

PASSAIC VALLEY WATER COMMISSION MEETING OF
SEPTEMBER 17, 2014
(OPEN SESSION)

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

GLORIA KOLODZIEJ, President

JEFFREY LEVINE, Vice President

MENACHEM BAZIAN, Treasurer

CHRISTAL A. CLEAVES, Secretary

THOMAS P. DeVITA

RIGO SANCHEZ

RUSSELL GRADDY

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

1 PRESIDENT KOLODZIEJ: We have a quorum
2 here since Commissioner Levine has entered the
3 room. We can call this meeting to order.

4 It is 12:00 p.m.

5 MR. AMODIO: Roll call.

6

7 (Roll call was taken, all Commissioners
8 present respond in the affirmative. Commissioner
9 Sanchez is out of the room)

10

11 MR. AMODIO: The time is 12:04.

12 You have a quorum.

13

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

22 Will you please rise.

23 Commissioner Cleaves...

24

25 PRESIDENT KOLODZIEJ: We have some
housekeeping to be done here. Some spectators
that asked for copies of our agenda. Do we have

1 any extras?

2 MR. AMODIO: I will make them.

3 PRESIDENT KOLODZIEJ: All right. Can you
4 send somebody else so that you can...

5 And if you're wondering what's happening
6 with these little cards, instead of a sign-in
7 sheet we found it very effective at the public
8 hearing that we held at the International School
9 on the 10th to have the name on the postcard and
10 have your written comments also, not that you
11 won't be getting up and giving them anyway, but
12 these are being collected and being forwarded to
13 the State DEP for their perusal as well as ours.

14 So Commissioner Bazian has said that Mayor
15 Torres will be here and would like to have the
16 courtesy of speaking first. I see two other
17 mayors here and, obviously, they are lucky enough
18 to hand their cards in first, so you were smart
19 enough to be first. So I don't know if the public
20 will mind when Mayor Torres comes, if we just move
21 him up and then you all wait.

22 So I'm going in the order of these cards.
23 Anybody else that has not filled out a card,
24 please do so and we'll collect them and it will go
25 to the bottom of the pile.

1 UNIDENTIFIED MAN: What is the order?

2 PRESIDENT KOLODZIEJ: Well, who collected
3 the cards?

4 MR. AMODIO: They were just collected and
5 they were put together random.

6 UNIDENTIFIED MAN: So there's no
7 particular order?

8 PRESIDENT KOLODZIEJ: No, no. Just the
9 way they handed them to me.

10 Okay. Mayor Mola of our neighboring city.

11 MAYOR MOLA: I have a question, can I
12 listen and maybe if I can --

13 PRESIDENT KOLODZIEJ: Yes, you certainly
14 can. The only difference will be is you have to
15 wait until everybody goes first. So you will do a
16 lot of listening, but, obviously, we will not
17 close the portion of the public until everybody
18 has a chance to go on record.

19 Okay. I appreciate that.

20 All right. Mayor Mola.

21 MAYOR MOLA: That's me.

22 PRESIDENT KOLODZIEJ: Okay. I'm sorry.
23 I'm okay.

24 Mayor Kazmark.

25 MAYOR KAZMARK: I'll hold my comments

1 until the end.

2 PRESIDENT KOLODZIEJ: Boy, I'm going to
3 have a hard time reading this. It looks like
4 Colassi (sic). Oh, that's Guarasci. Oh, you did
5 two. Okay. Actually, you got two. You're third
6 and you're, I guess, about eighth.

7 MR. GUARASCI: Okay. Thank you, members
8 of the Commission.

9 I want to applaud the elected officials
10 that are here and those who in fact spoke up at
11 the hearings.

12 Madam President, it is time to open up
13 this process and let your fellow Commissioners
14 speak. No more executive sessions; no more closed
15 door meetings. We need to let these Commissioners
16 speak in public session.

17 Madam President, I want to personally
18 thank Commissioners Levine, Graddy, Cleaves,
19 DeVita, Sanchez, and Bazian for coming out and
20 listening to the people. I have a great deal of
21 respect for them. They indeed listened intently.

22 Madam President, I wish that you would
23 have been able to take the time to come to either
24 of the two public hearings. This body thrives its
25 authority to the public and the public was very

1 clear at these meetings: Stop this process. It
2 has gone on for six years with no public input
3 and start over with the public involved.

4 Madam President, I have stated before that
5 everyone in this room believes that they are doing
6 the right thing for the right reasons, but
7 sometimes we make mistakes. Please don't
8 barricade yourself inside the walls of this
9 agency. Listen to the community and let's work
10 together to find the best solution with community
11 input, whatever that may be.

12 In conclusion, as we stated last week,
13 from the review of the executive minutes, many
14 Commissioners have concerns. We saw them in the
15 minutes. Commissioners have demanded a more
16 public process. And what I say, Madam President,
17 is un-gag these Commissioners. Allow them to
18 speak here and now in public session. No more
19 private session conversations about this project.

20 Commissioners, I urge you, address this
21 today in public. If the President doesn't allow
22 you, do it anyway. That's your right. It's a
23 public body. You're public officials. Let's
24 discuss this in public.

25 Thank you.

1 Next card is Mr. Weinberg.

2 MR. WEINBERG: Thank you very much.

3 Alan Weinberg, 32 Spruce Street, Paterson.

4 I just want to highlight a couple of
5 things that I presented at the public meeting and
6 I know some of the Commissioners weren't there, so
7 I'll just try and be really quick.

8 I think many people know that one of the
9 concerns about the Levine Reservoir, in
10 particular, is that it's inside our Great Falls
11 Historic District and adjacent to our national
12 park. And folks had worked very hard to create
13 that opportunity and we certainly wouldn't want to
14 undo that with moving forward on this.

15 I think one of the other big concerns was
16 in one of the pictures it shows water where the
17 tanks, once the tanks are put in. And it's my
18 understanding, and I can certainly correct to hear
19 if I'm wrong, that that would really be a
20 retention basin and we'll be left with empty
21 ditches next to the giant tank. So I think that's
22 something for all of us to know at all of the
23 potential three sites.

24 One of the things I noticed from reading
25 the alternative study was that it was really about

1 speed and that there hadn't been, as my colleague
2 mentioned, any real public outreach during the
3 most critical part of the project, the six years.
4 The feasibility study, where we looked at all the
5 alternatives and DEP even recognized it at the
6 public hearing. You know, they didn't ask for it
7 and the Commission didn't create it. All the
8 alternatives were considered without any public
9 input, which is certainly a challenge in what we
10 should all recognize in this room that I
11 mentioned, is that the designs are a hundred
12 percent complete for the Levine Reservoir, which
13 is very troubling in light of the fact that there
14 hasn't been public consultation.

15 One of the other things I mentioned is
16 what have other communities done? I showed a
17 picture from Wilmington, Delaware where they
18 decided to dig up their reservoir and put an
19 underground tank and then put a reflecting pool on
20 top that people had access to and a park as a way
21 to both meet the requirements of the EPA as well
22 as preserve the area.

23 But there are other options beyond
24 underground tanks. There are alternative
25 locations, some of which the Commission have

1 looked at and at last meeting said: I thought
2 they were feasible, which was the line of
3 questioning I had at the end, expensive but
4 feasible.

5 We can also look at decommissioning in a
6 very thoughtful way; whether that's possible.
7 What it does it mean to our reliability?

8 UV treatment; floating covers has been
9 said to be more expensive, but the public never
10 got a chance to really look at it.

11 A shared treatment plant, which might be
12 possible at Great Notch.

13 Waiting for regulatory review, which many
14 people have suggested.

15 Is it possible there will be new ideas and
16 new methods when they review this regulation in
17 less than two years?

18 And we also are facing a 106 Review in
19 Paterson which is a significant effort to really
20 -- which is put into place to protect historic
21 resources.

22 As we know, this was signed into law by
23 Presidents of the United States both in the
24 historic district and the national park and as
25 well as Garret Mountain is a very historic

1 location as well.

2 Finally, I want to talk a little bit about
3 the cost that everyone should be aware of. I have
4 said before that this project has grown from 80 to
5 90 to \$135 million and that doesn't include
6 financing or escalation.

7 The revenues of the Water Commission have
8 grown from \$49 million annually to \$85 million
9 annually in the last nine years, almost doubling.

10 The capital campaign in 2008 was
11 \$59 million. The capital campaign this year for
12 the five years looking forward is \$191 million.
13 That will dramatically impact rates.

14 And, finally, talking a little bit about
15 Paterson, the Van Ab's report, and I'll get to
16 Paterson in just a minute, the Van Ab's report,
17 which was put forward by Rutgers, states that a
18 major issue facing Passaic Valley Water Commission
19 is how to finance both the replacement of its
20 finished water reservoirs as required by law and
21 continued replacement and rehabilitation of its
22 distribution lines. Much of the system is very
23 old. You can't replace all the pipes, or it would
24 seem difficult without raising rates astronomically
25 to replace the pipes and do the finished

1 reservoirs.

2 And, finally, Paterson is in a
3 particularly unique situation because of its
4 combined sewer system where we're facing the
5 possibility coming down the pike in the next
6 couple of years of \$175 million plus project that
7 will fall exclusively on the ratepayers of
8 Paterson.

9 So we have to look at all of these things
10 holistically. As we have said before, we think we
11 need to stop this project. Go back and start anew
12 in a way that allows us to consider all the
13 alternatives I just mentioned.

14 And I just wanted to share briefly some of
15 the comments made at the meeting on Wednesday.

16 Thank you.

17 PRESIDENT KOLODZIEJ: Mr. Gonzalez.

18 MR. GONZALEZ: Yes.

19 Good afternoon.

20 First, I would like to thank everyone who
21 has attended for the past eight months we've been
22 coming before you and speaking out on opposing
23 this project.

24 I want to thank the elected officials as
25 well, as my colleagues mentioned previously in the

1 forums.

2 We had a very large turnout. We had over
3 a hundred or so folks fill out a sign-in sheet at
4 our last community forum that we hosted at the
5 Paterson Museum.

6 Madam President, with the community
7 meetings that were scheduled, I took it upon
8 myself to walk around the neighborhood that
9 surrounds the Levine Reservoir and let the
10 residents know there that the project was taking
11 place and we had these forums. Not to my
12 surprise, not one of those homes that are directly
13 across the street sharing the same road as the
14 Levine Reservoir where the tanks are going to be
15 knew about this project.

16 They were furious and raised their voices,
17 clearly not at me, but at this Commission for not
18 informing them of this major project. And they
19 can see these big tanks just as clear as I can see
20 them.

21 Madam President, one question was asked at
22 one of the community forums to all the
23 Commissioners that were present, to your staff,
24 and to the DEP. It was simple: Would you want
25 this tank built in front of your home?

1 And at the end of the round of questions,
2 I would like for you to answer that because no one
3 could and no one said yes. And I want to see if
4 you differ with that.

5 At the end of the day, the City of
6 Paterson can't afford this project. Like my
7 colleague Alan mentioned, there's going to be
8 another project coming forth, \$175 million that we
9 have to learn about and do the same.

10 As you see, these meetings are growing and
11 they're not going to stop. And we're going to
12 continue to fight together to make sure that this
13 project is stopped.

14 Now, again, we've said this before, we're
15 not the enemy. We just need you to represent us
16 because that's what you were appointed for. You
17 were appointed here by three different towns who
18 will also come out and say that they're opposing
19 this.

20 Later on you will hear from the mayors
21 that are here on this project. And we ask that
22 you fight with us and not be against us in trying
23 to oppose this project. Please let the DEP know
24 that you stand with us and that, you know, you're
25 supporting us and we'll support you as well.

1 This we can take to the State, but we have
2 to get through this hurdle first. We need all of
3 you to understand that the City of Paterson,
4 Clifton, Woodland Park, and other neighboring
5 towns do not want this to happen. So please stand
6 with us and let's make this a possibility.

7 Now, a colleague of mine has mentioned
8 that we should be having these discussions in
9 public session. We reviewed minutes, executive
10 minutes, where it was clear as day you do not want
11 to have these meetings in public session, because
12 I'm not going to repeat what was said. There's
13 nothing said to the people that are here today.
14 And I'm going to ask that you stop holding these
15 meetings in secrecy. There hasn't been this much
16 secrecy since the Manhattan project.

17 Thank you.

18 PRESIDENT KOLODZIEJ: Mr. Linteris.

19 MR. LINTERIS: Good afternoon. My name is
20 Bill Linteris and I'm President of Passaic County
21 Board of Realtors.

22 On behalf of the Board, I would like to
23 thank the Commission for hosting its first
24 information session last week as well as the NJ
25 CDC for hosting their session on Monday night. We

1 are able to appear at these afternoon meetings
2 every month along with NJ CDC and a handful of
3 residents. For the first time the general public
4 was given their chance to raise their concerns
5 with the plans approved two years ago to drain the
6 Levine, Great Notch, New Street reservoirs and
7 replace them with concrete tanks.

8 I would also like to take this opportunity
9 on behalf of the Passaic County Board of Realtors
10 to thank Woodland Park Mayor Keith Kazmark,
11 Paterson Mayor Joey Torres, Senator Kevin O'Toole,
12 and Assemblywoman Shovanda Sumter for calling for
13 public hearings or expressing their concerns with
14 these plans and being leaders on this issue as
15 well as the 20 plus other communities who have
16 adopted resolutions calling for the delay on this
17 matter.

18 In addition, we have also now seen three
19 editorials in The Record raising concerns with
20 this plan as well as numerous articles and stories
21 in The Record, Passaic Valley Today, CBS News, and
22 even the Wall Street Journal on this issue.

23 While certain Commissioners may have
24 attacked the editorial board, I would like to
25 thank the media for helping to bring attention to

1 this issue.

2 As you saw at your meeting last week and
3 the NJ CDC meeting this week, this is an issue
4 that concerns a large segment of the general
5 population of the public, not just a handful of
6 deceptors. When you have a standing room only
7 crowd come out on a weeknight, it shows this is an
8 issue that is of great concern.

9 It also should be noticed that at both
10 meetings not one member of the public spoke in
11 favor of draining the reservoirs and replacing
12 them with concrete tanks.

13 As we all know, during most public
14 meetings, even when there's great support or
15 opposition for an issue, there are typically a few
16 people who are on the other side of the issue. We
17 haven't seen this here.

18 Now that we had two evening sessions, the
19 question is: What's next? Passaic County Board
20 of Realtors believes future sessions are needed,
21 not only in Paterson, but also in Woodland Park.
22 We believe it is positive. You are meeting with
23 their council on October 6th, as indicated by
24 Mayor Kazmark, Monday night and we hope this is
25 the first of a series of meetings where not only

1 the council, but the public can attend.

2 We believe that meetings should also take
3 place across the county, even though the
4 reservoirs are in Paterson and Woodland Park, this
5 is an issue affecting all ratepayers.

6 Lastly, Passaic County Board of Realtors
7 still believes the Commission needs to look at all
8 other options. We believe this is positive and
9 you are considering off-site locations for Levine
10 and possibly of tying Great Notch into Cedar
11 Grove. We firmly believe all three reservoirs
12 must be protected.

13 Foremost, we believe the Commission should
14 still consider the possibility there may be
15 changes to this rule when the EPA concludes their
16 review. When we are talking about spending in
17 excess of \$135 million, we need to be prudent when
18 considering it's the ratepayers money, not yours.

19 Again, I ask: What's the rush?

20 On behalf of Passaic County Board of
21 Realtors, I thank you for your time today.

22 PRESIDENT KOLODZIEJ: Carol Van Savage.

23 MS. VAN SAVAGE: Thank you. Carol Van
24 Savage, resident of Clifton, also with the Passaic
25 County Board of Realtors.

1 And I want to thank the Commissioners who
2 did take the time to attend the two meetings. I
3 hope they heard the people's thoughts and
4 concerns. They obviously are concerned that
5 they're told that this is done, digging out the
6 trees.

7 They also voiced their concern about the
8 time that you hold the meetings when the people
9 are working.

10 I also would ask: Do you have any photos
11 to show us of what a 20 million gallon tank looks
12 like? Because they're getting two in Great Notch
13 and we can't find photos of those.

14 Thank you.

15 PRESIDENT KOLODZIEJ: Mr. Kerr.

16 MR. KERR: Yes. Good afternoon. My name
17 is Charles D. Kerr. I was told to come and speak
18 at this meeting. I had questions.

19 I'm here on behalf of the property owner
20 of 57 Lakeview Avenue.

21 I have questions regarding fire lines,
22 six-inch fire line fees. When I called and spoke
23 to a young lady named Nayrobys, she told me she
24 couldn't give me any answers and I needed to come
25 here to find out answers to my questions.

1 My questions to you are: The property
2 owner, 57 Lakeview Ave., gets a monthly bill of
3 \$308.69. So I went on your website and had rate
4 fees. You have a fire line charge, monthly fee
5 for six-inch fire lines of 308.69. My question
6 is: Is that a rental fee for the pipe itself or
7 are you charging for water usage?

8 There's only two times a sprinkler system
9 uses water; when it's charged and filled and when
10 it discharges at a fire.

11 I should also mention I'm the retired fire
12 official for the town of Kearny; 30 years in the
13 Kearny Fire Department.

14 And I just was curious as to what that fee
15 is for. Is it for the rental pipe or are you
16 charging for water uses? Because once the system
17 is charged, unless it discharges, the system is
18 stagnant. No water is moved. So there is no
19 usage of water for the initial charging.

20 And I was curious as to how you came up
21 with the figure of \$308. Just as an example, I
22 brought the fees from the town of Kearny who are
23 on a different water supply than you. For a
24 six-inch line in the town of Kearny, the monthly
25 fee is \$140. So you're charging for the same

1 thing twice as much.

2 So my question is: Can you give me that
3 answer today or do I need to come back or speak to
4 someone else?

5 PRESIDENT KOLODZIEJ: I hope not.

6 I'm sorry, I apologize, I just assumed you
7 were with everyone else, otherwise, I would have
8 asked you to go first.

9 Mr. Bella, how do you want to handle this?
10 Do you want to send him to somebody to answer his
11 questions now? Do you want to answer them
12 publically?

13 COMMISSIONER SANCHEZ: Can you get him
14 with John Kelly?

15 PRESIDENT KOLODZIEJ: I'm asking Mr. Bella
16 how he would like to handle that.

17 MR. BELLA: Yes, I think that's a good
18 idea. I'll spend some time with you.

19 PRESIDENT KOLODZIEJ: All right. So
20 you're going to start with Mr. Kelly and you will
21 finish with Mr. Bella.

22 MR. KERR: Thank you very much.

23 PRESIDENT KOLODZIEJ: Thank you for your
24 patience.

25 Mary Ann Sgobba -- Mayor Torres, these

1 wonderful people have agreed when you arrived
2 you're going right to the head of the class.

3 MAYOR TORRES: Thank you.

4 PRESIDENT KOLODZIEJ: So welcome.

5 MAYOR TORRES: Thank you so much.

6 Distinguished members of the Board,
7 invited guests, it's indeed a pleasure to be here
8 even though the situation is not as pleasant, as
9 we can see by the number of attendees.

10 The other night's meeting I mentioned a
11 term that is used as a planning document which is
12 called "charrette". It's a French term. It talks
13 about basically conflict/resolution, coming
14 together to solve a problem by entertaining
15 dialogues. And so it's a planning term predicated
16 on public participation and how planning massive
17 projects could be vetted through that public
18 participation.

19 And so at the museum, it was my
20 understanding that it was the second public venue
21 that took place to discuss this project. And so
22 I'm here today to recite again a Resolution in
23 which I asked the governing body of Paterson to
24 adopt and I emphatically could report that
25 yesterday, yes, not only did they add it onto the

1 agenda, but they all voted in the affirmative to
2 support it. So I want to read it for the public
3 record.

4 Now, to the members of the Board and to
5 the Executive Director, if you would like to get a
6 Certification to this Resolution, then please just
7 reach out to Madam Clerk Jane Williams and she
8 will be able to do that.

9 So it's a "Resolution supporting the
10 delaying of draining three reservoirs on Garret
11 Mountain and replacing them with a large concrete
12 tank, until updated rules are released by the
13 Environmental Protection Agency;

14 WHEREAS, in response to a federal
15 Environmental Protection Agency mandate to cover
16 all treated drinking water supplies, the Passaic
17 Valley Water Commission is planning on draining
18 three reservoirs on Garret Mountain and replacing
19 them with large concrete tanks; and

20 WHEREAS, the Levine Reservoir, New Street
21 Reservoir, and Great Notch Reservoir together form
22 about half of the western border of Rifle Camp
23 County Park; and

24 WHEREAS, the Levine Reservoir is located
25 in the City of Paterson's Great Falls Historic

1 District and is part of the Paterson Great Falls
2 National Historical Park, established by Congress
3 in 2009; and

4 WHEREAS, the reservoirs, which straddle
5 the border of Paterson and Woodland Park, abut
6 residential neighborhoods, such that the
7 construction of the tanks would mar the landscape
8 of the immediate area, and render the
9 neighborhoods industrial in look; and

10 WHEREAS, the construction would cost
11 upwards of \$150 million, which would be passed on
12 to the consumers via increased water rates; and

13 WHEREAS, residents have been drinking the
14 reservoirs' water for decades; and

15 WHEREAS, lawsuits filed by New York City
16 and Portland, Oregon against the mandate have
17 spurred the Environmental Protection Agency to
18 revisit this requirement, such that EPA now
19 intends to take until 2016 to release an updated
20 version; and

21 WHEREAS, the Environmental Protection
22 Agency has the power to grant extensions for local
23 projects, such as, for example, the extension
24 granted to New York City for a particularly
25 expansive reservoir replacement project; and

1 WHEREAS, given all the above information,
2 the City of Paterson, the Passaic County Planning
3 Department, and numerous of other local government
4 entities would like the Passaic Valley Water
5 Commission to delay movement on the construction
6 until the updated rules are released and less
7 harmful solutions are explored; and

8 WHEREAS, at least 23 municipalities have
9 adopted resolutions opposing the project,
10 including Bloomingdale, Elmwood Park, Fair Lawn,
11 Garfield, Haledon, Hawthorne, Lincoln Park, Little
12 Falls, Lodi, North Haledon, Prospect Park,
13 Ringwood, Riverdale, Totowa, Wallington, Wanaque,
14 West Milford, and Wood-Ridge; and

15 WHEREAS, the Mayor and Council of the City
16 of Paterson are desirous of demonstrating their
17 support for the delay of the project until the
18 updated rules are released in 2016.

19 NOW, THEREFORE, BE IT RESOLVED by the
20 Municipal Council of the City of Paterson that it
21 joins Mayor Jose "Joey" Torres in urging the delay
22 of the movement of tank construction until update
23 rules are released by the Environmental
24 Protection Agency;

25 BE IT FURTHER RESOLVED, that a copy of

1 this Resolution shall be forwarded to all New
2 Jersey Representatives and members of Congress."

3 Since then, I have received numerous
4 calls. I received a call from Mayor Blanco
5 indicating that his intent to forward the
6 Resolution to be entertained at his next public
7 meeting.

8 I did speak with the Mayor of Clifton
9 yesterday and I forwarded him both the electronic
10 version that was being presented for vote
11 yesterday evening by the Paterson Municipal
12 Council and he too also conveyed to me that he
13 would present that to the governing body of
14 Clifton to see whether they would vote in
15 affirmative or concurrent Resolution.

16 I've also received communication from
17 Senator O'Toole, Senator Pou, Assemblyman Scott
18 Rumana. And also I was visited today by Cindy
19 Randazzo from the Department of Environmental
20 Protection State of New Jersey where she visited
21 the sites with me to get a better understanding
22 and I advised her of my call for a bigger meeting
23 that will involve all of those municipalities that
24 have given concurrent resolutions supporting the
25 delaying of the draining of the reservoir.

1 So to members of this Board, I'm not here
2 to point fingers in no way, shape, or form. I
3 think that basically the lack of informing the
4 general public of this massive undertaking is the
5 primary reason why I believe that if it suits
6 best, because I know that this Board has already
7 undertaken some expenditures, that perhaps if
8 we're going to spend any money in the engineering
9 and the planning of this document, that we should
10 be looking to follow our counterpart in New York
11 City and really spend those dollars in litigating
12 and filing a lawsuit, a federal lawsuit, in asking
13 for a delay. And I think that that would be
14 dollars better served or better spent until we
15 explore the possibility of delaying this action.

16 And so I'm hopeful that my two other
17 counter owners of this Commission, of this
18 authority, would also see the reasoning to convey
19 their sentiments to their Commissioners, as I am
20 doing to Paterson's Commissioners today. That I
21 think that that should be the closer fashion that
22 we should take.

23 Parallel to calling for delay, but us
24 knowing that certain things only takes a letter of
25 the law for an Order to Show Cause and basically,

1 we probably would have to file a lawsuit in order
2 for us to achieve that outcome.

3 So with that, I thank you.

4 I'm open to any questions.

5 But I thank you for allowing me this
6 opportunity to convey the concerns of the
7 residents and the ratepayers of the City of
8 Paterson and the governing body, the appointing
9 authority to this Board.

10 I will also leave a copy --

11 PRESIDENT KOLODZIEJ: That's all we need.
12 That's perfectly all right. We appreciate that.

13 All right. Mary Ann, thank you for your
14 patience and you're up next.

15 MS. SGOBBA: Mary Ann Sgobba. I'm a
16 ratepayer and also a member of the Passaic County
17 Board of Realtors.

18 I want to thank the Commissioners who took
19 out their time to attend the public evening
20 meetings at the International High School and the
21 museum. Thank you.

22 You heard the public comments. I urge the
23 Commissioners who were not in attendance to please
24 read the minutes so they're made aware of the
25 public comments.

1 Thank you.

2 Joe-Anne Mitchell.

3 MS. MITCHELL: I'll defer.

4 PRESIDENT KOLODZIEJ: Thank you.

5 Rich Rodriguez.

6 MR. RODRIGUEZ: Thank you for letting me
7 speak.

8 Unfortunately, I found out about this
9 meeting about 20 minutes ago courtesy of the
10 Passaic Board of Directors. And yesterday, in
11 fact, earlier this week, I found out about the
12 meeting that they had in Paterson a half hour
13 before that meeting. And the point of saying that
14 is that it's important that the average person
15 finds out about these meetings so that they may
16 have important input.

17 Two words just come to mind: One is what
18 is the intent of the project in its full meaning?

19 And two, keeping, I know that for myself
20 in the last year and a half, I served the Passaic
21 River. You know, about a year and a half ago I
22 was invited by Pastor John Alter (Phonetic) from
23 the Paterson Christian Reformed Church. And I
24 took the Mayor of Paterson then, Jeff Jones, down
25 the river and that's when I saw the conditions of

1 the river.

2 So part of what I'm saying is: I spend
3 hundreds of hours in the river. But I can say
4 that I'm qualified, because I'm not only on the
5 river, I'm in the river cleaning it up, doing
6 things.

7 Part of my most important mission is to
8 change the word "Passaic" which has so many
9 negative connotations. I want people to know the
10 Passaic River at one point is going to become a
11 new recreation destination.

12 One of the things I did, I was really
13 happy about, was that I kept my word. And that's
14 important. It's one thing to say something, if
15 you're not going to do it, it doesn't matter, you
16 just said it. Too oftentimes people say things
17 without doing it. So whatever's said, I hope it's
18 abided by.

19 I think it's important to keep an open
20 mind. I want to know what the long-term benefit
21 is. What we're facing right now is some serious
22 stuff between the climate, water disappearing from
23 communities. It's nice, you know, it's one thing
24 to have supposedly a safer approach to water, if
25 it is. But what about long term? How do we make

1 sure that there's always water in there?

2 Two, if something is going to happen and
3 we got to start going into the Hudson or some
4 other form of water, what is the process to
5 desalinate it? You know, to be able to take
6 saltwater, get it into the system. These are
7 questions I don't know. Unfortunately, I haven't
8 been as informed as I'd like to be. From this
9 point on, I'm going to definitely get more
10 educated.

11 But, again, the long-term intent of what's
12 going, not just the aesthetics, that's important.
13 I'm a realtor. I know how important aesthetics
14 are. But property value may not be anything if
15 you don't have water. How do we secure water?
16 How do we secure water properly? Of course,
17 nobody wants to live in front of a wall.

18 However, you know, keeping everything
19 real. Okay. Let's find out where's the real
20 benefit and is there a real benefit and is there a
21 more important benefit in maybe another way of
22 doing this. I think that can only be determined
23 with time. You can't rush that.

24 So, you know, if you need a couple of
25 extra months or you need a couple of extra years

1 to be sure that the decision that is being made is
2 the right decision to serve the next hundreds of
3 years, perhaps, that's something that should be
4 done. And I guess you learned people know what's
5 going on and will be the ones that decide that.

6 Thank you.

7 PRESIDENT KOLODZIEJ: Mr. Soo.

8 MR. SOO: Thank you very much. I kind of
9 gathered my thoughts here, you know, what I'd like
10 to say and I think it's going to boil down to a
11 lot of facts.

12 You know, this is an engineering project
13 in a lot of ways and I think that in thinking
14 about it from an engineering perspective, I think
15 we put ourselves into sort of like a tunnel.
16 We're only seeing the issues of engineering and
17 water calling and we're forgetting that we live in
18 a greater, larger community and there are other
19 issues at stake; issues of preservation and
20 national park, the landmark district, economic
21 development to the community, property values, the
22 history of our area and, you know, just the plain
23 old aesthetics.

24 So, you know, I asked myself what are the
25 engineering issues. And I'm a layperson; I don't

1 really know. But I looked at the topographic
2 charts for the Great Notch Reservoir. The water
3 there is 50-feet deep. It's 50-feet deep. So
4 maybe those tanks could go at the bottom of the
5 lake and then you fill it back up and then they're
6 covered and you don't see them and that's the end
7 of the story. It's not a big deal.

8 Maybe the same thing could be true at
9 Levine. Yeah, you might have to cut some rock,
10 but we don't know how deep it is. Maybe there's a
11 lot of sediments down there that can be cleared
12 out.

13 Maybe instead of two 2.5 million gallon
14 tanks, maybe three tanks or four tanks and have
15 them be lower and you can cover that back up with
16 water.

17 Because our history here is amazing. You
18 go to other parts of the country, it's just not
19 there. It's good people; it's a good place. This
20 is a Founding Father site in Paterson. Hamilton
21 and Washington had lunch at the Great Falls just
22 on the other side of the rise. Everybody's going
23 to see this stuff.

24 I was talking to representatives from the
25 National Park Service. They said over by Costello

1 Pool they envisioned a tram, a sky tram, that
2 would go from the area of the national park where
3 Costello Pool is up to the top of Garret Mountain.
4 How are you going to hide the tanks from that?
5 And what an amazing achievement that would be for
6 our community.

7 You know, I also, I'll bring you guys the
8 material, I'll send Joe the link or somebody the
9 link, the National Park Service has mountains of
10 reports on the economic benefits of national parks
11 for local communities and local regions. It rolls
12 into the hundreds of millions of dollars. And the
13 park is indelible. It's there permanently.

14 So you guys show the cost differential of
15 somewhere between 17 and \$25 billion between
16 Levine and the other alternative sites. I believe
17 that you can use those quarry sites. I know there
18 are engineering issues, old pipes and back
19 pressure into the pipes and all that kind of
20 stuff. Maybe it's time to change those pipes.
21 You know, they've probably been there for more
22 than a hundred years.

23 So, you know, I think engineering issues
24 can be solved. Went to the moon. This year is
25 the -- August was the hundredth anniversary of the

1 opening of the Panama Canal, 48-mile long canal
2 built, I guess, they started building in 1904.
3 Thousands of workers, ten years. They crossed a
4 continent. And if they can do that, a hundred
5 years ago make the Panama Canal, we should be able
6 to move some tanks around. It doesn't sound like
7 crazy, you know, weird science to me. It's got to
8 be doable.

9 So if the pipes that you have can't
10 sustain the back pressure, put in new pipes. Make
11 the locations viable by replacing the pipes.
12 They're going to have to be replaced sooner or
13 later. They're not going to last for a million
14 years. So that didn't seem to be in the
15 consideration of the analysis.

16 So there's got to be options. There's got
17 to be solutions.

18 And, you know, I was going to poll all the
19 Board members again or, you know, the people that
20 were here at the last meeting. I said: Look, who
21 would want this in front of their house, raise
22 your hand. Nobody raised their hand. I don't
23 want to do it again today because it puts people
24 on the spot. But I think that's what you really
25 have to do at the get go, look into yourself and

1 say: Would I want this across the street from my
2 house? Would it improve my property values? Is
3 this the best thing for my community? How could
4 we address this issue? What can we do to solve
5 the problem?

6 And I think we have to dig deep. I tell
7 you, you know, part of my change in tone has been
8 listening to the presentations. There's just
9 information that just does not ring true. I mean,
10 okay, a 106 Review over by the quarry sites on the
11 New Street for the Morris Canal, I mean, I know
12 the facts there. The Morris Canal is where
13 Route 80 is. So maybe there's 106 Review, but the
14 canal is gone. It's under Route 80. It's
15 mitigated. It's done. So don't tell me about
16 106.

17 I understand, Madam Chair.

18 PRESIDENT KOLODZIEJ: Okay. I appreciate
19 it.

20 MR. SOO: So let's really dig hard. Let's
21 really dig hard, because it felt like the way the
22 presentations were going, it's like you're trying
23 to steer toward an answer, you know. And that's
24 not good. That's not really good honest
25 engineering. And it sounds like the answers that

1 we're getting from the professionals are morphing,
2 you know. It was more open in the beginning.

3 And I'm just wrapping up.

4 PRESIDENT KOLODZIEJ: Quick.

5 MR. SOO: Let's really look hard. Really
6 look hard.

7 Thank you very much.

8 PRESIDENT KOLODZIEJ: Any other members of
9 the public? We have two mayors who wanted to
10 speak last. So I want to be sure every member of
11 the public here has had an opportunity to speak.

12 If you haven't filled out a card, please
13 do so. This is being forwarded to the DEP.

14 And, Mr. Bella, if you would ask which of
15 the mayors, Mayor Mola is first, if he wishes to
16 speak and followed by Mayor Kazmark.

17 MAYOR KAZMARK: Keith Kazmark, 160
18 Highview Drive, Woodland Park, also Mayor of
19 Woodland Park.

20 First, I want to thank Mayor Torres,
21 Senator O'Toole for coming out in the last few
22 days in opposition to this project. As the
23 Commissioners are very well aware, this has been a
24 concern in Woodland Park dating back to May
25 of 2012. I was first alerted to this project and

1 its inception by Rich Cowen, a reporter from The
2 Record, who continues to cover this important
3 story for the readership area.

4 I must tell you that Woodland Park has
5 felt continuously uninvolved in the discussion of
6 this as I feel the folks in Paterson have who live
7 in and around the Stanley Levine Reservoir. There
8 has been limited public input as has been pointed
9 by the NJ CDC, the realtors, and other residents
10 who are very interested in this project.

11 I am encouraged, however, by the comments
12 of Executive Director Bella at the meeting at
13 International High School that this Commission
14 will in fact make it a priority to try to work
15 with the City of Newark.

16 As I pointed out then, I think it's well
17 written about in the newspaper that Mayor Torres
18 has developed a relationship with Mayor Baraka in
19 the City of Newark and that we should take
20 advantage of that relationship in an effort to try
21 to save the Great Notch Reservoir in working with
22 the infrastructure up at Ridge Road. That was
23 very encouraging to all the Woodland Park
24 residents who were in attendance at International
25 High School.

1 In addition to that, I'm also encouraged
2 by the joint meeting between the Commission and
3 the Mayor and Council in Woodland Park to be held
4 on October 6th.

5 Madam President, I don't know if you
6 received our request to try to move that meeting
7 to 6:00?

8 PRESIDENT KOLODZIEJ: That's no problem.

9 MAYOR KAZMARK: If it's feasible, we would
10 appreciate it. I know we had originally offered
11 7:30 p.m., but 6:00 might allow us for some more
12 discussion time.

13 We are hopeful that the entire Commission
14 will be in attendance at this meeting. It will be
15 the entire governing body in Woodland Park. It
16 will be more of a work session atmosphere. It
17 will not be in the Council Chambers. It will be
18 upstairs in our community room.

19 As you know through the Open Public
20 Meetings Act, we encourage public participation.
21 We will have to have a public session. We're
22 required to do so. However, we want this to be a
23 fruitful conversation about how we can move in a
24 positive direction and not scar the aesthetics of
25 Garret Mountain and Woodland Park.

1 So we look forward to that meeting on the
2 6th and we hope that the relationship has taken a
3 turn for the better in trying to resolve your
4 mandate and at the same time try to keep our
5 municipality intact.

6 Thank you.

7 PRESIDENT KOLODZIEJ: All right. Before
8 you leave, Mayor, I'm going to violate my own rule
9 in not answering, but it's important about the
10 6th. I have already volunteered to be the rep for
11 Clifton. The reason we do not send all of us or
12 four of us is because of the Open Sunshine Law.

13 MAYOR KAZMARK: Understood.

14 PRESIDENT KOLODZIEJ: So it is our goal to
15 send a representative from each community to each
16 of these public meetings.

17 So to all my colleagues who volunteered, I
18 didn't have to twist their arm. They volunteered
19 to attend these meetings we've held.

20 MAYOR KAZMARK: We were more concerned
21 there might not be representation from the
22 Commission.

23 PRESIDENT KOLODZIEJ: I will be
24 representing Clifton and, hopefully, before I
25 leave today I'll be able to phone your secretary

1 and tell you who will be representing Paterson and
2 who will be representing Clifton --

3 MAYOR KAZMARK: Okay.

4 PRESIDENT KOLODZIEJ: And now that you've
5 acknowledged 6:00 instead of 6:30, fine. We're
6 okay.

7 And if you did read my original letter, it
8 would be helpful to us, because some of the
9 comments my colleagues brought back to me was that
10 some of our information is way over the heads of
11 people. So they have asked, you know, focus on
12 different things.

13 And I really appreciate the gentleman who
14 is part of his own one-man cleanup the river
15 thing, because if you help us to focus on those
16 topics, it will be extremely helpful, because we
17 can bring that information.

18 MAYOR KAZMARK: I can assure you that this
19 is not a meeting of attack. You know where we
20 stand going in.

21 PRESIDENT KOLODZIEJ: All right. It will
22 help.

23 All right. In my head, I will call you
24 and I will tell you what I have in mind and what I
25 already asked them to do.

1 Please be aware that everybody in this
2 room has already accomplished the goal of not
3 doing anything on New Street or Great Notch until
4 after 2016. That's already happened because of
5 the work that our Administration did with the DEP
6 in saying it's too complicated to just do that.
7 So they pushed back that timetable. However, we
8 are going to talk about it.

9 MAYOR KAZMARK: Just so you understand, we
10 have a pause. In light of the fact of how the
11 whole Levine plant has rolled itself out, with
12 limited public input --

13 PRESIDENT KOLODZIEJ: We'll talk about
14 that.

15 MAYOR KAZMARK: We are concerned that that
16 could be implicated with New Street and Great
17 Notch.

18 PRESIDENT KOLODZIEJ: No, we will set the
19 record straight. My goal is, because I think it's
20 critically important and I've heard it from a
21 couple of comments today, that New Street and its
22 function as a reservoir needs to be clear to
23 anybody who is not familiar with our system. So
24 that's going to be a whole new set of slides that
25 we're going to develop because that will lay the

1 foundation for our ability to work together to
2 either find alternatives or some of the things
3 that have been mentioned off the top of the head.

4 So I will call you, because I do and I
5 really appreciate the fact, this is dialogue to
6 me.

7 MAYOR KAZMARK: Sure.

8 PRESIDENT KOLODZIEJ: And just seeing the
9 difference in attitude of these people who have
10 been here for eight months trying so hard to make
11 their point to finally realize that we have an
12 obligation also and you just acknowledged it so
13 nicely.

14 MAYOR KAZMARK: I'm hoping we turn the
15 corner.

16 PRESIDENT KOLODZIEJ: I know you will.
17 We have. We have.

18 MAYOR KAZMARK: My cell phone number is:
19 (973) 420-9962. Call it any time.

20 COMMISSIONER LEVINE: I have a question to
21 Mr. Hanley.

22 If you're going to publicly -- you're
23 going to put this in the paper?

24 MAYOR KAZMARK: Yeah, I have to. I'm
25 going to have my council --

1 COMMISSIONER LEVINE: Do the Sunshine Laws
2 even affect --

3 MR. HANLEY: If there are four
4 Commissioners, yes.

5 COMMISSIONER LEVINE: If we have four
6 Commissioners, we publically advertise --

7 MR. HANLEY: If you plan to have less than
8 four, no.

9 COMMISSIONER LEVINE: If we have four.
10 Say we have five?

11 MR. HANLEY: Then you have to do it. I
12 discussed --

13 COMMISSIONER LEVINE: Even if they are
14 advertising, does that come into affect?

15 MR. HANLEY: That doesn't cover us. We
16 have our own responsibility. They have to do
17 their own.

18 MAYOR KAZMARK: We're advertising on
19 behalf of the governing body of Woodland Park.

20 COMMISSIONER LEVINE: We have to have --

21 MR. HANLEY: Again, depending on the
22 number in attendance.

23 MAYOR KAZMARK: We're fine with it either
24 way.

25 PRESIDENT KOLODZIEJ: I know, and my

1 colleagues will let me know what they want to do.

2 MAYOR KAZMARK: We saw the word
3 "representative". We wanted to make sure the --

4 PRESIDENT KOLODZIEJ: Absolutely. My goal
5 has been to get one from each owner city.

6 So thank you very much. We look forward
7 to the 6th and I have your cell phone number.

8 MAYOR KAZMARK: Thank you.

9 PRESIDENT KOLODZIEJ: All right. Mayor
10 Mola. Is he doing cleanup?

11 MAYOR MOLA: I don't want to parrot
12 everything that's been said.

13 Coming from Elmwood Park, one of my real
14 concerns is how it's going to affect our water
15 rates in Elmwood Park. It's a major concern I
16 have and the people in Elmwood Park. So if we can
17 get some idea about that.

18 PRESIDENT KOLODZIEJ: We'll have our
19 Executive Director give you our, it's a slide, he
20 has something written on the effect of that.

21 I just want to put on the record that we
22 are under an ACO and certainly as a mayor you
23 understand how our hands are tied often with
24 things that are done.

25 One of the things we've aggressively gone

1 after has been funding that's available on the
2 state level to offset the construction costs.
3 It's not a whole waiving of, you know, you're
4 going to have to pay something, but from day one
5 we have been worried about the impact and we're
6 finding ways or trying to find ways. Our greatest
7 fear is, with the way government is going, what's
8 available to us today may not be available to us
9 in 2015, '16, '17, or '18. So we're also trying
10 to get a handle on that.

11 MAYOR MOLA: I'm not only talking about
12 Elmwood Park --

13 PRESIDENT KOLODZIEJ: Absolutely. It
14 affects everybody that buys water from us.
15 Absolutely.

16 MR. GUARASCI: Mayor Torres has called me
17 and he asked if I could convey an additional --

18 PRESIDENT KOLODZIEJ: Absolutely.

19 MR. GUARASCI: He said he just received a
20 text from the clerk in Clifton in that the Clifton
21 City Council did indeed adopt this Resolution last
22 night. So he wanted that to be conveyed.

23 PRESIDENT KOLODZIEJ: All right. So we
24 will ask our secretary to make sure we all have
25 copies of this either sent via e-mail so we know

1 what position the City of Clifton as taken.

2 MR. GUARASCI: Thank you.

3 PRESIDENT KOLODZIEJ: Okay. So motion to
4 close the public hearing.

5 COMMISSIONER BAZIAN: Move it.

6 PRESIDENT KOLODZIEJ: And second.

7 Commissioners, I have been challenged to
8 turn you free to comment. I unleash all of you.
9 So please feel free to address any of our
10 speakers, any of the comments, anything that can
11 be helpful to promoting what I sense today is the
12 first atmosphere of really dialogue and I
13 appreciate everybody who's worked so hard to do
14 that.

15 Yes, Commissioner.

16 COMMISSIONER LEVINE: I agree with a lot
17 of the public. I'd like to try to work something
18 out to see what happens in 2016 and when the new
19 rules and regulations come out.

20 I also think all the elected officials
21 that work with the EPA and government and all that
22 work together. And we need some help from all
23 these people because it's a little bit beyond.
24 We're under an ACO, you know, and we're trying to
25 accommodate the public and everybody, but we have

1 other public officials that can actually be
2 beneficial to this project. So we can all work in
3 conjunction and together. And I'm not sure how to
4 make that happen. Me personally, I would like to
5 --

6 COMMISSIONER SANCHEZ: Can I say
7 something?

8 PRESIDENT KOLODZIEJ: I just want to be
9 sure Commissioner Levine is finished.

10 COMMISSIONER LEVINE: Yeah. I'm not sure
11 how to make that happen. I mean, maybe from
12 meetings with all the public officials we can come
13 up with a solution so all of us can work hand in
14 hand, you know. Because I'm not sure the Water
15 Commission itself, even if it litigated the
16 matter, that would up the rates also, us
17 litigating the matter, creating money, to do it,
18 you know, single handedly to change the ACO.

19 Somehow we have to figure something out.
20 Maybe get in touch with our corporate counsel,
21 George Hanley, with some of these public officials
22 and have, you know, a town hall meeting amongst us
23 and figure out some plan of action.

24 This is at the beginning stages, my
25 thoughts. I'm not a hundred percent how to go

1 about it. I think we all got to work together in
2 order to get this, you know.

3 COMMISSIONER SANCHEZ: Madam President,
4 I'm going to speak to Guarasci.

5 Let's say we request to postpone this
6 thing after 2016 when they have new regulations
7 out. Let's say they decline and say no --

8 COMMISSIONER BAZIAN: "They" being who?
9 DEP?

10 COMMISSIONER SANCHEZ: DEP. Let's say we
11 say: Look, we want to wait until 2016, please
12 extend the courtesy. Let's say they say no. What
13 do we do then? I mean, you know --

14 PRESIDENT KOLODZIEJ: All right. There's
15 no dialogue here. Sorry. You can talk to each
16 other after and maybe you can give Commissioner
17 Sanchez some good, since you know your way around
18 Trenton --

19 COMMISSIONER SANCHEZ: Obviously, that's a
20 concern here. From day one, I'm an advocate. But
21 people affected should be involved. I believe in
22 that whether the outcome might not be agreeable to
23 everybody, but people should be engaged. I
24 believe in that.

25 So my question that I have and I don't

1 know the answer is: If we go to the DEP and say:
2 Listen, we have a legitimate concern here. Can
3 you extend us to 2016. But let's say they say no,
4 what do we do then? I don't know.

5 COMMISSIONER BAZIAN: If I may?

6 Mayor Torres raised the issue and I think
7 he's right in terms of process. That the only
8 other recourse we would have at that point would
9 be to initiate some kind of a legal action against
10 the DEP and also EPA in order to get a waiver.

11 What I would be looking for and I would
12 have to look to our counsel, is for some kind of
13 analysis to bring that back to legal affairs
14 committee as to whether something like this is
15 viable.

16 We know for a fact that Portland, Oregon
17 fought this regulation and fought it for many
18 years. I don't know what the cost is, but I do
19 know that they lost and they are covering their
20 reservoirs by 2020.

21 COMMISSIONER SANCHEZ: That is my second
22 question. What has been the history of this body
23 that have fought?

24 COMMISSIONER BAZIAN: To my knowledge, and
25 I don't see -- Joe, are you here? To my

1 knowledge, there's only one municipality and, Joe,
2 please correct me if I'm wrong, that has received
3 any kind of significant waiver from covering and
4 that is the City of New York. And that is for the
5 Hillview Reservoir.

6 I did some research on this and there's
7 actually a rather large presentation on all of the
8 things they're doing at the Hillview Reservoir.
9 Which, I mean, things like, you know, managing the
10 waterfowls. There's not an issue of the
11 waterfowls using drinking water as a place to do
12 their natural functions.

13 COMMISSIONER DeVITA: Just -- I'm sorry to
14 interrupt.

15 My understanding of the New York
16 reservoir, they did get an extension. But the New
17 York reservoir is somewhat different than ours
18 because the water that goes into our reservoir
19 sits there, and that's the problem.

20 In the New York reservoir, it's used up
21 everyday, every two days, every three days. So
22 nothing sits there, which is great. So that's why
23 they...

24 COMMISSIONER BAZIAN: So, again, I guess
25 the point is, the point is: I would like an

1 analysis of some kind. If we're going to
2 undertake something, what is the likelihood --
3 what is the potential cost; what is the likelihood
4 of success.

5 And, again, just thinking about what's
6 happened that even New York City is doing a whole
7 bunch of things, although they're not necessarily
8 covering right now. Portland lost outright on the
9 covering. I'm skeptical as to what would happen.

10 If I may, Madam President, just to go off
11 for a second.

12 I would, first of all, I want to thank the
13 people who have come in today, because I did get a
14 sense of let's talk to each other rather than at
15 each other. Okay. I haven't always gotten that.
16 When somebody comes to me and wants to have an
17 honest discussion out there, I want to have that
18 discussion.

19 In the past, people have made comments
20 with regards to the potential health risks,
21 minimizing it. If you get sick from this thing
22 called Cryptosporidium, basically, it's going to
23 give you some gastrointestinal distress. And all
24 of that is correct unless you're
25 immunocompromised. If somebody's

1 immunocompromised, let's say they have HIV/AIDS,
2 or any number of different conditions, it can be
3 fatal.

4 Now, let's put numbers; I'm a numbers guy.
5 I'm a computer geek and a CPA. I'm a numbers guy.
6 I need facts and figures in order to be able to
7 make decisions. So I did a little bit of research
8 today and I went onto the Department of Health.

9 According to the Department of Health in
10 the State of New Jersey, there are approximately
11 423 people suffering from HIV/AIDS per 100,000
12 population. Four hundred twenty-three people;
13 just considering that population, not considering
14 any other potential risk factors. We service,
15 approximately, 800,000 people, Joe, am I correct
16 in that number? So we're looking, approximately,
17 3,200, 3,300 lives that are potentially at risk.

18 Now, you may say: But it hasn't been a
19 problem before. That's great.

20 Can it be a problem? I have
21 professionals, Department of Environmental
22 Protection and the Federal EPA telling me that it
23 can be a problem. I have the Center For Disease
24 Control telling me that, approximately, 900,000
25 people per year get ill from Cryptosporidium;

1 approximately, 900 die per year; CDC. I did
2 research. I'm a facts and figures guy.

3 The minutes will bear out as early as 2011
4 I was asking questions why we were talking tanks
5 without going out to public comment. It didn't
6 make sense. And I will now publicly take
7 responsibility for the fact that we did not. As a
8 member of this Commission, perhaps I should have
9 pushed further, but I didn't know better at the
10 time.

11 I don't know if Mayor Kazmark is here, but
12 I can say definitively, fool me once, shame on
13 you. And I don't demean the term fool
14 specifically. Make a mistake once, shame on me,
15 make a mistake twice -- whatever. You know what I
16 mean. Didn't work.

17 There are significant issues involved. I
18 also hear comments being made that are
19 contradictory. I have one person coming to me,
20 coming up and say, not just one, the issue is
21 cost. Well, if the issue is cost, then we can't
22 do this project at all.

23 I have other people coming to me saying
24 that the issue is finding another way to do it.
25 Well, we have studies that tell us that finding

1 other ways to do it or other places are going to
2 cost us millions of dollars more.

3 One person earlier, forgive me, I don't
4 remember the name, I have it in my notes, said
5 that the City of Paterson is paying more for water
6 per capita than I think anybody in the state or in
7 the country. I don't remember the exact
8 statistic. So that makes it a cost issue.

9 So if this is a public health issue and it
10 has to be done, should we be looking at methods
11 that will cost 20, 30, 50, a hundred, whatever
12 million dollars more? Between 15 and \$20 million
13 and the figure that we have, tells me that some of
14 these alternative sites that we're talking about.

15 These are the issues that I have going
16 through in my head. This is not to say I have
17 come down one way or the other. I am giving you
18 the calculations that I have in my head. People
19 come to me and say it will affect my home. I
20 understand. It's my home too. Okay. If somebody
21 wanted to put up a water tank across the street
22 from my house, yeah, I would be exactly where you
23 are. Let's get that clear. I'm on record in a
24 prior meeting saying that if somebody was going to
25 do this next to my house and they didn't come and

1 ask me, I'd get out a flamethrower. That's on the
2 minutes. So I leave that.

3 But I also have to ask myself now sitting
4 in this seat, what is a life worth? And you know
5 what the elephant in the room is that none of us
6 have been discussing which is a fact of life that
7 we all have to live with? Open air reservoirs.
8 The water is open. What about the possibility of
9 terrorism? You want to talk about something that
10 scares me? That scares me.

11 I'm a technologist. I know that the trend
12 is smaller, faster, easier, lighter. 1945 you
13 needed a plane to carry an atomic bomb, now you
14 can carry it around in a suitcase. That's what
15 scares me.

16 You want to talk about property values;
17 tell me what happens to property values if it gets
18 out. Contaminated water, God forbid a terroristic
19 attack, people die, what happens to property
20 values there? What happens to our homes?

21 There are two sides to this argument is
22 all I'm saying. I welcome the discussion. I want
23 to have the discussion. My children drink this
24 water. My grandson comes to my home, he drinks
25 this water. That's important to me too.

1 All I'm asking from the members of the
2 public, is not to walk away and say: Oh, he's
3 right. I'm done. That's not my point. But
4 please try to understand that there are other
5 issues that we have to consider too. Let's work
6 together. Let's come up with something that makes
7 sense as best we can to everybody. If we can do
8 that a hundred percent, I'm great with that. But
9 the us versus them, which for the first time today
10 I didn't feel, has been a problem to the process.

11 You want to have a conversation, let's
12 have a conversation. I'm there. That's all I
13 ask. We will do the best we can to come up with
14 the best solution we can for both the ratepayers
15 and even the thousands of people who need clean
16 water.

17 Thank you.

18 I'm sorry.

19 PRESIDENT KOLODZIEJ: No, it's perfectly
20 all right. I serve on two committees with
21 Commissioner Bazian, so you can just imagine how
22 great the dialogue is. And you have Commissioner
23 Levine who serves on both of those committees with
24 us.

25 COMMISSIONER SANCHEZ: Can I?

1 As Commissioners, we don't do the
2 day-to-day operation upgrades and we get
3 confronted on making the decision, but none of us
4 plan the process. So in this process that has
5 been portrayed not only on your part as the
6 public, but on our part as Commissioners, I think
7 that the process that we have gone through has
8 been unfair to the public in terms of the day that
9 we found out we should have done this. We should
10 have engaged the community and say: Listen, we
11 got to do this. This is part of the reason why we
12 need to do this. Unfortunately, that is too late.
13 That didn't happen and we got to deal with the
14 consequences.

15 The consequences is that you've come to
16 our meetings for the last eight months.

17 But just to let you know, there's been
18 frustration on our part. We also have to do what
19 is right for the majority and the majority is
20 always about the people that we serve to.

21 So being that we are under mandate, we
22 feel like we need to do what's right for the
23 majority, not just for a few people.

24 Also, I don't believe in spending money we
25 don't have to. If you look in my past history, I

1 don't believe in even bonding. If we don't have
2 the money, we don't do it. And when you need to
3 go out and borrow 140, \$120 million to do
4 something, I'm against that. That's against
5 business principle, because at the end, we all are
6 responsible for that money.

7 So it hasn't been easy on our part. And I
8 just want to assure you that it hasn't been easy
9 on anybody sitting in this seat to make this
10 decision which we haven't made one yet. But it's
11 not easy on our end.

12 And I want you to know that I respect you
13 and I thank you guys for getting engaged and
14 caring about what's going on. What can I say, we
15 like this conversation. We want to have this
16 dialogue.

17 COMMISSIONER LEVINE: I got one more
18 thing. Something I'd like to engage with the
19 public and versus my fellow Commissioners and
20 stuff which really, you know, bewildered, like, my
21 mind a little bit to the right answer.

22 New York fought the mandate or litigated
23 it and they got an extension to 2020. If we spent
24 a couple of hundred thousand dollars litigating
25 the matter and we get an extension to 2018, does

1 that win us because we get to hear what the State,
2 that new EPA regulation gets us past the 2016?

3 So, I mean, who knows if the State then
4 changes its regulation completely after 2016 and
5 we litigate and we hold it out that long. Is that
6 something the Commission is willing to do? And
7 now with the public, you know, saying: Hey, the
8 Commission, the public officials, we did try
9 everything. Or is it, you know, then in 2016,
10 nothing changes, we lose, then we're mandated and
11 we spent an extra couple of hundred thousand
12 dollars now litigating the matter and, in essence,
13 now rates even go higher, you know, the taxpayers'
14 rates.

15 That's something I don't think the
16 Commissioners should be making a decision itself.
17 The ratepayers, you guys, the public, we should
18 all be engaged in that conversation. And being,
19 you know what, we as ratepayers are willing to
20 take that gamble and litigate the matter as long
21 as we can extend it past the, that's saying the
22 EPA, if we ask for it, that only one person asks
23 for it, and the EPA and the State says: No, we're
24 not giving you to 2016. Then the only option is
25 to litigate the matter. That's a decision in my

1 head. I'm not sure, you know, what the public
2 would want to do and I'm part of the public that
3 drinks the water and my kids also, and what the
4 right answer is. And I think that should be
5 litigated, not litigated, discussed in the town
6 amongst all of us, including my fellow
7 Commissioners. I don't know what anybody else's
8 feelings are on that.

9 PRESIDENT KOLODZIEJ: Commissioner DeVita.

10 COMMISSIONER DeVITA: I think we all heard
11 what everybody said. I don't think there can be
12 any dispute with the fact that this should have
13 been held publicly; no question. It wasn't.
14 We're here. Maybe it's a little late; maybe it's
15 not.

16 For myself right now, I'm not talking
17 about Great Notch or New Street. I'm talking
18 about the Levine Reservoir. Okay. It's great to
19 see that we have a lot of elected officials
20 involved now. Great. But let's get the elected
21 officials, as Jeffrey said before, to fight for
22 us. We'll go with you. Fight. Get Senator
23 O'Toole and Senator Pou and all the mayors from
24 the 23 cities that signed it. Let's let everybody
25 go there. Because the problem I have, it's been

1 mentioned a couple of times today, the word
2 "mandate". I'm under a "mandate". I can't say
3 "We're not going to do this." I'm not allowed to
4 because the law says this is what I have to do.

5 So if everybody wants to get together and
6 go to the EPA, the DEP, whoever it may be, let's
7 go. That's fine. I don't have a problem with
8 that.

9 Just for the record, I'm from Paterson. I
10 lived in Paterson for 25 years. I graduated
11 school there and everything else. And I've spent
12 about five hours in the last three weeks driving
13 around Paterson with John Kelly and all the
14 historic districts. We were in the park last week
15 and everything else. So there's a concern for
16 that. I don't know if I agree with everything
17 that Mr. Soo says, wherever he may be, but I mean,
18 we're looking into that. For one, we're all
19 concerned with that.

20 But if you want to get together and go get
21 our mandate lifted, let's go. I'm fine with that.

22 COMMISSIONER LEVINE: We need everybody
23 from the public to actually go too. We need a
24 group collaboration.

25 PRESIDENT KOLODZIEJ: Not happening.

1 Sorry.

2 I'm not talking to you. I'm talking to
3 that nice gentlemen who I agree with. Just ask
4 Mr. Guarasci how I feel about protocol.

5 I think what's significant here is,
6 obviously, we all listen. We really have. And I
7 appreciate my two colleagues from Passaic. We are
8 having another, it will be a public session, it
9 will be a work session and then you'll be able to
10 comment afterwards. The point that you brought up
11 about the information that we need to give. We
12 can have that ready for that October 6th meeting.
13 So we're beginning to answer some of the questions
14 that are not only in our minds, but in the minds
15 of the general public.

16 So when I talk to Mayor Kazmark, I will
17 let him know if he has any other issues like that,
18 that he wants to address or his council does,
19 we're willing to do this.

20 To Mr. Rich Rodriguez, I absolutely loved
21 your presentation today. You are my favorite kind
22 of person putting your money where your mouth is.
23 And I'm going to ask you to make an appointment
24 with Mr. Bella to go tour our facility so you
25 learn more about our water business. If there's

1 any member of the public here that would like to
2 take such a tour, please call our secretary and
3 we'll make an arrangement to have that done,
4 because it's a very complicated business. In the
5 seven years I've been here, I am still learning.

6 But as we know, we're the low man on the
7 totum pole. We took an oath of office to swear,
8 to abide by the laws of the State of New Jersey
9 and until the DEP or until the EPA takes that
10 responsibility away, I am at their mercy. They
11 have already granted us an extension on the Levine
12 Reservoir, so I don't consider that a closed
13 issue. It's still an open issue.

14 And as my colleagues know, we're not even
15 thinking about New Street and Great Notch because,
16 obviously, those of us that are out to save the
17 Great Notch Reservoir are going to be pushing the
18 DEP for that joint project of Newark. That's a
19 given. And we're really making progress in that.

20 New Street is a different situation which
21 I hope to flesh out at the meeting at Woodland
22 Park so we have a better understanding of how our
23 system works.

24 Now, to Mr. Gonzalez. I'm so sorry that
25 you continue to be adversarial. There's no doubt

1 in my mind I would not want tanks in front of my
2 home. However, you can ask any of my colleagues,
3 I'm one of the Commissioners that say: The money
4 that I would save in not going to some of these
5 more expensive alternatives, I am willing to put
6 into the neighborhood surrounded by what's going
7 to be impacted. I tend to think outside the box,
8 but I'm willing to put some of those ideas out
9 there. How we can be a better neighbor to the
10 park. Maybe we need to buy out those seven houses
11 that will be affected so they can take their money
12 and buy housing elsewhere. These are the kind of
13 things I'm looking at.

14 No, I'm not going to leave an empty ditch.
15 I'm an environmentalist, so I can't do that. But
16 maybe there's a way I can spend money is take that
17 ditch that really was a ditch before he put our
18 finished water in it and put in a system that can
19 capture your runoff from your streets, aerate it,
20 and make it look like it did look before. But
21 these are just random thoughts off the top of my
22 head. But these are the kind of things, to the
23 credit of some of you here, I appreciate your
24 coming to me after the meeting and saying: Well,
25 if you're stuck with this, what can you do to

1 minimize that. So I appreciate individuals
2 opening up that dialogue.

3 MR. GONZALEZ: The only --

4 PRESIDENT KOLODZIEJ: You're out of order.
5 Sorry about that.

6 So I think we pretty much covered
7 everything that we're ready for for October 6th.
8 I'm sure you're interested. It's an evening
9 meeting; 6:00 you heard the Mayor advise. It was
10 very, very refreshing to participate in today's
11 session.

12 Thank you all for coming.

13 Five minute recess.

14

15 (Recess)

16

17 PRESIDENT KOLODZIEJ: Roll call, please.

18 MR. AMODIO: Roll call.

19

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

22

23 MR. AMODIO: Thank you.

24 The time is 1:30.

25 PRESIDENT KOLODZIEJ: I'm asking your

1 indulgence to move an item up on the agenda. Our
2 guests here, Jeff Enright and Kerry Morgan, have
3 patiently sat here. So I'm going to ask them to
4 be here. We have two resolutions on for today.
5 So if there's any question, they'll be here to
6 answer them.

7 So come on forward and lead us through
8 those so we can get you home in time for your
9 lunch.

10 MS. MORGAN: This afternoon there are two
11 items on the agenda. I just wanted to mention one
12 of the resolutions that was originally on the
13 agenda was a supplemental resolution. That
14 typically is held till we get through the Local
15 Finance Board process, so that will actually not
16 be approved today.

17 However, there are two resolutions moving
18 forward for making application to the Local
19 Finance Board for your upcoming project and that
20 project, I believe, has a host of improvements.

21 MR. ENRIGHT: It's just over 18 million
22 for the generators of the plant. The sole
23 purpose --

24 PRESIDENT KOLODZIEJ: Right, right.

25 COMMISSIONER DeVITA: Was there another

1 six or something?

2 MS. MORGAN: The amount in the
3 supplemental resolution that was distributed to
4 you, that's the one that's not going to be
5 approved this evening. But usually what we do is
6 24,500,000 is a not-to-exceed number. So as the
7 financing gets closer, that number certainly won't
8 be to that maximum amount, but it's in there just
9 in case some of the amounts change a little bit.
10 And in the final, after the rates are set and that
11 resolution, the final resolution will have all the
12 final terms in it.

13 But at this juncture moving forward to the
14 Local Finance Board, the first resolution will be
15 making application to the Local Finance Board and
16 making application for a financial addendum form
17 to the New Jersey Environmental infrastructure.
18 That is the first resolution.

19 PRESIDENT KOLODZIEJ: I'm going to take
20 this lack of attention of my colleagues as saying
21 they're okay with everything and push right ahead.
22 We're going to pass those two resolutions no
23 problem. Right?

24 COMMISSIONER SANCHEZ: Madam President,
25 when it's a beautiful, elegant young lady --

1 PRESIDENT KOLODZIEJ: Oh, see, that's
2 what... Very smart, Jeff. Very smart.

3 MS. MORGAN: The other resolution is just
4 a reimbursement resolution just acknowledging that
5 if by chance you spend any money on your current
6 budget, the proceeds in the bonds will be able to
7 reimburse yourself back.

8 COMMISSIONER DeVITA: So moved.

9 COMMISSIONER SANCHEZ: Second.

10 MR. AMODIO: By Commissioner DeVita.

11 Second by Commissioner Sanchez.

12 COMMISSIONER BAZIAN: Madam President,
13 point of order.

14 PRESIDENT KOLODZIEJ: I'm sorry. Go
15 ahead.

16 COMMISSIONER BAZIAN: I do have a
17 question.

18 With regards to the first resolution which
19 is for the generators, is that for construction
20 or --

21 MR. BELLA: Construction.

22 COMMISSIONER BAZIAN: Are the plans done?

23 MR. BELLA: Yeah.

24 COMMISSIONER BAZIAN: Have we awarded a
25 contract on it?

1 MR. BELLA: No.

2 COMMISSIONER BAZIAN: We have to get the
3 bonds before we award the contract?

4 MR. BELLA: We have to do all the --

5 MR. HANLEY: You have to have the money
6 available.

7 COMMISSIONER BAZIAN: Thank you.

8 MR. AMODIO: Moving on.

9

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

12

13 MR. AMODIO: Both resolutions passed.

14 PRESIDENT KOLODZIEJ: Do we have anybody
15 on the clock that's here in closed session?

16 So we can wait with committee reports and
17 all of that. Let's take the people on the clock.

18 Thank you.

19 MR. HANLEY: Mr. Weber is here.

20 PRESIDENT KOLODZIEJ: All right. So we're
21 going to go into closed session and do Mr. Weber.
22 We'll do the closed session items and then we'll
23 come back out for the regular order.

24 MR. HANLEY: If you want, the clock needs
25 to be considered.

1 PRESIDENT KOLODZIEJ: I'm definitely
2 considering the clock.

3 So can we have the notice for closed
4 session read into the record.

5 MR. AMODIO: Do I have a motion?

6 COMMISSIONER DeVITA: So moved.

7 MR. AMODIO: By Commissioner DeVita.

8 COMMISSIONER CLEAVES: Second.

9 MR. AMODIO: Second by Commissioner
10 Cleaves.

11 WHEREAS, Section 8 of the Open Public
12 Meetings Act permits the exclusion of the public
13 from a meeting in certain circumstances; and

14 WHEREAS, the public body is of the opinion
15 that such circumstances presently exist;

16 NOW, THEREFORE, BE IT RESOLVED, by the
17 Commissioners of the Passaic Valley Water
18 Commission:

19 1. The public shall be excluded from the
20 discussion of the hereinafter specified subject
21 matters; the general nature of the subject matter
22 being: Financial, Insurance, Personnel,
23 Contracts, Negotiations, Security, Law: We have
24 Summary/Aging reports. North Arlington -
25 Ancillary Services. Prismatic. Contract #12-B-12

1 Rebid.

2 Is that it, George? George, is there
3 anything else for law? I see Randy Brause but he
4 wasn't listed.

5 MR. HANLEY: Okay. Yes. He has one case
6 that he wants to get authority to finally settle.

7 MR. AMODIO: Okay. Randy Brause. And
8 that's it. Correct?

9 What is Guido Weber here for?

10 MR. HANLEY: JAK Diamond.

11 MR. AMODIO: That's not listed.

12 Under Personnel we have new hires: Kevin
13 Allen, Zackary Miranda - Water Treatment
14 Operators. Matthew McCoy - Laborer. Mari Blanco
15 and Aaron Simmons - Keyboarding Clerk. Michael
16 O'Brien - Assistant General Water. Under
17 Administration we have Water Supply Agreement of
18 Harrison, and any other matters as may be
19 discussed in camera.

20 2. It is anticipated at this time that
21 the above-stated subject matters will be ratified
22 during public meeting following or as soon
23 thereafter as the reason for discussion no longer
24 exists.

25 3. This Resolution shall take effect

1 immediately.

2 Second by Commissioner Cleaves.

3 On the roll.

4

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

7

8 ***

9

10 MR. AMODIO: Thank you.

11 You have a quorum.

12 The the time is 1:53 p.m. I believe
13 Commissioner Sanchez would like to say something.

14 COMMISSIONER SANCHEZ: I just wanted to
15 say, I mean, we made the paper twice a week with
16 this thing and it's a matter of image, I think,
17 sometimes. I don't know what we are doing to
18 ensure our other clients, you know, that the rates
19 aren't going to be going crazy here. We have the
20 situation pretty much under control. We might
21 say: You might read a lot of stuff in the paper;
22 here's the situation, here's where we are, and
23 here's what we are doing.

24 COMMISSIONER BAZIAN: Should we allow a
25 bill insert?

1 PRESIDENT KOLODZIEJ: Why don't we allow
2 Administration to come back with some
3 recommendations. There's one off the top of
4 Commissioner Bazian's head. If anybody else has
5 any suggestions, forward them and by the next
6 meeting we'll certainly approve them. It's
7 another step in the right direction. Point well
8 taken.

9 All right. So we're going back to the top
10 of the agenda the way we should have been.

11 Committee reports.

12 Personnel.

13 COMMISSIONER CLEAVES: Well, we have our
14 direction for the next meeting and also we
15 discussed in the previous meeting that we were
16 going to be reviewing the up coming promotions
17 because there were some that was presented to us
18 and we pulled them back. So now we've asked for a
19 full list of upcoming promotions so that we can
20 take a look at them and now make sure that they
21 fall within the correct salary ranges so we don't
22 have to keep going, you know, the bantering back
23 and forth whether or not the ranges are fair.

24 PRESIDENT KOLODZIEJ: Finance is going to
25 piggyback on that, because we are on schedule to

1 follow the mandate of when to --

2 COMMISSIONER BAZIAN: Don't steal my
3 thunder.

4 PRESIDENT KOLODZIEJ: I can't help it.

5 COMMISSIONER BAZIAN: Don't steel my
6 thunder.

7 PRESIDENT KOLODZIEJ: So we need
8 finance --

9 COMMISSIONER CLEAVES: That's what I was
10 going to say. I think we also need to know, you
11 know, before we make the decision --

12 COMMISSIONER BAZIAN: I'm sorry, I can't
13 hear.

14 PRESIDENT KOLODZIEJ: Guys, please, if you
15 want to talk, go outside. Go outside, because
16 it's distracting. We got two chair people here
17 trying to communicate.

18 COMMISSIONER CLEAVES: I said I think
19 personnel also needs to work a little more closely
20 with the budget, the finance committee, to make
21 sure that we're not, you know, submitting for
22 promotions if it has not been budgeted for.

23 PRESIDENT KOLODZIEJ: All right. That's
24 our point. What we need from you is, because on
25 finance we discussed the fact that we are using

1 Mr. Bella's numbers on all of these promotions and
2 title changes and everything. The only set of
3 numbers we've been looking at come from him. So
4 when you guys begin to eliminate or add or
5 whatever you're going to do, that will be the
6 number that's going to come back here to be
7 compared to Joe's number. And we need to do that
8 ASAP so that we can adopt, do what we need to do
9 to keep on schedule.

10 If there's any information you need, Yitz
11 can furnish that. And I hope I was right in
12 telling my two colleagues on finance that your
13 recommendation will be, even though they get the
14 promotion, they will not actually get the raise or
15 whatever until 2016, which we are in full
16 agreement to, full agreement.

17 I'm sorry, 2015. All right.

18 COMMISSIONER BAZIAN: You just scared a
19 whole bunch of people.

20 PRESIDENT KOLODZIEJ: I tend to do that.
21 I'm a very scary person.

22 All right. So we'll have that number and
23 we'll have that. Let our chairman know when
24 you're meeting so he can fill you in and vice
25 versa.

1 Okay. I have a question. I have been
2 told that our summer intern program has come to a
3 halt on September 1st. There is nobody in our
4 employ who is a summer person or an intern.

5 COMMISSIONER LEVINE: I think there's one.

6 PRESIDENT KOLODZIEJ: Well, the bottom
7 line is --

8 COMMISSIONER CLEAVES: There shouldn't be.

9 PRESIDENT KOLODZIEJ: I asked in a paper
10 trail as to how that came about because we have a
11 policy which involves the personnel committee. So
12 can I ask you to look into that one person to see
13 what's happening and also to finalize, because we
14 have a lot of hours that are available for some of
15 the people, right, in their skill level, to fill
16 some of those positions that you're looking for,
17 Joe?

18 COMMISSIONER CLEAVES: This one is an
19 intern still or is it a summer help?

20 MR. BELLA: Intern that was approved at
21 the July -- not the July, June meeting.

22 PRESIDENT KOLODZIEJ: I asked Joe to
23 furnish the hard copy to me for that, because I
24 assumed everybody was gone.

25 COMMISSIONER CLEAVES: It was approved by

1 who?

2 COMMISSIONER SANCHEZ: Why did we keep one
3 intern?

4 PRESIDENT KOLODZIEJ: That's what we're --

5 MR. BELLA: Six months, right. Six
6 month-time period. He was approved in June, six
7 months.

8 COMMISSIONER SANCHEZ: We were going to
9 let everybody go and start back in September, so I
10 mean...

11 MR. GALLAGHER: Everybody went.

12 PRESIDENT KOLODZIEJ: Except one.

13 MR. GALLAGHER: Joe approved him to come
14 back.

15 COMMISSIONER SANCHEZ: That's not what we
16 said. We said make them come back all at once in
17 September. That's the idea we were talking. I
18 was under the idea nobody was here --

19 PRESIDENT KOLODZIEJ: Correct, me too.

20 MR. BELLA: I thought it was six months.

21 PRESIDENT KOLODZIEJ: It should have been
22 clarified with the chair. You go to those
23 meetings. It's not that these people are not
24 going to be invited back.

25 Can your committee please put the terms of

1 how they will be hired back because there will be
2 additional hours we can give them. But your
3 committee is supposed to get that. Your committee
4 is supposed look at that. Correct?

5 COMMISSIONER CLEAVES: Correct.

6 PRESIDENT KOLODZIEJ: Thank you. We're
7 good.

8 MR. AMODIO: IT.

9 COMMISSIONER BAZIAN: No report.

10 PRESIDENT KOLODZIEJ: Legal affairs.

11 COMMISSIONER DeVITA: No report

12 PRESIDENT KOLODZIEJ: What happened to
13 finance?

14 MR. AMODIO: I'm sorry, finance.

15 COMMISSIONER BAZIAN: The budget is on
16 track for completion.

17 I will say this: Those of you know that I
18 don't hesitate to call our CFO out if numbers
19 don't add up or budgets aren't submitted on time,
20 but his work on the budget so far has, in my
21 opinion, been excellent. It looks like for the
22 first time in my tenure here, we're actually on
23 track to - is the term "adopt" the budget in
24 October and --

25 PRESIDENT KOLODZIEJ: Introduce.

1 COMMISSIONER BAZIAN: Introduce it in
2 October. Technical terminology for some reason.

3 The budget looks to me to be one of the
4 comprehensive, by which I mean that the budget
5 narrative that will accompany it is now going to
6 have a lot of detail that it did not have,
7 including any amounts that are budgeted for
8 potential additional hires, promotions, et cetera.

9 We are looking very, very closely at
10 revenues and expenses and we are reviewing what
11 the projected rate increase is. Last year we
12 adopted a plan. We are reviewing that for 2015
13 with an eye towards possibly reducing it if we
14 can. And I have hopes on that score. More to
15 come in the next meeting.

16 And just to piggyback on what Commissioner
17 Cleaves said. Obviously, the personnel committee
18 is now reviewing what the plans are going to be in
19 terms of personnel going forward. So I guess we
20 can discuss numbers, compare it with what Joe's,
21 so I guess we will have a budget. So we should
22 not be in a situation ever where we say: I wonder
23 whether something is in the budget. Okay. Bottom
24 line is, especially, now that we have one year of
25 transition, next year it's either something that

1 we have specifically budgeted for; a lot of the
2 stuff is standard, like chemicals. Stuff that we
3 specifically budgeted for, like personnel, where
4 we can plan for and if we haven't specifically
5 budgeted for, we either A, don't do it or B, have
6 to specifically amend the budget. That's the way
7 it's got to work. That's the way it should work.

8 I do have one request, since we're talking
9 about and you can call me out of order for this,
10 but I wanted to ask about the October 15th
11 meeting. We had discussed that whether it might
12 be possible to reschedule that because it falls --

13 PRESIDENT KOLODZIEJ: Jewish religious
14 holiday. So the date suggested is the Wednesday
15 after that.

16 COMMISSIONER LEVINE: We're sticking with
17 noon?

18 PRESIDENT KOLODZIEJ: Noon seems to be
19 good for Commissioner Sanchez. We're
20 accommodating him. As long as we don't do it at
21 9:00, he's okay.

22 COMMISSIONER DeVITA: October 22nd.

23 COMMISSIONER BAZIAN: I appreciate the
24 adjustment.

25 COMMISSIONER SANCHEZ: So do I.

1 PRESIDENT KOLODZIEJ: All right. We have
2 an answer to a question, I know it's totally out
3 of order but the question about whether the
4 position that we're going to be voting on that was
5 carried out of closed session is budgeted for. So
6 would you answer those two questions?

7 MR. WEISS: Yes, that position was
8 specifically budgeted for in the 2014 budget.
9 There was a line item for that.

10 PRESIDENT KOLODZIEJ: All right. Specific
11 line item.

12 MR. WEISS: And the other issue that came
13 up in closed session in terms of changing another
14 position that's not on the agenda for today but we
15 talked about it's going to be done in the future,
16 that is specifically being budgeted for the 2015
17 budget. That's in there.

18 PRESIDENT KOLODZIEJ: Okay. All right.
19 So that's clarified. That might affect the way
20 you vote or not.

21 All right. So now we're to Executive
22 Director's report.

23 Joe.

24 MR. BELLA: Again, the projects that are
25 slated on line are on time. Everything so far is

1 on budget. We're making great progress.

2 The interesting aspects of what's going on
3 down at the treatment plant in terms of demand,
4 demand is staying low, but very nice. It's not at
5 very high yet. We're not seeing summertime
6 demands where some of the peaks we see fall. It's
7 not wintertime demands. So it should finish up a
8 little behind in terms of our revenue projections
9 for this year, but everything else is working
10 fine.

11 We don't have any major issues going on
12 that we hadn't talked about already.

13 PRESIDENT KOLODZIEJ: The two items
14 granting our request to use our facilities will be
15 voted on later. Can we do it now?

16 MR. AMODIO: We can do it now.

17 PRESIDENT KOLODZIEJ: Let's do it right
18 now. The Passaic County Elks Cerebral Palsy wants
19 to use that with a hold harmless and also the
20 Passaic Police Academy with a hold harmless.

21 COMMISSIONER SANCHEZ: So move.

22 MR. AMODIO: Move by Commissioner Sanchez.

23 COMMISSIONER GRADDY: Second.

24 MR. AMODIO: Second by Commissioner
25 Graddy.

1 Roll call.

2

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

5

6 PRESIDENT KOLODZIEJ: I know I'm jumping
7 out of order, but while Joe is front and center,
8 there is a contract to be awarded for the Seismic
9 Retrofit of the New Street Reservoir Dam.

10 We discussed this at length in finance and
11 I really think, Joe, can you give a synopsis of
12 this mandate?

13 This is another mandate from the State and
14 your comments on this, because I think it's
15 appropriate to how helpless we are at upper levels
16 of government.

17 MR. BELLA: Basically, it's to, and I need
18 a detail engineering, there's the guy, but it's
19 basically to take the dam and keep it in case of
20 an earthquake -- I'll let him tell you.

21 MR. DUPREY: When the dam was evaluated by
22 structural experts in that area, they determined
23 that it was acceptable with one exception, and
24 that was a horizontal earthquake in a certain
25 direction parallel to the dam.

1 We then, under the DEP dam, they required
2 us to go out and have improvements designed that
3 would mitigate that. And this is the construction
4 documents to approve that contract to do that
5 work, to actually physically get that work done so
6 that that dam would be in compliance.

7 MR. BELLA: So...

8 PRESIDENT KOLODZIEJ: And, again, it's not
9 that our team has not been there in saying: Look,
10 we don't mind fixing this dam or bringing it up,
11 but you're asking us to have it to the standards
12 of the State of California.

13 But, again, deaf ears. Have to do. It's
14 on the agenda. We're required to do it. So I just
15 wanted you to hear the logic in how --

16 COMMISSIONER SANCHEZ: What's the total
17 cost?

18 MR. BELLA: 1.7 million.

19 MR. DUPREY: Actually, it's lower than we
20 expected. The bids were very compelling.

21 MR. BELLA: That's what we budgeted for.

22 PRESIDENT KOLODZIEJ: I just wanted you to
23 hear that because it's incomprehensible to me the
24 logic.

25 COMMISSIONER LEVINE: Did you have any

1 public hearings, Joe?

2 PRESIDENT KOLODZIEJ: Nobody cares about
3 how much we spend on the New Street Dam, but maybe
4 even Woodland Park would need a little update of
5 what we're doing on New Street and why.

6 Okay.

7 COMMISSIONER BAZIAN: Will that affect New
8 Street residents for the work?

9 COMMISSIONER SANCHEZ: He's going to do it
10 at night.

11 MR. BELLA: No.

12 COMMISSIONER BAZIAN: Just asking.

13 MR. BELLA: No, it's more in the base of
14 the dam.

15 PRESIDENT KOLODZIEJ: I think it might be,
16 you know, different things that we could think of
17 that we a need to alert Woodland Park to. It's
18 that new step, that new era that we're entering
19 into. So we'll do that.

20 MR. AMODIO: Comptroller's report.

21 PRESIDENT KOLODZIEJ: Yes, absolutely.

22 MR. WEISS: Cash on hand is 14.3 million.

23 Accounts receivable is 13.6. Our 30 days
24 or less accounts receivable is at 13.1 million,
25 that's almost 97 percent which is great.

1 Our accounts payable is at 4.4 million.

2 As you heard, the budget process is moving
3 along. We expect to have the full budget for
4 approval at the next meeting.

5 MR. AMODIO: Any questions?

6 PRESIDENT KOLODZIEJ: Hearing none, moving
7 right onto Consent Agenda, I hope.

8 MR. AMODIO: Yes.

9 Minutes of Passaic Valley in camera and
10 regular public session meetings held August on
11 20th, 2014.

12 Do I have a motion?

13 COMMISSIONER DeVITA: Move.

14 MR. AMODIO: By Commissioner DeVita.

15 COMMISSIONER GRADDY: Second.

16 MR. AMODIO: By Commissioner Graddy.

17

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

20

21 MR. AMODIO: Next: Does the Chair accept,
22 receive, and file miscellaneous purchase orders
23 placed by Linda Beckering, Purchasing Agent, for
24 the period of August 11, 2014, to September 7th,
25 2014?

1 PRESIDENT KOLODZIEJ: Yes, I do.

2 MR. AMODIO: Thank you very much.

3 Item 6 (a) Contract #14-B-20 is on hold.

4 If you'd like, I could recite the
5 following resolutions and we could do it as one
6 vote.

7 PRESIDENT KOLODZIEJ: Yes.

8 MR. AMODIO: Contract #14-B-23 "Seismic
9 Retrofit of New Street Reservoir Dam"
10 Recommendation to Award a 270 days contract to
11 Sparwick Contracting, Inc. in the amount of
12 \$1,116,899.

13 Next we have State Contract Purchase
14 Telecommunications Services with NEC Corporation
15 of America of Irving, Texas in the amount of
16 \$34,756.72.

17 Next we have State Contract Purchase
18 Office Furniture With Business Interiors by
19 Staples of Stamford, Connecticut in the amount of
20 \$8,012.90.

21 Next we have Resolution Authorizing Shared
22 Services Agreement with U.S. Geological Services.
23 Question.

24 PRESIDENT KOLODZIEJ: Did we miss the one
25 on the water storage?

1 COMMISSIONER DeVITA: That's a hold.

2 PRESIDENT KOLODZIEJ: That's a hold.

3 Okay. Sorry. Hold.

4 MR. AMODIO: Motion.

5 COMMISSIONER BAZIAN: Move it.

6 COMMISSIONER SANCHEZ: Second.

7 MR. AMODIO: By Commissioner Bazian.

8 Second by Commissioner Sanchez.

9 On the roll.

10

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

13

14 MR. AMODIO: Moving onto New Business.

15 Summary of Disbursements and Payrolls

16 through September 17, 2014 in the amount of

17 \$4,257,487.92.

18 Do I have a motion?

19 COMMISSIONER BAZIAN: So moved.

20 COMMISSIONER SANCHEZ: Second.

21 MR. AMODIO: By Commissioner Bazian.

22 Second by Commissioner Sanchez.

23 On the roll.

24

25 (Roll call was taken, all Commissioners

1 respond in the affirmative)

2

3 COMMISSIONER DeVITA: Abstain on Rachles
4 Michelle.

5 COMMISSIONER BAZIAN: Abstain on Dell.

6 And do we have APV?

7 MR. AMODIO: I do not see them on the
8 list.

9 COMMISSIONER BAZIAN: Okay. Don't worry
10 about it.

11 MR. AMODIO: Recommendations from closed
12 session.

13 First is a Resolution Authorizing
14 Modification to a Shared Services Agreement for
15 water supply with the town of Harrison.

16 Do I have a motion?

17 COMMISSIONER SANCHEZ: So moved.

18 MR. AMODIO: By Commissioner Sanchez.

19 COMMISSIONER CLEAVES: Second.

20 MR. AMODIO: By Commissioner Cleaves.

21 On the roll.

22

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

25

1 MR. AMODIO: Next we have Personnel.

2 COMMISSIONER SANCHEZ: Can we do
3 everything at once?

4 COMMISSIONER BAZIAN: With the exception
5 of that promotion. Do that separately.

6 MR. AMODIO: We'll do items 1 through 5.

7 New Hires: Kevin Allen and Zackary
8 Miranda - Assistant Water Treatment Plant
9 Operators.

10 Proposed Salary: 38,000.

11 Proposed Range: 25,000 to 55,245.

12 Matthew McCoy - Laborer.

13 Proposed Salary: 32,000.

14 Proposed Range: \$16,315 to \$56,285.

15 Mari Blanco and Aaron Simmons -

16 Keyboarding Clerk 1.

17 Proposed Salary: 35,000.

18 Proposed Range: \$15,023 to \$51,906.

19 Do I have a motion?

20 COMMISSIONER CLEAVES: So moved.

21 COMMISSIONER BAZIAN: Second.

22 MR. AMODIO: Move by Commissioner Cleaves.

23 Second by Commissioner Bazian.

24 On the roll.

25

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

3
4 COMMISSIONER GRADDY: Question on the
5 motion.

6 The proposed range of 15 to 51, how did
7 that come about? Somebody starts at 15?

8 PRESIDENT KOLODZIEJ: He's concerned about
9 the range; the 15 being the lowest and then all
10 the way up to 51. That's an awfully big range.

11 MR. GALLAGHER: The lower end of the range
12 has never been adjusted. It's one of the things
13 we talked about for a number of years and it's
14 never -- it's something we have to go down to
15 Civil Service. But it's just... The employees
16 are usually only interested in the upper part of
17 the range.

18 COMMISSIONER LEVINE: That's where they
19 max out.

20 PRESIDENT KOLODZIEJ: So, basically, in
21 2015 maybe that personnel committee can address
22 this issue and maybe start cleaning --

23 COMMISSIONER SANCHEZ: I think it's a
24 matter of Civil Service.

25 PRESIDENT KOLODZIEJ: Yeah, but I still

1 think we ought to know what our options are. Just
2 because something is kind of silly doesn't mean we
3 have to -- that's one thing I don't think we have
4 to accept. I think we can probably get some
5 movement, but not this year. We got enough on our
6 plate right now.

7 MR. AMODIO: So Commissioner Graddy?

8 COMMISSIONER GRADDY: Yes.

9 MR. AMODIO: Thank you.

10 Next will be Michael O'Brien - Assistant
11 General Supervisor Water.

12 Proposed Salary: 75,000.

13 Proposed Range: \$51,665 to \$102,232.

14 Do I have a motion?

15 COMMISSIONER DeVITA: Move.

16 COMMISSIONER CLEAVES: Second.

17 MR. AMODIO: On the roll.

18 COMMISSIONER LEVINE: I'm not saying no to
19 this. I just want to table. I just want to make
20 sure the range -- I don't want to say no. I just
21 want to make sure everything is --

22 MR. AMODIO: What's your vote?

23 COMMISSIONER LEVINE: I want to table it.
24 I don't know how you want to do it. I don't want
25 to say no.

1 PRESIDENT KOLODZIEJ: I'm entertaining a
2 motion to table.

3 Do I have a second?

4 COMMISSIONER LEVINE: No, no, no. I'm
5 saying I don't want --

6 PRESIDENT KOLODZIEJ: Are you making a
7 motion to table?

8 COMMISSIONER LEVINE: No. I just want to
9 abstain. I didn't want to vote down the motion.

10 MR. AMODIO: You abstain.

11 COMMISSIONER SANCHEZ: Well, I tend to
12 work with the leadership of this organization. It
13 was the Executive Director's recommendation that
14 we do this, and, therefore, I vote yes.

15 MR. AMODIO: Thank you.

16 COMMISSIONER GRADDY: Yes.

17 COMMISSIONER CLEAVES: Yes.

18 COMMISSIONER BAZIAN: For the reasons that
19 I stated before, given that this is my explicit,
20 meaning the budget, this is actually not a
21 reflection on the employee nor an attempt to
22 invalidate the word of our Executive Director, but
23 I do have to vote no.

24 COMMISSIONER CLEAVES: That is budgeted
25 for.

1 COMMISSIONER BAZIAN: That is budgeted
2 for? Then I reverse my two cents. I'm sorry. I
3 apologize. I didn't pick up on that. Then, yes.
4 Yes.

5 COMMISSIONER DeVITA: Yes.

6 COMMISSIONER KOLODZIEJ: Yes.

7 MR. AMODIO: Approved.

8 MR. AMODIO: Okay. Anything under Good
9 and Welfare?

10 COMMISSIONER BAZIAN: Motion to adjourn.

11 MR. AMODIO: Okay. Motion by Commissioner
12 Bazian.

13 Second by Commissioner Graddy.

14 On the roll.

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

18
19 MR. AMODIO: The time is 2:21.

20 Thank you, everyone.

21
22 (Proceedings concluded)

23

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C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XIO1388, a
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of New Jersey, certify that the foregoing is a true and
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