

PASSAIC VALLEY WATER COMMISSION MEETING OF  
AUGUST 17, 2011  
(OPEN SESSION)

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

THOMAS P. DeVITA, President  
RIGO SANCHEZ, Vice-President  
JEFFREY LEVINE, Treasurer  
MENACHEM BAZIAN, Secretary  
IDIDA RODRIGUEZ (Absent)  
GLORIA KOLODZIEJ  
ROBERT VANNOY

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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PRESIDENT DeVITA: Call the meeting to  
order.

MR. AMODIO: Roll call.

Commissioner Rodriguez, excused absence.

Commissioner Levine's not here.

Commissioner Vannoy will be here shortly.

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(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: You have a quorum.

The time is 9:39 a.m.

All of the requirements of the Open Public Meetings Act have been met. Commission meeting notice have been furnished to all Commissioners, city clerks of Paterson, Passaic, and Clifton, North Jersey Herald News, The Record Passaic County addition and the Commission's executive staff with a copy posted on the main bulletin board at the Clifton facility.

Please rise.

Commissioner Sanchez, will you please lead us in the Pledge of Allegiance.

Sir, would you state your name and address.

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MR. DUJETS: Vince Dujets, Reservoir Road in West Paterson.

I'd like to review a few things that are going on with the Four Seasons of Great Notch and I'd like to address a few things to the Commissioners of what's going and what they're asking for you to do.

COMMISSIONER SANCHEZ: Are you speaking on behalf of yourself or the neighbors?

MR. DUJETS: No, I'm speaking on behalf of myself.

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Do you want me to start?

PRESIDENT DeVITA: Sure. Yeah. Please.

MR. DUJETS: Okay. Back in 2001 when all this started --

PRESIDENT DeVITA: You can sit.

MR. DUJETS: I don't know how many people were here. Hovnanian came to us and came to Passaic Valley water and said we need a right-of-way to bring the sewers and water in. We'd like an access road. The private road that was there was always shared between the water company and ourselves, Dujets Tree Experts, my business, that I had there and all the Dujets family.

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working together with Passaic Valley water and us working with Hovnanian, the way things went down, they wanted to have an entrance to go into the Four Seasons project off West Paterson. Right now there's only two. There were only two, Valley Road and Notch Road right off 46.

So to make a long story short, when all this went on, it went from emergency access to no, we want the public to come in. And when Hovnanian went to the State and asked for the application to bring the public onto the ramp, the permit read it was going to be egress only from 8:00 to 8:00. Okay. But now, when everything was over, it was in and out 7:00 in the morning to 7:00 at night.

It's E Z Pass, the gate opens 7:00 in the

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morning and will continue to work until 7:00 at night.

My business is right next to that gate. If there's any problems that happens, I'll give you one example, after 7:00, this was 9:00 at night, a van was parked there. My son was coming home. He said, "what are you doing here?"

"well, we're waiting for the gate to open."

He said, "No, this gate does not open. It

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opens only to valley Road."

"well, we're waiting. We're waiting."

He said, "If you don't leave, I'm going to call the police."

So they left.

I can tell you many stories like this. Everything is on camera. We have nine cameras on the property showing everything.

My concern of keeping it from 7:00 to 7:00 is I have a lot more control there because my home is right next to my business also.

They came and met with me and said, "Vince, we'd like to have that open from 6:00 in the morning till 10:00 at night." I said, "No, idea rather just keep it 7:00 to 7:00. Everything's fine that way."

They couldn't understand why and they said that the Passaic Valley Water Commission had no problem with it.

So being that your pump house is there.  
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Your chemical station is there. There's three gates there; one gate for the public to come in and out, one gate to where your pump house is, your chemical building, and then my gate where my building is. They're all adjacent to each other.

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Everything works fine the way it is. If it's after 7:00, I just feel that, and goes to 10:00, that more people -- people wait for other people to come in that don't have E Z passes. Once the gate opens, they follow them and go in.

I just feel that because it's still a private road and the way your business, your transfer station is there also where you bring in dirt all the time and stone when you have a break in one of your water pipes, so you're 24/7 there all the time with the gate. The gate where they go in is fine.

One of my concerns is when your guys come in late at night and they know that they could come in later than 7:00 and the gate's not opening, right next door to that gate is the gate where you come in and then they'll drive in thinking, oh, I could get to the homes that way.

So I think when whoever is going to make the decision, I think if you speak with Hovnanian and say, look, if you want the hours to be different, you put a guard there 24/7 with a guardhouse like they have on Valley Road, I'll be fine with that. Otherwise, I would hope you would

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keep the hours the same, 7:00 to 7:00.

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PRESIDENT DeVITA: Okay. Anybody have any questions?

COMMISSIONER KOLODZIEJ: I just have a comment.

Mr. Dujets, I thank you for coming here. I'm well aware of the presence of your business in that area and on the strength of the letter that was sent to us many, many months ago, this body has already taken into consideration your very well taken points.

We have instructed our attorney to look into some of those guarantees that we need for that kind of security and we have not taken action until we get an answer back from our attorney how that's going to happen.

So the magic words for me were, as long as they provide the security the same way they do on Valley Road, you would be okay with that?

MR. DUJETS: Yes.

COMMISSIONER KOLODZIEJ: All right. And that's what we will be discussing in the closed session because it's an ongoing issue. So we really appreciate your heads up.

MR. DUJETS: All right.

PRESIDENT DeVITA: Can I ask a question?

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The nine cameras that are there, are they from your --

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MR. DUJETS: From my building.

PRESIDENT DeVITA: Okay.

MR. DUJETS: They wanted more security at the gate also and I told them because it's 24/7 it's all night vision, I said just call the people that put my system in and you only have to pay \$1500 for the camera and I said it gets recorded 24/7.

Police have come there many times if they need something because they come and we burn them a copy and give it to them.

But just like you have two cameras where they dump the dirt, actually one of those cameras can see my building; so.

PRESIDENT DeVITA: Okay. Good. Thank you, sir.

MR. DUJETS: Thank you for your time.

MR. AMODIO: Committee reports.

Let the record show Commissioner Vannoy is present at 9:44.

Committee reports.

PRESIDENT DeVITA: Personnel. Bob, anything?

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COMMISSIONER VANNOY: No. Personnel meeting tomorrow; Table of Organization.

PRESIDENT DeVITA: 9:00, right?

COMMISSIONER VANNOY: I thought it was 10:00.

MR. AMODIO: It's 9:00.

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Commissioner Levine is not here. If one of the other members of finance would like to report?

COMMISSIONER BAZIAN: We're still looking at overtime. One of the things that came out of finance, which also was discussed at IT's suggestion, since our current system is rather inflexible in terms of getting reports out, that it might make sense for the water Commission to enter into some sort of an agreement, either with a college or college student so we can gain a young programmer who could come and help with the processing exporting information from our system and provide the reports that we need.

Not having the reports the way we need to see it is a liability. It makes it difficult to analyze the information and come up with good decisions. So that's something that we discussed with Joe and Jim and --

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PRESIDENT DeVITA: That's something you think we should do?

COMMISSIONER KOLODZIEJ: That's the recommendation.

In the interim, excuse me, is that we would use one of our summer help that will be able to do that for the rest of August and into September. After September, our staff does not have the time to be joined by hand all the information that we need. So this makes sense.

What we're asking is for permission to get  
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some costs and bring it back rather than have them spin their wheels and look for somebody. If there's consensus to do that.

COMMISSIONER BAZIAN: It's also from a cost benefit perspective, it is really inefficient the way -- we're building a lot of these reports by exporting information and running reports and then retyping reports to Excel in some cases. That's insanely inefficient. We can take the download, suck it into a system, and produce the reports.

(Whereupon, Commissioner Levine is present at 9:48)

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PRESIDENT DEVITA: We're talking about the --

COMMISSIONER LEVINE: Put me on the record.

PRESIDENT DEVITA: You're on. The part time. Does anybody have a problem with that?

COMMISSIONER KOLODZIEJ: We're just asking for their permission to go ahead and explore that.

PRESIDENT DEVITA: Can I make a suggestion? Since it's August, I don't have a problem if you want to start it in September.

COMMISSIONER KOLODZIEJ: Well, if we can get the summer help to do it in the meantime. Our next committee meeting our chairman asked for a

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ton of information.

PRESIDENT DeVITA: That's till the end of August our summer workers. Do you want somebody for September? Do you want to get moving on this now?

COMMISSIONER BAZIAN: Yes, I think we should.

Bear in mind, we're talking about somebody part time or somebody on an as needed basis. We're not talking about getting a full-time

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employee.

PRESIDENT DeVITA: This is a college student.

COMMISSIONER BAZIAN: We're talking about a college student who's learning programming. I am a programmer. I can speak tech to tech along those lines. If he doesn't have the experience, I can tell him exactly what needs to be done.

COMMISSIONER VANNOY: Is it definitely a he or could be a she?

COMMISSIONER BAZIAN: Could be she.

COMMISSIONER KOLODZIEJ: Thank you.

COMMISSIONER BAZIAN: She or it.

And at the end of the day, I don't think it's going to cost a whole heck of a lot. I think we can probably get somebody for 15, 20 bucks an hour max. And we can get a tremendous amount of benefit.

PRESIDENT DeVITA: Do you want to make that in a formal motion?

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COMMISSIONER KOLODZIEJ: I would like the motion to say as needed. If we don't have enough work for that person, as needed. Somebody is going to be delighted to have --

COMMISSIONER LEVINE: Like an outside

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contractor.

PRESIDENT DeVITA: As needed and at discretion. Who's discretion?

COMMISSIONER BAZIAN: I would say it's Jim because Jim right now is managing IT.

would that be correct, Jim?

Why don't we just leave it up to the discretion of the Executive Director. That's the way it should work.

PRESIDENT DeVITA: Somebody will contact local schools.

MR. GALLAGHER: It's already done. I spoke to NJIT yesterday, yesterday morning. I have a young lady's application pending. She's a master's degree student at the NJIT program. That's one of the resumes I'm getting today.

PRESIDENT DeVITA: Do we have a motion for that?

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER LEVINE: How did you get the resume?

MR. GALLAGHER: Through NJIT.

COMMISSIONER LEVINE: How did you --

MR. GALLAGHER: I called NJIT.

COMMISSIONER KOLODZIEJ: That was as a

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result of our meeting yesterday.

PRESIDENT DeVITA: Somebody want to make a motion?

COMMISSIONER KOLODZIEJ: I'm making a motion.

COMMISSIONER VANNOY: I'll second it.

PRESIDENT DeVITA: The motion is to --

MR. AMODIO: Hire a student on an as needed basis at the discretion of the Executive Director.

Reports per the finance department?

PRESIDENT DeVITA: Correct. And a programmer?

COMMISSIONER BAZIAN: I think we need a programmer. I would have no objection if we made it a little general. If we had somebody in programming and perhaps to assist with maintenance and taking care of the computers on an as needed basis. The cost of what we're looking at here --

PRESIDENT DeVITA: Can we put that in the motion?

COMMISSIONER KOLODZIEJ: I'm making the motion. You can add that.

PRESIDENT DeVITA: Programmer/maintenance, reports, et cetera.

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Are we going to have an hourly? well, it's going to be the amount of hours will be at  
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the discretion of the Executive Director.

Do you want to have an hourly rate for this person?

COMMISSIONER KOLODZIEJ: I think we can set that rate. Absolutely. What do you think is fair?

MR. GALLAGHER: Normally for co-op student it's \$12 an hour.

COMMISSIONER SANCHEZ: For this particular task, I think it sounds a little bit low.

COMMISSIONER KOLODZIEJ: Let's see if they're willing to take it at 12.

MR. WEISS: The summer I think we were paying them 12 --

COMMISSIONER BAZIAN: It was 11.

PRESIDENT DeVITA: Suggestion, you want to say between 12 to 15 or 18?

COMMISSIONER BAZIAN: I definitely wouldn't go higher than 20. So if you want to say 18, I'm fine with that.

If it's an issue, Jim could come back to us.

MR. HANLEY: You can say not-to-exceed 18.

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COMMISSIONER KOLODZIEJ: Right.

PRESIDENT DeVITA: Don't put a low, just not-to-exceed.

COMMISSIONER BAZIAN: One question. In the discussion we were having yesterday, it doesn't seem necessary to me they don't have to be

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an employee, maybe they can be a contractor as well; so.

PRESIDENT DeVITA: Co-op student.

COMMISSIONER BAZIAN: I don't know how this stuff works. I don't want to pigeonhole the administration. If they want to make it an employer/employee relationship, that's fine. If they feel a contract, that's fine, too. It's definitely under bid threshold so that's going to be up to our staff, right?

PRESIDENT DeVITA: Yeah. I believe that's going to be up to our staff, correct?

COMMISSIONER BAZIAN: Yes.

PRESIDENT DeVITA: It's going to be up to our staff as to how they hire, evaluate people. Okay.

MR. BELLA: That's correct.

PRESIDENT DeVITA: Okay.

MR. AMODIO: On the roll.

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(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: Motion approved.

PRESIDENT DeVITA: Great idea.

COMMISSIONER VANNOY: Mr. President, I just have one more comment on personnel.

There is something on there for new hire. Jim called me. He wanted to put it on here based on our meeting for tomorrow because he feels we really need it. So this is not on here to be

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voted on as a new hire today. This is just something if everything goes well tomorrow on our Table of Organization. He feels that we're a little backed up, not a little, a lot backed up in the lab. So this is not something that's on here for today, but this is based on us getting our Table of Organization done.

PRESIDENT DEVITA: I thought this was --

COMMISSIONER KOLODZIEJ: It's an existing position, as I understand. We're not adding positions. It's an existing position that's going to be vacated by the person who can no longer do the job as was explained to me by Mr. Gallagher. That person is going to be moved into a different

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job that is vacant. So unless we're eliminating that position, which I was told we're not.

So we're not changing the T.O. at all. We're just filling two vacancies, one created by the person that needs to leave because he physically --

COMMISSIONER VANNOY: Right. No, that's not what I'm saying.

COMMISSIONER KOLODZIEJ: Okay.

COMMISSIONER VANNOY: Last month we wanted to hire this young lady but we said we would not hire anybody else until we approved the Table of Organization. We have not approved the Table of Organization as of yet.

COMMISSIONER KOLODZIEJ: That was

Commissioner Bazian's concern. My concern was when is the person who's holding that job moving out of it and why and what's going to happen to him. So once that was answered -- I would have voted on this last month if it was presented to me that we are only filling two vacancies; one that will be created by the person who's moving because he physically cannot do the job anymore and he's moving to a vacant position that we need and then we have this position in the lab and you can see

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the backup here, that is needed. So there's no way in the new Table of Organization that either one of those positions are being eliminated, correct?

MR. GALLAGHER: Correct.

COMMISSIONER KOLODZIEJ: That's all I needed to know. Had I known that last month, I would have voted.

COMMISSIONER VANNOY: Okay.

MR. GALLAGHER: Okay.

COMMISSIONER SANCHEZ: So, wait, wait, wait.

PRESIDENT DEVITA: Let's hear from Personnel.

COMMISSIONER VANNOY: Yeah, let's hear from him.

MR. GALLAGHER: All right. I was under the impression that this would be voted on today. The employee is out. Our current employee is out on medical leave now. He has sustained some burns

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to his fingers from the acids that they use for testing purposes.

I have gotten the impression from him that he is going to be out for a period of time pending -- he does not want to come back to doing

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the prior work. He's willing to come back to something else. He's medically cleared to come back to do something else. But currently, right now he's not cleared to come back to do his current job.

So now we're going to incur a substantial amount of overtime because the person who does all those samples is one of the sample collectors.

COMMISSIONER VANNOY: How long has he been out?

MR. GALLAGHER: About a week and a half now.

MR. BELLA: We have to do this. We're incurring overtime.

COMMISSIONER LEVINE: When would this guy come back to work?

MR. BELLA: He would go into a, like a laborer's position.

COMMISSIONER LEVINE: Yeah, but what salary? The same salary he has?

MR. BELLA: Whatever accommodation we have to make for him.

MR. GALLAGHER: We have to make a reasonable accommodation for him. If there's a

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salary difference, it will be adjusted.

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COMMISSIONER LEVINE: Maybe an accommodation could be something in the laboratory, something where his skills will be used.

MR. GALLAGHER: I have to take in his medical accommodation.

COMMISSIONER LEVINE: I understand that. But a regular laborer can't be an accommodation, you know. There has to be an accommodation somewhere where he could use his skills and stuff.

PRESIDENT DEVITA: Jeff, you can't decide where you're going to put him now because you have to see medically.

COMMISSIONER LEVINE: No, no, I understand that. This is going to be brought before us. The Commission has to make that decision. You're not just going to make that decision I'm going to throw him there for 60,000 a year. This will be before the Commission and we'll figure it out and vote on it.

MR. GALLAGHER: Only if it's a change in salary. If he's working within his job title, no, it usually doesn't come back to the Commission.

COMMISSIONER LEVINE: A laborer doesn't work within his job title.

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MR. GALLAGHER: I mean, it would be depending upon his work skill. He can always do

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lesser skill work. He can't do more skilled work and he can't be paid the same salary.

COMMISSIONER LEVINE: That I understand. I'm concerned about the salary.

MR. GALLAGHER: He can't be paid more than the other people doing comparable work. The advantage is the water samples are paid about the same salary as the --

PRESIDENT DeVITA: Maybe we should not have this discussion in open session. All right. When it comes up, we'll take it into consideration with the personnel committee and we'll discuss it.

COMMISSIONER LEVINE: As long as it comes to someone here.

PRESIDENT DeVITA: Okay. No problem.

IT/Security.

IT we did.

Security.

COMMISSIONER KOLODZIEJ: Security, I have good news. I received a phone call from Sheriff Berdnik. He will have a proposal ready for us by our September meeting.

In the meantime, I asked Yitz to get

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together the numbers, the numbers that I'm basically interested in. Yes, we all know how much it's costing for the Sheriff, but the committee had talked about redesigning our inhouse security personnel and eliminating them so that we will not have to pay benefits.

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And, again, it will mean transferring some of the people to other jobs if they exist. Otherwise, we're doing that.

So when we have those numbers, compared to the Sheriff's proposal, I'm sure this body can make a decision as to which way they want to go.

PRESIDENT DEVITA: Question.

COMMISSIONER KOLODZIEJ: Yes.

PRESIDENT DEVITA: Is this proposal going to modify the current security that they're providing?

COMMISSIONER KOLODZIEJ: Well, basically the committee is in agreement that we're never going to be able, in our opinion, to get rid of the outside security because they're the people that have the badges that can make the arrests. So that part of the equation is kind of a no brainer.

PRESIDENT DEVITA: Right.

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COMMISSIONER KOLODZIEJ: The difficult decision will be whether it's cost effective to use part time, and he's talking about basically using retired people who have that skill, inhouse. His comment to me was not only will it be more cost effective, but you will get better security.

My comment to him was, I guess I was the only member of the committee that listened to his proposal on the outside, security firms, private firms said they could handle, you know, this kind of thing. The only down side to that, in my

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opinion, was that they don't have police power. So, yeah, they can hold a guy there while we call the police to come and do the arrest; so.

PRESIDENT DeVITA: We're going to have this September?

COMMISSIONER KOLODZIEJ: I said we need it by the September meeting. He's holding to his promise that in two months he would give us a proposal.

COMMISSIONER VANNOY: He may be a couple weeks late, but --

COMMISSIONER KOLODZIEJ: Right. But not two years like the way we went around before. So if we can just hang in there and then Yitz can

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give us the numbers on our own security people what it costs us.

COMMISSIONER LEVINE: Including benefits.

COMMISSIONER KOLODZIEJ: Including benefits, exactly. Exactly.

COMMISSIONER VANNOY: Are we meeting with him again, us, before we --

COMMISSIONER KOLODZIEJ: Well, we could. I could ask him to do that.

PRESIDENT DeVITA: Maybe to go over the proposal.

COMMISSIONER KOLODZIEJ: All right. I will call him back and suggest that we meet with the security committee, which is the three of us, so we get first look at it.

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COMMISSIONER VANNOY: Right. When we come in we could explain.

COMMISSIONER KOLODZIEJ: If need be that he's going to come in at our September meeting and answer questions.

COMMISSIONER VANNOY: Which may not be a bad idea to hold him to the fire and that way everybody could get --

COMMISSIONER KOLODZIEJ: Exactly. Absolutely.

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PRESIDENT DEVITA: Very good. Thank you.

COMMISSIONER BAZIAN: One quick question, if I may. I'm not sure how this works, George.

At IT we were discussing some projects that need to get done with regards to our servers and with regards to our e-mails and things like that.

One of the things that came out was the possibility of putting it out to bid as opposed to putting it into the contract. We discussed this. Do we need anything from the Commission now to put it out to bid, say a low cost bid or --

PRESIDENT DEVITA: You mean for RFPs?

MR. BELLA: This would have to be a bid spec in addition to what we had people coming in, you know, with our inhouse people now.

What we need to do is have additional work over and above that wasn't contemplated in the original contract rather than just give the existing contractors a, you know, an extra or a

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whatever.

COMMISSIONER KOLODZIEJ: All right. In all fairness, I honestly think we should go into closed session. It's a contractual matter. If it's explained to us briefly. I think this is --

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COMMISSIONER BAZIAN: I was just asking whether or not we need to get approval.

COMMISSIONER KOLODZIEJ: We'll find that out. I think the rest of the Commission needs to know why this recommendation --

MR. BELLA: Whenever you go out to bid, we usually ask for permission.

COMMISSIONER KOLODZIEJ: I think they need the background as to why we're recommending.

PRESIDENT DeVITA: Okay. Executive Director's report.

MR. BELLA: Okay. So far this month is -- July was actually a good month for us. We had a lot of hot, dry weather. We had pretty big, actually two incidents over the last month that are important. One is we had the plant power outage. The plant was out of service for almost 12 hours. In the peak of all that, the plant personnel did an excellent job getting the plant back on line; troubleshooting problems.

As it turned out, it was an air conditioner for the sophisticated motor control that just failed. And it was a fairly new one. We had a spare and we were able to get that worked

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on and get it back in line.

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The work at the filters is progressing nicely. The contractors are doing a fine job and, again, plant personnel is doing the work they have to do. Maintenance is doing a fine job.

The other, so far, just to give you a sort of like a little overview. I think the -- I think really the other thing that is really coming together, staff is really starting to come together. We're starting to hit all cylinders here. Everybody's doing their job; moving along. Making great progress with IT and Customer Service.

Yitz is really starting to, you know, have the time now. He's starting to dig into the numbers and get the information out there. Engineering is right there. Some of our new hires are excellent. So I'm really, really pleased with the way staff is coming together and everybody is working together now; a lot more communications between the departments.

PRESIDENT DeVITA: Joe, question. The filters, are we still incurring a lot of overtime?

MR. BELLA: Actually, no, not for the filters, no.

Generally what we have, we're seeing

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overtime it's issue specific. For instance, when we had the plant outage. There was a lot of

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people getting the plant back on-line, you'll see.

One thing about overtime, overtime is something that people talk about a lot more. We're told there's a lot more information. People are asking before they grant overtime. There's, you know, we talk about that all the time. We have staff meetings regularly. We have three of them a week, at least I participate in three of them a week. And that's always a topic of conversation.

PRESIDENT DeVITA: Are we going to get a report on the overtime?

MR. BELLA: He's working on a report.

COMMISSIONER KOLODZIEJ: The person we're having will be able to do that. Our chairperson has asked for a specific format in overtime.

COMMISSIONER LEVINE: Yes.

COMMISSIONER KOLODZIEJ: And that will be available for all of us. That person we just authorized will be able to do that.

PRESIDENT DeVITA: The co-op person?

COMMISSIONER KOLODZIEJ: Yes. That's the co-op person.

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MR. WEISS: We actually had a report that was done through the end of July. It wasn't exactly what they were looking for. If I knew the Commissioners were looking for a copy, I would have been happy to give it to you. But we'll have the report for next meeting.

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PRESIDENT DeVITA: Okay. Thank you.

All right. Anything else, Joe?

Comptroller's report.

MR. WEISS: Cash hand is 7.3 million.

Our accounts receivable are at 14.2 million. Our 30 days or less accounts receivable are at 13.8, which is 97 percent, which is very good.

Our accounts payable is at 4.1 million.

Our collections are strong, but our sales this year so far are coming in weak. Normally this time of year we find ourselves behind the eight ball in terms of collections, just because this is when we start cashing out from the winter months.

Just by way of example, last year we were behind by about 2.2 million this time of year. This year we're behind by about 7.2. So we are going to come in, most likely, under what we

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discussed a little bit in finance committee yesterday. We're going to come in short of our predictions for the year, that means some of the money that we expected to use to be able to bolster our reserves we're probably not going to have at the end of the year. I think we're going to have to be much more careful with the money that we're spending on capital out of cash that we had planned to. We're going to be monitoring that and scrutinize that.

That's all I have.

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PRESIDENT DeVITA: Okay. Thank you.

COMMISSIONER KOLODZIEJ: Just a question.

How soon will we be able to get some numbers on the budget? I know we've been busy doing other things, but it's going to be September --

MR. WEISS: This the month.

COMMISSIONER KOLODZIEJ: All right. So you'll have something ready for finance?

MR. WEISS: Yes, not all, but some of it, for sure.

COMMISSIONER KOLODZIEJ: Okay. Thank you.

MR. AMODIO: That will be all.

Closed session, can I have a motion?

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COMMISSIONER BAZIAN: Move it.

MR. AMODIO: Motion by Commissioner Bazian.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Second by Commissioner Vannoy.

Pursuant to the Open Public Meetings Act, Commissioner Bazian offers the following Resolution for adoption:

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

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

NOW, THEREFORE, BE IT RESOLVED, by the

Commissioners of the Passaic Valley Water  
Commission that:

1. The public shall be excluded from discussion of the hereinafter specified subject matters; the general nature of the subject matters being: Financial, Insurance, Personnel, Contracts, Negotiations, Security. Under law we have Kleber v. PVWC; Filters- Leopold/Prismatic; Lodi v PVWC; North Arlington v. PVWC; Summary Aging Reports; Auto Reports; Collection Matters;

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Cleaning and Lining Project; Dark Fiber; Sheriff's Agreement; Four Seasons at Great Notch - expanded use; Conflict of Interest; IT Projects. Under Personnel, we have New Hire: Hope Jorda - Lab Tech/Water Analysis. Nothing under Administration; and any other matter that may be discussed in camera.

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

3. This Resolution shall take effect immediately.

Second by Commissioner Vannoy.  
On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative)

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MR. AMODIO: On the roll.

(Roll call was taken, all Commissioners

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present respond in the affirmative)

MR. AMODIO: Thank you.

The time is 11:05.

You have a quorum.

We'll move onto Consent Agenda.

Minutes of the Passaic Valley Water  
Commission in camera and Regular Public Session  
meetings of July 26, 2011.

Do I have a motion?

COMMISSIONER KOLODZIEJ: So move.

MR. AMODIO: By Commissioner Kolodziej.

Do I have a second?

COMMISSIONER VANNOY: Second.

MR. AMODIO: By Commissioner Vannoy.

(Roll call was taken, all Commissioners  
present respond in the affirmative)

MR. AMODIO: Thank you.

Next, does the Chair accept, receive, and  
file Miscellaneous Purchase Orders from Purchasing  
Director Linda Beckering?

PRESIDENT DeVITA: Yes.

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MR. AMODIO: Thank you.

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Moving onto Requests For Action.

Okay. If you'd like to do one motion or we can do individual. We have quite a few.

COMMISSIONER KOLODZIEJ: We can do a group.

COMMISSIONER BAZIAN: Actually, I'm sorry.

PRESIDENT DEVITA: wait, hold.

COMMISSIONER BAZIAN: I have a lot that I have quick questions on.

MR. HANLEY: If I could suggest what can happen here is that any Commissioner, if they want something pulled off to discuss other than a brief issue, they could do that otherwise you would be able to vote on them on mass assuming that you've all have read them.

PRESIDENT DEVITA: Menachem, you have questions on?

COMMISSIONER BAZIAN: I have questions on 6, 7, 9, 11, 13, 14, 16 and 21.

PRESIDENT DEVITA: All right. So we can vote on all except that as a group?

MR. AMODIO: Hold on.

MR. HANLEY: Six, 7, 9 --

MR. AMODIO: I got them.

PRESIDENT DEVITA: Thirteen, 14, 16, 21.

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MR. AMODIO: Hold on. Hold on. I got to pull them out.

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PRESIDENT DeVITA: Can we add Cleaning and Lining to this, too; 11-B-2?

MR. AMODIO: That's a recommendation from closed session.

Just bear with me.

And that's under Resolutions; 21.

PRESIDENT DeVITA: Yes.

MR. AMODIO: Okay.

COMMISSIONER KOLODZIEJ: I will move items number ten -- sorry, 8, 10, 12, 15, 17, 18, 19, 20 and 22.

MR. AMODIO: They're on the Resolutions.

COMMISSIONER KOLODZIEJ: Hold that separate. Scratch 22 and stop at 20.

MR. AMODIO: Okay. Do I have a second?

COMMISSIONER BAZIAN: Second.

MR. AMODIO: Second by Commissioner Bazian.

I will read them, for the record.

Contract 11-B-22, "Liquid Ferric Sulfate." Recommendation to reject and rebid.

Item ten, Contract 11-B-24, "Furnish and Deliver Brass Water Service Line Fittings."

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Recommendations to award a Two (2) year contract to Capital Supply Construction Products, Incorporated of Denville, New Jersey in the amount of \$307,205.

Item 12, Contract 11-B-26, "Furnish and Deliver Water Service Boxes and Roadway Boxes."

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Recommendation is to reject and rebid.

Item number 15, contract 11-B-30, "Sodium Hypochlorite." Recommendation to award a Two (2) year contract to Univar USA, Inc. of Middletown, Pennsylvania in the amount of \$997,650.

Item 17, Contract 11-B-34, "Furnish and Install Replacement Mixer Blade Assemblies." Recommendation's to award a Six (6) month contract to BR Welding, Incorporated of Howell, New Jersey, in the amount of \$316,600.

Item number 18, Contract 11-B-35, "Repair and Alignment of Hydro-Turbine Generators at the Little Falls Plant." Recommendation's to reject and rebid.

Item 19, State Contract Purchase #T2754 A78843 for one (1) Ford F-350 Pick-Up Truck to replace Vehicle #40 from warnock Fleet of East Hanover, New Jersey in the amount of \$26,229.60.

And finally, item number 20, State

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Contract Purchase #T27454 A78843, one (1) Ford E-350 Cargo Van to replace Vehicle #48 from Chas. S. Winner, Incorporated of Cherry Hill, New Jersey in the amount of \$20,901.

Discussion?

COMMISSIONER BAZIAN: Just one quick thing.

I incorrectly mentioned number seven. I don't have any issues with number seven.

PRESIDENT DeVITA: Can you read that?

MR. AMODIO: Yes.

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Contract 11-B-18, "Furnish and Deliver Pre-Mixed Concrete." Recommendation to award a Two (2) year Contract to Joel Tanis & Sons, Incorporated of Fair Lawn, New Jersey in the amount of \$73,000.

PRESIDENT DeVITA: Question. I assume that the maker and the seconder of the motion will allow to include number seven, right?

COMMISSIONER KOLODZIEJ: Yes.

MR. AMODIO: On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative)

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MR. AMODIO: Motion approved.

You have discussion, Commissioner Bazian, for items number six.

COMMISSIONER BAZIAN: Item number 6. Very quickly, the amount seems to be they took three years that they estimated, based on the prices they averaged it out and they took it forward for two years. Is this a fixed price contract or is this a draw down? In other words, are we using 36 million gallons?

MR. DUPREY: It's a take and pay draw down.

Just to clarify what you were saying before. Original contract was a three year contract. When we did the extension for two years, you literally make the adjustment exactly

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that way. And even though there was an allowable three percent increase, we negotiated not to stay at the same level, which is advantageous. So that's how they warranted the total bid price.

COMMISSIONER BAZIAN: I'm fine.

MR. AMODIO: Would you like to make a motion?

COMMISSIONER BAZIAN: I'll move it.

MR. AMODIO: Motion by Commissioner

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Bazian.

COMMISSIONER KOLODZIEJ: I'll second.

MR. AMODIO: Second by Commissioner Kolodziej.

Item six, Contract 08-B-14, "Liquid Residuals Hauling Services Two (2) year extension with no increase in price with current vendor, Russell Reid Waste Hauling and Disposal Services Company of Keasby, New Jersey in the amount of \$2,762,400.

On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: Motion approved.

Next is item number nine. Contract 11-B-23, "Furnish and Deliver Type "K" Soft Annealed Copper Tubing. Recommendation's to reject and rebid.

Discussion?  
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COMMISSIONER BAZIAN: What is the amount of the current contract? Do we have a contract going on right now?

MR. DUPREY: Yes, we do. I think it was

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around 35 to \$40,000.

COMMISSIONER BAZIAN: That answers my question.

In the meantime, we're still staying with that vendor until we get a new vendor?

MR. DUPREY: That's correct.

COMMISSIONER BAZIAN: And the reason why we're rebidding is because the bid was 50,000, which was significantly higher?

MR. DUPREY: And in addition to that --

COMMISSIONER LEVINE: Was it the same vendor who rebid or was it a different vendor?

MR. DUPREY: I don't recall.

COMMISSIONER BAZIAN: Is that a contract with Grant Supply?

MR. DUPREY: I think it is.

The reason we're asking for the reject is that I think by shortening the contract, we're going to get a more attractive bidding.

COMMISSIONER LEVINE: Grant bid?

COMMISSIONER BAZIAN: Yeah, 50,000.

COMMISSIONER LEVINE: Rather than 35.

MR. DUPREY: By tightening it up, tightening up the contract, we should get a better result; the contract duration.

COMMISSIONER BAZIAN: I'll move.

MR. AMODIO: Move by Commissioner Bazian.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Second by Commissioner  
Kolodziej.

On the roll.

(Roll call was taken, all Commissioners  
present respond in the affirmative)

MR. AMODIO: Motion approved.

Move onto item Number 11, Contract  
11-B-25, "Furnish and Deliver Repair Clamps,  
Tapping Sleeves and Couplings for Pipe."  
Recommendation is to award a Two (2) year contract  
to HD Supply Waterworks of Edison, New Jersey for  
items 1 through 45, 50 through 66, and 75 through  
89 in the amount of \$215,259.50 and to Raritan  
Supply Company of New Brunswick, New Jersey for  
items 46 through 49, 67 through 74, and 90 through  
115 in the amount of \$174,301.88.

Discussion?

COMMISSIONER BAZIAN: I'm just not  
understanding how this contract has been broken  
up. I know what we did, but I assume the idea was

to take and compare the prices of the individual  
line items from the lowest bid on the individual  
line items.

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MR. DUPREY: To an extent. What happens is, every time you order something, you don't want to be picking different vendors. So what we did is we tried to look at the entire groupings of various items, you know, so we didn't make it too, you know, when you're trying to go and procure this stuff, you want to go all over the place with different vendors. So we try to take them as groups and award them to the lowest total amount and also, if a vendor failed to submit bids on a lot of the items, they were out of those groups on individual items so it was kind of a balance between that and, you know, keeping the price totals.

COMMISSIONER BAZIAN: Given the nature of the bid spec, George, can we split it up? Is this standard practice?

MR. HANLEY: Yeah. In this -- I mean, it's fact sensitive to this kind of thing because of the practicality that Jim just mentioned. So, we have to look at each -- sometimes you would not be able to do this, but in this case --

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COMMISSIONER BAZIAN: In this case.

MR. HANLEY: But he has the rationale that makes sense to me. Appears not to be manipulative but rather reasonable and economic and in the best interest of the Commission.

MR. DUPREY: And we described that process in the bid.

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COMMISSIONER KOLODZIEJ: Standard in the industry.

COMMISSIONER BAZIAN: I'm okay.

COMMISSIONER KOLODZIEJ: I'll move it.

MR. AMODIO: Motion by Commissioner Kolodziej.

COMMISSIONER VANNOY: Second.

MR. AMODIO: By Commissioner Vannoy. On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: Motion approved.

Next, item 13, Contract 11-B-28, "Bituminous Material." Recommendation's to award a Two (2) year contract to Tilcon New York, Incorporated in the amount of \$304,715.

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Discussion?

COMMISSIONER BAZIAN: In looking at the actual bids received, according to the Resolution, the reason why we're not giving it to the lowest bidder is because we didn't get a proper Consent of Surety. According to the summary that we have at the end, we did. I'm assuming that the X next to PVWC Consent of Surety means we got it. So I was a little confused by that.

MR. DUPREY: I will check that but I believe we do not have the Consent of Surety on that.

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COMMISSIONER BAZIAN: Okay. I'm just telling you what's in here.

MR. HANLEY: I think what it was, we have a form described. It's a described for reasons. I don't remember the details of this. But in every instance, I review the Consent of Surety as well as the bid bond, among other things. And if I have an issue with it, I discuss it with Linda. I am very, very stringent of that. So it may be, I don't know, I have to check, it may be that they submitted some form of surety, but not the one we want.

PRESIDENT DeVITA: There's a notation memo

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with the bid that they submitted says an "Improper Consent of Surety." That's what it said. However, Menachem, you're right in the review, Consent of Surety is not checked in either one.

COMMISSIONER BAZIAN: Right.

PRESIDENT DeVITA: I assume there was.

MR. HANLEY: So what happened was, they submitted a form and I reviewed it and went back to Linda and said this won't do.

PRESIDENT DeVITA: The low bidder's an improper --

MR. HANLEY: Apparent low bidder.

PRESIDENT DeVITA: But the second bidder, who you recommend the award to, did submit --

MR. HANLEY: A correct, proper.

MR. DUPREY: That's correct.

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PRESIDENT DeVITA: I think Menachem's question was it wasn't checked in the box.

MR. AMODIO: It was checked.

MR. HANLEY: He said it was checked but they were eliminated.

COMMISSIONER BAZIAN: They were eliminated. The narrative says that they did not file a proper Consent of Surety. Summary shows check that they did.

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MR. HANLEY: So they filed one, I suspect, but it wasn't proper.

MR. AMODIO: Can I? Commissioner Bazian, can I?

The bids are opened here in this room and when they're opened, the items on the checklist are identified. Whether they're correct or not is not known at that particular time. Not until it goes on for review do we know whether the certificates are up to our standards. So that's why you'll see the check mark there, because on review of the opening, it was there.

COMMISSIONER BAZIAN: Okay. Thank you.

MR. AMODIO: You're welcome.

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: Move by Commissioner Kolodziej.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Second by Commissioner Vannoy.

On the roll.  
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(Roll call was taken, all Commissioners present respond in the affirmative)

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MR. AMODIO: Motion approved.

Next. We will move onto item 14, Contract 11-B-29, "Furnish and Deliver Fire Hydrants." Recommendation to award Two (2) year contract to HD Supply Waterworks of Edison, New Jersey in the amount of \$1,343,900.

Discussion?

COMMISSIONER BAZIAN: Just a quick question.

A company that submitted on this and others is waterworks. I'm just picking one out because they show up in three or four different times and in each case it says "No Bid Letter." What does that mean?

MR. DUPREY: Well, sometimes what the bidders do is they don't want their competitors to think they're participating in the bid. So what they'll do is they'll send in a package that looks like a bid, if they're in the room or whatever. So what they're doing is they're saying we got the information and just selected not to bid. Sometimes they just don't want you to forget that they exist.

COMMISSIONER VANNOY: So why do they want you to include it?

MR. DUPREY: They just want to make sure you don't think they went out business or something like that. And other times they want to use it to keep their competitors wondering whether or not there's a bid in the packet or not.

COMMISSIONER BAZIAN: So they sent a package without a bid?

MR. HANLEY: They're abstaining but they want to let you know they're still --

COMMISSIONER BAZIAN: Got it. Thank you.

PRESIDENT DeVITA: Move it?

COMMISSIONER VANNOY: Move it.

MR. AMODIO: By Commissioner Vannoy.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Second by Commissioner Kolodziej.

On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: Thank you.

Next we'll move onto item 16, Contract 11-B-31 "Corrosion Inhibitor." Recommendation to award a Two (2) year contract to Carus Corporation of Peru, Illinois in the amount of \$492,000.

Discussion?

COMMISSIONER BAZIAN: Yeah. I was a little confused. We have about two or three other items that we rejected because we only got one

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bid. Here we get one bid and we're accepting it; so.

MR. DUPREY: The reason is when you look at the history of it, which I've set forth in the Resolution, is that the first time we bid it a year or two ago, we got one bid and from the same supplier. They failed to have a Consent of Surety but a number of chemical companies took out documents and decided, for whatever reason, they either weren't going to be competitive or the product wouldn't be able to treat our water. They then turned around and rebid it. And again, a number of them took them out. We only got a bid from that same supplier, which we then awarded.

In this go around, if you look, there's a number of suppliers that took out this bid. No real changes to the bid documents from the previous time, so, therefore, we wouldn't expect a different result and in fact, we received one bid. On that basis it really wouldn't be fruitful to go back out and rebid. So, therefore, in this

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particular case, we recommend.

COMMISSIONER BAZIAN: This is already a rebid?

MR. DUPREY: This is a first bid for this.

MR. HANLEY: If I may? Technically, no. The history is such that we have, you know, the surety that this is going to be the same no matter how many times we do it. So why do go through the

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expense. Normally, Jim, if it's just one time, I reject it unless there's an emergent situation.

PRESIDENT DeVITA: Is this in line of what you kind of estimate expenses?

MR. DUPREY: Yeah. Price wise was -- in fact, it's actually, if you look at the previous results, it was around -- well, 12 cents a gallon doesn't sound like a lot, but it equates to about \$6,000, if you look at the quantity. So, you know, there's an actual unit price drop.

PRESIDENT DeVITA: So this was lower than the last bid?

MR. DUPREY: Right. That's correct. On a per gallon basis.

PRESIDENT DeVITA: This one was 9.84 a gallon. So the last one was higher; 9.96.

MR. DUPREY: Yeah, the last one was

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higher.

MR. AMODIO: Motion?

COMMISSIONER VANNOY: So moved.

MR. AMODIO: By Commissioner Vannoy.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Second by Commissioner Kolodziej.

On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: Motion approved.  
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Next we'll move onto Resolutions.

First Resolution Authorizing Interlocal Government Services Agreement with USGS in the amount not-to-exceed \$118,920.

MR. HANLEY: Just a quick edit. The Interlocal Services under the statute should be called Shared Services.

MR. AMODIO: I'll make that correction.

PRESIDENT DEVITA: The Resolution says that though.

MR. AMODIO: We'll have to change it.

COMMISSIONER BAZIAN: What are we sharing

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with the USGS? I read through this, I didn't quite understand it.

MR. BELLA: We use them to do monitoring in parts of our distribution system also in the watershed and rivers. They've been doing it for years for us. We pay them to do things like water levels in the river and that kind of stuff. So we're just sort of consolidating them all together.

MR. DUPREY: We're consolidating them together and also a two year contract.

MR. BELLA: So they're not there every year. It's another governmental agency. It's invaluable that the information we get from them to operate our plant, even some of our early kind of things. They're the best of the best.

MR. AMODIO: Further discussion?

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Motion?

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: Motion by Commissioner  
Kolodziej.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Second by Commissioner  
Vannoy.

On the roll.

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(Roll call was taken, all Commissioners  
present respond in the affirmative)

MR. AMODIO: Thank you.

Next Resolution, Resolution Endorsing and  
urging all to join the National Moment of  
Remembrance of the 10th Anniversary of  
September 11th.

Discussion?

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: Motion by Commissioner  
Kolodziej.

Do I have a second?

COMMISSIONER VANNOY: Second.

MR. AMODIO: By Commissioner Vannoy.  
On the roll.

(Roll call was taken, all Commissioners  
present respond in the affirmative)

MR. AMODIO: Motion approved.

Moving onto New Business.

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We have Summary of Disbursements and Payrolls through August 17th, 2011 in the amount of \$5,205,089.88.

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Does the Treasurer find them in order?

COMMISSIONER LEVINE: Right now I have some questions on some bills that I didn't get copies of after the meeting. So I'm going to approve it on the condition that I get that other stuff.

MR. AMODIO: Make a motion.

COMMISSIONER LEVINE: I make a motion.

MR. AMODIO: Motion by Commissioner Levine.

Do I have a second?

COMMISSIONER VANNOY: Second.

MR. AMODIO: By Commissioner Vannoy.

On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative)

PRESIDENT DEVITA: I have to abstain on Rachles Michele and Vito's.

Sorry.

Thank you.

MR. AMODIO: Moving onto recommendations from closed session.

Contract 11-B-2 Rebid "Water Main Cleaning

and Lining," Passaic, New Jersey. Recommendation to award a one year contract to J. Fletcher Creamer & Sons, Incorporated and Spiniello Company, Joint Venture, in the amount of \$2,434,950.

Discussion?

Motion?

COMMISSIONER BAZIAN: Move it.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: By Commissioner Bazian.

Second by Commissioner Kolodziej.

On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative, Commissioner Levine having abstained)

MR. AMODIO: Thank you.

Next will be from closed session under Personnel, New Hire: Hope Jorda - Laboratory Technician, Water Analysis/TA. Proposed salary of 43,000. Proposed range of 25,000 to 57,616.

Discussion?

Motion?

COMMISSIONER VANNOY: So moved.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: By Commissioner Vannoy.

Second by Commissioner Kolodziej.

On the roll.

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(Roll call was taken, all Commissioners present respond in the affirmative, Commissioner Bazian having abstained)

MR. AMODIO: Motion approved.

I have nothing under Good and Welfare.

COMMISSIONER BAZIAN: What about the IT?

MR. AMODIO: Oh, I'm sorry, I thought that was approved. It was agreed. No?

PRESIDENT DEVITA: To look into and explore.

MR. AMODIO: Anything else?

Nothing else.

PRESIDENT DEVITA: Can I make one statement, please?

I want to thank everybody, seriously. I mean, we got lots of committees working. People are reporting and we're all working together. I think it's great. So thank you all.

COMMISSIONER VANNOY: A tribute to you as

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the head man.

COMMISSIONER KOLODZIEJ: Yes, the work force, exactly.

PRESIDENT DEVITA: So we're going good. So I thank everybody.

MR. AMODIO: Motion to adjourn?

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: Motion by Commissioner

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kolodziej.

COMMISSIONER BAZIAN: Second.

MR. AMODIO: By Commissioner Bazian.

(Roll call was taken, all Commissioners  
present respond in the affirmative)

MR. AMODIO: Time is 11:31.

we'll see everybody tomorrow morning at  
9:00.

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