

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

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

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

A L S O P R E S E N T :

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

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PRESIDENT DeVITA: Let's call 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: Commissioners Sanchez is not here yet.

Commissioner Levine is here.

The time is 9:42 a.m.

You have a quorum.

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 at the Clifton facility.

Please rise.

Commissioner Rodriguez, would you please lead us.

I don't believe there's any member of the public that wishes to be heard.

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We can move onto committee reports.

PRESIDENT DEVITA: Personnel.

COMMISSIONER VANNOY: We hope to finish up the Table today or at least bring everything that we gathered from last meeting.

That's really basically it with personnel.

PRESIDENT DEVITA: We had a meeting last week to go over it again.

COMMISSIONER VANNOY: Yeah, we did. That's what we're bringing to you guys today.

COMMISSIONER RODRIGUEZ: Can I make a
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comment?

I read the minutes. I have to commend you and Commissioner DeVita and Commissioner Sanchez, because you guys really went out and did quite a job along with Joe and Jim. And I think that's major progress. Great job thus far.

PRESIDENT DEVITA: Everyone will get a copy.

COMMISSIONER VANNOY: I don't know if Joe gave this to me to hand out.

PRESIDENT DEVITA: We can look at it and comment next meeting and hopefully finalize it.

COMMISSIONER VANNOY: Everybody will get a copy of this.

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MR. AMODIO: That will be carried.

Moving onto finance.

Commissioner Levine.

COMMISSIONER LEVINE: We're looking to put together a bounty program that actually other people can report other people and maybe -- we were deciding how much to give them; what reward. Instead of having an amnesty program, starting out with a bounty program and see how that works. I know a lot of other people know about people because I get calls on that.

So we're discussing. I think we're at -- some of the committee members were saying 150. I thought a little higher. They want to start low and go higher. So we were looking --

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PRESIDENT DeVITA: Question.

How would the bounty work?

COMMISSIONER LEVINE: People would call in and report, you know, my neighbor's not paying for water. Anybody they know and we would actually --

COMMISSIONER KOLODZIEJ: It does work. But the caveat has to be the person they turn in has to be guilty. Obviously, you give no bounty to somebody that --

COMMISSIONER RODRIGUEZ: It sounds very

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interesting but how long, you know?

COMMISSIONER KOLODZIEJ: I think the key and I left the meeting early, Joe had requested -- I think it's just amazing that we have an employee who's been coming in on his own time, no overtime, and hand going through each of those. How many has he gone through in the time he's been doing this?

COMMISSIONER VANNOY: He's getting paid.

COMMISSIONER KOLODZIEJ: He got paid?

COMMISSIONER VANNOY: He gets paid.

MR. BELLA: He doesn't get paid for the time.

COMMISSIONER VANNOY: He made it seem like he's getting paid.

COMMISSIONER KOLODZIEJ: What does he get paid?

MR. BELLA: His salary. He's here working hard after hours.

COMMISSIONER KOLODZIEJ: But it's not
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overtime. It's not --

MR. BELLA: No. No.

PRESIDENT DeVITA: He's getting his regular salary.

COMMISSIONER KOLODZIEJ: And Joe had asked

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for a two-month opportunity because how many has he gone through since he was assigned to this?

MR. BELLA: Fifty-five thousand.

COMMISSIONER KOLODZIEJ: So my point to Mr. Chairman was, let's honor Joe's commitment and then see where we stand and then institute this. So it does tie into how long do we want to do this.

COMMISSIONER LEVINE: The other question was do we give him anything for a bounty?

COMMISSIONER KOLODZIEJ: No, not if he's getting paid.

MR. BELLA: That's not the important question.

COMMISSIONER KOLODZIEJ: The important question is, let him finish the job.

COMMISSIONER RODRIGUEZ: He's a public employee.

PRESIDENT DeVITA: That's under consideration.

COMMISSIONER KOLODZIEJ: we'll bring it back to committee.

PRESIDENT DeVITA: This is Pat, right, Joe? Pat Porcaro who is doing a great job. who

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also came to the Clifton City Council meeting

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Commissioner Kolodziej and I attended about the insurance. On his own showed up to discuss things and to answer any questions.

COMMISSIONER KOLODZIEJ: If Paterson goes through this and Passaic allegedly is going through this, this is a wonderful contact because listening to the police chief and fire chief and our employee talking about ways to make it better for both of us was time well spent.

COMMISSIONER RODRIGUEZ: This is a good source of revenue. We don't --

COMMISSIONER KOLODZIEJ: Correct, correct.

PRESIDENT DEVITA: So the finance committee will meet again.

COMMISSIONER KOLODZIEJ: Yup.

(Whereupon, Commissioner Sanchez is present at 9:49)

MR. AMODIO: IT/security.

COMMISSIONER BAZIAN: IT, still working on the servers. Jim is reviewing how we're going to perform. We discussed it last time with regard to the IT vendor and possibly going to another vendor to do the analysis on that. And he's working on

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that.

GPS is fully done. We're basically moving
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along.

PRESIDENT DeVITA: Did we do anything about -- I know we discussed this last meeting, co-op or a college student program?

COMMISSIONER RODRIGUEZ: I read it in the minutes.

COMMISSIONER KOLODZIEJ: We're working on it.

COMMISSIONER BAZIAN: Wasn't there also a discussion at the -- I saw an e-mail that went --

MR. WEISS: We interviewed one person who really didn't qualify for the position.

COMMISSIONER BAZIAN: They've been interviewing. I was told there was a discussion in personnel about an IT position in the Table?

MR. BELLA: Yes.

PRESIDENT DeVITA: Oh, yeah, we had discussions. That will be in your Table of Organization.

Okay.

MR. AMODIO: Policy.

PRESIDENT DeVITA: Oh, this is something I requested --

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COMMISSIONER KOLODZIEJ: Can we do security first?

MR. AMODIO: Sorry.

COMMISSIONER KOLODZIEJ: Never underestimate the power of doing business on a golf course. Thanks to Commissioner Vannoy, we

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now have a proposal from Sheriff Berdnik. You all have a copy to read. The next step is for the committee to meet and to discuss this. Having looked at it myself, we feel there's room for negotiation; but, you know.

If you have comments that you want us to bring back to committee, just call one of us, Commissioner Bazian, Commissioner Vannoy, or myself so when we have that meeting we can nail it down.

what we're basically looking for and Mr. Hanley has explained we can do this, it's a special service. So if it looks like it has merit to you, there's a cost savings roughly over two-year contract here of the tune of 250,000. So there is definitely cost savings.

So the goal of the committee was to get the best possible security at the best possible cost.

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COMMISSIONER VANNOY: Best security being key.

COMMISSIONER KOLODZIEJ: Absolutely. Along with the Table of Organization. We're doing a lot of homework.

PRESIDENT DeVITA: Was the Sheriff playing golf?

COMMISSIONER VANNOY: He wasn't playing. I'm untouchable.

PRESIDENT DeVITA: Policy. It's being handed out.

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COMMISSIONER KOLODZIEJ: Just call one of the Commissioners on the committee.

MR. AMODIO: Okay.

Policy.

PRESIDENT DeVITA: If I may, this is something that I asked to be put on the agenda.

COMMISSIONER KOLODZIEJ: Right.

PRESIDENT DeVITA: We passed a policy last time about employees not utilizing any of our equipment for good reason. Okay.

During the hurricane, Joe mentioned to me that some of our employees had some real personal issues with water in their basements and flooding and requested permission to use some pumps to help

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them out, which we really didn't do because of our policy.

I asked Lou for a copy of the policy, which I should have and I have it. Basically what it says, I think, is that we can in certain cases, if the Executive Director approves it, allow that.

So I didn't realize it when I wanted it on the agenda. Does anyone have a problem with in cases of disasters like that that we let our employees use it for their personal --

COMMISSIONER SANCHEZ: I do.

PRESIDENT DeVITA: You do?

COMMISSIONER SANCHEZ: It's all the people monies.

PRESIDENT DeVITA: Okay. That's fine.

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COMMISSIONER VANNOY: And the thing is, do we really know if they're using it for themselves. Are they helping out other people?

PRESIDENT DEVITA: I have no idea. I have no idea.

COMMISSIONER SANCHEZ: They can use their own.

COMMISSIONER BAZIAN: I'm sorry. If the equipment were mine, I wouldn't have a problem.

PRESIDENT DEVITA: I know what everybody

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is saying. It's just something that came up that I thought we should discuss and clarify just in case so Joe doesn't say I feel bad for these people.

So the consensus is we shouldn't do it?

COMMISSIONER BAZIAN: Unless there's a benefit to the company.

PRESIDENT DEVITA: There is none.

COMMISSIONER BAZIAN: I understand that. But I'm saying, the purpose of the exception was, suppose we have an employee, whatever reason, there's a need, maybe he's got to leave for Trenton at 4:00 in the morning so Joe will say take the car home. Something like that. That's what I see the purpose of the exception.

PRESIDENT DEVITA: I just wanted to bring it up so we can talk about. That's all. Okay.

COMMISSIONER KOLODZIEJ: Just a question. So the way you interpret that was that you didn't think our policy was clear enough or you wanted to

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add to the policy?

PRESIDENT DEVITA: I put it on the agenda because I didn't think the policy was clear enough. But when you look at the policy itself, it is clear. It allows at his discretion. I just

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wanted to give Joe guidance.

COMMISSIONER KOLODZIEJ: We don't need any language to change the policy?

PRESIDENT DEVITA: No, we don't need any changes.

COMMISSIONER RODRIGUEZ: Just so I could understand. So basically we are going to change the policy?

PRESIDENT DEVITA: No. It's going to stay the same.

COMMISSIONER RODRIGUEZ: Oh, okay, discretion, right. But the equipment is --

PRESIDENT DEVITA: No everything else stays the same.

MR. AMODIO: Moving on.

Executive Director's report.

MR. BELLA: Okay. Commissioners, I just wanted to give you an update on what happened during the storm.

Basically, we got through the storm without hardly any major incidents. And I got to tell you the reason for that is not just the preparation for the storm, but the preparation and the work that goes into the operations on a

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day-to-day basis. People were on their game.

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They're working hard. Keeping things repaired.

So when you get in a situation, a situation with a big storm like that, you will have problems. There's no way around it. There's always something. There's a weak spot somewhere. It's going to find it. If you're prepared with all your routine preparations and everything's in place and your plant is running at a hundred percent, you can deal with that one problem and get it without a major catastrophe. And that's exactly what happened.

Just days of preparation; preparation for the storm. That whole week before we spent the whole week, staff, getting ready for the storm and that allowed us to deal with that without any major problems.

The plant performed better than I've ever expected it to perform; the physical plant. We had one problem with a leaky roof. The people at the plant took care of it.

I have a list of people that were involved with all this. I wanted to point out a special thanks to Jimmy Caratenuto, who basically lived, stayed there for three days at the plant and worked really hard. Mike Ciolino, Laura Cummings,

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Mike Marotta. I'm missing somebody; but. There was a lot -- those people worked really hard and

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were thoughtful. Got their, you know, they had their game face on and really did a lot of work that kept us up and running without any problems whatsoever.

For instance, the lab did a tremendous amount of work during that period of time checking on things. Went out and checked all the areas that were flooded to make sure there was no cross connections, water getting back from the floods into our system. Everything came up fine.

The plant was operating, probably sold the highest we've ever seen at least in my time and the plant worked well.

The people, Rich Gullick down there, he and his crew just really worked really well. It was interesting because they didn't just meet the demands of the flood when things started to come back, they started cutting back. So, you know, savings, even during an emergency, everybody was focused on what they had to do.

So I just really wanted to --

PRESIDENT DeVITA: If I can interrupt you one second.

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I spoke to Joe a few hundred times I think during the days around the hurricane and I think, Joe, you're to be commended with everybody else. And I know that United Water took a full page ad out thanking all their employees for all their efforts. We can't do that. Okay. But I would

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like the whole Board to go on record thanking Joe and all the employees Joe mentioned. They did a great job for us. They came basically uninjured and it was a great job, a real team effort.

COMMISSIONER KOLODZIEJ: I believe our policy is to put a letter from all of us into their file, a commendation letter. So please do that.

COMMISSIONER RODRIGUEZ: Great job.

MR. AMODIO: Anything else, Joe?

MR. BELLA: That's it.

COMMISSIONER KOLODZIEJ: Just a question on this report.

I'm always the one concerned about capital projects and especially when it has to do with infrastructure. And I see a trend here.

Mr. Chairman has assured me that we will be getting some information for budget finance meeting. So you will also give us a

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prioritization of the capital and how we're going to budget for that?

MR. BELLA: That's correct. It will all be laid out.

COMMISSIONER KOLODZIEJ: Thank you.

COMMISSIONER RODRIGUEZ: On the report, I had a question about North Arlington.

who is the contractor on that?

MR. DUPREY: Tomco.

COMMISSIONER RODRIGUEZ: Tomco. Because I saw that, you know, that we're going to be giving

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change orders, because there were unforeseen, like utility lines and I mean, that didn't show up in the survey since you're talking about capital.

MR. HANLEY: Mr. President, I'm sorry, can I?

PRESIDENT DeVITA: It should be closed session.

COMMISSIONER RODRIGUEZ: Yes, I apologize. I apologize.

PRESIDENT DeVITA: We'll discuss it in closed session. Okay.

Anything else? Questions for Joe?

MR. AMODIO: Hearing none, we can move on to Requests from the County of Passaic Police

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Academy, permission to use the Point View Reservoir: Monday, October 17th to Friday, October 21st, 2011 from 7:30 a.m. to 3:00 p.m. and Saturday, October 29th, November 5th, November 12, November 19th, December 3rd, 2011 from 7:00 a.m. to 3:30 p.m.

COMMISSIONER KOLODZIEJ: So moved with the usual hold harmless that accompanies us granting that permission.

MR. HANLEY: Yes.

Louie, do we do the hold harmless and endorsement?

MR. AMODIO: Yes.

Move by Commissioner Kolodziej.

COMMISSIONER BAZIAN: Second.

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MR. AMODIO: Second by Commissioner

Bazian.

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

MR. AMODIO: Move onto Executive Director's report -- I'm sorry -- Controller's Report.

MR. WEISS: Cash on hand is \$7 million.

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Our accounts receivable are at 14.6 million. Our 30 days or less accounts receivable is at 14 million, which represents 96 percent, which is very good.

Our accounts payable is at four million.

The numbers are pretty much in line with this time of the year.

That's pretty much all I have.

We were going through overtime reports in the finance committee meetings. I just want a little bit of clarification, is that something that we want to get out to the entire Board?

COMMISSIONER LEVINE: I was thinking about it. We didn't want it out until we finalize everything. The only thing I wanted to add to that was, Joe, you left. I wanted to know when the main breaks, when there's a jump in, like, there's a main break so we know how much that main break cost us in overtime. And also, you know, from what I understand, Mark Romain could go back

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at least two years to show there was a main break, if there was a main break. They have all the main breaks, fill that in the report. So then we know if it is really cost savings or if it was a huge main break, the cost. And we can also analyze how

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much these main breaks cost.

MR. BELLA: Okay.

COMMISSIONER LEVINE: All right. And then after that, I think that's -- that's the way I like it. I don't know about anybody else.

PRESIDENT DeVITA: We're not getting reports on the overtime?

COMMISSIONER LEVINE: You will. After he adds this, probably for next month. We can get the report on the overtime and everybody can analyze it.

PRESIDENT DeVITA: I understand we went down.

COMMISSIONER LEVINE: Not really.

COMMISSIONER BAZIAN: About seven percent.

COMMISSIONER LEVINE: Very little, if that.

PRESIDENT DeVITA: Seven percent.

MR. WEISS: It's just below ten.

PRESIDENT DeVITA: Any questions for Controller?

MR. AMODIO: No questions.

we'll go to closed session.

Do I have a motion?

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COMMISSIONER BAZIAN: Move it.

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COMMISSIONER KOLODZIEJ: Second.

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

Pursuant to the Open Public Meetings Act,
Commissioner Bazian 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 Passaic Valley Water Commission:

1. The public shall be excluded from
discussion of the hereinafter specified subject
matters; the general nature of the subject matters
being: Financial, Insurance, Personnel, Contract
Negotiation, Security, under Law we have Wrobel v.
PVWC; Kleber v. PVWC; Perez v. PVWC;
Leopold/Prismatic filter update; Lodi v. PVWC;
North Arlington v. PVWC; Summary/Aging Reports;
Dark Fiber; Sheriff's Agreement; Four Seasons at
Great Notch - Expansion of Hours for Reservoir
Road; Conflict of Interest Policy; 518 Centre
Street, Nutley and Oak Ridge Gardens.

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MR. HANLEY: North Arlington?

MR. AMODIO: North Arlington/Tomco and
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Administration and any other matters 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 following or soon thereafter as the reason for discussion no longer exists.

3. This Resolution shall take effect immediately.

Second by Commissioner Kolodziej.
On the roll.

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

MR. AMODIO: The time is 11:01 a.m.
Five minute break.

(Recess)

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PRESIDENT DeVITA: Call the meeting to order.

MR. AMODIO: Meeting called to order.
The time is 11:10.
Moving onto the Consent Agenda.

We have minutes of the Passaic Valley Water Commission in camera and Regular Public

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Meeting of August 17th, 2007 and August 18th, 2011
special meeting.

Motion.

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: By Commissioner Kolodziej.

Do I have a second?

COMMISSIONER BAZIAN: Second.

MR. AMODIO: By Commissioner Bazian.

On the roll.

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

MR. AMODIO: Thank you very much.

Next we have Miscellaneous Purchase Orders
Placed by Purchasing Director, Linda Beckering.

Does the Chair accept, receive, and file?

PRESIDENT DEVITA: Yes.

MR. AMODIO: That's for the period of

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August 8th, 2011 to September 11, 2011.

Next, we'll move on. We have Contract
#11-B-27, "Furnish and Deliver Iron Pipe and
Fittings." Recommendation to award a two-year
contract. Actually three awardees for this.
First is Brent Material Company of West Orange,
New Jersey. I'll read off the items, too. Item
31, 57, 63, 89, 120, 125, and 144 in the amount of
\$40,719.

Next awardee is Capital Supply
Construction, Incorporated of Denville, New Jersey
for items one through six, 11 through 14, 16

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through 24, 26, 30, 33 through 35, 37, 38, 40
through 56, 58 through 62, 64 through 88, 90
through 97, 100 through 102, 106 through 113, 116
through 119, 122 through 124, 128 through 131,
135, 136, 142, 143 and 148 to 184 --

COMMISSIONER BAZIAN: One forty-five.

MR. AMODIO: Oh, I'm sorry. One
forty-five through 184 in the amount of
\$500,806.16.

Third and final awardee, Ferguson
Waterworks of Whitehall, Pennsylvania for items
seven through ten, 15, 27, 27 through --

MR. HANLEY: Fifteen, 25.

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MR. AMODIO: Twenty-seven through 29, 32,
36, 39, 103, 137, 138.

MR. DUPREY: Through 138.

COMMISSIONER BAZIAN: And the difference
is?

MR. AMODIO: In the amount of \$84,529.26.
Do I have a motion?

COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: Motion by Kolodziej.

COMMISSIONER SANCHEZ: Second.

MR. AMODIO: Second by Commissioner
Sanchez.

COMMISSIONER BAZIAN: Yes. I have a
question.

COMMISSIONER DEVITA: Sure. Go ahead.

COMMISSIONER BAZIAN: Finish the roll.

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(Roll call was taken, all Commissioners respond in the affirmative, Commissioner Levine having abstained)

PRESIDENT DeVITA: Question by Commissioner Bazian.

COMMISSIONER BAZIAN: Yeah, there was a note in the memo from the Purchasing Department that items 98-99, 104, 105, 114, 115, 121, 126 --

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(Interruption by the court reporter)

COMMISSIONER BAZIAN: No bids were received for a group of items. I presume we're going out to bid?

MR. DUPREY: Depending on the need, we will go out and solicit for those items or not and we would either get quotations, depending on the dollar amounts. So we try to get as much in the bid pricing as we can for as many items as we can. So if we need it, we can get it at a competitive bid price. When none of the bidders submit bids on the particular items, if it's over the bid threshold, we will conform to all of the requirements.

MR. AMODIO: Any other discussion?

Item eight, Annual Maintenance Contract for Proprietary Software System with SunGard Public Sector commencing October 1, 2011 and ending on September 30th, 2012 in the amount of

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\$102,056.20.

Question?

COMMISSIONER SANCHEZ: I have a question.
Was there something about previous so called

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violations that we used to have when we used to
have problems?

MR. AMODIO: No, that was Software
Gallery.

PRESIDENT DEVITA: This is a renewal.

COMMISSIONER BAZIAN: If I may? First of
all, just for the record, the first I knew of this
contract was when I saw it on the agenda. This
did not come up before the IT committee, a matter
which I have raised with Jim on this and on
another contract which I'm unhappy with.

SunGard is our current software vendor.
Our accounting software, our work orders, our
purchase orders, et cetera, is done through the
SunGard software. This is for the annual
contract.

My understanding is, and Jim isn't here,
my understanding that since this starts
October 1st, I believe the Commission has to act
on it otherwise we won't be able to get any
support going forward, I think. I have no details
on this and personally I'm not going to vote on
this contract because I don't have the details.

COMMISSIONER KOLODZIEJ: Neither am I.
Can you bring him in? If we have a deadline, you

better bring him in.

COMMISSIONER SANCHEZ: Maybe we can extend it, but we should have a consensus.

PRESIDENT DeVITA: Why don't we see if there's a question that Jim --

COMMISSIONER BAZIAN: We'll wait for Jim. There are significant questions. One of the discussions we're discussing in IT is replacing the software vendor. We're starting the contract for \$150,000, does that mean I'm writing a check for \$102,000 now or am I paying this out on a monthly basis?

MR. WEISS: You're writing a check now. That's the answer.

COMMISSIONER BAZIAN: Okay. Fine. So now I'm talking about a contract of \$102,000. We haven't been able to negotiate with the company, I guess, I don't know, because this never came before IT. I don't know what's going on with this thing and we're looking at replacing these guys possibly as early as early next year. So what are we spending \$102,000 on? On the other hand, we have to get support.

COMMISSIONER KOLODZIEJ: Let's get answers to these questions.

COMMISSIONER BAZIAN: I agree. My apologies. I am kind of blind-sided.

MR. WEISS: The timetable we were
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originally looking at in terms of possibly replacing the software was towards the end of next year, not the beginning of next year. So this contract is going to have to be lengthened. The support contract needs to be in place so that we have the support throughout the year. We're going to be using them. We're also going to be doing some parallel testing also. We have to make sure that our systems are up and running and we have people that can help us and make sure they stay up as we transition.

COMMISSIONER LEVINE: How many year contract?

MR. WEISS: One year.

COMMISSIONER RODRIGUEZ: I totally understand that, but I think that should have come in front of the IT committee. Anything that has to do with IT, especially, you know, with SunGard and these folks that we're looking to potentially replace, because we're going to be enhancing our system. Things like this should definitely come in front of the IT.

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COMMISSIONER SANCHEZ: I agree. It should have been.

COMMISSIONER BAZIAN: I've already raised this with Jim and Jim is going to deal with that.

Now, in terms of this contract, Jim, okay, my apologies to the Commission, you're going to have questions that are going to come up with

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committee and I apologize for taking up your time.

This is an annual contract. I understand from Yitz we're paying this out up front. Okay. I know that you're having discussion with Edmunds and you're bringing in some other software vendors. Okay. What timeframe are you looking at in terms of potentially replacing SunGard?

MR. GALLAGHER: SunGard, probably not till the end of next year.

COMMISSIONER BAZIAN: Not till the end of next year.

MR. GALLAGHER: SunGard is the actual system that runs everything. Yitz is going to probably be leaning the charge on the Edmunds system, if that's the system we choose. And we're going to look at others. If that's the system we choose, you're talking about six to nine months before we actually get up and running and then

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paralleling it for a period of time. And Yitz felt as though he'd rather start on a 1/1 date and obviously not going to be prepared for 1/1 in 2012.

COMMISSIONER LEVINE: I thought you can't do the credit card?

COMMISSIONER BAZIAN: You can.

COMMISSIONER LEVINE: Wasn't there a conflict?

COMMISSIONER BAZIAN: We had significant problems with SunGard which is the reason why we're looking at replacing them.

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COMMISSIONER RODRIGUEZ: Right.

COMMISSIONER BAZIAN: The issue right now is we're stuck with them until they're replaced.

MR. GALLAGHER: They have a proprietary software. That's the problem. The problem is the SunGard system, the other system, the other systems that we're looking, i.e. the Edmunds system, although they're proprietary, they're windows based. So they're a lot easier to do repairs and maintain. So there's less problems with maintaining.

The reason that this was, that this apparently was the past practice. I've corrected

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that and addressed it. The staff really felt as though this is something you have to do because of the proprietary nature of the software.

MR. WEISS: Just for your information, this is a maintenance agreement that we have with them that we've had every single year since we got the software. It's not like it's something brand new coming up.

COMMISSIONER BAZIAN: which is totally irrelevant as far as I'm concerned.

If I may, Mr. President?

He's saying that this is the contract we've had all along. The implication being, well, we had it before, let's continue it --

MR. WEISS: Actually, that wasn't the implication at all. The implication was just you

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shouldn't think of this as something brand new.

COMMISSIONER SANCHEZ: You're not getting the point of the Commissioner. Even though it's something old, we want to look at it to see if we can improve on it.

MR. WEISS: Okay.

COMMISSIONER BAZIAN: One last question, if I may. Is this just software or does this also include a maintenance contract on the A.S. 400

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system?

MR. GALLAGHER: It is my understanding that this does include the maintenance on our SunGard system only.

COMMISSIONER BAZIAN: So then we should be expecting another contract for the maintenance on the A.S. 400.

For the record, the A.S. 400 is a special server. It's not your regular PC that you use upon which the SunGard system runs.

MR. GALLAGHER: Right now the bulk of that is being done by Synetek. When there's maintenance on that issue, the server itself, Synetek is taking care of that.

COMMISSIONER KOLODZIEJ: I just want to say, I was upset also because it appeared on the agenda and we spent an hour at a committee meeting dealing with this, however, what I'm hearing from you is even if this was on our agenda on Thursday, the recommendation would pretty much be the same as today --

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MR. GALLAGHER: Not pretty much.

COMMISSIONER KOLODZIEJ: That's what I'm saying, as upset that I'm getting this the first time today, it's one of the situations where I

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don't like it, but I have to deal with it.

COMMISSIONER LEVINE: Can't we do month-to-month on it?

COMMISSIONER KOLODZIEJ: That's a good question.

COMMISSIONER LEVINE: So we have some time to actually look into and if there's any changes can we negotiate with them.

COMMISSIONER KOLODZIEJ: Maybe negotiate with them --

COMMISSIONER LEVINE: They do something else --

PRESIDENT DeVITA: One at a time, guys. One at a time.

MR. BELLA: We can't change it until we get new software. That's basically it.

COMMISSIONER LEVINE: Isn't there more we can add, try to negotiate the price, do something? I didn't even see the contract. It should have come to IT so someone could have seen the contract. It should be month-to-month until --

PRESIDENT DeVITA: Let me just understand something.

You have a contract here. Appropriate committee's apparently not aware of it. Do we

have any choice in this?

COMMISSIONER KOLODZIEJ: I like Commissioner's suggestion. Can we go back, Mr. Hanley, and negotiate the fact that we know we're heading towards a new system, can we negotiate a month-to-month maintenance fee? That makes sense to me.

COMMISSIONER SANCHEZ: Divide it by 12 and pay them a monthly fee.

PRESIDENT DeVITA: Guys, wait, wait, wait. You're all talking at once.

Yitz, do we prepay?

MR. WEISS: Yes.

PRESIDENT DeVITA: Okay. Question. Does one month make sense or does six months make sense? I don't know the answer.

COMMISSIONER KOLODZIEJ: And can we do it.

COMMISSIONER LEVINE: One month. Because we want to negotiate.

MR. HANLEY: The question is will they agree?

COMMISSIONER RODRIGUEZ: Accept, right.

COMMISSIONER BAZIAN: Mr. President.

COMMISSIONER VANNOY: If they don't, where does that leave us?

COMMISSIONER KOLODZIEJ: Correct.

COMMISSIONER BAZIAN: The problem I have right now, okay, is, it is now September 21st.

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Okay. This new contract takes effect October 1st. The nature of this system, as I understand it, requires that we have a contract with a vendor. These are questions that we perhaps could have addressed a month or two ago but we're ten days before the end of the contract.

My sense of proprietary, less at the staff on how this happened but in general right now, as you can tell, I'm rather offended by this concept but I'm going to agree with Commissioner Kolodziej, I don't see, unless Jim or Yitz can offer me an alternative, I don't see an alternative.

I'm very unhappy about it. But on the other hand, the consequences of not having a contract, and if we have a problem with the system, which is not exactly uncommon, that we have to call SunGard, could be worse.

COMMISSIONER SANCHEZ: May I say one thing?

PRESIDENT DEVITA: Yes, you may.

COMMISSIONER SANCHEZ: what I'd like to

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say is that this kind of contract should be brought to the Board in advance. They could not bring us something that we don't have a choice on.

COMMISSIONER BAZIAN: I couldn't agree with you more.

COMMISSIONER SANCHEZ: From now on, whether the Controller or whoever is involved

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should give us enough time for us to make a decision and have time to scroll the document.

PRESIDENT DeVITA: Agreed. I think everybody agrees with that.

All right. Meanwhile, we have this in front of us. We have, from what I understand it, very little choice.

COMMISSIONER VANNOY: well, the first question, like we said, can we do this?

COMMISSIONER KOLODZIEJ: Yes, can we?

PRESIDENT DeVITA: Can we find the answer to that?

COMMISSIONER KOLODZIEJ: Six months or whatever.

COMMISSIONER SANCHEZ: We don't have a choice.

COMMISSIONER BAZIAN: If we don't act on it today, what happens --

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COMMISSIONER LEVINE: Let me ask a question,, does the old contract say month-to-month after? I haven't seen the contract. Maybe the old contract says that.

COMMISSIONER VANNOY: What's wrong with asking?

COMMISSIONER KOLODZIEJ: Exactly.

COMMISSIONER RODRIGUEZ: One last question.

COMMISSIONER KOLODZIEJ: I would like to make a motion then that we authorize the entering into the contract but to have our people negotiate

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whether it could be done on a month-to-month or six month.

COMMISSIONER LEVINE: Or if the old contract --

COMMISSIONER RODRIGUEZ: Yitz, is there any way on entering this contract, there's a contingency on the table now, if we found someone for the next 90 days, will we be able to get out of the contract and be refunded for the unexpired time?

MR. WEISS: I don't know the answer to that.

COMMISSIONER SANCHEZ: That's a legal

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term.

COMMISSIONER KOLODZIEJ: The motion is to buy us the time that we need so we can evaluate.

COMMISSIONER SANCHEZ: I agree.

COMMISSIONER VANNOY: I second.

PRESIDENT DeVITA: There's a motion and second.

COMMISSIONER SANCHEZ: I second Commissioner Kolodziej's motion.

MR. AMODIO: Could you clarify that?

COMMISSIONER KOLODZIEJ: To enter into the contract but to have our staff negotiate whether we can extend it for six months and then reevaluate.

COMMISSIONER LEVINE: Or month-to-month or look at what the old contract actually says --

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PRESIDENT DeVITA: Hold, hold, hold.

COMMISSIONER KOLODZIEJ: My motion is strictly for where we're going.

PRESIDENT DeVITA: Clarification. The motion is to approve this.

COMMISSIONER KOLODZIEJ: Yes.

PRESIDENT DeVITA: But authorize that our staff negotiate with the vendor to see if we can make it a month-to-month or six months.

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COMMISSIONER VANNOY: Purportedly.

COMMISSIONER BAZIAN: If I may, I just want to suggest.

PRESIDENT DeVITA: And that's been seconded.

COMMISSIONER BAZIAN: I just want to suggest I think the understanding of the motion, my understanding is a little different. The motion isn't necessarily to approve it, but rather to authorize our staff to enter into the contract if a suitable month-to-month or three month or six month extension of the prior contract cannot be negotiated.

My only concern with the motion is that if Jim calls SunGard and SunGard says, yeah, we'll do it quarterly, that's another contract. He can't enter into that contract without bringing it back before this Board, which isn't going to be for a month.

PRESIDENT DeVITA: Hold it.

COMMISSIONER BAZIAN: Do you hear my

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concerns?

PRESIDENT DeVITA: I hear your concerns.

COMMISSIONER KOLODZIEJ: But it would come before the Board in a timely fashion.

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PRESIDENT DeVITA: Can we not then modify what we agreed upon, George, with them?

MR. HANLEY: As I understand the way Commissioner Bazian just described what you're voting on, I think that you can authorize it in the alternative, but the first priority is to try to get a month-to-month or quarterly or six months. The price I'm assuming would not change.

COMMISSIONER VANNOY: Just divided by 12.

MR. HANLEY: And, therefore, you have the authority to delegate that at this point because there's no discretion.

COMMISSIONER BAZIAN: But that may not be true. If they agree to a month-to-month contract, they may say, hey, pass up for 102,000 but if you go month-to-month it's 10,000 a month. They could theoretically do that.

MR. HANLEY: If the price changes, then we have to come back.

COMMISSIONER KOLODZIEJ: Correct.

PRESIDENT DeVITA: The motion is --

COMMISSIONER KOLODZIEJ: I don't have a problem with that.

PRESIDENT DeVITA: The motion is to approve the contract, but to request a

modification of the terms of the contract monthly, quarterly, six months, whatever.

COMMISSIONER BAZIAN: At the same price.

COMMISSIONER VANNOY: Just try to do monthly. Don't go six months, then they'll take that.

PRESIDENT DeVITA: Everybody understands the motion?

COMMISSIONER LEVINE: Let me ask you one question. If nobody read the old contract, if the old contract said, you know, if this expires it goes into a month-to-month, it might automatically go right into a month-to-month. We don't even know this. The old contract might say that straight out, at the conclusion of this contract, it's month-to-month --

MR. WEISS: It's an annual maintenance agreement.

PRESIDENT DeVITA: Let's call the vote on the motion.

COMMISSIONER KOLODZIEJ: We have a motion on the floor. Call the motion.

MR. AMODIO: We have a motion and second. On the roll.

COMMISSIONER BAZIAN: Reluctantly, yes.

(Roll call was taken, all Commissioners respond in the affirmative, Commissioner Levine
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responds in the negative)

MR. AMODIO: Motion approved as described.

Next, we have --

PRESIDENT DEVITA: Next. Number nine.

Guys, come on.

MR. AMODIO: Procurement (Under the New Jersey State Contracts) of one Océ Color Wave 300 Plotter to be purchased from Océ North America, Inc. under New Jersey State contract T207 551141 in the amount of \$23,045.

One Kyocera Task Alfa 6650ci Copier to be purchased from Office Systems (Kyocera) under New Jersey State Contract Number T2075 53090 in the amount of \$18,487.

One Kyocera Task Alfa 4550ci Copier to be purchased from Office Systems (Kyocera) under New Jersey State contract T2075 53090 in the amount of \$10,400.

One Sharp MX-4101N Copier to be purchased from Sharp Business Systems under New Jersey State Contract Number T2075 51143 in the amount of

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\$7,287.11.

And last, one Sharp MX-4101N Copier to be purchased from Sharp Business Systems under New Jersey State Contract T2075 51143 in the amount of \$5,682.01.

Discussion.

COMMISSIONER BAZIAN: Sorry, in the

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reading of your contracts, you may want to just provide our stenographer a written copy because I think the numbers came out a little off.

MR. AMODIO: The contract numbers?

COMMISSIONER BAZIAN: I heard you quote 51143 twice.

MR. AMODIO: Maybe I made a mistake.

COMMISSIONER VANNOY: well, it's on here twice.

MR. AMODIO: The last two from Sharp are the same contract numbers. The correction is the last machine is MX-3110. The first machine was an MX-4101. But the contracts are the same contracts.

COMMISSIONER BAZIAN: Okay. Thank you.

MR. AMODIO: Discussion.

COMMISSIONER VANNOY: I would actually like to make a motion to table this.

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There's a few things. We don't have service pricing on the last two contracts with Sharp. I'm not familiar with Office Systems and I do note, because I'm in the copier business, that sometimes a vendor will use a State contract number even though they're not authorized.

So I would like to look at it. I'd like to talk to IT about it, see exactly where we're going. I don't know if it's something that has to be done right now, but I'd definitely like to take the time.

In the State contract, it always works
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better on cost for copy, so I would like to weigh the differences.

PRESIDENT DeVITA: Okay. That's fine. Is there any emergency with any of this? Okay.

COMMISSIONER LEVINE: Second.

MR. AMODIO: Motion by Commissioner Vannoy to table.

Second by Commissioner Levine.

On the roll.

COMMISSIONER BAZIAN: Absolutely.

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

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MR. AMODIO: Motion approved to table.

PRESIDENT DeVITA: Next.

MR. AMODIO: Item 10, Procurement (Under New Jersey State Contracts) of one Motor Control Center and Appurtenances for the Totowa Pumps, State Contract Number T-0167 A75180 to be purchased from Keel Electric Supply of Newark, New Jersey in the amount of \$127,336.

Any discussion?

Motion.

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER VANNOY: Second.

MR. AMODIO: Second by Commissioner Vannoy.

On the roll.

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

MR. AMODIO: Thank you. Motion approved.

Next we'll move onto Resolutions.

Retirement of Bernard M. Cooke, Jr.,
Assistant Supervising - Maintenance Repairer,
period of 34 years and four months, effective
September 1, 2011.

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No motion is needed.

Commissioners, if you please sign. I'll
have Mr. Weiss pass this around.

Next we'll go onto Summary of
Disbursements and Payrolls through September 21st,
2011 in the amount of \$7,598,538.72.

Do I have a motion.

COMMISSIONER BAZIAN: Move it.

MR. AMODIO: By Commissioner Bazian.

COMMISSIONER KOLODZIEJ: Second.

MR. AMODIO: Second by Commissioner
Kolodziej.

Treasurer finds them in order?

COMMISSIONER LEVINE: Yes.

COMMISSIONER BAZIAN: I abstain on Dell.

COMMISSIONER SANCHEZ: I have to abstain
on Montana.

COMMISSIONER LEVINE: I wish to abstain on
Car Glass.

PRESIDENT DeVITA: Vito's Towing and
Rachles Michéles.

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

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MR. AMODIO: We're waiting for the Resolution for the Contract 11-B-20.

PRESIDENT DEVITA: How about we take a short recess.

MR. AMODIO: Short recess.

PRESIDENT DEVITA: Before we recess, Jim, do you want to give us an update on this?

MR. DUPREY: Again, this morning at 10:00 we opened up bids for the procurement of the electric supply. Our consultant has been very busy reviewing those. We actually received seven responses of which three were done before, under the time limit, within the time frame required, and they're reviewing them. They were viable bids and they have a recommendation for us; and so.

MR. BELLA: Linda will be right here.

MS. BECKERING: I'm right here.

PRESIDENT DEVITA: We're ready to proceed. We're ready to go.

MR. BELLA: Just to give you a little background rather than random, we'll fill in what the process is about.

Basically, we went out, we decided, the Commission decided that we should take a more in-depth look, get a different person to look, a

different consulting firm to look at our electric process, internal process. They came up with some interesting and innovative ways of doing this and I think it's paid off.

MR. FORD: Russell Ford, from CH2M Hill.

MR. FOWLER: Brandon Fowler from Enstrat.

MR. PARR: Stephen Parr also from Endstrat.

MR. BELLA: And they basically put the specs together and did the procurement process.

MR. FORD: Thank you very much for having us here.

We put together a process in conformance with the State Bidding Law which involved a solicitation to all the qualified suppliers, as qualified by the Board of Public Utilities. And so we canvassed the market for all those licensed and qualified suppliers, the bid package which included a power supply agreement, a deal, a transaction that would be governed by our contract terms and conditions that were embedded so as to maintain equitability with the suppliers.

That was submitted to the market on the 29th of August; reviewed today and the bids were received.

To get a background on this. It's our

understanding, we're not party to this, but it's our understanding that there were scant bids in previous processes and so one of our objectives, one of our strategic objectives, for the

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organization was to establish viability in the market that we can put an RFP to the market and get substantial competition.

So I'm pleased to say as of today we had seven responses. We had seven sets of bids come in from qualified suppliers and the results of those bids were put out.

I'm giving a hand-out that goes into detail of that as well as the winning bids and the bids were established as having conformed to the requirements of the bids law.

There were a number of bids. Three of them that came in after the deadline at 10:00 and so those were rejected. The other four came in with the deadline and we reviewed and the analysis was performed in order to establish.

So the net of the story is that a process was run that conformed to the regulatory requirements. Sufficient time was devoted to that. The contract terms and conditions were in conformance. They were fair and equitable to all

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parties. We established liability in the market by virtue of receiving seven bids from a reputable firm, conduct business. And we finally get to the results.

So I'll take a pause there and ask if there's any questions or issues to discuss before we move on.

PRESIDENT DeVITA: I don't think we have

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any. I think it's an excellent presentation.

COMMISSIONER RODRIGUEZ: Good job.

COMMISSIONER BAZIAN: The only question I have which I haven't heard yet, what exactly is this contract for? That I haven't heard yet.

MR. FORD: Thank you very much. That's a very good point.

This represents a contract for electricity service through a third party supplier, deregulation electricity in the state so we buy our energy.

COMMISSIONER SANCHEZ: Can I ask who the third party supplier is?

PRESIDENT DEVITA: That's what we're doing now.

MR. FORD: Here's a list of competing suppliers as well as the winning supplier as we

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would recommend.

COMMISSIONER LEVINE: How much are we saving?

PRESIDENT DEVITA: Guys, listen to what he's saying. He's giving us all the information. He's going to pass out the bid information so we can see.

COMMISSIONER SANCHEZ: The thing is, I have one question.

PRESIDENT DEVITA: Go ahead.

COMMISSIONER SANCHEZ: The price changes. They go by monthly rates. Let's say a commodity goes out, that's a fixed price.

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MR. FORD: Just very quick. I understand your question.

This is structured somewhat differently than previous where you had what's called a full requirements fixed price. For every kilowatt hour, you paid the same amount. You had on top of that what's called a band, a swing provision ten percent more or less to retain that same price.

This structure is somewhat different in that we purchased blocks of energy that covered virtually all of our load and we floated, is the term, but we have an in-depth piece that is a

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variable that is part of that. That gives us a slightly more aggressive posture in the market. It's risk-free.

So the organization is taking on a very small amount of risk in order to drive down the price. There is in fact some price variable, but it is on the order of five percent of your kilowatt hour price can be affected by that.

So it is minimal and well within reasonable risk to accept that.

Again, you get a far cheaper price by virtue of doing that, although there's some variability and the savings could be eroded for that slight yet small component as opposed to what's in the bid spec.

COMMISSIONER SANCHEZ: The price included in that price, is that included?

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MR. FORD: The way that the analytics were conducted on this is that we had a volume of expected energy consumption over a period and so there's a block price assigned to that as well as an adder for any in-depth component.

So that's the structure of the deal. So it is not exactly the same as what you had before. But the tail on the table on that is that there's

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about \$600,000 better in rate versus your current budget.

Now, that is primarily due to the market condition having improved. But we also will see some benefit from this structure wherein the risk. Any price for a fixed product has the best premium embedded and we are assuming that in driving down the cost.

One of the other questions is what are we buying? Third party supplier for a 15 month term. The reason for the 15 months is that that gets us into what's called a calendar year product; takes us through the end of next year. A calendar year product simply has less transaction and we're buying a calendar product for the future. You're buying a calendar strip. That also aligns you to some other potential partners with whom we could join in order to buy bulk energy in the future. So that's the rationale.

The package having been passed out and I have not yet passed out.

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that it's approximately \$600,000? I had asked a question. I had asked a question. I just wanted to confirm my understanding that we're looking at

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a savings of approximately 600,000 over six months or calendar year?

MR. PARR: Twelve month calendar year, over 12 month.

COMMISSIONER BAZIAN: About a savings of \$600,000.

I would like to see -- we'll talk about 600,000.

PRESIDENT DEVITA: Don't spend it.

COMMISSIONER BAZIAN: Don't spend it.

MR. WEISS: It hasn't been approved to spend yet.

MR. FORD: That 15 month term, the planning for the next cycle begins tomorrow. We have a lot of exposure starting 15 months, but that is the figure on the annual basis versus the current rate.

COMMISSIONER RODRIGUEZ: If I may, Mr. President?

I want to commend Jim and Joe because I remember two years ago when we were at this position and to take a proactive approach that we're talking about a lot of money and we all were very uneasy the last time taking a vote on this. So I commend you of being proactive in this.

MR. FORD: I think the good news is you have a bid package now that's established the viable market. You're going to fetch bids on this package in the future, so we can now be more confident going forward and do more creative things for us.

So now, the bid package having been passed out, that shows the figures from the various bids. You can see at the top of the list this Constellation, that being the first one that came in and you can see the various components --

COMMISSIONER LEVINE: which were late?

PRESIDENT DeVITA: The two lowest.

MS. BECKERING: The photocopies were not

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COMMISSIONER BAZIAN: Hess, Integrys, and Liberty Power; the last column.

MR. AMODIO: Anything after 10:00.

MS. BECKERING: The ones that came in after 10:00 were late.

COMMISSIONER SANCHEZ: Maybe he had a different clock.

MS. BECKERING: In our invitation it says local time.

PRESIDENT DeVITA: Ten o'clock.

MR. FORD: We went by the time stamp --

MS. BECKERING: Yeah, the e-mail time stamp we went by.

MR. FORD: So the figures are pretty

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straight forward. The Current represents the current rates you have.

Current Cost is that current cost.

Then we get into the new stuff which would be the October to December product that we're buying and various amounts in the rates that were bid by the various suppliers.

And also see the Annual Variance from the recommended bid which was that top bid; best bid, Constellation.

So, note, that we did have a slightly better bid, for example, from Liberty Power, but they came in too late. They did not conform with the process. So that was kicked out. That was the very best bid, 30,000 bucks better, but not in conformance to our regulations, that was the time deadline.

COMMISSIONER BAZIAN: George, I'm sorry, I just want to confirm my understanding. If it comes in after, at 10:01, you can't accept?

MR. HANLEY: That's correct. And the

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reason for that is because of potential for manipulation.

COMMISSIONER BAZIAN: Right. Got you.

MR. AMODIO: Any further discussion?

COMMISSIONER BAZIAN: Move it.

COMMISSIONER KOLODZIEJ: Second it.

MR. AMODIO: Motion by Commissioner Bazian.

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Second by Commissioner Kolodziej.
On the roll.

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

PRESIDENT DeVITA: Great job, yes.

MR. AMODIO: For the record, that's
Contract #11-B-20 Electric Energy Supply Hourly
Accounts, and the recommendation is to award a 15
month contract commencing October 1, 2011 to
Constellation New Energy of Baltimore, Maryland in
the amount of \$3,281,382.

Motion approved.

I believe Commissioner DeVita and Bazian
have to sign that before 1:00 p.m.

MR. FORD: We need to notify by 1:00 p.m.

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There's a market sensitivity.

MR. AMODIO: Okay. So you need the
signatures now?

COMMISSIONER BAZIAN: Motion to adjourn.

MR. AMODIO: We've got nothing.

PRESIDENT DeVITA: Next meeting is?

MR. AMODIO: October.

COMMISSIONER KOLODZIEJ: I'll second his
motion.

MR. AMODIO: October 19th.

Motion to adjourn by Commissioner Bazian.
Second by Commissioner Kolodziej.

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

MR. AMODIO: Motion approved.

The time is 11:49 a.m.

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C E R T I F I C A T E

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

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

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

LYNANN DRAGONE, CCR
Certified Court Reporter