

PASSAIC VALLEY WATER COMMISSION MEETING OF
OCTOBER 19, 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

□

PRESIDENT DeVITA: Call this meeting to
order.

MR. AMODIO: On the roll.

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

pvwc101911.txt

MR. AMODIO: Time is 9:46.

You have a quorum.

PRESIDENT DeVITA: Just for the record, Commissioner Bazian phoned me, he told me he had a slight emergency. He will be here.

MR. AMODIO: Commissioner Rodriguez is also on her way.

All of 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 of the Clifton facility.

will you please rise.

Commissioner Levine, will you please lead us in the Pledge of Allegiance?

□

3

I don't believe there's anyone from the public who's here who wishes to be heard.

If you like, we can go right into committee reports.

PRESIDENT DeVITA: Let's go.

MR. AMODIO: First item.

PRESIDENT DeVITA: Personnel, Bob.

COMMISSIONER VANNOY: Personnel, hopefully we can finish up our Table today. You know, as far as it goes, feedback and everything to where our last personnel meeting we were comfortable

pvwc101911.txt

with the way it was and the other four are, or at least one of the four.

PRESIDENT DeVITA: We haven't gotten any comments or feedback.

COMMISSIONER VANNOY: I actually spoke to Commissioner Rodriguez. She was okay. If you have any questions, we'll bring it up at that point.

PRESIDENT DeVITA: Can we vote on it now?

COMMISSIONER KOLODZIEJ: I just have a question.

Changes on the Table of Organization, my suggestion last time based on my experience, my function with complying with the recommendation

□

4

that Mr. Bella has made in regard to moving that one function to the Engineering Department. My only concern was the creation of another position, and I really haven't looked at your corrected copy, and having two people with the same job title.

And if you read the minutes back, you'll see that my concern was the person's new title basically doesn't reflect the job that he has been doing for us. So if that's the case, is he vacating the job that he used to do for us and now will take on the new function, which is the same function as someone else has had for a long time. So that's my only concern.

Everything else on the table was fine with

pvwc101911.txt

me. So it's the one position, and as I stated for the record last time, the job description, in my opinion, should match the job that you do. And if this employee is so multi-talented that he could do both tasks, in my experience, he's not going to be able to keep both titles. The title should reflect the main part of the job that that person is doing.

COMMISSIONER LEVINE: You have to see if he's allowed to do both.

5

COMMISSIONER KOLODZIEJ: well, there is a waiver. However, again, the waiver has to be based on basically the majority of what that person specifically does.

COMMISSIONER LEVINE: And also if he leaves, if you hire somebody and something happens, he retires, what about when the new person comes in? we lose that, you know.

PRESIDENT DeVITA: I think what we had done in personnel is, we had gotten a job description from Jim Gallagher.

COMMISSIONER KOLODZIEJ: All right. So by the time we vote on that, can you give me that job description?

COMMISSIONER VANNOY: Any further discussion?

COMMISSIONER KOLODZIEJ: But that's the only thing that I have is that one position. So if we can somehow adopt the Table, unless I'm the only one that needs the clarification. I could go

pvw101911.txt

right to Civil Service and get the clarifications. I don't need it from you. So I would have to abstain if that position is not made clear to me as to what title correctly belongs with how that employee --

6

PRESIDENT DEVITA: So we can get that from Jim?

COMMISSIONER VANNOY: Right.

PRESIDENT DEVITA: All right.

(Commissioners Rodriguez and Bazian are present at 9:53)

COMMISSIONER VANNOY: There are new hires but they are not mandatory. But we'll discuss that as well.

COMMISSIONER KOLODZIEJ: They're on our agenda today? And, again, the Engineering Department and outside consultants and I am pleased that one of the recommendations is --

COMMISSIONER VANNOY: We try.

COMMISSIONER KOLODZIEJ: A plus.

COMMISSIONER VANNOY: One personnel issue that we'll discuss in closed session.

MR. HANLEY: Is that the Rice notice? Is it necessary? Is it an individual?

COMMISSIONER KOLODZIEJ: If I stay general.

COMMISSIONER VANNOY: Two.

MR. HANLEY: Two individuals. If the

7

individuals are going to be discussed, they need to be Rice noticed in advance.

COMMISSIONER RODRIGUEZ: We should have.

PRESIDENT DEVITA: Don't tell us out loud.

COMMISSIONER VANNOY: Yeah, I know. The two that we just talked about.

PRESIDENT DEVITA: Let me see if it's in my notes.

COMMISSIONER KOLODZIEJ: The advice is and certainly, I don't intend to mention any names --

PRESIDENT DEVITA: Do we need to mention names? We're not going to mention names.

MR. HANLEY: If it's conceptional and if it has to do with the things that has to do with an impact on potential grievances or collective bargaining, then you can do it in closed session so long as you don't name names.

PRESIDENT DEVITA: Right.

COMMISSIONER KOLODZIEJ: I don't intend to name names. It's conceptional. I know what the former T.O. had in regard to the duties performed by one of these people, but now that person will have a new title and I'm supposed to get a job description here of what the new title is; so.

COMMISSIONER VANNOY: Are we back on

8

something?

COMMISSIONER KOLODZIEJ: I don't even know
Page 6

pvwc101911.txt

who the other individual is. But the individual I want to talk, it's not an individual. I mean, Commissioner Levine is absolutely right. This is a position that this organization needs, which do I need more? What I know this position has been doing or is this the job description?

COMMISSIONER LEVINE: It's a conflict of interest.

COMMISSIONER KOLODZIEJ: The job title basically is based on the majority of how that employee's time is used.

COMMISSIONER LEVINE: My understanding --

COMMISSIONER KOLODZIEJ: And Civil Service.

COMMISSIONER LEVINE: My understanding is they can do both.

COMMISSIONER KOLODZIEJ: Right. And if they do do both, what title will they be given. Like we said at the last meeting, Civil Service, a lot of titles are obsolete. This is all they have. So you really don't have a choice. You have to fit them in and the way Civil Service will fit them in.

□

9

COMMISSIONER LEVINE: I understand Civil Service, can they do the other job with the new title? That's my --

COMMISSIONER KOLODZIEJ: No, not without --

PRESIDENT DeVITA: Let's talk about it,

pvwc101911.txt
you need a description. We'll get the description. If you have a question, if you want to put it off until the next meeting.

COMMISSIONER KOLODZIEJ: No, only if they need to be Rice noticed will it be put off.

PRESIDENT DeVITA: No, I mean the Table of Organization.

COMMISSIONER KOLODZIEJ: We want to vote on it today.

PRESIDENT DeVITA: No, no, I'm saying the Table of Organization, we don't have to Rice notice.

MR. HANLEY: Then it may be that you should do it in closed as well. That's another issue, depending on the facts.

PRESIDENT DeVITA: We'll go over that.

MR. AMODIO: Carry that.

PRESIDENT DeVITA: Okay.

MR. AMODIO: Finance.

10

PRESIDENT DeVITA: Finance.

COMMISSIONER LEVINE: We didn't have a meeting because the holiday was every...

COMMISSIONER KOLODZIEJ: True.

COMMISSIONER LEVINE: This month, the majority of our Commission is the holiday. There was nothing pertinent.

PRESIDENT DeVITA: Nothing to report?

COMMISSIONER LEVINE: No.

PRESIDENT DeVITA: Okay. IT/Security.

COMMISSIONER KOLODZIEJ: Security, we have

pvw101911.txt

a proposal back before us and we all kind of picked up on the fact that the proposal before us is actually more expensive. However, there's two things you need to consider. This organization is a critical infrastructure facility and requires, in my opinion, the best security we can get at the best price.

The contract, if I read it correctly, Mr. Hanley, is an up to amount. The Sheriff is trying very hard to do what a private security company would do to use retired trained officers to fill some of the positions. Until that can be figured out with the union, right now these numbers are based on using active Sheriff's Officers.

11

I don't want to go into the details because I think contractually we can.

MR. HANLEY: I don't think I've seen that.

COMMISSIONER KOLODZIEJ: We all got it last meeting. We all got it last meeting.

COMMISSIONER RODRIGUEZ: We did.

COMMISSIONER KOLODZIEJ: But, anyway, I think because it's contractual, that's the overview. We have the committee. I guess I was the only one that attended that meeting. The only other option we have was to use an outside security firm and I did sit through one that was from New York, certainly capable; has a history with this organization. But the reason they can make the bottom numbers appear better is because

pvwc101911.txt
they intend to use retired public safety officers.

PRESIDENT DeVITA: Can I comment?

COMMISSIONER KOLODZIEJ: Yes.

PRESIDENT DeVITA: The problem I have is George hasn't seen this contract.

MR. HANLEY: Apparently, it was in the packet, but I didn't.

PRESIDENT DeVITA: I'm going to assume we need you to go through this before we go much further.

12

The issue I have is the pricing that we have is not with the retired people.

COMMISSIONER KOLODZIEJ: Correct.

PRESIDENT DeVITA: So I don't know what it's going to cost.

COMMISSIONER KOLODZIEJ: However, however, at any point in time when the Sheriff, you know, can iron out that detail. We deal with unions here so we basically know, then he can basically substitute any one of the existing personnel with those.

And there's two things that you need to keep in your head. Commissioner Vannoy, you've been on top of this for two years.

The outside coverage is essential, because even if we hire an outside firm, they cannot do arrests on the spot. They have to call in the local or the Sheriff or whoever they're going to call in. They can detain the perpetrator. So because of our facilities, you know, just makes

pvmc101911.txt

sense. And if you look at the proposal, very wisely the Sheriff has put the, whoever covers that sector and whatever city it is, will now have the full responsibility for treating ours like they treat anybody else's.

13

The inside facility is a different situation. We're a closed facility. We're working on the IT with badges and better security there and anything you can do in that respect will enable us to change and Mr. Bella had just given me a suggestion before the meeting which I'll do in closed session.

So that's basically where you would use the retired people.

COMMISSIONER VANNOY: Do we know the difference between regular Sheriff's officers and retired, pay wise?

COMMISSIONER KOLODZIEJ: Oh, big difference. Big difference. Big difference.

PRESIDENT DeVITA: We don't have it.

COMMISSIONER KOLODZIEJ: Big difference.

COMMISSIONER LEVINE: They can do the arrest inside the buildings.

COMMISSIONER KOLODZIEJ: Our Sheriff's officer, absolutely they can.

COMMISSIONER VANNOY: Even the retired officers can still do --

COMMISSIONER KOLODZIEJ: No, they can't make arrests.

14

percent sure about that?

COMMISSIONER KOLODZIEJ: I'm a hundred percent sure. They're retired.

PRESIDENT DEVITA: One at a time. One at a time.

How many arrests have we had in the last couple of years on our outside facility?

MR. BELLA: I don't know off the top of my head, there have been.

COMMISSIONER LEVINE: Have there been any?

MR. BELLA: Yeah.

PRESIDENT DEVITA: For what?

MR. BELLA: Trespassing on the reservoirs. One was a pretty big case, you know, the guy had a gun and stuff like that.

COMMISSIONER KOLODZIEJ: I would like to, I kind of think what I'm hearing, especially from my colleague from Clifton that we've been talking about this for two weeks. It's not that we disagree, your points are well taken. So I think I have a suggestion in the closed session that we'll more or less go back to the Sheriff and say, you know, this is what we would like to do and go from there.

COMMISSIONER LEVINE: I'd like to have at

15

least one police, regular real Sheriff's officer there.

pvwc101911.txt

COMMISSIONER KOLODZIEJ: Let's do that in the closed session.

PRESIDENT DeVITA: Let's give George a chance to review it.

COMMISSIONER VANNOY: One more question. If we hire retired Sheriff's Officers and they're part of that contract, doesn't that make them real workers at that point?

I'm only asking because I talked to a retired Sheriff's Officer, he said they were.

COMMISSIONER KOLODZIEJ: well, Mr. Hanley will reaffirm that.

MR. HANLEY: Will reaffirm what?

COMMISSIONER KOLODZIEJ: If we wind up using, you know, a retired, you know, through the Sheriff's Office, what I see and, Joe, correct me if I'm wrong, what I see in the difference with this last proposal over the first proposal is the Freeholders are involved in this contract. It's going through them. Because as George has pointed out many times, we can't contract with the Sheriff separately; so.

MR. HANLEY: That's always the way.

16

COMMISSIONER KOLODZIEJ: Right. To me this is another step in what I consider shared services. We're doing it with the Prosecutor's Office with the Dark Fiber. We're doing it in my opinion, through the Freeholders and using this. And I guess what you have to weigh is an outside

pvwc101911.txt

firm is easily able to hire a bunch of retired people.

Our Sheriff, if he's able to get his union to agree to that, would be using retired officers from our local PDs; Passaic, Paterson, Clifton, Little Falls, whoever. And that's one of the statements he made. That as he's able to, especially as Commissioner DeVita has pointed out, in those facilities where that would be desirable rather than somebody getting paid this much an hour, that's what he would like to do.

COMMISSIONER VANNOY: Are they able to carry a gun?

COMMISSIONER KOLODZIEJ: No, they're retired. They're retired. If they're registered, yes. They cannot make arrests and point the gun at you. They still have to call Clifton or Paterson or whoever.

PRESIDENT DeVITA: Guys, let's do one at a

17

time so she can get this.

COMMISSIONER KOLODZIEJ: Anyway, you got the concept. You certainly know what Commissioner DeVita's, and I respect it, because he's right, you know, about the cost factor, but you have to weigh, you know, what kind of security we need and what you think is a fair price for that security.

COMMISSIONER RODRIGUEZ: Commissioner, you said --

PRESIDENT DeVITA: We're going to move this to closed?

pvwc101911.txt

MR. HANLEY: Maybe it's better.

PRESIDENT DeVITA: We'll move it to closed. Okay.

IT.

COMMISSIONER BAZIAN: Not much to report, with my holiday schedule, IT was not really able to meet. I did have a discussion with Commissioner Vannoy, because I had raised a concern regarding the --

COMMISSIONER VANNOY: Hard drive.

COMMISSIONER BAZIAN: In general with regards to the copiers that we were getting. I had some concerns, especially with regards to disposal.

18

I don't know if you're all aware, but the copiers today, all the hard drives and any time you're making a copy of something, it's stored on the hard drive and when you get rid of a copier, you need to either reformat or otherwise Degauss or otherwise destroy --

PRESIDENT DeVITA: Degauss?

COMMISSIONER BAZIAN: Yeah, D-e-g-a-u-s-s.

COMMISSIONER VANNOY: Believe it, it's a word.

COMMISSIONER BAZIAN: It's a word. It's a word.

Basically, you take the hard drive and test it through a magnetic field and swipe it through. That's what it is. It's just a means of

pvwc101911.txt
destroying the data.

PRESIDENT DeVITA: You can erase.

COMMISSIONER VANNOY: I actually talked to Louie and I made sure that the old copiers, we would actually take the hard drives out ourselves. We can give them to our IT people. Those are actually our copiers anyway, so it's not like we have to return them. We can destroy them.

PRESIDENT DeVITA: We can Degauss them ourselves.

19

MR. AMODIO: That will be for their contract. It will be in an additional.

MR. GALLAGHER: We have an outside company that's going to do that. They're coming on-site. I never heard the term Degauss, but, yes, that's what is going to happen.

I learned a new word for today.

PRESIDENT DeVITA: All right. That's it?

COMMISSIONER BAZIAN: There was also a concern raised, I had asked, I was unaware of pricing and I know it's a State contract, but how does that compare to others? Again, I had a discussion with Commissioner Vannoy. I only mention Commissioner Vannoy because if my area is IT, his is copiers and he knows this stuff. And based on the conversation I had with him, I'm cool with this to go forward. So that's pretty much all that's happened.

There's a lot to be done and that will happen in the next month moving forward.

pvwc101911.txt

COMMISSIONER VANNOY: One more thing. I had raised the question of the copiers and everything is all right. We just have to change the purchase order make it out to the company that sell, the manufacturers.

20

PRESIDENT DeVITA: So all of your concerns that you had are resolved?

COMMISSIONER VANNOY: Yes.

PRESIDENT DeVITA: Is that it now?

COMMISSIONER VANNOY: No. One more thing on personnel.

Contract negotiations, the three Commissioners, Tom, myself, and Rigo. We're going to attend the next contract negotiation meeting so we'll be able to give you at least an update.

PRESIDENT DeVITA: We don't have a date for that yet.

COMMISSIONER VANNOY: We don't have a date yet.

PRESIDENT DeVITA: All right. League of Municipalities. I had asked that to be put on the agenda. I would like to see, I think the people that should probably go to the League of Municipalities are probably the department heads. Louie gave me a list of what sessions there are. There's things in financing and purchasing, all kinds of stuff.

I would like to see our department heads and Joe, you're the head guy to see who should go.

pvw101911.txt

I'm sure Yitz can get stuff out of finance.

21

Probably get some certification points. Linda could get some information.

So I would like to see, as opposed to Commissioners going down for two or three days, I'd like to see our personnel go down who could really benefit from it.

Anybody have any problem with that? I don't know what budget we have for that.

COMMISSIONER BAZIAN: If I may, just as a comment.

One of the concerns I have generally, things like the League of Municipalities, reputationally the League of Municipalities is a three or four day holiday fest.

(Whereupon, Commissioner Sanchez is present at 10:08)

PRESIDENT DeVITA: Shouldn't be.

COMMISSIONER BAZIAN: It shouldn't be. I have no objection to sending people down, assuming that they have an agenda of things that they are going to attend and they can come back and report on what they have attended.

I think we should also be engaged by a

22

simple cost versus benefit, by which I mean, if we're going to send somebody down and we're going

pvwc101911.txt

to send them down for multiple days, we now have to incur an overnight charge, perhaps for lodging or whatever it might be. I think that that's something that needs to be carefully monitored. I rely on Joe to do so; but.

PRESIDENT DeVITA: I agree with you. I think that as opposed to Commissioners going for three days, as some have in the past, there's no real need for that. You know, you can get what you want out of the League, that's fine. If you want to go for a day, okay. But I would rather see our department heads go that can come back and report.

You guys didn't know Commissioner Grecco. He was the master. Whenever he went, he came back and he had a report for us on everything he went to, what he learned, and what he did. And that's what we should do.

COMMISSIONER LEVINE: I disagree on that because every year I've gone down there, my committee, whether I'm doing IT or finance, we found a phone guy, you know, that you can, you know, actually, you know, bring in the quoting

23

process. I met people from the AWA that I met, made contacts with. There's certain things I'm looking to switch, like the cars, the trucks. I met those people in the AWA so the logic costs for one day \$260 saves the Commission, where a department head --

pvw101911.txt

PRESIDENT DeVITA: I don't have a problem with that.

COMMISSIONER LEVINE: Where a department head doesn't have the interest like we do to actually save the money or do whatever. And even if we don't, you know, go for the whole time or something, but you do meet a lot of people that can bring, you know, better qualities to the water Commission from south Jersey, you know. Different RFP people that we can hand out that didn't know we even did these RFPs. They didn't know how to find the list.

PRESIDENT DeVITA: I'm not saying Commissioners shouldn't go at all.

COMMISSIONER LEVINE: People do take advantage.

PRESIDENT DeVITA: Absolutely.

COMMISSIONER LEVINE: I want to avoid the taking advantage of. But I think people in their

24

own committee, like the IT committee get a lot out of it. If I knew what I was doing, you know, knew the IT like Menachem did, you can get a lot more out of it.

COMMISSIONER KOLODZIEJ: Can I make a suggestion?

Just listening, obviously, this begs for a policy, a new policy, because we don't have one. we have loosely whatever we did.

And by the way, Mr. Grecco, he was a product of Clifton's policy. Because we got tired

pvwc101911.txt

of people just going down there and say, okay, you think you learned something, what did you learn.

So I would like to implore, if your community has a policy, I know Clifton does, and then come back with a suggestion then we can fine tune.

COMMISSIONER RODRIGUEZ: Paterson has that. Anybody that goes has to come back -- well, currently, I don't know. Under the former administration, anybody who went had to come back and give the Mayor a report.

COMMISSIONER KOLODZIEJ: I'll take the best of what's out there. My own feeling is, yes, this is basically for -- it is a plus, especially

25

for engineering and departments where you can get credits for going to some of those seminars. But, my only feeling is, we should have representation from this body of ours, whether it be the President or somebody else. If the President doesn't want to go, then somebody else can step in and go. In my opinion we need that visibility down there to have your policy makers mingling with all of the other people, but do I think all seven of us need to go? No.

So let me give a crack at establishing some sort of policy and then we can pick it apart and put in and take out of what we think.

COMMISSIONER RODRIGUEZ: I like that.

PRESIDENT DeVITA: Now, the League

pvwc101911.txt
convention is --

COMMISSIONER SANCHEZ: Can I? Can I?
I apologize for being late.

May I say something?

PRESIDENT DeVITA: You certainly can.

COMMISSIONER SANCHEZ: Is there any way we
can come up with like a specific seminar for the
people that are going? we could do that ahead. I
mean, we could send, this seminar is going to
be... So we can pick the seminar and the people

26

that are going from here, they are booked to go to
a seminar.

COMMISSIONER VANNOY: That's what Tom was
saying before.

COMMISSIONER SANCHEZ: But he doesn't know
how to say it.

PRESIDENT DeVITA: I'm sorry if you have
trouble understanding my English. I'm sorry.

COMMISSIONER SANCHEZ: I'm saying it the
right way.

PRESIDENT DeVITA: You're right. There's
a list. Louie gave it to me. Joe, you could go
over it with people, see who is going to what.
Make sure we get the proper attendance, the proper
feedback from our people. Okay.

MR. BELLA: Okay. I'll do that.

PRESIDENT DeVITA: All right.

MR. BELLA: Yes.

COMMISSIONER BAZIAN: I'm going to ask a
question, if it's inappropriate, I'm going to ask

pvwc101911.txt

my fellow Commissioners to just bear with me.

But one of the things that I think is important from a transparency point of view is that any request to go to something like this, especially if it involves an overnight stay,

27

should go through more than one hand, for two reasons. One is, if Commissioners are individually booking, I'm going to this, I'm going to go to that, whatever, we may have duplication. We may have people going to certain places that are already covered. Some coordination I think would be a good thing.

The second thing I think also would be appropriate is that every request go through the presidency or committee or whatever. I don't know if we can do it for this year given the short time, but just like a department head who wants to do things, theoretically, has to get it approved or should have it approved by the Executive Director before they go, I think the Commissioners should be subjected to the same thing, just for the purposes of transparency. We should not be able to say, hey, I can theoretically pick one seminar on all three or four or however many days and be down there for four days and have a good time. I don't think any of us would do that, but the issue of transparency doesn't deal with what we would do but what we could do. And that's a question that I'm posing to see what the group...

pvwc101911.txt
That's just an idea.

28

COMMISSIONER KOLODZIEJ: That would be incorporated into the policy.

COMMISSIONER BAZIAN: That would be incorporated into the policy.

COMMISSIONER KOLODZIEJ: You're saying that employees would have to be approved by Mr. Bella. Anybody going from this body would have to be approved by us.

COMMISSIONER BAZIAN: It would seem to make sense to me.

COMMISSIONER KOLODZIEJ: I'm going to incorporate that into the policy, putting a ceiling on expenses. Because some places, City of Clifton, you want to go to a convention, Councilman or Mayor, you pay your own way. However, if you put a ceiling on it, and we had this discussion last year when we got those bills when people going out to dinner here, when they could have gone out to dinner there. Those are the kinds of things, in my opinion, that our policy needs to be addressed. This is how much we're paying. If you want to go above that, it's going to cost you.

COMMISSIONER RODRIGUEZ: That's the way the City does it.

29

The policy idea is a good idea.

I want to tell Jeff, there is, and it's
Page 24

pvw101911.txt

time consuming and it's a little more costly, but for any Commissioner who's never been, because you don't need to go every year, but for any Commissioner who's never been, and this is separate and apart from the League of Municipalities, is the national thing. Because if you're going to work on policy, that should be, and there should be a policy for wherever any personnel -- just like, like I've always said, we're kind of quasi-public when it's convenient for us. But there should be a policy, the League, I'm not going to talk either way, I go. I go all the time, it doesn't matter, with this entity, with another entity, with my firm. Besides and above, I like the idea of Finance and I like the idea of Purchasing going, because I think there's a lot there.

A Commissioner or whatever going, contacts, I would advise any Commissioner that wants to really learn about the water business and the water industry, you know, scale back and think about going at least one year during your term here to that convention, because that's where you

30

really...

PRESIDENT DeVITA: Okay. I think we're beating this to death. Okay. So we got an idea where we're going and what our discussion is.

I think preregistration is ended so if anybody is going to attend, you got to register

pvwc101911.txt
there.

COMMISSIONER RODRIGUEZ: They're done,
yes.

PRESIDENT DeVITA: That's something to be
considered. So talk to Joe, talk to whatever,
let's get it resolved that way.

Okay.

Next.

MR. AMODIO: Commissioner, if you're going
to do that, that's the same week of our November
meeting.

PRESIDENT DeVITA: Okay. Now, November
meeting is the 17th?

MR. AMODIO: 16th.

PRESIDENT DeVITA: Which is a Wednesday,
right? So the League will be the Tuesday,
Wednesday?

COMMISSIONER VANNOY: And Thursday.

MR. AMODIO: Tuesday, Wednesday, and

□

31

Thursday.

PRESIDENT DeVITA: So I'm going to assume
that some of our department heads will be there.
Joe, you'll probably be down there?

MR. BELLA: Just one day.

PRESIDENT DeVITA: Lou? The problem I
guess is Lou getting the agenda out to everybody
the week before. So we'll have to modify that
meeting.

COMMISSIONER RODRIGUEZ: I won't be here.

PRESIDENT DeVITA: You won't be here?

pvwc101911.txt

COMMISSIONER RODRIGUEZ: I will not be here on the 16th.

COMMISSIONER BAZIAN: How about the 23rd?

COMMISSIONER KOLODZIEJ: The day before Thanksgiving?

PRESIDENT DeVITA: Some of us are cooking. Hold it. Let me ask you a question. The 22nd is a Tuesday.

MR. AMODIO: I won't go down because I have to get the agenda together the week before.

PRESIDENT DeVITA: No, it's the 22nd.

MR. AMODIO: Right. That's what I'm saying, the week before the League of Municipalities. I don't have to go, so don't base

32

it around me. If it works for the Commission, that's fine.

COMMISSIONER KOLODZIEJ: 22nd works for me.

COMMISSIONER BAZIAN: 9:30?

COMMISSIONER SANCHEZ: Make it 10:00.

PRESIDENT DeVITA: You want to make it 11:00 so you can wake up?

November 22nd, 10:00. November 22nd next meeting.

MR. AMODIO: would any committees like to schedule their next committee meetings while we're here?

COMMISSIONER BAZIAN: why don't we do that after the meeting.

pvwc101911.txt

MR. AMODIO: Some people are going to leave. A couple of Commissioners are leaving.

COMMISSIONER VANNOY: We definitely need a personnel meeting.

PRESIDENT DeVITA: We'll discuss that ourselves.

MR. AMODIO: Moving on to the Executive Director's report.

PRESIDENT DeVITA: Joe.

MR. BELLA: Mainly, the biggest issue we

33

have facing us now is the year, the summer water season. Because seriously it impacts by rain and those kinds of things. It's definitely slower. Revenue is going to be slower. We're shutting down some of the capital operations and that kind of thing, just in preparation. That's --

COMMISSIONER BAZIAN: We're talking finances. I'd like to have the CFO present.

MR. BELLA: The other issues are at the plant, the filter bottom replacement project is going along very well.

The Notch Road pipe replacement is also going well. Probably shutdown halfway through the project.

PRESIDENT DeVITA: I have to take a different road every day with that project.

MR. BELLA: Yeah, it's a problem. But it's well worth it. It's amazing. You talk about costs, but at least once or twice a year you have a main break.

pvw101911.txt

PRESIDENT DeVITA: Last year we had four or five there, right?

MR. BELLA: That's right. So the savings and the aggravation and impact on the customers is going to be tremendous. So that's a really good

34

project and we intend to continue to do those kind of projects as time goes on.

Then the other issues that I have I want to deal with are some of the contracts that we have to rebid and what impacts they are. So talk about them next meeting.

PRESIDENT DeVITA: Any questions?

COMMISSIONER KOLODZIEJ: I just have two questions. It's a continuing question under Personnel. Every single report for the last year has indicated the kind of personnel that you need. I think what we're seeing in the new hires is we're beginning to fill them based on the actual needs of our organization. So I think we finally all got on the same page.

MR. BELLA: You can see the numbers going down.

COMMISSIONER KOLODZIEJ: Now, going to Customer Service. I normally don't pay attention because it's amazing to me the number of calls that they handle and the dropped calls. But a constituent, if I call him that, has asked a question and I couldn't answer it properly. But as they asked the question, I said to myself, it's

pwwc101911.txt
the same problem I have when I'm dealing with

35

Public Service or any other, which is, I'm a customer and I call with a problem and I'm dealing with a person who is now looking into my problem. And they have to get back to you. Well, if they don't get back to you in a timely fashion, you're calling again and you're asking, can I please speak to so and so because they were handling my problem. And the answer that's being given is, no, you got to deal with me now because I'm catching your call.

So I'm saying to myself, it's not just us, it's Public Service's telephone, anybody. They, you know, I know our people do a fantastic job. It blows my mind every time I get this report. But can they just look into that to see why there might be a reason why we can't do that?

MR. BELLA: It's interesting you mention that, because one of things we're working at is how to assign a case.

COMMISSIONER KOLODZIEJ: Exactly.

MR. BELLA: And so that way what we can have, we know who that case will be assigned to so there's some continuum under those circumstances.

COMMISSIONER KOLODZIEJ: Correct.

MR. BELLA: So that will help us, but the

36

new phone system is going to be --

COMMISSIONER RODRIGUEZ: It's very old.
Page 30

pvwcl01911.txt

MR. BELLA: Yeah, it's old and we need to address it.

It's funny, because it's an interface between the phone system and the software.

COMMISSIONER KOLODZIEJ: So, obviously --

MR. BELLA: We are thinking about that.

COMMISSIONER KOLODZIEJ: I like it and obviously --

COMMISSIONER BAZIAN: If I may, does our current software allow for case management on accounts?

MR. BELLA: You know, apparently, not apparently, it does not. It does not.

COMMISSIONER BAZIAN: It does not. Okay. So Joe since we're looking at new operational software, can we make absolutely sure that whatever it is has case management capabilities?

MR. BELLA: We are. We already talked about that on quite a few occasions.

COMMISSIONER BAZIAN: But item number two is, there's a great deal of open source software available. Open source is legally free. That deals with case management. It's a question,

37

because depending upon how long it's going to take the new system in place, we're talking an 18 month whatever time frame, do we want to put something in place quickly that will give us something in the meantime or do we want to continue on for 18 months?

pvwc101911.txt

It's an involved process because you're dealing with training and this is not the appropriate forum, but I just thought I would raise that.

MR. BELLA: And one other issue I just wanted to bring to the attention to the Commissioners. I think we're at the point where we need to start considering the start of the beginning of our reservoir work. We should, what I'd like for the Commission, and no actions at this meeting, but the next meeting, put a formal request in that we'd like to start moving forward with the RFP, sending out an RFP for Phase I construction of this project. It's time to get moving. We've waited with the State and that kind of thing. We've got everything pretty much ironed out. Phase I we should get moving. The events of the hurricane have been a lot worse with standby generators and that kind of stuff. We'll, I

38

think, bear fruit for us, regardless of what we -- regardless of what happens, you know, with the rest of the project, that Phase I is clearly --

COMMISSIONER RODRIGUEZ: That was the goal ultimately. I'm not going to discuss that, but that was the ultimate goal. Everything is changing and I don't want to talk about it.

PRESIDENT DEVITA: What's our time frame for that? Our deadline?

MR. BELLA: Well, right now we're still waiting on the State to give us deadlines. I want

pvwc101911.txt

to get out in advance, at least on Phase I to get out in advance on this issue. Because there's a lot of elements that just don't necessarily mean would increase our reliability, such as the standby generators. Possibility of having the standby generators using to generate some of their own power. There's a lot of other issues there.

The tank on our Verona system, because the other tank is getting old. So those are issues that no matter what happens, I'd like to get moving forward and that has the effect that we're doing the right thing for our reliability and our water quality and that kind of thing and it also sends the message to the DEP and EPA that we're

39

being proactive.

COMMISSIONER KOLODZIEJ: I have a suggestion. We did well on the separate meeting for personnel when we were looking at the T.O. I think there should be a special meeting just to deal with this issue.

Finance will be meeting. We're putting a budget together. So I think the finance committee needs to see the numbers that you are recommending for Phase I, where the money is coming from, whether there's any grant money out there or whether we're just going to rely on capital. We, the finance committee, needs to.

COMMISSIONER RODRIGUEZ: You might have one of the other Commissioners, there's other

pvwc101911.txt
committees, Mr. President, that should be involved
in projects like this.

PRESIDENT DeVITA: Sure.

COMMISSIONER RODRIGUEZ: But the numbers
piece is very important.

COMMISSIONER KOLODZIEJ: I was going to
say a special committee.

PRESIDENT DeVITA: We can't.

COMMISSIONER KOLODZIEJ: Special project.

MR. BELLA: We'll do a presentation for

40

the Commissioners; slide show.

PRESIDENT DeVITA: Okay. Very good.

Any questions? Anything else.

MR. BELLA: No, that's it.

PRESIDENT DeVITA: Okay. Next, Lou.

MR. AMODIO: Commissioners' use on-line
auction for sale of junk vehicles and surplus
materials.

PRESIDENT DeVITA: This is something that
we've been discussing for years about selling our
excess inventory. And my understanding is that
the Local Finance allows these five companies to
do it. We got them on-line. Linda's been working
on it. I think Mike Marotta's been working on it
also. It's all attached.

COMMISSIONER KOLODZIEJ: I would certainly
move it, but I thought Mr. Hanley had some
concern.

PRESIDENT DeVITA: You had an issue about
minimum prices, George?

pvwcl01911.txt

MR. HANLEY: I missed the first part.

PRESIDENT DeVITA: The auction of our inventory. You sent us an e-mail about pricing.

MR. HANLEY: Oh, yeah, right.

The only thing that concerns me and it

41

wouldn't be every item, but those items that may have significant value.

My experience, now I haven't -- I have no experience with on-line auctions, which maybe is a good thing, maybe not. But I'll make a hypothetical. You have a vehicle. It's played out. It's used for us. But it's still a workable vehicle. And I'll say that it's worth, I'll make up a number, a thousand dollars. Nobody bids on it so then they scrap it and then somebody comes along and says, I'll give you \$50 for it. There's a potential for manipulation there, you know what I mean?

So I'm saying maybe the best thing to do is to have someone who has the knowledge to put a minimum value on those kinds of items.

PRESIDENT DeVITA: Not everything.

MR. HANLEY: There's going to be some that are just, you know, scrap.

COMMISSIONER SANCHEZ: That's what I think. I think you should come up with a minimum number for certain items, if you don't get a value.

PRESIDENT DeVITA: My recollection is that

pwwc101911.txt
I thought Joe had given us that.

42

MR. BELLA: Just like --

PRESIDENT DeVITA: A couple of years ago.

MR. BELLA: I think we do that on vehicles
and trucks.

MR. HANLEY: I have not seen the list.

COMMISSIONER BAZIAN: If I may?

PRESIDENT DeVITA: Let me just say one
thing, please.

Before we go ahead with this auction and
move it, let's follow George's suggestion. Let us
establish from them, maybe the auctioneer can help
us before we proceed. Let's make sure we do that.

MR. BELLA: Okay.

PRESIDENT DeVITA: Menachem, I'm sorry.

COMMISSIONER BAZIAN: Yes, I'm sorry. I
looked at the document. I'm looking for it right
now. Unfortunately, I can't find it. But one of
the web sites that was listed there is Ebay.
Okay.

Now, there's two sides to this issue of a
minimal value. We can say that we think that's
something's worth a thousand dollars and on Ebay
you can establish a minimum price. Okay. And you
can do that in two ways. The problem you have is
that if I say minimum price of a thousand dollars,

43

then the cost for me to put up that auction is
higher. Ebay is a public forum. You put

pvw101911.txt

something up there, everybody has an opportunity to see it.

Now, what I'm asking, I guess from a legal basis, is if we're dealing with something like an Ebay, which is used by millions of users on a daily basis, do we still have the concern of, you know, that I'm going to be funneling something to somebody. I think it's pretty much impossible.

COMMISSIONER LEVINE: You can't do that. They're bidding against somebody. I like Ebay.

COMMISSIONER BAZIAN: So if we go with --

COMMISSIONER RODRIGUEZ: It's not a State approved.

COMMISSIONER BAZIAN: Ebay was on the list. The approved list of the vendors includes Ebay.com and others, but Ebay millions of users use it, it gives us the biggest --

PRESIDENT DEVITA: George, will that alleviate something?

MR. HANLEY: Again, I'm not as familiar with this as you are. It sounds like it might mitigate the concern, but, you know, everyone, not everyone, but a large universe is looking at this.

44

COMMISSIONER RODRIGUEZ: That's what we need.

MR. HANLEY: Maybe that obviates the concern when we used to do it in the back.

COMMISSIONER BAZIAN: Okay. My obvious concern is that if we put a vehicle for a thousand

pvwc101911.txt
dollars, we list it for a thousand dollars, it may not sell.

PRESIDENT DeVITA: All right.

COMMISSIONER KOLODZIEJ: I have a motion to proceed with getting to the next step, which is actually selling our --

PRESIDENT DeVITA: Is there a second?

COMMISSIONER RODRIGUEZ: Second.

MR. AMODIO: Second by Commissioner Rodriguez.

MR. AMODIO: On the roll.

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

COMMISSIONER LEVINE: Yes. I like the Ebay. Yes.

PRESIDENT DeVITA: Thankfully, yes.

MR. AMODIO: Motion approved.

45

Moving on.

We have a request to prepare and advertise an RFP for Project #11-P-45, "Professional Services for SCADA Upgrade Implementation and Related Services."

Discussion.

PRESIDENT DeVITA: Joe, you want to...

MR. BELLA: This is our SCADA system. It's 97 percent design. There's a few loose ends that has to be tied up and the construction or management.

pvwcl01911.txt

MR. DUPREY: Yeah. The design, the preparation of bid documents for public bid is essentially complete. It needs some additional tweaking, but it's almost ready to go.

The second phase is to have professional services to assist us during the actual implementation process so we can parallel our existing system and keep an eye on the vendor and keep them honest and, you know, go forward and get a good system; so.

COMMISSIONER RODRIGUEZ: They hired a construction manager.

MR. DUPREY: Exactly.

PRESIDENT DeVITA: All right. This is a

46

request to?

MR. DUPREY: For permission to go out on an RFP.

PRESIDENT DeVITA: Any thoughts? Any discussions? Any negative impact on this? Vote?

COMMISSIONER KOLODZIEJ: We need a motion.

PRESIDENT DeVITA: Yes.

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: By Kolodziej.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Second by Commissioner Vannoy.

(Roll call was taken, all Commissioners

pvwc101911.txt
present respond in the affirmative)

MR. AMODIO: Motion approved.

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

MR. WEISS: Cash on hand is 11.7 million.

Accounts receivable is at 14.5 million.
Our 30 days or less accounts receivable is
13.6 million, which is 94 percent.

Our accounts payable is at 4.2 million.

47

As Joe mentioned, because of the rainy
season, our collections are still slow -- our cash
collection, I'm sorry, I should say, are still
slow.

As far as the budget is concerned,
somebody brought up the issue of the budget. We
are running behind in terms of getting the budget
together. We will have the budget within the next
two weeks. I apologize for the delay. I'm not
going to make any excuses, it should have been
done. It's not finished yet. I hope to have a
special finance meeting in the beginning of
November where we can go specifically over the
numbers. We will have them well in advance of the
Commission meeting in case anybody has any
questions, they can be addressed.

PRESIDENT DeVITA: Questions.

COMMISSIONER BAZIAN: Yes, if I may?
Yitz, in regard to the cash slow down because of
the weather, do we have any revised projections on

pvwc101911.txt

revenue for the year?

MR. WEISS: No, not yet.

COMMISSIONER BAZIAN: It would seem to me that we need something like that, if you can present something like that to finance so, I guess

48

we can get an idea what are we doing to deal with cash shortfall and what it would do to our reserves, et cetera, et cetera.

MR. WEISS: I'll take care of it.

MR. AMODIO: Also, I have listed third quarter self-insurance, if there's any questions on that.

No questions.

Moving to closed session.

Can I have a motion?

COMMISSIONER KOLODZIEJ: So move.

COMMISSIONER VANNOY: Second.

MR. AMODIO: By Commissioner Kolodziej.

Second by Commissioner Vannoy.

Pursuant to the Open Public Meetings Act, Commissioner Kolodziej offers the following Resolution for adoption:

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of 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 Passaic Valley Water Commission:

discussion of hereinafter specified subject matters; the general nature of the subject matters being: Financial, Insurance, Personnel, Contracts, Negotiations, Security, Law. We have the case of Sean Morales versus PVWC; Fletcher Creamer versus PVWC; Summary/Aging Reports; Dark Fiber; Sheriff's Agreement; Four Seasons at Great Notch; Conflict of Interest Policies, 518 Centre Street, Nutley; Software Galleria - outstanding invoices; Eastern Concrete versus Empco and PVWC; Shutoff/Bad Check Policy; and counsel advised me Lodi and North Arlington cases also.

Under Personnel we have New Hires:

Timothy Scott --

MR. HANLEY: Excuse me, two other things which I'd like to discuss very briefly in closed; the Oak Ridge matter and Filters.

PRESIDENT DeVITA: And what?

MR. HANLEY: Filters/Prismatic.

MR. AMODIO: Under Personnel, we have New Hires: Timothy Scott - Assistant Water Treatment Plant Operator/TA; William Lupo - Civil Engineer/TA; Elana Chalmers - Civil Engineer/TA; Thomas Coates - Water Treatment Plant Operator/TA; we have a change in vacation days: Dalia

Ghobrial; and we have Contract Negotiation Status and any other matter as may be discussed in

pvwc101911.txt

camera.

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

3. This Resolution shall take effect immediately.

MR. HANLEY: One quick thing, for the record. These individuals you named under Personnel were Rice noticed, correct?

MR. AMODIO: The new hires are not employees.

COMMISSIONER RODRIGUEZ: They're new hires.

MR. HANLEY: Oh, I'm sorry. They're all new hires.

COMMISSIONER RODRIGUEZ: Yup.

MR. HANLEY: Okay. Never mind.

MR. AMODIO: Second by Commissioner Vannoy.

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

□

51

MR. AMODIO: Time is 11:52.
On the roll break.

(Roll call was taken, all Commissioners

pvwc101911.txt
present respond in the affirmative)

MR. AMODIO: You have a quorum.

Consent Agenda, we have the minutes of the
in camera Regular Session Public Meeting of
September 21st, 2011. Is there a motion?

COMMISSIONER SANCHEZ: So moved.

MR. AMODIO: Second?

COMMISSIONER VANNOY: Yes, second.

MR. AMODIO: On the roll.

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

COMMISSIONER BAZIAN: I'm sorry, I didn't
hear the motion.

MR. AMODIO: Minutes.

COMMISSIONER BAZIAN: Yes, sorry.

MR. AMODIO: Next, does the Chair accept,

□

52

receive, and file Miscellaneous Purchase Orders
placed by Purchasing Agent, Linda Beckering for
the period of September 12, 2011 through
October 9th, 2011?

PRESIDENT DeVITA: Yes.

MR. AMODIO: Thank you.

Next, we have Requests For Action.

First one is Contract 11-B-18, "Furnish
and Deliver Pre-Mixed Concrete."

The recommendation to vacate previous
award to Joel Tanis & Sons, Incorporated and

pvwc101911.txt

rebid.

Do I have a motion?

COMMISSIONER SANCHEZ: So move.

MR. AMODIO: By Commissioner Sanchez.

COMMISSIONER BAZIAN: Second.

MR. AMODIO: Second by Commissioner
Bazian.

Any discussion?

Hearing done, on the roll.

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

MR. AMODIO: Motion approved.

53

Moving on, we have Contract 11-B-22
(Rebid) for "Liquid Ferric Sulfate."

Recommendation to award a one year
contract to Kemira Water Solutions, Inc. of
Lawrence, Kansas in the amount of \$2,203,175.

Do I have a motion?

COMMISSIONER SANCHEZ: So move.

MR. AMODIO: By Commissioner Sanchez.

Do I have a second?

COMMISSIONER RODRIGUEZ: Second.

MR. AMODIO: By Commissioner Rodriguez.

Discussion?

COMMISSIONER BAZIAN: Question, Mr.
President.

PRESIDENT DeVITA: Yes.

pvwc101911.txt

COMMISSIONER BAZIAN: Just some generic questions and a nitpick on the Resolution.

What is our current contract at and does this represent more or less?

MR. DUPREY: It is a significant increase in the previous price. We saw that when we did the first bid and rejected the one bid and went back out again. Although, you know, other chemical suppliers are aware of the contract and were looking at it, Kemira was the only vendor

54

that bid on it. So we're kind of locked in.

MR. BELLA: It looks like there's only one vendor that supplies, at least in our area, that is able to deliver. We've instructed our water quality staff to look into making a switch to a different type of, to a ferric salt, a ferric sulfate -- a ferric chloride as opposed to ferric sulfate in hopes we can get some additional bids.

It's not an easy thing to switch over. Ferric sulfate is a superior coagulant. But I think in this case we really have to look at it very carefully because I think Kemira was the only other supplier in the area. So it makes it difficult. So we're going to stick with them now. We have water quality issues. It's a complicated issue, but they're working on it. I've got them working on it.

COMMISSIONER BAZIAN: Okay. So, two questions, one, now -- actually, one other question. Just in the language, it says in the

pvwc101911.txt

second whereas, "notwithstanding re-solicitation to numerous vendors," and according to the list of vendors that we sent it out to, there's only one. Does that make any difference? One is not numerous.

55

MR. DUPREY: Solicitation.

MR. HANLEY: What they meant, I believe, is they gave notice.

COMMISSIONER BAZIAN: Yes.

MR. HANLEY: Solicitation to bid.

MR. AMODIO: Any further questions?

COMMISSIONER BAZIAN: No.

MR. AMODIO: Hearing none, on the roll.

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

MR. AMODIO: Motion approved.

Next Contract 11-B-23 which is also a rebid. "Furnish and Deliver Type "K" Soft Annealed Copper Tubing."

Recommendation to award a one year contract to Grant Supply Company, Incorporated of North Brunswick, New Jersey in the amount of \$47,501.

Do I have a motion?

COMMISSIONER SANCHEZ: Is that with you Jim? Joe?

MR. DUPREY: Yes.

COMMISSIONER SANCHEZ: So based on that

56

recommendation, I move that.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Any discussion?

COMMISSIONER BAZIAN: This was only one bid, right? Up or down on the cost?

MR. DUPREY: Cost was -- it actually dropped a little bit.

COMMISSIONER BAZIAN: From the prior bid or current contract?

MR. DUPREY: From the first bid it went to about 55,000, dropped down to 47,5.

COMMISSIONER BAZIAN: What are we paying now, do you know?

MR. DUPREY: Right now we're paying -- well, based on the total bid price, the current contract was at 54,700. That's dropped.

COMMISSIONER BAZIAN: Call the question.

MR. AMODIO: On the roll.

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

MR. AMODIO: Approved.

Next will be Contract 11-B-26, also a rebid to "Furnish and Deliver Water Service Boxes

57

and Roadway Boxes."

Recommendation to award a one year
Page 48

pvwc101911.txt

contract to Capital Supply Construction Products, Incorporated of Denville, New Jersey in the amount of \$329,547.

Do I have a motion?

COMMISSIONER SANCHEZ: Is that what you recommend, Joe?

MR. BELLA: Yes.

COMMISSIONER SANCHEZ: So move it.

COMMISSIONER VANNOY: Second.

MR. AMODIO: By Commissioner Vannoy.

Discussion?

COMMISSIONER BAZIAN: Same questions. Cost down from the current contract comparing this bid to prior bids we got?

MR. DUPREY: This cost went up and the quantities were similar, but the increase was about, if you prorated over the three year period, the two year existing contract going forward it is approximately 17 percent per year.

COMMISSIONER BAZIAN: By rebidding, did we get a better bid?

MR. DUPREY: No. I don't think we can really tell in the first bid because, I'm not --

58

COMMISSIONER BAZIAN: Thank you.

MR. AMODIO: Any further discussion?

Hearing none, on the roll.

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

pvwc101911.txt

MR. AMODIO: Motion approved.

Contract 11-B-35 (Rebid) "Repair and Alignment of Hydro-Turbine Generators at the Little Falls Plant."

Recommendation to award a two year contract to Gaffney Kroese Electric Supply Corporation of Piscataway, New Jersey in the amount of \$350,274.

Do I have a motion?

COMMISSIONER VANNOY: So moved.

MR. AMODIO: By Commissioner Vannoy. Second?

COMMISSIONER SANCHEZ: Second.

MR. AMODIO: By Commissioner Sanchez.

Any discussion?

Hearing none, on the roll.

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

□

59

MR. AMODIO: Thank you.

Next, procurement (Under New Jersey State Contracts) of one Oce Color Wave 300 Plotter to be purchased from Oce North America, Incorporated under New Jersey State Contract T2075 51141 in the amount of \$23,045.

One Kyocera Task Alfa 6550ci Copier to be purchased from Kyocera Mita America, Inc. under New Jersey State Contract T2075 53090 in the amount of \$18,487.

pvwc101911.txt

One Kyocera Task Alfa 4550ci Copier to be purchased from Kyocera Mita America, Inc. under New Jersey State Contract T2075 53090 in the amount of \$10,400.

One Sharp MX-410N Copier to be purchased from Sharp Business Systems under New Jersey State Contract T2075 51143 in the amount of \$7,287.11.

One Sharp MX-311N Copier to be purchased from Sharp Business Systems under New Jersey State Contract T2075 51143 in the amount of \$5,682.01.

Do I have a motion?

COMMISSIONER VANNOY: So move.

MR. AMODIO: By Commissioner Vannoy.

COMMISSIONER SANCHEZ: Second.

60

MR. AMODIO: Second.

Discussion?

Hearing none, on the roll.

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

PRESIDENT DeVITA: Thanks to Commissioner Vannoy for all his efforts in that, resolving all the questions.

COMMISSIONER VANNOY: Just wanted to do it the right way.

MR. AMODIO: Thank you.

Next, Resolution memorializing Emergency Repair Passaic Valley Water Commission's Morris County Connection Pump No. 1, repaired by

pvw101911.txt
Hydro-East of Aston, Pennsylvania - finalized cost
of required repairs totaled \$51,207.

Do I have a motion?

COMMISSIONER VANNOY: So moved.

MR. AMODIO: By Commissioner Vannoy.

Do I have a second?

COMMISSIONER SANCHEZ: I have a question
before I second it.

Is that a bid or that's something --

PRESIDENT DEVITA: It's an emergency.

61

MR. DUPREY: It's an emergency.

COMMISSIONER SANCHEZ: We just go with one
company? How does it work?

MR. DUPREY: What happened, Commissioners,
was the pump was shipped out with the impression
that it wouldn't require substantial work. They
were just going to take it apart and do some minor
refurbishing. When it turned out, once they took
the pump apart they --

COMMISSIONER SANCHEZ: Who's "they"?

MR. DUPREY: Hydro-East, the vendor.

And once they took the pump apart, they
realized that there was substantial additional
work required, at which time they advised us that
we looked at it seeing the need for that pump and
the emergency situation and the cost was over the
bid threshold that's when we went to the Board
with the memorandum indicating that the emergency
occurred and this is the follow-up of all the
final costs associated with that.

pvw101911.txt

COMMISSIONER SANCHEZ: Are we getting anything back?

MR. DUPREY: Yeah. You get the pump back and refurbished and then the remaining pumps we're doing under a bid contract. So we've tried to

62

minimize that emergency.

MR. HANLEY: If I could explain.

COMMISSIONER SANCHEZ: In English, please.

MR. HANLEY: The way the law works is Jim has to certify that it is an emergency, which he has done. And, therefore, they expend the money to relieve the emergency. But then they come to the Board with his certificate having met the statute and you are in effect ratifying their decision to spend that money on the basis of that certification.

COMMISSIONER SANCHEZ: Based on that explanation, I second it.

MR. HANLEY: And they did poll the Board at the time.

COMMISSIONER BAZIAN: Yes, I remember that.

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.

pvwc101911.txt
Thank you.

63

Moving along. New Business, we have Summary of Disbursements and Payrolls through October 19th, 2011 in the amount of \$4,380,5081.72.

Do I have a motion?

COMMISSIONER VANNOY: So moved.

MR. AMODIO: By Commissioner Vannoy.

Do I have a second?

COMMISSIONER BAZIAN: Second.

MR. AMODIO: By Commissioner Bazian.

On the roll.

COMMISSIONER BAZIAN: Yes, but I abstain on Dell.

PRESIDENT DEVITA: Abstain on Rachles Michele.

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

MR. AMODIO: Thank you.

Next we have recommendations from closed session.

First we'll do the approval of the Table of Organization.

Do I have a motion?

64

COMMISSIONER RODRIGUEZ: So moved.

MR. AMODIO: By Commissioner Rodriguez.
Page 54

pvwc101911.txt

Do I have a second?

COMMISSIONER VANNOY: Second.

MR. AMODIO: By Commissioner Vannoy.

Any questions?

Hearing none, on the roll.

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

MR. AMODIO: Motion approved.

Commissioner Kolodziej and Levine is not present and Commissioner Sanchez is out of the room.

would you like to do the personnel in one vote?

PRESIDENT DeVITA: One vote.

MR. AMODIO: Okay. We have New Hires: Timothy Scott - Assistant Water Treatment Plant Operator/TA. Proposed salary of \$35,000. A proposed range of \$25,000 to \$53,210.

Next we have William Lupo - Civil Engineer/TA. Proposed salary: \$48,000. Proposed range: \$48,000 to \$65,000.

65

Elana Chalmers - Civil Engineer/TA. Proposed salary: \$48,000; Proposed range: \$48,000 - \$65,000.

Thomas Coates - Water Treatment Plant Operator/TA. Proposed salary: 45,000; Proposed range: \$17,509 to \$59,461.

pvwc101911.txt

And change in vacation days for Dalia

Ghobrial, three additional vacation days effective
January 1, 2012.

Do I have a motion?

COMMISSIONER VANNOY: So moved.

MR. AMODIO: By Commissioner Vannoy.

COMMISSIONER SANCHEZ: Second.

MR. AMODIO: Second by Commissioner
Sanchez.

On the roll.

COMMISSIONER BAZIAN: Mr. President, my
apologies, that last thing the vacation, can we
separate that out to a separate motion?

PRESIDENT DeVITA: Sure.

MR. AMODIO: That would be a separate
vote.

Okay.

So I have a motion by Commissioner Vannoy.
Second by Commissioner Sanchez.

□

66

On the roll.

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

MR. AMODIO: Motion approved.

Second vote will be change vacation days
for Dalia Ghobrial, additional three days
effective January 1st, 2012.

Do I have a motion?

COMMISSIONER VANNOY: So moved.

pvw101911.txt

MR. AMODIO: By Commissioner Vannoy.

Do I have a second?

COMMISSIONER SANCHEZ: Second.

MR. AMODIO: By Commissioner Sanchez.

Discussion?

PRESIDENT DeVITA: Can we get an explanation?

COMMISSIONER BAZIAN: Yeah, I mean, I don't recall discussing this in closed session and can we discuss this open discussion?

MR. GALLAGHER: She did approve discussing it.

COMMISSIONER BAZIAN: Okay.

MR. GALLAGHER: She was a former employee

67

of another public entity. The law does allow this to happen. She worked for Trenton water works. She had a number of years working for Trenton water. When she negotiated her package here, she didn't really include vacation time, she just made an assumption. I didn't bring it up because my opinion is she's a very valuable employee and she has basically 20 years, you know, water experience and that would equate to bring her up less than what she would have had if they had negotiated it with us.

COMMISSIONER BAZIAN: The only problem I have right now, if this were my company, I mean, if I was a private company, I could very easily consider it, but we're a public entity here. I

pvwc101911.txt
don't know what basis --

MR. GALLAGHER: The law --

COMMISSIONER BAZIAN: The law allows it. I hear that. The law allows a lot of things. Just because it's allowed, I don't know if it's a good or bad thing. I don't know if it's good or bad.

MR. GALLAGHER: This would only affect employees that come to us through an intergovernmental agreement, intergovernmental

68

transfer from Civil Service.

MR. BELLA: She assumed that when she made the transfer that those things --

PRESIDENT DeVITA: She would have the same vacation and in effect she would have had more.

COMMISSIONER SANCHEZ: My question is that the way it was presented to the personnel committee by Joe and Jim both, it was accepted by us.

PRESIDENT DeVITA: Call the question.

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

MR. AMODIO: Motion approved.

I have nothing --

PRESIDENT DeVITA: Next meeting is?

MR. AMODIO: Next meeting is

November 22nd, 2011 at 10:00 a.m. That is a
Page 58

pvwc101911.txt

Tuesday.

(Proceedings concluded)

□

69