

PASSAIC VALLEY WATER COMMISSION SPECIAL MEETING OF

FEBRUARY 7, 2012

(OPEN SESSION)

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

ROBERT VANNOY, President

RIGO SANCHEZ, Vice-President

JEFFREY LEVINE, Treasurer

GLORIA KOLODZIEJ, Secretary

IDIDA RODRIGUEZ (Absent)

THOMAS P. DeVITA

MENACHEM BAZIAN

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

JOSEPH A. BELLA, Executive Director

GEORGE T. HANLEY, Counsel

YITZ WEISS, Comptroller

LOUIS AMODIO, Administrative Secretary

1 PRESIDENT VANNOY: Call the meeting to
2 order.

3 MR. AMODIO: On the roll.

4 Commissioner Rodriguez is absent.

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

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9 MR. AMODIO: You have a quorum.

10 The time is 11:13 a.m.

11 MR. HANLEY: Just so you know, the way we
12 do the notice, you are allowed to bring up items
13 other than that which was listed in the normal
14 fashion that you would otherwise do at a regular
15 meeting. But the primary purpose is obviously
16 what's listed.

17 MR. AMODIO: All of the requirements of
18 the Open Public Meetings Act have been met.
19 Commission meeting notice have been furnished to
20 all Commissioners, City Clerks of Paterson,
21 Passaic, and Clifton, North Jersey Herald News,
22 The Record - Passaic County edition, and the
23 Commission's Executive Staff with a copy posted on
24 the main bulletin board at the Clifton facility.

25 Would you please rise.

1 Commissioner DeVita, would you please lead
2 us.

3 Just real quick, before we go into closed
4 session, Mr. Bella has a request for
5 authorization.

6 MR. BELLA: Right. We're getting it done
7 as we speak.

8 It's just basically we want to have a
9 contract with the U.S.D.A., Department of
10 Agriculture, to help us with our geese problem at
11 our reservoirs. We want to get the geese out of
12 there. There's a lot of wild areas and --

13 COMMISSIONER LEVINE: We're going to kill
14 them?

15 MR. BELLA: Some of them are going to go
16 down the road, but mostly we're going to go after
17 the eggs.

18 COMMISSIONER DeVITA: Is this a health
19 issue?

20 MR. BELLA: Oh, yeah. We got to get them
21 out of our finished water reservoirs.

22 PRESIDENT VANNOY: Is this something we're
23 required to do so as well?

24 MR. BELLA: Well, it's not required to do,
25 but it causes downstream problems and causes

1 treatment problems and taste-ability problems and
2 stuff like that.

3 COMMISSIONER LEVINE: How do the golf
4 courses do it?

5 MR. BELLA: They do it with dogs. It's a
6 little different.

7 COMMISSIONER KOLODZIEJ: We have dogs in
8 Clifton. It doesn't work that well.

9 COMMISSIONER SANCHEZ: Shotgun.

10 MR. BELLA: We're not going to be shooting
11 them or anything like that.

12 They go after the eggs, first. That's
13 probably in year one. Year two, if they get
14 returning geese, that's when they go after.

15 COMMISSIONER DeVITA: Is that spray, the
16 spray oil?

17 MR. BELLA: Yeah, spray oil on the eggs.

18 COMMISSIONER KOLODZIEJ: What's the cost
19 of this?

20 MR. BELLA: Eleven thousand dollars.

21 COMMISSIONER DeVITA: Per year?

22 MR. BELLA: First of all, you got to
23 remember something. They're wildlife biologists
24 and stuff like that. They're pretty sympathetic
25 to the geese. That's one of the reasons why we

1 got them.

2 The other thing is, the main focus of this
3 is they don't want to destroy the animals. What
4 they want to do is just spray the eggs with oil
5 and that's the one and they don't hatch. They
6 don't hatch and you don't take the egg away from
7 them, they don't lay another egg. So your problem
8 goes away and the generation. Okay.

9 PRESIDENT VANNOY: I'm sorry, go ahead.

10 COMMISSIONER KOLODZIEJ: No, that's okay.

11 PRESIDENT VANNOY: This poses a problem
12 for us if we don't do this, right?

13 MR. BELLA: That's correct.

14 PRESIDENT VANNOY: A problem with our
15 water?

16 MR. BELLA: Yes.

17 COMMISSIONER KOLODZIEJ: So this would be
18 a pilot program and you're recommending a one
19 year? Two year? What?

20 MR. BELLA: This one is for one year.

21 COMMISSIONER KOLODZIEJ: Correct, for one
22 year and then we'll come back.

23 MR. BELLA: And here they are here.

24 COMMISSIONER LEVINE: Are we voting on
25 this today?

1 MR. BELLA: We should vote on it.

2 MR. HANLEY: Yes, you may vote on it.

3 MR. BELLA: The reason we moved this up so
4 fast is because of the warm weather. The geese
5 are beginning to nest much sooner than they
6 usually do.

7 MR. AMODIO: Okay. Do I have a motion?

8 COMMISSIONER KOLODZIEJ: So moved.

9 MR. AMODIO: Motion by Commissioner
10 Kolodziej.

11 Do I have a second?

12 COMMISSIONER DeVITA: Second.

13 MR. AMODIO: By Commissioner DeVita.

14 On the roll.

15 Commissioner Bazian.

16 COMMISSIONER BAZIAN: Give me a minute.
17 Come back to me. I haven't a chance to read it
18 yet.

19 MR. AMODIO: Commissioner Levine.

20 COMMISSIONER LEVINE: No, I want to know
21 more about it. I'm not really for it. I want to
22 make sure, you know, what the alternatives are.
23 What the killing of the geese, later on, maybe
24 just the process just works with the killing of
25 the eggs and then we come back for another meeting

1 after. To approve the whole thing right now, my
2 vote is no.

3 MR. AMODIO: Commissioner Kolodziej.

4 COMMISSIONER KOLODZIEJ: Having had
5 experience with this problem in the City of
6 Clifton and knowing what's happening to our water
7 quality, I think this pilot program, one year
8 trial, is the way to go. So I'm voting yes.

9 MR. AMODIO: Commissioner DeVita.

10 COMMISSIONER DeVITA: Yes.

11 MR. AMODIO: Are you ready, Commissioner
12 Bazian?

13 COMMISSIONER BAZIAN: I'm going to abstain
14 on this. I want to see the letter. I want to
15 know.

16 MR. HANLEY: Wait a minute, that should be
17 attached. The Form of Agreement should be
18 attached.

19 COMMISSIONER BAZIAN: I just have a
20 Resolution. According to this, "Submitted
21 correspondence dated January 13th, 2012." I don't
22 know what this is.

23 MR. HANLEY: I'm saying in the Resolution.

24 COMMISSIONER BAZIAN: Can we come back?
25 Give me a chance to read it through.

1 MR. HANLEY: Just so you understand, the
2 Resolution is written as such that you are
3 adopting the contract which is attached and having
4 also attached to the correspondence. That was the
5 intention; so.

6 COMMISSIONER BAZIAN: I appreciate that.

7 MR. HANLEY: I'm not contradicting that.

8 COMMISSIONER BAZIAN: I want to come back
9 to it later. I'm not saying it can't get done
10 today. I'd just like to understand what I'm
11 voting on.

12 MR. HANLEY: It's certainly a fair
13 request.

14 PRESIDENT VANNOY: Can we save the vote?

15 MR. HANLEY: Sure, you can.

16 COMMISSIONER BAZIAN: Procedurally, if I
17 may?

18 MR. HANLEY: Actually, I'm going to amend
19 my statement because of the fact the documents are
20 not attached, I think, therefore, you don't know
21 what you're voting on and you should not vote at
22 this point.

23 COMMISSIONER KOLODZIEJ: So I will
24 withdraw my motion.

25 COMMISSIONER DeVITA: And my second.

1 COMMISSIONER KOLODZIEJ: Due to the fact
2 that there was not complete documentation and we
3 will have a vote before we leave today.

4 MR. AMODIO: We'll go into closed session
5 now.

6 Do I have a motion, please?

7 COMMISSIONER BAZIAN: Move it.

8 MR. AMODIO: By Commissioner Bazian.

9 Do I have a second?

10 COMMISSIONER KOLODZIEJ: Yes.

11 MR. AMODIO: By Commissioner Kolodziej.

12 Pursuant to the Open Public Meetings Act,
13 Commissioner Bazian offers the following
14 Resolution for adoption:

15 WHEREAS, Section 8 of the Open Public
16 Meetings Act permits the exclusion of public from
17 a meeting in certain circumstances; and

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

20 NOW, THEREFORE, BE IT REVOLVED, by the
21 Commissioners of Passaic Valley Water Commission:

22 1. The public shall be excluded from
23 discussion of the hereinafter specified subject
24 matters; the general nature of the subject matter
25 being: The Borough of Lodi versus PVWC and any

1 other such matters as may come before the
2 Commission for consideration.

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

8 3. This Resolution shall take effect
9 immediately.

10 Second by Commissioner Kolodziej.

11 On the roll.

12

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

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MR. AMODIO: On the roll.

19

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

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MR. AMODIO: Thank you.

24

Resume to open session.

25

The time is 12:10 p.m.

1 COMMISSIONER BAZIAN: Mr. President, Joe
2 has informed us that he doesn't have the
3 documentation for this. I believe in that case,
4 I'd like to make a motion that we adjourn.

5 COMMISSIONER KOLODZIEJ: Second.

6 MR. AMODIO: Motion by Commissioner
7 Bazian.

8 Second by Commissioner Kolodziej.

9 On the roll.

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

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14 MR. AMODIO: Meeting adjourned time is
15 12:10.

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C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XIO1388, 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