

PASSAIC VALLEY WATER COMMISSION MEETING OF

MAY 22, 2013

(OPEN SESSION)

C O M M I S S I O N E R S        P R E S E N T :

RIGO SANCHEZ, President (Absent)

JEFFREY LEVINE, Vice-President

MENACHEM BAZIAN, Treasurer

GLORIA KOLODZIEJ, Secretary

THOMAS P. DeVITA

ROBERT VANNOY

CHRYSTAL A. CLEAVES (Absent)

A L S O        P R E S E N T :

JOSEPH A. BELLA, Executive Director

GEORGE T. HANLEY, Counsel

JAMES G. DUPREY, Director of Engineering

JAMES J. GALLAGHER, Personnel Director

YITZ WEISS, Comptroller

LOUIS AMODIO, Administrative Secretary

1 MR. AMODIO: On the roll.

2

3 (Roll call was taken, all Commissioners  
4 present respond in the affirmative. President  
5 Sanchez and Commissioner Cleaves are absent)

6

7 MR. AMODIO: The time is 9:39 a.m.

8 You have a quorum.

9 All of the requirements of the Open Public  
10 Meetings Act have been met. Notices have been  
11 furnished to all Commissioners; City Clerks of  
12 Paterson, Passaic, and Clifton; North Jersey  
13 Herald News; The Record - Passaic County edition  
14 and the Commission's Executive Staff with a copy  
15 posted at the main bulletin board at the Clifton  
16 facility.

17 Will you please rise?

18 Commissioner DeVita, would you please lead  
19 us.

20

21 (Whereupon, there was a moment of silence  
22 for the victims of Oklahoma, for Wendell Inhoffer,  
23 and for Memorial Day)

24

25 MR. AMODIO: We do have three attorneys

1 here, so if the Board would like to go into closed  
2 session first and have the attorneys present.

3 COMMISSIONER BAZIAN: I'll move it.

4 COMMISSIONER KOLODZIEJ: Second.

5 MR. AMODIO: Motion by Commissioner  
6 Bazian.

7 WHEREAS, Section 8 of the Open Public  
8 Meetings Act permits the exclusion of the public  
9 from a meeting in certain circumstances; and.

10 WHEREAS, the public body's of the opinion  
11 that such circumstances presently exist;

12 NOW, THEREFORE, BE IT RESOLVED, by the  
13 Commissioners of Passaic Valley Water Commission:

14 1. The public shall be excluded from  
15 discussion of the hereinafter specified subject  
16 matters; the general nature of the subject matters  
17 being: Financial, Insurance, Personnel, Contracts  
18 Negotiations, Security, Law: Summary/Aging  
19 Reports, North Arlington v PVWC, Lodi v PVWC, In  
20 the Matter of Dial Corp., we have three workers'  
21 comp cases. Under Personnel we have Appointments:  
22 Javier Vasquez and Johnny Rodriguez, Water  
23 Treatment Plant Operators; New Hires: J. Kazer,  
24 M. Azuma, and R. Amend - Water Treatment Plant  
25 Operators Apprentice; Promotion: Franklin Santana

1           - Water Repairer. Under Administration, we have  
2 Amended Administrative Consent Order, and any  
3 other matter as may be discussed in camera.

4           2. It is anticipated at this time that  
5 the above-stated subject matters will be ratified  
6 during public meeting following or as soon  
7 thereafter as the reason for discussion no longer  
8 exists.

9           3. This Resolution shall take effect  
10 immediately.

11           Second by Commissioner Kolodziej.

12           On the roll.

13           MR. HANLEY: For the record, the current  
14 employees were Rice noticed?

15           MR. AMODIO: I have to ask Jim Gallagher  
16 because I don't know. I didn't receive anything  
17 from Personnel.

18           COMMISSIONER DeVITA: Are you saying they  
19 were or were they?

20           MR. HANLEY: Were they?

21           COMMISSIONER VANNOY: If they were.

22           MR. HANLEY: Well, the point being that  
23 you can't discuss it or act on it unless they have  
24 been.

25           MR. AMODIO: Okay. We'll find out from

1 Jim.

2 Second by Commissioner Kolodziej.

3 On the roll.

4

5 (Roll call was taken, all Commissioners

6 present respond in the affirmative. President

7 Sanchez and Commissioner Cleaves are absent)

8

9 (Recess)

10

11

\*\*\*

12

13 MR. AMODIO: We'll start the roll call.

14

15 (Roll call was taken, all Commissioners

16 present respond in the affirmative. President

17 Sanchez and Commissioner Cleaves are absent)

18

19 MR. AMODIO: The time is 11:26.

20 We have the Consent Agenda: Minutes of

21 Passaic Valley Water Commission in camera and

22 Regular Public Meetings held April 17th, 2013 and

23 the Special Meeting held May 1st, 2013.

24

Do I have a motion?

25

COMMISSIONER KOLODZIEJ: So moved.

1 COMMISSIONER VANNOY: Second.

2 MR. AMODIO: By Commissioner Kolodziej.

3 Second by Commissioner Vannoy.

4 On the roll.

5

6 (Roll call was taken, all Commissioners

7 present respond in the affirmative. President

8 Sanchez and Commissioner Cleaves are absent)

9

10 MR. AMODIO: Motion approved.

11 Next, does the Chair accept, receive, and

12 file miscellaneous purchase orders placed by Linda

13 Beckering, Purchasing Agent, for the period of

14 from April 5th, 2013, to May 12, 2013.

15 PRESIDENT PRO TEM LEVINE: Yes.

16 MR. AMODIO: Thank you, sir.

17 Requests for Action: We have Contract

18 #13-B-19 "Bituminous Cold Patch Materials"

19 Recommendation to award two-year contract to

20 Newark Asphalt Corporation of Newark, New Jersey

21 in the amount of \$150,000.

22 Do I have a motion?

23 PRESIDENT PRO TEM LEVINE: Could you do

24 them all together?

25 MR. AMODIO: Sure.

1                   Next will be Procurement under the New  
2 Jersey State Contract for a 2013 Ford E350 Cargo  
3 Van, purchased from Chas. S. Winner Ford of Cherry  
4 Hill, New Jersey in the amount of \$21,326.

5                   We have a Resolution authorizing Shared  
6 Services Agreement with USGS to provide continuous  
7 monitoring for Dissolved Organic Carbon in the  
8 amount not-to-exceed \$11,800.

9                   You have a Resolution from Yitz Weiss. If  
10 you'd like to just give the Commissioners a brief  
11 on what that Resolution is.

12                   COMMISSIONER BAZIAN: Do that one  
13 separate.

14                   COMMISSIONER KOLODZIEJ: So moved on the  
15 group.

16                   MR. HANLEY: Six, 7, and 8.

17                   MR. AMODIO: Moved by Commissioner  
18 Kolodziej.

19                   Do I have a second?

20                   COMMISSIONER VANNOY: Second.

21                   MR. AMODIO: By Commissioner Vannoy.

22                   On the roll.

23

24                   (Roll call was taken, all Commissioners  
25 present respond in the affirmative. President

1 Sanchez and Commissioner Cleaves are absent).

2

3 MR. AMODIO: Next, we have a Resolution  
4 from Mr. Weiss.

5 COMMISSIONER BAZIAN: If I may, Mr.  
6 President. We didn't do committee reports. This  
7 was discussed at finance. The purpose of this  
8 Resolution is to give our CFO the authority to  
9 basically place these funds in safe investments,  
10 minimum grade level A, as I recall, so at least we  
11 can earn a little bit more, we can have a little  
12 bit more cash for our projects.

13 We did ask about tax implications. We  
14 were told that there are no tax implications. I  
15 was also told that this is something that we've  
16 been trying to get done for how long, Yitz?

17 MR. WEISS: Years.

18 PRESIDENT PRO TEM LEVINE: Who is going to  
19 review it? Is anybody going to know where the  
20 funds are --

21 COMMISSIONER KOLODZIEJ: It comes back to  
22 finance.

23 COMMISSIONER BAZIAN: Finance.

24 PRESIDENT PRO TEM LEVINE: So before he  
25 puts it in, finance will review?



1                   COMMISSIONER BAZIAN: No. The Resolution  
2 specifically gives him the authorization to do so  
3 without coming back to us. But it gives him  
4 specific guidelines. It's got to be short term;  
5 maximum one year. It's got to be one year or less  
6 in terms of the duration. And it's got to be from  
7 an organization that's at a minimum leveled issue  
8 rating of A or better. And it actually says for a  
9 period of not more than 397 days.

10                   MR. WEISS: Right. We're limited by our  
11 bond Resolution for one year.

12                   COMMISSIONER BAZIAN: Why does it say 397?

13                   MR. WEISS: Should the bond resolution  
14 ever be changed, legally, we're allowed to --

15                   COMMISSIONER BAZIAN: Okay. Fine. That's  
16 the purpose.

17                   MR. AMODIO: Any other questions?

18                   MR. HANLEY: This was reviewed by bond  
19 counsel?

20                   MR. WEISS: Yes. This was suggested by  
21 bond counsel.

22                   MR. HANLEY: Okay. Good.

23                   MR. AMODIO: Any further questions?

24                   Motion.

25                   COMMISSIONER KOLODZIEJ: So moved.

1 MR. AMODIO: By Commissioner Kolodziej.

2 COMMISSIONER VANNOY: Second.

3 MR. AMODIO: Second by Commissioner

4 Vannoy.

5 On the roll.

6

7 (Roll call was taken, all Commissioners

8 present respond in the affirmative. President

9 Sanchez and Commissioner Cleaves are absent)

10

11 MR. AMODIO: Thank you.

12 Motion approved.

13 Next, we have summary of disbursements and

14 payrolls through May 22nd, 2013, in the amount of

15 \$10,147,848.31.

16 Do I have a motion?

17 COMMISSIONER VANNOY: So moved.

18 MR. AMODIO: By Commissioner Vannoy.

19 COMMISSIONER KOLODZIEJ: Second.

20 MR. AMODIO: By Commissioner Kolodziej.

21 COMMISSIONER BAZIAN: Yes. Abstain on

22 Dell.

23 COMMISSIONER VANNOY: Abstain on American

24 Hose and Damico, Del Sardo.

25 COMMISSIONER DeVITA: Yes. Abstain on

1 Rachles Michele Oil.

2

3 (Roll call was taken, all Commissioners  
4 present respond in the affirmative. President  
5 Sanchez and Commissioner Cleaves are absent)

6

7 MR. AMODIO: Next, we have a Resolution of  
8 Passaic Valley Water entering into an Amended  
9 Administrative Consent Order for the water storage  
10 improvement projects Phase 1 and 2.

11 Do I have a motion?

12 COMMISSIONER KOLODZIEJ: So moved.

13 MR. AMODIO: By Commissioner Kolodziej.

14 MR. AMODIO: Do I have a second?

15 COMMISSIONER VANNOY: Second.

16 MR. AMODIO: By Commissioner Vannoy.

17 COMMISSIONER BAZIAN: Given my comments in  
18 closed session, I abstain.

19

20 (Roll call was taken, all Commissioners  
21 present respond in the affirmative. Commissioner  
22 Bazian abstains. President Sanchez and  
23 Commissioner Cleaves are absent)

24

25 MR. AMODIO: Thank you.

1 Motion approved.

2 We have under Personnel, you want to do  
3 one vote?

4 PRESIDENT PRO TEM LEVINE: Do a separate  
5 vote.

6 MR. AMODIO: Separate vote for the three  
7 new hires.

8 First vote we have is for Appointment:  
9 Javier Vasquez - Water Treatment Plant Operator.  
10 No change in salary.

11 Johnny Rodriguez - Water Treatment Plant  
12 Operator. No change in salary.

13 Do I have a motion?

14 COMMISSIONER BAZIAN: Move.

15 MR. AMODIO: By Commissioner Bazian.

16 COMMISSIONER KOLODZIEJ: Second.

17 MR. AMODIO: By Commissioner Kolodziej.

18 On the roll.

19

20 (Roll call was taken, all Commissioners  
21 present respond in the affirmative. President  
22 Sanchez and Commissioner Cleaves are absent)

23

24 MR. AMODIO: Next, we have New Hires:  
25 Jonathan Kazer, Michael Azuma, and Rachel Amend,

1 Water Treatment Plant Operator Apprentice with a  
2 proposed salary of 30,000 and proposed range of  
3 30,000 to 42,000.

4 Do I have a motion?

5 COMMISSIONER DeVITA: Move it.

6 MR. AMODIO: By Commissioner DeVita.

7 Second by Commissioner Vannoy.

8 On the roll.

9

10 (Roll call was taken, all Commissioners  
11 present respond in the affirmative. Commissioners  
12 Vannoy and Levine respond in the negative.  
13 President Sanchez and Commissioner Cleaves are  
14 absent)

15

16 COMMISSIONER VANNOY: No.

17 COMMISSIONER KOLODZIEJ: These came off  
18 the Civil Service list, absolutely, yes.

19 PRESIDENT PRO TEM LEVINE: No.

20 MR. HANLEY: Counsel, that's a three-two  
21 vote.

22 COMMISSIONER KOLODZIEJ: Simple majority.

23 MR. HANLEY: Yeah, of course. I don't  
24 know where this rule ever came from.

25 COMMISSIONER KOLODZIEJ: I don't either.

1 MR. HANLEY: It doesn't exist and it never  
2 did.

3 PRESIDENT PRO TEM LEVINE: I just wanted  
4 to hear it from our counsel.

5 MR. HANLEY: Well, simple majority. It  
6 exists for governing bodies when it comes to bond  
7 issues and certain other issues. That's it. That  
8 doesn't apply for this.

9 MR. AMODIO: Thank you very much for the  
10 clarification.

11 We'll move onto Promotion of Franklin  
12 Santana - Water Repairer 2/TA.

13 Proposed Salary: \$57,854.

14 Proposed Range: \$17,464 to \$59,058.

15 COMMISSIONER DeVITA: Move.

16 MR. AMODIO: Motion by Commissioner  
17 DeVita.

18 COMMISSIONER KOLODZIEJ: Second.

19 MR. AMODIO: By Commissioner Kolodziej.

20

21 (Roll call was taken, all Commissioners  
22 present respond in the affirmative. President  
23 Sanchez and Commissioner Cleaves are absent)

24

25 MR. AMODIO: Motion approved.

1 Thank you.

2 We have nothing else.

3 Nothing under Good and Welfare.

4 COMMISSIONER DeVITA: Can I bring  
5 something up very quickly?

6 I'm the only one here I think that as a  
7 Commissioner that knew Wendell Inhoffer, who is  
8 kind of the heart and soul, as I said before. I  
9 would like to be able to pay some kind of a  
10 tribute to him, naming something after him after  
11 his 35 years I think here.

12 COMMISSIONER KOLODZIEJ: Why don't we have  
13 Mr. Bella come up with an idea?

14 PRESIDENT PRO TEM LEVINE: Come up with  
15 something.

16 COMMISSIONER VANNOY: He was a worker?

17 COMMISSIONER KOLODZIEJ: No, he was Joe's  
18 position.

19 PRESIDENT PRO TEM LEVINE: Why don't we  
20 name that house or something? Didn't he used to  
21 live in that house?

22 MR. BELLA: I'll think about it.

23 COMMISSIONER KOLODZIEJ: Let him come back  
24 with some ideas.

25 PRESIDENT PRO TEM LEVINE: Meeting

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

adjourned.

MR. AMODIO: Meeting adjourned.

Time is 11:35.

The next meeting is June 19th, Wednesday,

9:30.

(Proceedings concluded)



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XIO1388, a Certified Court Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the meeting at the time and the date hereinbefore set forth.

I further certify that I am neither attorney nor Counsel for, nor related to or employed by any of the parties to the action in which this meeting was taken.

I further certify that I am not a relative or employee of anyone employed in this case, nor am I financially interested in this action.

---

LYNANN DRAGONE, CCR  
Certified Court Reporter