

PASSAIC VALLEY WATER COMMISSION MEETING OF
NOVEMBER 13, 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
- 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

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(Roll call was taken, all Commissioners present respond in the affirmative. Commissioners Vannoy and Levine are not present yet. Commissioner Cleaves is absent)

MR. AMODIO: Thank you.

The time is 9:38 a.m.

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

Will you please rise.

(Whereupon, Commissioner Kolodziej leads the Pledge of Allegiance)

MR. AMODIO: We have a member of the public that wishes to address the Board.

Mr. Dam, if you would.

MR. DAM: Yes. Good morning.

1 I was actually here this morning to
2 observe your decision on the process residual bid.
3 I'm an interested party in that contract. We've
4 made some submissions to Mr. Hanley and we're here
5 to listen to the decision.

6 PRESIDENT SANCHEZ: Joe, are we ready to
7 make a decision on that?

8 MR. HANLEY: We'll take that first in
9 closed as we normally do and then we'll come out.

10 PRESIDENT SANCHEZ: So do you know my
11 Commissioners?

12 Commissioner Tom DeVita from Clifton;
13 Commissioner Kolodziej from Clifton.

14 MR. DAM: Good morning, ladies and
15 gentlemen.

16 PRESIDENT SANCHEZ: And Commissioner
17 Bazian from Passaic and Sanchez also from Passaic.

18 We are going to go into closed and once we
19 come out...

20 MR. DAM: You'll let me know.

21 PRESIDENT SANCHEZ: Thank you for coming.

22 MR. AMODIO: We can start with committee
23 reports.

24 PRESIDENT SANCHEZ: We didn't have a
25 personnel meeting this month, so we don't have

1 anything for personnel, but next month we're going
2 to have an agenda.

3 Anybody on finance?

4 COMMISSIONER BAZIAN: We spent a lot of
5 time working on the budget. We've been working on
6 the budget both on the revenue side and, of
7 course, on the expenses side.

8 We were this close to being ready to
9 present the budget, but at the last minute some
10 questions have arisen which I will defer to our
11 CFO to discuss which related to some of the
12 numbers we had for debt service. So we're going
13 to have to hold that off until next month because
14 it's all interrelated with the rates and all of
15 that.

16 COMMISSIONER KOLODZIEJ: I just wanted to
17 get on the record that I think all of our
18 cooperation, all of our hard work, particularly,
19 on behalf of Joe Bella and his department heads,
20 all of us being on the same page, I think you're
21 going to be very pleasantly surprised as to
22 finally being able to see a bottom line that shows
23 the result of all that hard work.

24 So I just want to say thank you to
25 everybody for giving us the extra time.

1 PRESIDENT SANCHEZ: Well, I want to thank
2 my Commissioner in charge of finance who's done a
3 great job. I think even though, like everybody
4 else, we don't feel like we accomplished a hundred
5 percent what we wanted to accomplish, but we're
6 going in the right direction. You know, it's work
7 in progress. Thank you so much.

8 MR. AMODIO: IT.

9 COMMISSIONER BAZIAN: There wasn't a
10 meeting this week, but I did want to state one
11 thing.

12 Jim Duprey and I have been working on the
13 scope of work for the web site. Jim has been very
14 kind in putting in extra time working with me
15 extra hours and accommodating my schedule given
16 the fact that, you know, IT is what I do for a
17 living, so I'm trying to offer what assistance and
18 advice I can in terms of the scope of work. Jim
19 has been working very hard on it and I think at
20 the end of the day, we're going to have a scope of
21 work that will actually do justice to the project
22 and will hopefully give us a wide range of
23 business to choose from, of course, but I did want
24 to say thank you on the record to Jim for all of
25 his hard work.

1 MR. DUPREY: Thank you, Commissioner.

2 PRESIDENT SANCHEZ: Okay. Anything else?

3 MR. AMODIO: Legal affairs, anything?

4 COMMISSIONER DeVITA: We didn't have a
5 meeting. George is working on a bunch of various
6 items that he communicates with us.

7 COMMISSIONER KOLODZIEJ: I have a
8 question, for the record, because it was brought
9 to our attention when we were doing the bonding in
10 regard to the correct title for George. Why is it
11 taking so long to get to a bottom line answer? We
12 talk about it at finance all the time, but that's
13 not our domain, as Mr. Chairman points out to me.
14 Why is it taking so long?

15 COMMISSIONER DeVITA: My understanding is
16 they're waiting for an audit to be done.

17 COMMISSIONER BAZIAN: I think we should
18 refer to our CFO.

19 COMMISSIONER DeVITA: Can that be opened?
20 Closed? What?

21 COMMISSIONER KOLODZIEJ: I think it should
22 be open.

23 MR. WEISS: Audit's in the process.

24 MR. HANLEY: I'll waive any rights I have.

25 COMMISSIONER KOLODZIEJ: Thank you,

1 George. It's nice to have a gentleman in the
2 house.

3 PRESIDENT SANCHEZ: By the way, George is
4 smiling. He has a brand new grandson today.

5 MR. HANLEY: We hope. Let's put it this
6 way, she's in the hospital.

7 COMMISSIONER KOLODZIEJ: So you're on
8 speed dial.

9 MR. WEISS: The audit is in process. They
10 had questionnaires that they submitted to us. We
11 went through them. I went through them with
12 George again. We resubmitted the information, now
13 we're just waiting for the final decision.

14 MR. HANLEY: Just so you know, I think I
15 mentioned to Tom, all the Commissioners will be
16 getting a copy of the submission, because, you
17 know, I think it will be informative.

18 COMMISSIONER DeVITA: And this is because
19 of a question finance had?

20 COMMISSIONER KOLODZIEJ: Yes.

21 MR. HANLEY: They're doing it all over the
22 State, all over the State.

23 COMMISSIONER DeVITA: They're not just
24 picking on you?

25 COMMISSIONER KOLODZIEJ: Or us.

1 MR. AMODIO: Moving on, Executive
2 Director's report.

3 MR. BELLA: A couple of things I'd like to
4 get you up to speed on.

5 First, I'd like to thank both of our
6 Commissioners for their work on the finance
7 committee. Sometimes I rely a little too much on
8 their input.

9
10 (Whereupon, Commissioner Levine is present
11 at 9:45 a.m.)

12
13 MR. BELLA: The other thing is, we're
14 going to get ready to go out to bid on the
15 cleaning lining project that we postponed last
16 year.

17 And the second thing I wanted to tell you
18 about is, we did that job down at the Valley Rocks
19 over by the Great Falls Pump Station. It was a
20 really important one, however, while we were doing
21 that, we found that we had a leak on one of the
22 other of the four pipes that were there. All key
23 part. So what I think we're going to do is, what
24 I'd like to do is, direct the Engineering
25 Department to come up with a spec to replace all

1 the pipe in that area. It will be a huge project
2 and very good kickoff to beginning of, you know,
3 spending much more time and money on replacing
4 pipe instead of just, you know, doing the cleaning
5 and lining. So this will be really an important
6 key spot.

7 COMMISSIONER DeVITA: It's critical?

8 MR. BELLA: It's critical. And the pipes
9 are all very old and the conditions there are
10 really unusual because it's such a steep grade
11 there and over the years they've changed, so this
12 will be important in a big project.

13 The plant, things are running very well at
14 the plant. They're keeping a good line on costs
15 at the plant, so we're doing well. Water
16 conditions are good. Things are getting dried up
17 and this is an important thing here because I'm a
18 little concerned coming into the winter as dry as
19 we are, but sometimes you end up with a winter
20 drought which is actually more difficult from a
21 water quality standpoint than the summertime.

22 So that's pretty much it.

23 PRESIDENT SANCHEZ: Can I say something?

24 Just to inform the whole Board, I want to
25 thank Joe and the Administration, they came down

1 to City of Passaic last night, made a presentation
2 to the City Council and Mayor and I think it was a
3 good presentation. I want to thank you for taking
4 the opportunity to be more informed.

5 My belief is that, you know, they have a
6 responsibility really to the public and like
7 everyone else, they just want more information how
8 to respond to any questions. So my guess from
9 that meeting is that people just wanted
10 information to be able to say: Listen, it's not
11 what you hear. This is the truth about the
12 project. So I think Joe will be working to get as
13 much information out there; so.

14 COMMISSIONER DeVITA: This is as to the
15 reservoirs?

16 PRESIDENT SANCHEZ: Yes.

17 COMMISSIONER DeVITA: Good. Thank you.

18 PRESIDENT SANCHEZ: Tom.

19 COMMISSIONER DeVITA: I had a question on
20 your report and I don't know if it's answered.

21 We had to ensure compliance with the
22 "lead-free" regulatory requirements. What's
23 involved in that?

24 MR. BELLA: Well, first off, we were way
25 out in front when we did our meter replacement

1 program, we used lead-free or whatever they call,
2 low lead. We're already out on that. We have a
3 lot of brass and stuff in stock which I'm going to
4 recommend that we put that out to OSHA and replace
5 all that, the lead containing brass with no lead
6 brass.

7 COMMISSIONER DeVITA: That's replacement,
8 right?

9 MR. BELLA: Yes.

10 COMMISSIONER DeVITA: So we're not going
11 to just go out and change anything? We're going
12 to add --

13 MR. BELLA: As it comes in.

14
15 (Whereupon, Commissioner Vannoy is present
16 at 9:49 a.m.)

17
18 COMMISSIONER DeVITA: Okay. It doesn't
19 require changing anything wholesale. It's as you
20 need it. Okay.

21 MR. BELLA: Which reminds me, we've
22 replaced over 150 hydrants, probably end up with
23 over 200, which is probably a record for us. And
24 next year I'm hoping we're going to be getting
25 more hydrants, replace a lot of old hydrants and

1 replace some that were, you know, 70 years old.
2 So we're really keying in on that. That's a
3 really important issue.

4 PRESIDENT SANCHEZ: That's a good thing
5 because more than a water supply, we are a safety
6 public institution. That's what we are. And fire
7 hydrants are so important in terms of safety. I
8 remember so many other incidents, you know.

9 MR. BELLA: And the fire departments are
10 working very well with us. It's really a good
11 program. I was skeptical in the beginning, but it
12 worked out very well for us.

13 Just as a side, one of the other things
14 we're doing is we're starting to think about
15 changing the hydrants to what they call quick
16 connect. A lot of fire departments are going to
17 that, where instead of having threads and
18 unscrewing, they just go on a quarter turn and
19 they're locked in and ready to go. So it saves
20 them a little time and they don't have to worry
21 about crossing threads. And we're thinking about
22 that. That would be another graduate program. We
23 requested it by Clifton and now we're going to
24 Passaic and Paterson. So we're moving forward.
25 The new hydrants will probably have that.

1 COMMISSIONER BAZIAN: Joe, on the whole
2 replacement of the pipe thing, I just want to
3 refresh my memory. If memory serves, our system
4 is approximately 600 miles of pipe?

5 MR. BELLA: That's correct.

6 COMMISSIONER BAZIAN: And for some reason,
7 I have in the back of my head, we're replacing
8 approximately a mile a year?

9 MR. BELLA: We would like to replace a
10 mile a year. We're not there yet. We're getting
11 there. Things are starting to shape up in terms
12 of finance where one year we might do three miles
13 and then two and a half years later we do --
14 because of the way the contracts work, but you're
15 right, a mile a year. We really need to get to
16 like two miles a year. That's what we need to get
17 to.

18 And what we're doing is, I think what
19 you're mixing up is cleaning the lining, which is
20 what we're trying to do. I think the last one was
21 three miles. So we're going to be doing a
22 combination of cleaning lining and type of
23 replacement. That will extend the life of certain
24 classes of pipe and then we'll do, like, a mile a
25 pipe a year and hopefully, get up to two miles.

1 As we get up to two miles of new pipe, it will
2 shrink down the size of cleaning lining. So we'll
3 balance it a little bit like that.

4 COMMISSIONER BAZIAN: But I always
5 wondered, this isn't the time that we can hold
6 this off for later, about the math of this. We
7 have 600 miles of pipe, 300 years. It's 300
8 years. Will the piping last 300 years?

9 MR. BELLA: Absolutely not. We need to
10 ramp it up at some point. We can't ramp it one
11 shot. Within the next five years, I'd like to be
12 at five miles a year in replacing -- hold on, hold
13 on. Then as we go further, after five years, I'd
14 start, either say ramp it up to, you know, three,
15 four miles a year and --

16 COMMISSIONER BAZIAN: What is the average
17 useful life of a pipe?

18 MR. BELLA: Well, that's a good question,
19 because I mean, there's all kinds of science on
20 this issue and studies and that kind of thing. It
21 really depends, because in a system like ours,
22 there's all different pipes put in at different
23 times of the year, different times put in certain
24 ways in certain soils. So there's no actual life
25 expectancy of pipe. Some pipes will last 300

1 years, if you're taking care of them right; if you
2 take care of your pump station, start and stop
3 pumps properly, that kind of thing. So it
4 wouldn't be unusual to get 200 years out of a
5 pipe.

6 PRESIDENT SANCHEZ: Okay. My feeling is
7 that --

8 COMMISSIONER KOLODZIEJ: You're going to
9 have your opportunity to vet this when you see our
10 budget and if you want to put more money into that
11 to speed up that process, that's okay with me.
12 But we're going to have to start making choices
13 and one of the choices made is capital
14 improvement, so we're on the right track.

15 MR. BELLA: Some places you can't even get
16 a hundred.

17 PRESIDENT SANCHEZ: I got a feeling that
18 Tom wants to be here when everything is completed.

19 The second question is make sure that you
20 start with owner cities.

21 MR. BELLA: We're, you know, we're very --

22 PRESIDENT SANCHEZ: All right. Thank you,
23 Guys.

24 COMMISSIONER LEVINE: I have a question:
25 Where are you with the lot and blocks?

1 MR. BELLA: Doing very well.

2 COMMISSIONER LEVINE: How much have you
3 done?

4 MR. BELLA: There's a little report here.
5 We're done with Paterson and now we're doing our
6 largest. We're doing all our mains now, our
7 larger mains. They're compiling all the data,
8 very nice format. As soon as we get it all done,
9 we'll make a presentation.

10 COMMISSIONER LEVINE: When do you think
11 it's going to be done, the whole project?

12 MR. BELLA: All the surveys are done. All
13 the surveying of those things are done. What
14 we're doing now is going back out -- first off,
15 we're getting into the database which takes a lot
16 of time. There's all kinds of -- you got to go
17 through all the data and make sure it's right and
18 go back out. That's what we're doing now. So
19 we're there. Now we're just getting the data in a
20 way that's compileable, that works and we're
21 pretty darn close on that.

22 COMMISSIONER LEVINE: When do you think?

23 MR. BELLA: I'm thinking we'll have a
24 definitive report by February, March, in that
25 range.

1 COMMISSIONER LEVINE: You think the
2 majority is going to be done?

3 MR. BELLA: Yes.

4 COMMISSIONER LEVINE: We're doing it
5 inhouse, right?

6 MR. BELLA: Well, we had a contractor
7 doing all the GPS and doing the actual matching of
8 blocks and lots. We're now inhouse going through
9 all the data making sure the data is correct in a
10 form that we can make it work for us easily.
11 There's a lot of data.

12 PRESIDENT SANCHEZ: This has been around
13 for awhile.

14 MR. BELLA: We have two people full time
15 on that, by the way.

16 PRESIDENT SANCHEZ: Let's get some closure
17 on that. All right.

18 Let's move on.

19 MR. AMODIO: Comptroller's report.

20 MR. WEISS: Cash on hand is 23.4 million.

21 Accounts receivable is at 11.4 million.

22 Our 30 days or less accounts receivable is
23 11.1 million which is 97 percent.

24 Accounts payable is at 5.3 million.

25 Our cash is high because we've got a bond

1 payment coming up in December and we've got a six
2 and a half million bond payment coming up in
3 December so that's the reason for that. It's
4 higher than it usually is.

5 You have in front of you several budget
6 resolutions and a rate resolution. We're actually
7 recommending, we had a meeting last night between
8 Joe and I and George Hanley and Jim Hirschhorn
9 where we were discussing the cost of service
10 study, discussing the rate resolution. There were
11 questions about the differentials between the
12 owner cities and the out of town rates. So that
13 was one question that came up.

14 Further questions came up related to our
15 debt service; the numbers that we're using for our
16 debt service in the budget. We're actually
17 recommending that we pull that off the agenda for
18 today, push it off until next month. We don't
19 believe that the difference in pushing off the
20 rate increase by a month is going to have a
21 significant impact on the 2014 figures and we'd
22 rather have the time to fine tune everything and
23 make sure that we get everything.

24 COMMISSIONER DeVITA: How come Mr.
25 Hirschhorn is involved?

1 MR. HANLEY: I'll go into that in closed
2 session.

3 MR. WEISS: The budget will be on the
4 agenda for the December meeting for approval. The
5 adoption of the budget will happen in January.
6 The only nuance is we got to have 30 days between
7 the approval and the adoption, so I know we don't
8 have any meetings set up for January yet, but I
9 would suggest for the January meeting, rather than
10 doing it the third Wednesday of the month, we do
11 it the fourth Wednesday of the month so this way
12 we have more than 30 days so we don't have an
13 issue.

14 COMMISSIONER DeVITA: Then we have to give
15 notice.

16 MR. WEISS: Yes.

17 COMMISSIONER BAZIAN: Does it make sense
18 for us to have a special meeting just to pass the
19 budget at the end of November so we can pass the
20 budget at the end of December, understanding that
21 we're getting into holidays? How much time do you
22 need to get the budget, to get this whole thing
23 resolved?

24 MR. WEISS: We probably need about a week.

25 MR. HANLEY: I think that's tight because

1 it's not just a matter getting the final. I know
2 they had a very good draft, but there are some
3 things that need to be tightened up. And then
4 after that, everyone has carefully reviewed it,
5 and finally given the notice which is another ten
6 days time. So I think --

7 COMMISSIONER BAZIAN: Is it ten days? I
8 was under the impression that a special meeting is
9 three days.

10 MR. HANLEY: It's not about the meeting,
11 it's about the notice.

12 COMMISSIONER DeVITA: Notice to customers.

13 COMMISSIONER KOLODZIEJ: There's a
14 difference in my mind between tight and doable; so
15 is it tight and doable or is it tight and we can't
16 do it?

17 We tried very hard, finance, to have
18 everything meet the schedule. I know there's
19 always extenuating circumstances why we can't do
20 that, but it's kind of annoying to think that
21 we're putting in the time and yet these things
22 keep coming up.

23 COMMISSIONER DeVITA: When will it be
24 finalized?

25 COMMISSIONER KOLODZIEJ: Not until

1 January.

2 MR. WEISS: There's issues that we'll talk
3 about in closed session.

4 COMMISSIONER KOLODZIEJ: Maybe that will
5 give us a better handle.

6 MR. WEISS: Right. Those issues I'll give
7 you a time line on that. I think we can have the
8 numbers by the end of the month.

9 PRESIDENT SANCHEZ: So will you guys let
10 us know when you want the meeting to happen,
11 please?

12 MR. HANLEY: We'll discuss it.

13 PRESIDENT SANCHEZ: So anything else?

14 MR. AMODIO: Anything else from the
15 Controller's Report?

16 Do I have a motion for closed session?

17 COMMISSIONER BAZIAN: Move it.

18 COMMISSIONER KOLODZIEJ: Second.

19 MR. AMODIO: Moved by Commissioner Bazian.
20 Second by Commissioner Kolodziej.

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

24 WHEREAS, the public body is of the opinion
25 that such circumstances presently exist;.

1 time that the above-stated subject matters will be
2 ratified during public meeting following or as
3 soon thereafter as the reason for discussion no
4 longer exists.

5 3. This Resolution shall take effect
6 immediately.

7 Second by Commissioner Kolodziej.

8 On the roll.

9
10 (Roll call was taken, all Commissioners
11 present respond in the affirmative. Commissioner
12 Cleaves is absent)

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14 ***

15
16 MR. AMODIO: On the roll.

17
18 (Roll call was taken, all Commissioners
19 present respond in the affirmative. Commissioner
20 Cleaves is absent)

21
22 MR. AMODIO: Thank you.

23 The time is 10:28 a.m.

24 You have a quorum.

25 We'll move onto Consent Agenda. We have

1 the minutes of Passaic Valley Water Commission in
2 camera and Regular Public Meetings held on
3 October 16th, 2013.

4 Do I have a motion?

5 COMMISSIONER KOLODZIEJ: So moved.

6 MR. AMODIO: By Commissioner Kolodziej.

7 Do I have a second?

8 COMMISSIONER DeVITA: Second.

9 MR. AMODIO: By Commissioner DeVita.

10 On the roll.

11
12 (Roll call was taken, all Commissioners
13 present respond in the affirmative. Commissioner
14 Cleaves is absent)

15 PRESIDENT SANCHEZ: Where's the gentleman?
16 George.

17 MR. HANLEY: This is Mr. David Dam from
18 Russell Reid. I think he's here on the liquid
19 residuals bid protest.

20 MR. DAM: Yes.

21 MR. HANLEY: If you want to take that out
22 of order.

23 COMMISSIONER KOLODZIEJ: Yes.

24 MR. HANLEY: I'm fine.

25 We have discussed this. As I have told

1 you and told the participants in the hearing that
2 this is, in my mind, a difficult question.

3 The initial issue was whether or not the
4 Consent to Surety by the apparent low bidder was
5 defective because the attorney-in-fact did not
6 have authority up to that amount.

7 We had, what I considered, very excellent
8 presentations from both companies' attorneys and
9 from the principals present and it's a very
10 difficult question.

11 After reviewing the briefs, the letter
12 briefs, and considering them carefully, I
13 concluded that there is no clear case on point and
14 so notwithstanding the technical defect, I deemed
15 it to be curable and, therefore, I am recommending
16 that you award the contract to the apparent low
17 bidder.

18 Did you want to speak?

19 MR. DAM: Well, listen, I'm not an
20 attorney. That's a legal question. You were
21 supplied with the briefs.

22 I think, my personal belief is that it is
23 evident that the person who signed the Consent of
24 Surety was not authorized by the Consent of Surety
25 in the amount that the contract was. You had a

1 limit of \$1 million; the contract was worth \$3
2 million. And I think that at the initial public
3 meeting, Mr. Hanley, you said you had great
4 concerns or concerns about the validity of that
5 Consent of Surety and I believe that your initial
6 assessment was correct.

7 My other question would be: Did you find
8 any defect in our submission?

9 MR. HANLEY: Well, because I reached the
10 conclusion I did, we didn't have to reach that
11 question.

12 MR. DAM: Okay. No, problem. Understood.

13 My only other question would be: If there
14 is no case on point and the fact is that the
15 attorney-in-fact did not have the power to bind
16 that company up to \$3 million, now the curable
17 part is up to you. That's not something that we
18 can necessarily object to other than suing you for
19 that. That's not really where I would like to go.
20 I already spent considerable amount of time,
21 effort, and resources on defending the position
22 that I thought was self-evident that the amount
23 the authority was not.

24 So I would just ask that you reconsider
25 your recommendation and at a minimum, reject the

1 bid and rebid where you get a proper bid bond.

2 MR. HANLEY: I appreciate it. And I
3 appreciate your courtesy and process.

4 As I said, it was not an easy decision,
5 but I feel that in good conscious that that's a
6 decision I have to make and that's what I'm
7 making.

8 MR. DAM: Thank you for the opportunity to
9 address the Board.

10 PRESIDENT SANCHEZ: Thank you, Mr. David.
11 I'm sorry you didn't get the result you expected.

12 MR. HANLEY: I would add that no one had
13 raised any issue about your ability to perform.

14 MR. DAM: Thank you. Good day.

15 PRESIDENT SANCHEZ: Thank you.

16 MR. AMODIO: Going back to the agenda.

17 Does the Chair accept, receive, and file
18 miscellaneous purchase orders place from Linda
19 Beckering for the period of October 5th, 2013, to
20 November 3, 2013?

21 Mr. President, purchase orders? You
22 approve?

23 PRESIDENT SANCHEZ: Yes, sir.

24 MR. AMODIO: Would you like to do one
25 roll?

1 PRESIDENT SANCHEZ: Yes, please.

2 MR. AMODIO: Give me an opportunity, I
3 will recite them.

4 We have items 6 through 12 that I will
5 recite.

6 First, Contract #13-B-18 "Removal and
7 Disposal of Process Residuals" Recommendation to
8 award a two-year contract to Spectraserv,
9 Incorporated of South Kearny, New Jersey, in the
10 amount of \$2,867,780.

11 Next is Contract #13-B-23 "Liquid
12 Residuals Hauling Services" Recommendation to
13 award three-year contract to Accurate Waste of
14 Lake Hapatcong, New Jersey in the amount of
15 \$3,996,000.

16 Next is Contract #13-B-24 "Tank Integrity
17 Testing" Recommendation to award a two-year
18 contract to TTI Environmental, Inc. of Moorestown,
19 New Jersey in the amount of \$175,320.

20 Next is Contract #13-B-25 "Liquid Ferric
21 Sulfate" Recommendation to award a one-year
22 contract to Kemira Water Solutions, Inc. of
23 Lawrence, Kansas in the amount of \$1,699,321.

24 Next is Contract #13-B-27 "Furnish and
25 Deliver Water Service Boxes and Roadway Boxes" Two

1 recommendations here: One is a one-year contract
2 to Waterworks Supply Company, Inc. of Pompton
3 Plains, New Jersey in the amount of \$217,190 for
4 items 1 through 12. And Capital Supply
5 Construction Products, Inc. of Denville, New
6 Jersey in the amount of \$105,716.50 for items 13
7 through 19.

8 Next is Contract #13-B-28 "Furnish and
9 Deliver Pre-Mixed Concrete" Recommendation to
10 award a two-year contract to Joel Tanis & Sons of
11 Fair Lawn, New Jersey, in the amount of
12 \$65,001.60.

13 Next is Contract #13-B-29 "Tank
14 Neutralization and Cleaning" Recommendation to
15 award a two-year contract to TTI Environmental,
16 Inc. of Moorestown, New Jersey in the amount of
17 \$279,017.

18 Next, we have procurement under State
19 Contract, procurement of one 2014 Ford Explorer,
20 purchased from Beyer Ford of Morristown, New
21 Jersey in the amount \$26,0005.

22 Next, we have procurement under State
23 Contract, procurement of furniture and fixtures
24 purchased from Haworth, Inc. of Holland, Michigan
25 in the amount of \$49,704.81.

1 We also have a Resolution designating a
2 Public Agency Compliance Officer which is Linda
3 Beckering. We've done that every year.

4 Any questions?

5 COMMISSIONER DeVITA: I have a double
6 question. Several of these were just one bid.
7 You're satisfied that that's --

8 MR. DUPREY: Yes.

9 COMMISSIONER DeVITA: We accomplished what
10 we wanted with this and got a good price?

11 MR. DUPREY: Yes. I attached a memo to
12 that effect to each one that was one or two bids.

13 MR. HANLEY: Just so it's any comfort, I
14 always give Jim a hard time. That's why he does
15 this.

16 COMMISSIONER DeVITA: That's why he does
17 this attachment.

18 PRESIDENT SANCHEZ: Can we get a motion,
19 please.

20 COMMISSIONER KOLODZIEJ: So moved.

21 MR. AMODIO: By Commissioner Kolodziej.

22 COMMISSIONER VANNOY: Second.

23 MR. AMODIO: Second by Commissioner
24 Vannoy.

25 MR. AMODIO: On the roll.

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(Roll call was taken, all Commissioners present respond in the affirmative Commissioner Cleaves is absent)

MR. AMODIO: Approved.

MR. AMODIO: I'm going to pass around a Resolution acknowledging the retirement of Mark Romain effective September 1, 2013. Mark served for a period of 32 years and ten months.

If everyone can please sign that, I appreciate it.

MR. AMODIO: We'll move onto Summary of Disbursements and Payrolls through November 13th, 2013, in the amount of \$4,020,828.47.

Do I have a motion?

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER VANNOY: Second.

MR. AMODIO: By Commissioner Kolodziej.

Second by Commissioner Vannoy.

COMMISSIONER BAZIAN: Yes. Abstain on Dell.

COMMISSIONER VANNOY: Yes. Abstain on American Hose and Damico, Del Sardo.

COMMISSIONER DeVITA: Yes. Abstain on

1 Vito's.

2 PRESIDENT SANCHEZ: Abstain on Montana.

3

4 (Roll call was taken, all Commissioners
5 present respond in the affirmative. Commissioner
6 Cleaves is absent)

7

8 MR. AMODIO: Quickly, we'll do
9 recommendations from closed session.

10 Project 14-P-11 "Risk Management Services"
11 Recommendation to award to the incumbent, Brown &
12 Brown Metro at a rate of \$15,000 per year.

13 Questions?

14 Motion?

15 COMMISSIONER VANNOY: So moved.

16 COMMISSIONER KOLODZIEJ: Second.

17 MR. AMODIO: By Commissioner Vannoy.

18 Second by Commissioner Kolodziej.

19

20 (Roll call was taken, all Commissioners
21 present respond in the affirmative Commissioner
22 Cleaves is absent)

23

24 MR. AMODIO: Thank you.

25 Next, we have Mr. Gallagher. If you'd

1 like to give us a synopsis of the rank and file.

2 COMMISSIONER DeVITA: Before you start,
3 can I make a suggestion? We have received from
4 Mr. Genitempo a letter dated today with his
5 comments and detailing what we're voting on and
6 approving. Would it be proper to attach this,
7 George, his letter, so that everyone is aware of
8 what we're voting on and, hopefully, everyone read
9 it and gone through it.

10 MR. HANLEY: Make it part of your motion.

11 COMMISSIONER DeVITA: As opposed to
12 reading this.

13 COMMISSIONER LEVINE: I got a question.
14 It says: Lunchtime defined at 30 minutes for
15 40-hour employees and 60 minutes for 35-hour
16 employees? Why do they get more time for 35-hour
17 employees?

18 MR. GALLAGHER: That's the way the
19 contract was written on the last five years.

20 COMMISSIONER LEVINE: So if you're a
21 part-time employee, you get an hour lunch and if
22 you're a full-time employee, you get a half hour?

23 MR. GALLAGHER: No, no. They're both
24 full-time employees. It's a 35-hour workweek
25 versus a 40-hour workweek.

1 COMMISSIONER LEVINE: That's what I'm
2 saying. So it's less time to work --

3 MR. GALLAGHER: But they also work an hour
4 longer.

5 COMMISSIONER LEVINE: How, if it's 35
6 hours versus 40?

7 MR. GALLAGHER: Because it's unpaid lunch,
8 one hour unpaid lunch. You're working eight
9 hours, you're just getting --

10 PRESIDENT SANCHEZ: They don't get paid
11 for that.

12 COMMISSIONER DeVITA: You're only getting
13 paid seven.

14 COMMISSIONER LEVINE: That's why they're
15 getting 35 hours versus 40, because their lunch is
16 not paid, is that what you're saying?

17 MR. GALLAGHER: I'm sorry, I missed that.

18 COMMISSIONER LEVINE: They're at 30,
19 they're really at 40 hours, five hours comes from
20 the lunch?

21 MR. GALLAGHER: Correct. They're still
22 working, just -- it's not an uncommon thing to see
23 in a contract.

24 COMMISSIONER LEVINE: Okay.

25 PRESIDENT SANCHEZ: All right. So the

1 letter's attached.

2 COMMISSIONER VANNOY: I got one question:
3 What did we decide as opposed to the retro, this
4 whole thing being signed by July 31st?

5 COMMISSIONER BAZIAN: According to the
6 memo from Genitempo, and I quote: "Retro pay will
7 be provided for 2013 which is year two of the
8 deal, contingent on a signed agreement by July 31,
9 2013."

10 COMMISSIONER VANNOY: I know, but --

11 COMMISSIONER BAZIAN: Which I'm perfectly
12 in agreement, but the fact of the matter is, I'm
13 sorry, Commissioner, the fact of the matter is
14 that we're now in --

15 COMMISSIONER LEVINE: We extended that.
16 That was extended.

17 PRESIDENT SANCHEZ: We extended that.

18 COMMISSIONER VANNOY: We extended it.
19 Okay.

20 COMMISSIONER BAZIAN: That's not what this
21 says.

22 PRESIDENT SANCHEZ: It's a typo error
23 because I personally committed to that.

24 COMMISSIONER KOLODZIEJ: We all did.

25 COMMISSIONER BAZIAN: I'm not in

1 disagreement, I'm just pointing it out.

2 PRESIDENT SANCHEZ: You just want to show
3 us you know how to read.

4 COMMISSIONER BAZIAN: For the record, this
5 is not the first time I'm getting memos that have
6 outdated terms in it and I pointed this out
7 numerous times during the contract negotiations.
8 I'm not really going to get started on this, but
9 this is something that annoys me immensely. I
10 expect the information that we get as
11 Commissioners to be accurate.

12 PRESIDENT SANCHEZ: And another thing,
13 Jim, since the holidays are coming, when are you
14 issuing the check for the retro?

15 MR. WEISS: Next pay.

16 MR. GALLAGHER: Next payroll.

17 Just so you understand, this is identical
18 to the contract you settled with the supervisors.

19 MR. AMODIO: Are we expecting that
20 contract?

21 PRESIDENT SANCHEZ: I just want to say one
22 thing. I personally feel fine that we're putting
23 all this behind us.

24 COMMISSIONER VANNOY: Me too.

25 PRESIDENT SANCHEZ: The Commission can

1 look into all the issues, I feel so much relief.
2 And I want to thank you all Commissioners for
3 standing where we stand and we got it done --

4 COMMISSIONER VANNOY: And it's fair.

5 PRESIDENT SANCHEZ: It's a fair contract
6 and we got everything done. We can focus; so.

7 MR. GALLAGHER: I think it's very
8 noteworthy the fact that the contract was settled
9 below the State average.

10 COMMISSIONER KOLODZIEJ: Right.

11 PRESIDENT SANCHEZ: Everybody has worked
12 hard for it and I want to thank everybody.

13 MR. AMODIO: Jim, have we gotten the
14 contract back from the supervisors yet?

15 MR. GALLAGHER: No. Mario's on vacation
16 again; so. Mario's away for the the next three
17 weeks or two weeks. I'm willing to go. He's in
18 Puerto Rico. I'm more than willing, if you
19 insist.

20 COMMISSIONER DeVITA: Can I make a motion
21 to approve rank and file Local #1032 as discussed
22 and as contained in a memo we have from Alan
23 Genitempo with the exception that we're going to
24 delete the language that the retro for 2013 is
25 contingent upon a signed agreement by July 31st.

1 So it's understood, the retro will go back to
2 January 1st, 2013, but not for 2012.

3 PRESIDENT SANCHEZ: Second by Commissioner
4 Bazian.

5 MR. AMODIO: On the roll.

6 COMMISSIONER BAZIAN: Just for that, I
7 should vote no, but I will reluctantly vote yes.

8
9 (Roll call was taken, all Commissioners
10 present respond in the affirmative Commissioner
11 Cleaves is absent)

12
13 MR. AMODIO: Motion approved.

14 I have nothing else on the agenda.

15 I just want to wish everyone a Happy
16 Thanksgiving.

17 Next meeting --

18 COMMISSIONER BAZIAN: It's not
19 Thanksgiving, it's Thanks-Hanukkah.

20 MR. AMODIO: Okay. Nothing else.

21 Next meeting is scheduled for December
22 18th; 9:30 a.m. unless Mr. Hanley will
23 determine...

24 PRESIDENT SANCHEZ: Thank you, Guys.

25 MR. AMODIO: Time is 10:45 a.m.