are all intertwined with how our municipalities and environmental commissions oversee water, probably our most precious ad vital resource. With our changing climate, more than ever, our communities need collaborative planning, evaluation and implementation of how we best can retain, distribute and preserve our waters.

The Passaic River Coalition actively engages with municipalities within the Passaic River Basin Watershed on various initiatives to protect our drinking waters, improve our water quality, reduce flood damage and restore our water aquifers through land trust stewardship. We promote green infrastructure and natural flood control management. We continue to monitor federal, state and Army Corps of Engineers' proposals that impact constituents of our watershed. The Passaic River Coalition is here for you as a resource for cutting through any myriad of issues to help your community when it comes to water.

We invite you to contact us as a resource for your environmental commissioners, council and citizenry when any water issues arise. Passaic River Coalition, with its bank of contacts and experts, will help you facilitate what may need to be accomplished.

Our annual municipality dues of \$125 will underscore your commitment to the protection of our waterways. The Passaic River Coalition appreciates your financial support to continue our regional mission of water stewardship and to assist you in governance when it comes to water issues within your community.

Sincerely,

A handwritten signature in cursive script that reads "Jamie Howard".

Chair, The Board of Trustees
The Passaic River Coalition



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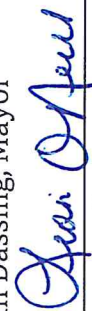
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Ann Dassing, Mayor


Lisa O'Neill, Deputy Clerk

RECORD OF COUNCIL VOTE

Councilman: Cascarano presented the following resolution - Seconded by Councilman: Brown

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano	✓								
Hauser	✓								
O'Donnell	✓								
						Capozzoli		✓	
						Brown		✓	
						Rodgers		✓	


Lisa O'Neill, Deputy Clerk


Ann Dassing, Mayor