

PASSAIC VALLEY WATER COMMISSION MEETING OF
MAY 25, 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: Call the meeting to
order.

MR. AMODIO: On the roll.

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

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MR. AMODIO: You have a quorum. The time is 10:06 a.m.

All the requirements of the Open Public Meetings Act have been met. Commission meeting notice have been furnished 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 at the Clifton facility.

would everyone please rise. In honor of Memorial Day, would Counsel Hanley please lead us.

I believe we have a member of the public that wishes to be heard.

PRESIDENT DEVITA: Sir, if you could state your name and address.

MR. AGOSTINELLI: My name is Mario Agostinelli. I have a small machine shop in

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Paterson, 58-60 Second Avenue; Tricep Machine Company.

I live in Hawthorne.

I'm here basically to discuss some water bills that I've been receiving effective, probably effective ending August 27 of '10. I haven't paid my water bill since then. It's the first time I received a water bill for \$774 since I been in business.

When I started questioning that through your Customer Relations Department, all I was told

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was I must have had some sort of a leak. When I look back at the records, my consumption -- I'm a one man operation. My consumption has been regularly zero, one, whatever that means, because, I believe, the meter reads in cubic feet.

And when I asked about this bill, they said that when they did the conversion, they said it amounted 356,000 gallons. I can't see how that's possible. I go there daily. Since I'm a machinist, I pay very close attention to anything that's happening in the surroundings. The building is in very good condition and the most I ever do is maybe wash my hands a couple of times a day.

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PRESIDENT DeVITA: What did your bill used to be before this --

MR. AGOSTINELLI: You know, it seems like the problem started arising when I got a letter dated December of '08, I believe, December 5th, '08 where they switched from monthly billing back to quarterly bill; because I think one time it was quarterly billing.

PRESIDENT DeVITA: Correct.

MR. AGOSTINELLI: And, of course, since then, my consumption has been kind of going through the roof.

COMMISSIONER VANNOY: Has anybody come out to look?

MR. AGOSTINELLI: I don't believe anybody

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came.

PRESIDENT DeVITA: So --

MR. AGOSTINELLI: I'm not even so sure that the actual meter's being read.

PRESIDENT DeVITA: So nobody went out. They didn't send anybody out to look at the meter or anything else, to your knowledge?

MR. AGOSTINELLI: To my knowledge, no.

PRESIDENT DeVITA: Could they gain access to it without you being there, do you know?

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MR. AGOSTINELLI: Probably not. There's an outside unit that they could read the meter from, whether the readings are actually taking place or not. And then even during that time, several times the quarterly bill never came so obviously something occurring there, too, right?

PRESIDENT DeVITA: Okay. So, there's a problem. Okay. What we're going to do, we're going to let you sit with John Kelly, who will go over all this for you and check it out and investigate it for us. Okay?

MR. AGOSTINELLI: Okay.

COMMISSIONER VANNOY: I got one more question. Is that 700 for the last quarter or from all the way going back?

MR. AGOSTINELLI: Well, no, the problem started with getting a sewer bill from the City of Paterson, which was, again, through the roof. That's how it started. When I called them and questioned that, he said we have to get a

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consumption history from Passaic Valley Water Commission. Got something. I faxed it to him and then called me back and said, don't pay the bill. We're going to send you a new bill. I was scratching my head at that point, you know, how

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could this be going on, you know.

PRESIDENT DeVITA: John, could you talk to Mario about his condition with the bill? He said he called Customer Service and they blamed it on conversion or whatever. He said August he got a bill for 774. Can you sit with him?

MR. KELLY: We spoke, Mark had the meter tested.

PRESIDENT DeVITA: So it was tested?

MR. KELLY: Yes. We went to the property, right?

We'll sit with him now.

PRESIDENT DeVITA: If you could, please.

Mario, they'll sit with you and talk with you and go over it. Mark is in charge. He'll take care of it. If he went out there and looked at it, he'll check his records and try to get you an answer. I don't know if you're going to like the answer.

MR. AGOSTINELLI: Probably not; but.

MR. AMODIO: We need Mark.

If you bring Mr. Bonafield in.

PRESIDENT DeVITA: Sir, if you could state your name and your address.

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Mr. Bonafield, come up to here so everyone

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can hear you. All right.

MR. AMODIO: Commissioners, you all have a copy of his last letter that was sent and was also sent to you back last month.

PRESIDENT DEVITA: Mr. Bonafield.

MR. BONAFIELD: All right. As President says, my name is James Bonafield. I've been here a while, since 2005, when Herrschaft was the President. I wrote a letter to him. He declined to answer. He referred it to his Executive Director, who referred it to his business manager and significantly the business manager wrote a letter, which I find very significant.

"We cannot speculate as to a reason why the analogies occurs at this particular rented property. We do have a bill based on the facts. The only way this specific bill can be adjusted is through notice of authorization from the Passaic Valley Water Commission's General Counsel."

Never saw the general counsel. The business manager tells me this body doesn't have the authority and if it doesn't have the authority, fine, I need a final determination.

(Whereupon, Commissioner Sanchez is

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present at 10:15)

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MR. BONAFIELD: Exhaustion of Administration. I'd like to hear from the Commission.

I remember when you were Commissioner, I spoke to you about it and we had a conversation, which I won't disclose, but nothing that you said was improper.

But the point is, I'm entitled to a determination.

They sent the meter to be tested. They had an ordinary worker testing it. No control. An ordinary individual, a first year engineering student. You have to control the circumstances. The temperature wasn't controlled. Very rough tubes coming down, guessing at it, and they would send --

PRESIDENT DeVITA: Mr. Bonafield, let me interrupt you for a second. I don't mean to be rude to you. But you're looking for a final determination in writing from us?

MR. BONAFIELD: Yes.

PRESIDENT DeVITA: I thought that was sent. I thought that's what you got.

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MR. BONAFIELD: It was.

PRESIDENT DeVITA: You mentioned you got a letter, I thought. You just referred to a letter.

MR. BONAFIELD: Oh, yeah, back in 2006. "The only way the specific bill can be adjusted is through notice of authorization from the general

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counsel."

Never got a letter from the general
counsel.

PRESIDENT DeVITA: So you're waiting for a
letter from our general counsel?

MR. BONAFIELD: No, no. I'm waiting for a
final determination from this body, which I
understand has never authorized adjustments for
malfunctioning meters and when these meters were
tested, the one that was supposed to be sent down
to manufacturing, they tested a digital meter.

Now, a first year student knows the
difference between a digital and analog. Analog
is gears. The other one is electronic. It was
never tested.

PRESIDENT DeVITA: Let me interrupt you
again.

Mr. Kelly did the investigation on this?

MR. KELLY: Mark Romain tested it. He

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could go from there. He's certified from the
State.

PRESIDENT DeVITA: You're waiting for a
letter from the Commission?

MR. BONAFIELD: Yes.

PRESIDENT DeVITA: So why don't we --

MR. HANLEY: Could you let them.

PRESIDENT DeVITA: Sure. Go ahead, Mark.

MR. ROMAIN: Upon the initial inquiry into
the meter, it was tested by a lower tier
individual that --

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MR. BONAFIELD: Mr. Romain.

MR. ROMAIN: Yes, it was tested by someone in the Meter Department.

MR. BONAFIELD: I was there.

MR. ROMAIN: And it was also tested by me. Since the test was done, I've had the machine calibrated by -- tested by the New Jersey Division of Weights & Measures and no adjustments had to be made to the machine.

MR. BONAFIELD: To the machine.

MR. ROMAIN: Proving that the machine was accurate and, therefore, the meter was accurate.

MR. BONAFIELD: That doesn't follow. Because the machine is accurate doesn't mean that

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the meter is accurate, too.

PRESIDENT DEVITA: Mr. Bonafield, again, as I told the last gentlemen, you may not like our answer, but I think we've had it inspected and tested. If you're looking for something from us to say there won't be an adjustment made, I think our answer is there's not going to be an adjustment made based upon the fact that we had Mr. Romain test it. He sent it for further testing and there was found to be no malfunction. So I guess that's our response. I thought we had said that a couple of years --

MR. BONAFIELD: That's a conclusion that I don't think you're authorized to do.

PRESIDENT DEVITA: Mr. Bonafield, listen,

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I don't test meters. We have somebody that does it. We have people that work --

MR. BONAFIELD: He's not qualified to test meters and you agreed -- wait a minute.

PRESIDENT DeVITA: Mr. Bonafield, Mr. Bonafield.

MR. BONAFIELD: The Commission agreed to send it to the manufacturer and they sent a digital meter. What happened to the digital meter?

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PRESIDENT DeVITA: Mr. Bonafield, are you looking for something from us in writing?

MR. BONAFIELD: Yes. I want a final determination. I don't expect to be reimbursed today after five years this body is not about, and three Presidents, not about to reverse itself and to give me an adjustment now at this late stage, but I think I'm entitled to --

PRESIDENT DeVITA: Is the inaction not sufficient for you to take your remedy to the next step?

MR. BONAFIELD: If I have a final determination -- all right. I'd like a final determination from this body.

PRESIDENT DeVITA: Okay. I believe -- I thought you had a final determination.

MR. BONAFIELD: No, I never got it.

PRESIDENT DeVITA: You mean in writing? You just got it now.

MR. BONAFIELD: No, I need it in writing.
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PRESIDENT DeVITA: We will supply it --

MR. BONAFIELD: Look, you and I have our differences and I don't want them to come between us.

PRESIDENT DeVITA: Why do we have our

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differences?

MR. KELLY: Commissioner, I'll get a report from Mark Romain and forward it to general counsel and general counsel can forward it to Mr. Bonafield.

MR. BONAFIELD: He's just a technician. He's in no position to determine this.

PRESIDENT DeVITA: Mr. Bonafield, Mr. Bonafield, you asked us to give you a final determination. That's what we're going to give you. You got your remedy. If you want to take it to the next step.

MR. BONAFIELD: I intend to.

PRESIDENT DeVITA: That's good. You certainly have that right to. Nobody here is trying to interfere with that.

MR. BONAFIELD: Who is making the determination? The technician or this body? I need it from this body. I'd like a vote now from the Commissioners as to whether or not I'm entitled to an adjustment.

MR. HANLEY: Mr. President, I think the appropriate thing is as Mr. Kelly suggested, and with respect to the broader view of how the

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decision making process should take place, I think

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it has taken place properly.

This body is the ultimate management for this Commission. However, this body, like any other body in the United States, is going to rely on the best expert advice they can get. It's very clear to me, on the record, that's been made that Mr. Romain has followed the appropriate procedures to get an objective report that the meter was properly operating. The water passed through the meter. And under those circumstances, we expect the user to pay the bill.

PRESIDENT DeVITA: So your message --

MR. BONAFIELD: Now as President you're affirming his decision?

PRESIDENT DeVITA: I think the Board will affirm the decision.

You want to take a vote on that?

COMMISSIONER KOLODZIEJ: Yes.

COMMISSIONER BAZIAN: If we're going to take a vote, I'm not familiar with the facts of this case.

MR. BONAFIELD: Well, I don't think you should vote if you're not familiar.

COMMISSIONER RODRIGUEZ: We'll take a vote. You can abstain.

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COMMISSIONER BAZIAN: I was going to ask for the facts.

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MR. BONAFIELD: Can I quiz the Commissioners? Just one question.

PRESIDENT DeVITA: No.

MR. BONAFIELD: Are they familiar with the facts?

PRESIDENT DeVITA: You've been here many times and we are all the same Commissioners.

MR. BONAFIELD: No, you're not the same Commissioners. Mr. Herrschaft was not here. Mr. Levine, Sr. was not here and there was another member that was not here and they would constitute a significant member of the Board.

Now, since then these new members are not familiar with the facts and for them to make a decision not based upon facts is something I should bring to the attorney's attention of the --

PRESIDENT DeVITA: Mr. Bonafield, do you have anything else you want to submit to us in writing about your position? Because we have a file on it.

MR. BONAFIELD: Yes.

PRESIDENT DeVITA: We have a file on it. Is everyone familiar with this?

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COMMISSIONER RODRIGUEZ: Yes.

PRESIDENT DeVITA: Enough to vote on it? Commissioner Bazian, you're going to abstain?

COMMISSIONER BAZIAN: I don't know exactly -- I don't know what the full facts of the

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case are.

PRESIDENT DeVITA: Anybody want to make a motion for this?

COMMISSIONER SANCHEZ: I'll make motion.

COMMISSIONER VANNOY: I'll move.

PRESIDENT DeVITA: Motion to --

COMMISSIONER SANCHEZ: To take advice of counsel and take the advice not to grant any credit on this account.

PRESIDENT DeVITA: Second?

MR. AMODIO: Motion by Commissioner Vannoy.

Second by Commissioner Sanchez.

On the roll.

(Whereupon, Commissioner Levine is present at 10:24)

(Roll call was taken, all Commissioners

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respond in the affirmative, Commissioners Bazian and Levine having abstained)

COMMISSIONER KOLODZIEJ: For the record, I believe that my yes vote will certainly give you what you want and expect where we're going to go. I fully adhere what counsel advised us and certainly backup Mr. Romain. I will vote yes.

MR. BONAFIELD: Well, I will --

PRESIDENT DeVITA: We're in the middle of a vote.

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Mr. Bonafield, you most certainly have a right to pursue whatever remedy you want.

MR. AMODIO: Motion to deny the request for refund; five ayes, two abstentions.

Motion.

MR. BONAFIELD: I did want to say when I knew I was coming against you as President, I didn't have a Chinaman's chance of winning because you are prejudiced against me. I fought against him in a case where a next door neighbor, I lost the case. He lost the case.

COMMISSIONER SANCHEZ: He lost the case?

PRESIDENT DeVITA: First one.

MR. BONAFIELD: He advised his customer to

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continue violating and he's still violating the law.

PRESIDENT DeVITA: Mr. Bonafield, you have no idea what I advised my client.

I am not prejudiced against you, for the record. And thank you very much and good day, sir.

MR. BONAFIELD: We will meet again.

PRESIDENT DeVITA: That's fine with me.

MR. BONAFIELD: You know Tom better than I do?

COMMISSIONER SANCHEZ: Now I got it.

MR. BONAFIELD: You got me?

PRESIDENT DeVITA: Mr. Bonafield, thank you for coming and your patience.

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MR. AMODIO: I believe --

MR. BONAFIELD: Can I expect a letter from the Commission, a final determination?

COMMISSIONER RODRIGUEZ: Yes.

PRESIDENT DEVITA: I would assume that you could send him -- we're going to have a Resolution. We'll send you a copy of the Resolution.

MR. BONAFIELD: Thank you.

PRESIDENT DEVITA: You're very welcome.

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MR. BONAFIELD: Thank you, Mr. Hanley. I will see you.

MR. HANLEY: Thank you.

MR. AMODIO: At this time, Mr. President, we have another member of the public, Sheriff Berdnik to address us.

SHERIFF BERDNIK: Good morning, everyone.

PRESIDENT DEVITA: Welcome to the Water Commission.

SHERIFF BERDNIK: Thank you. Thank you very much.

MR. HANLEY: I would think this should go in closed session.

SHERIFF BERDNIK: I would request that also.

PRESIDENT DEVITA: Oh, okay.

COMMISSIONER BAZIAN: Why is this going into closed?

PRESIDENT DEVITA: Because there's some contract. Okay. We'll have to wait for the

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closed. Sorry.

COMMISSIONER KOLODZIEJ: When we go into closed session --

SHERIFF BERDNIK: Would you have an approximate time frame?

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COMMISSIONER KOLODZIEJ: Ten, 15 minutes.

MR. AMODIO: Move onto committee reports.

PRESIDENT DeVITA: Personnel. Any report, Commissioner Vannoy?

COMMISSIONER VANNOY: Just we have -- where's Jim at? We have two new hires. Other than that --

COMMISSIONER RODRIGUEZ: Are they replacing retirees?

COMMISSIONER VANNOY: Yes.

COMMISSIONER RODRIGUEZ: All right. We want to make sure. We can discuss that in closed.

COMMISSIONER VANNOY: These are definite replacements. Money is in the budget.

COMMISSIONER KOLODZIEJ: Money in the budget.

COMMISSIONER VANNOY: One guy is not even back because of medical reasons.

COMMISSIONER KOLODZIEJ: All right. In reading Mr. Bella's report, he has specifically requested that when we hire laborers, they have a specific skill set, which is desperately needed. Is personnel continuing to look at those entry level positions that make that extra added,

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because you're going to request two more,

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according to your report, for next year. I think he's going to ask for them in the budget. But to just bring on a laborer with not the skill set that you need, when there's so many other people out there unemployed.

COMMISSIONER SANCHEZ: He said that to us.

COMMISSIONER KOLODZIEJ: Right, but you know my concern is there's such a large pool of people who need jobs and they do bring a skill set some of them. I mean, just check some of your union employees who are not working and they used to. We just hired carpenters and we're benefitting from them by the money we're saving.

My concern is, I don't intend to do it today, but I'm asking personnel to keep in mind what Mr. Bella is looking for in those entry level positions.

PRESIDENT DeVITA: If I may.

COMMISSIONER RODRIGUEZ: On that note, I'm going to recommend that Mr. Bella, if you have a personnel committee, I think it's important, and this all goes back to the Table of Organization. So I recommend that he, of course, sit down with the committee and tell them exactly what he's looking for, because I think that's very

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important.

PRESIDENT DeVITA: If I may. We had a
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personnel committee meeting a couple of weeks ago, we didn't get to finish what we wanted to, which was the Table of Organization. Joe, I believe, was present. Jim Gallagher was present. And we're discussing all the needs. We're aware of it.

MR. BELLA: We went through that in great detail, whether we had positions open and they seem to be good. They seem to have good overall, some mechanical skills and that kind of thing.

COMMISSIONER KOLODZIEJ: But it would be helpful for me, since that's a goal of yours, entry level is a way to get a really good job and it's not that we don't have the opportunity for a large work pool. So you're the one that's telling me you're specifically looking for skill sets, even at that laborer level that's going to payoff in the long run.

So, I trust personnel. I'm just going on record, these two are easy, but the next two may not be.

COMMISSIONER BAZIAN: If I may. I was going to save this for closed session but just I

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found very interesting. One of the two laborers that we're looking to hire, and this not a negative at all, according to their employment application, has computer skills. And as the Chairman of IT and knowing some of things in IT, the back of mind is going, ding, ding, ding, ding.

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So I'll leave it for discussion.

PRESIDENT DeVITA: One of them spent six years in college.

COMMISSIONER BAZIAN: Exactly. It's the same person.

PRESIDENT DeVITA: Okay.

COMMISSIONER SANCHEZ: We need to start at whatever level we could.

PRESIDENT DeVITA: Next. IT/Security.

MR. AMODIO: Finance.

PRESIDENT DeVITA: I'm sorry, finance.

COMMISSIONER LEVINE: We're still going over. Mark Romain came in with a great report for us. All three of us understood all of the overtime. I have a feeling we're going to minimize by at least 30 percent in every department after we're done.

One thing I want to bring up, and I said it last meeting, and I want to figure out how to

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do it. I want to make sure that everybody, you know, that, what happened with Gregory Lane --

PRESIDENT DeVITA: Gregory Ave.

COMMISSIONER LEVINE: Gregory Ave., where they weren't in the computer system and weren't getting billed. I want a system in place right now where someone -- I know Joe says that the lot and blocks, but I almost want someone working on it full time to match them up. If we find two or three more, that's going to pay for the person's salary.

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PRESIDENT DeVITA: If I may, that's already in the works. There's a lot of stuff going on.

COMMISSIONER LEVINE: I just want a time frame that we can review it and it will all be done, not when it's done.

COMMISSIONER SANCHEZ: Can I say? I agree with Jeff a hundred percent. I think we have a necessity to accomplish this by a deadline. We should not just, "we're working on it" because we don't want another Gregory blowing up in our faces. I think this can cause a lot of problems in the future down the line. I think this could be a big payback to the Commission.

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So, I agree with Jeff. We should definitely come out with a definite plan.

COMMISSIONER LEVINE: Plan and deadline how it's going to be accomplished. That's what I'm looking for.

COMMISSIONER SANCHEZ: We should do it ASAP.

COMMISSIONER LEVINE: I don't know how long because I'm new to the Commission.

COMMISSIONER BAZIAN: In IT we brought this up, rather than deal with the symptoms, we're trying to find out perhaps what the disease is. That's one of the reasons why we're recommending to the Commission that we put out a review, a business process reviews, something which IT has

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been discussing for awhile.

The purpose of the review is trying to find exactly what our processes are and where our processes might be failing us and how they can be made better. In so doing, perhaps they could be made better with technology, perhaps with changes in procedure, perhaps with personnel, change in personnel.

The idea being, we need to get to the bottom line, how something like this happens, why

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it happens, and we need to eradicate what that reason might be.

COMMISSIONER LEVINE: I agree. That would work in conjunction with but I think we need a time frame and a plan of action how to match up every block and lot. So another year comes around --

PRESIDENT DEVITA: If I may. Let me just respond. I don't know that you're going to get an answer in, like, ten days, 15 days.

COMMISSIONER LEVINE: No, no. I'm looking like three months; whatever it is.

PRESIDENT DEVITA: I think what's going on is now there's a lot of stuff being done. Jim Gallagher, is Customer Service --

MR. GALLAGHER: Yes, Commissioner. What I can tell you is that a number of steps, Joe and I have met with the staff. We've already implemented a number of changes, I can tell you, through due diligence.

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COMMISSIONER LEVINE: So, I understand it's, not a broad thing. We want to know what the changes are; when it's going to be implemented.

MR. GALLAGHER: A number of the changes have been implemented.

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COMMISSIONER LEVINE: What are the changes?

MR. GALLAGHER: Changes being how we review. How we close out work orders. How we manage the work order. Work order is now -- it's being given to a specific individual. When they're out, it's going to be given to another alternative individual. Both of them have been retrained. We're now looking at a specific list. Three weeks ago we generated a list of the work orders. We're now in the process of reviewing all the work orders that are outstanding.

COMMISSIONER LEVINE: That doesn't solve the previous. I'm talking about matching up, so --

PRESIDENT DeVITA: Jeff, that's all part of the process now, to follow-up.

COMMISSIONER LEVINE: I want someone looking at every match lot and block now.

COMMISSIONER KOLODZIEJ: Can I make a suggestion? We're going to have a meeting in another couple of weeks, can we have whoever you would like to give us an update of those changes --

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Commission wanted a time frame.

COMMISSIONER KOLODZIEJ: I'm not prepared and I sit on the committee. So, you know, until we get --

COMMISSIONER RODRIGUEZ: I want to close with this.

PRESIDENT DeVITA: Go ahead.

COMMISSIONER RODRIGUEZ: We did, I think it was a year and a half ago; and Louis, if you could, because I have to give Louis credit for this, in terms of, you know, the idea of matching up the blocks, you know, lots and blocks, we didn't even anticipate. I'm not even sure about the Gregory Ave. But we just, making sure that our billing process, our billing process was correct.

So, I mean, I'm not disputing. I think it's a great idea. I just don't think this is the forum for that.

COMMISSIONER LEVINE: We'll think of an idea and if you want us to make a recommendation --

COMMISSIONER KOLODZIEJ: Correct, correct.

PRESIDENT DeVITA: We'll get your reports when you have --

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COMMISSIONER LEVINE: You want us to make a recommendation how to do it at the finance?

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PRESIDENT DeVITA: They're already doing something. So let them report to you and --

COMMISSIONER RODRIGUEZ: As the Chair, you can --

PRESIDENT DeVITA: Jeffrey, there are seven or eight different things being done, some of which may be confidential.

COMMISSIONER LEVINE: I understand. I didn't know which direction you wanted to go. I wanted to bring it up with everybody.

PRESIDENT DeVITA: I have no problem. If Joe and Jim go back to you with your finance committee and report.

COMMISSIONER LEVINE: And we'll come back to the regular meeting.

PRESIDENT DeVITA: Be brought back at the June meeting.

COMMISSIONER SANCHEZ: Can I say one more thing?

PRESIDENT DeVITA: Yes, sir.

COMMISSIONER SANCHEZ: I just think that whatever my fellow Commissioners, they got to come in, look at us, and a year could go by and they

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don't have a final of what to do and then it takes time to implement. What Jeff is saying we should do some practical thing to get it going. I agree with that a hundred percent.

COMMISSIONER RODRIGUEZ: We started it. I don't know what happened.

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PRESIDENT DeVITA: We're all doing it.

COMMISSIONER KOLODZIEJ: Exactly. We need to do more.

COMMISSIONER LEVINE: Almost getting the two full-time employees --

COMMISSIONER RODRIGUEZ: Now you're getting overboard.

COMMISSIONER LEVINE: I said almost.

PRESIDENT DeVITA: There's all kinds of stuff going on.

COMMISSIONER LEVINE: We'll listen and we will bring it back to the meeting and --

PRESIDENT DeVITA: And come back.

MR. AMODIO: There's only one other item under finance, after hours call out fee.

COMMISSIONER KOLODZIEJ: Yes. We discussed that.

COMMISSIONER LEVINE: We're working, actually working on the after hours with the call

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out. We discussed it with Mark Romain and Commissioner Kolodziej.

COMMISSIONER KOLODZIEJ: On the weekends.

COMMISSIONER LEVINE: Yes.

COMMISSIONER KOLODZIEJ: We're paying a lot.

COMMISSIONER LEVINE: We talked about putting retirees or just hiring regular part-time positions. We talked about all this.

COMMISSIONER KOLODZIEJ: The City of Clifton has done, on the weekend we tell people

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it's going to cost you this much on the a weekend and most people will say, we'll wait until Monday.

COMMISSIONER LEVINE: We talked about increasing, almost have the customer pay extra for them coming out on a weekend.

PRESIDENT DeVITA: Okay.

COMMISSIONER LEVINE: Just like United Water does.

COMMISSIONER RODRIGUEZ: I love the cross training. Cross committee.

MR. WEISS: We didn't get a chance to discuss this at the finance committee meeting, however, I spoke about this individually to all the members of the finance committee. The finance

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committee is supposed to make a recommendation for a financial advisor for this year. We had NW Financial up until now. The contract expires the end of this month. You got a Resolution in front of you. It was the consensus of the members of the finance committee was to recommend NW Financial again for this year as the financial advisor.

COMMISSIONER BAZIAN: Mr. President, if I may on this matter, just one thing for the sake of openness that really should be mentioned. I brought this up last year.

It should be noted, for the record, that there is a relationship between a member of NW Financial that has nothing to do with our account,

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does not service our account at all, with a department director here that we rely on quite a bit in terms of for advice. I mention it only for the sake of openness. It should be brought up. It should be mentioned. I would have preferred this would have been mentioned within the submission that came from NW Financial, but I had been informed that is not legally required to do so. And it is for that basis that I support NW Financial and the fact that they've done a great

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job, but I do think it should be on the record.

PRESIDENT DeVITA: Question, George. It's not listed on our agenda. Can we vote on that?

MR. HANLEY: I'm not going to give you any advice on this. I happen to be the department head.

COMMISSIONER BAZIAN: There you go, letting it all out of the bag.

MR. WEISS: If I may, the Resolution --

COMMISSIONER RODRIGUEZ: I'm going to move it.

MR. WEISS: The Resolution was reviewed by Chris Walrath and people from his firm. I spoke to him this morning, they said they're comfortable with the Resolution.

George decided he wanted to stay out of it.

PRESIDENT DeVITA: That's not my question.

COMMISSIONER BAZIAN: For the record --

PRESIDENT DeVITA: That's not my question.

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The question is not the Resolution, the question is it's not listed anywhere on the agenda.

MR. WEISS: Must it be listed on the agenda in order for us to introduce a Resolution?

MR. HANLEY: No, it could be added.

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I'm giving you general legal advise.

COMMISSIONER RODRIGUEZ: For any Resolution.

MR. HANLEY: Any Resolution could be added by a majority vote.

PRESIDENT DeVITA: Fine.

MR. WEISS: So the Resolution is in front of you.

MR. AMODIO: Any further discussion? Motion?

COMMISSIONER BAZIAN: Move it.

MR. AMODIO: Motion by Commissioner Bazian.

Do I have a second?

COMMISSIONER SANCHEZ: Second.

MR. AMODIO: Second by Commissioner Sanchez.

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

COMMISSIONER KOLODZIEJ: I'm going to qualify my vote, because I was a member of the committee that questioned this. I am trying to

move, as some of the other committees are trying

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to move, as to do more in-house. Obviously, Yitz was good enough to furnish me with a list of tasks that cannot be in-house, that needs to be done by a financial advisor. So, I am well satisfied that this is a draw down contract and only, only when those tasks will be required will we be spending money. So it's a yes.

PRESIDENT DeVITA: I vote yes based on the finance committee's recommendation based on the fact that they handled this for a long time and a very admirable job.

MR. AMODIO: Motion approved.

NW Financial will be awarded Project 11-B-7, Professional Services For Financial Advisers.

We have under IT/Security, Memorandum of Understanding with the Passaic County Prosecutor's Office, use of fiberoptic networks.

COMMISSIONER KOLODZIEJ: This is our first step in three goals that we have been trying to achieve, Commissioner Vannoy, for three years now this will position us for better communications. It will improve safety and at the same time it will actually save us money.

We have to credit Joe Bella and Mr.

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Marotta and certainly the Prosecutor and her staff for making this happen.

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There will be a phase II, but this is our first step and it's a long time and coming, correct, Commissioner Vannoy?

COMMISSIONER VANNOY: One hundred percent.

PRESIDENT DeVITA: This doesn't cost us anything?

COMMISSIONER KOLODZIEJ: It does, however, we have money, Mr. Marotta says in his budget, that will cover this and you will see when we hook these lines up the difference in the money.

COMMISSIONER VANNOY: We saved a lot of money.

COMMISSIONER KOLODZIEJ: And we will continue to have those cost savings in the cost so we will see --

MR. AMODIO: You have a Resolution in front of you.

PRESIDENT DeVITA: Anybody want to move that?

COMMISSIONER BAZIAN: I'll move it.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Commissioner Bazian.
Second by Commissioner Kolodziej.

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

MR. AMODIO: Motion approved.

Next we have Internal/External Affairs.

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We have Ed Farmer from Millennium

Strategies and Bill Zurynetx from Lost Boys.

Who would you like to start with?

COMMISSIONER RODRIGUEZ: We're going to go into closed session.

MR. AMODIO: With both of them?

COMMISSIONER RODRIGUEZ: Yes.

MR. HANLEY: The basis is that I guess that it's a contract.

COMMISSIONER RODRIGUEZ: So they can give -- yes.

PRESIDENT DeVITA: I believe last time when we had pay for play we didn't approve anything but there was a direction from the committee to get some ideas of what we can and can't do and how we can modify our expenses and everything. I think that's why they're here; to present.

MR. HANLEY: But, I mean, in the context

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of the contract negotiation or renegotiation.

PRESIDENT DeVITA: We're not going to vote on it today.

MR. HANLEY: Right.

MR. AMODIO: Move that to closed session.

Commissioner Kolodziej, next will be policies.

COMMISSIONER KOLODZIEJ: Yes. I'm just asking for a yes or no vote on these three issues. We are getting back, last month we dealt with the one that dealt with loaning out equipment. There

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was some suggestions given to Mr. Hanley that he will incorporate that so we are waiting for that one to come back.

MR. HANLEY: I'm sorry, which is that?

COMMISSIONER KOLODZIEJ: In regard to the use of equipment. We never had a formal policy. Already Administration has instituted one from their end, but as Commissioner Sanchez pointed out, since we are mentioned in there, we took great lengths to change words like "emergency" and those kind of things. So we're just waiting for that to come back in its final form.

I'm going to go with the two easier ones first, which is Roberts Rules and Agenda Listing.

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Several of you around here have been Chairpeople before. This is meant to strengthen the Chair's ability to keep our meetings running. Most governing bodies have adopted a formal standard, which is Roberts Rules and agenda listing. We are suggesting that all of the agenda goes through the Chair. We're putting a stop to people calling up and saying I want this on the agenda. No, you're going to be according to what we're asking through the Chair so the Chair can be in control of everything.

So let's take the two easy ones first.

PRESIDENT DeVITA: You want to move them?

COMMISSIONER BAZIAN: I'll move the Roberts Rules.

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PRESIDENT DeVITA: How about the agenda?

COMMISSIONER BAZIAN: Are we going to do them together?

COMMISSIONER KOLODZIEJ: Yes.

COMMISSIONER BAZIAN: I'll move the agenda.

COMMISSIONER KOLODZIEJ: Second.

COMMISSIONER VANNOY: Second.

COMMISSIONER KOLODZIEJ: Sorry.

MR. AMODIO: Move by Commissioner Bazian.

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Second by Commissioner Kolodziej.

Any discussion.

On the roll.

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

MR. AMODIO: Motion approved.

COMMISSIONER KOLODZIEJ: All right. We're going to bring this one to a head. It's been floating around for a long time. I first came on this Commission, we did have a policy for rotating presidencies. It was, you know, taken away and now we're asking to put it back.

It shows a respect for each of the owner cities as far as we're concerned. And each of the owner cities can debate which one of their Commissioners would be that President. So it puts the power back into the appointing authority in some way, shape, or form.

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So I will move that we go back to the policy of rotating presidencies.

That's the motion.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Second by Commissioner

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Vannoy.

Discussion.

COMMISSIONER BAZIAN: Mr. President, I'm going to put my head in the lion's mouth so to speak.

I have a conceptual problem with this as a procedure -- as a policy, I should say. In general, I agree, each of the -- there's three owner cities. And I certainly don't have a problem, in general, that we should be sharing the presidency and I think that's a good thing. But to specifically say that this is a policy and by definition I am limited as a Commissioner in terms of who I'm going to vote for. So, for example, one year it's going to be, I have to choose between Commissioner A or Commissioner B of Clifton or Passaic or Commissioners A, B, C of Paterson. What if, in my opinion, I don't think either or all three or whatever are appropriate to the presidency, you're now removing from me my ability to make a decision in what I consider to be the best interest of the Commission?

Now, while under normal circumstances, I agree, but to formalize this in a policy and to

force me to live in a particular way is something

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I have a problem with. And, therefore, that's why I can't vote.

PRESIDENT DeVITA: Any other discussion?

COMMISSIONER SANCHEZ: I have, I've been quoting my colleagues, not only that, it takes the sense of democracy away from this table. I mean, there's many items that we agree with, many we don't agree with. So it takes someone to say yes and it takes someone to say no. So my whole thing is we had it, didn't work, and I don't see a point to put it back.

PRESIDENT DeVITA: Any further discussion?

Motion and second.

On the roll.

COMMISSIONER BAZIAN: No.

COMMISSIONER SANCHEZ: No.

COMMISSIONER KOLODZIEJ: The policy would be the presidency for one year. I have not been happy with some of the Chairs I've had, Commissioner Sanchez, but you know what, I sucked it up for a whole year and guess what...

COMMISSIONER BAZIAN: Mr. President, point of order. Since we're now going to Roberts Rules --

COMMISSIONER KOLODZIEJ: Okay. Yes. Yes.

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COMMISSIONER LEVINE: I'd like to table this for -- I just really, personally, the first

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time I just heard about this. I want time, actually, to digest. It's my --

COMMISSIONER KOLODZIEJ: Is there a second on his table?

PRESIDENT DEVITA: Are you making a motion?

COMMISSIONER LEVINE: I make a motion to table.

COMMISSIONER SANCHEZ: I second.

MR. AMODIO: Can we go get through this vote.

PRESIDENT DEVITA: If he's making a motion to table, that's going to take priority over the motion.

MR. AMODIO: Okay. Motion to table by Commissioner Levine.

Do I have a second?

COMMISSIONER BAZIAN: I'll second.

MR. AMODIO: By Commissioner Bazian.

On the roll.

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

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responded in the negative)

MR. AMODIO: Motion to table.

COMMISSIONER KOLODZIEJ: May I ask what information are you looking for?

COMMISSIONER LEVINE: I just want to

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see --

COMMISSIONER KOLODZIEJ: Can you tell me what you're looking for? Not now, later. Later.

COMMISSIONER LEVINE: I was going to tell you now.

COMMISSIONER KOLODZIEJ: No, no. Later. Later.

PRESIDENT DeVITA: Table for the next meeting, correct?

Okay.

MR. AMODIO: Moving on.

We have the Executive Director's report.

MR. BELLA: First thing is dealing with the filters rehabilitation going along very well. The contract's ahead of schedule, which is a good thing and seems to be competent in what he's doing. He knows what he's doing and we're watching very closely. That's moving along well. It's important for this time of year.

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The second thing is I want to talk electric. Our electric bill's between five and \$6 million a year and the Commission hired a contractor, who we have now looking after about a week or so about what we're going to do. We have some interesting ideas how to procure electric in a way which will make it even more competitive.

PRESIDENT DeVITA: You gave me a copy of that preliminary thing. I have no idea --

MR. BELLA: It's complicated.

PRESIDENT DeVITA: It's complicated.

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MR. BELLA: And it has a lot to do with the way the market works. But, hopefully, if we can do some of this a little more sophisticated in purchasing electric, we can save up to ten percent savings on our electric bill.

PRESIDENT DeVITA: Sure. It could be a huge savings.

MR. BELLA: The second thing -- oh, clarifiers. We may come back to you with an emergency resolution on purchasing some mechanical parts of these new clarifiers we have. They're not new anymore. They're eight years old. And the reason why I say that, they all have about an equal amount of time. We had failure on one and

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then had a failure on a second one, which tells us something is going on related to timing use.

Right now Jim is preparing specifications to provide that stuff, but if we start to see we're having these other problems, we might just go out and buy them. I want to give you a heads up.

COMMISSIONER RODRIGUEZ: Mr. President, if I may. Mr. --

MR. HANLEY: It's not an emergency unless it's an emergency.

COMMISSIONER RODRIGUEZ: Mr. President, if I may. There's no such thing. You still have a governing body. It's not like you can "just go out and buy" anything.

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PRESIDENT DeVITA: He's not going to.

COMMISSIONER RODRIGUEZ: No, no. I'm clarifying what he said. You have a finance committee here. You got a President here. And I think what has to happen, if there is an extreme emergency, you need to inform this body.

MR. BELLA: Of course. That's the norm.

COMMISSIONER RODRIGUEZ: I'm just going on record saying that.

PRESIDENT DeVITA: I got to be honest, I

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understand what you're saying. But he normally does. I hear everything. But, you're right. I'll give you credit. You're right.

MR. BELLA: Commissioners, normally under these circumstances, if I see it out in the future that there might be a problem, I warn you up front and then when the time comes, we call the Commissioners up and let them know.

MR. HANLEY: I have to clarify this.

COMMISSIONER KOLODZIEJ: Yes.

MR. HANLEY: You can anticipate this now by definition, when it happens it's not an emergency.

MR. BELLA: That's why we're out bidding.

MR. HANLEY: I'm just saying.

COMMISSIONER RODRIGUEZ: You're going out to bid. You're looking for a Resolution from us or decision from us to go out and bid because you're seeing an emergency.

MR. BELLA: Right.

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COMMISSIONER RODRIGUEZ: Okay. I'm just trying to be clear here, come on.

PRESIDENT DeVITA: Can the two Commissioners from Paterson be quiet?

COMMISSIONER RODRIGUEZ: Yes, can you guys

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be quiet?

COMMISSIONER SANCHEZ: Thank you.

PRESIDENT DeVITA: Go ahead.

I got some questions. The Newark Reservoir being out of service eight months.

MR. BELLA: Yes, out of service eight months. That's what the agreement with Newark was. They'll be floating off of our reservoir and then when they're done with that, we'll do the same thing with them to check ours.

PRESIDENT DeVITA: I was very happy to see all of the changes and modifications on our overtime, our personnel reassignment to save us money. Well done.

COMMISSIONER KOLODZIEJ: Good job.

COMMISSIONER BAZIAN: I'm sorry, I have a couple of questions.

PRESIDENT DeVITA: Sure.

COMMISSIONER BAZIAN: Joe, just, I was reading the report this morning. I notice that under your figures under Customer Service distribution are 2010 figures or is that just a typo? Page three.

MR. BELLA: From the first one you're

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talking?

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COMMISSIONER BAZIAN: "Total Customer Service calls year to date for 2010."

MR. BELLA: Yes, that's correct.

COMMISSIONER BAZIAN: That's 2010?

MR. BELLA: No, no, typo.

COMMISSIONER BAZIAN: Under your Long-Term Ongoing Projects, Storage Improvement Project, is that the reservoir?

MR. BELLA: That's correct.

COMMISSIONER BAZIAN: Forgive me, I noted under the filters, on page six, you have, quantities are unconfirmed. I just -- you said, "Filter underdrains delivered, quantities unconfirmed." I didn't understand that.

MR. DUPREY: The concept there was that you just made a delivery of the underdrains and nobody countered them at that point, just make sure that they match what's in the filter. So right at the moment they went and counted them and it's fine.

PRESIDENT DeVITA: Thank you.

COMMISSIONER BAZIAN: Under Production and Operating Cost, I notice that we regularly purchase water from the District Water Supply, right?

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MR. BELLA: No, we don't purchase water from them. We're entitled to a certain amount of
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water from them, which we take on a regular basis. We're entitled to 35.4 million gallons of water a day. We usually take the full allotment over the course of the year. The only times we don't take the maximize, or we take, because we're paying for it, is during a drought year when the State orders us not to take it. Other than that, we hit floats. To hit it to the 34 is pretty darn close.

COMMISSIONER BAZIAN: So the question if we're normally paying for this, why are those costs not included? You specifically state, "Note these costs do not include the cost of water purchased from NJDWSC" --

MR. BELLA: That's a manageable -- see, what we're doing in our plant, what the costs are. Those costs are --

COMMISSIONER BAZIAN: Okay. Thank you.

PRESIDENT DEVITA: George.

MR. HANLEY: It may help, because this isn't often discussed. It may help you understand.

The North Jersey District Water Supply, under their statute and under ours, are in effect

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a trustee. Think of them as a bank. We have about 34 percent of it interest and Newark has a slightly larger interest, and they are our trustee. We are the beneficiary of 39 percent of that water. And that's the way it was formed. Now, we do pay for that, but it's not per se a

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water purchase.

COMMISSIONER SANCHEZ: I want to say this. So we keep on paying 39 percent on the budget. That's what we keep on doing.

MR. HANLEY: Of the cost. You should check.

MR. WEISS: Yes, I believe the exact number is 37.75.

MR. HANLEY: Of Wanaque North. There's also a Wanaque South.

MR. WEISS: We fund 37.75 percent of their budget.

MR. HANLEY: Of Wanaque North only, right?

MR. WEISS: Yes, that's right.

COMMISSIONER SANCHEZ: They spend our money and we don't have a say.

The thing is we've been with this for years because what people don't know about it is we just gave them a check and we don't have a say;

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so.

PRESIDENT DeVITA: That's forever though.

COMMISSIONER SANCHEZ: Is there anything that we -- I mean, I'm outspoken about this. We should do something about it because we just --

COMMISSIONER RODRIGUEZ: I think we should -- one of the things that we -- we talked about this before in terms of North Jersey. I think the frustration is, I think the timing is, I think we need to talk to our legislators. That needs to be looked at. That's a State entity and what's going

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to have to happen some time or another, our legislators are going to have to try and draft some kind of legislation that will change. And I can guarantee you that Newark will be right there with us. Because between Newark and Passaic Valley Water Commission, we basically own --

PRESIDENT DeVITA: A lot of this.

COMMISSIONER RODRIGUEZ: Over 70 percent. We basically own that and we have no say in that and I've had this conversation with people from Newark.

COMMISSIONER SANCHEZ: I want to bring it up because I get frustrated every time I say it. They send us a bill for whatever amount and we got

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no choice but to send them a check.

PRESIDENT DeVITA: If you remember, we always tried to have a liaison.

COMMISSIONER SANCHEZ: They don't let us in.

PRESIDENT DeVITA: Well, they let us in.

COMMISSIONER KOLODZIEJ: Yes, they do. I've --

PRESIDENT DeVITA: The open portion of their meeting is like 12 minutes and the rest was closed.

COMMISSIONER SANCHEZ: They throw you out.

PRESIDENT DeVITA: They send us the budget to comment.

So, yes, I agree with Idida. Maybe we

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should explore it. Is that your committee?

COMMISSIONER RODRIGUEZ: Yes, that's my committee.

PRESIDENT DeVITA: You'll work on that?

COMMISSIONER RODRIGUEZ: Yes, I will, with pleasure.

COMMISSIONER KOLODZIEJ: Good.

COMMISSIONER BAZIAN: Two more quick questions, if I may.

I notice under Laboratory you mention some

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tests, analyses that are going to be eliminated. I was curious as to any potential effects this might have on quality of water or safety?

MR. BELLA: No, those were tests that were kind of, which really like C.O.D., they're really not -- the State does that stuff on a regular basis. So there's no sense. Plus, the river is so clean nowadays that it's really data that we get from that. In the old days when the river was really polluted, you needed to know that information because you could start to get a feel how you have to adjust your chemicals. So, it's much cleaner today. It's tested, the sewer --

COMMISSIONER BAZIAN: I was just curious, do you have any idea what kind of cost savings by eliminating these analyses --

MR. BELLA: Well, I don't know if it's a true cost savings in a sense that -- I mean, other than the chemicals that we use, which is costly, what it's going to do is allow us to use that

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time, technician time someplace else.

COMMISSIONER BAZIAN: Finally, on the same page you were talking about the budget, \$328,000 for ICP/MS. And you recommended that you take \$100,000 of that and put it to a Flow Cytometer.

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30,000 to go to a new TOC and \$75,000 going to a new Ion Chromatograph, if I'm pronouncing that correct. So by my math that works out to \$205,000. What are we doing with the rest of it? Does that go back into general funds?

MR. BELLA: Absolutely. That's where it is now and that's where it will go. And then they make budgets going forward for the next year.

COMMISSIONER BAZIAN: Mr. President.

MR. WEISS: Can I comment on that? That's actually capital funds. So that wouldn't go back to the general fund; Capital Fund, Program, that would not be -- that's all that would be.

COMMISSIONER BAZIAN: Right. Given this is a request for redistribution of capital funds, does that require any action on the part of this Board?

MR. WEISS: Again, I'm not an attorney. So, but my opinion as a CFO would be, no, because the way we budget is lab --

COMMISSIONER RODRIGUEZ: We approved the budget.

PRESIDENT DEVITA: I think it's within that category.

Mr. President.

COMMISSIONER RODRIGUEZ: It's like anything, either we decide to go back or the department, if they have a particular need or service, they can appropriate it, re-appropriate it.

PRESIDENT DEVITA: Any other questions of Joe?

No.

MR. AMODIO: Moving on.

PRESIDENT DEVITA: Yitz, quickly.

MR. WEISS: Very quickly. I don't have a lot to say.

Cash a hand is \$12 million.

Our accounts receivable are at 11.1 million. We have 10.7 million of that is 90 days or less, which is about 97 percent, which is good.

Accounts payable is at \$4 million.

Our cash flow is relatively strong. We did fill our reserves again at the beginning of the month, which is good.

You have a copy of our final audit in front of you and nobody has had a chance to review it so we're not going to ask for a Resolution

today. That will come back next month. So take time to go through it. We are going to have Steve
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Wielkocz, our auditor, at the finance committee meeting this coming month so that he can answer any questions.

That's it.

PRESIDENT DEVITA: Thank you.

We're going to go into closed.

MR. AMODIO: Yes.

Do I have a motion?

COMMISSIONER VANNOY: Move it.

COMMISSIONER BAZIAN: I'll second.

MR. AMODIO: Pursuant to the Open Public Meetings Act, Commissioner Vannoy offers the following Resolution for adoption:

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of 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

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matters; the general nature of the subject matter being: Financial, Insurance, Personnel, Contracts, Negotiation, Security, Various Litigation: Prismatic and Leopold; Lodi v. PVWC; North Arlington v. PVWC; 260 Gregory Avenue; St. Mary's Hospital; Summary/Aging Reports; Quarterly

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Reports; Collection Matters; Matter of Walgreens; discussion with Sheriff Berdnik; Personnel: Demotion of Vincent Cerniglia, who by the way did not sign his request. So it's going to be in open session. Title Change: Amanda Torres and Deborah Ratajczak; New Hires: Frederick Brewer, Angel Torres; under Administration: We have Four Seasons at Great Notch request of hours, Reservoir Road; and we have from the internal and external communications, we have Ed Farmer from Millennium Strategies and Bill ZurynetZ from the Lost Boys, and any other matter as may be discussed in camera.

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

3. This Resolution shall take effect immediately.

Second by Commissioner Bazian.

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On the roll.

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

MR. AMODIO: On the roll.

(Whereupon, Commissioner Rodriguez left the meeting)

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

MR. AMODIO: You have a quorum.

The time is 1:00.

We'll go to Consent Agenda.

We have the minutes of the Passaic Valley Water Commission in camera session and Regular Public Meetings of April 13th, 2011 and May 3rd, 2011, "Special Meeting."

Do I have a motion?

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER VANNOY: Second.

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MR. AMODIO: On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative, Commissioner Vannoy having abstained on the May 3rd minutes)

MR. AMODIO: Next, does the Chair accept and receive and file miscellaneous purchase orders from Linda Beckering?

PRESIDENT DeVITA: Yes.

MR. AMODIO: Thank you.

Next, we have Requests For Action. All of these I believe went before the finance committee. If you would like, we could do one motion or we could do them individually?

PRESIDENT DeVITA: Six, 7, 8, 9, 10.

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COMMISSIONER KOLODZIEJ: I will move the group.

MR. AMODIO: Okay. Move by Commissioner Kolodziej.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Second by Commissioner Vannoy.

On the roll.

(Roll call was taken, all Commissioners

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present respond in the affirmative)

MR. AMODIO: All were approved.

Moving on.

We have the Resolution authorizing PVWC annual season employment. This Resolution will be modified to remove item number six and also item number nine will read, "From May 1st to Labor Day, commencing May 1, 2011."

Do I have a motion?

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: By Commissioner Kolodziej.

Do I have a second?

COMMISSIONER SANCHEZ: Second.

MR. AMODIO: By Commissioner Sanchez.

On the roll.

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

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MR. AMODIO: Thank you.

Motion approved.

Moving on.

We have a Resolution establishing a part-time employment for use of extended hours.

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Do I have a motion?

COMMISSIONER VANNOY: So moved.

MR. AMODIO: By Commissioner Vannoy.

Do I have a second?

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: By Commissioner Kolodziej.
Discussion.

COMMISSIONER BAZIAN: Yes. I think the title is different. It was about part-time cashiers.

MR. AMODIO: Yes.

COMMISSIONER BAZIAN: That's not what you just read.

MR. AMODIO: For extended hours. I'm sorry, that Resolution is establishing to --

COMMISSIONER BAZIAN: -- Hire part-time cashiers --

MR. AMODIO: -- For extended hours.

COMMISSIONER BAZIAN: This was recommended by the personnel committee?

COMMISSIONER KOLODZIEJ: Yes.

COMMISSIONER BAZIAN: Is it budgeted for?

COMMISSIONER KOLODZIEJ: we discussed this.

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Just a clarification on six. I think this

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is just wording that you required to put in here, George, "Part-time employees will receive sick leave and vacation leave only to the extent that part-time employees may be entitled to same under the State law," which should be nothing.

COMMISSIONER LEVINE: whatever the State law is.

COMMISSIONER KOLODZIEJ: Yeah, but it should be nothing is what I'm saying. If we're not paying them for pension or health benefits, what would I possibly --

COMMISSIONER LEVINE: we should just take that right out.

COMMISSIONER KOLODZIEJ: I think George is covering this bases.

MR. HANLEY: I didn't do that.

MR. AMODIO: This was done by Alan Genitempo.

COMMISSIONER KOLODZIEJ: I'm assuming this is just a legal thing to protect us that has the right wording. I'm expecting it to be nothing. If I'm required by State law, I'm not going to have a choice.

MR. HANLEY: It's better to be explicit.

COMMISSIONER KOLODZIEJ: Exactly. That's

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what I'm assuming. Okay. I'm okay with it.

MR. AMODIO: On the roll.

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

MR. AMODIO: Motion approved.

New Business.

Summary of Disbursements and Payrolls through May 15th, 2011 in the amount of \$11,354,234.01.

would the Treasurer like to make a motion?

COMMISSIONER LEVINE: I'm still finishing going through them. I'm waiting for paperwork. Yitz, I can approve it subject to me okaying it after, if that's okay. I was waiting for the employees that I was supposed to get, remember?

MR. WEISS: You have them.

COMMISSIONER LEVINE: I don' have them.

MR. WEISS: You had them last week.

COMMISSIONER LEVINE: where are they?

MR. WEISS: They're on the table. You want them again?

COMMISSIONER LEVINE: Yes.

COMMISSIONER KOLODZIEJ: Is it appropriate to make a motion pending his okay?

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MR. HANLEY: Yes.

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: Motion by Commissioner Kolodziej.

COMMISSIONER SANCHEZ: Second.

COMMISSIONER KOLODZIEJ: Subject to --

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MR. HANLEY: Explicit conditions --

COMMISSIONER KOLODZIEJ: Okay. Subject to

--

MR. HANLEY: -- Clearly delegated authority.

COMMISSIONER KOLODZIEJ: All right.

MR. WEISS: Clarification, does that mean we can distribute the checks or no?

MR. HANLEY: Not until you have signed off.

COMMISSIONER KOLODZIEJ: After the meeting. As George said, as long as we make it subject to the explicit conditions.

MR. AMODIO: On the roll.

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

PRESIDENT DEVITA: Abstain on Rachles

□

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Michele.

MR. AMODIO: Moving along.

We have a Resolution providing for the continuing authorization of PVWC Self-Insurance Fund and Indemnification of Officers and Employees of PVWC.

COMMISSIONER SANCHEZ: So moved.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Move by Commissioner Sanchez.

Second by Commissioner Kolodziej.

On the roll.

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

MR. AMODIO: Thank you.

Moving along.

We have recommendations from closed session.

If you'd like to do it one item or we could do them separately, that would be the Personnel. Would you like to do it as one item?

COMMISSIONER SANCHEZ: Yes, please.

MR. AMODIO: Do I have a motion?

COMMISSIONER VANNOY: So moved.

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MR. AMODIO: By Commissioner Vannoy.

MR. HANLEY: I think you should list what you're doing, for the record.

MR. AMODIO: That would be Title Change, Amanda Torres, from Laborer to Clerk/Typist. No change in salary.

Deborah Ratajczak to Principal Clerk/Typist with salary of 58,958. Proposed range of 17,935 to 58,959.

Demotion of Vincent Cerniglia from Senior Water Meter Repairer to Water Repairer, a Civil Service Directive with no salary change.

New Hires: Frederick Brewer - Laborer T/A.

Salary of 30,000 with a range of \$16,315

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to \$54,215.

Angel U. Torres - Laborer T/A.

Salary 30,000.

Proposed Range: 16,315 to \$54,215.

I have a motion by Commissioner Vannoy.

Second by?

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Second.

On the roll.

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

MR. AMODIO: Last will be approval of
contract, not contract, but approval for Leopold
to furnish and deliver filter underdrains.

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER BAZIAN: Second.

MR. AMODIO: On the roll.

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

MR. AMODIO: I have nothing else in
closed.

I have nothing under Good and welfare.

The next meeting will be June 22nd;
Wednesday, June 22nd at 9:30 a.m.

PRESIDENT DeVITA: Before we adjourn,
just, let's all keep some of our Veterans in our
thoughts this weekend for Memorial Day for all the

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good they do for us.

MR. AMODIO: Thank you.

Motion to adjourn.

COMMISSIONER KOLODZIEJ: So move.

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COMMISSIONER BAZIAN: Second.

MR. AMODIO: Move by Commissioner
kolodziej.

Second by Commissioner Bazian.

On the roll.

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

MR. AMODIO: Time is 1:08 p.m.

Have a wonderful Memorial Day weekend.

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