

PASSAIC VALLEY WATER COMMISSION MEETING OF
JUNE 22, 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
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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MR. AMODIO: Commissioners Rodriguez and Sanchez will be late.

PRESIDENT DeVITA: Call the meeting to order.

MR. AMODIO: Roll call.

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

MR. AMODIO: The time is 9:40 a.m.

You have a quorum.

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, Herald News, The Record - Passaic County edition and the Commission's executive staff with a copy posted on the main bulletin board.

Please rise for the Pledge of Allegiance.

Commissioner Kolodziej, would you please lead us.

I believe we have a member of the public that wishes to be heard.

Mr. Gallagher, if you can bring him in.

MR. GALLAGHER: Yes.

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PRESIDENT DeVITA: Can I just make a comment?

Not everybody is here. Let's try to just get this done today without a lot of cross conversation; a lot of separate meetings. Everyone will have a chance to speak. Please don't interrupt everybody and we can help out Lyn with our minutes, too. All right.

MR. AMODIO: I believe it's Mr. Chestnut. He's been here a couple of times.

PRESIDENT DeVITA: If you could tell us
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your name and address.

MR. CHESTNUT: My name is Derrick Chestnut, 301 East 41st Street, Paterson, New Jersey.

I'll stand up. I don't want to take up too much time.

PRESIDENT DeVITA: You got the floor.

MR. CHESTNUT: The last time I was here in front of you guys, there was something explained to me and John Kelly. We went outside in the hallway to finish the agreement that was made verbally. When it was told to me, what was expected, I went upon what was said to me. John Kelly told me I would get it in writing before I

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leave. So before I left, I asked him again, I understand he was busy, but I never got it in writing.

So when I left, a couple of weeks went by. I'm thinking I'm supposed to make a payment two months because that's why I was here. Because prior to coming here, I had made a payment because they had shut my water off.

PRESIDENT DeVITA: I remember that.

MR. CHESTNUT: That's why I said I wanted to come to the meeting. So when I went out in the hallway, John didn't give me nothing in writing. I asked for it, he said, "I'm busy right now. I'll get back to you." I had to go back because my job just gave me two more days to go back to

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work. So, I left.

A couple of weeks go by, I call John. I said, "John, what's going on?"

well, you got to pay your bill."

So, I came down. He says I want 400 something dollars from you now or else we're cutting the water off. I said, "John, but we had an agreement."

"I didn't understand the agreement," he tells me. "I don't understand the agreement. We

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had an agreement, you didn't do what you were supposed to do."

I said, "Well, where's the agreement that I asked you from the verbal conversation that I need it.

well, I didn't -- you don't have it. I don't have it. You know what was said to you."

I said, "That's what I'm going by."

So there was a miscommunication there. Had I had the paperwork from that meeting, then there wouldn't be no problem.

So what happened was, he said, "Give me \$470 or else we'll cut the water off."

I said, "John, where am I going to get this type of money from?"

He said, "I got to cut the water if you don't give me it."

I said, "John, I got \$220 right now in my pocket. That's for me to eat but I'll give it to you."

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So, I came down the next day. I paid the \$220. He said do it on the 9th and I did it on the 20th. I came down. I paid the \$220. John, I asked him, I said, "John, I don't have all the money, am I all right?" He said, "You got time

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because you paid the 220."

Now, the time that he gave me he never stated to me. They came back to my house when the family came over; my mother, my father, they came over, they came over to the house. They cut the water off. I came back down here, John, don't want to hear it. He gives me to Mr. Gallagher.

So I went to the Mayor. So the Mayor calls one of the Commissioners to see if they could straighten the matter out. Yes, the past was bad. That's why I'm here in front of you guys. I never want to come back in front of you guys because this is embarrassing to me and it's embarrassing to be cutting my water off. I live on 41st Street.

All I ask was just a little, get me by this time and I'll never let my water get this high because there was an accident on why the water got that high anyway because the water was running while we went down south. So I asked them.

So they cut the water off. I had no other choice. I had to borrow money. He said, "Give me \$550 right now or else we're cutting your water

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off." And that was Mr. Gallagher said that. As

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soon as I got there, I said, "I don't have this type of money right now. Can I pay half?

No, I want \$550."

So the bill was \$1500. Thank God I borrowed the money. We got it down to \$600.

But then he says, you sign this or I'm not putting the water on with the \$550 and you give me another \$690 something in five more days.

I said, "Where do I get this money? I don't get paid you guys' salary. Where do I get this money from? Five days you want \$550. I gave it to you. Five more days you want another \$600."

PRESIDENT DEVITA: Let me ask you a question. Right now, the water, you still owe money on the water?

MR. CHESTNUT: Right.

PRESIDENT DEVITA: How much do you owe?

MR. CHESTNUT: Six hundred ninety dollars. I got it down from 15.

PRESIDENT DEVITA: Okay. So, it was 15, now it's 690.

Can we do something work out another --

MR. KELLY: You're the third person on this bill.

PRESIDENT DEVITA: Third?

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MR. KELLY: Third person. Mr. Sanchez granted him last year, a year. He couldn't keep
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up with his third payment plan.

Mr. Gallagher gave him a fourth payment plan the other day.

He doesn't understand it's \$200 something. He just wants to pay the current bill.

MR. GALLAGHER: Commissioners, if I can. The bill as of last Friday prior to the \$550 is about \$1250. Five hundred fifty dollars, he was granted a one week extension, which is the payment plan he had to sign. He has to pay by this coming Friday otherwise we are going to turn off the water.

PRESIDENT DeVITA: So what does he owe now?

MR. GALLAGHER: About seven -- excuse me, \$600.

PRESIDENT DeVITA: Is that past water?

MR. GALLAGHER: It's past water and gone through the meter. The bill in the past has been mitigated by prior actions.

PRESIDENT DeVITA: So is his bill current?

MR. GALLAGHER: No, he's not current.

PRESIDENT DeVITA: So the \$600 includes

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some past due and some current?

MR. KELLY: Past due is probably 27 months. Current, he hasn't paid current yet because it's probably not due till July.

Mr. Gallagher gave him a payment plan Friday. This is the fourth payment plan in 18

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months. Normally you're given one payment plan, you violate. Mr. Bella last year goes out out of courtesy and says, I'll give you another year to pay it. He thinks he has to pay \$92. Ninety-two is the payment agreement, but you have to stay current.

PRESIDENT DeVITA: What's the current portion of the bill?

MR. KELLY: It travels.

MR. GALLAGHER: Six hundred.

PRESIDENT DeVITA: That was part of past and current?

MR. GALLAGHER: That is what is owed right now.

MR. KELLY: Do you have a bill with you?

PRESIDENT DeVITA: What's his last bill?

MR. GALLAGHER: That I don't have.

MR. KELLY: One fifty-four.

COMMISSIONER LEVINE: It's not broken up.

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What's current and what's past?

MR. KELLY: One hundred fifty-four and 92 is roughly \$234 because he keeps falling behind because he doesn't pay the current.

COMMISSIONER VANNOY: You got to pay the current and you got to pay the 92.

COMMISSIONER KOLODZIEJ: That's our policy.

COMMISSIONER LEVINE: How much is the current? You don't know exactly?

MR. KELLY: It fluctuates. You know, it
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depends on the usage.

MR. CHESTNUT: They gave me a bill says I owe \$92.

MR. KELLY: Then you get door tags and late fees and all --

MR. LEVINE: He had 300 past due?

MR. KELLY: Six hundred.

PRESIDENT DeVITA: Mr. Chestnut --

MR. KELLY: Part of the problem, the next bill come out will be --

PRESIDENT DeVITA: Mr. Chestnut, part of the problem is every time they go out and tag your place, you're paying extra money. So it's not necessarily all the water charges, it's other

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charges, too.

MR. CHESTNUT: I understand, sir. My confusion was, this was the confusion last time or else I wouldn't be here. The gentleman told me out in the hallway, we're going to extend the payment for you for a year. You start your first payment, because that's why I was here, I couldn't pay. I had just dropped the payment.

PRESIDENT DeVITA: When was it extended a year?

MR. KELLY: December when Mr. Sanchez made it six months. Joe Bella made it a year. Joe said extend it, wipe out the late fees. Wipe out this, we did.

PRESIDENT DeVITA: He's paid down \$900.

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MR. KELLY: Nine hundred of water usage.

PRESIDENT DeVITA: Of 1500.

MR. KELLY: Correct.

Of the water usage that went through the meter, he still owes.

PRESIDENT DeVITA: Wait, wait. He owes 15. Now it's down to 600.

MR. KELLY: Plus this month coming.

PRESIDENT DeVITA: Okay. which will be another 250?

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MR. CHESTNUT: No, \$92.

MR. KELLY: No, no, that's where we're getting confused on. Ninety-two is what he pays on a payment plan to stay current.

COMMISSIONER VANNOY: Plus the 150, which is his quarterly bill. One hundred fifty plus 90.

MR. KELLY: What Joe did was said, work with him at \$92 on a payment plan. Extend it from eight months to 18 months. We got nowhere in 18 months.

PRESIDENT DeVITA: Mr. Chestnut, let me ask you a question. If you keep current with your water bill, okay, how long would it take you to pay the other money you owe? Could you do a hundred dollars?

MR. CHESTNUT: Yes.

PRESIDENT DeVITA: At a time?

MR. CHESTNUT: Yes.

PRESIDENT DeVITA: With the understanding that, and everybody getting this?

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MR. KELLY: Commissioner, we would have to wipe out the previous agreements if you want to sign one today.

PRESIDENT DeVITA: Understood, understood.

MR. KELLY: If he misses a payment, it

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goes off no matter what.

PRESIDENT DeVITA: Mr. Chestnut, you understand that?

COMMISSIONER BAZIAN: A hundred dollars plus current usage?

MR. KELLY: Payment plan says you have to make a payment agreement and stay current. You can't be two days late.

PRESIDENT DeVITA: So, there's going to be a written agreement today.

MR. CHESTNUT: Can I make it less than a hundred with my current bill? I got two days back to work. I'm promised to go full time in a month. This wouldn't be this way, John, if it had been written down.

MR. KELLY: You got three written agreements. If you want me to bring them out. You signed all three.

PRESIDENT DeVITA: Hold it. Hold it. We're here now. Let's try to resolve it.

MR. GALLAGHER: If I can add one other thing.

Mr. Chestnut has also presented on several occasions, bad checks. It was cash only last week

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at my request. And that's what it would have to

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be in the agreement. It would have to be cash only or some type of certified -- some other instrument.

PRESIDENT DeVITA: Cashier's check or something like that.

MR. CHESTNUT: I'll give cash, like he agreed to, because the only reason why that took place is because the way they put me in a situation where I didn't want the water to go on. I tried to explain, I didn't have the money at the time. I wasn't asking for a freebee.

PRESIDENT DeVITA: I'm not trying to not let you have your say here. But we're here now. You know what you got to do. What happened happened. Whatever it was, it was. If it was a misunderstanding, that's fine. Let's get this done and get it over with.

MR. KELLY: As long as he understands, Commissioner, if he violates the policy, the water is shut off.

COMMISSIONER KOLODZIEJ: I need to weigh in.

First of all, I grieve for your financial situation. I'm sorry you don't live in the City of Clifton because we have a hardship fund for

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people like you that might have been able to help. I don't know what Paterson does. However, that

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said and done, I am concerned that we have an existing policy. You can be probably duplicated by a hundred people that are in your situation and our policy is, we give a one time agreement, you know, settlement or whatever.

I am being told by our people that there have been three different agreements given. If we are going to change our policy, gentlemen, then I think we need to consider that. Maybe we should have some kind of a category for special hardships. But that's my dilemma now. I wish you were in Clifton, because financially we would be able to help you and clear this up. But to violate our existing policy, I would need to come to our attorney in closed session, Mr. Chairman, because I feel very, very strongly about we're going to get a hundred of these kind of cases.

PRESIDENT DEVITA: Any other thoughts?

COMMISSIONER BAZIAN: Yes. I kind of agree and kind of disagree with Commissioner Kolodziej.

The issue that we have a policy; absolutely. But I was not unaware of the fact

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that having a policy necessarily doesn't mean that we can't grant exceptions to a policy if we feel there's a particular reason. My concern is granting an exception here, how do you choose who to give an exception to and who not to give an exception to? Today's economic times, you grant

an exception to one, there could be an exception to many.

This individual is before us. He's going through tough times. He has a family in the house. As a father, myself, and as a bread winner of my own home, my heart goes out to him. But I'm just not sure how we should proceed with this. I would like to see us work something out so we can get our money. Clearly he's here. I think he's sincere in that he wants to take care of his situation. I'm just not sure which way to go.

COMMISSIONER LEVINE: How much can you afford a month on top of the bill?

MR. CHESTNUT: I could start out with, like, \$70 and then pay my bill with my bill.

COMMISSIONER LEVINE: Whatever your bill is on top of that you can pay an extra \$70 and as long as it takes to pay the rest of it off, I don't have the exact number.

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MR. CHESTNUT: Right. Just as soon as I get my other days, I could put a lump sum.

COMMISSIONER LEVINE: No, a lump sum would mess it up. Whatever it is, it is. Whatever the agreement is.

MR. CHESTNUT: I'm just glad I got it from 15 at least to six, something to where I can get this out of my life. Because the reason why I'm down here is not because the agreement itself, because I got Public Service. And I just can't have -- pay another \$600 by Friday and then pay my

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other bills when I just dropped 550. That's why I'm here.

PRESIDENT DeVITA: We understand your dilemma. We understand your hardship. I think what everybody is saying is, we made three arrangements with you. Nobody wants to see your water cut off, nobody does; not any of us here. The problem is, there were three agreements reached. I mean, I guess we can do this on a case-by-case basis if there's a hardship situation.

COMMISSIONER BAZIAN: I don't think we have a choice but to do it on a case-by-case.

PRESIDENT DeVITA: Which is going to come

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in front of us every time there's a hardship unless they come in front of the finance committee or something like that to make a recommendation.

COMMISSIONER KOLODZIEJ: Do we have to make a decision right now? I really have a legal question to Mr. Hanley. I'm worried about --

MR. GALLAGHER: Commissioners, you have the agreement right now. Nothing will happen until this coming Friday. So there's no action going to be taken.

COMMISSIONER KOLODZIEJ: So we can take an action at the end of this meeting, whatever it's going to be. I really have some serious concerns.

COMMISSIONER LEVINE: I'd like him to stay till the end of the meeting so he gets it. He

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keeps saying he never gets the agreement. He never gets what we say. I want to make sure he gets it face to face.

COMMISSIONER KOLODZIEJ: We're not going to make him sit here for two and a half hours.

COMMISSIONER LEVINE: I'd like to give him everything right now.

COMMISSIONER KOLODZIEJ: Well, then you want to go into closed session right now?

COMMISSIONER LEVINE: I don't want him to

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come back in two months and say I never got the agreement. John Kelly never gave his permission.

COMMISSIONER VANNOY: Who writes up the agreement? Who does the agreement?

MR. GALLAGHER: It's prearranged.

PRESIDENT DeVITA: Hold it. Let me make a suggestion?

Let's go through our regular order here and once we go into closed session, if you have some legal questions, you can discuss it. And there's a lot of attorneys coming today to go over things. We'll have Mr. Chestnut come in and let him know our decision is. He doesn't have to stay for two and a half hours. We can still --

MR. CHESTNUT: If you guys want me to, I can go to lunch and make some phone calls.

MR. GALLAGHER: I have Mr. Chestnut's number. I can call Mr. Chestnut.

COMMISSIONER KOLODZIEJ: Sounds good.

MR. GALLAGHER: I can make sure whatever

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the decision of the Board is relayed in writing.

COMMISSIONER KOLODZIEJ: That's good.

MR. HANLEY: If I can make a suggestion to help expedite things. Get your form that you utilize, fill it in with Mr. Chestnut present, I

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don't know whether it's going to be the 150 plus -- I mean, the 70 plus current or whatever. But whatever it is you do, and then they'll have something concrete to vote on and he will have something in writing right now today and everybody will know what it is.

COMMISSIONER KOLODZIEJ: Sounds good.

PRESIDENT DeVITA: That's fine.

So we'll carry this into closed session. We'll discuss it. There's some legal issues and then we'll have something for Mr. Chestnut today.

Okay?

MR. CHESTNUT: Thank you very much.

PRESIDENT DeVITA: You're very welcome.

MR. AMODIO: Moving on.

We have committee reports.

COMMISSIONER VANNOY: I have a lot to say.

PRESIDENT DeVITA: Again, you'll have your chance. Everybody will have a chance to talk. Let's not interrupt each other. Let's get on with our meeting, okay?

Committee report.

Personnel.

Bob, anything to report?

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COMMISSIONER VANNOY: Yes.

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We were looking to -- now, was that closed session we're talking about the co-op program?

PRESIDENT DeVITA: That's closed session.

COMMISSIONER VANNOY: All right; so.

COMMISSIONER KOLODZIEJ: why is it closed session?

PRESIDENT DeVITA: we talked about in personnel. we talked about a co-op program.

MR. HANLEY: If there's no individuals --

PRESIDENT DeVITA: No individuals.

MR. HANLEY: Then do it in open.

PRESIDENT DeVITA: Go ahead.

COMMISSIONER VANNOY: we were talking and we feel that the co-op program is a good program. Obviously, it will be restricted to kids in college. It will be something, at least be something try to be geared toward the water Commission. We don't want a history major.

PRESIDENT DeVITA: I'm a history major, too, and look at us.

COMMISSIONER VANNOY: Money was allocated in the budget. There's still about \$50,000 left for that program if we choose to reinstate it. So we're fine there.

And I guess, you know, again...

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COMMISSIONER LEVINE: How would that work? How much would they get paid? what's the deal

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with it?

PRESIDENT DeVITA: We have to write up
a --

COMMISSIONER VANNOY: They would only be
here for, I guess, on a part-time basis.

COMMISSIONER KOLODZIEJ: Correct. And we
could mirror what other colleges do with their
co-ops.

COMMISSIONER LEVINE: Commissioners get to
hire?

PRESIDENT DeVITA: No, no, no. The way it
works is kids apply in the normal course for a job
for a co-op program. Their college major has to
be consistent with the water company; science --

COMMISSIONER VANNOY: Biology, chemistry.

PRESIDENT DeVITA: Not a public relations
or history or whatever.

COMMISSIONER BAZIAN: If I may, Mr.
President. There could be some additional majors
that are of use to the Water Commission, for
example, public relations major could be of use to
us in certain ways. When you're talking co-op
program, I'm thinking technology. I'm thinking

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somebody to work on our web site. I'm thinking
somebody who could help us out with maybe our
machines, our technology inhouse, stuff like that.
That's not necessarily water related, per se, but,
again, you get a computer science major in here --

PRESIDENT DeVITA: But it has to be water

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Commission related.

COMMISSIONER KOLODZIEJ: I think management could take on board where the holes are and how they should use it. I think what I'm hearing and I love it, is that the Commissioners are left out. It's strictly to Administration, to put them, whether it be IT or wherever they need it. And I would pray to God we would be able to at least see out of courtesy, the resumes. Even though it's not our choice, I still would like to see the resumes so that in my head I could, you know, evaluate whether Mr. Bella's using the standard that makes sense to me.

PRESIDENT DeVITA: If I may? My suggestion is why don't you let the Administration write up that program for us. We also talked in personnel, I don't mean to jump in, whoever we hire should be interviewed, not just for this program, for everything, by the department heads,

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by the Personnel Director, by the Executive Director, everybody gets interviewed.

COMMISSIONER VANNOY: Basically, three people with three departments, whether department head, Executive Director, and Personnel and that's for all new hires, not just co-cop. Everything that we're doing from here on, interviewed by a minimum of three people.

PRESIDENT DeVITA: We also talked about advertising for jobs.

COMMISSIONER KOLODZIEJ: I hope so,
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because I brought that up at the last meeting, putting it on our web site.

COMMISSIONER VANNOY: I'm sorry, I thought you actually meant we had a job -- yes, in the future.

COMMISSIONER KOLODZIEJ: Get it out there so we get the best of the best.

PRESIDENT DEVITA: We also had a conversation about the CIO.

(Whereupon, Commissioner Sanchez is present at 10:04)

COMMISSIONER VANNOY: I spoke with Mark.

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There is a need for CDL licensed drivers. We're backed up in work and his basic e-mail was that I can't move somebody from front to back, I have to get the people in the order of the job. We do not have enough people with CDL licenses to get this job done.

I spoke to Jim about that. Jim was, like, we want our people that are already here to have the opportunity to get a CDL license. What I got from that conversation was, they, one, usually don't want to take it because it requires drug testing. Okay. They can't pass it. And if we're going to -- we're hurting Passaic Valley Water Commission if we don't have people who have CDLs and we can't hire from inside because for whatever

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means that they don't want to take these tests.

So, again, I just wanted to bring that out and see what we're feeling. We need to hire people or we can make it, I guess, the next people that we do hire have to have CDL licenses or something, because we're getting left back here.

COMMISSIONER SANCHEZ: Can I say? If I -- how do you know that the person they don't want to take it because of drug tests?

COMMISSIONER LEVINE: who did you ask that

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they didn't want to take a CDL?

PRESIDENT DEVITA: One at a time. One at a time.

COMMISSIONER KOLODZIEJ: You have the floor.

COMMISSIONER SANCHEZ: I have a concern here because Jim is saying I don't know who said it, I'm only guessing. I don't recall. I got here late, I guess, I don't know. But the thing is who says that the reason they won't take it because of a drug test?

MR. GALLAGHER: There's no one specific reason. A number of people have a very difficult time with the actual test.

COMMISSIONER SANCHEZ: Hold on. Commissioner from Paterson said you told him that the reason they won't take it was because of drug testing. This is a big issue.

COMMISSIONER VANNOY: Let me just say it like this. Jim said one of the reasons that they

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probably don't want to take it is because of drug testing. No one in particular, but that's the way he put it out there.

MR. BELLA: That's not the only reason.

COMMISSIONER VANNOY: No, that's one of

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the reasons.

MR. BELLA: Right, right.

MR. GALLAGHER: Commissioners, the most significant reason --

MR. HANLEY: This has to be clarified. I'm sorry.

COMMISSIONER KOLODZIEJ: Good. Thank you, George.

MR. HANLEY: With all due respect.

PRESIDENT DeVITA: Go ahead.

MR. HANLEY: This is hearsay upon hearsay upon hearsay. And it's a serious assertion. And it shouldn't be on the record in this fashion without clarification. And what I'm hearing is nobody has any solid basis for believing that anybody who's not taken the test for that reason, i.e., fear of a drug test.

Now, if I'm wrong about that, tell me. But if I'm right about it, I suggest that you phrase things differently.

So I don't hear anybody telling me I'm wrong.

PRESIDENT DeVITA: George, I don't think you're wrong at all.

get back to our dilemma.

We don't have enough people with a CDL license. I like the suggestion about advertising, but I don't know if we have any openings for new personnel, you know, saying you have to have this license otherwise you're not going to be hired.

The only other alternative you might have is if we pay other employees to take additional courses and they are done, is there anybody --

COMMISSIONER VANNOY: There is a program.

COMMISSIONER KOLODZIEJ: That's what I'm thinking. So nobody in that program --

COMMISSIONER VANNOY: Let's let Jim.

COMMISSIONER KOLODZIEJ: All right.

COMMISSIONER VANNOY: Take the floor here.

MR. GALLAGHER: Commissioners, in the contract there is a stipend for people to have CDLs. The problem is there's endorsements on the CDLs now. The endorsements are where we have the difficulty. One of them is for driving with a trailer, both the heavy load and the trailer. It is a rather arduous test in the sense that it does -- there's some mathematical formulas that have to be applied. A number of our employees have issues of being able to pass that portion of

the test.

PRESIDENT DeVITA: Can I clarify

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something?

MR. GALLAGHER: Yes.

PRESIDENT DeVITA: Have any of our employees said we're not going to take the test because of drug issues? Has it come up?

MR. GALLAGHER: I have one employee, not for the sake of taking it because of the drugs. He had the fundamental question about his rights being violated.

MR. HANLEY: See, I have to caution you. This is sheer speculation. You can't be saying these things on the record.

MR. GALLAGHER: With all due respect, this is what was said to me by the employee.

MR. HANLEY: That he had a concern. He didn't say a concern about a drugs.

MR. GALLAGHER: Not a concern about drugs.

MR. HANLEY: Thank you.

MR. GALLAGHER: He had a concern. He felt as though he did not want to have any testing done but he's opposed to it universally, not just in this fashion.

COMMISSIONER SANCHEZ: Thank you for the

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clarification.

COMMISSIONER KOLODZIEJ: One more quick question and then I'm done.

There's a whole pile of new hires here. On here I see new hires. Why do I have to rush into that when I really need somebody with a CDL

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license? Why can't I advertise now for somebody that has or will have a CDL license?

COMMISSIONER VANNOY: There's only two new hires.

COMMISSIONER KOLODZIEJ: Well, the bottom line is I'm ready to hold up this to get what I need. It makes more sense to me than to move on something -- this is imperative. I mean, any municipality that doesn't have anybody to do the work they need to do with a CDL license, this is trouble. You're telling me we're in trouble because we can't get people from here to here.

So I'm ready to table these two new hires and go out and advertise for somebody and see what kind of response.

MR. GALLAGHER: If I can, one hire is for the laboratory. And there's no requirement.

COMMISSIONER KOLODZIEJ: All right. What about the other hire?

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MR. GALLAGHER: The other hire is a laborer.

COMMISSIONER KOLODZIEJ: That's what I'm saying. At this point in time, unless this laborer has a skill that Joe needs, which is spelled out what they need, you know, go advertise for somebody that has this qualification.

COMMISSIONER LEVINE: I would like to see personally the people that Jim actually proposed taking the CDL and make sure, just because it's in the union contract doesn't mean that these

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employees actually know that they're able to; maybe a posting, a list of employees that got an e-mail or something with a paper trail that says, we're asking you to take the CDL and see verbal denial, no, I do not wish to take this rather than --

MR. GALLAGHER: Commissioner, I can show you a number of occasions where we've taken the employee, they've taken the test, they failed the test.

COMMISSIONER LEVINE: You said people don't want to do it. There's a difference between saying they don't want to do it and people failed the test.

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PRESIDENT DEVITA: We're beating this to death.

COMMISSIONER KOLODZIEJ: I think we can probably do the same thing, if there's enough consensus here to post the job, both internally and out, you know, we're both going to get what we think--

COMMISSIONER LEVINE: I'd rather not post it out. I'd rather post it internally for a little while and see what comes up internally and then personnel can review those people and then if we have to go outside, we can go outside.

COMMISSIONER SANCHEZ: I think, I agree with the gentleman from Paterson. I think we should do that internally first.

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COMMISSIONER KOLODZIEJ: All right. Can we put a time frame on that? Give it two weeks, post it for two or three weeks?

COMMISSIONER LEVINE: Yeah. Post it for two weeks. But it has to be where every employee, you know, I don't know where the posting center, how it goes for the internal employees, they need to see it and I want to see the applications that come in or the people that request, not the verbal. This guy must apply in writing so we have

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a track record and we can see who applies for this.

PRESIDENT DeVITA: You're going to post an announcement for all employees.

MR. GALLAGHER: When you say "all employees," I assume you're talking about the employees in distribution.

PRESIDENT DeVITA: Not lab. You're going to post that announcement, correct?

COMMISSIONER LEVINE: What is it we pay?

MR. GALLAGHER: We pay for both.

PRESIDENT DeVITA: We pay for the test.

MR. GALLAGHER: The difference between your normal driver's license and your CDL with endorsements, normally, right now I believe it's \$21. We pay that.

COMMISSIONER VANNOY: There's also extra money when they get the CDL license.

COMMISSIONER LEVINE: There's extra money.

MR. GALLAGHER: We also provide them the

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vehicle to go to take the test. They need to drive one of our larger trucks. There's also a stipend of \$500 that's paid in December every year for anyone who retains or obtains a CDL in any given year.

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PRESIDENT DeVITA: Let me make a suggestion. We got another meeting in July. Instead of saying two weeks, why don't we just --

COMMISSIONER LEVINE: Post it for two weeks and we'll give an answer the next meeting on where we're going.

PRESIDENT DeVITA: Next meeting, Jim.

COMMISSIONER LEVINE: I want all the particulars written up. Do they get an increase in salary?

MR. GALLAGHER: Five hundred dollar stipend.

COMMISSIONER LEVINE: Just a stipend?

COMMISSIONER KOLODZIEJ: It's a monetary incentive.

PRESIDENT DeVITA: Jim knows what the policy says. He'll take care of it.

Come on, one at a time.

COMMISSIONER BAZIAN: I apologize, Mr. President, I want to go back to the co-op program.

I'd like to suggest, in addition to writing up the co-op program, that we get a list of co-op positions here.

In other words, rather than doing this on

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the fly, let's plan it. Let's see what kind of

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positions we have and work off a list.

PRESIDENT DeVITA: Okay. We can go through all the departments. You weren't here. We said we were going to write a program up with Administration about our co-op program and people that can fill the needs.

MR. GALLAGHER: Mr. Bella and I had a conversation on some of the positions.

PRESIDENT DeVITA: The department heads and supervisors and you guys can say what areas you need this in.

COMMISSIONER BAZIAN: I'm suggesting we find the need before the people.

COMMISSIONER LEVINE: We didn't vote on the co-op program. We have to look at the program and see. I want to know --

COMMISSIONER KOLODZIEJ: Exactly. He's just clarifying.

COMMISSIONER LEVINE: It seems like they're writing it up like I voted.

PRESIDENT DeVITA: No, no.

COMMISSIONER LEVINE: I want to know how the people are going to get hired. How many hours. How much they're getting. We're talking about hires and everything.

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PRESIDENT DeVITA: No, no. We're talking about a program. We're bringing a program back.

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COMMISSIONER LEVINE: I don't remember the program.

PRESIDENT DeVITA: That's it, Bob?

COMMISSIONER VANNOY: Yes.

PRESIDENT DeVITA: Finance.

COMMISSIONER LEVINE: We went over the audit. Steve Wielkocz came in. Some of the problems that Steve saw, we need a fixed asset inventory. We have to get somebody to get a fixed asset inventory, which we agreed on, which would make Yitz's job more productive. Because he said a lot of the numbers are off that we're handing into the State and us. Everything is off. He said he couldn't blame it on Yitz. He said he couldn't blame it on the computer system a hundred percent. Probably a combination of everything. But he said Yitz would work a lot easier if we had a new computer system, we can put everything in categories, like, that are affiliated with water. You know, there's certain water systems -- the computer systems that work well with water.

MR. BELLA: Computer system should be, you

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know, so that it will generate numbers that match what the State requires.

COMMISSIONER LEVINE: That's what I said at the beginning. He said that partially that's accounting problems, Yitz's problem, too, and they have to look, he said and a computer problem. So,

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he said we do both and Yitz is more on top of it and everything, we'll get it where everything matches. He said, also, all accounts in the system need to be analyzed and gone through and make sure everything makes sense.

And the last thing, which we talked about, I mean, we went over overtime with Mike Ciolino, which we're working on. The big problem with the overtime is the six day work schedule. These guys have a six day work schedule, which is not in the union contract is what he's saying, but we're giving them. It's saying they may work a six day schedule and there's no need for that. I looked at it. I said it's a waste of money. It's costing the Commission a lot of money. I'm trying to get rid of the six day work schedule. whether it's bring back a part-time employee for that six day work schedule or it's, you know, just alter guys where there's two days, they have two days

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during the week off and they work Saturday and Sunday. We're working on that.

Last thing, September, we want to start September 1st a surcharge for after hours from 8 to 4. If someone wants their water turned on after our normal operating hours, it's \$150 surcharge. A lot of people will wait till the morning to do it, whether it's a Saturday or Sunday. I'd rather --

PRESIDENT DeVITA: After hours and weekends?

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COMMISSIONER KOLODZIEJ: Yes, and weekends.

COMMISSIONER LEVINE: Normal working hours when we turn things on, like our laborers, not our Customer Service hours. It would be 8:00 to 4:00 Monday through Friday. After that hours, we want to implement a \$150 charge just like United Water and everyone else does.

PRESIDENT DeVITA: A surcharge?

COMMISSIONER LEVINE: We have to pay our employees four hours overtime in order to turn it on.

MR. BELLA: That would also go for things like if they have a stripped valve or a plumber

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comes in to do the work and they can't get inside the house.

COMMISSIONER LEVINE: whatever they have to come out for.

COMMISSIONER BAZIAN: We had said anything non-emergency.

COMMISSIONER KOLODZIEJ: Correct.

COMMISSIONER BAZIAN: That was the key. Whenever we send somebody out, it's not an emergency, it's being done off business hours, there would be a surcharge.

COMMISSIONER LEVINE: If it's an emergency, if it's their fault or it it's ours, but if the emergency is leaving a family without water they should get charged \$150 for getting it

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turned on because it was their fault for not paying the bill.

PRESIDENT DeVITA: They caused that.

COMMISSIONER LEVINE: They caused it. If we caused the emergency, our pipe blows, then, no, of course there's no charge.

PRESIDENT DeVITA: Anything other than Monday through Friday 8:00 to 4:00 turn on non-emergent matters.

COMMISSIONER LEVINE: Non-emergency

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matters due to us.

PRESIDENT DeVITA: Not through PVWC.

COMMISSIONER LEVINE: Right, not through PVWC.

PRESIDENT DeVITA: Hundred fifty surcharge.

COMMISSIONER LEVINE: We would like to start September 1st. We were going to send letters out for everybody in their bill notifying them on the bottom of the bill put a little notation so everybody knows and start September 1st.

PRESIDENT DeVITA: That's because we pay our people overtime.

COMMISSIONER LEVINE: Yes, four hours.

PRESIDENT DeVITA: Do we have to vote on that? The surcharge, if we want to enact it --

MR. HANLEY: Yes. I mentioned that. We need someone to give me a memorandum laying it out and I'll reduce it to a Resolution.

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PRESIDENT DeVITA: So if we adopt that we'll have a Resolution for the next meeting.

MR. HANLEY: I view it as akin to a rate change.

PRESIDENT DeVITA: "Akin."

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MR. HANLEY: Maybe I'm being overly conservative, but what's the harm.

PRESIDENT DeVITA: I agree with you.

COMMISSIONER KOLODZIEJ: Exactly, exactly.

PRESIDENT DeVITA: So we'll vote on it today and wait for the Resolution.

COMMISSIONER LEVINE: I want to vote on it today.

COMMISSIONER KOLODZIEJ: I would move that we direct legal to present it to us in writing --

COMMISSIONER LEVINE: I'd rather vote on it today. If we vote on it today and then get the letters out and --

MR. HANLEY: If I may, that's my point. I believe I mentioned that to the committee as well. We need to reduce it to writing so we're absolutely clear on it. I think there's some details that need to be refined. So I would suggest you could vote, but you don't need to -- you're authorizing us -- the way I interpret this, you're authorizing us to proceed to reduce it to a proper written document and a Resolution which will give you or give finance or whoever does that, all the information, Customer Service, that

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it's clearly laid out and explained.

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PRESIDENT DeVITA: Okay.

COMMISSIONER KOLODZIEJ: And that's what the motion is made.

PRESIDENT DeVITA: So is that a motion?

COMMISSIONER KOLODZIEJ: Motion by me.

MR. AMODIO: Motion by Commissioner Kolodziej.

COMMISSIONER LEVINE: Second.

MR. AMODIO: Second by Commissioner Levine.

This is to have a Resolution drawn up for the July meeting for the surcharge.

PRESIDENT DeVITA: Correct, as discussed.

MR. AMODIO: As discussed.

On the roll.

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

MR. AMODIO: Motion approved.

COMMISSIONER LEVINE: Last thing that we talked about in finance was the Millennium Strategies. Eddie Farmer came in and discussed it. He spoke to us about the salary's getting cut to 4,000. The reason we were, you know --

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PRESIDENT DeVITA: What was cut?

COMMISSIONER LEVINE: Normally charge
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6,000 or 5,000, I believe. It's going to be 4,000 a month.

The reason we're going to actually recommend Eddie, he's in the middle right now of negotiating security contracts with us for another 250 to 500,000. It's going to cost us 48,000 a year right now and once momentum stops on that security, nobody is working on it, we're going to lose that \$250,000 grant. If he actually, in his own words says, "If I don't get you the \$250,000 grant next year, then I have failed." He goes, we're in the middle of it exactly right now, he said between, I plan on getting this, just on security. That's not focusing on energy. He said that's not focusing on anything outside the spectrum, which he believes he can get us, you know, from some energy grants and some other grants. And right now, you know, the consensus of the Board was that you have to finish this security grant, because if we don't, then we're jeopardizing losing another \$250,000. So it's up to you guys, Commissioners, what you feel we should do. But that was the consensus when we

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were discussing it in finance.

COMMISSIONER KOLODZIEJ: If I may, Mr. President.

One of the other items, because I was looking for further reduction, but last time when we were eligible to put in a grant application for

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energy, our staff was not ready with the kind of documentation that was needed.

I specifically asked Mr. Bella if we are in a position to give him things to go before the few remaining places where you can get energy grants, and the answer was yes.

So we are now positioned in two areas, security plus energy, because of the work that's been done by Administration.

COMMISSIONER BAZIAN: And just, if I may, also, Mr. President.

I specifically requested, given what we're looking at in terms of technology expenditures that we're going to be making, I asked Mr. Farmer to keep a very sharp eye out for anything for, any kind of grants for technology. He does not think at this point that there's anything out there, at this point, but he would do that in addition to the other things that he's doing.

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Quite frankly, anything that we can get in here to help us on the technology side is going to be a good thing.

COMMISSIONER SANCHEZ: So, Mr. President, what I hear from the finance committee is there's a consensus to go ahead and hire Millennium.

PRESIDENT DEVITA: Four thousand a month.

COMMISSIONER BAZIAN: We had said initially when we were going through it originally what he was currently working on, we wanted him to continue working. That was the securities. So

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that was the consensus of the Board to begin with. Now, we know what that means. It means, he said at the meeting flat out, if I don't come in with at least 250 or 500,000 over the next 12 months, don't rehire him.

COMMISSIONER LEVINE: "I failed."

COMMISSIONER BAZIAN: "I failed and don't renew my contract." That's what he said. That's a five to one ratio. It's a five to one ratio. I mean, I don't know how we can leave that on the table.

PRESIDENT DEVITA: Anybody else?

COMMISSIONER SANCHEZ: I make a motion.

PRESIDENT DEVITA: The motion is to hire

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Millennium Strategies.

MR. HANLEY: To accept a proposal.

PRESIDENT DEVITA: That's a proposal brought out in May.

MR. HANLEY: Pursuant to the fair and open process, and you've been, you know, considering those proposals and what you're saying today is we choose to select Millennium and adopt their proposal pursuant to their contract.

Do you have the project number by any chance?

MR. AMODIO: I think it's 16. Mr. Duprey, you have those resolutions?

Mr. Hanley, we have those resolutions if you'd like Mr. Duprey to just prepare it and bring

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it in.

MR. HANLEY: Yes. Bring it in to the regular order --

MR. AMODIO: Okay.

COMMISSIONER BAZIAN: Just, for the record, I asked of Mr. Hanley, I said, we had done a motion to reject and it was rejected and his response to me was, you can change your mind. So I just want to make sure we were covered in that respect.

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MR. HANLEY: You followed the appropriate process. There are no material changes in that process, either the RFP or the proposals, and you now reconsidered based on the reasons that you stated here and so there's nothing to prohibit you from adopting that proposal notwithstanding the earlier action.

MR. AMODIO: When that is ready, we'll move it to regular order of business.

PRESIDENT DeVITA: It's not ready right now?

MR. AMODIO: No. It is in form, it just has to be -- I guess the amount has to be changed.

PRESIDENT DeVITA: Can we vote on it now or not?

MR. HANLEY: Yes.

Do you have it in front of you?

MR. AMODIO: No, I don't.

PRESIDENT DeVITA: We'll vote on it in a minute.

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MR. AMODIO: We'll move it to regular order of business.

IT/Security.

COMMISSIONER KOLODZIEJ: Yes.

Commissioner Vannoy and Bazian and I had a very

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pleasant visit with the Sheriff's Department yesterday. We came out very hopeful that we're close to a proposal that will ensure continued enhancements to our security at considerable cost savings.

In two weeks the Sheriff will get back to us with that proposal in writing for the rest of the Commission to look at it. And in the meantime, Mr. Hanley and Mr. Gallagher will be helping the committee straighten out, when you're entering into partnerships with other existing agencies, there is a couple of issues.

So, in those two weeks we're asking both Mr. Gallagher and Mr. Hanley to address those issues so that when that proposal comes back, we'll be in a position.

PRESIDENT DeVITA: We'll list this for July.

COMMISSIONER KOLODZIEJ: Definitely, definitely.

PRESIDENT DeVITA: To vote on.

COMMISSIONER KOLODZIEJ: He gave us a time frame of two weeks.

COMMISSIONER VANNOY: Was it two months?

COMMISSIONER KOLODZIEJ: No, no. I think

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two weeks for the proposal and then --

COMMISSIONER VANNOY: No, two months.

COMMISSIONER KOLODZIEJ: I have to go back to my notes.

COMMISSIONER VANNOY: He wanted to go visit the plant.

COMMISSIONER KOLODZIEJ: So within two weeks he's going to visit the plant and in two months he'll have a proposal.

COMMISSIONER VANNOY: Yes. He said he would have something up and running, everything on the table within two months.

COMMISSIONER KOLODZIEJ: It would be a proposal.

PRESIDENT DeVITA: So, we're going to keep paying what we're paying?

COMMISSIONER KOLODZIEJ: Yeah, but it makes sense because there's considerable savings; considerable.

COMMISSIONER VANNOY: He's going to give us a proposal. When we talked to him, he was under the impression he could definitely do everything we wanted him do and save us money.

PRESIDENT DeVITA: It certainly helps because this is years, years --

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COMMISSIONER KOLODZIEJ: There's no two people more concerned, however, I need to credit

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our internal committee, Mr. Bella, and whoever else he had working on this, because they have come forward with some forward thinking ideas that just meshed into what the Sheriff was talking about. I'm just saying, George, just know internally our own people have been working on this. So that kind of cooperation is going to produce the cost savings.

PRESIDENT DeVITA: I look forward to that.

MR. HANLEY: Just for clarity, I don't have specifics, right?

COMMISSIONER KOLODZIEJ: No, because we just got finished yesterday. Before I leave today I'll go over that. One is personnel related and one is related here; but.

PRESIDENT DeVITA: Next is Internal/External.

COMMISSIONER BAZIAN: I'm sorry, IT.

PRESIDENT DeVITA: I'm sorry, I forgot you.

COMMISSIONER BAZIAN: We're dealing with issues on our e-mail retention. Our e-mail server is quite full. We're working on strategies like

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this so we can move e-mails off the server and still complying with retention requirements and being able to search it properly. So we're working on that.

Probably the most significant thing that we're dealing of immediate import is we're

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considering proposals from our IT vendor on something to do with the interim that can move us forward and increase stability amongst our aging server infrastructure. Okay. And we're working hard on that.

I'd like to extend kudos to Mr. Gallagher and our vendor. I'm now seeing things moving forward a lot faster than I was seeing in the past. We are in a situation right now, technologically, where things have to move forward. Our backs are to the wall on certain issues. And I've been very concerned for a long time. Things seem to be moving. Our vendor seems to be skilled. I may not necessarily agree with all the suggestions as a technology professional, but at least he's coming forward with ideas and we're discussing them. And that's more than we had in the past. So, I think we've definitely taken a large step forward and I'm actually seeing

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the light at the end of the tunnel, I just hope it's not the light of an oncoming train.

MR. AMODIO: Internal/External Affairs. Commissioner Rodriguez is not here. She did say she's been busy in the summertime, she will --

COMMISSIONER VANNOY: How about right now? She's walking in.

MR. AMODIO: Oh, here she is.

(Whereupon, Commissioner Rodriguez is present at 10:27)

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PRESIDENT DeVITA: Internal/External
Affairs update.

COMMISSIONER RODRIGUEZ: Well --

MR. AMODIO: I told them you've been busy.

COMMISSIONER RODRIGUEZ: Yeah, I'm sorry.

PRESIDENT DeVITA: If you have nothing.

COMMISSIONER RODRIGUEZ: No, no, I do. I
meant to call Commissioner Bazian because I
know -- well, I believe Ed Farmer came in, so that
was --

PRESIDENT DeVITA: We went through all
that.

COMMISSIONER RODRIGUEZ: Excellent.

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And we're waiting for Bill Zurynetz to
come in in front of the IT committee. I guess
that will be next month. Everybody's been overly
tasked with meetings. And still looking into the
bill. It's been crazy down there with pension and
reform. But now, bill for -- North Jersey. I've
already spoken to people in Newark but now the
summer is a good time and we're going to draft
something and talk about it.

PRESIDENT DeVITA: Great. Great. Okay.
Policy.

MR. AMODIO: We just have rotating of the
presidency.

COMMISSIONER KOLODZIEJ: Commissioner
Bazian had asked for time so he can address his

questions. Those of us involved in that discussion had given him our side of the coin. He disagrees with this, but I think we're ready to take this on the table.

So I'm going to move that we establish -- reestablish, since we used to have it, the policy of a rotating presidency.

PRESIDENT DEVITA: Commissioner Bazian.

COMMISSIONER BAZIAN: Yes, Mr. President.

My concern is not with the issue of a

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rotating presidency. I want to be very clear on that. My issue is formalizing it in such a way in that it theoretically limits our choice. I have a concern based upon the Articles of Agreement. The Articles of Agreement specifically state that the President is chosen from the members of the Board, not from a subset of the members of the Board. If we are going to amend the Articles of Agreement that requires formal action on behalf of all of our member cities. If we are not going to amend it, this is just a statement of, gee, we'd like to do this then, in effect, what we're doing has no import of law and should not be done because it's useless.

I spoke to, and, George, tell me if I'm misstating anything, have I misstated anything?

MR. HANLEY: No.

COMMISSIONER BAZIAN: Okay. George agrees with me on this.

So, again, I don't have a problem with the
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idea of a rotating presidency. I do have a problem with reducing it to writing. I don't think it's in keeping with how we are legally put together. That is my concern; so.

PRESIDENT DEVITA: Do we need an opinion?

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COMMISSIONER LEVINE: Can we get a legal opinion?

COMMISSIONER KOLODZIEJ: Can I just jump in here?

COMMISSIONER BAZIAN: Yes.

COMMISSIONER KOLODZIEJ: I would like the courtesy of being able to do that. However, Mr. Hanley, are you saying that for the years that I was here and we had this policy, that that policy was in violation of the agreement that puts us in this situation that we are?

MR. HANLEY: No.

COMMISSIONER KOLODZIEJ: I'm just saying right off the bat going back to a policy that we had.

MR. HANLEY: No, I'll explain it.

PRESIDENT DEVITA: Go ahead.

MR. HANLEY: What Commissioner Bazian stated, the only thing that binds procedurally and has the force and effect of the policy of the agreement, you can choose to pass a Resolution that's sort of like a sense of the Congress, if you will. It has no binding effect legally and you can take a vote ten minutes later contrary to

it and that would make your prior Resolution null

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and void.

COMMISSIONER SANCHEZ: which has happened in the past.

COMMISSIONER RODRIGUEZ: That stinks, you know, I was going to be the President next year and now I can't.

COMMISSIONER BAZIAN: Nobody is saying --

PRESIDENT DEVITA: One at a time.

MR. HANLEY: I think the essence of the law --

COMMISSIONER RODRIGUEZ: That's the worst news I heard all day.

PRESIDENT DEVITA: George, go ahead.

MR. HANLEY: The essence of the law is that you cannot legally bind yourself to anything prior to the time that you make the legal deliberation and the selection of the reorganization.

COMMISSIONER KOLODZIEJ: All right. But I'm asking you is, the procedure that I was accustomed to when we got here, I just need a yes or no answer, was that in violation all those years that that was --

COMMISSIONER RODRIGUEZ: I think it was just courtesy.

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COMMISSIONER KOLODZIEJ: That's what I was asking. Just get back to simple courtesy. I

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don't know what courtesy is anymore.

MR. HANLEY: Precisely what procedure are you referring to?

COMMISSIONER KOLODZIEJ: Because I can refer back to the procedure that existed where we had a rotating presidency and it might have just been a courtesy, Commissioner, but, you know, Paterson would have their turn. Passaic would have their turn. But for seven years, the City of Clifton never had the courtesy of having a President until this year.

MR. HANLEY: First of all, if it was a practice at all --

COMMISSIONER KOLODZIEJ: It was.

MR. HANLEY: The exception was the rule. Secondly, it was never legally binding at any time.

COMMISSIONER KOLODZIEJ: All right. So what do we have to do, those Commissioners who want to be courteous and, you know, respect the fact that there are three owner cities and the presidency should be rotated, what mechanism, rather than, since it can't be a formal policy,

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would you recommend?

COMMISSIONER SANCHEZ: Going out to dinner.

MR. HANLEY: There is no procedure that you can effectuate on your own to bind this body going forward.

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COMMISSIONER KOLODZIEJ: I don't want to bind. So, in January of next year, if I want to be courteous, it's Paterson's turn.

MR. HANLEY: That's up to you.

COMMISSIONER KOLODZIEJ: I wish you would have told us this two meetings ago, George.

MR. HANLEY: You didn't ask me.

PRESIDENT DeVITA: Guys, wait a minute. Wait a minute.

COMMISSIONER KOLODZIEJ: We've been discussing it, George. This Commissioner had questions, so now --

MR. HANLEY: No Commissioner has ever discussed it with me.

COMMISSIONER KOLODZIEJ: Oh, I think you have.

PRESIDENT DeVITA: You got it.

COMMISSIONER LEVINE: I'm looking at the same thing, Democrats get the presidency maybe

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three, four years in a row and then a Republican comes in and violates the rights. It's your right as a citizen. I mean, there's a good possibility Passaic may not want Paterson, just like this year.

COMMISSIONER RODRIGUEZ: They want me.

PRESIDENT DeVITA: Can I?

COMMISSIONER LEVINE: This year we went for President --

PRESIDENT DeVITA: Hold on. Hold on.

COMMISSIONER LEVINE: we didn't get it.

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COMMISSIONER KOLODZIEJ: We can't make a policy.

PRESIDENT DeVITA: We really shouldn't have a policy, but it's up to the Commissioners when they vote.

COMMISSIONER VANNOY: Out of courtesy.

MR. HANLEY: I don't want to be misunderstood. There's nothing illegal --

PRESIDENT DeVITA: No, I know.

MR. HANLEY: -- About you adopting a policy. It has no binding affect under the law.

COMMISSIONER LEVINE: Realize when it's Clifton's turn --

COMMISSIONER KOLODZIEJ: You can recognize

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that.

COMMISSIONER RODRIGUEZ: So we got it clear who's going to be the President next year?

COMMISSIONER SANCHEZ: We can vote on it now?

PRESIDENT DeVITA: It's 10:30. We're up for Executive Director.

Let me ask you a question, everybody. Hold it. We have three attorneys charging outrageous rates. Do you want to go into closed session? What's everybody's pleasure? Have the attorneys discuss whatever they have to so we can get them out of here, with all due respect.

What's everybody's pleasure, guys?

COMMISSIONER SANCHEZ: I'd like to do

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that.

PRESIDENT DeVITA: Closed.

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

COMMISSIONER SANCHEZ: Motion.

COMMISSIONER KOLODZIEJ: Second.

PRESIDENT DeVITA: Motion by Commissioner Sanchez.

Second by Commissioner Kolodziej.

Pursuant to the Open Public Meetings Act, Commissioner Sanchez offers the following

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Resolution for adoption:

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a 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:

1. The public shall be excluded --

MR. HANLEY: Do we need to add --

MR. AMODIO: The only thing we're going to add is the Route 46 DOT and the matter of Mr. Chestnut.

The public shall be excluded from discussion of the hereinafter specified subject matters; the general nature of the subject matter being: Financial, Insurance, Personnel, Contracts, Negotiations, Security, under Law we have Filters - Leopold/Prismatic; Lodi v. PVWC;

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North Arlington v. PVWC; Delford Gardens v. PVWC;
Santiago v. PVWC; Dillard v. PVWC; Coakieanos v.
PVWC; Hunziker v. PVWC; Jones v. PVWC; Raffaele v.
PVWC; Rivera v. PVWC; Caratenuto v. PVWC;
Summary/Aging Reports; Quarterly Reports;

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Collection Matters, Fishing Program. Under
Personnel, Appointments: Lilia Negrete -
Accountant; George Lewis - Industrial Hygienist;
John Kelly - General Supervisor Water; Edgar
Alicea - Senior Lab Tech, Water Analyst; Andrew
Saskowitz - Senior Lab Tech, Water Analysis; New
Hires: Hope Jorda - Laboratory Technician, Water
Analysis; Jose Diaz, Jr. - Laborer.

Administration: Four Seasons at Great Notch -
Expansion of hours - Reservoir Road; Business
Process Review and IT Strategies; DOT Project
Route 46; Mr. Chestnut; and any other matters as
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 discussion no longer
exists.

3. This Resolution shall take effect
immediately.

Second by Commissioner Kolodziej.

On the roll.

(Roll call was taken, all Commissioners

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respond in the affirmative)

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MR. AMODIO: The time is 10:40 a.m.
Gentlemen, please close the door.

(Recess)

MR. AMODIO: Reconvene public session.
On the roll.

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

MR. AMODIO: The time is 11:47.
You have a quorum.

I believe we have a member of the public
that wishes to be heard.

I don't know if they're still here.

MR. BELLA: George, dealt with them. It
was one of the contractors.

PRESIDENT DeVITA: Okay. Executive
Director's report?

MR. BELLA: Just to give you a report.
Operations, over the last couple of weeks we've
had some problems on the electrical system.

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They've been dealing with it. It's still puzzling
on how, the effect why it's -- it's a pretty

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complicated system. We got our people working on it. We're pretty confident now that it's really arcane, kind of high-tech problem that's causing, you know, one of our breakers to fail and that's what's causing the plant to be knocked out two or three times in the last couple of weeks.

We're working hard on the filters. The contractors are working well there. They're doing the job. We have two or three, at least two or three sets of eyes on there.

Leopold, so far, seems to be doing everything that they promised us.

MR. HANLEY: So far.

MR. BELLA: So far.

And --

PRESIDENT DeVITA: Joe, can I ask a question?

Hydroelectric turbine, all units out of service.

MR. BELLA: That's correct.

PRESIDENT DeVITA: What is that?

MR. BELLA: That's what the specifications we're sending out to have repaired.

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PRESIDENT DeVITA: Okay. So it's okay that they're not working?

MR. BELLA: No, it's not. The specs, remember, we've been bidding this for six months now, at least, trying to get bidders to come in and not been successful in getting bidders and

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hopefully --

MR. DUPREY: We've done extensive modifications to the bid documents in an effort to try to appeal to these contractors and hopefully, we'll get some bidding.

MR. BELLA: The other issue that we're working on is the electrical procurement specs. The electrical market is going in our favor right now. So it actually is beneficial to us to hold off bidding and working with our electrical engineer, market engineers, so to speak, consultants, to help us set up a new way of specifying, to get more bidders. We're only getting one, maybe two bidders. We're hoping to figure out a way to get more competition. It's really an interesting market and it's an interesting time. So this will be, I think, a big benefit to us.

PRESIDENT DEVITA: To go out to market?

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MR. BELLA: For us to go out to market. The timing is great because energy prices are coming back a little bit. So we'll be out to market probably within the next two to three months and we'll have a new set of specifications. I really think, especially with the finance committee going over that whole issue, it's just an interesting endeavor.

PRESIDENT DEVITA: Okay. Good.

Of those of us who are here and not out of the room, does anyone have any questions of Mr.

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Bella?

COMMISSIONER KOLODZIEJ: No.

MR. AMODIO: Moving on.

We have the insurance services.

COMMISSIONER VANNOY: One second. There's a still lady outside. I asked Jim to go.

PRESIDENT DeVITA: She's still here?

MR. BELLA: I went out to -- I got crossed up. I thought it was a contractor.

COMMISSIONER KOLODZIEJ: In the meantime, can I, Mr. Chairman, on the letter from the insurance. Passaic, Clifton, and Paterson, owner cities, will be all in the same position. It's my understanding that Passaic is currently undergoing

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and utilizing as is the City of Clifton.

This agency will not pay for the testing of the water pressure. They will be billing the owner cities at, I think it was like, I'll let Joe come back with the number, but it was very high, like, \$3,500 and they wanted to test 25 different sites. So the only alternative for the city, any city, yours, ours, or theirs, would be to go by the last time this was done in 1998.

We have done, meaning the Commission, has done a tremendous amount of work increasing pressure in the ability to do that. City of Clifton is now rated a three. We have the ability to go to two, which would translate to a cost savings of every single business owner, homeowner,

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here in the city. So, I need direction as to whether we could waive those fees.

PRESIDENT DeVITA: So that will save all of the owner cities?

COMMISSIONER KOLODZIEJ: Correct. And your businesses and your --

MR. BELLA: I don't want to take that upon ourselves.

COMMISSIONER KOLODZIEJ: It belongs here, Joe. We'll talk later. I just wanted to fill you

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in.

PRESIDENT DeVITA: Yes, ma'am. Can we get your name and address, please, ma'am?

MS. HARPER: Kelly Harper, 204 North First Street.

PRESIDENT DeVITA: Okay. Miss Harper, what do you want to tell us?

MS. HARPER: My water bill. I had received a water bill for \$1,150 and I want to know how come it was that high. Nobody was in the house in January or February and my bills are paid. I had a zero balance. So now all of a sudden, my bill just went sky high.

PRESIDENT DeVITA: Was this your last bill?

MS. HARPER: Yes, yeah.

PRESIDENT DeVITA: For like the last three months?

MS. HARPER: Yes.

PRESIDENT DeVITA: Is this a one-family

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house?

MS. HARPER: Two-family. And there was nobody on the first floor for almost two months.

PRESIDENT DeVITA: So did you call up and ask?

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MS. HARPER: They said that's what my meter is reading.

PRESIDENT DeVITA: Okay. John, what can we --

MR. KELLY: I went to the building on 5/17 of this month, I just got to get the paper, with Andy Bisesi.

5/17, the bathroom sink has been leaking continuously.

MS. HARPER: It's not a serious leak. It's just drips.

PRESIDENT DeVITA: Ma'am, just, we'll give you a chance, don't worry.

MR. KELLY: Leaks. So if it leaks seven days a week, 24 hours a day, three months out of the year, the meter is continuously spinning.

PRESIDENT DeVITA: Ma'am, please. You'll get your turn. Don't worry.

MR. KELLY: So we did a history.

2/10/11 to 6/10 so I ran a consumption report. The consumption was 42. The one she's complaining, 699.

PRESIDENT DeVITA: From 42.

MR. KELLY: No, the last one was 42. So

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699 a quarter ago, now 42.

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COMMISSIONER BAZIAN: Dollars.

MR. KELLY: No units. Six ninety-nine to 42, so that tells me something was fixed.

So I go back and look at, before the 699 it was a 140. And it was 47, then went to 155. So it was fluctuating back and forth. I see 155, 140. That's high. But it's a two-family house. It's a rental property. So I don't -- it was tested by Mark Romain, read, and the meter's here. Actually, the water went through the meter. When I went the kitchen sink, Andy Bisesi said the sink was leaking. The drips, the meter will run continuously by speed dial.

PRESIDENT DEVITA: Was it running or dripping?

MR. KELLY: It was a leak, a drip.

PRESIDENT DEVITA: One sink was.

MR. KELLY: Yes.

COMMISSIONER SANCHEZ: I got to excuse myself, sorry.

(Whereupon, Commissioner Sanchez leaves at 11:58)

MS. HARPER: It's a leak just dripping.

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My thing is I've been in the house over ten years. I never had a problem with my water bill. I

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always paid my water bill. This is the first time it ever just jumped up to this amount of money.

PRESIDENT DeVITA: What was your average bill before?

MS. HARPER: Sometimes it would be like -- the highest my bill ever been probably was like 500 when I was living there, because I had a pool that fit 30 people.

PRESIDENT DeVITA: Thirty people. You never invited me?

MS. HARPER: I have a lot of nieces and nephews. That was the highest --

COMMISSIONER LEVINE: The pool you only fill once.

MS. HARPER: No, I will fill it twice that summer. There's a lot of kids and you got to clean it.

UNIDENTIFIED LADY: But the bill would never exceed that high. And the leak that he was talking about is a drip.

MS. HARPER: It's a drip in the bathroom. It's a drip. I was there. All you need is a little --

□

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UNIDENTIFIED LADY: Washer to stop the drip.

MS. HARPER: -- Washer.

I have not fixed anything in the house since this bill came and now the bill is back down to normal.

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PRESIDENT DeVITA: So, wait, the bill was 1,150. We went and found water leaking or dripping or whatever it was, and you haven't fixed anything?

UNIDENTIFIED LADY: No.

PRESIDENT DeVITA: And now the water is down again?

UNIDENTIFIED LADY: Yes.

COMMISSIONER VANNOY: The bill is what it used to be?

UNIDENTIFIED LADY: What it used to be.

MR. KELLY: It's back to what it used to be. We didn't go back. When we went, it was dripping. The meter ran, ran, but there is a consumption over the last year, go up to normal, read 170. Go to normal, read 210. Go to normal, read 600.

COMMISSIONER VANNOY: In your professional opinion, why is it doing that?

□

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MR. KELLY: Here's the thing, when you have a rental property, you don't know what your tenants are doing. Your tenant could do whatever they want to do.

UNIDENTIFIED LADY: There was nobody in there. There was nobody in there.

MS. HARPER: My house is a flood zone. We just had a flood in 2010. It stayed under water for two weeks. And now we just had another flood. I'm thinking there is something wrong with the meter in the pipe --

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COMMISSIONER VANNOY: Is it possible that flooding can go through in the meter.

PRESIDENT DeVITA: Flooding water in the meter?

COMMISSIONER VANNOY: well, if it floods the house.

COMMISSIONER KOLODZIEJ: Can you send somebody out to inspect the property again? You know, let's start with the inspection and we all sit down and go through whatever happens, but without sending somebody back --

UNIDENTIFIED LADY: Nobody will ever know what was going on. The bill will be paid, but she doesn't have the money --

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COMMISSIONER KOLODZIEJ: I agree with you.

PRESIDENT DeVITA: wait, wait, wait.

So can somebody go out there today? will somebody be there today?

MS. HARPER: They could get into the basement.

PRESIDENT DeVITA: well, I mean, they may want to check for other leaks, too, I don't know.

MR. KELLY: we don't check for leaks. we do it out of courtesy. we don't do it because it creates, you know.

MS. HARPER: My nephew is there.

PRESIDENT DeVITA: So somebody will be there today?

MS. HARPER: Somebody always been on the

second floor since I bought the house.

COMMISSIONER LEVINE: Is it one meter or two meters?

COMMISSIONER KOLODZIEJ: We're sending someone.

COMMISSIONER RODRIGUEZ: Let's not speculate.

PRESIDENT DeVITA: Let's have -- John, will you go out there today or send somebody out there?

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MR. KELLY: We'll go out there today.

PRESIDENT DeVITA: Somebody will be there this afternoon?

MS. HARPER: Forty-five minutes somebody will be there.

MR. KELLY: Yes.

PRESIDENT DeVITA: Check the meter.

MR. KELLY: It was leaking 5/17.

PRESIDENT DeVITA: The meter was leaking?

MR. KELLY: No, the sink.

COMMISSIONER RODRIGUEZ: Was it leaking or was it a drip?

MR. KELLY: To me it was a leak.

PRESIDENT DeVITA: They're going to go out there again and check. It's a good idea if you're there to see it, too. They can tell you what they find and everything else.

COMMISSIONER VANNOY: Let me ask one more question. So, 5/17 you ran, it was dripping. Now, you went back again?

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MR. KELLY: No, we never went back again.

COMMISSIONER VANNOY: So, how could you tell -- when you got your next bill it went back to normal?

MR. KELLY: I could see it went back to

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normal. So in my 33 years it tells me something was fixed.

PRESIDENT DeVITA: Let's do this. John, go in an hour or so. Go see what this is.

MR. GALLAGHER: I just want to -- the one problem and I kind of addressed this with staff, the water has gone through the meter and the meter was tested and tested to be accurate. So the problem is the meter has gone through the system and the meter has been found to be accurate.

(Whereupon, Commissioner Rodriguez leaves at 12:03)

PRESIDENT DeVITA: Let's see, maybe there's something.

COMMISSIONER LEVINE: Can I ask a question? 5/17 you went and you only checked one floor, right?

MR. KELLY: No.

COMMISSIONER LEVINE: You checked the second floor?

MR. KELLY: The tenant let us in. An elderly Spanish man let us into the property.

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there's upstairs? How did you know -- is there one meter --

MR. KELLY: Commissioner, if I go back now could be three other leaks.

COMMISSIONER LEVINE: I understand that. But you can check.

MS. HARPER: There's no older Spanish man in my house.

MR. KELLY: Somebody let us in.

PRESIDENT DEVITA: Somebody will be there.

COMMISSIONER VANNOY: Are you sure you're going to the right house?

COMMISSIONER BAZIAN: Just one comment, just for the protection of our customer.

So long as this is an issue in dispute in terms of how much, I would like some notation made on her account to make sure that there are no shutoffs or any other penalties, because she has a legitimate question. Quite frankly, I would have the same question she has seeing a spike like that on the bill, and until this matter is resolved and bring to whatever is taken, I want to be sure that there's nothing held against her.

MS. HARPER: Thank you.

COMMISSIONER BAZIAN: Make whatever

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notations.

MS. HARPER: Can we have that in writing,
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as well?

MR. KELLY: The only thing is \$23 accrued interest. All right.

MS. HARPER: I just want to know the cost of this high bill and you have to tell me -- you weren't at the right house; but. The guy on the first floor is only 27 years old.

MR. KELLY: We were there. We were at the right house and I'll be there to show you we were at the right house.

What time do you want to be there? You tell me.

UNIDENTIFIED LADY: We'll be there in 20 minutes. Thank you very much.

PRESIDENT DEVITA: You're very welcome.

MS. HARPER: When do I come back?

COMMISSIONER VANNOY: We'll contact you.

UNIDENTIFIED LADY: Can we have somebody's phone number that we can call or something in writing.

PRESIDENT DEVITA: Mr. Kelly. Make sure John gives them a card.

Thank you.

□

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COMMISSIONER BAZIAN: Mr. President, this is not on the agenda, but one of the issues that I wanted to bring up, is what made me think of a notation on her account, has to deal with the issue of shutoffs, especially under certain circumstances when there shouldn't be a shutoff,

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such as if you have a building with a commercial tenant and residential tenants and commercial tenant doesn't pay, but the landlord pays for the --

PRESIDENT DeVITA: George mentioned that before.

COMMISSIONER BAZIAN: He did. I missed that.

PRESIDENT DeVITA: Next.

MR. AMODIO: Next is the letter that Commissioner Kolodziej was talking about the insurance services.

COMMISSIONER KOLODZIEJ: All right. Commissioner Vannoy, you were here and Commissioner Bazian, since you represent other owner cities, they don't have the authority to waive those fees. And if --

COMMISSIONER VANNOY: We're talking about what you brought up.

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COMMISSIONER KOLODZIEJ: Exactly.

What Joe said, is the worst time of years for them to do this testing because they're busy. However, these ISO people, they come in, they do it, and they're perfectly happy if you don't do an updated study. But I don't know what your ratings are in Paterson and in Passaic, but in Clifton, we're pretty good at three. But the fact that we can have our property owners benefit from the upgrading that we've done --

COMMISSIONER VANNOY: What was the cost
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that?

COMMISSIONER KOLODZIEJ: He said it was very high, like \$3,500 a location and they want to do 21 locations.

PRESIDENT DEVITA: The problem with this is that it affects the cities' insurance and obviously the rate. And not --

MR. BELLA: Not only rate payers, but taxpayers.

COMMISSIONER KOLODZIEJ: We're owner cities. This is a benefit that owner cities should get. I mean, if this were any of the other people that we deal with, our wholesale customers, I won't be recommending.

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COMMISSIONER VANNOY: So, you're recommending --

COMMISSIONER KOLODZIEJ: I'm recommending, and I'm surprised that Passaic hasn't come to ask for the same thing. They started two weeks before Clifton.

COMMISSIONER LEVINE: What's the cost to the Commission?

MR. BELLA: Off the top of my head, I don't know. It depends on the test, too.

COMMISSIONER LEVINE: The most expensive?

MR. BELLA: It's up there. You might have a couple of trucks out there.

COMMISSIONER LEVINE: Ballpark for me. I understand.

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MR. BELLA: It might be two, \$3,000.

COMMISSIONER BAZIAN: Twenty-one
locations, \$3,500, 73,000 --

COMMISSIONER LEVINE: That's the retail.

COMMISSIONER VANNOY: I think we owe that
to our owner cities.

COMMISSIONER KOLODZIEJ: Thank you.

PRESIDENT DeVITA: Anybody want to make a
motion for this?

COMMISSIONER BAZIAN: I move that.

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COMMISSIONER VANNOY: I second it,
especially because I know Paterson has no money.

MR. AMODIO: Motion by Commissioner
Bazian.

Second by Commissioner Vannoy.

Authorize to waive fees for requested flow
test to the owner cities.

On the roll.

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

COMMISSIONER LEVINE: Let me ask you a
question. Are these flow tests personal houses or
for the whole city?

COMMISSIONER KOLODZIEJ: whole city.

PRESIDENT DeVITA: It's not a house.

COMMISSIONER LEVINE: So, this is just for
the city. Has nothing to do with personal
residences.

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MR. BELLA: This is for the fire rating of the City.

MR. AMODIO: Motion approved.

PRESIDENT DeVITA: Next.

MR. AMODIO: Request permission to

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advertise Contract 11-B-19, Furnish and deliver premixed concrete.

Any questions?

COMMISSIONER BAZIAN: Move it.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Motion by Commissioner Bazian.

Second by Commissioner Kolodziej.

On the roll.

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

MR. AMODIO: Moving on.

We have Medicaid Insurance Early Retirement Reimbursement Program Update.

Anybody have an update on that?

MR. GALLAGHER: Sorry, I wasn't really prepared for that one. I could tell you that right now we did receive our first check for the program. I don't remember the exact amount; \$6,400. We should be getting those on a monthly basis.

PRESIDENT DeVITA: How much are we

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anticipating?

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MR. GALLAGHER: About 75 to \$100,000 this year. It will probably go up to \$130,000 next year.

PRESIDENT DEVITA: So it's a plus for us? We made a request for reimbursement, we're receiving it.

That's great.

MR. AMODIO: Next we have a request from Brian's Run, Brian's Run and Tomorrow's Children. They post a sign every year by the Point View Reservoir on Berdan Ave. and Valley Road.

COMMISSIONER KOLODZIEJ: I'll move it subject to any liability.

MR. AMODIO: We have a hold harmless that we --

COMMISSIONER KOLODZIEJ: Good.

COMMISSIONER VANNOY: I'll second it.

MR. AMODIO: Move by Commissioner Kolodziej.

Second by Commissioner Vannoy.
On the roll.

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

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MR. AMODIO: Moving onto the Controller's Report.

MR. WEISS: Cash on hand is 11.4 million.
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Our accounts receivable are at 12.3 million.

Thirty days or less accounts receivable are at 11.8 million, which is at 96 percent.

Our accounts payable is at 4.0 million.

We are refilling our reserves on a monthly basis and cash flow is relatively good.

You also have in front of you a Resolution for accepting the 2010 audit and we have an audit review certificate that we need to be signed.

PRESIDENT DEVITA: That basically says everybody reviewed the audit.

COMMISSIONER BAZIAN: Should we move the audit now?

Move it.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Move by Commissioner Bazian.

Second by Commissioner Kolodziej.

On the roll.

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

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MR. AMODIO: I'll have Mr. Weiss pass this around for everyone to print and sign their name.

Okay.

Consent Agenda.

Minutes of the Passaic Valley Water Commission in camera and Regular session meeting

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of May 25, 2011.

Do I have a motion?

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: Do I have a second?

COMMISSIONER VANNOY: Second.

MR. AMODIO: On the roll.

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

MR. AMODIO: Moving along.

Does the Chair accept, receive, and file
miscellaneous purchase orders from Linda
Beckering, Purchasing Agent, for the period of
May 16th, 2011 to June 12, 2011.

PRESIDENT DeVITA: Yes.

MR. AMODIO: Thank you.

Moving along to Requests For Action.

□

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We have Contract 11-B-2, "Water Main
Cleaning and Lining, Passaic, New Jersey." The
recommendation to reject and rebid.

COMMISSIONER KOLODZIEJ: So move.

MR. AMODIO: Motion by Commissioner
Kolodziej.

Second?

COMMISSIONER BAZIAN: Second.

MR. AMODIO: By Commissioner Bazian.

Discussion?

COMMISSIONER BAZIAN: Yes. I just wanted
to note I found it very interesting. This is the

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first time I ever seen a bid here that ran to the tune of \$23 billion. I found that interesting.

MR. AMODIO: Any further discussion?

Hearing none, on the roll.

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

MR. AMODIO: Motion approved.

Next, Contract 11-B-13, which is rebid, "Furnish and Install Line Stops," recommendation is to award two year contract to Jogi Construction, Incorporated of Wanaque, New Jersey,

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in the amount of \$1,294,900.

Discussion?

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: Motion by Commissioner Kolodziej.

COMMISSIONER BAZIAN: Second.

MR. AMODIO: By Commissioner Bazian.

On the roll.

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

COMMISSIONER BAZIAN: Given this is the low bid, yes.

MR. AMODIO: Motion approved.

Project 11-P-4, which was re-solicited,

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"Professional Services For Property and Easement Valuations and Related Services for Accredited Real Estate Appraisal Firms." The recommendation is to award to the firms of Appraisal Systems, Incorporated of Whippany, New Jersey; Richard Mohr of Paterson, New Jersey; and Value Research Group, LLC of Livingston, New Jersey at the rate of \$160 per hour.

Discussion?

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Motion?

COMMISSIONER KOLODZIEJ: Move.

COMMISSIONER VANNOY: Second.

MR. AMODIO: On the roll.

COMMISSIONER BAZIAN: Abstain.

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

MR. AMODIO: Motion approved.

Thank you.

Next is Project #11-P-48, "Professional Services W-4 Licensed Operator." The recommendation to award to Superior Services, LLC of West Caldwell, New Jersey submitting William Flint is the W-4 Licensed Operator in the amount not-to-exceed \$41,600.

Discussion?

Motion?

COMMISSIONER KOLODZIEJ: Move it.

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MR. AMODIO: Motion by Commissioner
Kolodziej.

Second by Commissioner Vannoy.

On the roll.

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COMMISSIONER BAZIAN: Abstain.

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

MR. AMODIO: Motion approved.

Next, we have Resolution of Philip E.
Roosa, Chief of Water Quality retired effective
May 1st, 2011 having served Passaic Valley Water
Commission for a period of 32 years, six months.

If everyone would please sign the
Resolution. There's no need for a motion.

Next we'll go onto new business.

I have Summary of Disbursements and
Payrolls from June 22nd, 2011 in the amount of
\$5,837,683.98.

Does the Treasurer find them in order?

COMMISSIONER LEVINE: Yes.

MR. AMODIO: Would you make a motion?

COMMISSIONER LEVINE: Make a motion for
approval.

COMMISSIONER KOLODZIEJ: Second.

(Roll call was taken, all Commissioners

present respond in the affirmative)

PRESIDENT DeVITA: I abstain on Rachles Michele and Vito's.

I vote no on two bills, 132012 --

COMMISSIONER LEVINE: How much are they?

PRESIDENT DeVITA: I just don't think we should be paying the American Bar Association and New Jersey State Bar Association. So, I vote no on those and yes on the rest.

MR. AMODIO: 13102 and --

COMMISSIONER BAZIAN: would you please bring up at legal affairs in terms of policy. You should be setting policy what we are paying for.

COMMISSIONER LEVINE: How much are the bills for?

PRESIDENT DeVITA: One was check number 132012 was for 849.

The other was 132160 was for 640.

COMMISSIONER LEVINE: For the books?

PRESIDENT DeVITA: No, no, just for dues.

COMMISSIONER KOLODZIEJ: Can we hold that up? Don't we have existing policy?

COMMISSIONER BAZIAN: I don't know what the policy is.

COMMISSIONER KOLODZIEJ: what did we do in the past?

COMMISSIONER BAZIAN: It has been in the
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past.

COMMISSIONER LEVINE: I looked at that,
too.

PRESIDENT DeVITA: It was already paid.

COMMISSIONER KOLODZIEJ: That's under our
policy.

COMMISSIONER LEVINE: I asked Yitz. It
was paid in the past.

COMMISSIONER KOLODZIEJ: what you're
saying this will be to legal --

COMMISSIONER BAZIAN: This is definitely
something legal affairs should be looking at.

COMMISSIONER KOLODZIEJ: Okay. Got it.

MR. AMODIO: Moving onto recommendations
from Closed Session.

I'm going to start with Project #11-P-15
entitled, Grant Consultant and Fund Development
Related Services. This is an award to Millennium
Strategies at a rate of \$4,000 per month.

Do I have a motion?

COMMISSIONER BAZIAN: Move it.

COMMISSIONER KOLODZIEJ: Second.

□

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MR. AMODIO: Motion by Commissioner
Bazian.

Second by Commissioner Kolodziej.

On the roll.

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

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DeVita having responded in the negative)

PRESIDENT DeVITA: I hope I'm wrong, but I
vote no.

MR. AMODIO: Motion.

Motion to table Personnel agenda to July.

Can I have a motion?

COMMISSIONER VANNOY: Move it.

COMMISSIONER BAZIAN: Second.

MR. AMODIO: Motion by Commissioner
Vannoy.

Second by Commissioner Bazian.

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

MR. AMODIO: Motion approved.

Motion to accept payment plan for Mr.

□

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Chestnut in an amount of \$115.62 per month for the
period of July 20, 2011 to December 11, 2011.

MR. AMODIO: Motion by Commissioner
Bazian.

PRESIDENT DeVITA: I'm going to second.

COMMISSIONER KOLODZIEJ: No, you can't
unless you step down.

Just a question. We were very adamant
about the provision that should the payment
schedule not be adhered to the first time it's
missed, is that part of the Resolution?

COMMISSIONER BAZIAN: Yes, that's my
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understanding.

COMMISSIONER KOLODZIEJ: I didn't hear it read that way.

PRESIDENT DeVITA: That's why if somebody seconds it.

COMMISSIONER KOLODZIEJ: I'll second it, but for discussion.

PRESIDENT DeVITA: What I have in front of me says that --

MR. HANLEY: "Failure to do so will cause shutoff."

PRESIDENT DeVITA: "Payments must be made in cash or cash equivalent." It also says that,

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"Any and all water services charges during the life of this agreement are separate and apart and are not part of this agreement must be paid in full within 30 days or this becomes null and void and we will discontinue services until full restitution has been made." Also says, the balance was \$1,242.70. He paid on June 17th, 550. There was a balance of 693.70.

This is the third chance or fourth chance we've given the man?

COMMISSIONER VANNOY: Fourth chance.

Did you read in there that if he doesn't, he gets shutoff and that there's no agreements?

PRESIDENT DeVITA: Correct. "It will not be repaid until full restitution." That's what this says.

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COMMISSIONER BAZIAN: That's what --

PRESIDENT DeVITA: My understanding -- I don't know if you all have a copy, but that's what I just read and that's what George added that he said about current charges must be made cash or cash equivalent.

MR. AMODIO: Motion and second.

On the roll.

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(Roll call was taken, all Commissioners present respond in the affirmative, Commissioner Kolodziej having responded in the negative)

COMMISSIONER VANNOY: Yes, with the understanding that what the President just read will be stuck to one hundred percent.

MR. AMODIO: Okay.

Motion approved.

And who is, I mean, Mr. Gallagher is responsible for this to keep on top of this?

PRESIDENT DeVITA: He's going to follow-up. If we don't need any further action by the Board, if he doesn't live up to this, go by what it says.

MR. GALLAGHER: I will go now.

MR. AMODIO: The last Resolution, Authorizing the Execution of an Agreement of Sale and Related Documents For the Conveyance of Real Property to the New Jersey Department of Transportation in the amount of \$485,000 for parcel 75A, 75B, and 75E in the Township of Little

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Falls.

MR. HANLEY: That's the Great Notch. It wasn't 485.

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PRESIDENT DeVITA: Yes, it was.

MR. AMODIO: That's what the Resolution says.

MR. HANLEY: I had a different number. Sorry.

MR. AMODIO: Motion.

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Motion by Commissioner Kolodziej.

Second by Commissioner Vannoy.

COMMISSIONER KOLODZIEJ: As according to our policy, yes.

MR. HANLEY: But that's on the record that the money, the proceeds of that condemnation proceeding will be paid into the renewal of extension for capital funds.

COMMISSIONER LEVINE: And easements, for whatever easements on the property.

COMMISSIONER KOLODZIEJ: Correct.

MR. AMODIO: On the roll.

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

COMMISSIONER LEVINE: Abstain.

MR. AMODIO: Motion approved.

I have nothing else from Closed Session.

I have nothing under Good and Welfare.

COMMISSIONER BAZIAN: If I may, just Under Good and Welfare, my son is getting married.

MR. AMODIO: Congratulations.

PRESIDENT DEVITA: Are you invited?

COMMISSIONER BAZIAN: Am I invited? For the moment, yes.

MR. AMODIO: There's just one other thing, we have to schedule a self-insurance fund committee meeting.

PRESIDENT DEVITA: Two of the people aren't here.

MR. AMODIO: Well, you're on it.

PRESIDENT DEVITA: Well, I already responded with dates.

COMMISSIONER BAZIAN: I can't do anything until after the wedding. So, the first date in July.

PRESIDENT DEVITA: George sent an e-mail.

MR. HANLEY: This is for what?

PRESIDENT DEVITA: Scheduling a meeting

for self-insurance.

MR. AMODIO: I didn't see the e-mail. I have no idea there was scheduling going on.

MR. HANLEY: Can we coordinate that? I

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apologize.

MR. AMODIO: No problem. I just didn't know.

PRESIDENT DeVITA: July meeting there's an issue as to the date; some vacations. It was what?

MR. AMODIO: July 20th.

PRESIDENT DeVITA: Lyn has a problem. I'm going to be away the week before. Can we do it the week after that?

MR. AMODIO: July 27th?

COMMISSIONER LEVINE: At least ten. My meeting starts at nine.

PRESIDENT DeVITA: You want to say 10:30, make it easier for everybody?

COMMISSIONER KOLODZIEJ: Let's do 10:30.

PRESIDENT DeVITA: We'll be out of here by noon. Let's start at 10:30.

MR. AMODIO: Consensus, July 27th; 10:30?

PRESIDENT DeVITA: Anything else?

MR. AMODIO: Motion to adjourn.

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COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER BAZIAN: Second.

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

MR. AMODIO: Time is 12:24.

C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XI01388, a Certified Court Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the meeting at the time and the date hereinbefore set forth.

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

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

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Certified Court Reporter

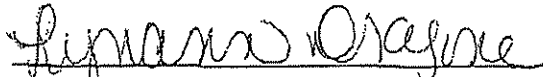
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C E R T I F I C A T E

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accurate transcript of the meeting at the time and the
date hereinbefore set forth.

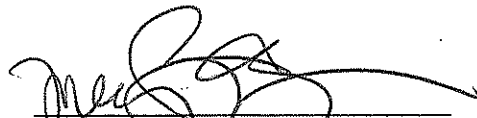
I further certify that I am neither attorney nor
Counsel for, nor related to or employed by any of the
parties to the action in which this meeting was taken.

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


LYNANN DRAGONE, C.S.R.
Certified Court Reporter

APPROVED: JULY 26, 2011


THOMAS P. DEVITA
PRESIDENT


MENACHEM BAZIAN
SECRETARY