

PASSAIC VALLEY WATER COMMISSION MEETING OF

APRIL 27, 2022

(OPEN SESSION)

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

RIGO SANCHEZ, President

GERALD G. FRIEND, Vice President

CARMEN DEPADUA, Treasurer

RUBY COTTON, Secretary

JEFFREY LEVINE

RONALD VAN RENSALIER

JOSEPH KOLODZIEJ

A L S O P R E S E N T :

JAMES MUELLER, Executive Director

LOUIS AMODIO, Interim Business

Adminstrator/Administrative Secretary

YAACOV BRISMAN, General Counsel

YITZ WEISS, Comptroller

1 MR. AMODIO: On the roll.

2 Commissioner Levine is running late.

3

4 (Roll call was taken, all Commissioners
5 present respond in the affirmative. Commissioner
6 Levine is not present yet)

7

8 MR. AMODIO: The time is 9:38.

9 You have a quorum.

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

18 Please rise.

19 Commissioner Van Rensalier.

20

21 (Pledge of Allegiance)

22

23 MR. AMODIO: There are no members of the
24 public here.

25 Committee reports.

1 PRESIDENT SANCHEZ: Who do we start?

2 MR. AMODIO: Finance.

3 PRESIDENT SANCHEZ: Finance.

4 MR. WEISS: Finance committee met
5 yesterday. We went through the monthly reports.
6 Everything is pretty much in line.

7 Should I just do my Comptroller's Report
8 at the same time?

9 PRESIDENT SANCHEZ: Sure.

10 MR. WEISS: Our cash on hand is \$12
11 million.

12 Our accounts receivable is \$15.6 million.

13 Our accounts payable's \$5.8 million.

14 Our audit is in the process.

15 At the finance committee meeting we
16 discussed the budget. We are expecting to have
17 the budget for the next meeting. Later on in the
18 year we should have an updated five-year plan and
19 updated rate resolution.

20 We discussed the moratorium on shutoffs.
21 We're working on a plan to reinstitute late fees
22 and we're going to be starting shutoffs in the
23 near future.

24 We discussed the LIHWAP Program, which is
25 a federal program. It's the State's to help low

1 income people who are behind on their water bills
2 to boost them to be able to give them additional
3 fees to be able to pay some of that. We're still
4 evaluating it to determine whether or not this is
5 something we could do. There's a tremendous
6 amount of oversight and work that we would have to
7 take on in order to be able to take advantage of
8 that program for our ratepayers. So we're looking
9 into it and we'll come back to you with a
10 determination once that's finished.

11 We also went over a new list of rates for
12 field service charges. That's still being
13 evaluated. Several commissioners at the finance
14 committee meeting raised some questions, wanted
15 some clarification before we bring that to you.
16 That's also in process and you'll have that in the
17 next month or two.

18 COMMISSIONER COTTON: Let me ask you a
19 question. What's the name of the organization to
20 help the pay the water?

21 MR. WEISS: It's called LIHWAP. Low
22 Income something.

23 MR. MUELLER: Low Income Household Water
24 Assistance Program.

25 COMMISSIONER KOLODZIEJ: Just getting back

1 to the shutoff process. My understanding is the
2 law we can't shut people off unless we first offer
3 them a payment plan.

4 MR. WEISS: I believe that's correct. We
5 always offer payment plans. So we've done that.

6 COMMISSIONER KOLODZIEJ: We'll stay out of
7 the trouble with the State.

8 MR. WEISS: Exactly.

9 COMMISSIONER KOLODZIEJ: It's been our
10 best practices before the State even figured out
11 to set a law.

12 MR. WEISS: Exactly.

13 COMMISSIONER KOLODZIEJ: Okay. Once again
14 Passaic Valley Water Commission is a leader in the
15 industry.

16 MR. WEISS: We're leading the charge.

17 PRESIDENT SANCHEZ: What else do we have?

18 MR. AMODIO: Personnel.

19 COMMISSIONER VAN RENSALIER: Good morning,
20 everyone. The personnel committee met on Friday,
21 April 22nd. The E.D. submitted three proposed
22 organizational changes, they include abolishment
23 of the position of Business Administrator and
24 revert those functions back to the E.D. or his
25 designee.

1 Place the appointing authority with the
2 executive director or his designee.

3 And undertake a new initiative to
4 modernize the agency's records management by the
5 way of archiving and digitization.

6 There were nine recommendations for
7 promotions and one new hire. Administration
8 submitted backup information giving rationale,
9 justification for those recommendations.

10 There was discussion with the E.D. and
11 Corporate Counsel regarding the EPA contract
12 renewal, the fishing program, and Lift Lock
13 Program. I will defer to them for more specifics
14 on those three issues.

15 There was also an issue that came up
16 regarding salary raises on the proposed promotions
17 that we have before us and I just would say to
18 that that my position is not all jobs are created
19 equal. Not all supervisors and division heads
20 have the same level of responsibility or the
21 number of employees or divisions that they may be
22 responsible for. Different positions may require
23 a greater amount of education, skill sets, perhaps
24 certain licenses and if so that would, in most
25 cases, demand a greater salary. The salary range

1 for a supervisor of maintenance personnel, for
2 example, would be different from the salary range
3 of a supervisor of engineers or lab technicians.
4 So I would recommend that the proposed salary
5 ranges also be approved by the board this morning.

6 That's all I have.

7 COMMISSIONER COTTON: Do you have the list
8 of the salary ranges?

9 COMMISSIONER VAN RENSALIER: It's on the
10 agenda.

11 COMMISSIONER COTTON: Okay. You mean it's
12 next to the names?

13 COMMISSIONER VAN RENSALIER: Yes.

14 COMMISSIONER FRIEND: Are we going to
15 discuss those further in camera?

16 PRESIDENT SANCHEZ: Yeah.

17 MR. MUELLER: Just one note, Krystle
18 Morales, that's tabled. That was just yesterday
19 there was some other issues we're working through.

20 COMMISSIONER VAN RENSALIER: What letter
21 is she?

22 MR. MUELLER: Letter H. We're tabling
23 that.

24 PRESIDENT SANCHEZ: I'm sorry, I heard,
25 you know, not now but before because I'm kind of

1 familiar with the issue. Can I discuss a little
2 bit about that what I heard and maybe something
3 that needs to get done?

4 MR. BRISMAN: Would it be more appropriate
5 for executive session?

6 PRESIDENT SANCHEZ: That's fine.

7 COMMISSIONER FRIEND: Was the person
8 Riced?

9 MR. BRISMAN: The person was Riced. We'll
10 discuss it in executive session.

11 COMMISSIONER COTTON: So, in other words,
12 there's all these people on the list we're going
13 to discuss in executive session?

14 PRESIDENT SANCHEZ: Only if you wish,
15 Commissioner.

16 COMMISSIONER VAN RENSALIER: If you have a
17 specific issue.

18 COMMISSIONER COTTON: No, the only issue I
19 need to try to understand is when I see Civil
20 Service, when I see "CSC", is there a list that is
21 out to show where everybody is on the list? Can
22 you provide me with that list?

23 PRESIDENT SANCHEZ: Can you get Yaxira to
24 get the list?

25 COMMISSIONER VAN RENSALIER: Are you

1 talking about the Keyboarding Clerk 2?

2 COMMISSIONER COTTON: See, they go the
3 opposite. They go from 1 to 2, 2 to 3. I'm not
4 sure. It wasn't inside the packet, the Civil
5 Service list. One time we had a hiree from the
6 CSC list. They had the list attached to it so we
7 can see the names on the list.

8 COMMISSIONER FRIEND: Mr. Chairman, just
9 going back to the Business Administrator
10 appointing authority, certain things need to be
11 discussed in camera, but I think certain things
12 need to be discussed in open meeting as well. If
13 the board is going to approve the request of the
14 Business Administrator, I would ask that that
15 position be eliminated from the Table of
16 Organization as it does exist on the Table of
17 Organization and the same thing for the Appointing
18 Authority. Not that you have to have an
19 appointing authority, but if the executive
20 director is going to take it on then the designee
21 should be the executive director.

22 COMMISSIONER COTTON: You're saying it
23 shouldn't be no designee next to it?

24 COMMISSIONER FRIEND: In other words, if
25 we're not going to have a business administrator,

1 it should be eliminated from the table of
2 organization. And as far as the appointing
3 authority, if the executive director, it says
4 assigned by the executive director or their
5 designee. It's going to be the executive
6 director.

7
8 (Whereupon, Commissioner Levine is present
9 9:47 a.m.)

10
11 COMMISSIONER VAN RENSALIER: So in the
12 executive director's absence or in the case of
13 illness or vacation, who would take on that
14 function?

15 COMMISSIONER FRIEND: Well, who did it
16 before? Who was the appointing authority prior?

17 COMMISSIONER KOLODZIEJ: So, typically,
18 the situation that Ron just described, it would be
19 the designee. The executive director would have
20 the ability to say, I'm out on vacation for three
21 weeks and so Yaacov is going to be the designee.

22 COMMISSIONER FRIEND: Designee only in the
23 absence of the executive director.

24 MR. BRISMAN: Just so we're clear, that's
25 an excellent point. Designee generally means in

1 this context, it does not mean that whoever the
2 appointing authority, they can designate whoever
3 they want to be the appointing authority. You
4 have that power. It's only in their absence.
5 That's the understanding whenever there's a
6 designee. So whoever the appointing authority is,
7 they can't just say, you know what, I'm going to
8 appoint Joe Smith. They don't have that
9 authority. It's only in their absence. I just
10 want that clear on the record. The designee is
11 only in the event that they are not able to
12 fulfill that function.

13 COMMISSIONER FRIEND: And the other issue
14 that I have on the business administrator, was
15 there a separate line item for the salary or is it
16 included in the current individual's salary? In
17 other words, did we say it was a stipend while
18 that person served as Business Administrator or
19 was it added to the current salary?

20 COMMISSIONER LEVINE: I think he was
21 getting the same salary, wasn't he?

22 PRESIDENT SANCHEZ: No, I think we did
23 \$25,000 more. It was \$25,000 more.

24 COMMISSIONER FRIEND: But it's included in
25 the current salary of the title?

1 PRESIDENT SANCHEZ: I don't know how it
2 was done. Did that become permanently? I don't
3 know what the situation was with that. Can you
4 tell us that, Yitz?

5 MR. WEISS: The board increased the salary
6 and added on the additional duties. They're not
7 necessarily -- in other words, we've had
8 situations in the past where people were given
9 additional responsibility.

10 COMMISSIONER FRIEND: So the salary would
11 stay the same for that individual?

12 MR. WEISS: Again --

13 COMMISSIONER FRIEND: Even if we eliminate
14 the Business Administrator.

15 MR. WEISS: That's the decision of the
16 board. Unless you specifically take action to
17 change the salary, it would remain the same.

18 COMMISSIONER VAN RENSALIER: What is the
19 recommendation of the executive director?

20 MR. MUELLER: Remain the same.

21 PRESIDENT SANCHEZ: In other words,
22 \$25,000 stays, right?

23 MR. MUELLER: It stays.

24 COMMISSIONER COTTON: I have one more
25 question. If we're going to eliminate the

1 Business Administrator position, who runs the
2 plant when something happens to you?

3 COMMISSIONER VAN RENSALIER: The designee.

4 COMMISSIONER COTTON: Who's your designee?

5 MR. MUELLER: Right now Yitz is our Chief
6 Financial Officer. I'm leaning very heavily on
7 Yitz. Some of the systems in place are just
8 double authorizations to make sure to prevent,
9 it's just a control, in fraud and that kind of
10 thing. So Yitz is our CFO and my designee, Yitz
11 would be primary authorizer. We'd have to talk
12 who would be designated in my absence, who we need
13 the double authorization.

14 COMMISSIONER COTTON: So you're saying for
15 now it's Yitz?

16 MR. MUELLER: No, no, Yitz is our primary
17 CFO. I'd be the authorizer. I haven't identified
18 the designee yet in my absence.

19 COMMISSIONER COTTON: I'm saying if
20 something happens to you and you can't come here
21 for a couple of months.

22 MR. MUELLER: Right. I have to designate
23 someone.

24 COMMISSIONER COTTON: You haven't reached
25 that point yet?

1 MR. MUELLER: That's why it's designed
2 that way in terms of who the designee would be in
3 my absence. It just says "the designee".

4 COMMISSIONER KOLODZIEJ: I would assume
5 the designee is not permanent. It's just to cover
6 a temporary situation.

7 MR. BRISMAN: It can only be temporary.
8 The executive director doesn't have authority.
9 That authority rides within this body.

10 COMMISSIONER KOLODZIEJ: On a
11 particular --

12 PRESIDENT SANCHEZ: It could be rotated.

13 COMMISSIONER KOLODZIEJ: That's exactly my
14 point.

15 MR. MUELLER: Depending on availability.

16 PRESIDENT SANCHEZ: It could be rotated.

17 COMMISSIONER FRIEND: Wouldn't that have
18 to come back before the board?

19 PRESIDENT SANCHEZ: No.

20 COMMISSIONER FRIEND: Who the designee is?

21 PRESIDENT SANCHEZ: It could be rotating.

22 COMMISSIONER KOLODZIEJ: It's only
23 temporary.

24 PRESIDENT SANCHEZ: It's only temporary.
25 It could be anybody.

1 COMMISSIONER FRIEND: I realize it's only
2 temporary. I know on a municipal level when the
3 city manager wasn't present, the municipal counsel
4 had authorized who the acting city manager would
5 be in his absence and I think we should also --

6 PRESIDENT SANCHEZ: What we could do,
7 Jerry, is do temporary. After 90 days, after that
8 he needs to come back. You understand? It could
9 be temporary for 90 days, after that it needs to
10 come back to the board. Are we okay with that?

11 COMMISSIONER COTTON: No, I mean, I hear
12 what you're saying that they're going to
13 designate. He'll tell someone in his absence.
14 Our mayor has designated quite a few people.

15 MR. MUELLER: I think it's typical because
16 of availability. People are in and out. People
17 change. People might be on medical leave or
18 vacation or something like that. So I think it is
19 typical.

20 COMMISSIONER LEVINE: That makes sense,
21 over 90 days. You have authority up to 90 days.
22 After 90 days it almost becomes a permanent
23 position and it comes before the board to discuss.

24 MR. MUELLER: Correct. If something
25 functionally changed.

1 COMMISSIONER LEVINE: Right. With no
2 ending for you. Then we have to figure it out.

3 MR. MUELLER: Correct.

4 COMMISSIONER LEVINE: After 90 days or 60
5 days, whatever you guys want. But a certain
6 amount of time frame.

7 COMMISSIONER COTTON: Once you pass 30
8 days, something's wrong.

9 COMMISSIONER LEVINE: That's what I'm
10 getting at.

11 MR. MUELLER: Understood.

12 PRESIDENT SANCHEZ: How many days you want
13 to do. 60? 90? How many days?

14 COMMISSIONER COTTON: I hope you don't
15 have to do more than two, three weeks.

16 COMMISSIONER LEVINE: What do you feel
17 more comfortable with?

18 COMMISSIONER COTTON: I think if something
19 happens with him, we would convene an emergency
20 meeting to decide.

21 COMMISSIONER LEVINE: Well, when would you
22 want that emergency meeting?

23 COMMISSIONER COTTON: I would say 30 days.

24 PRESIDENT SANCHEZ: All right. 30 days,
25 fine.

1 to watch. Right?

2 MR. BRISMAN: No, no. He's only on the
3 dime when we start executive session. We also
4 have Mr. LaRacca is also on as well.

5 COMMISSIONER COTTON: We had our special
6 projects committee meeting on Monday, April 25th,
7 10:00 in the morning. The first item you'll see
8 is item number 34 where we're going to be
9 authorizing a Shared Service Agreement with Brick
10 Township. As we were speaking on this, they're
11 going to analyze certain samples that we have to
12 send down to them. As I was talking with Patrick
13 and we were in the committee, this is a very
14 highly technical service. Not too many companies
15 or not too many places have, so we decided that we
16 need to let Brick Township service the contract
17 and you can see the amount is 498,000.

18 The second one we have 35. What this is
19 we're just participating in the Passaic County
20 Cooperative Pricing System and we'll hope it will
21 help us with our procurement with energy
22 generation. They will help us also to evaluate
23 energy process that we're using here in the plant
24 and with that there's no fee to that and then the
25 membership doesn't apply.

1 The same thing with number 36. We're
2 participating in Passaic County Cooperative
3 pricing and they will help us to eliminate a lot
4 of the work that they will help us to do along
5 with being in this co-op and there's no fee for
6 that and the membership does not expire.

7 Now, the next one on the agenda is number
8 37. We're designating Lisa Bresemann to serve as
9 our Public Agency Compliance Officer for Passaic
10 Valley Water. We wanted to appoint her as that
11 because in order to secure loans with the IBank
12 you have to have a public compliance officer for
13 Passaic Valley. So we all agreed to that one.

14 Number 38 there were, and we see this all
15 the time, this pond. It has come up quite a few
16 times, this pond. It's the change order. What
17 happened is that the Milford Public School System,
18 I don't know, maybe discovered something going
19 into the system and so now we have to increase our
20 change order to 108,000, the contract's 471,000,
21 to help evaluate it and to see how they're going
22 to be able to handle this extra flow that will be
23 going into the system.

24 Number 39 is, and I questioned that one,
25 is a water contract for the use of the credit card

1 payments and it's going to CARDChoice. It's a
2 one-year contract and it's 332,000.

3 What this does is that it handles all
4 transactions, whether it was checks, cash, pay at
5 the window. They track it they control it to let
6 us know and it's really based on volume of how
7 much money is coming in for checks cashed, people
8 pay at the window. So the contract is for one
9 year, 332,000, but it may not get up to that.
10 We're not sure. More likely it probably will not
11 get to that.

12 COMMISSIONER FRIEND: I have a question on
13 that.

14 COMMISSIONER COTTON: Yes.

15 COMMISSIONER FRIEND: Did you say even if
16 somebody pays cash at the window the credit card
17 company gets a payment on that?

18 COMMISSIONER COTTON: No, no -- well, they
19 track it. I think what it does is help us take
20 control of how much money actually is coming in
21 here.

22 Now --

23 COMMISSIONER FRIEND: I would think that's
24 a function of our Finance Department.

25 COMMISSIONER KOLODZIEJ: So the

1 third-party vendor that actually vets and clears
2 that the credit card is valid and the charge can
3 go through charges a small nominal fee of a few
4 pennies.

5 COMMISSIONER FRIEND: For credit card
6 transactions.

7 COMMISSIONER KOLODZIEJ: For all
8 transactions.

9 COMMISSIONER FRIEND: I thought Ruby
10 mentioned on cash transactions that they were
11 going to track those.

12 COMMISSIONER COTTON: Remember I asked
13 about checks and --

14 MR. WEISS: Not cash or checks.

15 COMMISSIONER KOLODZIEJ: Not cash or
16 checks.

17 COMMISSIONER FRIEND: They have nothing to
18 do with cash or checks?

19 COMMISSIONER KOLODZIEJ: Just debit and
20 credit cards and ACH payment if they do it online.
21 Right?

22 COMMISSIONER COTTON: If they do it
23 online. Patrick thought that -- okay.

24 PRESIDENT SANCHEZ: I guess it's cheaper
25 to do a flat fee than to let them take a

1 percentage.

2 COMMISSIONER FRIEND: I see it's gone up
3 about a hundred thousand dollars.

4 COMMISSIONER COTTON: Everything's gone
5 up. But they went up, this was the lowest bid,
6 right, Jim?

7 MR. MUELLER: Yes.

8 COMMISSIONER FRIEND: Were they the only
9 bidder?

10 MR. MUELLER: I'll have to check.

11 COMMISSIONER COTTON: Next one we have is
12 a construction contract and what happened is
13 they're replacing the costing of the piping at the
14 Little Falls plant. They have been deteriorating
15 for many, many years. They have done several
16 emergency repairs so now they need to replace all
17 those lines. It needs to all be replaced. That's
18 a one-year contract with Allied Construction for
19 769,000 to replace the piping, the Caustic Soda
20 Piping in the Little Falls Treatment Plant.

21 Our next item is number 41. This is the
22 water contract. They're replacing the buried
23 underground storage tanks and they're making them
24 gasoline and diesel and bringing them above
25 ground. They need to be in compliance with the

1 regulatory because most places I know for sure
2 that they want to eliminate in ground tanks and
3 bring them up so they could have better control.
4 And this is a construction to replace. I'm not,
5 sure, Jim, is it at the Clifton plant?

6 MR. MUELLER: It's here.

7 COMMISSIONER COTTON: It's at this plant
8 here. We still got underground tanks in the back
9 of the building here. That's a one-year contract
10 for \$849,500.

11 Our next number is number 42. This is
12 entitled Concrete Restoration. What it does is
13 that, and I've seen it myself where this company
14 is going to replace all concrete that needs to be
15 replaced in all three cities: Fire hydrants,
16 services that was damaged maybe by people's homes
17 that was done by Passaic Valley Water. So this is
18 going to replace the concrete around the fire
19 hydrants where they need to be replaced if they're
20 damaged through the property. So this needs to be
21 replaced. It's a two-year contract at \$571,900.

22 Our next item is number 43. They had
23 started this I think it's in 2019, I'm not sure,
24 but when they went to start working on the
25 ductwork they realized that ductwork was not

1 included in the original contract because it was
2 already done so when they started to do the work
3 they realized that the ductwork that was done many
4 years ago, they really don't know when it was done
5 that they needed to be replaced too. So that
6 contract increased 209,000. There's only four
7 months remaining and with this contract they're
8 replacing the ducts that were not included in the
9 original contract, but the question was brought up
10 this is the first change order for this contract
11 that we have. Commissioner Kolodziej had brought
12 up about the 20 percent, so I'm not quite sure
13 what percent. I think 16.

14 COMMISSIONER KOLODZIEJ: 16.

15 COMMISSIONER COTTON: Yeah, 16 percent.

16 When they started the work, it's like when
17 you start work and you realize something else was
18 there and that was not included and now you have
19 to include this in there. So there's no need to
20 put the work on it and the ducts are old and
21 eventually we'll have to replace the ducts anyway,
22 so you might as well change it while you're doing
23 it.

24 Our next number is 44 and this is
25 designating Lisa Bresemann as our Purchasing Agent

1 for Passaic Valley Water. This was talked about
2 in personnel committee about making her the --
3 she's going to be made the appointing or the
4 assistant? She's the assistant now.

5 MR. MUELLER: It's on our agenda,
6 Temporary.

7 COMMISSIONER COTTON: She's going to be
8 made the Temporary Purchasing Agent.

9 MR. MUELLER: Yeah, and then once there's
10 a retirement, she'll move.

11 COMMISSIONER COTTON: Okay. Our next
12 number is 45. This is a contract with the Gibbons
13 company. What they do is they -- it's
14 professional services. They watch the government
15 to, the Federal Government, legislation that comes
16 down that may affect us. Legislation that comes
17 down to help us get more funding. That's a
18 one-year contract with them. They've been with us
19 for many years. Their contract is \$7,500 a month.
20 They had said in the past that way before that
21 they were at \$10,000 a month but now they're
22 \$7,500, so they did come down.

23 COMMISSIONER VAN RENSALIER: How many
24 years have they been doing it?

25 MR. MUELLER: Since 2018.

1 COMMISSIONER VAN RENSALIER: How much
2 money have they gotten?

3 COMMISSIONER COTTON: \$7,500.

4 COMMISSIONER VAN RENSALIER: No, how much
5 have they brought in?

6 COMMISSIONER COTTON: Oh, I'm not quite
7 sure.

8 PRESIDENT SANCHEZ: You know, you cannot
9 quantity how much they brought in. But what I
10 think is it's more what they provide, the service
11 they provide for us. What they bring to the
12 table.

13 MR. BRISMAN: I think it's more --
14 actually, if I may? What they do is they're one
15 of the most eminent lobbying firms. So they're,
16 especially with the lead line replacement and
17 various other big projects, the reservoirs
18 covering, they do a lot of interfacing. I don't
19 know if we really rely on them to get us funding
20 as much as to deal with the politicians, help with
21 legislation, deal with other government entities
22 that have done other projects to get us that
23 information. That's I think what they really
24 bring to the table. They're not really grant.

25 MR. MUELLER: I'd like to add on the

1 IBank.

2 COMMISSIONER COTTON: Yeah, the IBank, I
3 was going to say. And they also helped us with
4 the IBank to get that money and funding that we
5 definitely need.

6 MR. MUELLER: Principal and forgiveness.

7 COMMISSIONER COTTON: Our next item is
8 number 46 and what this item is, we're asking the
9 State of New Jersey for a second extension for a
10 contract that has been out there since...

11 MR. MUELLER: 2015.

12 COMMISSIONER COTTON: 2015. So we're
13 asking for an extension for another year for
14 June 30, 2023. This is a project that has been
15 ongoing since 2015 and so I think that, you know,
16 with everything being shipped behind with the
17 pandemic, not getting supplies that we needed,
18 equipment that we needed, they need to now go to
19 the State of New Jersey and ask for another
20 extension and this is what this item does, for
21 them to go and ask for a second extension so we
22 can try to get this project finished.

23 The next one is number 47. What this is
24 is Hurricane Ida, the costs that we had to pay,
25 what it cost us when we had Hurricane Ida that

1 everything has to be paid before you submit it to
2 FEMA, and so our total cost for Hurricane Ida came
3 to \$6,276,040. So that has to be paid. And I
4 will say with all this money and we also gave back
5 to the city, I mean, the customers 1.5 million in
6 credits that we gave back to the cities and also
7 really about 260,000 people were affected with
8 this boil water crisis.

9 Hopefully, when I talked with Patrick, you
10 know, they're going to be -- they always have been
11 working closely with FEMA to make sure that I
12 guess that we can get as much as we can get back.
13 But they want to see the bills paid before they
14 reimburse, so they'll see that.

15 COMMISSIONER VAN RENSALIER: What's the
16 percentage of reimbursement?

17 COMMISSIONER COTTON: 75.

18 COMMISSIONER LEVINE: How much money did
19 we get, Ruby, from the government?

20 PRESIDENT SANCHEZ? No, the application is
21 still pending.

22 COMMISSIONER LEVINE: I'm asking, didn't
23 Paterson and everybody already got their money,
24 right, from the Federal government?

25 COMMISSIONER KOLODZIEJ: That was money

1 for the ARP, that's not from FEMA. That's the
2 American Rescue Plan.

3 COMMISSIONER LEVINE: Right, did we get
4 any money from the --

5 COMMISSIONER KOLODZIEJ: No.

6 COMMISSIONER LEVINE: How come?

7 COMMISSIONER KOLODZIEJ: We didn't
8 qualify.

9 COMMISSIONER COTTON: The cities were, not
10 utility companies.

11 COMMISSIONER LEVINE: Some of the council
12 people are calling from Paterson.

13 COMMISSIONER COTTON: Everybody's calling.

14 COMMISSIONER LEVINE: I'm not sure if
15 that's exactly ARP. They didn't really mention
16 ARP. They said did we get our money. I didn't
17 understand if it was ARP or what they were
18 referring to, but they said Paterson got money.
19 Is that what they're talking about?

20 PRESIDENT SANCHEZ: That's from the Rescue
21 Plan.

22 COMMISSIONER COTTON: They got money from
23 the American Rescue Plan. That's what that's for.
24 They sent money down for rent relief. They sent
25 money down for --

1 COMMISSIONER VAN RENSALIER: That's for
2 affordable housing opportunity.

3 COMMISSIONER COTTON: It's for different
4 things. Like Commissioner Kolodziej said, I don't
5 think that utilities --

6 COMMISSIONER VAN RENSALIER: Paterson got
7 both from the Federal government, from HUD, and
8 they got directly to the city.

9 COMMISSIONER COTTON: Right.

10 COMMISSIONER LEVINE: I wasn't a hundred
11 percent familiar with what they were talking
12 about. I know we applied for the FEMA money.
13 They must have been talking about ARP when they
14 were asking if we got that money, I guess.

15 PRESIDENT SANCHEZ: FEMA obligation is
16 still pending and Pat Porcaro's working on it.

17 COMMISSIONER LEVINE: You would know.
18 You're a councilwoman. That's the only money that
19 Paterson got was ARP then that's what they were
20 referring to.

21 COMMISSIONER COTTON: We got more money
22 than from ARP. We got money to help people pay
23 their rent. We got money for people who became
24 homeless. We got money to help them get housing.

25 COMMISSIONER LEVINE: None of that stuff

1 pertains to us here.

2 COMMISSIONER COTTON: No, it doesn't
3 pertain to us.

4 So with that being said, now we're just
5 waiting to see what happens with FEMA or how much
6 reimbursement that they're going to reimburse back
7 to Passaic Valley Water.

8 Also, the lead service line. We had some
9 miscellaneous items on there too.

10 We received the bids back for the lead
11 line service line replacement. I think we opened
12 the bid on April 20th. The lowest bid was --

13 MR. BRISMAN: You know --

14 COMMISSIONER COTTON: I don't need to do
15 that?

16 MR. BRISMAN: No, they're being evaluated
17 currently and we're going to send in to the
18 cities -- not the city -- the State what our
19 findings are.

20 COMMISSIONER COTTON: You have to submit
21 to the State which ones you want to pick, like
22 what company we want to use.

23 MR. BRISMAN: Right. It's not coming up
24 for award today, so I would put that conversation
25 off.

1 COMMISSIONER COTTON: All right. So seven
2 bids came back for the lead line replacement.
3 There were a lot lower bids. Originally the first
4 bid that went out, because Patrick kind of tweaked
5 it, the bid specs a little differently so that's
6 why the prices came back differently.

7 Also, we're looking to maybe do a special
8 meeting on May 11th for the lead line replacement
9 for the bond money for the IBank money for four or
10 five items that we need to do talk about.

11 With that being said, any questions -- oh,
12 I know, I was going to ask one more question.

13 With that being said, any questions on the
14 special projects?

15 MR. MUELLER: Just one note to followup on
16 your for the lead line, May 11th is the latest.
17 We really need to meet May 11th because of the
18 loan, the lead time on the processing, May 11th,
19 that's on advice from some our experts who are
20 advising us, said we really have to have May 11th
21 or before. So that's a hard date.

22 COMMISSIONER COTTON: That's a hard what?

23 MR. MUELLER: A hard date.

24 COMMISSIONER COTTON: That's a Wednesday,
25 May 11th.

1 The only other question I might have and I
2 meant to ask Patrick while we were in the meeting
3 and maybe Yaacov, right now with all these
4 contracts that we're voting on today comes out to
5 \$4.8 million and I had said to Patrick a couple of
6 times already about the equal opportunity and he
7 tells me that ten percent of these contracts have
8 to go to minorities and I want to say who is the
9 watcher to make sure? Is it our personnel agent
10 or is it the State?

11 COMMISSIONER KOLODZIEJ: It's the
12 P.A.C.O.s.

13 COMMISSIONER COTTON: I want to make sure.
14 That's just today, not saying what we've done
15 already in the past. Like who's watching to make
16 sure that ten percent of this is going to minority
17 contracts or going to women. I would like to see
18 an example of one of our contracts, what happened
19 to it. Did the money go to where it --

20 MR. MUELLER: Got it.

21 COMMISSIONER COTTON: Okay.

22 COMMISSIONER FRIEND: Is it ten percent
23 per contract or ten percent in the aggregate?

24 MR. MUELLER: Per contract.

25 COMMISSIONER COTTON: Per contract.

1 COMMISSIONER FRIEND: So then the
2 contractor has to also supply a form, I believe.

3 COMMISSIONER COTTON: That's what Patrick
4 says.

5 COMMISSIONER FRIEND: That certifies that
6 to us.

7 COMMISSIONER COTTON: That's what I was
8 thinking.

9 MR. BRISMAN: It's part of the building
10 inspection. I'll make sure.

11 COMMISSIONER COTTON: That's the end of my
12 report, gentlemen and ladies.

13 PRESIDENT SANCHEZ: Thank you,
14 Commissioner.

15 Insurance?

16 Is Carmen.

17 COMMISSIONER DEPADUA: I'm here. Can you
18 hear me?

19 PRESIDENT SANCHEZ: Yes, we can.

20 COMMISSIONER DEPADUA: I'm listening to
21 everybody. I'm listening. I'm just waiting to
22 speak.

23 PRESIDENT SANCHEZ: You're up for
24 insurance.

25 COMMISSIONER DEPADUA: Okay. So I had a

1 little bit of a bad connection when you were
2 talking about authorizing and removing the B.A. I
3 just want it noted for the record that I have to
4 give kudos and appreciate Lou Amodio, how he
5 handled the Passaic Valley Water Commission while
6 we were out looking for an executive director. He
7 retired and we went on without anyone and we as
8 Commissioners, we assigned him and the way it
9 sounds here we have to see who we're going to
10 designate, it's like telling me like you have no
11 one that's able to run the company while the
12 executive director is out, if he has to be out for
13 three months, two months, that's my only concern.
14 And I'd like to make that, for the record, that
15 during the crisis of the water, he did a hell of a
16 job and he stepped up to the plate.

17 That's my comment on this.

18 COMMISSIONER KOLODZIEJ: Anything else
19 said at the insurance committee meeting?

20 PRESIDENT SANCHEZ: Carmen, the insurance
21 report, do you have one for the committee?

22 COMMISSIONER DEPADUA: Excuse me?

23 MR. BRISMAN: Do you have a report from
24 the insurance committee? Is there anything?

25 COMMISSIONER DEPADUA: No, we haven't met.

1 as well. We also talked about the dams and the --

2 COMMISSIONER FRIEND: Right.

3 MR. MUELLER: I have the dam reports in a
4 summary that I'll send out later today for
5 consideration.

6 COMMISSIONER FRIEND: There is concern
7 about what would happen in the event one of our
8 dams was to have a fault and cause damage to the
9 property and I understand Mr. Mueller indicated
10 that there are reports being done, engineering
11 reports as to the condition of the dams and
12 whether or not we have to take any action as far
13 as that's concerned.

14 PRESIDENT SANCHEZ: Is that a resolution,
15 Jerry, for this or no? Is there any action that
16 needs to be taken?

17 COMMISSIONER FRIEND: No, because we're
18 waiting to hear back from the insurance agent and
19 have another meeting in terms of what additional
20 costs would be on the insurance.

21 PRESIDENT SANCHEZ: Can we reach out to
22 him to see if he has that information, Jim?

23 MR. MUELLER: Sure.

24 COMMISSIONER VAN RENSALIER: Mr.
25 President, Passaic Valley Water Commission

1 customers is saying there were water standard
2 violations. Are we going to discuss that today?

3 MR. MUELLER: That's part of my Executive
4 Director's report.

5 PRESIDENT SANCHEZ: What else do we have?
6 Policy?

7 COMMISSIONER KOLODZIEJ: Yes, policy met.
8 I'll keep this brief, Mr. President. Policy met.
9 It was our inaugural meeting, thanks to the
10 executive director managing to get our schedules
11 squared away.

12 We discussed two policy items. The first
13 was regarding criminal records and our hiring
14 process. Administration had presented to us what
15 they had found researching the three owner cities
16 and, additionally, our attorney also researched
17 Civil Service. The committee was unanimous in
18 saying we should put together some guide that
19 mimics Civil Service and is broad enough that it
20 doesn't pigeonhole us into necessarily rejecting
21 qualified candidates.

22 The other item that we discussed was the
23 lead line replacement. People who had previously
24 done it prior to we're going to award contract and
25 now do it for free, typically, they're put on

1 payment plans to pay that. There was a discussion
2 as to whether or not it would be a wise policy to
3 forgive any additional money that may be owed as
4 going through their payment plan. The committee
5 felt that we needed greater details in terms of
6 what type of financial impact that would have on
7 the water commission before we continued to
8 discussion that, so Administration will bring that
9 back at our next policy committee meeting.

10 Those were the only two items we
11 discussed.

12 PRESIDENT SANCHEZ: Okay. Thank you.

13 COMMISSIONER COTTON: Who's on policy?

14 COMMISSIONER KOLODZIEJ: Policy is
15 Commissioner Van Rensalier and Commissioner
16 Levine.

17 COMMISSIONER COTTON: The same as the
18 personnel committee?

19 PRESIDENT SANCHEZ: Yes.

20 COMMISSIONER COTTON: Okay. Because I
21 know I don't see no list for policy.

22 COMMISSIONER KOLODZIEJ: We created it
23 after the standing committees were made and
24 Commissioner Van Rensalier made the recommendation
25 and we passed a motion unanimously to establish it

1 and the president created the committee.

2 PRESIDENT SANCHEZ: Go ahead, Jim. You
3 got the floor.

4 MR. MUELLER: Yes, the Executive
5 Director's report that I put together is in the
6 packet. There's a reference of five different
7 things I highlight today.

8 The first is Operational Highlights. So
9 we're moving into our reservoir storage projects,
10 the storage tank projects which are advancing. We
11 are assessing not only the end game, what storage
12 will be at the end, but during construction how
13 they will be impacted over time. It does look
14 like there will be periods that storage will be
15 lower than we're used to now. Looking at the
16 plant, which is key, process impacts, the power
17 projects that Commissioner Cotton mentioned before
18 was really key for us to finish. We're at
19 95 percent. But aside from that, just process
20 reliability of the plant. That plant's 20 years
21 old, going on 20 years old. So our plan right
22 now, working with Pat Porcaro and Wendy Simone,
23 looking at hardening that plant ahead of our
24 storage projects. I think last meeting we
25 provided the overall schedule for the reservoir

1 projects. We didn't want to look at hardening the
2 process of the plant so that when we're going into
3 periods of construction where things are coming
4 out of service the plant as hardened as we can get
5 it. So we're identifying those process areas now.
6 Again, working with the plant, working with
7 Engineering and we'll put a plan together.

8 We're also going through our system wide
9 inventory, not just for the treatment plant, but
10 overall system, pumping, distribution, and
11 satellite treatment in terms of controls,
12 security, cyber security, reliability, age. We're
13 going through that inventory now. Also assessing
14 power reliability at our satellite facilities and
15 pulling a plan together there as Yitz mentioned in
16 the capital budget, we'll come up with some
17 recommendations there in terms of hardening that
18 system. I'll report on that monthly or as needed
19 in terms of updates.

20 Succession Planning. In the last couple
21 of months the board approved five director
22 positions. We are moving. Everything's
23 advertised. We're getting resumes in. Interviews
24 are actually starting tomorrow for the ODHR
25 position and the lab position, which is great.

1 Two credible positions. We have interviews also
2 being scheduled for next week for EHS, another
3 credible position. So resumes are coming in.
4 Qualified candidates are coming in and we're
5 moving on that. Director of IT is being
6 advertised. I think it was advertised yesterday
7 and Communications Intergovernmental Coordination
8 was advertised. All these postings has been
9 distributed internally. Staff has been encouraged
10 to apply. We're also going external, AWWA, our
11 normal newspaper ads, that kind of thing,
12 LinkedIn. So we're gathering resumes there. So
13 all five are in play. Interviews are starting and
14 I'll report out, as you know, to the committees,
15 obviously to the personnel committee first as
16 things become solidified and we have
17 recommendations.

18 In addition to that, at the last meeting I
19 had presented some information just on experience
20 and age in the company and succession planning is
21 obviously paramount. There's other efforts
22 ongoing there in terms of gaps, standard operating
23 procedures, workload what we have to do to firm up
24 this organization, be ready for a succession as
25 retirements loom or other separations occur. So

1 that's ongoing. We're working with various
2 departments to document, again, workload, standard
3 operating procedures and I'll report out on future
4 meetings in terms of gaps and hiring priorities or
5 resource priorities as well.

6 And, finally, as Commissioner Van
7 Rensalier mentioned as part of personnel, part of
8 succession planning is archiving and
9 digitalization of records, accessing information,
10 institutional knowledge is key and it's not
11 trivial. It's a big deal for an organization like
12 this that's got a lot of documents in various,
13 some are digitized but not well organized. So
14 that's going to be one of my key efforts going
15 forward working very closely with Mr. Brisman and
16 Mr. Amodio and Administration, Engineering,
17 Operations. This is something that's really key
18 that, again, from a succession planning
19 standpoint. So I'm looking forward on working on
20 that and developing that with my colleagues.

21 As Commissioner Van Rensalier asked,
22 Regulatory Issues. So we received a Notice of
23 Noncompliance on March 16th in regards to optimum
24 water quality parameters for pH and
25 orthophosphate. We received that Notice of

1 Noncompliance 54 days out of a six-month
2 compliance period, from July 1st, 2021, to
3 December 31st of 2021. So that was the compliance
4 period. We received that notice of violation in
5 March of '22. There's a lag there obviously. We
6 had 30 days in order to comply with that
7 noncompliance and submit things to the State and
8 also do the public letters and notify the public
9 of that issue.

10 Upon further review of staff, it took a
11 little while to dig into this, this requirement
12 was new. It was instituted in May of 2021 and
13 effective July of '21. So we had to change our
14 sampling procedures to meet these, to get the
15 data, to measure performance against these new
16 limits. Upon further review of the data, we had
17 data issues. PH in Little Falls which triggered
18 the main system notification because Little falls
19 was part of the main system. There were two
20 samples of pH that were over but they were taken
21 as grab samples every week so it produced the 14
22 day, which exceeded the nine-day excursion. Upon
23 further review, our continuous monitoring samples
24 that were in place, we didn't report out on those.
25 So in hindsight a lot of lessons learned here.

1 Those show pH was fine and we take those readings
2 every 15 minutes. It's continuous. That data was
3 fine. Our grab sample, which is, Ruby worked in
4 the wastewater, you're going in taking a grab at
5 an instantaneous time. It wasn't representative
6 of what was going into distribution. At no time
7 did we monitor any exceedances in the distribution
8 system. This was all private distribution and
9 there was data issues which we did report out onto
10 the State and had to submit a corrective action
11 report to the State, which we also did by April
12 15th.

13 The other piece was the orthophosphate
14 issue at Prospect Park, one pumping station in
15 Prospect Park. We had sampling issues. We needed
16 the samples taken from a continuous standpoint.
17 When the sampler showed up, they did not. It was
18 from a stagnant line that had been sitting. It
19 wasn't active. It wasn't dosed actively. So you
20 got a low orthophosphate because it wasn't being
21 dosed. It was stagnant overnight and we had a low
22 sample. We didn't pick up on it until we got the
23 Notice of Compliance violation in March. Had to
24 do this deep dive on what happened. That's what
25 happened, which we reported to the State.

1 Unfortunately, we had to send notices out
2 to -- you know, NJDEP provided us with a template.
3 There was language in that template. We did work
4 with them on it a bit, but essentially we followed
5 their template that had to go out by April 15th
6 that, did go out. Obviously, has caused a lot of
7 concern, which is why I wanted to report on the
8 details as part of my executive director report
9 today.

10 So there's a few immediate things we've
11 taken and, again, at no point did we monitor any
12 exceedances, what was going to distribution. This
13 was all prior to distribution. Was not in
14 distribution. Anything we had in the distribution
15 system showed that we were in compliance but we
16 reported out on these things to the State and they
17 rightfully, it was a noncompliance based on the
18 data reported.

19 So our immediate steps did take in to
20 address the orthophosphate, which is the corrosion
21 control, again, reminding staff on the proper
22 sampling technique. It was a new collection. We
23 adopted this last year as a new method to meet
24 these new requirements. Had to remind them on
25 those protocols, the proper protocols for doing

1 it. We've also sent out reminders on the
2 laboratory information system, put triggers in
3 place there that at least when the data's entered
4 there's a trigger and flag that will say, hey,
5 that's out of compliance, for us to take early
6 action and not wait. And we also instituted
7 quality assurance procedures where multiple layers
8 of staff will look at that data before it's
9 entered. So that's on orthophosphate.

10 For pH we've moved to the online monogram
11 system. It's continuous. It's every 15 minutes.
12 It's aggregated. It's accurate. You know, in
13 hindsight it's probably something we would have
14 wanted to do last year, we didn't. So we're
15 instituting that now. It's all been submitted as
16 part of our response plan to NJDEP as part of the
17 noncompliance notice. They have that and this is
18 what we're instituting now to take the corrective
19 action.

20 Just Current Compliance Period Issues. So
21 the compliance period we're in now is January
22 of '22 through June of '22. We didn't catch this
23 until March. So January and February we're likely
24 to get a similar noncompliance for those periods.
25 We haven't waited on the corrective actions,

1 they're instituted but it's likely we're going to
2 receive a noncompliance there. We're going to
3 work with NJDEP. I think I have a call scheduled
4 with them next week to just talk about
5 communication. It is what it is.

6 COMMISSIONER LEVINE: How much are the
7 fines?

8 MR. MUELLER: I don't have a fine amount
9 at this point.

10 COMMISSIONER COTTON: They normally don't
11 fine. They'll tell you what you did wrong.

12 MR. MUELLER: Yeah, I don't have any --

13 PRESIDENT SANCHEZ: We've got fined in the
14 past.

15 COMMISSIONER COTTON: Unless you don't
16 respond.

17 MR. MUELLER: We did respond. We
18 responded.

19 Commissioner Levine, I don't have any
20 information on fines, financial.

21 COMMISSIONER LEVINE: I thought we got
22 fined too in the past.

23 PRESIDENT SANCHEZ: We did.

24 MR. MUELLER: We may have.

25 COMMISSIONER COTTON: You may have, but I

1 mean, not since I've been here.

2 MR. MUELLER: I don't have a fine on this.
3 There's been nothing submitted.

4 COMMISSIONER COTTON: In the past five
5 years.

6 COMMISSIONER LEVINE: Right. Maybe a year
7 before COVID.

8 MR. MUELLER: The water and distribution
9 met regulatory requirements according to all of
10 our data. So, yes, we met the regulatory
11 requirements.

12 COMMISSIONER VAN RENSALIER: That's a
13 fancy way of saying the water was unsafe.

14 MR. MUELLER: No, according to our data
15 the water was safe.

16 COMMISSIONER VAN RENSALIER: Okay. So
17 that was a very thorough and detailed report and I
18 appreciate it. Is there any way you can give us
19 an executive summary of that so that we could
20 share with our mayors and our city council because
21 I'm getting questions from those groups as to what
22 occurred here and for me to remember all of that
23 and repeat that back, it's not going to happen.

24 MR. MUELLER: Understood.

25 COMMISSIONER VAN RENSALIER: If we can get

1 a very condensed version of that so we can share
2 with any of our --

3 COMMISSIONER FRIEND: To go to all three
4 cities.

5 COMMISSIONER VAN RENSALIER: To all the
6 commissioners, right.

7 COMMISSIONER FRIEND: I'm more concerned
8 about procedure now.

9 If there were 54 violations over that
10 period, who were those violations reported to by
11 the individual in charge for collecting the
12 sampling?

13 MR. MUELLER: They weren't caught until
14 March of '22, Commissioner.

15 COMMISSIONER FRIEND: Well, when you say
16 "they weren't caught", how do we get notification
17 that there is a violation?

18 MR. MUELLER: Right. So that's the
19 Laboratory Information Management system that I
20 mentioned. We put triggers in there. We also
21 instituted another layer of review before that
22 data entry where they'll --

23 COMMISSIONER FRIEND: Okay. But 54
24 samples did not meet the framework permitted. So
25 was there an individual? Was there -- who --

1 MR. BRISMAN: Be careful not to mention --

2 COMMISSIONER FRIEND: Who takes the sample

3 to know that there were 54 violations.

4 MR. BRISMAN: An excellent question, an

5 important question. Just remember, if you're

6 going to start naming names --

7 COMMISSIONER FRIEND: I'm not naming

8 names.

9 PRESIDENT SANCHEZ: I think what --

10 MR. MUELLER: I'll followup.

11 PRESIDENT SANCHEZ: What Commissioner is

12 saying who was the person responsible for taking

13 the sample.

14 MR. BRISMAN: So you are asking for a

15 name.

16 PRESIDENT SANCHEZ: No, no.

17 MR. MUELLER: Not right now.

18 MR. BRISMAN: Oh, okay.

19 COMMISSIONER FRIEND: Okay. So now there

20 were 54 violations. Now if there's a violation,

21 what's in the system, our inhouse system, so to

22 speak, that they should be reported directly to

23 you as they occur.

24 MR. MUELLER: Understood.

25 COMMISSIONER FRIEND: So that you could

1 follow up and --

2 MR. MUELLER: We track it early. We get
3 it. Address it.

4 COMMISSIONER FRIEND: First thing that a
5 violation occurs.

6 PRESIDENT SANCHEZ: When did that happen,
7 just for the record?

8 MR. MUELLER: It was between July and
9 December of '21.

10 PRESIDENT SANCHEZ: So you were not here.

11 COMMISSIONER COTTON: July of 2021 to
12 December of 2021?

13 PRESIDENT SANCHEZ: So you weren't here.

14 COMMISSIONER FRIEND: This is on the
15 basis, the first time I contacted Mr. Mueller I
16 indicated I realize you weren't here during that
17 time period, but --

18 COMMISSIONER COTTON: So what happens?

19 COMMISSIONER FRIEND: But that doesn't
20 mean he shouldn't be responsible now to make sure
21 there's a system in place that if a violation
22 occurs this afternoon, he's notified of it by 9:00
23 tomorrow morning.

24 PRESIDENT SANCHEZ: That's the way it
25 should be. It shouldn't become a problem before

1 somebody takes action.

2 COMMISSIONER LEVINE: Is there people that
3 look out, like say there's a water sampler
4 collector does it, then is there supervision over
5 him to check it and then supervision over him so
6 it's gone through all three people, the three
7 supervisors and the executive director back then?

8 MR. MUELLER: That's the implication.

9 COMMISSIONER LEVINE: There's a problem
10 somewhere if it's getting through the four layers.

11 COMMISSIONER COTTON: I think that it did,
12 because I mean, I take samples every hour and
13 write it down and then at the end of the day, 24
14 hours then I pass it on to the next person. So
15 all three shifts are writing the samples down.

16 PRESIDENT SANCHEZ: So, Commissioner, may
17 I ask you something? What is the process that we
18 have now? I'm a collector, right.

19 COMMISSIONER COTTON: Right. Then you
20 give it to someone.

21 PRESIDENT SANCHEZ: Who do I report it to
22 right now? Let's say I find a problem. Who do I
23 go to right now?

24 MR. MUELLER: They would report it to
25 their mid management.

1 Just a reminder, our laboratory director
2 left early. You know, last month she stopped
3 working full time. We also lost a sample
4 collector, so we are down staff there right now.
5 But the procedure now is that they would take
6 their sample -- we're also moving from red samples
7 for pH, online sampling, the continuous sampling,
8 much better.

9 But for ortho, they would take their
10 sample. Come back. Review that. Before
11 inputting anywhere, review it with their
12 supervisor. That's the procedure we instituted
13 and sent to the State.

14 And then it would get entered into LIMs.
15 LIMs is the Laboratory Information Management.
16 There's also now a triggers program into LIMs. So
17 it's multiple layers where it's human review,
18 which is key and then the system, which also flags
19 the triggers. And what I need to develop is a
20 visualization for that for me, like a summary of
21 where are our exceptions, where are we getting
22 those --

23 PRESIDENT SANCHEZ: So what you're telling
24 the board is that changes are being implemented?

25 MR. MUELLER: Correct.

1 PRESIDENT SANCHEZ: To make sure that this
2 don't happen anymore.

3 MR. MUELLER: And I'm sorry, Commissioner,
4 they've been reported, those changes have been
5 reported officially to the State in response to
6 the incident.

7 COMMISSIONER FRIEND: Okay. As a
8 followup. I indicated to you more so that I would
9 like to see the board informed prior to a letter
10 going out of the nature that it went out. I see
11 the letter from the State of New Jersey March
12 16th. I believe we had a commissioners meeting on
13 March 23rd and nobody was notified that this
14 letter had come in and when I opened up my mail
15 one day and saw it was a letter from Passaic
16 Valley Water Commission about the issue, you know,
17 I was surprised as well as our customers was. So
18 I think when violation letters come in like that
19 from the State of New Jersey, I think you
20 discussed some weekly little newsletters to the
21 commissioners, so that we're informed. The first
22 knowledge we seem to get soon to be from the
23 newspaper reporter calling or from a letter that's
24 sent out by Passaic Valley Water to the public.

25 MR. MUELLER: Completely agree.

1 PRESIDENT SANCHEZ: Jim, I know you called
2 me as President. My advice to you, shoot an email
3 to the whole board so that way everybody gets
4 informed. If they get a call from the people in
5 the town, they should be informed.

6 I just want to say that, it's 60 days
7 since is you've been on board. I know it's a lot
8 to intake. It's a lot to go over. But I want
9 every commissioner to, if they have any
10 suggestions, anything, to have a one-on-one with
11 you, whatever it is, because we need to have an
12 open dialogue. I know in 60 days there's not much
13 you could do or implement, but moving forward I
14 think Jerry has been asking for this for years, he
15 wants to be informed; he wants to know what's
16 going. I think everybody at this table should be
17 informed so that way if we get a call we know
18 what's going on. You should do that equally.

19 MR. MUELLER: I agree.

20 COMMISSIONER FRIEND: How many calls did
21 the Passaic Valley Water Commission actually get?

22 MR. MUELLER: On the letters, I checked in
23 on that. The logs aren't that granular where we
24 can say this letter. But going forward we're
25 going to start tracking that.

1 Same thing with some of these other issues
2 as myself and Yitz are going through, lead service
3 line, the accounting isn't always granular to
4 detailed costs.

5 COMMISSIONER FRIEND: When you say a log
6 isn't kept, when the call comes in --

7 MR. MUELLER: Logs are kept, but a code so
8 we log the calls. We align the calls that log
9 issues, but there's no easy rollup of, hey, that's
10 because of that noncompliance letter. Going
11 forward we can create a --

12 MR. BRISMAN: Can I interject. I'm so
13 sorry. I beg your indulgence. Outside counsel
14 has an 11:00 deposition for a case involving us.
15 He should be very brief, but he needs settlement
16 authority from this board. Mr. LaRacca. So can
17 we continue it after and just... Do you mind?

18 COMMISSIONER FRIEND: No.

19 MR. BRISMAN: I feel bad, he's got to go.

20 PRESIDENT SANCHEZ: Can we do this now?

21 MR. BRISMAN: Yeah, we have to go into
22 executive session. We'll have Mr. LaRacca go
23 first.

24 PRESIDENT SANCHEZ: Go ahead.

25 MR. BRISMAN: We need a motion.

1 COMMISSIONER VAN RENSALIER: I make a
2 motion to go into closed session.

3 COMMISSIONER FRIEND: Second.

4 MR. BRISMAN: We had a motion and second
5 to go into executive session.

6
7 (Roll call was taken, all Commissioners
8 respond in the affirmative)

9
10 MR. AMODIO: Please close the doors.

11
12 ***

13
14 MR. AMODIO: You have a quorum.

15 The time is 11:30 a.m.

16 Consent Agenda. We have the minutes of
17 Passaic Valley Water Commission in camera and
18 regular meeting held on March 23rd, 2022.

19 Do I have a motion?

20 COMMISSIONER VAN RENSALIER: Move it.

21 COMMISSIONER KOLODZIEJ: Second.

22 MR. AMODIO: Motion by Commissioner Van
23 Rensalier.

24 Second by Commissioner Kolodziej.

25 On the roll.

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

MR. AMODIO: Next, we have Resolutions. Would you like to do one roll call for all of them?

PRESIDENT SANCHEZ: Yes, please.

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

COMMISSIONER COTTON: Move it.

MR. AMODIO: Motion by Commissioner Cotton.

Second by Commissioner Depadua.

On the roll.

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

(Whereupon, the following Resolutions were approved:

1. Resolution 22-034: Authorizing a Shared Service Agreement with Brick Township Municipal Utilities Authority for Analytical Laboratory Services.

It is recommended that PVWC enter into a

1 Shard Service Agreement with Brick Township
2 Municipal Utilities Authority in the amount of
3 \$498,400.00 over 2 years for the procurement of
4 analytical laboratory services for Metals,
5 Inorganics, Volatile Organic Compounds (VOCs),
6 Haloacetic Acids (HAA's), MIB and Geosmin, and
7 Chlorates.

8 2. Resolution 22-035: Member
9 Participation in the Passaic County Cooperative
10 Pricing System ID #184PCECPS for Electric
11 Generation Supply Service.

12 The Commission will be able to participate
13 in the procurement of energy generation supply
14 services under this Cooperative Pricing Agreement
15 with Passaic County. Membership does not expire
16 and there are no subscription fees.

17 3. Resolution 22-036: Member
18 Participation in the Passaic County Cooperative
19 Pricing System ID #38PCCP for General Procurement
20 and Maintenance Contracts.

21 The Commission will be able to participate
22 in various procurement and maintenance contracts
23 under this Cooperative Pricing Agreement with
24 Passaic County. Contracts include goose control,
25 vegetative removal, maintenance of HVAC systems,

1 on-call drainage projects, fiber optic line
2 design, installation, maintenance and repairs,
3 procurement of road materials, hardware and
4 electrical supplies. Membership does not expire
5 and there are no subscription fees.

6 4. Resolution 22-037: Designating Its
7 Public Agency Compliance Officer (P.A.C.O.)

8 Appoint Lisa Bresemann to serve as a
9 Public Agency Compliance Officer for PVWC.

10 Requirement for securing loans with IBank.

11 5. Resolution 22-038: Budget Amendment
12 of Professional Services for Project No. 21-P-83
13 Entitled "Engineering Services for PVWC Nosenzo
14 Pond Wellhouse PFAS."

15 Change Order No. 1 in the amount of
16 \$108,000.00 to Arcadis not to exceed the total
17 contract amount of \$471,000.00 during the 3-year
18 contract. This change order will cover
19 out-of-scope work which includes performing
20 construction management for the installation of
21 temporary treatment facility and evaluation of the
22 West Milford Public School's sanitary sewer
23 facility to verify if it can handle additional
24 flow from the permanent installation.

25 6. Resolution 22-039: Award Project No.

1 22-P-80 Entitled "Electronic and Credit Card
2 Payments."

3 It is recommended that Project No.
4 22-P-80, "Electronic and Credit Card Payments" be
5 awarded to CARDChoice Merchant Services LLC with
6 reimbursement to be on a Take-and-Pay,
7 Time-and-Materials basis, not to exceed
8 \$332,500.00 over 1 year. This project will allow
9 retail customers to make payments via credit/debit
10 cards, Echecks and ACH payment.

11 7. Resolution 22-040: Award Contract No.
12 22-B-3 Entitled "Replacement of Caustic Soda
13 Piping at the Little Falls Treatment Plant."

14 It is recommended that Contract No.
15 22-B-3, "Replacement of Caustic Soda Piping at the
16 Little Falls Treatment Plant" be awarded to Allied
17 Construction Group in the amount of \$769,000.00
18 over 1 year. This contract will replace the
19 Caustic Soda Piping at the Plant which is in a
20 deteriorated condition. Several emergency repairs
21 have been made to the piping due to leaks.

22 8. Resolution 22-041: Award Contract No.
23 22-B-4 Entitled "Fueling Facility."

24 It is recommended that Contract No. 22-B-4
25 Entitled "Fueling Facility" be awarded to T.R.

1 Weniger, Inc. in the amount of \$849,500.00 over 1
2 year. This contract will replace the buried
3 underground storage tank for gasoline and diesel
4 with above ground tanks and fuel dispenser system.
5 Facilitates regulatory compliance issues.

6 9. Contract No. 22-B-42: Award Contract
7 No. 22-B-11 Entitled "Concrete Restoration."

8 It is recommended that Contract No.
9 22-B-11, "Concrete Restoration" be awarded to
10 Alimi Builders, Inc. in the amount of \$571,900.00
11 over 2 years. This contract will provide the
12 Commission with concrete restoration services
13 throughout the Commission's entire system to
14 replace damaged concrete surfaces caused by
15 in-house or PVWC contractor activities.

16 10. Contract No. 22-B-43: Budget
17 Amendment of Construction Contract No. 20-B-19
18 Entitled "Replacement of Air Handling Equipment at
19 LFWTP Laboratory."

20 Change Order No. 1 in the amount of
21 \$290,430.29 to H & S Construction not to exceed
22 \$1,964,430.20. This change order will reimburse
23 the contractor for out-of-scope services which
24 include the replacement of 410 LF ducts and duct
25 supports due to the existing ductwork and supports

1 being compromised in multiple locations. A 3
2 month time extension is also required to resolve
3 this issue and other delays are due to supply
4 chain issues, with a new expiration date of August
5 1, 2022.

6 11. Contract No. 22-B-44: Designating
7 Its Qualified Purchasing Agent.

8 Appoint Lisa Bresemann to serve as the
9 Qualified Purchasing Agent for PVWC.

10 12. Contract No. 22-B-45: Fourth
11 Amendment to the Agreement for Project No. 18-P-21
12 Entitled "Government Relations and Public
13 Affairs."

14 Amend Gibbons existing Project No.
15 18-P-21, "Government Relations and Public Affairs"
16 at a monthly lump sum of \$7,500 plus reimbursable
17 expenses for 1 year for continuing to assist PVWC
18 in ongoing efforts related to government relations
19 and public affairs.

20 13. Contract No. 22-B-46: Authorization
21 to Apply for a Second Extension of the
22 Sub-recipient Agreement Between NJDEP and the PVWC
23 Implementing the CDBG-DR Program for Contract No.
24 15-B-25.

25 Request permission from the Commissioners

1 to request a one year extension to the term of the
2 Sub-recipient Agreement. Project is about 95
3 percent complete, however, most of the remaining
4 work and time needed to complete the Project
5 relates to the replacement and re-routing of
6 high-voltage cables, replacement of defective
7 cables and testing systems. Replacement of
8 defective cables will not be delivered to the job
9 site until June 2022 due to long lead times caused
10 by global supply-chain issues. Contractor will
11 not be able to perform testing during the
12 high-demand season in the summer. Testing will
13 not be allowed until Fall 2022. Proposed new
14 expiration dated of June 30, 2023.

15 14. Contract No. 22-B-47: Emergency
16 Expenditures for Recovery Associated with Damage
17 Caused by Remnants of Hurricane Ida.

18 Utilizing multiple contracts and PVWC
19 resources for the expeditious recovery of the
20 affected New Street Reservoir and service areas,
21 emergency repair of damaged PVWC facilities, and
22 to provide emergency aid to affected PVWC
23 customers at an aggregate finalized total cost of
24 (\$6,276,040.88)
25

1 MR. AMODIO: Next we have summary of
2 disbursements and payrolls through April 27, 2022,
3 in the amount of \$14,364,167.83.

4 Would the Treasurer like to make the
5 motion?

6 Commissioner Depadua.

7 COMMISSIONER DEPADUA: Motion.

8 MR. AMODIO: Thank you.

9 Do I have a second?

10 COMMISSIONER COTTON: Second.

11 MR. AMODIO: Second by Commissioner
12 Cotton.

13 On the roll.

14 COMMISSIONER COTTON: I just need to ask
15 Yitz. I didn't see on the list Passaic Valley
16 Sewer. I didn't see it. I looked through it.

17 MR. WEISS: Okay. So if it's not there,
18 it's not there.

19 COMMISSIONER COTTON: My vote is yes.

20 COMMISSIONER KOLODZIEJ: Yes, to bill
21 list.

22

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

25

1 MR. AMODIO: Next we have recommendations
2 from closed session. With the exception of item
3 H, which is tabled, do I have a motion to approve?

4 COMMISSIONER VAN RENSALIER: Move it.

5 COMMISSIONER KOLODZIEJ: Separate roll
6 call on F because I will be recusing myself.

7 MR. AMODIO: Okay. So for the whole
8 agenda minus item F.

9 Motion by Commissioner Van Rensalier.
10 Do we have a second?

11 COMMISSIONER FRIEND: Second.

12 MR. AMODIO: Second by Commissioner
13 Friend.

14 On the roll.

15 COMMISSIONER COTTON: Can I ask a question
16 first before the roll?

17 MR. AMODIO: Yes.

18 COMMISSIONER COTTON: I thought I saw
19 something in here about overtime. This was not
20 given overtime anymore on letter F?

21 MR. MUELLER: No, he would still get
22 overtime. It's going from a 35 hour week to a 40
23 hour week. It will save about 20 to 60 hours of
24 eligible overtime, comparatively. He's losing
25 hours because it's going to a 40 hour week instead

1 of 35.

2 Does that make sense?

3 COMMISSIONER COTTON: Okay.

4 MR. AMODIO: On the roll.

5 COMMISSIONER KOLODZIEJ: Yes to the group.

6

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

9

10 MR. AMODIO: Item F, motion.

11 COMMISSIONER FRIEND: Move it.

12 MR. AMODIO: Motion by Commissioner

13 Friend.

14

15 MR. AMODIO: Second?

16 COMMISSIONER VAN RENSALIER: Second.

17 MR. AMODIO: Second by Commissioner Van
18 Rensalier.

19 On the roll.

20 COMMISSIONER KOLODZIEJ: Let the record
21 reflect I'm recusing myself on this.

22

23 (Roll call was taken, all Commissioners
24 respond in the affirmative. Commissioner
25 Kolodziej recused)

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(Whereupon, the following items from
Personnel were approved:

Promotions:

A. Christine Vozzella as Provisional
Executive Assistant.

Current Title: Administrative Analyst.

Current Salary: \$78,521.04.

Current Range: \$40,000.00 - \$81,905.40.

Proposed Salary: \$100,000.00.

Proposed Range: \$75,000.00 - \$120,000.00.

B. Maria Malfa Supervisor of Customer
Service.

Current Title: Supervisor of Customer
Service.

Current Salary: \$104,431.76.

Current Range: \$58,000.00 - \$109,777.50.

Proposed Salary: \$124,431.76.

Proposed Range: \$100,000.00 - \$140,000.00.

C. Lisa Bresemann as TA Buyer.

Current Title: Assistant Buyer.

Current Salary: \$100,343.85 TOR.

Current Range: \$39,999.99 - \$100,343.85.

Proposed Title: For discussion (QPA, PACO
(Public Agency Compliance Officer) designation.

1 Proposed Salary: \$120,343.85.

2 Proposed Range: \$100,000.00 - \$140,000.00.

3 D. Otilia Espino as Keyboarding Clerk 2

4 (as per CSC).

5 Current Title: Keyboarding Clerk 1.

6 Current Salary: \$61,475.41 TOR.

7 Current Range: \$38,000.00 - \$61,475.40.

8 Proposed Salary: \$62,475.41.

9 Proposed Range: \$40,000.00 - \$65,905.66.

10 E. Aaron Simmons as Keyboarding Clerk 2

11 (as per CSC.

12 Current Title: Keyboarding Clerk 1.

13 Current Salary: \$61,475.41 TOR.

14 Current Range: \$38,000.00 - \$61,474.40.

15 Proposed Salary: \$62,474.41.

16 Proposed Range: \$40,000.00 - \$65,905.66.

17 F. Eric Coan as Provisional Supervisor

18 Information Technology.

19 Current Title: Senior Technician

20 Management Information Systems.

21 Current Salary: \$64,542.16.

22 Current Range: \$45,000.00 - \$89,194.53.

23 Proposed Salary: \$88,172.23.

24 Proposed Range: \$88,172.23 - \$124,127.43.

25 G. Kevin Bower as Provisional Sr. Mechanic

1 Diesel (Replacing John Cascone, retired 1/1/2022).

2 Current Title: Mechanic Diesel.

3 Current Salary: \$89,283.72.

4 Current Range: \$38,000.00 - \$89,283.72.

5 Proposed Salary: \$91,498.72.

6 Proposed Range: \$51,667.20 - \$102,573.71.

7 H. Krystle Morales Provisional Supervisor
8 of Billing and Collections (replacing Lisa Guzman,
9 retired 5/1/2020) - Tabled.

10 New Hires:

11 I. Mark Napolitano as Provisional Mechanic
12 Diesel.

13 Proposed Salary: \$62,000.00.

14 Proposed Range: \$38,000.00 - \$89,283.72.)

15

16 MR. AMODIO: I have nothing under Good and
17 Welfare.

18 COMMISSIONER KOLODZIEJ: Actually, I have
19 one item under Good and Welfare.

20 Just from the appearance of being a little
21 more accountable and a little more professional, I
22 would like to make a motion that the seven
23 commissioners be issued Passaic Valley Water
24 Commission email addresses instead of using our
25 personal emails in order to communicate.

1 COMMISSIONER LEVINE: That's not a bad
2 idea. I thought we had them years ago, didn't we?
3 Years ago we had them.

4 COMMISSIONER KOLODZIEJ: So if we can get
5 a second?

6 PRESIDENT SANCHEZ: Can you give a second?

7 COMMISSIONER VAN RENSALIER: Second.

8 MR. WEISS: We don't need a motion. You
9 can just give a directive.

10 PRESIDENT SANCHEZ: Who's going to do
11 that?

12 MR. WEISS: We can tell IT.

13 COMMISSIONER KOLODZIEJ: IT may very well
14 have to load it up on our iPads and show us how to
15 access it.

16 COMMISSIONER COTTON: IT took mines back.

17 COMMISSIONER FRIEND: Check with us before
18 the email goes in.

19 COMMISSIONER KOLODZIEJ: Because we want
20 to make sure that we're not losing our ability to
21 communicate, but we should be transitioning over
22 to the ability.

23 COMMISSIONER FRIEND: Sometimes I get
24 emails in my personal and sometimes the office.

25 COMMISSIONER KOLODZIEJ: That's why --

1 MR. WEISS: Can I suggest, for those who
2 would like a PVWC email address, please let us
3 know.

4 COMMISSIONER KOLODZIEJ: All seven.

5 PRESIDENT SANCHEZ: It has to be all
6 seven. If we're going to do it it has to be all
7 seven.

8 COMMISSIONER VAN RENSALIER: How about a
9 phone? I have a work phone, don't you?

10 MR. MUELLER: Is that approved, the seven
11 emails?

12 COMMISSIONER FRIEND: Are they going to
13 say jerry@passaicvalleywatercommission?

14 MR. BRISMAN: It's going to be
15 gfriend@pvwc.

16 COMMISSIONER FRIEND: We'll be able to log
17 in?

18 COMMISSIONER KOLODZIEJ: Yes. They will
19 set it up that we'll be able to access it from
20 outside. They can even set it up on our phone as
21 well.

22 COMMISSIONER LEVINE: Is the meeting
23 adjourned?

24 PRESIDENT SANCHEZ: Yes.

25 MR. AMODIO: Meeting adjourned.

1 COMMISSIONER KOLODZIEJ: Motion to
2 adjourned.

3 MR. AMODIO: Time 11:37.

4 The next meeting's scheduled for
5 Wednesday, May 25th at 9:30 a.m. There may be a
6 special meeting on the 11th.

7 COMMISSIONER KOLODZIEJ: I thought that
8 was a definite.

9 COMMISSIONER VAN RENSALIER: Yeah, we have
10 to.

11 PRESIDENT SANCHEZ: That's a definite.

12 MR. AMODIO: There will be a special
13 meeting on May 11th. I will send out the
14 notification.

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C E R T I F I C A T E

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

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

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

LYNANN DRAGONE, CCR
Certified Court Reporter