

PASSAIC VALLEY WATER COMMISSION MEETING OF  
DECEMBER 21, 2011  
(OPEN SESSION)

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

THOMAS P. DeVITA, President  
RIGO SANCHEZ, Vice-President  
JEFFREY LEVINE, Treasurer  
MENACHEM BAZIAN, Secretary  
IDIDA RODRIGUEZ  
GLORIA KOLODZIEJ  
ROBERT VANNOY

A L S O     P R E S E N T :

JOSEPH A. BELLA, Executive Director  
GEORGE T. HANLEY, Counsel  
JAMES G. DUPREY, Director of Engineering  
JAMES J. GALLAGHER, Personnel Director  
YITZ WEISS, Comptroller  
LOUIS AMODIO, Administrative Secretary

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PRESIDENT DeVITA: Let's call our meeting  
to order.

MR. AMODIO: Roll call.

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

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MR. AMODIO: You have a quorum.

The time is 9:40.

All of the requirements of the Open Public Meetings Act have been met. Commission meetings notice have been noticed to all Commissioners, city clerks of Paterson, Passaic and Clifton, North Jersey Herald News, The Record - Passaic County edition and the Commission's executive staff with a copy posted on the main bulletin board.

Please rise.

Commissioner Kolodziej, would you please lead us.

I don't believe there's any member of the public. So if we could, we could start with committee reports.

PRESIDENT DeVITA: Let's start with IT. Wait a minute, somebody from the Sheriff was going

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to be here. They're not here.

COMMISSIONER KOLODZIEJ: They were supposed to send something. Joe was just telling me. We keep pushing for a better bottom line. Joe said they just got it yesterday. So his recommendation is we table it one more month. If he comes, then we'll --

PRESIDENT DeVITA: We were just talking about you.

SHERIFF BERDNIK: My ears were ringing.

COMMISSIONER KOLODZIEJ: Sheriff Berdnik  
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himself.

PRESIDENT DeVITA: Let's start with the Sheriff.

SHERIFF BERDNIK: Hi, everyone.

PRESIDENT DeVITA: Sheriff, welcome.

SHERIFF BERDNIK: Thank you very much.

First of all, I apologize for being late. I have to yell at my driver, which is myself.

COMMISSIONER RODRIGUEZ: So you mean you don't have a driver?

COMMISSIONER KOLODZIEJ: Mr. Bella has explained to us that he brought in an alternate proposal yesterday, taking into consideration the recommendation that our Director made in how to

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position the security people. So that should change the bottom line of what we've been looking at.

SHERIFF BERDNIK: Well, we have actually three proposals. The Business Administrator was supposed to be here today and he's actually the one that prepared these proposals and the situation is that he was called to deposition. So you have the Sheriff today.

PRESIDENT DeVITA: We had to settle for you.

SHERIFF BERDNIK: The third proposal, really at this point, has to be examined further only because of the fact we only got it together yesterday at 11:00 and I think there's a few other

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matters that come into play.

COMMISSIONER VANNOY: Did you just hand something out?

SHERIFF BERDNIK: I'm not that quick.

But, again, the two proposals I feel are most important, of course is number one.

Do we have a copy for everyone of those?

COMMISSIONER KOLODZIEJ: We had the first two copies and it keeps getting more expensive every time we get a copy. That was the second one

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that we had had and we have not even seen this one at all.

PRESIDENT DeVITA: You know what, Sheriff, if I may? We were under the impression the cost was going to go down somewhat. When we did the math on it, it went up.

SHERIFF BERDNIK: I think the problem is, is that what came into play was the fact that there were raises that were accumulated over the years. And, again, I think if costs were compared dollar to dollar what it was back then, of course, there would be a savings.

The problem with the officers, unfortunately, is those raises and it does raise the hourly rate substantially. What we did was to try to save some money, was lower the hourly rate by putting in a lower step employee, so to speak. Not that you're going to get a lesser quality, but the idea was to save you money. So that's what was done.

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So, again, the first proposal for the most part gives you two Sheriff's Officers for days and evenings and one Sheriff's Officer for nights. Of course, this will provide you with 24/7 coverage.

In addition to that, again, if you're

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looking to save money as far as, and I think this is really when a cost savings comes to you, is the security officers. We will hire retired officers. They will be employed by us. The benefit to you with that is the fact that you have one person that is overseeing the entire operation. So, it's not that one side is doing one thing and another side is not doing something different.

And we will provide the background checks. Those employees will actually be ours, so you won't have to do background checks. The benefit also, again, of having the Sheriff's Officers, we do your confined space entries and this is something I think that's very important. Not to mention that I think that over the course of the years, we've been quite successful in deterring crime. I don't have to tell you that. In today's times, and I'm sure you've seen other areas, have been subject to vandalism.

So, again, my proposal or my advice to you would be is to go with, of course, the best package. I know we're under financial constraints. You have to make the best decision possible.

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Option number two will actually cut down

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the number of Sheriff's Officers from two to one and one on nights. Of course that will give you 24/7 coverage with also the option for security guards.

And, again, I think where the benefit comes to you is that as you, whether it be through attrition or however you see fit, you eliminate those security guard positions. That's where the substantial savings comes in and you derive the benefit of having an experienced retired law enforcement officer there that, again, we don't have to train and they have at least 25 years or 20 plus years experience.

COMMISSIONER VANNOY: When you say eliminate security, you're talking about our personnel?

SHERIFF BERDNIK: Yes, correct. That was originally proposed. That was not my proposal, that was --

COMMISSIONER RODRIGUEZ: Discussed.

PRESIDENT DeVITA: I'm sorry, proposal two would be cutting down to one person 24 hours.

SHERIFF BERDNIK: It would be one officer for days and evenings; 7A to 7P shift. And then we would have one officer from seven to seven on

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evenings.

PRESIDENT DeVITA: Not two, just one?  
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SHERIFF BERDNIK: Yes.

COMMISSIONER KOLODZIEJ: I have a question and I think it's just an overview question because I'm a firm believer in you get what you pay for.

I like the idea of our officers being familiar with Passaic County and our facilities, but when you say you will use retired officers, that's what we were hoping. Because retired officers, you kind of set the pay scale. Your proposals do not reflect that cost. In other words, it's based on a cost of actually using existing sworn officers, correct?

SHERIFF BERDNIK: I'm trying to think if that was in any updated proposal.

MR. BELLA: The first one is all officers, but two around the clock.

The second proposal is all officers, but one on each shift.

PRESIDENT DeVITA: But not retired.

SHERIFF BERDNIK: Those are -- correct. Correct.

COMMISSIONER KOLODZIEJ: So what I'm saying to myself, we have drawdown contracts on

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other services that we go out for. Having had experience with the police department in Clifton, are you allowed, under your current structure with your union, to hire retired people to do this or are you -- we're under the impression that it's a constraint, that you have to deal with your union

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and if they don't okay it.

SHERIFF BERDNIK: well, because of the fact that there is actually a security guard position within the Sheriff's Department, we currently hire retired officers.

Let me just back up, if I may. These officers that you'll have, have full powers of arrest, as you know, and enforcing the law, which they've done pretty much regularly while they've been there.

The retired officers have no power of arrest. Again, they are there as guards. And what we have and utilize within the Sheriff's Department are called interim employees. These officers are paid a per diem rate, so to speak. And that's the concept that we're using here. These positions will be -- actually, it's my understanding they'll be Civil Service positions. They'll be part-time positions for guards.

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So, again, what it will be is a flat rate fee of \$18 an hour for that officer with no benefits, of course. And that's actually where the savings come into play. You can use, again, as you see fit, determine how many of those you want to use and what hours you want to use them.

PRESIDENT DeVITA: Are those retired officers?

SHERIFF BERDNIK: Yes, they are. Those are retired officers from various departments. We already put it out through the network that we are  
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looking for those officers. So you'd be getting people primarily that are familiar, again, with the facility, because of the fact they've been a law enforcement officer. You may have law enforcement officers that work in that town, that will actually be there, which is an added benefit because now, of course, I don't have to tell you, they've got friends within the department. So, you know, it's a win/win situation in that regard.

PRESIDENT DeVITA: But they're not necessarily retired Sheriff's Officers?

SHERIFF BERDNIK: No, right. It could be a retired Sheriff's Officer; a retired police officer; a retired corrections officer.

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PRESIDENT DeVITA: They have the authority to detain people?

SHERIFF BERDNIK: Yes, they would.

PRESIDENT DeVITA: But not arrest?

SHERIFF BERDNIK: And the other benefit there is going to be, as I said, they're going to have direct communication with the Sheriff Officers. So they'll be on the same radio frequency. So they will be an additional set of eyes and ears for the Sheriff's Department. The benefit there, like I said, is that everybody is working together. They'll all be scheduled under one boss, which you derive the benefit of a supervisor here. Again, it's in the contract that we would provide that. We would oversee the

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entire operation.

COMMISSIONER VANNOY: Can they carry a firearm, the retired?

SHERIFF BERDNIK: Well, they can carry a retired firearm under the law, but they cannot carry it to do the job.

COMMISSIONER BAZIAN: I don't understand.

SHERIFF BERDNIK: A retired police officer is allowed to carry under HR 218, a firearm. And that's basically, again, a law that was passed not

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to go out and do security work and things like that. It's just basically there to be just an extra set of eyes and ears God forbid something should happen.

COMMISSIONER RODRIGUEZ: Once they retire, they still bring everything they've done with them.

SHERIFF BERDNIK: That's right. The guidelines are very strict in that regard, you don't see --

COMMISSIONER BAZIAN: They would not be allowed to wear their firearm in the midst of doing a security job?

SHERIFF BERDNIK: Yes, we wouldn't allow that. Again, there would be a liability factor.

COMMISSIONER LEVINE: If we went with one and one, Sheriff, would we be able to use one of the retired if we had our own car or something we could put and have them be the second officer to work with, you know, to save us money, by having,

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you know, one of the retirees? You said, they're 18 bucks an hour, be one of the ones that actually drive around the facility also with the other officer instead of putting two.

SHERIFF BERDNIK: well, what's going to

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happen is the two that are on, they're not in the same car. They're both in separate vehicles.

COMMISSIONER LEVINE: Put a second car. Instead of having --

COMMISSIONER RODRIGUEZ: No, they're not going to be driving together.

COMMISSIONER LEVINE: I understand that. That's what I'm asking. If they're not going to be driving together --

SHERIFF BERDNIK: We can have, again, we can have a security officer patrol inside the facility. And, again, an emergency they can respond to another facility. But the problem, again, is that, you know, they don't have the law enforcement power, so that's --

COMMISSIONER LEVINE: The one Sheriff's officer would have, but not saying within the same car; two separate cars.

SHERIFF BERDNIK: There's no doubt.

COMMISSIONER LEVINE: Instead of two regular Sheriff's Officers --

COMMISSIONER BAZIAN: Can I ask a stupid question?

COMMISSIONER LEVINE: -- Put one and one.

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having the problem is is the necessity to have somebody with arrest powers. No company, no company with a large premises of any kind that I know of does that. I mean, Roche doesn't do it.

COMMISSIONER LEVINE: Colleges do.

COMMISSIONER BAZIAN: The question is in all the circumstances, if there's an issue, the security guards would detain the suspect, call the police, and the police would come and handle the arrest. Why do we need to have a sworn police officer working guard duty at the Water Commission?

COMMISSIONER KOLODZIEJ: You don't consider us a critical facility in this day and age of terrorism and things like that? I am extremely concerned that we would be vulnerable.

COMMISSIONER BAZIAN: Hold on a second. The only difference we're talking about is whether or not they would have the power to arrest.

SHERIFF BERDNIK: You see, the fact that you're covering the entire county with officers, that's the difference. The officer has the power to arrest trespassers; the power to issue summons; the power to actually do the job.

As a security guard when you say "detain,"

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their detaining is stop. From that point, that person is going to flee or give them a hard time.

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They have no power to do anything as far as the arrest. Like I said, they are there as a deterrent, physical deterrent, as eyes and ears; but they don't have the authority that an officer has.

PRESIDENT DeVITA: I have a question. Would the retired officers, would they be used in conjunction with a regular Sheriff's Officer at the same time?

SHERIFF BERDNIK: Yes. Yes. Again, the way that I understand it is that there are security people that are currently there, manage the guard booth, they monitor the cameras, and, again, you know, the way that I see it is that that's the perfect spot for that guard. They're the eyes and ears at these facilities where they're used.

In the event there's a problem, then they automatically have the ability, like I said, via radio to contact the Sheriff's Officer, not only that one, quite honestly, you're going to have quite a few officers responding based on the fact that they are all monitoring that radio.

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PRESIDENT DeVITA: So the retired officers we're talking about will be working at the guardhouse?

SHERIFF BERDNIK: Yes. Again, various positions within. There currently are guards that are staffed there. Again, excuse me for not

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knowing the exact positions, but my understanding is there's four or five guards that are currently assigned.

PRESIDENT DEVITA: Our guards?

SHERIFF BERDNIK: Yes.

COMMISSIONER VANNOY: I have a question.

COMMISSIONER KOLODZIEJ: we would like to phase out potentially.

COMMISSIONER VANNOY: The retired officers that we're talking about, they would only be at the Little Falls plant, they're not out and about?

SHERIFF BERDNIK: No, they're in fixed locations. Exactly.

COMMISSIONER VANNOY: Because to me the biggest deterrent is the firearm. I'm not a criminal, but if I see somebody not having a gun, I'm going to probably take my chances, you know. But a gun makes a big difference. You know, it's like a camera, if you know a camera's there, we

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try to deter people.

PRESIDENT DEVITA: Will we be getting the third proposal?

COMMISSIONER KOLODZIEJ: He just got it yesterday.

SHERIFF BERDNIK: It's something that has to be tweaked. Because like I said, I didn't have time to review that.

PRESIDENT DEVITA: Okay. So we're going to be getting that?

SHERIFF BERDNIK: Yes. Yes. We will give  
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you that, definitely.

COMMISSIONER KOLODZIEJ: We're pretty much to the point that we can make a decision. I respect the individual opinions that may be around this table.

But I want to go back to some of us, not all of us, have gotten, I don't know through what route, but we've gotten a private sector proposal. Obviously, they are using all retired people, which is why they can sharpen their pencil. But I'm saying to myself after listening to you this morning, \$18 an hour, no benefits is a bargain. And I am hard pressed to believe that in this day and age increases that private sector person is

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going to be able to hire any kind of decent person for less than \$18 an hour.

So I'm very comfortable with what you've explained. We're going to have a chance to read a proposal.

The only sticky point and we spent a lot of time yesterday at the finance committee meeting dealing with the part of the contract that deals with the furnishing of cars. And I think that discussion is important this morning so that we can further discuss that.

The interesting point with the private sector proposal was they didn't even mention cars at all. So I'm sure they're not bringing their own cars. So I would rather have that discussion

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with you so that we can have that discussion later  
on together.

So currently, Joe, can you explain to my  
colleagues how we furnish the Sheriff's Department  
with cars right now?

MR. BELLA: We just bought two, yeah, it  
was two.

SHERIFF BERDNIK: I think it was three.

MR. BELLA: Three. They purchased them  
and we just pay for them.

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COMMISSIONER KOLODZIEJ: Right. But if we  
decided not to have this contract anymore, it's my  
understanding from yesterday's discussion that  
they own those cars. We purchased them, but they  
own them. Did I listen correctly yesterday?

MR. BELLA: Yeah, that's correct.

COMMISSIONER KOLODZIEJ: So I'm thinking  
part of what I saw in your proposal number one was  
it would be the same arrangement. That we would  
purchase the cars and you would own those cars  
after. So that's something we need to discuss.

SHERIFF BERDNIK: Also, the reason for  
that is we have to equip those cars. It's a fully  
equipped police car with a defibrillator all the  
way to life sirens; so. And that's also part of  
the reason.

Also, just so you know, the vehicles  
aren't born, because I don't have to tell you,  
there's 31 facilities or different properties that  
we check. So the cars that we have, the wear and  
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tear is tremendous. Because driving throughout the county puts a lot of mileage on those vehicles and included in that, of course in that proposal, is the fuel.

COMMISSIONER KOLODZIEJ: I didn't

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understand that. I mean, I didn't realize once we purchase this car, then you take it and just do what the City of Passaic, Paterson, and Clifton would do and then equip that with all the technology and that's at the Sheriff's Department expense?

SHERIFF BERDNIK: Correct.

COMMISSIONER LEVINE: Sheriff, the cars you have now, are they still, the ones we purchased last time, are they still good enough to use for this contract?

SHERIFF BERDNIK: No. That's why we actually put it in there. Because of the fact, like I said, there's high mileage. We actually need vehicles. We would go with a larger vehicle, in this case, more like a Tahoe, because of a higher clearance. We found that to be a problem for some of the areas that they have to enter into and that's actually the vehicle that we would go with specifically for this operation.

COMMISSIONER VANNOY: Did I just hear, I heard Joe say we purchase the cars, you pay for them?

MR. BELLA: I think we reimbursed --

PRESIDENT DeVITA: We pay for them and the

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Sheriff's car --

COMMISSIONER VANNOY: We buy them for you?

SHERIFF BERDNIK: Yes. Correct.

COMMISSIONER RODRIGUEZ: Sheriff, point of clarification. Do we buy you, not you, but we buy the department a unequipped car basically and then the sheriff equips it with all the technology.

SHERIFF BERDNIK: Yeah. In other words, you'll buy the basic car. We supply the inside stuff in the car equipped.

PRESIDENT DeVITA: Do we pay for that, Sheriff, the cost?

SHERIFF BERDNIK: Pay for?

PRESIDENT DeVITA: The equipment inside?

SHERIFF BERDNIK: Not inside, no.

COMMISSIONER SANCHEZ: Is there any way to know the cost of the vehicle?

MR. BELLA: Thirty-four or 30.

PRESIDENT DeVITA: Thirty-two it was.

COMMISSIONER LEVINE: All Tahoes?

SHERIFF BERDNIK: Yes, they'll all be Tahoes.

COMMISSIONER RODRIGUEZ: It makes sense. I agree with what you're saying because to get into some of the reservoirs, because we have

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regular cars and with the snow.

SHERIFF BERDNIK: The other benefit, I  
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don't have to tell you, the Sheriff's Officers during their duties have assisted employees.

And, again, this is important that you know, you're in a vehicle that is going to get you where you need to go when there's room and just another aspect.

COMMISSIONER LEVINE: Does the amount of cars differ between option contract one and contract two since there's different amount of employees or is it the same?

SHERIFF BERDNIK: As far as I know, it's the same because we still need the vehicles to do the job.

COMMISSIONER KOLODZIEJ: And the change, Commissioner, is in the inside patrolling. Proposal one calls for two inside people. New proposal calls for one. But that's the change. They're just walking. They're around, not driving around.

MR. BELLA: I think he's saying we need two.

COMMISSIONER KOLODZIEJ: The third proposal is the one we saw last year, the prices

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have changed since then. The bottom line, whether you go with the Sheriff's Department or whether you go with the private sector person, cars are an issue.

The private sector, and the only proposal, I hope somebody else has seen it, because if I'm

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only the one that saw it, I'm feeling suspicious;  
but anyhow.

PRESIDENT DeVITA: Which one?

COMMISSIONER KOLODZIEJ: From an outside  
firm.

PRESIDENT DeVITA: I never saw it.

COMMISSIONER VANNOY: I never saw it,  
either.

COMMISSIONER KOLODZIEJ: Well, you saw an  
original proposal from them. In fact, I went to  
one of their presentations.

COMMISSIONER VANNOY: I didn't make that  
one.

COMMISSIONER KOLODZIEJ: Right. Exactly.

But somebody resubmitted it to me just two  
months ago, the same person, nothing's changed,  
but here it is, Commissioner.

So what I'm saying here is, this car issue  
was not addressed by them and that would be

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another expense by them.

So whatever yardstick each one of you  
individually chooses to use in your mind to create  
the kind of stability security that we need is an  
individual, you know, choice.

But I'm so glad, Sheriff, that you're here  
because it's wasted on just three Commissioners  
because we can't do justice in reiterating that  
for the people around this table.

SHERIFF BERDNIK: If I can interject.

As far as hiring the officers, now, a  
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private security company is probably not going to be as stringent as we are in the Sheriff's Department. These security officers that we hire who are retired policemen are going to have a full background check and we go over their disciplinary records as well. So if there's even the slightest question, we're not going to hire them.

You may have this company come in and say, yeah, you're getting retired officers; but you're getting them from Florida. You're getting them from New York. You can be getting them from anywhere.

So what I'm telling you is primarily 99 percent of the officers that are going to be

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guards here are going to be coming within this county or within, again, if they don't live in this county, but having worked in this county primarily. Because like I said, the benefit there is they're familiar with these facilities and I think that's the added benefit of having these people.

COMMISSIONER SANCHEZ: Sheriff, one more question. Is that a 12-hour shift? Is that what you're proposing?

SHERIFF BERDNIK: Yes. That's currently what they're working; 7:00 a.m. to 7:00 p.m. and 7:00 p.m. to 7:00 a.m.

COMMISSIONER BAZIAN: This proposal was sent in to Joe?

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SHERIFF BERDNIK: Yes.

MR. BELLA: I got the third proposal last night. After we've had this discussion, he's going to tweak it. And even before that, because it was done just at the last meeting. We'll get all three of them out to the Board.

PRESIDENT DEVITA: That will be good.

MR. BELLA: And next month I think we'll be prepared or should be prepared.

COMMISSIONER KOLODZIEJ: We really

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appreciate how rapidly you have responded to our request. Commissioner Vannoy and I have been at this for three years and it took two years before we got a hard copy. Here we have three different proposals, each one moving us closer, in my opinion, to our goal getting the best possible security for a high risk facility.

PRESIDENT DEVITA: Sheriff, thank you very much for coming.

COMMISSIONER RODRIGUEZ: Thank you for coming personally.

SHERIFF BERDNIK: Merry Christmas and Happy Holidays to all.

MR. AMODIO: Carry this for next month. Moving on, would you like to go onto finance?

PRESIDENT DEVITA: Yes. Finance.

COMMISSIONER LEVINE: We were actually reviewing the cars for the, actually, the cars for the water Commission. We're looking as they come

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up side to side; how much the cars cost us for certain people, maybe giving them some other options. Other than, you know, we're going to review it next month and then we'll make a report fully what we figured out with that with the money

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rather than maybe than paying for the cars like we do. The maintenance, maybe giving just a set mileage reimbursement instead for some of the --

PRESIDENT DEVITA: Don't they get mileage?

COMMISSIONER LEVINE: No, not if they get a car. Say they have a car, like Mark Romain has a car. We pay for his car; the insurance; the maintenance, all that. That might accrue 12, \$1300 a month, you know, \$1400 a month. Maybe we just give more of a set mileage reimbursement and he uses his own car rather than -- as the cars come up. As the cars come up for certain people.

COMMISSIONER RODRIGUEZ: I think it's a good idea, no, I think it's a good idea.

COMMISSIONER LEVINE: We have to check liability.

PRESIDENT DEVITA: Give us a report next meeting.

COMMISSIONER KOLODZIEJ: Cost it out.

COMMISSIONER LEVINE: We also have to avoid liability if something happens and talk to Legal, see how that can be done to make sure we lose all the liability if anything happens while they're working.

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during the course of their duties, we're responsible no matter what.

COMMISSIONER RODRIGUEZ: Exactly.

COMMISSIONER VANNOY: So they mess up their car --

PRESIDENT DeVITA: You're going to get sued no matter what period.

MR. HANLEY: If they're in the course of their duties and they didn't do anything grossly negligent or criminal, we're the --

PRESIDENT DeVITA: You're the deep pocket.

COMMISSIONER VANNOY: Let me ask you another question. If they're using their vehicle, but just do it for work and they blow it out or whatever, are we responsible for that? I mean...

PRESIDENT DeVITA: That's why you got a lot of questions.

COMMISSIONER VANNOY: We have some rough terrain. If we're giving somebody \$500 --

MR. HANLEY: That's going to be difficult one way or another.

PRESIDENT DeVITA: That's what finance is going to look into, right?

COMMISSIONER KOLODZIEJ: All of this.

COMMISSIONER LEVINE: Not for every car,

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on an as needed basis.

PRESIDENT DeVITA: I think that's a good  
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idea. We'll look at it and see.

COMMISSIONER VANNOY: Who uses what and goes where? That makes a difference.

COMMISSIONER LEVINE: On an as needed basis.

PRESIDENT DeVITA: It may take you more than a month to look at that, too. Sure. That's fine. We'll carry this, the cars.

Anything else with finance?

COMMISSIONER LEVINE: The budget, and we got down to the five percent or four percent --

COMMISSIONER KOLODZIEJ: Five.

COMMISSIONER LEVINE: Five percent. We reviewed that and I believe that was it.

COMMISSIONER KOLODZIEJ: I was expecting Commissioner Bazian to weigh in, although he came in late.

The budget process is very, very late this year but there were reasons why. We have a new way of monitoring the budget, month-to-month, that took months to set up.

But Commissioner Bazian came with a spreadsheet that was very interesting in regard to

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the key factors of our expenses and I think it has merit for us, not for this budget, because first of all, I have no problem with this budget as presented, but, again, thinking ahead to the future, you can explain it better.

COMMISSIONER BAZIAN: If I may, Mr.

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President.

In reviewing the budget, my basic problem reviewing any budget is that you're given a spreadsheet with over a thousand numbers on it. The critical factors in the budget is breaking it down into categories. The categories I chose to look at, just to focus in on, were salaries, overtime, and travel. Just three that I looked at.

And Yitz was kind enough to send me a spreadsheet. So I took that spreadsheet, basically just sliced and diced the information and presented it to my fellow Commissioners.

My particular concern in looking at a budget is not just the numbers, but the assumptions that go into the numbers. And I've asked Yitz when he does a submission, and I think that we should be starting the discussions, Yitz should be starting these discussions in July. The

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finance committee should get the first draft of the budget no later than the meeting in September. That would give the finance committee and the Board at least three months to review it and pass in November, rather than getting it in November for a passage in December.

I don't mean, necessarily, to criticize, because this year was better than last year, but next year I expect to be on full track with this.

I think it's important that we look at not just the numbers, but where the numbers are coming

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from. What is the assumption? Are we dealing with a budget that is based on the prior year or are we dealing with a zero based budget? In other words, actually reviewed at a number and said forget about what we spent in the past, what do we really need in this line.

COMMISSIONER RODRIGUEZ: That's the way it should be for an entity like this.

COMMISSIONER BAZIAN: I've always done my budget on zero basis budgeting, but that's not always practical in every line item. Okay. For example, salaries, there were a lot of questions I had. For example, I'm seeing an increase in the pumping department of 22 plus percent in salaries

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and 47 percent in overtime. Now, looking at that number, I asked, it's based upon an analysis of the numbers based upon prior years because it's very difficult to do it any different way.

But I think it's very important that we continue with what the finance committee has been doing over the past year and I think we need to get even finer with it.

We need to be looking at every single department, overtime every single month. That should be part of what we get every -- whoever is on the finance committee should be seeing it every single month and we need to be very clear in backing up Joe. And Joe has to be very, very clear with his department directors that overtime

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has got to be kept to a minimum. I'm not interested in whether we're within industry norms. I'm interested in keeping overtime to where it really needs to be in order for us to do our jobs properly.

PRESIDENT DeVITA: Do we get -- I'm sorry, go ahead.

COMMISSIONER SANCHEZ: No, no, I finished that point. I need to go back to personnel.

PRESIDENT DeVITA: we didn't do personnel

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yet.

Can we get monthly overtime reports?

COMMISSIONER KOLODZIEJ: We do.

MR. WEISS: Yes.

COMMISSIONER KOLODZIEJ: The committee does.

I think what Commissioner Bazian is saying, the format that we use needs to be changed and we're working on that. I can't tell you what a difference I see in the 12 months I spent on this committee than ever before.

So all of the suggestions that you guys are making, we're taking them to heart. We're applying them. You can't change things overnight, Commissioner.

COMMISSIONER BAZIAN: I agree.

COMMISSIONER KOLODZIEJ: I think the plea is just to continue, whoever is on the committee next year, continue that. It's working. And, Yitz, thank you for making it work.

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COMMISSIONER BAZIAN: The only other thing I would like to ask of Yitz is that in future months, the format which we sent to the budget with current month, actual versus current month budget, year-to-date actual versus year-to-date

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budget, that's information I'd like to see every single month and I believe you're going to do that.

MR. WEISS: Yes.

COMMISSIONER BAZIAN: But I'd like to see that starting January.

PRESIDENT DeVITA: Okay. Thank you.

COMMISSIONER RODRIGUEZ: Can I make a comment?

I just want to congratulate the committee because this is major progress.

And I want to congratulate Yitz on getting his certificate. Wonderful milestone.

PRESIDENT DeVITA: Congratulations from all of us.

COMMISSIONER VANNOY: I have one more question with finance.

Just to clarify, because Jeff was saying something, I just wanted to be clear. With the car --

PRESIDENT DeVITA: He interrupted you.

COMMISSIONER VANNOY: With the car, with the car, if we have an employee that we're giving this money to instead of a car, he goes out and

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wrecks the axle. The axle is \$2,000. Is the

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water Commission responsible for that or is he?

MR. HANLEY: well, it's two part answer.  
when he did that --

COMMISSIONER VANNOY: He's working --

MR. HANLEY: Absolutely.

COMMISSIONER LEVINE: we'll give him \$500.  
That's supposed to include maintenance, repair --

COMMISSIONER VANNOY: You can't do that.  
we'll discuss that later.

COMMISSIONER KOLODZIEJ: Not today.

PRESIDENT DeVITA: You're going to report  
back to us. We're going to have costs. If we  
have questions, we'll raise them to George.  
There's a lot of questions.

Okay. Next, personnel.

COMMISSIONER VANNOY: Personnel. We have  
Yitz's person that he needs in that department  
very badly. I do believe we have to keep Kathy on  
a little extra to teach this young lady, you know,  
or help her along in her duties.

We have some other stuff on there, but I  
guess that's going to go to closed session.

COMMISSIONER SANCHEZ: Can I say something  
about personnel? I came in for the meeting but I  
had a dentist appointment so I had to leave.

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Is hiring the lady an emergency?

COMMISSIONER VANNOY: Yes.

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MR. HANLEY: Is this a new hire?

COMMISSIONER VANNOY: Yes.

COMMISSIONER SANCHEZ: I would like to move all the new promotions, not increases, or table the whole thing for further discussion because I don't think we should be dealing with, giving up money now in this day and age before we do any contract with the union. So I'd like move to do titles only or just do -- I don't know what you fellow Commissioners want to do; but.

PRESIDENT DeVITA: I think it's unfair to do promotions and having people do work, having additional responsibilities without compensating them for it.

COMMISSIONER KOLODZIEJ: Come work for the City of Clifton. They're sitting in a position just to get your title.

COMMISSIONER VANNOY: Is that something we could talk about in closed?

PRESIDENT DeVITA: He wants to make a motion to table.

COMMISSIONER RODRIGUEZ: Can we move this to closed session?

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PRESIDENT DeVITA: Sure.

COMMISSIONER VANNOY: There's some things we definitely want to bring in closed.

PRESIDENT DeVITA: I think the new hire, though, the personnel committee met. We met for a long time. We did interviews, not with this

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person, but I think we were all pretty comfortable with the interview process that took place for this woman. We didn't interview her, but Yitz did and everybody else did and --

COMMISSIONER VANNOY: And Jim.

PRESIDENT DeVITA: And this is the person they want. We'll recommend that, too.

COMMISSIONER KOLODZIEJ: And the current position became vacant as of what date?

PRESIDENT DeVITA: January 1st.

COMMISSIONER VANNOY: We're going to have to keep Kathy on.

COMMISSIONER KOLODZIEJ: That's the discussion in closed session. This will be a replacement starting January 1st.

PRESIDENT DeVITA: Next? Anything else? That's it.

League of Municipalities discussion of events.

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COMMISSIONER KOLODZIEJ: You went?

COMMISSIONER LEVINE: I met with two of the people from, actually, United Water down there and we were looking at, I don't know what they had, they had something that I thought was, they said with the insurance or something that each person can pay on. They had a couple of different ideas. Maybe do some sort of insurance with the property for, like, maintenance if the pipes break or something where we self insure. We charge, like, \$20 a month or \$15 a month instead of -- and



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then we fix the pipe from the street to the water main if it breaks. I thought it was a great idea.

They went through the statistics, how many break and how many people pay and if they pay the \$20 a month, you know, how many customers. You get 80 percent of your customers, you can make it a reasonable rate, you're saving, say you have, I'm making up, 3,000 customers and say you get 2,000, say 16 bucks a month. You're talking \$160,000 or whatever that is a month and out of that, how many pipes actually break a month, if we did the statistics, and we charge \$4,000 a month.

PRESIDENT DeVITA: To do the main?

COMMISSIONER LEVINE: To do the repair.

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PRESIDENT DeVITA: Okay. It's something to think about.

COMMISSIONER LEVINE: It's something to think about.

PRESIDENT DeVITA: I have a place in Pennsylvania. They do it there. Of course the water lines are plastic pipes. They charge like six bucks a month.

COMMISSIONER RODRIGUEZ: That makes sense.

COMMISSIONER LEVINE: It's one sixth, one is like nine -- there's three different coverages or something and the top coverage is \$16.95 and one includes water to the main -- I forgot, there's three different. Maybe John can tell me.

PRESIDENT DeVITA: Can you get us more

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information?

COMMISSIONER LEVINE: There's three different coverages. I forgot what it was and the \$16.95 covers all three aspects. And you can just get, like, the street to the water.

PRESIDENT DeVITA: Public Service gives you a menu.

COMMISSIONER LEVINE: There's three. One is 8.95. I forgot what it was, just for the one, but the top was 16.95 a month. And if you pay one

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lump sum, it was like 280 or 290.

PRESIDENT DeVITA: You can get us some information and go to finance with it and we'll have a report.

COMMISSIONER LEVINE: I just got to find the person.

PRESIDENT DeVITA: Joe, do you know anybody there that can get us that?

MR. BELLA: There's all kinds of plans around all over.

PRESIDENT DeVITA: So we can get information on it?

COMMISSIONER LEVINE: Joe, what are the three things, three different price levels? One was the water to the street. One was something inside the meter or somewhere?

MR. BELLA: I don't know what the other ones. The one we always think about is the water line from the curb to the main. And they may have other things, including certain things, plumbing

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fixtures.

PRESIDENT DeVITA: You want to carry that to the next meeting?

COMMISSIONER LEVINE: Maybe we just can look at the 8.95 one.

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COMMISSIONER RODRIGUEZ: You're right.

PRESIDENT DeVITA: You want to carry it or you want go back to finance?

COMMISSIONER KOLODZIEJ: Let it go back to finance.

PRESIDENT DeVITA: Let this go to finance and report to us.

Thank you, Jeff. Good thought.

MR. AMODIO: Executive Director's Report.

MR. BELLA: Okay. As you all know, last month was extremely busy. We had, I think, two major operations, so to speak, on our system, basically, you know, valve replacement surgery to be done. Two of our biggest, our most important medium size transmission lines, meaning the 30-inch and down on Van Houten Street, the 24-inch. Very complicated. Very difficult. Difficult operation to do. Our people worked flawlessly. Engineering Department did a great job of managing it. Operations did a great job in terms of dealing with all the ancillary issues and that kind of thing. It was excellent.

I just want to reiterate that this is just the beginning of a very long term operation that

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continues to rehabilitate and will help us come up

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with, you know, better ways and cheaper ways for moving water around. Because of energy costs, it affects energy costs. Excellent. And reliability is really huge.

PRESIDENT DeVITA: Joe, I think it's very telling in the work orders; 2010, 225. And 2011, 11 months, 256. So I don't know if that's a sign of our aging structure what's going on. Obviously, there's a lot of --

MR. BELLA: This year so far we were lucky in that the weather cooperated. We didn't have a lot of main breaks so far this year. And we substituted that time to do those operations.

The plant, the filter operations are moving along. The repair of the filters, moving along very well. We're really in good shape now with the filters. The worst of the filters are pretty much done.

Other than that, I think we're moving along just fine. Putting capital into the system where we need to be. Preparing specifications for some big cleaning line.

Basically, we found out through these operations that we were having problems there. Even though we're doing the work on Clifton

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Avenue, we found problems over here in Paterson because of that. So that's going to be important.

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PRESIDENT DeVITA: I think our contract, some of the work was done where I live, they did a good job. They paved Saturdays. They did a good job.

COMMISSIONER RODRIGUEZ: The job in Paterson went flawless. It was very well done. Timely. I don't think we got many complaints.

PRESIDENT DeVITA: They did very good work.

COMMISSIONER RODRIGUEZ: I was very happy.

PRESIDENT DeVITA: Anything else?

MR. BELLA: That's it. Any questions for Joe anyone? No? Okay.

COMMISSIONER LEVINE: Mr. President, I asked Kelly when I was outside. He said there is. It's curb to meter, before the meter, and after the meter he said. Those are the three. They do after the meter, too. He said before the meter, those are the three positions that they do and he said you have a choice. He didn't know much about it, but he said those are the three positions.

PRESIDENT DeVITA: We'll get that to finance. I like that idea.

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COMMISSIONER RODRIGUEZ: It's a good revenue generator.

COMMISSIONER KOLODZIEJ: The City of Clifton is doing that. It's working. People are confident with their local provider.

COMMISSIONER LEVINE: You have a \$5,000 a

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year break.

PRESIDENT DeVITA: I got to move. Good idea. I like that.

COMMISSIONER LEVINE: There were a couple of other ones, too.

PRESIDENT DeVITA: Bring it to finance. Go over it.

MR. AMODIO: Next we have a Resolution, Passaic Valley Water Commission making application to the Local Finance Board.

COMMISSIONER KOLODZIEJ: I would so move.

PRESIDENT DeVITA: Move by Commissioner Kolodziej.

Do I have a second?

COMMISSIONER BAZIAN: Second.

MR. AMODIO: Discussion?

COMMISSIONER BAZIAN: Question.

This means we're going to the Local Finance Board. We're asking to be able to make --

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this is permission to make an application for bonding?

COMMISSIONER KOLODZIEJ: Correct.

COMMISSIONER BAZIAN: So it's not like this is permission to bond?

COMMISSIONER KOLODZIEJ: Correct.

COMMISSIONER BAZIAN: Okay. How does it work in terms of -- we're going to get permission from them. We got to file our bid documents. The bid counsel comes in at what point?

MR. BELLA: The bond counsel.

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COMMISSIONER BAZIAN: I meant the bond counsel. When do they come in?

MR. BELLA: They're in already. That's the Gluck, Walrath.

MR. HANLEY: They handle that whole process. They present it to the finance board. They have to be involved from the outset.

COMMISSIONER BAZIAN: So I guess the question that I have, Yitz, it was my understanding based upon some discussions that we were having earlier, just some of those Commissioners were having earlier, that in the past we would actually go out to bid on a project basis. And the possibility that we might get some

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better rates with equal or better representation, and I'm wondering, A, is that something to discuss now?

MR. HANLEY: First of all, it's historically --

PRESIDENT DeVITA: George, we used to go out.

MR. HANLEY: Not since I've been here.

PRESIDENT DeVITA: Well before you.

MR. HANLEY: But for 12, 13 years.

COMMISSIONER BAZIAN: Okay. So let me --

MR. HANLEY: And if I may, I used to be a bond counsel and I will tell you, I think that's a bad way to do it because there are ongoing responsibilities and you don't do it that way in

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any other law firm. They're a law firm. They're not the people marketing your bonds. We have compliance requirements; security compliance requirements. We have IRS. Joe is getting ready to negotiate potential purchase. He needs their input before a decision is made as to, for example, in this instance that we're talking about, there are issues that he has to consult with.

PRESIDENT DeVITA: George, are you saying

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bond counsel, hire them on a per issue --

MR. HANLEY: No, I'm saying the opposite.

PRESIDENT DeVITA: Let me finish. Hire them on a per issue basis doesn't make sense because you need them during the course for other things?

MR. HANLEY: Not for other things, for bond related capital finance.

PRESIDENT DeVITA: But now we also --

COMMISSIONER BAZIAN: Here's my question. My question was, is this an issue we need to discuss now or is that something we should refer to legal affairs and deal with it in legal affairs.

PRESIDENT DeVITA: I don't think we have to discuss it now.

COMMISSIONER BAZIAN: I don't know if it's an issue right now.

PRESIDENT DeVITA: No, it's not an issue now.



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COMMISSIONER KOLODZIEJ: This is just an Resolution to go to the Local Finance Board. That's all this is.

COMMISSIONER BAZIAN: Okay. We'll discuss it at legal affairs.

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MR. AMODIO: Any further questions?  
Hearing none, on the roll.

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

COMMISSIONER KOLODZIEJ: Yes to submit.

MR. AMODIO: Motion approved.

Thank you.

Next we'll move on to Controller's Report.

MR. WEISS: Cash on hand is 10.6 million.

Our accounts receivable are 10.2 million.

Our 30 days or less accounts receivable is 9.6 million, which is approximately 94 percent.

Our accounts payable is at 4.1 million.

Our Customer Service people are doing a terrific job of collections. They came up with a -- Jim Gallagher came up with a new idea of doing our door tags to the mailers as opposed to sending people out. That's speeding things up significantly. Collections are doing very, very well. That's the regular stuff.

You have in front of you a copy of the budget that we're submitting to the DCA and you

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got in front of you also two Resolutions; one is

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the approval of the budget. we'll adopt it next month. And the second one is for the submission of the budget.

Just to give you a couple quick highlights. we've talked about this already. Our revenues for the year are anticipated to be close to \$83 million in 2012.

Our expenditures for the year are going to be approximately \$77 million.

The difference between the two, we expect that that's going to be used to help bolster our reserves and to be able to use the cash to fund some of our capital expenditures for the year.

COMMISSIONER BAZIAN: Question.

MR. WEISS: Yes.

COMMISSIONER BAZIAN: At what level does our cash need to be in order to be considered fully funded in terms of our reserves?

MR. WEISS: Our reserves are \$7.2 million. Our operating reserves and our renewal extension reserve is \$3 million.

COMMISSIONER BAZIAN: So we're not quite fully --

MR. WEISS: We're constantly -- the renewal and extension reserve is something that

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gets filled at the end of the year. The operating reserve is something that gets refilled on a

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monthly basis. So we're in the process now at the end of the year, our auditors look at the numbers at the end of the year. So we're in the process right now making sure we have enough cash on hand to be able to fund the reserves. I anticipate we will have enough funds to do it.

COMMISSIONER BAZIAN: Thank you.

PRESIDENT DeVITA: And the finance committee reviewed it and we're okay with this? And we're making money.

MR. WEISS: We don't make money. Sometimes our revenues exceed our expenditures. We don't make money.

PRESIDENT DeVITA: Oh, okay. Thank you.

MR. AMODIO: Would you like to move both at the same time?

PRESIDENT DeVITA: Yes. There's no problem with that, right?

COMMISSIONER VANNOY: Yitz, what was your answer to that question?

MR. WEISS: I said we don't make money. Our revenues sometimes exceed our expenditures.

MR. WEISS: The smaller page is the

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approvals of the budget and the larger page is the submission of the budget.

MR. AMODIO: And next month will be the adoption.

COMMISSIONER KOLODZIEJ: I will move both Resolutions.

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MR. AMODIO: Both Resolutions moved by  
Commissioner Kolodziej.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Second by Commissioner  
Vannoy.

On the roll.

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

MR. AMODIO: Both approved. Thank you.  
Anything else for finance? Hearing none.  
Is there a motion to go into closed  
session?

COMMISSIONER BAZIAN: Move it.

MR. AMODIO: Move by Commissioner Bazian.

COMMISSIONER VANNOY: Second.

MR. AMODIO: WHEREAS, Section 8 of the  
Open Public Meetings Act permits the exclusion of

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the public from meeting in certain circumstances;  
and

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

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

1. The public shall be excluded from  
discussion of the hereinafter specified subject  
matters; the general nature of the subject matters  
being: Financial, Insurance, Personnel, Security.

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Under Law, we have Summary/Aging reports; Document Control; Ethics Code; North Arlington, Lodi, Prismatic.

Under Personnel, Promotions: John Kelly; Mark Romain; Kevin Byrne. Salary Adjustment: Yitz Weiss. New Hire: Patricia Benda.

Under Administration, we have Borough of Lyndhurst; Borough of Woodland Park - Water Supply. Professional Service Project #12-P-11 "Risk Manager Services" and 12-P-12 "Insurance Agent Services." The matter of Software Galleria- Outstanding Invoices; Shut-Off/Bad Check Policy; and any other matters as may be discussed in camera.

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

This Resolution shall take effect immediately.

Second by Commissioner Vannoy.

On the roll.

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

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MR. AMODIO: On the roll.

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

MR. AMODIO: Commissioners Sanchez and Levine are absent.

Thank you.

You have a quorum.

The time is 12:21.

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We'll move to the Consent Agenda.

Minutes of the Passaic Valley Water Commission in camera and Regular Public Meetings of November 22nd, 2011.

Do I have a motion.

COMMISSIONER VANNOY: So move.

MR. AMODIO: By Commissioner Vannoy. Second?

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Second by Commissioner Kolodziej.

On the roll.

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

MR. AMODIO: Motion approved.

Next, does the Chair accept, receive, and file Miscellaneous Purchase Orders?

PRESIDENT DeVITA: Yes.

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MR. AMODIO: Thank you.

Moving on.

Requests For Action.

Contract --

PRESIDENT DEVITA: Can we do all these at

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once?

MR. AMODIO: It's up to you, sir.

I just want to make one clarification on Requests For Action. Item number ten is actually a recommendation to reject and rebid. It originally went out for recommendation for award. So just clarification.

COMMISSIONER KOLODZIEJ: Can we do that separately then?

MR. AMODIO: Yes.

PRESIDENT DEVITA: That's number ten.

MR. AMODIO: That is correct.

We're going to move under Requests For Action items six, seven, eight, nine, and 11.

Do I have a motion?

COMMISSIONER VANNOY: So moved.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Motion by Commissioner Vannoy.

Second by Commissioner Kolodziej.

On the roll.

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

MR. AMODIO: Next will be item number ten, Contract #11-B-43 "Sulfuric Acid." Recommendation to reject and rebid.

Motion.

COMMISSIONER KOLODZIEJ: So move.

MR. AMODIO: By Commissioner Kolodziej.

COMMISSIONER VANNOY: Second.

MR. AMODIO: By Commissioner Vannoy.

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

MR. AMODIO: Thank you. Bear with me one second.

Next, under Resolutions.

Resolution designating Passaic Valley Water Commission Public Agent Compliance Officer, Linda Beckering.

Do I have a motion?

COMMISSIONER KOLODZIEJ: Is this a new requirement or?

MR. AMODIO: No, it's an annual.

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER BAZIAN: Has she been --

MR. AMODIO: Yes.

Motion by Commissioner Kolodziej.

Second by Commissioner Bazian?

COMMISSIONER BAZIAN: Yes.



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MR. AMODIO: Thank you.

On the roll.

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

MR. AMODIO: We have New Business.  
Summary of Disbursements and Payrolls through  
December 21st, 2011 in the amount of  
\$7,196,990.82.

Do I have a motion?

By Commissioner Vannoy?

COMMISSIONER KOLODZIEJ: We don't have him  
saying he's signing off on this. That's my only  
concern. Does he have to, George?

The Treasurer left and he's supposed to  
certify.

Truthfully, he did go over this at our  
finance meeting. I was there. You came late. We  
did do this.

COMMISSIONER VANNOY: If you make the  
motion, I'll second it. You were there.

□

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COMMISSIONER KOLODZIEJ: I don't want us  
to get in trouble.

MR. HANLEY: I would guess he presented it  
to you, right?

COMMISSIONER KOLODZIEJ: Yes, he did. We  
went over this. I heard him. I'll swear under  
testimony that he --

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PRESIDENT DeVITA: He presented it.

MR. HANLEY: Just verify. He's confirming.

COMMISSIONER KOLODZIEJ: That's the problem. I was at the meeting. We did go over line by line and he said he would sign off on it. You were there, Joe, right?

MR. HANLEY: Yitz, I assume you prepared this?

MR. WEISS: Yes, of course.

MR. HANLEY: And he indicated to you --

MR. WEISS: He went through it yesterday. He had a couple of questions. He expected to sign the form today.

COMMISSIONER RODRIGUEZ: He acknowledged that he signed.

COMMISSIONER VANNOY: He acknowledged it.

COMMISSIONER KOLODZIEJ: I'll make the

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motion.

MR. AMODIO: Motion by Commissioner Kolodziej. Thank you.

Second by Commissioner Vannoy.

On the roll.

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

COMMISSIONER BAZIAN: Yes. Abstain on Dell.

PRESIDENT DeVITA: Abstain on Rachles  
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Michele.

MR. AMODIO: Thank you.

Next, we have recommendations from closed session.

The first will be to set up an FSA health savings account for non-aligned employees starting January 1, 2012 up to \$2500.

COMMISSIONER BAZIAN: Mr. President, I'd like to make a motion to table this. I'm not giving up. Mr. President, we have no numbers. We have no actuarial information on this. I find this premature and we're putting it out and we don't have the numbers.

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MR. AMODIO: Do I have a second to that motion?

COMMISSIONER BAZIAN: No second. Motion fails.

COMMISSIONER KOLODZIEJ: I will move it.

MR. AMODIO: Original motion by Commissioner Kolodziej.

Second by Commissioner Vannoy.

On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative, Commissioner Bazian having responded in the negative)

MR. AMODIO: Motion approved.

Next, moving on to Personnel. We have a motion to promote Mark Romain, General Supervisor,

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Water/TA, title only.

Do I have a motion?

COMMISSIONER VANNOY: So move.

COMMISSIONER BAZIAN: why don't we do (b)  
and (c) together?

MR. AMODIO: Okay. That will be Mark  
Romain, General Supervisor, Water /TA.

PRESIDENT DEVITA: Title only.

MR. AMODIO: Title only. And Kevin Byrne,

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Supervisor Pumping and Generating Operations/TA,  
titles only.

COMMISSIONER VANNOY: So move it.

COMMISSIONER BAZIAN: I'll second.

MR. AMODIO: Moved by Commissioner Vannoy.  
Second by Commissioner Bazian.  
On the roll.

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

MR. AMODIO: Motion approved.

Next will be new hire, Patricia Benda,  
Payroll Accounts Payable/TA.

Proposed Salary: 47,000.

Proposed range: 40,000 to 50,000.

Do I have a motion?

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: By Commissioner Kolodziej.

Do I have a second?

COMMISSIONER VANNOY: Second.

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MR. AMODIO: By Commissioner Vannoy.

PRESIDENT DEVITA: Question. With the understanding that we're still going to need Kathy for a little while for the transition.

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COMMISSIONER KOLODZIEJ: How will that be handled?

COMMISSIONER VANNOY: How long are we going to need Kathy?

MR. GALLAGHER: We're going to do maybe pay cycles, three or four days.

COMMISSIONER KOLODZIEJ: Okay. Separate agreement.

MR. GALLAGHER: We want to get the end of the year. We have the pension, the end of the year pension.

MR. AMODIO: Any further questions?

Hearing none, on the roll.

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

MR. AMODIO: Motion approved.

Next, motion to table item (a) John Kelly and item (b) Salary Adjustment, Yitz Weiss.

Motion.

COMMISSIONER BAZIAN: That's 1(a) and 2(a).

MR. AMODIO: 1(a) and 2(a), yes.

COMMISSIONER BAZIAN: Move it.

MR. AMODIO: By Commissioner Bazian.

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COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Commissioner Kolodziej  
seconded it.

On the roll.

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

PRESIDENT DEVITA: Yes, for all those  
reasons.

MR. AMODIO: Next we have a Resolution  
Authorizing Shared Service Agreement For Water  
Supply for the Borough of Woodland Park as  
discussed in camera.

Motion.

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: By Commissioner Kolodziej.  
Second.

COMMISSIONER BAZIAN: Second.

MR. AMODIO: By Commissioner Bazian.

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

MR. AMODIO: Motion approved.

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Next we have Professional Services  
Agreement for Project #12-P-11 "Risk Manager  
Services."

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Recommendation to award a one year contract to Brown & Brown at 15,000 per year.

Do I have a motion?

COMMISSIONER BAZIAN: Move it.

MR. AMODIO: By Commissioner Bazian.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Second by Commissioner Kolodziej.

On the roll.

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

MR. AMODIO: Motion approved.

Next we have Professional Services Agreement Project #12-P-12 "Insurance Agent Services" for property and casualty only.

Recommendation to award a one year contract to Alamo at five percent commission paid by the JIF with no other fees.

Do I have a motion?

COMMISSIONER KOLODZIEJ: So moved.

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MR. AMODIO: By Commissioner Kolodziej.

MR. HANLEY: Can I make a suggestion? Instead of saying "fees," perhaps add no other fees or other forms of compensation.

MR. AMODIO: Motion by Commissioner Kolodziej.

Do I have a second?

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COMMISSIONER BAZIAN: Second.

MR. AMODIO: By Commissioner Bazian.

On the roll.

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

MR. AMODIO: I have nothing further.

The only other business we have is to set a January meeting.

COMMISSIONER KOLODZIEJ: So what is it, January 3rd?

MR. AMODIO: Whatever. Whatever date you choose.

It would be the reorg. meeting and if you choose, we could do the reorg. first and then have another meeting in January doing regular order of business. You can do either way.

COMMISSIONER BAZIAN: Last year we did it

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together. Do it together, third wednesday in January. What's the problem?

MR. AMODIO: With me, I don't have a problem. I'm asking you.

PRESIDENT DeVITA: Do it as we normally do.

MR. AMODIO: All together?

PRESIDENT DeVITA: Yeah, one meeting.

MR. AMODIO: So you want to do January 3rd?

COMMISSIONER BAZIAN: No, January 18th. The third wednesday is the 18th of January.



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MR. AMODIO: Okay. So the January meeting will be January 18th at 9:30. Okay.

That's the consensus.

They'll be nothing further.

COMMISSIONER BAZIAN: Motion to adjourn.

MR. AMODIO: Motion to adjourn.

Time is 12:33.

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C E R T I F I C A T E

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

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

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

---

LYNANN DRAGONE, CCR  
Certified Court Reporter