

PASSAIC VALLEY WATER COMMISSION MEETING OF
JUNE 22, 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 **(Absent)**

YAACOV BRISMAN, General Counsel

YITZ WEISS, Comptroller

1 MR. BRISMAN: Roll call to convene the
2 public meeting of June 22nd, 2022 of Passaic
3 Valley Water Commission.

4 Roll call.

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

9
10 MR. BRISMAN: Commissioner Levine is
11 absent as of now.

12 Commissioner Cotton, lead us in the Pledge
13 of Allegiance.

14
15 (Pledge of Allegiance)

16
17 MR. BRISMAN: This meeting has been
18 convened in accordance with N.J.S.A. 10:4-6 et
19 seq. Open Public Meetings Act.

20 We've already done the roll call and
21 Pledge of Allegiance.

22 Let the record reflect that Commissioner
23 Levine has joined the meeting.

24 I've been advised there are no public
25 comments so upon the return of the president, who

1 left to get his glasses, we will move onto
2 committee reports.

3 PRESIDENT SANCHEZ: Who wants to start on
4 committee reports?

5 MR. WEISS: The finance committee met last
6 week. We discussed the budget. We discussed
7 overtime. All the board reports. We discussed
8 the cash balances and investments. We discussed
9 the fact that we're now a part of the LIHWAP
10 Program, which is the program to assist ratepayers
11 who qualify with their past due water bills. The
12 details of that are still being worked out in
13 terms of getting the information out to our
14 ratepayers.

15 Our audit is... I can give you the
16 comptroller's report while we're at it.

17 Our auditors are just about finished with
18 the audit, which is great.

19 I'll give you our cash balances.

20 Our cash on hand is 9.1 million.

21 Our accounts receive is at 17.4 million.

22 Our accounts payable is 5 million.

23 We also discussed the fact that we have a
24 resolution to adopt the budget, which you have in
25 front of you. The numbers are the same as what

1 they were for the budget when it was introduced a
2 month and a half ago.

3 That's all I have.

4 PRESIDENT SANCHEZ: Anything else?

5 We're going to do the resolution for the
6 budget now. Is anybody making a motion?

7 COMMISSIONER KOLODZIEJ: I'll make the
8 motion to adopt the budget.

9 PRESIDENT SANCHEZ: Second, please.
10 Ron?

11 COMMISSIONER VAN RENSALIER: Second.

12 PRESIDENT SANCHEZ: Okay.

13 MR. BRISMAN: Roll call.

14 COMMISSIONER FRIEND: Unfortunately, I
15 have to vote no. I raised some comments during
16 the discussion on the budget and I haven't got all
17 the information that I requested that concerned
18 certain line items. I feel that one of the things
19 I feel very strongly about the fact that we should
20 be passing a credit card fee onto the consumer.
21 If you go into the gas station, you pay extra to
22 pay with your credit card. If you go into a
23 restaurant today, you pay extra today to use your
24 credit card. Everybody is passing that and I
25 don't think the \$500,000 number should be absorbed

1 by the customers that don't use the credit card.
2 So for that and other reasons, I have quite a list
3 of questions on the budget that weren't answered,
4 I have to vote no.

5
6 (Roll call was taken, all Commissioners
7 respond in the affirmative. Commissioner Friend
8 responded in the negative)

9
10 PRESIDENT SANCHEZ: Can I make a comment
11 to the Executive Director?

12 Whatever position Commissioner Jerry has,
13 I respect that. When it comes to information, I
14 want to make sure whatever information he wants,
15 he's going to get and that's, you know, besides
16 his position, but he needs to get any information
17 or any other commissioner requests.

18 MR. WEISS: Absolutely.

19 MR. MUELLER: Agreed.

20 PRESIDENT SANCHEZ: Personnel.

21 COMMISSIONER VAN RENSALIER: Good morning.
22 The personnel committee met on June 16th. The
23 personnel agenda consisted of recommendations for
24 the following: One increment, two promotions, one
25 new title, six new hires, two new director

1 positions and one assistant director position that
2 was tabled at the last meeting and brought back to
3 committee.

4 The committee received a memo detailing
5 the rationale and justifications for the agenda
6 items. The recommendation's coming from the
7 executive director and the department heads
8 through the Personal Department.

9 Did everyone receive that memo?

10 COMMISSIONER DEPADUA: Which memo?

11 COMMISSIONER VAN RENSALIER: From the
12 Personnel Department regarding the recommendations
13 for the increments, the promotions, the new
14 titles?

15 COMMISSIONER COTTON: Was that in your --

16 COMMISSIONER DEPADUA: No, I didn't see
17 the memo. I received an agenda, no memo.

18 PRESIDENT SANCHEZ: It was in the
19 executive report.

20 MR. MUELLER: It was just to the personnel
21 committee.

22 COMMISSIONER VAN RENSALIER: We received a
23 memo with the justifications and rationale that
24 came from the executive director and the
25 department heads in support of these

1 recommendations.

2 PRESIDENT SANCHEZ: Can I ask the
3 personnel committee a favor? We spoke about this
4 in the past. There are people in title here that
5 have been here for 25 years that because they're
6 in that title they never have room to move
7 anywhere. They stop there and their salary
8 doesn't reflect the time they've been here. So we
9 need to look at some of those individuals because
10 I think because they were hired as laborers back
11 then and with that salary range and the top of the
12 range at that time was whatever, there are people
13 that has been here for 30 years that we need to
14 look at those people and see what is the path, how
15 can we update. I don't know what we could do,
16 change the title or whatever it is. But I know
17 there are some of these people here.

18 COMMISSIONER COTTON: If I may?

19 PRESIDENT SANCHEZ: Yes.

20 COMMISSIONER COTTON: I looked at that too
21 and I think I brought it up several times, people
22 have been here for many years, I'm saying past 20
23 that are like stuck. Even when they give the
24 range changes, they never adjusted those people
25 even when they changed the ranges. They were

1 never adjusted to either.

2 PRESIDENT SANCHEZ: We need to be on a
3 fair plane with everybody, I think. If they have
4 the same title, they should be in the fair plane
5 with the new people.

6 COMMISSIONER KOLODZIEJ: Is that
7 contractual though? Are these ranges written into
8 the contract because the way to address the ranges
9 would be with the contract.

10 MR. BRISMAN: No, salary ranges are by
11 title and they're approved by the committee. We
12 utilize, because there's dozen of titles, so the
13 contract would not contain every title.

14 COMMISSIONER KOLODZIEJ: It doesn't?

15 MR. BRISMAN: No, it would not. So
16 they're dealt with at this level when salary
17 ranges are made and, certainly, when somebody hits
18 the top of their range, certain positions there's
19 just certain value.

20 COMMISSIONER KOLODZIEJ: Look, I think
21 both commissioners bring up a very valid point, if
22 we're not updating it for cost of living increases
23 and someone's been here at top of range for the
24 last ten years, they're really getting a pay cut
25 at this point in time because --

1 MR. BRISMAN: Remember, during
2 negotiations there are increases. Those
3 percentage increases do come into play.

4 MR. MUELLER: The ranges are adjusted.

5 MR. BRISMAN: Right. So the ranges are
6 adjusted via contract. The question is if there's
7 some ranges, for instance, that are just for a
8 luster of purposes, if a range is \$15,000 below
9 what it should be, a three percent increase in the
10 range won't accomplish what you're trying to do.

11 PRESIDENT SANCHEZ: One point, Executive
12 Director, is that how do we create path for those
13 people to move up, to try to do something, they're
14 stuck with that title until they retire. You know
15 what I'm saying? Maybe some of them have the
16 potential to do --

17 MR. MUELLER: We need a Civil Service
18 enhancement that matches job function to Civil
19 Service title. I fully understand it. I
20 understand what you're asking. Our intent is to
21 actually do that. It does take some time and
22 title by title, but that's our intent to do that
23 very thing.

24 PRESIDENT SANCHEZ: All right. Thank you.

25 COMMISSIONER KOLODZIEJ: I'm sorry. So I

1 know that we outsource our contract negotiations.
2 Typically, we bring in an outside law firm to
3 assist us. We're making decisions on where we
4 want to go, but they're the ones that are kind of
5 doing the, making the sausage, so to speak. So I
6 guess my question becomes, has the unions ever
7 complained about the ranges that we've
8 established?

9 MR. BRISMAN: So interestingly enough, in
10 the waiting room we do have our negotiator here
11 today because there have been a number of meetings
12 and there has been progress, so this conversation
13 --

14 COMMISSIONER KOLODZIEJ: I will save those
15 questions.

16 MR. BRISMAN: He'll be in by executive
17 session. He's in the waiting room right now doing
18 other things. But for executive session, we'll
19 get an update on negotiations and any questions
20 that the commissioners may have.

21 PRESIDENT SANCHEZ: Thank you. I asked
22 for him to be present here because the finance
23 meeting Jerry had some questions that were valid
24 and back in the day what we used to do, they used
25 to get instructions from the commissioners what

1 was the parameter that we have for negotiations
2 and I think this year has been done a little
3 differently. So we need to see what the
4 expectations are. So it's a good thing that he's
5 here today.

6 All right. Special projects.

7 COMMISSIONER VAN RENSALIER: I didn't
8 finish. I was interrupted. Thank you.

9 With regard to the memo and from Personnel
10 and the recommendation is for full transparency.

11 If there are any questions that any board
12 member may have, we can discuss those in executive
13 session so I don't name any names.

14 MR. BRISMAN: Everyone has asked to be in
15 executive session.

16 COMMISSIONER VAN RENSALIER: Okay. Very
17 good.

18 COMMISSIONER COTTON: If I may ask,
19 Commissioner, can you send that report to the rest
20 of us?

21 MR. BRISMAN: I can have --

22 COMMISSIONER VAN RENSALIER: There was a
23 discussion tuition reimbursement policy. A
24 detailed draft of the reimbursement policy was
25 reviewed by the personnel committee. The

1 committee provided comments to simplify the
2 structure and focused on equity in terms of
3 financial support. An updated draft will be
4 reviewed at the July 2022 personnel committee
5 meeting.

6 Non-aligned vacation policy, that will
7 also be discussed in executive session.

8 And the co-op program, Passaic Valley
9 Water Commission has many career opportunities for
10 skilled trades and would benefit by having a
11 formal cooperative education program in
12 partnership with high schools to pipeline
13 perspective candidates into Passaic Valley Water
14 Commission workforce. Cooperative education is
15 offered through a School to Careers program by
16 high schools like Passaic County Tech Institute,
17 Bergen County Tech and high schools in technical
18 learning tracks.

19 That was a very good discussion. We look
20 forward to discussing in detail with the remainder
21 of the commission.

22 MR. BRISMAN: The attorney actually said
23 he does have another meeting in a little while at
24 10:00. So if you want to go in. He thought it
25 was 9:30 in all fairness.

1 PRESIDENT SANCHEZ: Tell this attorney, he
2 doesn't rush us, we rush him. Tell him.

3 In all fairness, he's either going to make
4 us or make that meeting because it's almost 10:00.
5 So what does he want to do? Tell him to have that
6 meeting and come back later then.

7 MR. BRISMAN: Okay. I'm just letting you
8 know.

9 COMMISSIONER VAN RENSALIER: That's all I
10 have. Except I would ask my fellow commissioners
11 on the personnel committee if I left anything out,
12 if they have anything to add, Commissioner
13 Kolodziej and Commissioner Levine. Is that
14 accurate?

15 COMMISSIONER KOLODZIEJ: That covered it.

16 COMMISSIONER LEVINE: Sounds good.

17 COMMISSIONER VAN RENSALIER: Thank you.

18 COMMISSIONER DEPADUA: I'd like to know
19 where's that memo that was sent?

20 COMMISSIONER COTTON: They're getting it
21 ready now.

22 MR. BRISMAN: It's going to be emailed to
23 Commissioner Depadua.

24 PRESIDENT SANCHEZ: Special projects. We
25 met. I guess Ruby wasn't there. Will you allow

1 Commissioner Kolodziej to tell you?

2 COMMISSIONER COTTON: Yes.

3 COMMISSIONER KOLODZIEJ: So I took notes.

4 This will be relatively quick and brief.

5 The committee met last Thursday. We
6 reviewed eight items on the agenda. All were
7 unanimously approved and they appear on this
8 morning's agenda for full board approval.

9 We were also informed that this is the
10 time of year where we can go out to advertise for
11 various professional services ranging from
12 security assessments, both physical and cyber, to
13 condition assessments for both facilities and
14 water mains and for design work on various
15 projects. Engineering indicated a letter will go
16 out to the full board with a list of the ten
17 requests for proposals that we're going to get for
18 professional services.

19 That was pretty much the special projects.

20 PRESIDENT SANCHEZ: Commissioner Ruby, you
21 weren't there, do you have any questions?

22 COMMISSIONER COTTON: No, I don't have
23 anything.

24 PRESIDENT SANCHEZ: Okay. So moving on,
25 Executive Director.

1 MR. MUELLER: My executive director report
2 is in the agenda materials starting with
3 Operational Highlights.

4 June 13th New Jersey DEP staff from the
5 Office of Quality Assurance conducted an on-site
6 lab audit. They do this every three years. It's
7 on a set schedule. The meeting went very well. A
8 lot of good feedback from the State. There's
9 always things to improve and address. They also
10 communicated those things. In general, it went
11 well. Positive comments. So we don't anticipate
12 a problem with maintaining our certification.

13 Maintenance. Mike Marotta and Director of
14 Engineering Pat Porcaro are successively
15 coordinating with Passaic County on a stormwater
16 permit to alleviate chronic flooding at the
17 crossover valve. This is a real good thing for
18 us. Capital projects in the past that has been on
19 the order of \$500,000 will not have to be
20 expended. So this is a money saver. There's a
21 much cheaper way to drain that chamber. So we
22 look forward to that and it will save on crew
23 mobilization.

24 Pumping and Purification Department
25 successfully coordinated on a new SOP to support

1 ongoing testing of electrical equipment to
2 optimize restarting operations to limit flow
3 spikes. This is a part of a larger effort to
4 integrate operating procedures across departments.

5 Plant performance has been excellent with
6 no major issues to report.

7 Organizational Highlights. The Director
8 positions approved by the board in February and
9 March of 2022 are all posted and current status is
10 listed.

11 On July 5th Otto Garcia, our new Director
12 of Organizational Development and Human Resources,
13 will start. We finished the on boarding and the
14 pre-employment. So his start date is July 5th.

15 Director of Laboratory and Water Quality.
16 We're going to cover that in executive session.

17 Director of Environmental Safety will also
18 be covered in executive session with the
19 recommendations there in terms of the next step.

20 Interviews are ongoing for Director of IT
21 and Director of Communications. I anticipate
22 concluding and having recommendations for the
23 board next month.

24 COMMISSIONER COTTON: If I may interrupt?

25 MR. MUELLER: Yes.

1 COMMISSIONER COTTON: How many more do you
2 have to do with Information Technology and
3 Communications?

4 MR. MUELLER: I believe we have two or
5 three more are being scheduled.

6 COMMISSIONER COTTON: Okay.

7 MR. MUELLER: As part of the succession
8 planning process, I'll continue to work with
9 department heads to identify key assistant roles
10 which are discussed today to create a deep bench
11 of talent that can be developed over time to make
12 PVWC more robust and address current
13 organizational gaps.

14 Regulatory Issues. Some good news, last
15 month I reported out or two months ago regarding a
16 compliance issue from last summer, July to
17 December I should say, last year and I had also
18 forecasted that that may still be an issue for
19 this compliance period of January through June.
20 We've extensively gone through our data, amended
21 our sampling procedures, and had meetings with New
22 Jersey DEP and it looks like we should be fine for
23 compliance for the last six months. So that's
24 good news.

25 EPA's Health Advisories. On the flip

1 side, they just came out with something last
2 Wednesday on PFAS and "forever chemicals" what
3 they're called. Essentially, these limits are
4 much more stringent than anything currently on the
5 books. These are health advisories right now.
6 They're still under review at EPA but the
7 implications are that in the longer term,
8 treatment options, you know, how do we deal with
9 it. That's something that we are strategizing
10 internally and nationally experts and our fellow
11 municipalities nationally are strategizing on the
12 same thing. So we're coordinating close with
13 AWWA, AMWA as well and I'll report back over the
14 next few months in terms of where that's going.
15 But these limits, parts per trillion, the limits
16 are approaching zero is the easiest for me to put
17 it and that's not an easy task. This is something
18 nationally we'll all be dealing with for some
19 time.

20 Delinquent Accounts. I think Yitz
21 mentioned as part of his finance committee report.
22 We are targeting to start shutoffs July 11th. I
23 just wanted to make everybody aware of that. We
24 have our first list of accounts, 274 accounts
25 totaling over \$3 million delinquencies in this

1 first tranche of shutoffs. So we have
2 communicated. We've gotten them out in bills. We
3 continue to communicate. It's on the website.
4 It's on the socials. We continued, you know, hard
5 copy and the moratorium was lifted in March. We
6 tried to give enough time and enough communication
7 so people are aware. Flip side of it, since the
8 moratorium is lifted 161 payment plans have been
9 entered totaling \$340,000 of recouping money. So
10 the communications have helped. People have come
11 and started payment plans. You can see the
12 340,000 is a great start. The next step is going
13 after the larger money. I presented on this a
14 couple of months ago \$12 million is the overall
15 delinquent amount. It's considerable. This first
16 tranche of shutoffs, they're opportunistic. We'll
17 get there. We can do the shutoffs. Jeff Baig's
18 staff have prepped on this. So we're ready.
19 July 11th is what we're...

20 PRESIDENT SANCHEZ: I guess I asked you to
21 please inform the cities because some of these are
22 landlords are absentee landlords so they can chase
23 them. Sometimes you go to a building and the
24 tenant doesn't know the guy hasn't paid the rent
25 so if you could send the health department or the

1 owner cities at least of the shutoffs so maybe
2 they can do something about it?

3 MR. MUELLER: Yeah, I have a draft letter
4 to the mayors and each city and was going to cc
5 key departments. I'm happy to share that with the
6 commissioners as well and completely agree, that's
7 part of the key strategy of making sure we're
8 making that happen.

9 COMMISSIONER COTTON: If I may? We had a
10 couple where tenants were paying their own water
11 bill and say you have a unit of 12 units, they're
12 all paying their own bill and the one tenant
13 doesn't pay and they come and shut the whole
14 building off. They need to figure out a way not
15 to be able to do that. You can't shut a whole
16 building off because of one person.

17 PRESIDENT SANCHEZ: Ultimately, the
18 landlord is responsible for the meter, not the
19 tenant.

20 COMMISSIONER COTTON: No, no, I know
21 people, they're paying their own water bill.

22 PRESIDENT SANCHEZ: But I'm saying to you,
23 when it comes to Passaic Valley Water, it doesn't
24 matter because the landlord is still responsible
25 for the water even if you pay it as a tenant.

1 COMMISSIONER COTTON: Yeah, but they're
2 shutting the whole building off and only one
3 tenant in there is delinquent and not the whole
4 building. That's something that has to be figured
5 out.

6 COMMISSIONER FRIEND: Following up on what
7 you're saying --

8 COMMISSIONER LEVINE: Can't we send
9 delinquent notices to the owner too?

10 COMMISSIONER FRIEND: If there is a
11 12-unit building and each tenant is getting their
12 own bill, there must be a separate meter for each
13 unit.

14 MR. MUELLER: Yeah, there has to be.

15 COMMISSIONER FRIEND: If they turned off
16 the other 11 units --

17 MR. MUELLER: It sounds odd. Let me look
18 more into it. I understand the issue.

19 COMMISSIONER COTTON: It's separate meters
20 for each of the units.

21 MR. WEISS: Not every building has
22 separate shutoffs. Even if they have separate
23 meters, not all of them have separate shutoffs.
24 This is something we dealt with over the years.
25 It's an issue. It has to be done on a

1 case-by-case basis.

2 COMMISSIONER FRIEND: I have a followup
3 question also on the delinquent accounts. It
4 seems like \$3 million or for 274 accounts. Most
5 of them must be big users, not just somebody gets
6 a bill a hundred dollars a quarter.

7 MR. MUELLER: Fire lines are included. We
8 are not shutting off fire lines, but in that
9 dollar amount, the dollar amount is included.
10 What we do is not shut off the fire lines. We
11 shut off the domestic. So the fire stays live,
12 but we shut off the domestic. I'm trying to
13 explain the cost.

14 COMMISSIONER FRIEND: I think I mentioned
15 at a previous meeting that we used to get attached
16 to the executive director's report a list of
17 the --

18 MR. MUELLER: Top ten. You did mention
19 that.

20 COMMISSIONER FRIEND: I realize that you
21 have other things on your mind. I assume that
22 comes from Finance or what have you.

23 MR. MUELLER: You described it as the top
24 ten list. Is that accurate?

25 COMMISSIONER FRIEND: In other words,

1 anybody who's 60, 90 days beyond. Like, we had a
2 municipality who was behind for years.

3 MR. MUELLER: I get it. I apologize that
4 it's not here. We do have the information.

5 COMMISSIONER FRIEND: That was number one.

6 Number two, one thing about going on
7 social media and things of that nature, there's a
8 lot of people who don't go on social media. So in
9 terms of the new contract that we have with the
10 State of New Jersey to pay back the arrearages for
11 people, the ones that are arrears, are we sending
12 them a copy of that specifically that they know it
13 exists, they can apply for it.

14 MR. MUELLER: We need to develop that. We
15 just signed the contract last week, so we do need
16 to develop that communication. Yitz mentioned
17 that as part of the finance report.

18 COMMISSIONER FRIEND: Personally, when I
19 saw the July 11th cutoff, I was a little surprised
20 to see that was the cutoff date. I think that was
21 a little quick.

22 MR. MUELLER: What was your
23 recommendation?

24 COMMISSIONER FRIEND: I think originally I
25 said to give the people either 60 or 90 days to do

1 something to start to bring the bill current or
2 whatever.

3 MR. MUELLER: This is 90 days past the
4 moratorium.

5 COMMISSIONER FRIEND: I think the
6 moratorium went off March 15.

7 COMMISSIONER COTTON: It would be
8 September for six months.

9 MR. MUELLER: I thought you said 90 days.
10 Six months would be September.

11 COMMISSIONER FRIEND: Whatever the rest of
12 the commission feels, but I think July 11th is a
13 little short since we just signed that contract
14 and that may bring in substantial funds to the
15 commission.

16 MR. MUELLER: Do we want to extend it
17 another three months?

18 COMMISSIONER COTTON: I think, if I may,
19 when I'm in my council meeting, I'll announce that
20 we have a thing for you if you're behind in your
21 water bill. Believe me, I do get phone calls when
22 they have something going on.

23 Also, I would have the guy who does our
24 meetings, we have a page where you can put
25 information on it. I find a lot of people do look

1 at and see what's going on and see what's
2 happening.

3 PRESIDENT SANCHEZ: I think extending 90
4 days won't help anything.

5 COMMISSIONER COTTON: It doesn't?

6 PRESIDENT SANCHEZ: It doesn't. It's not
7 going to do anything. I think people who don't
8 pay, they just don't pay; 90 days, they don't pay
9 now. And I think financially we owe to the
10 ratepayers that pay to do what we can to get the
11 money back. I'm only one, Commissioner, but my
12 feeling is to --

13 COMMISSIONER LEVINE: I think the people
14 should be able to put a request for an extension
15 of 90 days then it shows they're putting an effort
16 in, something of that nature like some sort of
17 request in writing or an email for the extension
18 of 90 days. If you want to put it in every bill,
19 we can put it on the bill or the TV channel or
20 something like that and people will actually have
21 to put an effort in rather than just not --

22 MR. MUELLER: Just ignore it.

23 COMMISSIONER LEVINE: Just ignore it and
24 won't pay it. That's what's going to happen.

25 MR. MUELLER: I just want to reiterate.

1 161 payment plans were entered. We say please
2 call and they do. So we did good 161, which is
3 good. The money's about 340,000. So these are
4 the lower, I guess easier to pay. So that's good
5 though.

6 President Sanchez, you were making a
7 statement. How would you like to proceed? That's
8 my question.

9 PRESIDENT SANCHEZ: If some of the other
10 commissioners feel somebody needs an extra 90
11 days, do it in writing. Do some type of
12 agreement, but at least start now making that
13 effort now. If you let it go another 90 days it's
14 only going to make it worse for people.

15 Yitz, you want to say something?

16 MR. WEISS: I just to clarify. When we
17 say we're going to start shutting people off and
18 going after delinquent customers, that does not
19 mean we're shutting everybody off. We don't have
20 the manpower to do that. So what we're doing is
21 we're targeting the ones that are the most
22 egregious people. The ones that have the largest
23 balance. The ones that have not paid for a long
24 time. That's the ones we're going after.

25 MR. MUELLER: This would take a few weeks

1 to do all these shutoffs.

2 MR. WEISS: Those people are being
3 notified. So they have the ability to be able to
4 pay up or to enter into a payment arrangement
5 beforehand. So that ability is being given to
6 everyone even as we go out and start to do the
7 shutoffs.

8 PRESIDENT SANCHEZ: You know what I
9 realized too, there's a lot of people that bought
10 investment property and they're not forwarding the
11 bill to the proper address and they're not getting
12 the bill. When they get it and they realize a
13 year later, then they come and pay it, so...

14 COMMISSIONER LEVINE: So you're notifying
15 the owners too actually of the house, because they
16 have both of them on file.

17 MR. WEISS: Yes.

18 COMMISSIONER LEVINE: The owner and --

19 MR. WEISS: Yes, before shutoffs.

20 PRESIDENT SANCHEZ: So I guess the
21 consensus is if anybody needs another 90 days,
22 let's work with them.

23 COMMISSIONER LEVINE: Are we going to
24 advertise for the extra 90 days?

25 MR. MUELLER: We can, we didn't have a

1 plan for that right now. I understand the message
2 being conveyed. I hear that.

3 COMMISSIONER LEVINE: I don't want to
4 spend money advertising, but maybe put a leaflet
5 in their bill or something, if there's hardships
6 or whatever, they must contact. Shutoffs will
7 start July 11th. Please contact X, Y, Z or email,
8 because sometimes we don't pick up the phones
9 here. I try calling, I stayed on the phone for
10 eight hours trying to get through to someone. I
11 had to call someone's cell phone.

12 PRESIDENT SANCHEZ: Because they know it's
13 you.

14 MR. MUELLER: Commissioner, that's not
15 acceptable either.

16 COMMISSIONER LEVINE: No, no, give an
17 email address too so they can email so then
18 there's a trace or people lie and say they called
19 and they can't, you know.

20 PRESIDENT SANCHEZ: Yeah, phone, we have
21 so many clients and I understand that department
22 gets a little bit overwhelmed, so.

23 COMMISSIONER FRIEND: I just want to
24 followup on something that Yitz said that we're
25 going after the most egregious persons first.

1 Those are probably the people that are hurting the
2 most and can't afford to pay their bills.

3 Somebody's behind a year or whatever it might be,
4 it's probably because they're out of work and they
5 don't have the funds to pay, where somebody who is
6 only behind one or two quarters maybe they have
7 the money to pay and they're not out of work. So
8 I don't necessarily equate the two that we should
9 go after the people and turn them off first.

10 COMMISSIONER LEVINE: They had a whole
11 year to call and try to set up a payment plan,
12 we've been doing it for years and stuff. They
13 haven't made an effort. If they haven't paid in a
14 year... We've been doing payment plans for 20
15 years.

16 COMMISSIONER DEPADUA: How long has these
17 accounts been delinquent? How long have they not
18 paid on their bill?

19 MR. MUELLER: It varies.

20 COMMISSIONER DEPADUA: People should know
21 they have to pay their water bill. So how long
22 has this thing been going on and now we're giving
23 them another 60, 90 days.

24 MR. MUELLER: Well, there was a moratorium
25 for whatever it was, 18 months. That was a

1 moratorium.

2 COMMISSIONER FRIEND: People know they
3 have to pay all their bills; gas, electric, water,
4 rent and whatever they may be and they try to
5 prioritize.

6 PRESIDENT SANCHEZ: Water is the most. If
7 I choose between water and cable.

8 COMMISSIONER FRIEND: I put myself in the
9 position of that person who --

10 COMMISSIONER LEVINE: Why wouldn't you
11 call in then? Why wouldn't you call in? Why
12 wouldn't they call in?

13 COMMISSIONER DEPADUA: If you owe a bill,
14 it's your responsibility to call the Passaic
15 Valley Water and say, okay, this is what's
16 happening in my life --

17 COMMISSIONER LEVINE: Why wouldn't they do
18 that?

19 COMMISSIONER DEPADUA: -- how do I make
20 arrangements.

21 COMMISSIONER LEVINE: Then they deserve to
22 get shut off.

23 COMMISSIONER DEPADUA: Whether you're the
24 owner of the house or tenant, the bill should be
25 in the name of the person responsible.

1 COMMISSIONER LEVINE: It is.

2 COMMISSIONER DEPADUA: That person. It's
3 no excuse the landlord, the owner got the bill but
4 I didn't know. It doesn't make sense. I own a
5 house, I used to get the bill and I had to pay.

6 PRESIDENT SANCHEZ: Also, people had the
7 opportunity, they had the ability to make the
8 payment plans. They can pay over time. If they
9 want to make an effort and they want to come in
10 and they want to be responsible, have a
11 conversation, things could be worked out. So I
12 think this is more than fair what we're doing.

13 COMMISSIONER LEVINE: It definitely is.
14 If you're sick for work, you call your boss. You
15 don't just don't show up. It doesn't make sense.

16 COMMISSIONER DEPADUA: I agree.

17 COMMISSIONER COTTON: What I find, I bet
18 you if I look at these bills a lot of them are
19 owners of properties that they don't take care of
20 and I could probably look at certain addresses and
21 tell you, by the way, I know what that area is
22 they just ain't paying until they have to pay.

23 So I don't see them being a lot of
24 households. They're not households like me owning
25 a house, Joe owns a house. These are people who

1 got multiple houses and they're just not paying
2 because the governor gave them that option of not
3 paying until now they're forced to pay. I think
4 you can come and look at it and tell right away.

5 MR. MUELLER: You see the fire lines,
6 that's definitely commercial or apartments.
7 That's obvious, that's not --

8 PRESIDENT SANCHEZ: And some of the
9 incidents they also pissed off at the tenant
10 because the tenant hasn't been paying rent so they
11 don't care.

12 Listen, I think we have the responsibility
13 to get our money back and also work with the
14 people who needs help.

15 MR. MUELLER: So what I'm hearing, Mr.
16 President, we will, again, we'll send out targeted
17 communications -- we communicated and that was
18 further down. But we have been sending in the
19 bills. We'll send targeted communications to the
20 folks on this first tranche of shutoffs. If they
21 ask for an extension, I can come back next month
22 and tell you how that went and how many extensions
23 we got. If they don't respond, I like the idea of
24 an email, if we can get an email or have an email.
25 We will certainly try to either call. Certainly,

1 the mailings have gone out. That hasn't been an
2 issue. We'll try multiple routes to communicate
3 and I'll report out next month how it went.
4 Actually, I will report out to the commissioners
5 before next month and say here's how it went,
6 here's our plan for July 11th. If there's
7 feedback before we do it, please let me know. Is
8 that fair?

9 PRESIDENT SANCHEZ: That's fair.

10 Moving on.

11 Commissioner, did you want to say
12 something?

13 COMMISSIONER KOLODZIEJ: I do. Just from
14 a context perspective, do we have any idea of the
15 274 we're talking about, how many of them are
16 commercial versus residential?

17 MR. MUELLER: It's not hard to figure out.
18 I can get you that information. I don't have it
19 ready.

20 COMMISSIONER KOLODZIEJ: Doing the quick
21 math, we got 3 million that is out there. 274 is
22 roughly \$11,000 delinquency per if I averaged it
23 out.

24 MR. MUELLER: And fire lines --

25 COMMISSIONER KOLODZIEJ: These are not

1 your regular homeowners who haven't paid a bill in
2 a year and a half. So I'm of the opinion that we
3 shouldn't be delaying this and extending anything.
4 We've sent out the letters as we were required by
5 law. We told people that you can go on a payment
6 plan. We're willing to do a liberal payment plan
7 of, all right, if it's a \$10,000 bill, we're not
8 going to make you pay a thousand dollars a month,
9 we'll stretch it out over a two-year period or
10 whatever the case may be because we obviously want
11 to get paid. So, I mean, we've done our due
12 diligence as far as I'm concerned and I don't
13 think that we should be extending any kind of
14 extension for anyone who's had the opportunity to
15 enter into a payment plan. And on July 11th when
16 they get shut off, if they call us up and say I'm
17 ready to do a payment plan, then we put them on a
18 payment plan.

19 But I think the time is, it's \$3 million
20 in accounts receivable that's floating out there
21 that may be as old as 18 months and that's not a
22 very strong financial position. I don't think
23 that we should be extending any kind of additional
24 ability to wait until September. We should be
25 doing this now.

1 COMMISSIONER LEVINE: I agree.

2 COMMISSIONER FRIEND: Unfortunately, we're
3 not living in a perfect world right now.

4 COMMISSIONER DEPADUA: I agree.

5 COMMISSIONER FRIEND: I don't know how
6 many of you saw the article in the newspaper last
7 week and I personally deal with it almost every
8 day of the week where landlords having collected
9 rent on apartments for two years since the
10 pandemic began, I'm getting court dates now on
11 landlord tenant cases that we filed in April of
12 2020.

13 COMMISSIONER LEVINE: Get the tenants out
14 so the landlords can collect.

15 COMMISSIONER KOLODZIEJ: To Rigo's point,
16 shutting off the water would actually help the
17 landlords.

18 COMMISSIONER LEVINE: It would help the
19 landlord.

20 COMMISSIONER FRIEND: The landlords are
21 suffering; the tenants are suffering. Everyone.
22 Tenants are living rent free for two years or more
23 already at this point and there's nothing the
24 landlord could do about it. So if we file a new
25 landlord tenant matter today, it's not going to

1 get heard for maybe another year, year and a half
2 because of the backlog of cases. And, you know, I
3 know we're not a charitable organization, but I
4 think we have to take into consideration what the
5 financial status of a lot of our customers may be.
6 And to tell you truth --

7 PRESIDENT SANCHEZ: I think we are, Jerry,
8 addressing that.

9 COMMISSIONER FRIEND: 274 out of how many
10 customers that we have?

11 MR. MUELLER: 70,000, 80,000.

12 COMMISSIONER FRIEND: We have more than
13 that.

14 MR. MUELLER: 80,000 accounts. I'm sorry.

15 COMMISSIONER FRIEND: How many bills do we
16 do?

17 MR. WEISS: About 70,000.

18 MR. MUELLER: These are the accounts.

19 COMMISSIONER FRIEND: In reality, it's a
20 very small percentage.

21 MR. MUELLER: That's why we're trying to
22 do this logically.

23 Mr. President, there's been a lot of good
24 discussion. Can you reiterate your direction one
25 more time?

1 COMMISSIONER COTTON: If I may? I know
2 there's one account in my town that's not paying
3 because he don't --

4 MR. MUELLER: Is there a resolution?

5 MR. BRISMAN: You don't need a resolution.
6 You just need a consensus.

7 PRESIDENT SANCHEZ: It's a direction,
8 that's it. We don't have to vote on it. We're
9 giving you direction on how to go about it.

10 COMMISSIONER COTTON: To me if it's a
11 customer with a two-family house or three family,
12 then we can kind of help them out. But if there's
13 some people, and I know one already is not paying
14 who is just saying, I'm not mentioning no names,
15 in fact it's on the list. They just don't want to
16 pay.

17 COMMISSIONER LEVINE: Jerry, you want to
18 extend this or no?

19 COMMISSIONER FRIEND: I will vote to
20 extend at least --

21 PRESIDENT SANCHEZ: I don't want to
22 extend. Let's take a vote.

23 Carmen, are you there?

24 COMMISSIONER FRIEND: I would vote to at
25 least get it through the summer.

1 PRESIDENT SANCHEZ: Let's move on. Let's
2 take a vote.

3 COMMISSIONER VAN RENSALIER: I agree with
4 you, the landlords are in a difficult situation.

5 PRESIDENT SANCHEZ: This is a enough.
6 People have enough opportunity to come in. This
7 is nothing new. Most of these people are
8 professional player. Ruby will tell you. These
9 are professional landlords who are playing the
10 system.

11 COMMISSIONER FRIEND: I would move --

12 COMMISSIONER COTTON: These are people,
13 they got money from the Federal Government for
14 COVID. They paid a lot of rentals.

15 PRESIDENT SANCHEZ: Sorry, guys. This is
16 taking up my meeting.

17 Ron, you could vote yes or no.

18 Carmen, we're going to take vote on
19 whether to extend it or not extend it. I'm
20 against extending it. So let's take a vote and
21 move on, please.

22 COMMISSIONER FRIEND: I'll move to extend
23 it to September 1st so that the people who do
24 apply for the aid from the State, I'm sure that
25 will take 30 or 45 days for them to get approved

1 nightmare. I'm going to, respectfully, I'm going
2 to direct you to let's get going on this. Let's
3 get going with this.

4 MR. BRISMAN: It doesn't sound like you're
5 second is --

6 COMMISSIONER KOLODZIEJ: I'm going to vote
7 against it unless it gets amended.

8 COMMISSIONER LEVINE: Is it getting
9 amended, Jerry, or not?

10 MR. BRISMAN: I don't know how that works.

11 COMMISSIONER VAN RENSALIER: What's the
12 issue?

13 MR. BRISMAN: The issue is, is that would
14 require our customer service people -- somebody
15 could say I applied. How do they prove they
16 applied?

17 COMMISSIONER LEVINE: They have to email.

18 MR. BRISMAN: I understand, a lot of
19 people don't necessarily have access to email.

20 COMMISSIONER LEVINE: Then that's their
21 problem. They come here in person or email.

22 MR. BRISMAN: It sounds good, I'm just
23 telling you.

24 PRESIDENT SANCHEZ: You're going to create
25 a nightmare for our staff, guys. You're going to

1 create a nightmare for our staff.

2 COMMISSIONER KOLODZIEJ: We're talking
3 about 274 people.

4 COMMISSIONER LEVINE: They can send an
5 email.

6 PRESIDENT SANCHEZ: They need to come in
7 in person.

8 COMMISSIONER KOLODZIEJ: Of those 274
9 people, the bulk of them are commercial.

10 COMMISSIONER LEVINE: Mail or certified
11 mail or email. There's three ways.

12 MR. WEISS: Again, just to clarify. Our
13 goal in shutting off --

14 COMMISSIONER VAN RENSALIER: Are you
15 separating? Is there a way to separate
16 commercial, say like a Laundromat from an owner of
17 a multi-dwelling? We're talking about that's two
18 separate folks.

19 MR. WEISS: We're kind of doing that
20 already.

21 COMMISSIONER VAN RENSALIER: My point I'm
22 making is, and I agree with Jerry, there are
23 landlords that are hurting out there because if
24 they own multi-dwelling units and they weren't
25 getting rent paid on a regular basis, they've been

1 forced into a situation where they have had
2 difficulty, you know, maybe paying their water
3 bill. So we should give some consideration to the
4 landlords.

5 PRESIDENT SANCHEZ: We are, Ron. We're
6 saying to them --

7 COMMISSIONER VAN RENSALIER: Let's do
8 something.

9 PRESIDENT SANCHEZ: We are doing a payment
10 plan. We've giving a payment plan. We are taking
11 into consideration.

12 MR. MUELLER: If they ask for it.

13 MR. WEISS: Can I just clarify? The
14 purpose in us doing these shutoffs is not to deny
15 them access to water, the purpose of us doing
16 shutoffs is to incentivize them to get in touch
17 with us so we can put them on a payment plan.
18 Those are done on a case-by-case basis.

19 COMMISSIONER FRIEND: What do they have to
20 do to get it back on? Pay a fee of \$150 or
21 something like that?

22 MR. WEISS: Yes, but they'll be notified
23 before it happens.

24 MR. MUELLER: There's a preset algorithm.

25 PRESIDENT SANCHEZ: This is taking too

1 long.

2 Wait, wait. There's no motion because
3 there's no second.

4 COMMISSIONER KOLODZIEJ: I seconded.

5 MR. BRISMAN: Commissioner Friend
6 rejected.

7 There's no second.

8 COMMISSIONER KOLODZIEJ: I second.

9 MR. BRISMAN: Oh, you're going to second
10 it anyway?

11 COMMISSIONER KOLODZIEJ: I second. As a
12 courtesy to my fellow commissioner, I asked him to
13 amend he said no. We have a motion and second.

14 Roll call.

15 COMMISSIONER VAN RENSALIER: What is the
16 motion?

17 MR. BRISMAN: The motion is to extend it
18 to September 1st.

19 Commissioner Friend voted yes before he
20 left.

21 MR. BRISMAN: Commissioner Levine?

22 COMMISSIONER LEVINE: No.

23 MR. BRISMAN: Commissioner Cotton?

24 COMMISSIONER COTTON: No.

25 MR. BRISMAN: Commissioner Van Rensalier.

1 COMMISSIONER VAN RENSALIER: No.

2 MR. BRISMAN: Commissioner Depadua.

3 COMMISSIONER DEPADUA: No.

4 MR. BRISMAN: Commissioner Kolodziej.

5 COMMISSIONER KOLODZIEJ: No.

6 MR. BRISMAN: President Sanchez.

7 PRESIDENT SANCHEZ: No.

8 MR. BRISMAN: Okay. The motion fails 6 to
9 1.

10 Moving on.

11 PRESIDENT SANCHEZ: Moving on. Please,
12 guys, don't do this.

13 What else do we have?

14 MR. BRISMAN: Miscellaneous Financial
15 Reports.

16 MR. MUELLER: Just, I'm sorry, one more,
17 Mr. President. Just skipping down, Communications
18 and Intergovernmental Coordination.

19 PRESIDENT SANCHEZ: Jerry, just so you
20 know, the board voted against your proposal. You
21 can go to sleep now knowing you did everything
22 possible.

23 COMMISSIONER FRIEND: I got to pay my
24 bill.

25 PRESIDENT SANCHEZ: Jerry, you can go on a

1 payment plan.

2 MR. MUELLER: Just to make all the
3 commissioners aware, we are in the process of
4 setting up kickoff meetings for the lead service
5 line. Passaic, Clifton, and Prospect Park are all
6 scheduled for July 7th. It does sound like a
7 stacked day. Right now they're scheduled for the
8 7th. One of them might move a day or two if we
9 can do it.

10 Paterson, Commissioner Cotton,
11 Commissioner Levine, and Commissioner Depadua,
12 we're just in the process of nailing down a date
13 and we'll do that.

14 COMMISSIONER FRIEND: If there's a meeting
15 involving Clifton, I would like to be present.

16 MR. MUELLER: Sure.

17 COMMISSIONER FRIEND: This way I'll hear
18 from my officials what their concerns are. So if
19 you can just include me on a notice when and
20 where.

21 MR. MUELLER: Okay. Would all the
22 commissioners like that courtesy as well?

23 COMMISSIONER KOLODZIEJ: Yes.

24 MR. MUELLER: That makes complete sense.
25 We'll invite all the commissioners.

1 Just to be clear, you do not want us to
2 schedule around you? These are set dates. Do you
3 want to schedule around you?

4 COMMISSIONER KOLODZIEJ: No.

5 COMMISSIONER VAN RENSALIER: You can
6 schedule around the mayors.

7 MR. MUELLER: That's exactly what we're
8 trying to do.

9 COMMISSIONER VAN RENSALIER: If you're
10 saying I'm coming July 7th, that may not work.

11 COMMISSIONER FRIEND: On a topic is
12 dealing with what we are dealing with here, are
13 you allowing enough time for the meeting. I see
14 you allocate for two hours or less.

15 MR. MUELLER: This is not a public
16 meeting. This is just a meeting with the
17 municipality.

18 COMMISSIONER FRIEND: I realize that,
19 right.

20 MR. MUELLER: To try to book the time.
21 We're trying to book --

22 COMMISSIONER COTTON: Two hour meetings
23 are no good, I'm telling you.

24 MR. MUELLER: We've scheduled a start
25 time --

1 COMMISSIONER COTTON: It should be no more
2 than an hour.

3 MR. MUELLER: We have scheduled a start
4 time of 11:30. We will invite all the
5 commissioners to each of these meetings, not a
6 problem.

7 Okay. That's the only other thing.

8 COMMISSIONER FRIEND: Maybe when you send
9 out the notice, you can set up the agenda in terms
10 of the topics.

11 MR. MUELLER: We have an agenda for sure.
12 We have material. We're well prepped. So the
13 contractor will be there. Our two consultants
14 will be there. Our staff will be there and each
15 municipality and the mayor.

16 COMMISSIONER FRIEND: Is it going to be
17 held at the City Hall?

18 MR. MUELLER: Yes, we'll send you the
19 email, Jerry. Yes.

20 COMMISSIONER FRIEND: I think the first
21 meeting with the officials is good. I don't think
22 it has to be a council meeting.

23 MR. MUELLER: We can do subsequent to the
24 City Council. It's not a problem.

25 Mr. President, I'm done with my executive

1 director's report.

2 PRESIDENT SANCHEZ: Thank you.

3 MR. BRISMAN: Next is Miscellaneous
4 Financial Reports.

5 MR. WEISS: We've done that already.
6 That's part of finance.

7 MR. BRISMAN: President, it's time for
8 executive session.

9 Can I have a motion for executive session?

10 COMMISSIONER VAN RENSALIER: Move it.

11 MR. BRISMAN: Move from Commissioner Van
12 Rensalier.

13 Second from Commissioner Levine.

14 All in favor?

15 Aye.

16

17 ***

18

19 MR. BRISMAN: Motion to reconvene.

20 Roll call.

21

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

24

25 MR. BRISMAN: We first have the resolution

1 to approve the Indemnification and Hold Harmless
2 Agreement with Mott MacDonald.

3 COMMISSIONER FRIEND: Move it.

4 COMMISSIONER KOLODZIEJ: Second.

5 MR. BRISMAN: Motion by Commissioner
6 Friend.

7 Second by Commissioner Kolodziej.

8
9 (Roll call was taken, all Commissioners
10 respond in the affirmative)

11 MR. BRISMAN: Next we have from under
12 Personnel we have B1a, B2b, and c, which is Lana
13 Frazier, Kevin McKay, and Jose Diaz.

14 We also have 3d, Assistant Supervisor of
15 Customer Service.

16 And we have six new hires:

17 Max Vasquez, Charles Aiazzino, Sherri
18 Burgess, Christopher Polanco, Nicole Carroll and
19 Dante Guerriero.

20 Under 5 we have Director positions.

21 k. Director of Environmental Health and
22 Safety.

23 l. Director Laboratory and Water Quality.

24 m. Assistant Director, Organization
25 Development and Human Resources.

1 We have under closed session there was
2 discussion.

3 And then we have Proposed Resolutions:

4 1. Authorizing the executive director to
5 make an offer to the top candidate and the
6 Director of Laboratory and Water Quality search
7 for a salary not-to-exceed annual salary of
8 \$140,000 with a maximum range of \$166,035.09.

9 Resolution #2: Out of closed session
10 authorizes the executive director to make an offer
11 to the top candidate in the Director of
12 Environmental Health and Safety search
13 not-to-exceed an annual salary of \$180,000 which
14 will be the top of range for the position.

15 Resolution #3: Luis Rodriguez will be
16 promoted to Assistant Director, Organizational
17 Development and Human Resources at a salary of
18 \$138,000 with a maximum range of \$158,000.

19 PRESIDENT SANCHEZ: Carmen, we can't hear
20 you.

21 Can you call IT?

22
23 (Zoom interruption)

24
25 MR. BRISMAN: Just to note, I was a little

1 out of order. Normally we do the minutes first
2 and then resolutions, so I apologize.

3 So Commissioner Depadua, after reconvening
4 I read into the record under B. Personnel: 1a,
5 2b and c, 3d, 4e, f, g, h, i, j, 5k, l, m. And I
6 just finished in our Proposed Resolutions,
7 Proposed Resolution #3. So that's at a salary of
8 \$138,000 with a maximum range of \$158,000.

9 Proposed Resolution #4: Passaic Valley
10 Water Commission is authorized to partner with
11 high schools in our area to provide work-based
12 learning activities with on-the-job training and
13 technical instruction through the school's
14 cooperative education program. To be eligible for
15 enrollment, students must be entering the 12th
16 grade and be at least 16 years of age. They must
17 also be completing the second year of their
18 current career and technical education program.
19 Students will be paid at a rate of \$14.50 per
20 hour.

21 Those are all of the Personnel actions.
22 That's everything on the Personnel agenda.

23 COMMISSIONER KOLODZIEJ: I would request
24 that we have a separate vote on 5m, which is the
25 proposed Assistant Director of ODHR position and

1 also a separate vote on Resolution #3, which is
2 associated with that.

3 MR. BRISMAN: Any objection to the
4 separate vote?

5 Okay. Do we have motion on the Personnel
6 agenda with the exception of those two items?

7 COMMISSIONER VAN RENSALIER: Move it.

8 COMMISSIONER KOLODZIEJ: Second for the
9 group.

10 MR. BRISMAN: We have a motion by
11 Commissioner Van Rensalier and a second from
12 Commissioner Kolodziej.

13 COMMISSIONER DEPADUA: I want to be sure.
14 So we're taking out Resolution 3, correct?

15 MR. BRISMAN: Correct, as well as 5m.

16 COMMISSIONER DEPADUA: We're taking this
17 out of our group vote?

18 MR. BRISMAN: Correct. You're voting on
19 everything else.

20 COMMISSIONER DEPADUA: I'm voting on
21 everything but m and 3?

22 MR. BRISMAN: Correct.

23 COMMISSIONER DEPADUA: Okay. So my vote
24 is yes except no for 3 and --

25 MR. BRISMAN: We're not voting on those

1 yet. That will be a separate vote in a moment.

2

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

5

6 MR. BRISMAN: Okay. We'll now entertain a
7 motion for 5m.

8 COMMISSIONER VAN RENSALIER: Move it.

9 MR. BRISMAN: We have a motion by
10 Commissioner Van Rensalier.

11 Do we have a second?

12 COMMISSIONER COTTON: Second.

13 MR. BRISMAN: We have a second by
14 Commissioner Cotton.

15 COMMISSIONER KOLODZIEJ: Discussion.

16 MR. BRISMAN: Discussion.

17 COMMISSIONER KOLODZIEJ: I have concerns
18 about the proposed salary, the \$2,000 less than
19 the Director position for Laboratory and Water
20 Quality in that an assistant director would be
21 paid \$2,000 less than a director just doesn't seem
22 to align with the type of guide that we would want
23 to create. So I'll be voting no based on the
24 current proposed numbers.

25 MR. BRISMAN: Any other discussion?

1 COMMISSIONER FRIEND: Do you want to amend
2 it to the 140, Joe?

3 COMMISSIONER COTTON: No, no, that's not
4 what he's saying. He wants to bring it down to
5 120. I'm just saying. He's saying he wants to
6 bring it 140.

7 COMMISSIONER KOLODZIEJ: I think the
8 numbers for an assistant position, I think that if
9 we create this position with that range we are
10 going to cause problems for other directors who
11 have been here longer and are now going to have
12 ranges that are less than an assistant director
13 position. I don't know if we thought through
14 those unintended consequences when we came up with
15 this proposed range. You want to table it?

16 PRESIDENT SANCHEZ: No, we got to make a
17 decision about this. It's been hanging around too
18 long.

19 COMMISSIONER VAN RENSALIER: You met with
20 your team and came up with these numbers?

21 MR. MUELLER: No, the salaries were
22 not through the committee. It was on selection.

23 COMMISSIONER VAN RENSALIER: That's what I
24 was asking. How did you come up with these
25 numbers?

1 MR. MUELLER: So the initial to look at
2 this, it's a new position for the organization. I
3 have also been requested by the personnel
4 committee to look at all salary ranges, which I'm
5 in the process of doing through the lens of a lot
6 of new hires that we talked about bringing on
7 board. So this range was a discussion at the
8 personnel committee level. I thought the top of
9 the range made sense for an assistant director
10 position given that we have the director coming on
11 board at \$200,000. That starts July 5th. I
12 thought that was an appropriate spread there.

13 In terms of, I didn't have the salary for
14 the lab director last month when this salary range
15 was established and, again, that's market driven.
16 We went out to the market for the lab director.
17 So that's how the top of the range was selected
18 and the salary of 138, while close to the
19 beginning salary of the lab director, it's
20 slightly below.

21 I'm not sure what more was said about it
22 right now other than that's the process.

23 COMMISSIONER COTTON: Let me ask. What's
24 our lowest salary for director here?

25 MR. MUELLER: 171 off the top of my head,

1 I believe it's 171,000.

2 COMMISSIONER LEVINE: Isn't Lisa Bresemann
3 a director?

4 MR. MUELLER: She's a department head.

5 COMMISSIONER LEVINE: Isn't that
6 considered a director?

7 MR. MUELLER: No. She's a department
8 head. It does vary by function.

9 COMMISSIONER LEVINE: Who are the
10 directors then? What's the departments?

11 COMMISSIONER COTTON: I asked him the
12 lowest.

13 COMMISSIONER LEVINE: That's what I'm
14 saying. I thought, you know, we always considered
15 Gregg Lucianin before he left as a department
16 head.

17 MR. MUELLER: Right, she's a department
18 head.

19 COMMISSIONER LEVINE: Department heads and
20 directors were the same.

21 MR. MUELLER: I'll take your word. You're
22 saying it varies by function? The highest paid
23 department head is 171,000. I believe I have that
24 correct.

25 COMMISSIONER COTTON: What I meant to say

1 is lowest.

2 MR. MUELLER: Oh, you said the highest.
3 Did I hear you right, you said the lowest?

4 COMMISSIONER COTTON: I did say low,
5 right?

6 MR. MUELLER: The department heads we just
7 made a month or two ago are probably the lowest,
8 but they're not the top of the range, so they'll
9 get their increments towards the top of the range
10 which I think is consistent with Commissioner
11 Levine's point of where Gregg Lucianin was before
12 he retired. He's at retirement age. They'll get
13 to those top of ranges.

14 COMMISSIONER FRIEND: What's the current
15 salary of this employee?

16 MR. MUELLER: For the assistant director?

17 COMMISSIONER FRIEND: Yes.

18 MR. MUELLER: The current salary I believe
19 is 101 and top of range is 114. I'll double
20 check.

21 COMMISSIONER LEVINE: But we agreed that
22 we're going to look at everybody because there are
23 people that are out of line right now and this is
24 going to create animosity for an employee who's
25 been here 30 years and we put somebody in at 130.

1 So I agree to support it as long as we look at all
2 the other department heads right now.

3 PRESIDENT SANCHEZ: We got to make
4 everything level.

5 COMMISSIONER LEVINE: If we're going to do
6 this, we have to make sure and get the word out
7 because it will create bad animosity right now
8 putting an assistant director at market value when
9 you have someone, I'm just making it up, am I
10 allowed to say Andy Bisesi?

11 MR. BRISMAN: Well, he's not here anymore.

12 COMMISSIONER LEVINE: He's not here. Andy
13 Bisesi's old thing and his department heads may be
14 making and he's been here 30 years some of these
15 people, you know. And that's just going to create
16 a bad. So we have to let them know we're going to
17 adjust them and the department directors. This is
18 just the first one we're going to do right now.
19 That's the only way I was going to go with this,
20 as long as we put everybody in line with what the
21 market analysis actually says. This is, like
22 Commissioner Cotton said, we just hired a
23 purchasing director. The director might be making
24 less than the department head.

25 COMMISSIONER VAN RENSALIER: What was the

1 director hired at?

2 COMMISSIONER LEVINE: What was Lisa hired
3 at?

4 MR. BRISMAN: Let's not talk about other
5 employees.

6 COMMISSIONER LEVINE: What was the
7 Purchasing?

8 MR. MUELLER: We made a temporary
9 assignment because there's a person retiring who
10 hasn't retired yet and we made that temporary
11 assignment at a salary of \$120,000. That's what
12 we did last month. We also said in the personnel
13 committee we'll revisit that once the retirement
14 takes place.

15 COMMISSIONER LEVINE: I'm just saying
16 stuff like that because he's retiring next month.
17 We have to actually revisit. She's going to be
18 making --

19 MR. BRISMAN: You're talking about a
20 specific individual.

21 The executive director said that position
22 was recognized. That was only a temporary salary
23 and when it becomes permanent --

24 COMMISSIONER LEVINE: I don't believe we
25 said that during the minutes. I believe we agreed

1 to a difference. I think he's wrong on this. If
2 we go back to the minutes, we agreed on a salary
3 that I thought was 138 or 139.

4 MR. MUELLER: Was the top of the range.

5 COMMISSIONER LEVINE: I believe we agreed,
6 if we go back in the minutes, that was the salary.

7 MR. BRISMAN: I hear you.

8 COMMISSIONER LEVINE: We have to look at
9 all of them is what I'm saying. It's out of line
10 right now.

11 PRESIDENT SANCHEZ: So we have a first and
12 second.

13 Can we take a vote on it, please?

14 COMMISSIONER FRIEND: My concern, I'm
15 ready to vote on this, but my concern is, the
16 reason I'm ready to vote on this is this is a
17 department that's been in flux, non-functioning at
18 all for many years. Okay. That's why we're
19 putting on the director and we're putting on the
20 assistant director. I just think we got to get
21 that department...

22 PRESIDENT SANCHEZ: So let's take a roll
23 call, please.

24 MR. BRISMAN: Roll call.

25 COMMISSIONER DEPADUA: Now we're voting on

1 m and 3?

2 MR. BRISMAN: 5m. Just 5m.

3 COMMISSIONER DEPADUA: Creating a --

4 MR. BRISMAN: Assistant Director of
5 Organizational Development and HR.

6 COMMISSIONER DEPADUA: My vote is no and I
7 would like to say why I'm voting no and before I
8 speak --

9 PRESIDENT SANCHEZ: We don't care why,
10 Carmen. I'm sorry. We do not care why.

11 COMMISSIONER DEPADUA: Well, in all
12 fairness, I'd like to yield to Commissioner
13 Kolodziej. He's been here long enough. He has a
14 lot of experience and I would like to yield to him
15 before I make my decision.

16 As a commissioner, you should care because
17 we all vote. There's seven of us, not just three
18 or four people.

19 PRESIDENT SANCHEZ: And you are voting,
20 Carmen. You are voting. You said no. Fine.
21 Thank you.

22 MR. BRISMAN: Commissioner Kolodziej.

23 COMMISSIONER KOLODZIEJ: No. And it's
24 disappointing that a colleague would be treated
25 this way.

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(Roll call was taken, all Commissioners respond in the affirmative. Commissioners Depadua and Kolodziej respond in the negative)

MR. BRISMAN: Separate roll call on proposed Resolution #3 on page 4.

Do we have a motion?

COMMISSIONER VAN RENSALIER: Move it.

MR. BRISMAN: Do we have a second?

COMMISSIONER COTTON: Second.

COMMISSIONER KOLODZIEJ: Discussion.

MR. BRISMAN: Discussion.

COMMISSIONER KOLODZIEJ: So, apparently, because we're not allowed to clarify our vote when are going through roll call, I will at this point in time explain why I'm voting no for this.

COMMISSIONER LEVINE: Which one is this?

COMMISSIONER KOLODZIEJ: This is Resolution #3.

When we brought on an executive director, all seven of us were committed to the idea of allowing an executive director to build his own management team. It seems to me that that commitment would serve us well from an

1 organizational perspective if we gave that same
2 ability or opportunity to department heads and
3 directors. So the fact that we're looking to fill
4 this position now with the fact that we've got a
5 new director that is going to be starting in two
6 weeks, we are really precluding that person from
7 their ability to assess their own department's
8 needs and to make recommendations to us in order
9 to best fulfill the mission of that particular
10 department.

11 I am also concerned about what I guess is
12 basically an unconfirmed rumor that the reason for
13 the haste in making this appointment is due to
14 outside interference with the independent
15 authority of this commission.

16 If any commissioner serving on this board
17 is willing to surrender their independence to
18 their mayor because they were appointed by their
19 mayor, then your lack of courage is disappointing
20 and if this unconfirmed rumor of a Passaic mayor
21 calling a Paterson mayor and asking for help to
22 secure votes for either particular action or
23 appointment are true, then I will remind all my
24 colleagues at this meeting that when we took our
25 oath it was to uphold the law and to provide

1 clean, safe drinking water. It was not an oath of
2 loyalty to the mayors that appointed you.

3 PRESIDENT SANCHEZ: For the record, that's
4 only an opinion of the fellow commissioner.

5 COMMISSIONER COTTON: I would like to say
6 something.

7 COMMISSIONER KOLODZIEJ: That is my
8 opinion.

9 MR. BRISMAN: We're in discussion.

10 COMMISSIONER COTTON: I voted already.

11 PRESIDENT SANCHEZ: No, not on this.

12 MR. BRISMAN: We have a motion and you
13 seconded it.

14 COMMISSIONER COTTON: Okay. I mean, if I
15 may? You know, for many, many years, I've only
16 been here for two years, it's not even quite two
17 years yet, there's so many things that have been
18 done wrong and so many people have already been
19 here, to say that getting calls from mayors, you
20 know, I don't talk about hearsay because you can't
21 talk about what you heard. I'm talking about
22 what's best and everyone knows that I was an
23 operator at a sewer plant. So I know the
24 operation and the importance of operators of being
25 here. So I take offense to say no, I was not

1 called by my mayor or anyone to do something. I'm
2 looking at the benefit for the water company, for
3 the benefit of safe drinking water, and that's how
4 I'm looking at it. Because right now I always
5 said to you, Executive Director, we need operators
6 in here to make sure that this plant is run 24
7 hours seven days a week. This is a 24-hour seven
8 days a week operation. Someone has to be here to
9 do that and we have to make sure that that's what
10 it is.

11 Thank you.

12 PRESIDENT SANCHEZ: So, roll call, please.

13 COMMISSIONER DEPADUA: Can I speak now or
14 no, or it doesn't care?

15 COMMISSIONER KOLODZIEJ: No, you won't be
16 silenced this time, apparently, Commissioner.

17 COMMISSIONER COTTON: Go ahead, you can
18 talk, Carmen.

19 COMMISSIONER DEPADUA: I feel this is a
20 position that was just created, obviously, for
21 either, it looks to me and it feels to me a favor
22 or politics, nepotism. There's absolutely no
23 need, no urgency in having an assistant personnel
24 director. We only have 221 employees. So if a
25 new personnel director wants a deputy, they must

1 go through a fair and transparent process. But
2 here you're going to put two people on, a deputy,
3 who probably doesn't even have a lot of
4 experience, doesn't know about pension and things
5 and you're going to be putting him to help a blind
6 leading the blind, so.

7 MR. BRISMAN: Commissioner Depadua, just
8 be careful to talk about specific employees in
9 open session.

10 COMMISSIONER DEPADUA: I would like this
11 to be tabled until Gallagher actually leaves.

12 And like you said, have the director who's
13 going to be in charge make his recommendation.

14 PRESIDENT SANCHEZ: We're not going to
15 table it. We have a motion on the table.

16 COMMISSIONER KOLODZIEJ: I'll second the
17 motion to table as a courtesy to my colleague.

18 PRESIDENT SANCHEZ: There's another motion
19 before on the table before that one.

20 COMMISSIONER KOLODZIEJ: That's correct,
21 and then the motion to table supersedes it.

22 MR. BRISMAN: There's a motion and a
23 second to table.

24 Commissioner Levine.

25 COMMISSIONER LEVINE: No, I want to give

1 my reason why I think.

2 I thought the executive director, all
3 these salaries were super high, you know what I'm
4 saying. I voted, I thought that was high. I
5 think this salary is high. I think that Human
6 Resources' salary for the director right now at
7 200,000 is high. But if that's the new
8 precedence, you know, because we're going off
9 inflation or we're going off of that report that
10 what it states and we're going to make our
11 employees whole off of this precedence, you know,
12 as long as this isn't just going to be some favor
13 boosting somebody up, because I mean, I've had a
14 lot of conversations about this up to 138 and then
15 it's just him and then our employees that have
16 been here for 40 years are going to be left behind
17 in making less than him or equivalent then my
18 answer is no on this. That's why I asked my
19 commissioners in a whole if they're ready to look
20 at this because it started way before him right
21 now getting these salaries. The minute we hired
22 Mr. Mueller at 300,000, a hundred more than our
23 executive director, that's when it started. Now
24 we have the Human Resources Director we're putting
25 in at 200. The Environmental at 180. These

1 salaries were only for people that were executive
2 directors in the past. Now, you know, when you're
3 looking at that, then, you know, you have an
4 assistant at 138, we have to look at our lawyers.
5 Everybody. He's going to be making as much as the
6 lawyers and we have to reevaluate and are we going
7 circum to now inflation and what that chart says.
8 Like I said, I don't know. I trust Mr. Mueller
9 because he said that outside firm that we had that
10 gave the numbers and this is in line with that.

11 MR. MUELLER: They said to me if you can't
12 do that we don't have any viable candidates.

13 COMMISSIONER LEVINE: Somebody at the 138
14 I'm talking about.

15 MR. MUELLER: Oh, I'm sorry, I was talking
16 about the --

17 COMMISSIONER LEVINE: I'm saying about the
18 138. There's always a viable candidate. Right
19 now time changes every minute. This is the
20 direction the commission's going at. Like I said,
21 I would only vote on this if we're going to make
22 everybody, the supervisors. Even the low people
23 on the totem poles who are making 38,000 and we're
24 going to look at them all and make everybody whole
25 in the market. And I'm voting yes because we

1 already started this --

2 MR. BRISMAN: You're voting no to table.

3 COMMISSIONER LEVINE: No, because we got
4 to adjust.

5 MR. BRISMAN: I'm trying to be clear.

6 No to table.

7 Commissioner Cotton.

8 COMMISSIONER COTTON: No to table.

9 MR. BRISMAN: Commissioner Friend.

10 COMMISSIONER FRIEND: In deference to my
11 two colleagues who are obviously against this
12 hiring at this point, I'll go on record, I'm not
13 against the hire, but I'll give them to the next
14 meeting to get whatever information they require
15 and, hopefully, this will come --

16 MR. BRISMAN: So you're yes to table?

17 COMMISSIONER FRIEND: Yes to table.

18 MR BRISMAN: Commissioner Van Rensalier?

19 COMMISSIONER VAN RENSALIER: No, to table
20 with an explanation.

21 I'll just use, repeat Commissioner
22 Kolodziej's own words in a memo he sent to myself
23 and Mr. Mueller and President Rigo Sanchez.

24 "Let's allow the public to see which commissioners
25 pledge to support the executive director and which

1 commissioners actually vote to support the
2 executive director's recommendation for his
3 management team and which commissioners are
4 committed to improving employee relations and
5 which are willing to delay that goal."

6 So I would suggest today that, you know,
7 these words ring hollow and empty when
8 Commissioner Kolodziej continues to try to support
9 the executive director.

10 MR. BRISMAN: Commissioner Depadua, motion
11 on the table.

12 COMMISSIONER DEPADUA: Motion on the
13 table.

14 MR. BRISMAN: You vote yes?

15 COMMISSIONER DEPADUA: That's correct.

16 MR. BRISMAN: Commissioner Kolodziej?

17 COMMISSIONER KOLODZIEJ: I find it
18 disappointing and discriminatory that the male
19 commissioners are allowed to make comments during
20 the roll call but female commissioners were cut
21 off.

22 I vote yes to table.

23 MR. BRISMAN: President Sanchez.

24 PRESIDENT SANCHEZ: I vote no to table.

25 MR. BRISMAN: Okay. We had a motion and

1 second on the Resolution #3.

2 COMMISSIONER DEPADUA: Excuse me, excuse
3 me, Mr. Brisman, can I ask a question?

4 MR. BRISMAN: Sure.

5 COMMISSIONER DEPADUA: Okay. And since
6 you're the lawyer, you would know best. When you
7 don't know something, you always ask. Now, I'm
8 curious, Commissioner Van Rensalier and Danny
9 Rodriguez sit on the same board together, housing
10 and the board and you are the attorney for the
11 board of education. Now, does this all create, if
12 it goes to the ethics committee, a conflict of
13 interest? Are we doing any violations at this
14 point by doing this or should he be recusing
15 himself on this?

16 MR. BRISMAN: So...

17 COMMISSIONER DEPADUA: Just a thought.

18 MR. BRISMAN: So when this position first
19 came about, I'll answer the question with respect
20 to myself, first. I immediately informed Mr.
21 Mueller that I had to recuse myself from the
22 process. Mr. Mueller had originally wanted me to
23 be part of the interviewing committee for this
24 position and I immediately informed him that I had
25 to recuse myself and I recused myself from any

1 conversation, any discussion, anything to do with
2 this matter which, frankly, I had very little to
3 do with Personnel interviews anyway. So I almost
4 never am involved in the Personnel process so it
5 was pretty easy for me to recuse myself.

6 That being said, my recusal has to do
7 with, as you said, I'm the attorney for the board
8 of education, there's a financial issue.

9 Commissioner Van Rensalier did ask for an
10 opinion regarding whether there is an ethics issue
11 because they do serve together. There are two
12 types of conflicts. One is a legal conflict.
13 It's a relative, it's a son, it's a daughter, it's
14 somebody that you have a relationship with.
15 There's also a legal conflict when you have a
16 financial or business relationship with. Those
17 are legal conflicts. They cannot be waived.
18 Somebody can't say, well, I really hate my
19 brother, so I can vote with a clear conscious.

20 The other sort of conflict is a
21 conflict is when your neighbor, you're on the
22 zoning board, let's say, and your neighbor or a
23 block away or friend has an application before
24 you. That is the more gray area where one must
25 make a determination, can they say no if they felt

1 it was wrong. If it's your best friend's child
2 and you felt that they weren't the right person,
3 would you be so conflicted because of that
4 relationship even though you're not legally
5 conflicted - I say conflicted broadly - that you
6 could not vote no, then you have an ethical
7 conflict. If you feel that you are able to keep a
8 clear head, you're able to make a decision in the
9 best interest, you do not have any sort of legal
10 conflict and if you felt it was not in the best
11 interest of whatever board, commission,
12 organization, there is no legal conflict that is
13 for each person to make their determination. They
14 can seek counsel, legal counsel on it, they can
15 seek other counsel on it, but there's no legal
16 conflict.

17 We have -- any other --

18 PRESIDENT SANCHEZ: Can we take a vote
19 now, please?

20 MR. BRISMAN: Yes. Okay. So this is
21 motion for Resolution #4.

22 COMMISSIONER VAN RENSALIER: 3 or 4?

23 MR. BRISMAN: Resolution #3, I'm sorry.

24 COMMISSIONER COTTON: I thought we voted
25 on that.

1 MR. BRISMAN: That was on the table.

2 We had a motion and second from

3 Commissioner Cotton.

4 COMMISSIONER DEPADUA: Okay. Now, we are
5 tabling this thing that we just finished or are we
6 voting again on the table?

7 MR. BRISMAN: We're voting, it's not to
8 table. We are now voting on Resolution #3,
9 Proposed Resolution #3.

10 COMMISSIONER DEPADUA: No, my vote is no.

11 COMMISSIONER KOLODZIEJ: For the reasons
12 stated and I don't see with the urgency of this
13 placement before a new director comes on board,
14 no.

15

16 (Roll call was taken, all Commissioners
17 respond in the affirmative. Commissioners Depadua
18 and Kolodziej respond in the negative)

19

20 MR. BRISMAN: Moving on to the Consent
21 Agenda --

22 COMMISSIONER VAN RENSALIER: For the
23 record, does any commissioner who talked about
24 transparency want to speak to the board about
25 whether or not they have any relatives currently

1 on the agenda that they voted for and supported?

2 MR. BRISMAN: Does any commissioner have
3 any statement to make with respect to that issue?

4 COMMISSIONER VAN RENSALIER: Does any
5 commissioner at this meeting, do they have any
6 relatives that we just voted on to hire?

7 COMMISSIONER FRIEND: I can say absolutely
8 not.

9 COMMISSIONER DEPADUA: My relatives are
10 here in Florida and North Carolina.

11 COMMISSIONER COTTON: If you know
12 something that I don't know.

13 PRESIDENT SANCHEZ: Well, I have a lot of
14 nephews and cousins, but not on the agenda. For
15 today I'm clear.

16 COMMISSIONER KOLODZIEJ: I have always
17 recused myself from any vote.

18 COMMISSIONER VAN RENSALIER: I'm talking
19 about this specific agenda. The names that are
20 listed on this specific agenda.

21 COMMISSIONER KOLODZIEJ: Not me.

22 COMMISSIONER VAN RENSALIER: You said
23 there's a rumor out there regarding mayors. I say
24 there's another rumor out there that someone we
25 just hired is related to one of the Board of

1 Commissioners, so I'm giving that commissioner an
2 opportunity to say yes or no if that's in fact
3 true or not.

4 COMMISSIONER FRIEND: I'll expand my
5 answer. I have no relatives that work for the
6 water commission. No mayors have contacted me
7 with reference to any...

8 PRESIDENT SANCHEZ: Moving onto Consent
9 Agenda, guys.

10 MR. BRISMAN: The minutes of April --

11 COMMISSIONER KOLODZIEJ: So moved.

12 MR. BRISMAN: Do we have a second?

13 COMMISSIONER COTTON: Second.

14

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

17

18 MR. BRISMAN: Resolutions 6a, b, c, d, e,
19 f, g, h, i.

20 I have two changes or adjustments. Please
21 note that on the Resolution Contract 22-B-10,
22 Roadway Pavement Restoration, with thanks to
23 Commissioner Friend, the second whereas, it should
24 not be "The next lowest responsible bidder", it
25 should just say "The lowest responsible bidder".

1 So the record will reflect that the word "next" is
2 superfluous.

3 And also thanks again to Commissioner
4 Friend on number h, 22-070. The extension for
5 legal services. It should note that the rate is
6 actually \$190 per hour and in a couple of
7 instances \$210 per hour. So let's note that for
8 the record.

9 Could we have a motion for the group?

10 COMMISSIONER KOLODZIEJ: Move the group as
11 amended.

12 COMMISSIONER VAN RENSALIER: Second.

13

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

16

17 (Whereupon, the following Resolutions were
18 approved:

19 (a) Resolution No. 22-063 Amendment for
20 Authorizing a Shared Services Agreement with Brick
21 Township Municipal Utilities Authority for
22 Analytical Laboratory Services.

23 Amendment to the existing Shared Services
24 Agreement with Brick Township Municipal Utilities
25 Authority for procurement of additional analytical

1 laboratory services for TOCS, DOCs, Chlorides,
2 Fluorides, Sulfates, Bromides, Nitrates, Nitrites
3 and Orthophosphates for an additional \$114,000.00,
4 not to exceed \$612,400.00 over the 2-year
5 agreement.

6 (b) Resolution No. 22-064 2-Year Extension
7 of Contract No. 20-B-25 "Maintenance of HVAC
8 Equipment and Systems"

9 Award a 2-year extension to Contract No.
10 20-B-25 "Maintenance of HVAC Equipment and
11 Systems" to Victory Air Services, dba Powers
12 Service Co. in the amount not to exceed
13 \$264,350.00. Allow contractor to continue
14 performing preventative maintenance and repairs of
15 HVAC equipment and systems throughout PVWC's
16 facilities under same terms and conditions of the
17 existing contract.

18 (c) Resolution No. 22-065 Award Contract
19 No. 22-B-10 Entitled "Roadway Pavement
20 Restoration."

21 Award Contract No. 22-B-10 "Entitled
22 "Roadway Pavement Restoration" to DLS Contracting,
23 Inc. in the amount not to exceed \$1,838,375.00
24 over 2 years. Perform bituminous pavement
25 restoration work throughout the Commission's

1 services areas that are associated with
2 distribution-system related work performed by
3 PVWC's employees.

4 (d) Resolution No. 22-066 Award Contract
5 No. 22-B-14 Entitled "Emergency Water Main
6 Repairs."

7 Award Contract No. 22-B-14 Entitled
8 "Emergency Water Main Repairs" to J. Fletcher
9 Creamer & Son, Inc. in the amount not to exceed
10 \$4,108,513.00 over 2 years. Perform emergency
11 repairs to water mains up to 51-inch diameter,
12 service line installation, line stopping and
13 insertion valve installation including all final
14 restoration work and traffic control.

15 (e) Resolution No. 22-067 Budget Amendment
16 of PVWC's Emergency Services Contract for Contract
17 No. 20-B-37 Entitled "Emergency Water Main
18 Repairs."

19 Change Order #1 to PVWC's Emergency
20 Services Contract, Contract No. 20-B-37 Entitled
21 "Emergency Water Main Repairs" to Montana
22 Construction for an increase of up to \$930,131.27,
23 with a total contract amount not to exceed
24 \$4,599,565.27. This change order covers the high
25 quantity of water main breaks which occurred

1 during the winter months into spring including a
2 couple of complex repairs made to large diameter
3 transmission mains.

4 (f) Resolution No. 22-068 Change Order No.
5 1 - Budget Amendment of Professional Services for
6 Project No. 16-P-64 Entitled "Professional
7 Services for New Street Reservoir Water Storage
8 and Pumping Facilities, Design, Permitting and
9 Construction Administration."

10 Change Order No. 1 for Project No. 16-P-64
11 Entitled "Professional Services for New Street
12 Reservoir Water Storage and Pumping Facilities,
13 Design, Permitting and Construction
14 Administration" to Arcadis for an increase of up
15 to \$157,000, with a total contract amount not to
16 exceed \$2,266,620.00. This change order will
17 cover out-of-scope work which includes assisting
18 the PVWC with the development of the Reservoir
19 Management Plan as required by the NJDEP and
20 conducting feasibility studies for the continued
21 utilization of the Great Notch Reservoir property
22 for storage and for the evaluation of additional
23 alternative storage options within PVWC's
24 distribution system.

25 (g) Resolution No. 22-069 Authorizing an

1 Indemnification and Hold Harmless Agreement with
2 Mott MacDonald.

3 Passaic Valley Water Commission to enter
4 into an Indemnification and Hold Harmless
5 Agreement Mott MacDonald, LLC for Mott MacDonald,
6 LLC to use safety equipment and tools, owned by
7 PVWC, to conduct inspection activities at the
8 Little Falls Water Treatment Plant.

9 (h) Resolution No. 22-070 Contract
10 Extension for Professional Services (or
11 Extraordinary Unspecifiable Services) Solicited
12 Through the Fair and Open Process, Year 2021, for
13 Legal and Related Services.

14 Award a one (1) year extension to various
15 Contracts for Legal and Related Services.

16 (i) Resolution No. 22-071 Request to
17 Advertise a Request for Qualifications (Under the
18 Non-Fair and Open Process) for various on-call
19 projects to be utilized by the Engineering and
20 Information Technology Departments)

21
22 MR. BRISMAN: Moving along to New
23 Business.

24 Summary of disbursements and payrolls in
25 the amount of \$6,240,562.78 certified by

1 Commissioner Depadua and Controller Weiss.

2 Do we have a motion?

3 COMMISSIONER FRIEND: Move it.

4 COMMISSIONER VAN RENSALIER: Second.

5 COMMISSIONER COTTON: I'm going to vote no
6 because I didn't look at it.

7 MR. BRISMAN: No or abstention?

8 COMMISSIONER COTTON: Abstain.

9 PRESIDENT SANCHEZ: Abstain on... I
10 didn't read it, P&A.

11 MR. BRISMAN: We'll note your abstentions
12 on your conflicts.

13
14 (Roll call was taken, all Commissioners
15 respond in the affirmative. Commissioner Cotton
16 abstained)

17
18 MR. BRISMAN: We already did the
19 recommendations from the executive conference.

20 Is there any Good and Welfare before we
21 adjourn?

22 PRESIDENT SANCHEZ: Yes. Two Good and
23 Welfare.

24 One I heard that plaque for Joe is ready?

25 MR. MUELLER: It's right here if you want

1 to look at it.

2 PRESIDENT SANCHEZ: Can we look at it.

3 I would like to have Joe Bella come in in
4 September and do a little presentation.

5 What are we going to name after him
6 because if we're going to put up a plaque we need
7 to name --

8 COMMISSIONER LEVINE: Let's figure it out
9 next meeting.

10 PRESIDENT SANCHEZ: Another thing I'd like
11 to do, I want to get things back to normalcy. I
12 would not allow commissioners to work on Zoom
13 unless it's a medical emergency. Everybody should
14 come in. Everybody's coming in. I want everybody
15 to come into my meeting.

16 MR. BRISMAN: Our next meeting --

17 COMMISSIONER KOLODZIEJ: So then under
18 Good and Welfare then, I would also like to see us
19 reestablish our policy of broadcasting on YouTube
20 and make it more available to the public.

21 MR. BRISMAN: President Sanchez, under
22 Good and Welfare, Commissioner Kolodziej just
23 brought up live streaming our meetings back on
24 YouTube.

25 PRESIDENT SANCHEZ: I don't agree with

1 that. If anybody wants to, let them come in and
2 be at the meeting. That's my meeting as
3 President. That's what I think.

4 MR. BRISMAN: Any other discussion?

5 COMMISSIONER KOLODZIEJ: One other issue.
6 We had some sort of billing issue last week.
7 People were trying, some Clifton residents were
8 trying to access their bills online to see if they
9 paid or be able to pay their bill. They were
10 getting an error message saying that they couldn't
11 log in; they didn't recognize them. I don't know
12 if that's been fixed. I'm assuming it has been
13 because I haven't gotten any complaints since. If
14 we can just make sure.

15 COMMISSIONER FRIEND: Just as a followup
16 to Joe about the billing, did we ever give the
17 customers that were entitled to the \$75 credit the
18 credit?

19 COMMISSIONER COTTON: I thought it was 50.

20 COMMISSIONER FRIEND: Whatever it was.

21 COMMISSIONER COTTON: Yeah, they got it.

22 MR. WEISS: Customers got their credits.
23 Initially the board approved a \$25 credit and then
24 an additional 12 and a half.

25 COMMISSIONER FRIEND: So they did get it?

1 MR. WEISS: Yes.

2 MR. BRISMAN: Next meeting is scheduled
3 for -- did you want to say something?

4 COMMISSIONER COTTON: Yeah. Personnel
5 committee, I saw that you gave, people went home
6 at 1:00 on the Juneteenth holiday. I would like
7 to see that holiday as part of Passaic Valley
8 Water. I would love to see that.

9 COMMISSIONER LEVINE: That's a union
10 negotiation.

11 COMMISSIONER COTTON: No, everybody is
12 throwing that holiday out there. It don't have to
13 be a union negotiation and you know that.

14 The only other thing is that also when you
15 send people home a half day, what happens to those
16 other operators that have to still come in. Do
17 they get something extra?

18 MR. MUELLER: They get something, yes. I
19 can get you exact amounts, we can talk about it.
20 Basically what I did was the same as what was done
21 the last two years. I kept that past practice
22 didn't change. I considered some ideas, they got
23 complicated. I didn't want to overcomplicate it,
24 so I just did what they did the last two years.

25 COMMISSIONER COTTON: When you send

1 someone home at 1:00 or 2:00, the people who has
2 to come in, they have to the get something extra?

3 MR. MUELLER: Yes.

4 COMMISSIONER COTTON: Okay. I just want
5 to make sure. I think we need to get -- that
6 should be a holiday.

7 MR. MUELLER: Commissioner Cotton and
8 Commissioner Levine just said it, I apologize for
9 interrupting, Commissioner Cotton is mentioning
10 the holiday. You just mentioned it should be part
11 of the union negotiations. I discussed it with
12 the union and they actually raised it and I said
13 listen, I'll just follow past practice for this
14 year what was done the past few years. But to
15 Commissioner Levine's point, I said to the union,
16 we haven't concluded our negotiations, why don't
17 you make a proposal.

18 COMMISSIONER LEVINE: Usually we take away
19 a holiday to add that holiday.

20 MR. MUELLER: They said they're going to
21 make a proposal. Matt Giacobbe hasn't --

22 COMMISSIONER LEVINE: Make them a take
23 away a holiday to add so we don't have an extra
24 holiday paid day.

25 MR. MUELLER: We don't have that proposal

1 yet, once we do --

2 COMMISSIONER COTTON: Let me finish.

3 COMMISSIONER VAN RENSALIER: Follow what
4 the other cities do.

5 COMMISSIONER COTTON: What the other
6 cities does, they give them 12 holidays a year.
7 They threw that holiday in there. That was not
8 part of their negotiation. That was not part of
9 their contract. They gave it to them. That
10 wasn't part of it. That's what I want to say.

11 COMMISSIONER LEVINE: We're giving a 13th
12 holiday?

13 COMMISSIONER COTTON: Yes, and that's what
14 everybody's doing.

15 COMMISSIONER LEVINE: That's up to the
16 union negotiation.

17 MR. MUELLER: I'm trying to follow a
18 process here myself.

19 COMMISSIONER LEVINE: We took away
20 Columbus Day and gave them --

21 PRESIDENT SANCHEZ: Columbus Day wasn't
22 necessary.

23 COMMISSIONER LEVINE: I'm saying we did
24 that in union negotiations. I'm saying so we swap
25 this with another holiday.

1 MR. MUELLER: So the contract has 11
2 holidays, three personal time off days, and the
3 way it was explained to me was they were granted
4 because there's so many holidays coming up and not
5 everybody observes the same, has the same meaning
6 to each holiday.

7 PRESIDENT SANCHEZ: I have a question to
8 my board. August, when I'm President, I always
9 give commissioners a break in August. Is there
10 anything that is going to be like necessary in the
11 August meeting? If not, I'm closing down my store
12 in August.

13 MR. BRISMAN: It's impossible for me to
14 say for certainty, but if we don't have a meeting,
15 we don't have a meeting.

16 PRESIDENT SANCHEZ: Commissioners, think
17 about it. If we don't have anything urgent in
18 August, I'm giving my guys a break.

19 MR. MUELLER: My intent for July, the next
20 two Director positions that were approved by the
21 board --

22 PRESIDENT SANCHEZ: If we need to come
23 back, we will.

24 MR. MUELLER: But that's for July.

25 PRESIDENT SANCHEZ: If we can take off for

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August, I'll be more than happy.

MR. BRISMAN: July 27th.

We have a motion to adjourn.

COMMISSIONER KOLODZIEJ: Motion to
adjourn.

COMMISSIONER COTTON: Second.

MR. BRISMAN: All in favor?

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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
LYNANN DRAGONE, CCR
Certified Court Reporter