

PASSAIC VALLEY WATER COMMISSION MEETING OF

JULY 18, 2012

(OPEN SESSION)

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

ROBERT VANNOY, President

RIGO SANCHEZ, Vice-President

JEFFREY LEVINE, Treasurer

GLORIA KOLODZIEJ, Secretary

IDIDA RODRIGUEZ

THOMAS P. DeVITA

MENACHEM BAZIAN

A L S O        P R E S E N T :

JOSEPH A. BELLA, Executive Director

GEORGE T. HANLEY, Counsel

JAMES G. DUPREY, Director of Engineering

JAMES J. GALLAGHER, Personnel Director

YITZ WEISS, Comptroller

LOUIS AMODIO, Administrative Secretary

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1 MR. AMODIO: On the roll.

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

7

8 MR. AMODIO: Thank you.

9 The time is 9:40 a.m.

10 We have a quorum.

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

19 Would you please rise?

20 Commissioner Rodriguez, would you please  
21 lead us?

22 I believe there's members of the public  
23 out in the hall. Mr. Bella, would you please  
24 bring them in.

25 Thank you very much.

1 MR. AMODIO: Sir, if you would, your name  
2 and address, please.

3 MR. VIGH: Ray Vigh, 2 Cliff Road,  
4 Woodland Park.

5 I didn't plan on speaking. I thought  
6 someone else was going to be here. The only  
7 reason, there were supposed to be other people  
8 from Great Notch.

9 If you know the area, as to why you  
10 people, maybe I shouldn't say it like that, but  
11 why there are trucks out there working at one,  
12 two, three in the morning.

13 We spent a lot of money to buy property  
14 and move into that area and they tell us it's  
15 always an emergency and everything else. But it's  
16 really disturbing and you can't sleep.

17 My wife was just diagnosed with cancer two  
18 week ago. I took her out of the hospital and I  
19 mean, granted, the air conditioning is on, but  
20 even with the air conditioning on, it's  
21 disturbing.

22 I understand that they -- the beep, beep,  
23 beep, that's what drives us crazy. It is by law.  
24 I'm sure OSHA makes you have to do that for safety  
25 and I can understand it. But they get there, they

1 dump their loads, and "boom" with the back of the  
2 truck. Okay. It's ridiculous.

3 The last holiday was Memorial Day. I  
4 mean, the guy that lives on the third floor  
5 doesn't use his air conditioning and he keeps  
6 records of this. He's not here, unfortunately.  
7 Of when the trucks are there, what hours they're  
8 there, what days they're there. There's a city  
9 ordinance which I have from City Hall which says  
10 you're not supposed to do stuff after 10:00 at  
11 night, not on the weekends. It's just driving us  
12 crazy.

13 And we'd like to know -- we found out from  
14 Keith Kazmark there is another place that you can  
15 do this. I believe it's in Totowa, that's  
16 business, not residential.

17 And, basically, I mean, I would ask you to  
18 move it. I understand there's a meeting with  
19 Keith. I don't know with who from here, with our  
20 property manager, John Quinn, to walk it, see it,  
21 see what goes on.

22 I mean, you guys made mountains of dirt  
23 back there and threw grass on it and we were told  
24 at the end of the summer it would be done, last  
25 summer. Now, they're working by Dujets. But they



1           they break, not when we ask them to break.

2           Unfortunately --

3                     MR. VIGH: We went in there with the guy  
4           and said why are you here.

5                     Because my boss told me to come here.

6                     And he's moving dirt from there to there.

7           And you know what we told them, we're going to  
8           lock the gate and put our lock on it and you try  
9           to get out. It's ridiculous.

10                    MR. BELLA: Okay.

11                    MR. VIGH: It's not fair to the residents  
12           of Woodland Park.

13                    MR. BELLA: At any rate, we will do what  
14           we can do, but I will make this perfectly clear  
15           they're not up there unless it's an emergency at  
16           night.

17                    MR. VIGH: I hope Keith has some influence  
18           with this Board. If you have another place you  
19           can move it, maybe you can move it.

20                    MR. BELLA: I'll tell you what to do. Go  
21           right in there, leave your name and phone number  
22           and I'll call you up.

23                    MR. VIGH: Okay. Fine. Thank you.

24                    MR. BELLA: Because we are not insensitive  
25           to that.

1 MR. VIGH: No, no. I mean, if it was your  
2 backyard, you'd be standing there at the meeting  
3 addressing these people.

4 Thank you.

5 MR. AMODIO: Anyone else outside?

6 We'll move onto committee reports.

7 Personnel.

8  
9 (Whereupon, Commissioner Levine is present  
10 at 9:44)

11  
12 COMMISSIONER RODRIGUEZ: I want to talk on  
13 personnel when we go into closed session.

14 MR. AMODIO: Yes.

15 COMMISSIONER SANCHEZ: There was some new  
16 changes. I guess some reason I end up, there has  
17 been changes on the personnel committee.

18 MR. AMODIO: Is there any report for today  
19 or just what's on the agenda?

20 COMMISSIONER SANCHEZ: Just what's on the  
21 agenda.

22 We have a new hire. Joe, is there  
23 something you want to say on that now?

24 MR. BELLA: I'll wait.

25 MR. AMODIO: Okay. We can move on then,

1 if you'd like.

2 IT.

3 COMMISSIONER BAZIAN: We had an IT meeting  
4 yesterday. We reviewed where the business process  
5 review is going. That seems to be moving along.

6 Two suggestions that we're now being  
7 pushed a little bit on is the review as to whether  
8 or not we can use social media, such as Facebook  
9 and Twitter, as a means of getting information out  
10 faster and easier.

11 Our BPR is discussing this, but I don't  
12 think that's necessarily -- it's something we can  
13 wait on.

14 COMMISSIONER RODRIGUEZ: The Twitter  
15 piece, that's a good idea. Especially, if there  
16 is, like, main breaks and emergencies.

17 COMMISSIONER BAZIAN: That's exactly  
18 what -- that's exactly. Both Facebook and Twitter  
19 are very, very popular. My personal preference is  
20 Facebook; but other people prefer Twitter, but  
21 that will work.

22 Eventually, I would like to see going  
23 forward as we upgrade our computer systems an  
24 ability to push alerts out via e-mail as well. I  
25 think this will provide a much better service to



1           our customers, because a lot of them don't have  
2           phones anymore or at least not listed phones.  
3           They have just cell phones. The more we can push  
4           information out, the faster we can push it out, I  
5           think the better.

6                    COMMISSIONER DeVITA: How would we get  
7           everybody's e-mails?

8                    COMMISSIONER BAZIAN: We actually have a  
9           lot already. We have a lot of customers' e-mails.  
10          Jim said that they're going through and they're  
11          confirming the e-mail addresses. After we have an  
12          idea of how many we have, we can do things, like  
13          we can put an insert in the bill, let's say. We  
14          can put it on our web site. I mean, basically,  
15          it's a matter of pushing ahead. If we already  
16          have Facebook and Twitter, we can also use that as  
17          a means for pushing it out. There's a lot of  
18          strategies we can use. I don't see the e-mail  
19          push out until some time next year. Facebook and  
20          Twitter, it's free, so there's no reason we  
21          shouldn't do it.

22                   The one concern we have is that, I did a  
23          little bit of research, there seemed to be two  
24          Facebook accounts on Passaic Valley Water  
25          Commission but the best of our knowledge, what

1 I've been told, they're not controlled by the  
2 Commission. So Jim is actually working on trying  
3 to get control over those with Facebook and on  
4 Twitter there is an @PVWC. It does exist. I'm  
5 not sure if the person who holds it is an employee  
6 or not. I will look into that. If it's --

7 COMMISSIONER LEVINE: Who controls the  
8 Facebook?

9 COMMISSIONER BAZIAN: We don't know.  
10 Passaic Valley Water Commission is mentioned  
11 twice; once for Totowa and, I believe, once for  
12 Wayne.

13 PRESIDENT VANNOY: When you say  
14 "mentioned," what do you mean "mentioned"?

15 COMMISSIONER BAZIAN: In Facebook, there's  
16 a place where you can search for friends. So if I  
17 want to look for Robert Vannoy, I could just type  
18 in Robert Vannoy and it would give me a list of  
19 all the Robert Vannoys. Let's say there's just  
20 one Robert Vannoy --

21 PRESIDENT VANNOY: Two.

22 COMMISSIONER BAZIAN: When I went looking  
23 for Passaic Valley Water Commission, there were  
24 two listings that showed up. Okay. How they got  
25 there, who put them there, who is in control of

1           them, all of that stuff --

2                   COMMISSIONER LEVINE: Did you look into  
3 the sites? It's also if they work there --

4                   COMMISSIONER RODRIGUEZ: No, no. You have  
5 to create the page. You have to create it.

6                   COMMISSIONER BAZIAN: They're pretty  
7 empty. I didn't really see anything on there.

8                   COMMISSIONER RODRIGUEZ: Did you see the  
9 friends?

10                  COMMISSIONER BAZIAN: No, I don't think  
11 there are any friends.

12                  COMMISSIONER RODRIGUEZ: You might save  
13 it.

14                  COMMISSIONER BAZIAN: I don't know.

15                   The bottom line is that regardless of  
16 whether or not it is being used for good or bad,  
17 if it's not under our control, we don't know where  
18 it's going. We don't know who has control of it.  
19 Maybe the person who created it, forgot it. It's  
20 just sitting around. We don't know.

21                   So the idea is, Jim told me he was trying  
22 to get in touch with Facebook. I suggested  
23 perhaps that Jim interface with you, George.  
24 Perhaps we should send a letter to Facebook. I'm  
25 dead serious about this.

1 MR. HANLEY: I'm back to regular mail.  
2 I'm advocating for regular mail.

3 COMMISSIONER BAZIAN: Maybe we send a  
4 letter or an e-mail or whatever, unofficial, to  
5 Facebook saying we are Passaic Valley Water  
6 Commission and we have these two things that we  
7 want to --

8 COMMISSIONER RODRIGUEZ: And you know what  
9 I will do, I will ask, what was his name, Bill  
10 Zurenetz is his name. He used to do our -- they  
11 did a little bit of P.R. for a little bit and  
12 maybe to see if he did the page. And if he did,  
13 he can just --

14 MR. BELLA: You know what, give him a  
15 call. That's a good. I forgot about that.

16 COMMISSIONER RODRIGUEZ: Because that's  
17 part of what they were trying to do, being social  
18 media. That way you won't have to go through the  
19 whole. It's difficult. They don't give out  
20 information. It could have very well been Bill.

21 COMMISSIONER BAZIAN: I had no idea.  
22 Thank you. That would be very helpful.

23 If there aren't any questions on IT, I  
24 want to move onto legal affairs.

25 Legal affairs; two things we're doing with

1 legal affairs right now is one, we're having a  
2 discussion about possibly restructuring the legal  
3 department to bring in more inhouse. We're  
4 working with George. George sent us some ideas on  
5 that and what kind of staffing we need, things  
6 like that. The idea being to lower our overall  
7 legal costs. So we're looking at that.

8 The Board at our last meeting tasked the  
9 legal affairs committee to look into the question  
10 of veterans' preference, preference for veterans  
11 in hiring, whether that applied only to  
12 competitive -- all of our employees here are Civil  
13 Service.

14 PRESIDENT VANNOY: No, laborers and  
15 clerk/typists are not.

16 COMMISSIONER BAZIAN: They are Civil  
17 Service. They're not competitive Civil Service.  
18 That's my understanding.

19 MR. HANLEY: Everybody is Civil Service.  
20 It just depends on whether they're competitive.

21 COMMISSIONER BAZIAN: So, George, if you  
22 want to say this, that's fine. But George  
23 reported at the meeting that his research  
24 indicated that the law was very clear, that  
25 regardless of whether an employee is being hired

1 through the competitive basis or noncompetitive  
2 basis, the law does afford preferential treatment  
3 to veterans.

4 That was the question that was posed to us  
5 at the last meeting. So that's the legal ruling.

6 George, if you want to --

7 MR. HANLEY: Yes. Just to supplement the  
8 record. I want to reference NJSA 11:5-8.

9 In other words, if you have entry level  
10 people applying for entry level jobs who don't  
11 require a test, you still are required to give  
12 them preference.

13 COMMISSIONER DeVITA: Just a question.

14 PRESIDENT VANNOY: George, say that one  
15 more time. You had your hand over your mouth. I  
16 didn't really hear you.

17 MR. HANLEY: You know what, let me read  
18 it. It's very short.

19 PRESIDENT VANNOY: Okay.

20 COMMISSIONER RODRIGUEZ: When you're done.

21 MR. HANLEY: I'll pass it out. I gave the  
22 citation.

23 "Among those eligible for appointment in  
24 the noncompetitive division, preference shall be  
25 given to a qualified veteran. Before an

1           appointing authority shall select a nonveteran and  
2           not appoint a qualified veteran, the appointing  
3           authority shall show cause," very careful term in  
4           the law, I'm sure you know, "show cause before the  
5           Civil Service Commission why a veteran should not  
6           be appointed. In all cases, a disabled veteran  
7           shall have preference over all others."

8                        Which reminds me, I don't know if Jim is  
9           here, if we don't ask that question on our  
10          application, we should. In other words, there  
11          should be two questions; one, are you a veteran.  
12          And two, are you a disabled veteran.

13                      COMMISSIONER DeVITA: We don't have that.

14                      MR. HANLEY: My opinion those should be  
15          added.

16                      COMMISSIONER DeVITA: Can I?

17                      PRESIDENT VANNOY: Real quick, that was  
18          for competitive?

19                      MR. HANLEY: Noncompetitive.

20                      MR. HANLEY: Competitive, there's no  
21          question. It never has been. This was all about  
22          noncompetitive.

23                      COMMISSIONER DeVITA: One key thing is  
24          qualified. Somebody has to be qualified.

25                      MR. HANLEY: Yeah, sure.

1                   COMMISSIONER DeVITA: My question is, I  
2 looked at past applications that we have on file  
3 and there are some veterans that have applied. We  
4 don't know if they're all veterans or not. My  
5 understanding is that question isn't asked. Do we  
6 have to go back and I mean, there's stuff from  
7 2011.

8                   MR. HANLEY: I don't know.

9                   COMMISSIONER DeVITA: Can we check that?

10                  COMMISSIONER RODRIGUEZ: For  
11 noncompetitive? I'm sorry.

12                  COMMISSIONER DeVITA: It depends on what  
13 the job is. I don't know.

14                  COMMISSIONER BAZIAN: Mr. President, the  
15 only concern I have is that we have a hire on this  
16 month's agenda. Now that we know that the law  
17 gives preference to veterans, I don't know if this  
18 individual is a veteran or not. But if this  
19 individual is not a veteran, then it behooves us  
20 to ask the question about whether or not we have  
21 any resumes in our files that are veterans.

22                  COMMISSIONER RODRIGUEZ: For an engineer,  
23 are you saying?

24                  COMMISSIONER BAZIAN: For anything. The  
25 engineer would be Civil Service as well. That's



1 the law.

2 MR. HANLEY: Excuse me, do they have to  
3 take a test for engineering?

4 MR. DUPREY: No, they use their education.

5 COMMISSIONER RODRIGUEZ: This is special.  
6 This is special.

7 MR. HANLEY: Wait a minute. That's  
8 different. That's qualifications. So everybody  
9 has to pass that no matter what the job is.  
10 Obviously, to be an engineer here, you have to be  
11 a licensed professional engineer. That's not the  
12 issue. Would if you got two licensed professional  
13 engineers, one of whom is a veteran and one of  
14 whom is not. They don't take a test.

15 MR. GALLAGHER: Yes, they do. A  
16 competitive test.

17 MR. HANLEY: Oh, well, then that answers  
18 the question. But they still get preference.

19 COMMISSIONER RODRIGUEZ: The veterans get  
20 preference?

21 MR. BELLA: Through Civil Service.

22 MR. HANLEY: Do they take a test after we  
23 hire them or before?

24 MR. GALLAGHER: After.

25 COMMISSIONER BAZIAN: Doesn't Civil

1 Service produce a list. In other words --

2 COMMISSIONER DeVITA: To take a test.

3 COMMISSIONER BAZIAN: Right. But  
4 something like an engineer, do they have to call  
5 for a special test?

6 MR. GALLAGHER: Once we hire an  
7 individual, that promulgates Civil Service to  
8 create a test. A test will then be called. When  
9 you hire somebody, you hire someone provisionally  
10 based on a Civil Service giving me a certification  
11 of eligible individuals. When I get the  
12 certification of eligibles, they will be listed by  
13 disabled veterans first. Veterans second. County  
14 residents first. Contiguous counties, third  
15 fourth. State residents and then United States.

16 MR. HANLEY: So that process --

17 COMMISSIONER DeVITA: Question. So if we  
18 hire an engineer, a provisional hire. We hire  
19 somebody, John Jones gets hired. Then there's a  
20 test.

21 MR. GALLAGHER: Correct.

22 COMMISSIONER DeVITA: If there's someone  
23 else that is just high or higher that's a vet, we  
24 can't keep John Jones?

25 MR. GALLAGHER: On open competitive

1 examination, veterans automatically migrate to the  
2 top of the list.

3 COMMISSIONER DeVITA: An engineer is an  
4 open competitive?

5 MR. GALLAGHER: It is an open competitive.

6 COMMISSIONER BAZIAN: Let's say that we  
7 have an engineer's position open and a test is  
8 promulgated and there are seven names on the test.  
9 We're obviously only going to hire one. What  
10 happens to those other six names? Do they now  
11 become a pool for somebody else to hire or is it  
12 only for us?

13 MR. GALLAGHER: Well, in some cases, yes.  
14 That's a Civil Service function. That has nothing  
15 to do with us. If the Board so chose in the life  
16 of that list, which is three years, in the life of  
17 that list, the Board wanted to hire someone else  
18 in that job title, they have to hire off the list.

19 COMMISSIONER BAZIAN: When was the last  
20 time we had a list for engineer?

21 MR. GALLAGHER: For a senior engineer in  
22 this case, we haven't had one in decades.

23 COMMISSIONER BAZIAN: Do we have anybody  
24 in our resume file that is a veteran that would  
25 qualify for a senior engineer?

1 MR. GALLAGHER: Not that I'm aware of.

2 PRESIDENT VANNOY: George, let me just try  
3 to understand. So if we have veteran and  
4 nonveteran, but the nonveteran is more qualified,  
5 we still have to hire the veteran?

6 MR. GALLAGHER: That would be correct.

7 MR. HANLEY: It's not more or less  
8 qualified. I mean, I understand, you're right,  
9 there are some people who are more or less, but  
10 it's the qualifications that apply to the job.

11 PRESIDENT VANNOY: Aren't we doing  
12 ourselves a disservice, though --

13 MR. HANLEY: You're either qualified or  
14 you're not.

15 MR. GALLAGHER: Caveat to that, we don't  
16 make the determination, Civil Service does. On an  
17 open competitive examination, we will not make the  
18 final determination of how the list is ranked.  
19 Civil Service does that.

20 MR. HANLEY: I think he was referring to  
21 noncompetitive.

22 MR. GALLAGHER: Okay. That's different.  
23 I'm sorry.

24 MR. HANLEY: But still, I think it's  
25 similar in that either, if you -- let me put it --

1 the burden is on us. If we choose not to pick the  
2 veteran for that entry level job, you better be  
3 able to demonstrate that they're not qualified  
4 period. Not that they're not less qualified.  
5 It's either they are or they aren't.

6 PRESIDENT VANNOY: Well, I'm saying, say  
7 we have a guy that's got 25 years work experience  
8 doing something and you got a veteran that's two  
9 years, we have to --

10 MR. HANLEY: If the veteran's qualified.

11 MR. GALLAGHER: Based on the Civil Service  
12 guidelines, a laborer is a good example. Laborers  
13 are noncompetitive job titles. If the Board  
14 chooses one, then you will be obligated to hire  
15 the veteran.

16 PRESIDENT VANNOY: Okay.

17 COMMISSIONER SANCHEZ: I have two  
18 questions and then I'm going to say something.

19 When we have an opening, do we need to go  
20 back on these obligations and consider those  
21 obligations that are now a year old? Do we need  
22 to go back?

23 MR. GALLAGHER: You can determine how the  
24 length of time you want to hold the resume or an  
25 application, but I would arguably say -- let me

1 finish. I would arguably say you can't make it  
2 just arbitrary and say you're going to hold it ten  
3 days one month and then 15 days the next month.

4 COMMISSIONER SANCHEZ: What's a fair time?  
5 Can you come up with something?

6 MR. GALLAGHER: We hold resumes for one  
7 year. After that, we purge.

8 COMMISSIONER SANCHEZ: Mr. Hanley, you  
9 know, I mean, I have a problem with consulting  
10 with you on this matter. Because first, you're a  
11 veteran yourself.

12 MR. HANLEY: You have a problem with that?

13 COMMISSIONER SANCHEZ: I do.

14 MR. HANLEY: You want to go outside?

15 COMMISSIONER SANCHEZ: Second of all, you  
16 advocate. So I kind of have a problem. Your  
17 opinion might be a little more than mine. I'd  
18 like to honestly get --

19 MR. HANLEY: Here's the statute.

20 COMMISSIONER RODRIGUEZ: We have an  
21 attorney on personnel.

22 COMMISSIONER SANCHEZ: So I'd like to see,  
23 honestly, not kidding, from like another, a second  
24 opinion from a nonveteran.

25 MR. HANLEY: That's fine.

1 PRESIDENT VANNOY: Tom, are you a veteran?

2 COMMISSIONER DeVITA: I'm not your lawyer.

3 COMMISSIONER RODRIGUEZ: My concern is  
4 that with the last ten years before, I mean, you  
5 know, how many -- I don't want to make a statement  
6 that's not fair.

7 MR. HANLEY: Some things are not curable.  
8 I'll say that.

9 COMMISSIONER RODRIGUEZ: Yeah, that's what  
10 I'm saying. You got ten years of war. We got  
11 tons of people coming back.

12 COMMISSIONER SANCHEZ: I'd like to have  
13 another attorney come back and explain this.

14 COMMISSIONER RODRIGUEZ: That's a valid  
15 point, though, because --

16 MR. AMODIO: Is that the consensus of the  
17 Board?

18 COMMISSIONER SANCHEZ: He's passionate.

19 MR. AMODIO: Consensus of the Board, get a  
20 second opinion?

21 MR. HANLEY: That's fine. I don't take it  
22 personally.

23 Now, do you want to ask one of our labor  
24 attorneys?

25 COMMISSIONER SANCHEZ: Yes, please do

1           that.

2                   MR. AMODIO:  If we can get Commissioner  
3           Levine in, we can do the finance.

4                   Commissioner Levine, the finance committee  
5           report.

6                   COMMISSIONER LEVINE:  We went through the  
7           overtime vouchers.  We didn't go through, we  
8           discussed it.  Joe started the overtime.  The only  
9           thing we're concerned in finances when the  
10          department heads put a request in for overtime,  
11          you know, maybe three hours on, you know, next  
12          Monday and Joe signs off on it, that we don't  
13          match it up.  We want to match it up exactly how  
14          many hours they work.  They could work five hours,  
15          request three and we don't notice it.  We want to  
16          see a match and actually, what they work and how  
17          much was requested of each employee.  And Joe said  
18          he'll take care of that to make sure.

19                   As for matching up the lots and blocks,  
20          which was a big concern of mine personally.  Joe  
21          says by next month he guarantees he'll have an  
22          answer.  He said he's looking at a software and a  
23          software that might be able to to do it and if not  
24          then, you know, finance is going to look at  
25          something, you know.  Joe says it's going to cost



1           200. I would like a breakdown, \$250,000 to match  
2           up the lots and blocks for this procedure. And  
3           you know, at that rate it almost seemed it would  
4           make sense to put a temporary employee on for one  
5           whole year for maybe 30,000, for one year contract  
6           to match up the lots and blocks. We'll save, I  
7           feel will be a lot higher than the employee --

8                   COMMISSIONER RODRIGUEZ: You mean a  
9           consultant to do that?

10                   COMMISSIONER LEVINE: No, a full-time  
11           employee. A contract employee.

12                   MR. BELLA: We have to discuss it.

13                   COMMISSIONER LEVINE: See if we can put a  
14           contract employee for one year job. If that's  
15           legal and that's the next step. We'll report.

16                   COMMISSIONER RODRIGUEZ: After 90 days do  
17           they not automatically become Civil Service?

18                   COMMISSIONER LEVINE: That's what we have  
19           to look into.

20                   COMMISSIONER RODRIGUEZ: That's what  
21           happens here.

22                   COMMISSIONER LEVINE: I don't have all the  
23           answers right now, Idida. I'm here giving ideas.  
24           After I get a report from Joe, the finance  
25           committee will look into it and we'll give an

1 explanation. I don't have all the answers you're  
2 looking for.

3 COMMISSIONER RODRIGUEZ: I'm not looking  
4 for answers. I'm telling you what happens in a  
5 place like this.

6 PRESIDENT VANNOY: Menachem, first.

7 COMMISSIONER LEVINE: Let me finish my  
8 report. You brought me in here.

9 PRESIDENT VANNOY: When you were on the  
10 phone, sorry.

11 COMMISSIONER LEVINE: Let me finish my  
12 report.

13 The last thing was, you know, was we're  
14 going over the amnesty program and we're trying to  
15 figure out if we can. George doesn't advise.  
16 Says he believes that we can't give rewards to  
17 outsiders or people who report other people or  
18 whatever bounties or whatever you call it,  
19 finders. So we're actually looking, George is  
20 going to talk to bond counsel see how we can  
21 structure that as to amnesty to see what our  
22 amnesty would be for people who would steal water,  
23 what we would offer them during the two,  
24 three-month period.

25 COMMISSIONER RODRIGUEZ: We should be

1 making them pay is what we should be doing.

2 COMMISSIONER BAZIAN: If I may? A couple  
3 of things.

4 COMMISSIONER RODRIGUEZ: The water they  
5 stole, what kind of amnesty is that?

6 COMMISSIONER BAZIAN: Three things.

7 First of all, in terms of the software,  
8 Joe will be coming back to our next IT committee  
9 meeting. We asked him to bring in the vendor as  
10 well to explain what the software is, how it it  
11 would work. Quite frankly, in the context of the  
12 finance committee meeting, I didn't quite get all  
13 the details and didn't quite understand them and  
14 as a technologist, I would like to hear direct  
15 from the horse's mouth, so to speak, so I can get  
16 an idea and feel comfortable as to whether or not  
17 it's a viable solution. The technology to me is  
18 screaming at me that there's got to be a  
19 technological solution to properly match these  
20 blocks and lots or validate them, et cetera.  
21 Maybe not one hundred percent technological, at  
22 least to narrow down the list. So that's why it  
23 was referred to the IT committee.

24 Second thing is with regards to the  
25 amnesty program. The discussion was multi-fold.

1           The basic idea is that if there's anybody out  
2           there who is not paying for water for some reason,  
3           we want to provide them with some kind of a reason  
4           to come back to us. The discussions have been  
5           ranging from one suggestion was perhaps to give  
6           them a break on what they owe us to we'll forgive  
7           any interest in penalties or whatever it might be.  
8           That is the nature of the discussion. Exactly  
9           what it's going be and for how long a period of  
10          time it will be is something that the finance  
11          committee will come back to the Board with.

12                    The third thing is not related to the  
13          finance committee per se because we didn't have  
14          time to discuss this at the finance committee, but  
15          I was looking at our budget and I noticed that we  
16          are approximately \$2.9 million below, under budget  
17          on expenses, which is good. There are a couple of  
18          budget items that we were over on and I made note  
19          of them and I will be discussing that in the next  
20          finance committee meeting, things like bond  
21          interest, some outside security, and a couple of  
22          other things that seem to be significantly higher,  
23          at least in my eye, than what we expected, maybe  
24          not a percentage basis but on a dollar basis. So  
25          we'll look into that.

1                   PRESIDENT VANNOY: George, I know it was a  
2 long time ago.

3                   MR. HANLEY: The suggestion I was going to  
4 make is simply, you have difficulty with a  
5 temporary. For whatever reason, that creates  
6 complications. I think you can possibly do a,  
7 either a professional services, depending on the  
8 qualification, or an extraordinary unspecified  
9 services type of arrangement. I'm not a hundred  
10 percent, depending on how you structure it. It's  
11 fact sensitive. It's something that should be  
12 examined. You can't do it the way you're  
13 suggesting.

14                  MR. AMODIO: Okay. That's it for  
15 committee reports.

16                  Move on to the Executive Director's  
17 report.

18                  MR. BELLA: Okay. The main issue is the  
19 plant is running pretty much flat outright. This  
20 really warm, hot, and dry weather is really  
21 moving. We're only averaging about 108 million  
22 gallons a day, which is perfect and the plant's  
23 running very well. Some electrical problems,  
24 which we're looking into it. But other than that,  
25 we're doing well.

1           We had a spat of main breaks right around  
2           the July 4th weekend. That's sort of what  
3           precipitated this gentleman coming in. But that  
4           was all taken care of.

5           Everything is running very well. I know  
6           for a fact the plant's running well. People are  
7           back to getting the jobs done, backlog. So we're  
8           doing fine.

9           MR. AMODIO: Any questions?

10          PRESIDENT VANNOY: Joe, are you finished?

11          MR. BELLA: Yes.

12          PRESIDENT VANNOY: You were also going to  
13          bring up -- I'll come back to that.

14          Go ahead. Tom, first.

15          COMMISSIONER DeVITA: With all this heat,  
16          did Public Service cut down on the power,  
17          obviously, that will affect us?

18          MR. BELLA: No.

19          COMMISSIONER DeVITA: The generator?

20          MR. BELLA: No. Because we have -- we're  
21          in a different service and they can't cut us back.  
22          They can ask us to curtail.

23          COMMISSIONER DeVITA: They can't cut us  
24          down like --

25          MR. BELLA: That's right.

1 PRESIDENT VANNOY: Menachem.

2 COMMISSIONER BAZIAN: Yeah, just a quick  
3 question.

4 I was reading your report. The ten  
5 percent which I briefly mentioned to you earlier,  
6 I was wondering, I haven't been taking a mental  
7 note, is that unusual or is that about where we've  
8 been at?

9 MR. BELLA: It's a little high.

10 COMMISSIONER BAZIAN: Do we have any idea  
11 why? I mean, it just seems a little high. Ten  
12 percent closer on Customer Service.

13 MR. GALLAGHER: A lot is based on people  
14 are on vacation. So we're running pretty thin  
15 right now.

16 COMMISSIONER BAZIAN: Is there anything in  
17 the new phone system?

18 MR. GALLAGHER: Process them  
19 automatically, categorize them and give us the  
20 phone numbers so we can call back.

21 MR. BELLA: And the other thing, all that  
22 interactive is much easier to use, so that will...

23 MR. GALLAGHER: Once we get that in place,  
24 because, again, part of the timetable is going  
25 from computer screen to computer screen. It is

1           onerous.

2                   COMMISSIONER BAZIAN: Thank you.

3                   COMMISSIONER DeVITA: One more comment.

4                   I assume you all read in the paper last  
5 week about us losing water. We were pretty well  
6 90 percent loss, 25 percent, 90 percent is high  
7 but it's a lot better than everybody else.

8                   MR. BELLA: We've had an ongoing and that  
9 number changes from year to year. We've had an  
10 ongoing detection program and going on for years,  
11 we found some major leaks. We also find little  
12 small ones, you know. We fix them pretty rapidly.

13                   Our leak detection is so good that it can  
14 actually hear toilets at night running in people's  
15 houses. We actually found. So that is very...

16                   The other thing is, you know, the increase  
17 in sales detection and making sure that people are  
18 getting the bills.

19                   MR. GALLAGHER: If I can just add a caveat  
20 to that, Chris Cumming is probably one of the  
21 best. He is actually summoned by other water  
22 utilities.

23                   MR. BELLA: The other thing. What we're  
24 doing now is we're buying a new valve turning  
25 truck. So we'll have two crews out to concentrate



1 more on leak detection, valve operation, routine  
2 valve operation. And the other crew will focus on  
3 more, you know, emergent type stuff. So that  
4 should help us.

5 MR. AMODIO: That's it. No further  
6 questions. We'll move along.

7 We have two requests for the Commission to  
8 advertise.

9 First one is Contract #12-B-30 "Furnish  
10 and Deliver Portable Diesel Generator Sets with  
11 Trailers and Appurtenances."

12 12-B-31, "Furnish and Install Small Size  
13 Line Stops and Insert Valves."

14 Any questions for that?

15 Do I have a motion?

16 COMMISSIONER DeVITA: I'll move.

17 MR. AMODIO: Motion by Commissioner  
18 DeVita.

19 Do I have a second?

20 COMMISSIONER BAZIAN: Second.

21 MR. AMODIO: By Commissioner Bazian.

22

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

1 MR. AMODIO: Thank you.

2 Next, we have, everyone was given, this  
3 morning, a Resolution authorizing the  
4 indemnification hold harmless agreement with the  
5 City of Paterson for the use of the Point View  
6 Reservoir.

7 Any questions on that?

8 COMMISSIONER DeVITA: This is the one they  
9 already did?

10 MR. AMODIO: No, they cancelled that out.  
11 I believe they're starting this afternoon.

12 COMMISSIONER DeVITA: Okay.

13 MR. AMODIO: Originally, it was. They  
14 changed it.

15 COMMISSIONER BAZIAN: What are they going  
16 to be using it for?

17 MR. AMODIO: They're going to be testing a  
18 police vehicle.

19 COMMISSIONER BAZIAN: This agreement  
20 basically does what?

21 MR. AMODIO: It's a hold harmless.

22 MR. HANLEY: In other words, they agree  
23 that if anything unfortunate that happens, they  
24 are liable and they will indemnify us in the event  
25 some good party sues us.

1                   COMMISSIONER DeVITA: And also repaint the  
2 lines in the parking lot.

3                   COMMISSIONER BAZIAN: I have no objection.  
4 I'm wondering why we need a Resolution.

5                   MR. HANLEY: Because I have decided  
6 arbitrarily and unilaterally that this was the  
7 better way to do it.

8                   And just so you understand, I become more  
9 and more concerned over the time that, a lot of  
10 people in the bar about insurance because  
11 insurance companies typically become more and more  
12 clever and avoid it. So that's one of the  
13 reasons.

14                  COMMISSIONER DeVITA: Safe than sorry.

15                  MR. HANLEY: I mean, it's not a big deal,  
16 but I want to create a format not just for this  
17 one. You'll be seeing many more of these.

18                  COMMISSIONER DeVITA: Move it.

19                  COMMISSIONER BAZIAN: Second.

20                  MR. AMODIO: Move by Commissioner DeVita.  
21 Second by Commissioner Bazian.

22

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

1 MR. AMODIO: Commissioner Kolodziej is  
2 absent.

3 Approved.

4 Next.

5 COMMISSIONER BAZIAN: Mr. President, I'm  
6 sorry, can I jump back for one second? There's  
7 one question I forgot to ask on the Executive  
8 Director's report.

9 PRESIDENT VANNOY: Yes.

10 COMMISSIONER BAZIAN: Joe, last month I  
11 had asked on the 20 largest to get a column, can  
12 you please add that --

13 MR. BELLA: Yes, no problem.

14 COMMISSIONER BAZIAN: Thank you.

15 MR. AMODIO: Moving on. Also, you have in  
16 front of you a Resolution authorizing a lease  
17 agreement with the Borough of Prospect Park.

18 Commissioner DeVita.

19 MR. HANLEY: If I may, Mr. President. The  
20 reason this was a late starter is because I didn't  
21 want to put it before you until I knew I had it  
22 signed off by the borough attorney, which we do  
23 now. And it's not a new issue for you, I don't  
24 think. You already authorized the contractor to  
25 do the work. It's not a new tank -- it's going to

1 be a new tank, but it's not going to be a new  
2 operation. We had a tank there but it's on their  
3 land. We had an old lease with them way back  
4 which I wanted to update and the borough attorney  
5 agreed. I just got a late start.

6 COMMISSIONER DeVITA: So we're going to  
7 remove the tank and place a new tank in?

8 MR. DUPREY: That's correct.

9 COMMISSIONER DeVITA: Is that going to  
10 cost us?

11 MR. DUPREY: Yes. It's \$863,200.

12 MR. HANLEY: That contract has already  
13 been awarded, correct?

14 MR. DUPREY: Yes, that was awarded  
15 already.

16 COMMISSIONER BAZIAN: Remind me why we're  
17 replacing the tank.

18 MR. DUPREY: The previous tank is on its  
19 last legs.

20 COMMISSIONER DeVITA: This is just for  
21 Prospect Park.

22 MR. BELLA: Our pumps pump it in.

23 COMMISSIONER BAZIAN: One last question.  
24 I see a lease agreement, but I don't see any  
25 monetary amount. I assume this is a zero dollar

1 lease.

2 MR. HANLEY: They don't charge us  
3 anything. It's discounted in our cost.

4 COMMISSIONER BAZIAN: Well, I guess out of  
5 curiosity, if there's no, forgive me, I'm not a  
6 lawyer, I'm going back to my Business 101 --

7 MR. HANLEY: Consideration.

8 COMMISSIONER BAZIAN: Yeah, where's the  
9 consideration?

10 MR. HANLEY: There is.

11 COMMISSIONER BAZIAN: There is. Okay,  
12 fine.

13 MR. HANLEY: They need this very badly.

14 COMMISSIONER BAZIAN: That's fine.

15 MR. HANLEY: If they want water.

16 MR. AMODIO: Any further questions?

17 MR. HANLEY: And we actually do recycle.

18 MR. AMODIO: No further questions.

19 Do I have a motion?

20 COMMISSIONER BAZIAN: Move it.

21 MR. AMODIO: Thank you, Commissioner  
22 Bazian.

23 Second?

24 COMMISSIONER SANCHEZ: Second.

25 MR. AMODIO: By Commissioner Sanchez.

1                   On the roll.

2

3                   (Roll call was taken, all Commissioners  
4 present respond in the affirmative. Commissioner  
5 Kolodziej is absent)

6

7                   MR. AMODIO: Next, we have Controller's  
8 Report.

9                   MR. WEISS: Cash on hand is 14.7 million.  
10 Accounts payable is at 4.9 million.

11                   Our accounts receivable is at 12.6 million  
12 and our 30 days less accounts receivable is at  
13 12.3 million which is 97 percent.

14                   Cash collections remain strong.

15                   You've got a copy of the corrective action  
16 plan in front of you. It was required after our  
17 audit. That was sent out individual local  
18 government services.

19                   The budget, we got started already with  
20 our budget process for this upcoming year. The  
21 department heads are currently putting their  
22 figures. Most of them we'll have back by the end  
23 of this week. And we expect that we'll have  
24 preliminary numbers for the finance committee for  
25 next month.

1 MR. AMODIO: Any questions?

2 COMMISSIONER BAZIAN: Wasn't there  
3 something else that you were going to bring up?

4 MR. WEISS: We were going to talk a little  
5 bit more about the amnesty program but we  
6 discussed that. That's something for closed  
7 session.

8 COMMISSIONER BAZIAN: Mr. President?

9 Cash on hand is 14.7. Am I correct in my  
10 memory that's two million more than last month.

11 MR. WEISS: No, less. Last month was  
12 high.

13 COMMISSIONER BAZIAN: And our reserves?

14 MR. WEISS: Our reserves are included in  
15 that. That includes our operating reserve.

16 COMMISSIONER BAZIAN: So the reserve is  
17 fully funded?

18 MR. WEISS: Technically, no. But there's  
19 enough cash to fully fund.

20 COMMISSIONER RODRIGUEZ: At what level do  
21 we have to be fully funded?

22 MR. WEISS: Our operating reserve is a  
23 little bit over \$7 million and our renewal  
24 replacement reserve is \$2 million. It changes on  
25 an annual basis depending on the --



1 COMMISSIONER RODRIGUEZ: Right, right.

2 COMMISSIONER BAZIAN: Does it make sense  
3 now that our revenues are strong that perhaps now  
4 would be the time to try to fund this?

5 MR. WEISS: We do. We fund them  
6 throughout the year. We fund them and pull them.  
7 Our reserves operate for us as a -- it manages our  
8 interim cash flow.

9 COMMISSIONER DeVITA: Overtime is down?

10 COMMISSIONER BAZIAN: Overtime is down by  
11 23.3 percent.

12 MR. AMODIO: Any further questions?

13 MR. WEISS: Any questions, I'll be happy  
14 to try and answer.

15 MR. AMODIO: There will be no further  
16 questions.

17 Motion for closed session.

18 COMMISSIONER BAZIAN: I'll move it.

19 COMMISSIONER SANCHEZ: Second.

20 MR. AMODIO: WHEREAS, Section 8 of the  
21 Open Public Meetings Act permits the exclusion of  
22 the public from a meeting in certain  
23 circumstances; and

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

1                   NOW, THEREFORE, BE IT RESOLVED, by the  
2                   Commissioners of Passaic Valley Water Commission:

3                   1. The public shall be excluded from  
4                   discussion of the hereinafter specified subject  
5                   matters; the general nature of the subject matters  
6                   being: Financial, Insurance, Personnel,  
7                   Contracts, Negotiations, Security, Law;  
8                   Summary/Aging reports, North Arlington, Amnesty  
9                   Program, Prismatic/Leopold/fitters, Union  
10                  Negotiations, New Hires, Promotions - Gerald  
11                  Janowski, Jeffrey Holmes, Grievance - Marisah  
12                  Potkalesky, DEP allocation, Borough of Woodland  
13                  Park Resolution, and any other as matter as may be  
14                  discussed in camera.

15                  2. It is anticipated that the  
16                  above-stated subject matters will be ratified  
17                  during public meeting following or as soon  
18                  thereafter the as reason for discussion no longer  
19                  exists.

20                  3. This Resolution shall take effect  
21                  immediately.

22                  Second by Commissioner Sanchez.

23                  On the roll.

24  
25                  (Roll call was taken, all Commissioners

1 present respond in the affirmative. Commissioner  
2 Kolodziej is absent)

3  
4 \*\*\*

5  
6 MR. AMODIO: On the roll.

7  
8 (Roll call was taken, all Commissioners  
9 present respond in the affirmative. Commissioners  
10 Kolodziej and Rodriguez are absent)

11  
12 MR. AMODIO: Commissioners Rodriguez and  
13 Kolodziej are not with us at the moment.

14 11:18 is the time.

15 MR. AMODIO: Minutes of Passaic Valley  
16 Water Commission in camera and Regular Public  
17 Meeting session held June 19th, 2012.

18 Do I have a motion?

19 COMMISSIONER SANCHEZ: So move.

20 MR. AMODIO: By Commissioner Sanchez.

21 Do I have a second?

22 COMMISSIONER BAZIAN: Second.

23 MR. AMODIO: By Commissioner Bazian.

24 On the roll.  
25

1 (Roll call was taken, all Commissioners  
2 present respond in the affirmative. Commissioner  
3 DeVita abstains. Commissioners Kolodziej and  
4 Rodriguez are absent)

5  
6 MR. AMODIO: Does the Chair accept,  
7 receive, and file Miscellaneous Orders by  
8 Purchasing Agent, Linda Beckering, for the period  
9 June 11th to July 8th?

10 PRESIDENT VANNOY: Yes, yes.

11 MR. AMODIO: Moving on.

12 We have Requests For Action.

13 Project 12-P-45 "Professional Engineering  
14 Services for SCADA Upgrade, Remote System SCADA  
15 and Implementation and Related Matters."  
16 Recommendation to Award to DLB Associates of  
17 Eatontown, New Jersey in the amount of \$259,520.

18 Question?

19 COMMISSIONER DeVITA: Question.

20 Low bid?

21 MR. BELLA: Yes. Not a bid, low --

22 COMMISSIONER DeVITA: This is significant.

23 MR. AMODIO: This is a professional  
24 service.

25 COMMISSIONER DeVITA: But it was

1 significantly lower?

2 MR. BELLA: Yes.

3 MR. AMODIO: Any further questions?

4 COMMISSIONER DeVITA: So move.

5 MR. AMODIO: Motion by Commissioner

6 DeVita.

7 COMMISSIONER SANCHEZ: Second.

8 MR. AMODIO: By Commissioner Sanchez.

9 On the roll.

10

11 (Roll call was taken, all Commissioners  
12 present respond in the affirmative. Commissioners  
13 Kolodziej and Rodriguez are absent)

14

15 MR. AMODIO: Commissioners Kolodziej and  
16 Rodriguez absent.

17 Thank you. Motion approved.

18 Next, Resolution authorizing disposition  
19 of certain PVWC property. In this case it is a  
20 backhoe going to the City of Paterson.

21 Question?

22 COMMISSIONER DeVITA: Is this what we  
23 offer to the owner cities if they want?

24 MR. AMODIO: Yes, I believe it is.

25 MR. BELLA: What?

1 COMMISSIONER DeVITA: The backhoe.

2 MR. BELLA: Yes.

3 MR. AMODIO: Any further questions?

4 Motion.

5 COMMISSIONER SANCHEZ: So move.

6 MR. AMODIO: By Commissioner Sanchez.

7 Second.

8 COMMISSIONER BAZIAN: Second.

9 MR. AMODIO: By Commissioner Bazian.

10 On the roll.

11

12

13

14

(Roll call was taken, all Commissioners  
present respond in the affirmative. Commissioners  
Kolodziej and Rodriguez are absent)

15

16

MR. AMODIO: Thank you.

17

Next we have New Business.

18

Summary of disbursements and payrolls from

19

July 18th, 2012, in the amount of \$6,549,836.56.

20

Does the Treasurer find them in order?

21

COMMISSIONER LEVINE: Yes.

22

MR. AMODIO: Make a motion.

23

COMMISSIONER LEVINE: Make a motion for

24

approval.

25

MR. AMODIO: Motion by Commissioner

1 Levine.

2 Do I have a second?

3 COMMISSIONER BAZIAN: Second.

4 MR. AMODIO: By Commissioner Bazian.

5 On the roll.

6 COMMISSIONER BAZIAN: Yes, I abstain on

7 Dell.

8 COMMISSIONER SANCHEZ: Abstain on Montana.

9 COMMISSIONER DeVITA: I vote yes. I  
10 abstain on Rachles Michele and I want everybody to  
11 know I looked at that, there was a payment to one  
12 of our Commissioner's companies but it was a  
13 reimbursement.

14 COMMISSIONER LEVINE: Yes, it was a  
15 reimbursement. I made it very clear with Yitz,  
16 too.

17 Glad you're looking into me, Tom.

18 COMMISSIONER DeVITA: I look into  
19 everybody.

20 COMMISSIONER LEVINE: It was to wait for  
21 them to get the money.

22 PRESIDENT VANNOY: I abstain on Damico,  
23 Del Sardo and American.

24 (Roll call was taken, all Commissioners  
25 present respond in the affirmative. Commissioners

1 Kolodziej and Rodriguez are absent)

2

3 MR. AMODIO: Next, we have recommendations  
4 from Executive Session. Would you like to do the  
5 Personnel as one agenda?

6 PRESIDENT VANNOY: Yes.

7 MR. AMODIO: I'll recite that.

8 Gerald Janowski, promotion to Water  
9 Repairer 2.

10 Proposed salary of 57,000 with a proposed  
11 range of \$17,465 - \$59,058.

12 Jeffrey Holmes, promotion to Water  
13 Repairer 3.

14 Proposed salary: \$62,000.

15 Proposed range: \$18,357 - \$67,418.

16 Marisah Potkalesky - Settlement of  
17 grievance, \$2500 top of the range as recommended  
18 by Alan Genitempo, Esquire.

19 And new hire, Adam Rozsa, Senior Engineer,  
20 with a proposed salary of \$70,000 and proposed  
21 range \$25,363 to \$80,355.

22 Do I have a motion?

23 COMMISSIONER SANCHEZ: So move.

24 MR. AMODIO: By Commissioner Sanchez.

25 Do I have a second?



1 COMMISSIONER BAZIAN: Second.

2 MR. AMODIO: By Commissioner Bazian.

3 On the roll.

4

5 (Roll call was taken, all Commissioners  
6 present respond in the affirmative. Commissioners  
7 Kolodziej and Rodriguez absent)

8

9 COMMISSIONER DeVITA: Yes, as discussed.

10 MR. AMODIO: Thank you.

11 Motion approved.

12 I have nothing under Good and Welfare.

13 Motion to adjourn?

14 COMMISSIONER BAZIAN: Motion to adjourn.

15 MR. AMODIO: By Commissioner Bazian.

16 Second?

17 COMMISSIONER DeVITA: Second.

18 MR. AMODIO: By Commissioner DeVita.

19 On the roll.

20

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

23

24 MR. AMODIO: Thank you, gentlemen.

25 The time is 11:23.

Next meeting is August 15th at 9:30 a.m.

(Proceedings concluded)

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C E R T I F I C A T E

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

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

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

\_\_\_\_\_  
LYNANN DRAGONE, CCR  
Certified Court Reporter