

PASSAIC VALLEY WATER COMMISSION MEETING OF
JANUARY 19, 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 (Absent)
LOUIS AMODIO, Administrative Secretary

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MR. AMODIO: Roll call.

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

MR. AMODIO: Thank you.

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The time is 9:42.

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

Please rise. Commissioner DeVita, would you please lead us in the Pledge of Allegiance?

Commissioners, there's a member of the public that would like to address you. If you would like to start with him.

PRESIDENT SANCHEZ: Sir, can you state who you are, for the record?

MR. SEXTON: My name is Avi Sexton.

PRESIDENT SANCHEZ: You live where?

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MR. SEXTON: I live in Clifton but my issue is about Paterson. I'm a landlord in Paterson.

PRESIDENT SANCHEZ: What can we do for you?

MR. SEXTON: The issue in Paterson is as follows. I have a commercial unit that I rent out and I've had a tenant over there for a couple of months. The bill's under the tenant's name and the tenant was evicted because they weren't paying the rent for us -- they weren't paying our rent

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and for some reason they were also not paying Passaic Valley Water Commission. So we were left with the bill, yet, we have two other units upstairs that we pay the bill for. These are residential units. We didn't get any kind of notice to the landlord's address and I'm not sure why Passaic Valley Water doesn't really have the landlord's address regarding a shutoff.

We suddenly had a shutoff out of nowhere. And I'm not complaining so much about the restaurant, because I understand that Passaic Valley Water has to bill us for that restaurant, but we'll talk about that in a moment. But now the tenants upstairs, which we were paying the

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bill for all along, had no water. We got no notice of the shutoff. And they had no water. Maybe some notice was posted --

PRESIDENT SANCHEZ: Hold on. Let me stop you. I have one question. It's only one meter for the whole building?

MR. SEXTON: No. There's actually two meters. There's one meter for the restaurant and one meter for the tenants upstairs.

PRESIDENT SANCHEZ: What you're saying is that the commercial wasn't paying, but the upstairs was paying water?

MR. SEXTON: Yes.

COMMISSIONER RODRIGUEZ: What is the address in Paterson?

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MR. SEXTON: 444 Broadway.

PRESIDENT SANCHEZ: Do you know anything?

MR. KELLY: First I heard of it just now.

PRESIDENT SANCHEZ: Anything you know,
Joe?

MR. BELLA: This is the first I heard.

PRESIDENT SANCHEZ: Can we do one thing?
Can you walk out with that gentleman. Let's find
out what happened, whether they made a mistake and
then once that's done, he's going to come back and

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tell us what happened.

COMMISSIONER BAZIAN: One question. Is
the water on right now?

MR. SEXTON: The water's on right now and
it took us an arm and leg to get that open. We
had to pay literally half the bill of the
restaurant so we can get the water open when, yet,
the restaurant wasn't really our bill but that's
up for discussion. I understand that that could
be a debate whether or not the landlord is
responsible or not for the restaurant's bill.

PRESIDENT SANCHEZ: No, no, let me get one
thing clear out of the way so you know. You're
the landlord?

MR. SEXTON: I am the landlord, yes.

PRESIDENT SANCHEZ: You are responsible
for the water, whether -- it goes against the
property, against the landlord. It doesn't go
against the tenants. Let me tell you that.

You should have some escrow money in the
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future so when people move out, so, if that's not the case, you are responsible for the water.

MR. SEXTON: well, if that's the case, if I'm responsible, my only request from Passaic Valley is whenever a tenant opens an account, they

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should always have the landlord's address so any kind of notices of either accumulating balance or a shutoff notice, we would be notified of that.

COMMISSIONER BAZIAN: Is there a notice posted on the board?

MR. SEXTON: I didn't see any notice and the tenants didn't get any notice. So as far as I know, there was no notice.

COMMISSIONER BAZIAN: whose name is --

MR. SEXTON: It was always billed under the tenant.

COMMISSIONER DeVITA: Mailed to the tenant?

MR. SEXTON: And always mailed to the tenant.

COMMISSIONER DeVITA: And there's two apartments upstairs?

MR. SEXTON: Correct.

COMMISSIONER KOLODZIEJ: I don't know the City of Paterson, but in Clifton, when a tenant moves out, the landlord is required to tell the city who the --

MR. SEXTON: We have a CO.

COMMISSIONER KOLODZIEJ: what I'm trying

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to say here is why would you not ask the water

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Commission, since they're your tenants, you want them to pay their water, which other landlords obviously eat, why would you not be responsible for saying you want a duplicate bill? You're the landlord. You're watching your tenants. Not that I'm saying you're wrong, but I'm saying there might be a couple of ways to handle this.

Every time you get a new tenant and you're going to tell them they have to pay the water, then you should notify us saying you want a copy of that bill sent to you.

MR. SEXTON: That's pretty much what we want.

COMMISSIONER KOLODZIEJ: Exactly. There's a couple of ways.

MR. SEXTON: That could be done?

COMMISSIONER KOLODZIEJ: Oh, absolutely.

MR. SEXTON: We weren't aware of that.

COMMISSIONER KOLODZIEJ: What do you need now in the way of relief? Just the guarantee that it won't happen again?

MR. SEXTON: And also the fact that my tenants went over two days without water.

COMMISSIONER KOLODZIEJ: Well, we're going to get an answer as to how that happened.

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MR. SEXTON: All these fees for my tenants to get the water when the restaurant --

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COMMISSIONER RODRIGUEZ: If you have two separate meters, my question is, if you have two separate meters, why did they have turn off the meters --

MR. SEXTON: When I called there, I believe they said there's only one shutoff valve, which that's really unfair.

PRESIDENT SANCHEZ: Did they go to the meter?

MR. KELLY: No, what happens is, when a landlord takes out the property, there's one valve at the curb. It's his option to tell us to put two in. He has to pay for it. Because he's renting commercial property.

PRESIDENT SANCHEZ: It's still unfair to shut off people that's been paying. We as an industry should do it because, I mean...

COMMISSIONER RODRIGUEZ: We can ask the landlord do they want to put two separate, we can't take on that responsibility, without -- let me --

MR. KELLY: We need access to the basement.

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COMMISSIONER RODRIGUEZ: I'm saying, if there's one shutoff valve, it's up to the landlord. And this is food for thought for the future, if you're going to continue to rent a commercial space, that is something that's an investment you might want to make on your

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property, because you don't know what the turnaround is. I don't know how long you've been the landlord. I don't know what your turnaround is there in that specific area of Paterson, 444 Broadway. So that's something you may want to consider for the future as well as an escrow, but also something that way your tenants are not penalized.

MR. SEXTON: Yes, but even if we do have one shutoff valve and two meters, at least the paying meter should get some kind of notice and why should the paying meter --

COMMISSIONER RODRIGUEZ: Because there's two separate bills.

PRESIDENT SANCHEZ: Let me --

COMMISSIONER DEVITA: Can I make a suggestion? Let him go talk to John.

PRESIDENT SANCHEZ: John, if there's something that we could do, let us know, please.

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MR. KELLY: Okay.

COMMISSIONER DEVITA: Maybe in the future we can consider some kind of notice to all the landlords.

MR. AMODIO: Okay. Moving along. We have the approval of the December 15, 2010 in camera and regular session minutes.

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER RODRIGUEZ: Second.

MR. AMODIO: On the roll.

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

MR. AMODIO: Thank you.

Does the Chair accept, receive, and file miscellaneous purchase orders?

PRESIDENT SANCHEZ: Yes.

MR. AMODIO: Thank you.

Next, summary of disbursements and payrolls in the amount of \$8,414,184.67. Does the Treasurer find them in order?

COMMISSIONER LEVINE: Yes.

MR. AMODIO: Make a motion.

COMMISSIONER LEVINE: Make a motion for

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approval.

COMMISSIONER RODRIGUEZ: Second.

MR. AMODIO: On the roll.

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

COMMISSIONER DEVITA: Yes, with an abstention for Rachles Michele.

PRESIDENT SANCHEZ: I have to abstain on Montana and Henry O. Baker.

MR. AMODIO: Counsel. If the Board would like, we could move onto the reorganization.

MR. HANLEY: We're about to commence the reorganization of the Board for the year 2011. At

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this point, I would take nominations for
President.

COMMISSIONER LEVINE: I nominate Bobby
Vannoy.

MR. HANLEY: Is there a second?

COMMISSIONER RODRIGUEZ: Second.

COMMISSIONER KOLODZIEJ: For the sixth
year in a row I'm going to nominate the senior
member of the Clifton constituency, past President
in 2001. He's got the most seniority of anyone on

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this Board.

PRESIDENT SANCHEZ: Except for me.

COMMISSIONER KOLODZIEJ: Really?

I will try one more time.

PRESIDENT SANCHEZ: He only show up half
of the meeting anyway.

COMMISSIONER BAZIAN: I'll second that.

MR. HANLEY: I'll take the nominations in
the order made.

The first nomination was of Commissioner
Vannoy.

would you please call the roll.

MR. AMODIO: For Commissioner Vannoy,
President.

COMMISSIONER BAZIAN: No.

COMMISSIONER DeVITA: No.

COMMISSIONER KOLODZIEJ: No.

COMMISSIONER RODRIGUEZ: Yes.

COMMISSIONER LEVINE: No.

COMMISSIONER VANNOY: Yes.

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COMMISSIONER SANCHEZ: No.

MR. AMODIO: Two ayes, four nays.

Next will be Commissioner DeVita for
President.

On the roll.

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COMMISSIONER BAZIAN: Yes.

COMMISSIONER DeVITA: Yes.

COMMISSIONER KOLODZIEJ: Yes.

COMMISSIONER RODRIGUEZ: No.

COMMISSIONER LEVINE: No.

COMMISSIONER VANNOY: No.

COMMISSIONER SANCHEZ: Yes.

MR. AMODIO: Four ayes, three nays.

Commissioner DeVita, President.

MR. HANLEY: Okay. Commissioner DeVita,
congratulations.

COMMISSIONER LEVINE: My other one was yes
for Bobby. I nominated him.

MR. AMODIO: Let the record show that
Commissioner Levine voted no for Commissioner
Vannoy and the vote is three ayes to four nays.

Commissioner DeVita, President.

COMMISSIONER RODRIGUEZ: Congratulations.

COMMISSIONER DeVITA: Thank you.

MR. HANLEY: I will accept nominations for
Vice-President.

COMMISSIONER BAZIAN: I'd like to nominate
Commissioner Sanchez.

COMMISSIONER RODRIGUEZ: I'd like to

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nominate Commissioner Vannoy.

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MR. HANLEY: Okay. We'll vote on --

COMMISSIONER RODRIGUEZ: No, you --

MR. HANLEY: You're right. You're right.

I apologize.

COMMISSIONER DEVITA: I'll second Sanchez.

MR. AMODIO: Commissioner Bazian nominated Commissioner Sanchez, Vice-President. Second by Commissioner DeVita.

Commissioner Rodriguez nominated Commissioner Vannoy for Vice-President. Do I have a second?

COMMISSIONER LEVINE: I'll second.

MR. HANLEY: Okay. Again, we'll take the nominations in the order given. So the first nominee was Commissioner Sanchez. If you call the roll, please.

COMMISSIONER BAZIAN: Yes.

COMMISSIONER DEVITA: Yes.

COMMISSIONER KOLODZIEJ: Yes.

COMMISSIONER RODRIGUEZ: I'm sorry?

PRESIDENT SANCHEZ: For me.

COMMISSIONER RODRIGUEZ: No.

COMMISSIONER LEVINE: No.

COMMISSIONER VANNOY: No.

PRESIDENT SANCHEZ: Yes.

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MR. AMODIO: Four ayes, three nays.

For Commissioner Vannoy.

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COMMISSIONER RODRIGUEZ: It's a moot point.

MR. HANLEY: I'll accept nominations for Treasurer.

PRESIDENT SANCHEZ: I nominate Jeff Levine for Treasurer.

COMMISSIONER BAZIAN: I'll second that.

MR. HANLEY: Are there other nominations for Treasurer?

Hearing none, we can call the roll.

MR. AMODIO: Commissioner Levine for Treasurer.

On the roll.

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

MR. AMODIO: Commissioner Levine, Treasurer.

MR. HANLEY: I'll accept nominations now for Secretary.

COMMISSIONER DeVITA: I nominate Commissioner Vannoy.

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PRESIDENT SANCHEZ: Second.

COMMISSIONER KOLODZIEJ: I would like to place a Passaic Commissioner on here. I kind of feel that all these offices should be balanced -- I'm sorry, we got Passaic. I withdraw. I withdraw.

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MR. HANLEY: Are there other nominations for Secretary?

Hearing none, call the roll.

(Roll call was taken, all Commissioners respond in the affirmative, Commissioner Kolodziej having abstained and Commissioner Vannoy responds in the negative).

MR. AMODIO: Five ayes, one nay, and one abstain.

Commissioner Vannoy, congratulations.

COMMISSIONER VANNOY: I don't want to be Secretary.

COMMISSIONER RODRIGUEZ: You have to decline.

COMMISSIONER VANNOY: I said no.

MR. HANLEY: I think that would be a declination. So we have a vacancy for secretary.

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COMMISSIONER LEVINE: I nominate Commissioner Bazian.

PRESIDENT SANCHEZ: I second.

MR. HANLEY: Are there other nominations? Hearing none, please call the roll.

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

MR. AMODIO: Unanimous. Commissioner Bazian, Secretary for the year 2011.

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MR. HANLEY: Would anyone be offended if we did the oaths all four?

COMMISSIONER BAZIAN: If you could do an affirmation for me, I appreciate it.

(Whereupon, Commissioner DeVita was sworn in as President.

Commissioner Sanchez was sworn in as Vice-President.

Commissioner Levine was sworn in as Treasurer.

Commissioner Bazian has affirmed as Secretary)

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MR. HANLEY: Congratulations, everybody. If you would please sign the oaths.

MR. AMODIO: Can we take a five minute recess to get these signed?

(Recess)

MR. AMODIO: At this time we'll take outgoing remarks from the officers.

COMMISSIONER SANCHEZ: Well, I want to thank you all for a wonderful 2010. This year's going to be an interesting year. So I look forward to it. And I want to take thank all of you who supported me. And one good thing, I'm not sitting in that seat so I get to stay away from Lou's perfume.

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MR. AMODIO: It's cologne. Thank you, Commissioner Sanchez, I feel the love.

PRESIDENT SANCHEZ: Anybody else have any remarks?

COMMISSIONER RODRIGUEZ: I do.

First of all, I want to congratulate you. I know you're going to do an outstanding job.

PRESIDENT DEVITA: I'm going to try.

COMMISSIONER RODRIGUEZ: Just the fact

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that the gentleman from Paterson that was here talked about certain things that we should implement. I think there's a lot for reform and growth and development. And this is a great institution and a great entity and I always feel like the best is always yet to come.

PRESIDENT DEVITA: I'd like to congratulate Rigo and all the officers for continuing to do a good job. Hopefully, we can all cooperate and get along. There's a lot of new things. We can follow-up on a lot of things that I don't think we follow-up on ordinarily. And I'm looking forward to that. Cooperation is going to get us a long ways.

Insofar as committees are concerned, I would like to hear from everybody about what committees you want to be on. If you can all let me know. There's a list in here of committees. There may be some new committees. By next Monday tell me what you want to be on. I would appreciate that. And I appreciate your input. If

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anybody has any suggestions or ideas, let me know. I'll be happy to hear everything you have to say. And then we'll select our committee by next meeting.

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COMMISSIONER RODRIGUEZ: That's excellent. What kind of new committees?

PRESIDENT DEVITA: I'm not sure. Some of you may have ideas.

MR. AMODIO: Moving on.

If you'd like, we can move onto closed session.

PRESIDENT DEVITA: The gentleman that is here.

MR. COWAN: Richard Cowan, from The Record and Herald News.

PRESIDENT DEVITA: All right. Louis.

MR. AMODIO: All right. Motion to go into closed session.

COMMISSIONER BAZIAN: Move.

COMMISSIONER VANNOY: Second.

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

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

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

Now, therefore, be it resolved, by the

Commissioners of Passaic Valley Water Commission:

1. The public shall be excluded from discussion in the hereinafter specified subject matters; the general nature of the subject matters being: Financial, Insurance, Personnel, Contracts, Negotiations, Security, Miscellaneous Litigation. North Arlington v. PVWC. In the matter 286 Terhune Avenue, Passaic. Delford Gardens v PVWC. Four Seasons request for expanded use of ingress/egress. Commissioner conflict of interest-appointments. Summary/aging. we have 75 Franklin Ave. and Lodi v PVWC.

MR. HANLEY: And also Joe advises me that they want to report on filters.

MR. AMODIO: And a report on filters.

Personnel: New hires, Mike Ciolino, Richard Gullick, Christopher Nikodem. And also we have a report on department head salaries to be passed out.

Under Administration we have excess liability coverage. Paterson MUA request for water bill adjustment. Proposed consolidation for merger North Jersey District Water Commission and New Jersey Water Supply.

2. It is anticipated at this time that

the above-stated subject matter will be ratified during public meeting following or as soon thereafter as the reason for the discussion no

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longer exists.

3. This Resolution shall take effect immediately.

Second by Commissioner Vannoy.

On the roll.

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

MR. AMODIO: The time is 11:19.

You have a quorum.

We will go to the Executive Director's report.

MR. BELLA: I just wanted to get you up to speed what's going on with the distribution system. As I said, back in the summer, we're experiencing an increase in main breaks because of that, because of the big main break. This is the time of year when you see it.

We've done wonderful. Our people have

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done a wonderful job keeping up with it. It's really -- we're straining our resource, 11 more breaks in December than we normally had. It's a big jump. It's like a 30 percent increase, 40 percent increase.

COMMISSIONER BAZIAN: What's that attributed to?

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MR. BELLA: I believe, for one thing, we had pretty cold weather, but when it gets cold and stays cold, it generally, your main break rate goes down. And it turned cold very fast, so that increased.

The other thing is that, remember we had that depressurization of a portion of the system because of the big main break. I believe that the defects that you would see from the depressurization will show up for over -- for about a year or so you will see the increase in the main breaks. And in fact, we've seen increased main breaks in that area. So that will continue.

Jim reported about the filters.

Generally, the plant is working very well. Everything is going well under these circumstances. It's usually pretty hard,

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especially when you get a lot of salt runoff that could interfere with your process.

And generally, that's pretty much it.

PRESIDENT DeVITA: So the water is still running through the pipes?

MR. BELLA: Yes, it is.

PRESIDENT DeVITA: Anybody have any questions of Joe?

Next.

MR. AMODIO: Okay. Next we have requests from former Commissioner Ken Hayden, City of Paterson, a request PVWC to replace a stolen

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plaque at the Great Falls Walk Over Bridge which was dedicated to Frank F. Graves, Sr. This was carried from the December meeting.

PRESIDENT DeVITA: Can I ask a question? Was this our plaque?

MR. BELLA: Yes.

PRESIDENT DeVITA: We --

MR. BELLA: I think it was in '82.

PRESIDENT DeVITA: This was Sr., Frank Graves, Sr.?

MR. BELLA: It had to do with the arch bridge and that pedestrian bridge which we own. Apparently, it is all dedicated. There was a

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plaque put there. And I don't think it lasted more than a few months, actually.

PRESIDENT DeVITA: So it's been gone since the '80s?

MR. BELLA: As far as I can tell. I never actually seen the plaque. There's a place in the rock.

COMMISSIONER KOLODZIEJ: It's a tough situation because with the vandalism and I can vouch for that by one the parks that we had renovated. We went for this wonderful restoration and, again, the ability to steal these things are there. So even if we replace this, there's no guarantee, you know, I'm saying to myself, unless there's some kind of insurance you have, but you can't.

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So, you know, unfortunately there's got to be some other way to acknowledge this.

MR. BELLA: One way to do it just have a rock and have somebody come out and carve.

COMMISSIONER KOLODZIEJ: It doesn't work out.

PRESIDENT DEVITA: You mean etch into the rock?

COMMISSIONER RODRIGUEZ: How much does

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that cost?

COMMISSIONER KOLODZIEJ: It's no guarantee that in two years, six months we're going to be right back here.

COMMISSIONER RODRIGUEZ: I understand all the sentimentality of it but, you know.

COMMISSIONER SANCHEZ: You know what, this is what my proposal is. Do it ASAP.

COMMISSIONER RODRIGUEZ: Tell them.

COMMISSIONER KOLODZIEJ: Do what ASAP?

COMMISSIONER RODRIGUEZ: Tell him no.

PRESIDENT DEVITA: What's the consensus?

COMMISSIONER SANCHEZ: We're not going to do it.

PRESIDENT DEVITA: Was this a bronze plaque?

COMMISSIONER LEVINE: How much does a plaque like that cost?

MR. BELLA: A lot. At least a couple of thousand dollars.

COMMISSIONER LEVINE: Let's do something

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cheap, less expensive.

COMMISSIONER KOLODZIEJ: There's a whole initiative going on there. Can't we wait?

COMMISSIONER LEVINE: Come up with some

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ideas less expensive and propose to the Board. We gave it to him in '82. He deserves it. There's got to be something more cost effective.

PRESIDENT DeVITA: Maybe there's some alternatives.

COMMISSIONER RODRIGUEZ: That's expensive.

COMMISSIONER KOLODZIEJ: It's coming back to us.

PRESIDENT DeVITA: So that will be tabled until Joe comes back to us next meeting. You'll have something at the next meeting?

MR. BELLA: Yes, I will.

PRESIDENT DeVITA: Thank you.

Next, Louis.

MR. AMODIO: Yes, Passaic County Police Academy request use of Point View Reservoir.

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER RODRIGUEZ: Second.

MR. AMODIO: On the roll.

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

MR. AMODIO: Motion approved.

Thank you.

The Controller is not here. Joe, I believe he gave you a narrative.

MR. BELLA: I had him put a narrative in my actual report. He'll be back.

PRESIDENT DEVITA: In your report?

MR. BELLA: Yes.

MR. AMODIO: Okay. Next we have Resolutions.

The first one will be Resolution establishing meeting dates and times for the year 2011.

PRESIDENT DEVITA: Does anybody have a problem with the third wednesday? I got an issue with one month, but I think Commissioner Vannoy may, too, in March. I don't have a problem with the third wednesday at 9:30. would it be possible to move the one in March? Move the one meeting in March --

COMMISSIONER LEVINE: The fourth doesn't work. Let's do it the Tuesday then.

MR. HANLEY: There's a fifth.

PRESIDENT DEVITA: Let's do it the fifth.

COMMISSIONER RODRIGUEZ: I won't be here, the 30th.

COMMISSIONER LEVINE: Can we do it

Tuesday?

MR. AMODIO: The Tuesday would be the 15th. How about Tuesday, March 22nd?

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PRESIDENT DeVITA: That's okay with me.

COMMISSIONER RODRIGUEZ: I will be leaving the 18th and won't be back till the 30th.

PRESIDENT DeVITA: We can't accommodate everybody.

COMMISSIONER LEVINE: Any wednesday at 10:30 is good.

PRESIDENT DeVITA: How about the 23rd of March. Withdraw my --

MR. AMODIO: The third wednesday, 9:30, is good except for March, which would be the fourth wednesday, March 23rd.

There is also in June.

COMMISSIONER LEVINE: The fourth, March, what time? 10:30?

MR. AMODIO: You want to do it 10:30?

COMMISSIONER LEVINE: I'll leave that meeting early or be 20 minutes late for this one.

COMMISSIONER BAZIAN: The third wednesday in April is Passover. I will not be around.

PRESIDENT DeVITA: So when can you make it? We can't have a meeting without you.

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COMMISSIONER BAZIAN: You can have a meeting without me.

COMMISSIONER KOLODZIEJ: what do you suggest?

COMMISSIONER SANCHEZ: Let's leave it and change it later.

MR. AMODIO: Do I have a motion?

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COMMISSIONER BAZIAN: Move.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: On the roll.

Passaic Valley Water Commission regular public meeting will be on the third wednesday of every month with the exception of the month of March will be March 23rd, 10:30 a.m. The public meetings will commence at 9:30 a.m.

On the roll.

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

MR. AMODIO: Next we have is designated banking institutions for the year 2011.

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER BAZIAN: Second.

MR. AMODIO: On the roll.

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

MR. AMODIO: Next we have appointment of auditor, Professional Service For Public Auditor, Project No. 8. Recommendations to award to the firm of Ferraioli, Wielkocz, Cerullo & Cuva from the Pompton Lakes in the amount of \$38,000.

Discussion?

Hearing none.

COMMISSIONER BAZIAN: Move.

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COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: On the roll.

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

COMMISSIONER DeVITA: Yes, as recommended by our comptroller.

MR. AMODIO: Okay. Next will be Resolution authorizing certain statutory payments of claims and other claims regular in nature.

Discussion?

PRESIDENT DeVITA: I have one question.

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The Resolution says that any other bills in number Q require verbally approved by at least one finance committee member. Can that be two or is one enough?

COMMISSIONER KOLODZIEJ: I think one is enough.

MR. AMODIO: It's been one.

PRESIDENT DeVITA: Always has been. Okay.

COMMISSIONER SANCHEZ: It's hard to get the Commissioner on the phone.

MR. AMODIO: Motion.

COMMISSIONER KOLODZIEJ: So move.

COMMISSIONER RODRIGUEZ: Second.

MR. AMODIO: On the roll.

(Roll call was taken, all Commissioners

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respond in the affirmative)

MR. AMODIO: Next.

Resolution authorizing investment of
funds.

Discussion?

Motion.

COMMISSIONER KOLODZIEJ: So move.

COMMISSIONER RODRIGUEZ: Second.

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MR. AMODIO: On the roll.

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

MR. AMODIO: Next.

Resolution resolving the encroachment
litigation of 75 Franklin Avenue, Nutley, New
Jersey.

Discussion?

Motion.

COMMISSIONER SANCHEZ: So move.

COMMISSIONER RODRIGUEZ: Second.

MR. AMODIO: On the roll.

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

COMMISSIONER KOLODZIEJ: Reluctantly, yes.

MR. AMODIO: Next we have Requests For
Action.

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Contract #10-B-16 "Information Technology Maintenance and Support Services." The recommendation is to reject and rebid.

COMMISSIONER KOLODZIEJ: So moved.

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COMMISSIONER BAZIAN: Second.

MR. AMODIO: On the roll.

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

MR. AMODIO: Next we have Authorization For Local Government Energy Audit Program Grant from the BPU's OCE in the amount of \$69,030. Recommendation to give it to Camp Dresser & McKee, Inc. of Philadelphia.

Discussion.

PRESIDENT DeVITA: Question. This is a grant that we're going to get, correct?

MR. DUPREY: It's a potential grant in that the grant reimbursement is dependent upon the actual implementation of measures recommended by the audit. So, if we were to have the audit done, worst case scenario and not do any of the recommended measures, we would put the \$69,000 out of our pocket and not get anything back.

COMMISSIONER RODRIGUEZ: Are these funds still available?

MR. DUPREY: Currently they are.

COMMISSIONER RODRIGUEZ: They are. Okay.

PRESIDENT DeVITA: If we do everything that's suggested, then we get the grant back.

MR. DUPREY: Very difficult to get the full grant because it's on a building by building basis. And, you know, so if you skip a building, they'll take some monies out of there.

COMMISSIONER RODRIGUEZ: This is a good start.

COMMISSIONER KOLODZIEJ: Absolutely.

COMMISSIONER BAZIAN: It's interesting that this hit the agenda at this time because I wanted to talk about that.

COMMISSIONER RODRIGUEZ: This is a great idea.

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER BAZIAN: Second.

MR. AMODIO: On the roll.

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

MR. AMODIO: Next we have Contract #10-B-30, "Water Meter Reading and Related Services." Recommendation to award a three-year contract to Severn Trent Environmental Services of

Glen Cove, New York in the amount of \$1,674,432.

Discussion?

COMMISSIONER BAZIAN: Are they
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currently --

MR. AMODIO: Yes, they are currently.

COMMISSIONER BAZIAN: I'm wondering why we only got one bid.

PRESIDENT DeVITA: It was one bid and rejected.

COMMISSIONER BAZIAN: Do we have any idea why we're not getting more --

MR. DUPREY: There's certain costs that they have when they set up the system and they get the routers in place and they get the computers set up and all that. And they have an inherent advantage so other bidders, you know, probably looked at that -- and plus, after they open the bids the first time, their bid costs were actually out there for everyone to see. So someone could have come in for less in the bid price. They had another bite of the apple.

PRESIDENT DeVITA: How does this cost compare to current cost?

MR. DUPREY: The current cost, which you have to recognize was over a multi-year period was

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about 14 percent higher.

PRESIDENT DeVITA: This is?

MR. DUPREY: Right, but over two years going backwards and three years going forward. So if you average it out over five years, it's less than three percent a year.

COMMISSIONER RODRIGUEZ: We're pretty

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satisfied with the service that they provide us,
right?

MR. BELLA: Yes.

PRESIDENT DeVITA: It's roughly a three
percent increase.

MR. DUPREY: Yeah, give or take.

PRESIDENT DeVITA: And it's the only bid
we got.

COMMISSIONER BAZIAN: Move.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: On the roll.

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

MR. AMODIO: Commissioner DeVita said he
will establish the committees next month.

PRESIDENT DeVITA: Again, everyone let me

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know.

COMMISSIONER SANCHEZ: Can we do the
personnel at once?

PRESIDENT DeVITA: Sure, sure.

MR. AMODIO: I will give Lynann the
Resolution.

(Whereupon, the following were moved from
Personnel:

(a) Michael Ciolino - Part-time employee
at an annual proposed rate not to exceed \$80,000
and cannot work more than 32 hours per week (on

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average)

whereas, Passaic Valley Water Commission has received notice that Michael Ciolino has tendered his retirement effective January 1, 2011; and.

whereas, said employee is an integral part of safety and efficiency of the pumping station and a need exists for the expertise and experience which Michael Ciolino is able to provide; and.

whereas, an agreement has been reached between the Passaic Valley Water Commission and Michael Ciolino for the return of Michael Ciolino on a part-time basis after his retirement has been

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in effect for at least thirty (30) days, or 30 days following approval of his retirement by the PERS Board of Trustees, whichever is later; and.

whereas, the PVWC agrees to the terms of the Agreement as follows:

Now, therefore, be it resolved, by the Passaic Valley Water Commissioners ("PVWC") as follows:

(a) Agreement shall be for up to a two (2) year maximum period, effective from no earlier than thirty (30) days after Ciolino's official start date of his retirement and continuing for two (2) years thereafter;

(b) Michael Ciolino shall receive a salary of \$80,000 per year in wages and/or salary without any other benefits including pensions,

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health insurance, life insurance or any other
benefits granted to full-time employees;

(c) Michael Ciolino shall be prohibited
from working more than 32 hours per week on
average in any one calendar year.

(b) Richard Gullick - PhD - Replacing Phil
Roosa as Chief of Water Quality/TA.

Proposed Salary: \$105,000.

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Proposed Range: \$32,464 to \$111,740.

(c) Christopher N. Nikodem - Assistant
Water Treatment Plant Operator/TA.

Proposed Salary: \$30,000.

Proposed Range: \$25,000 to \$53,211.

MR. AMODIO: Do I have a motion Personnel?

COMMISSIONER BAZIAN: Move it. Just with
the understanding with the reminder that the
Resolution --

MR. AMODIO: Two years.

COMMISSIONER BAZIAN: Maximum two years.

MR. AMODIO: Second by Commissioner
Sanchez.

On the roll.

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

MR. AMODIO: Under Good and welfare, next
will be Resolution honoring Anthony "Tootie"
Pasquariello, former Commissioner, who passed away

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January 8th.

PRESIDENT DeVITA: Can I make a motion?

MR. AMODIO: No motion. I just need all
the Commissioners to sign.

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There's nothing else other than that.

PRESIDENT DeVITA: Our next meeting?

MR. AMODIO: Is going to be February 16,
9:30 a.m.

COMMISSIONER BAZIAN: Motion to adjourn.

COMMISSIONER KOLODZIEJ: Second.

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

MR. AMODIO: Time is 11:38.

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