

PASSAIC VALLEY WATER COMMISSION MEETING OF

AUGUST 16, 2017

(OPEN SESSION)

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

GERALD G. FRIEND, President

JEFFREY LEVINE, Vice President

IDIDA RODRIGUEZ, Treasurer

DAVID BLUMENTHAL, Secretary

RIGO SANCHEZ

ROBERT L. VANNOY

JOSEPH KOLODZIEJ

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

JOSEPH A. BELLA, Executive Director

GEORGE T. HANLEY, Counsel

YAACOV BRISMAN, Assistant Counsel

JAMES G. DUPREY, Director of Engineering **(Absent)**YITZ WEISS, Comptroller **(Absent)**

LOUIS AMODIO, Administrative Secretary

1 MR. AMODIO: Please call the meeting to
2 order.

3 Commissioners Levine, Vannoy, and
4 Rodriguez are not here yet.

5
6 (Roll call was taken, all Commissioners
7 present respond in the affirmative. Commissioners
8 Levine, Vannoy, and Rodriguez are not present yet)

9
10 MR. AMODIO: Thank you.

11 The time is 9:42 a.m.

12 You have a quorum.

13 All of the requirements of the Open Public
14 Meetings Act have been met. Notices have been
15 furnished to all Commissioners; City Clerks of
16 Paterson, Passaic, and Clifton; North Jersey
17 Herald News; The Record - Passaic County edition
18 and the Commission's Executive Staff with a copy
19 posted at the main bulletin board at the Clifton
20 facility.

21 Would you please rise.

22 Commissioner Sanchez.

23

24 (Pledge of Allegiance)

25

1 MR. AMODIO: Counsel, before we start,
2 would you like to swear in Commissioner Sanchez?

3
4 (Whereupon, Commissioner Sanchez was sworn
5 as a Commissioner)

6
7 MR. AMODIO: I don't believe we have any
8 members of the public.

9 We do have a couple of people here.
10 George, would you like to start with Chris Walrath
11 first or Steve Wielkotch?

12 MR. HANLEY: I have no preference.

13 PRESIDENT FRIEND: Whatever.

14 MR. BELLA: Steve, you're up.

15 PRESIDENT FRIEND: Maybe we can take Chris
16 first. He'll probably be shorter. Chris will be
17 short, I think, right?

18 MR. HANLEY: Let Steve go first.

19 MR. WIELKOTZ: Good morning.

20 You have before you today the audit report
21 of the Commission for the year ending December 31,
22 2016, for your acceptance. The audits.

23 COMMISSIONER SANCHEZ: Where's Yitz?

24 MR. WIELKOTZ: He's away.

25 Just a couple of quick things. 2016,

1 again, much like 2015, was a good year for the
2 Commission. We grew our net position by over
3 \$11 million. On the other side, in the back of
4 the audit report there were four recommendations
5 of findings. Only one is a repeat and that's
6 relative to the fixed assets. I know that's been
7 an ongoing issue that Yitz has been trying to
8 finally get his arms around and get a formal new
9 inventory of fixed assets performed so we can once
10 and for all be done.

11 Finding number two had to deal with the
12 post-employment benefit obligation. A calculation
13 has to be done every two years.

14
15 (Whereupon, Commissioner Vannoy is present
16 at 9:45 a.m.)

17
18 MR. WIELKOTZ: It wasn't done in a timely
19 fashion in order to get into this report, so it's
20 a finding, I know that it's in progress to get
21 done sooner than later so that this comment will
22 go away next year.

23 Finding number three is also a repeat.
24 Has to do with 1094-Cs and 1095-Cs relative to the
25 Affordable Care Act that are required to be sent

1 to every employee at year end to demonstrate for
2 tax purposes their own personal tax return whether
3 they were or not covered by health insurance for
4 12 months. There's a little box that you check on
5 the 1040. If you are covered then you don't get a
6 penalty. If you aren't covered, then there's a
7 significant cash penalty that the taxpayer's
8 charged for not having health care under the
9 present Affordable Care Act.

10 And the last, number four, had to do with
11 year end inventory. There were some issues. It
12 wasn't prepared on time and there was some errors.
13 So, again, that finding we talked to Yitz about.
14 He assures us that that will be taken care of for
15 the year end 2017 inventory.

16 And in terms of the findings, there should
17 be or will be a corrective action plan that's
18 presented to the Commissioners presumably at the
19 next meeting for you to review and to adopt
20 pursuant to the statute.

21 If there's any questions, I'll be more
22 than happy to try to answer.

23 COMMISSIONER SANCHEZ: What is the
24 increase based on? Water consumption?

25 MR. BELLA: A couple of things. It was a

1 very dry year. We had a good wholesale year. It
2 was an excellent wholesale year. We also did a
3 lot more collections last year because we've been
4 doing the service connections and doing a lot of
5 them, so the combination of increased collections
6 and the fact that it was a dry year, wholesale
7 really helped us out. Retail was up also, so --

8 COMMISSIONER SANCHEZ: What about any fee?

9 MR. BELLA: I'm sorry?

10 COMMISSIONER SANCHEZ: Any new fees?

11 MR. BELLA: No, we haven't added any new
12 fees.

13 COMMISSIONER SANCHEZ: I know that they
14 didn't charge to replace a meter.

15 MR. BELLA: No, we always charged. If a
16 meter is broken or, you know, breaks or something
17 like that, we replace it now.

18 If we're replacing them out of normal
19 operations then, you know, because it just wore
20 out, we don't charge for that. It's only when a
21 customer calls us up and says: I want a new meter
22 because I think this one is reading wrong. Okay.
23 Well, now we charge them for that. But if it's in
24 the normal course of...

25 COMMISSIONER SANCHEZ: Let me ask you

1 this: Let's say somebody calls and says: My
2 house is, whatever. You guys pick up the meter,
3 right?

4 MR. BELLA: If they call in and tell us,
5 we'll come in and we'll take the meter out.

6 COMMISSIONER SANCHEZ: And then when they
7 call to put the meter back in, they get charged?

8 MR. BELLA: Yes. Whenever they request
9 it.

10 COMMISSIONER SANCHEZ: I want to be
11 comfortable. We had a good year because we sold
12 water.

13 MR. WIELKOTZ: Also, the other part is --

14 COMMISSIONER SANCHEZ: And the second
15 question --

16 MR. WIELKOTZ: Go ahead.

17 COMMISSIONER SANCHEZ: I see you too many
18 nights now. Did you do the math right here?

19 MR. WIELKOTZ: Just to make you
20 comfortable, Commissioner, I have a very, very
21 capable senior manager that does the numbers. So
22 you don't have to worry about me. By the way, my
23 hands still don't shake.

24 The other point I was going to make, you
25 also came in under budget on the expenditure side,

1 over \$2 million under budget which creates the
2 change.

3 COMMISSIONER SANCHEZ: Just for the
4 record, I want to say this, all these public
5 entities, we all been criticized. So you think
6 us, the people in charge of the Commission, we so
7 far doing okay job here? Is that what you're
8 trying to say?

9 MR. WIELKOTZ: Can we go off the record?

10 I will say two things. In terms of fiscal
11 operations and budgeting, and as I was actually
12 talking to Joe before the meeting, we've come a
13 million percent in the last ten years. Mostly, in
14 the last five years in terms of better operations,
15 not having a deficit. You get criticized more if
16 you have a deficit than if you make a profit.

17 And the second thing, I'll steal a little
18 of Chris' thunder, they're going to talk about the
19 refunding bonds they're going to do right after
20 Labor Day. The Commission for the first time in I
21 don't know how long got their bond rating
22 upgraded. That upgrade is because not only of
23 management things, but the numbers are a
24 tremendous amount better than they used to be.
25 But the bond rating increase translates into lower

1 interest rates, lower debt service cost, and a
2 continuum trying to build up reserves and operate
3 correctly.

4 MR. HANLEY: One quick, if I may, a
5 followup.

6 You represent a number of local government
7 municipalities besides us.

8 MR. WIELKOTZ: Yes.

9 MR. HANLEY: Isn't it fairly unusual to
10 get upgraded at all?

11 MR. WIELKOTZ: It is much more difficult
12 than it used to be. And the downgrades are about
13 ten seconds. So it's 10 or 15 years ago it was a
14 milestone to get upgraded. It's probably ten
15 times that, 20 times that in this particular
16 environment. As we've seen, the State got
17 downgraded ten times over the last seven and a
18 half years. To be able to get upgraded in this
19 state in this environment, it's extra special. It
20 means you're doing an extra good job, not just a
21 good job.

22

23 (Whereupon, Commissioner Levine is present
24 at 9:53)

25

1 PRESIDENT FRIEND: I want to thank the
2 Administration for bringing us to this point. The
3 audit is much cleaner than it was last year.

4 MR. WIELKOTZ: Absolutely.

5 PRESIDENT FRIEND: But there are still a
6 few issues and I know they dealt basically with
7 the Finance Department getting the computers up
8 and running and Personnel, I guess, with the
9 Affordable Care Act, so, hopefully, by the end of
10 2017 our audit will not reflect even those and
11 there will be, you know, those comments with
12 reference to that.

13 But other than that, you know, I think the
14 Administration's done a good job. I thank my
15 fellow Commissioners for doing what they've had to
16 do in order to bring us to this point as well
17 because if we don't approve certain things, you
18 know, then our Administration can't act properly
19 or function properly.

20 So I thank everybody that's been
21 associated with the Passaic Valley Water
22 Commission on those two levels for the last year.

23
24 (Whereupon, Commissioner Rodriguez is
25 present at 9:54)

1 MR. AMODIO: Okay. I need a motion for
2 the Resolution.

3 COMMISSIONER SANCHEZ: So move.

4 COMMISSIONER BLUMENTHAL: Second.

5 MR. AMODIO: Motion by Commissioner
6 Sanchez.

7 Second by Commissioner Blumenthal.

8 On the roll.

9

10 (Roll call was taken, all Commissioners
11 respond in the affirmative. Commissioner
12 Rodriguez was not present for the presentation)

13

14 MR. AMODIO: Thank you.

15 I am going to pass around an affidavit
16 that you have to print and sign your name, so
17 would you please do that.

18 PRESIDENT FRIEND: Okay. Chris.

19 MR. HANLEY: This is Chris Walrath --

20 I'm sorry -- anyway, he's one of those
21 guys.

22 PRESIDENT FRIEND: Somebody walked in off
23 the street, but we'll listen to him anyway.

24 MR. WALRATH: Thank you, Commissioners.

25 There's a Resolution before you today

1 regarding the refunding of new Series bonds of the
2 outstanding bonds of the Commission. Back in May
3 you adopted a Resolution authorizing not to exceed
4 \$20 million and since that time the Commission and
5 staff worked towards getting the increase and the
6 credit rating and as a result of that we're here
7 today to approve the actual sale of the bonds.
8 They have been the sale RBC capital markets.

9 The Resolution that you have before you
10 does several things. It does authorize the
11 not-to-exceed \$20 million in bonds in two Series,
12 to refund two Series.

13 It will authorize the acceptance of a bond
14 insurance commitment letter. To expand upon that,
15 it may not be necessary. It depends on, I guess,
16 the market increasing your credit rating, but to
17 the extent you do, I have included in this
18 Resolution there will be a determination made by
19 the Executive Director in consultation with us and
20 NW, if it's necessary, but it does authorize.

21 It authorizes the sale of the bonds to RBC
22 and it approves several documents, a bond purchase
23 agreement, which we drafted. It's an exhibit.
24 And the final terms of that will be done at
25 pricing.

1 It authorizes an escrow deposit agreement.
2 The escrow deposit agreement is necessary for when
3 you issue the bonds, you take the proceeds, you
4 invest in U.S. treasury securities and those pay
5 off your bonds.

6 It authorizes continuing disclosure
7 agreement that the Commission is required to
8 update disclosure under FCC ruling.

9 It authorizes the distribution of the
10 official statement, which is your disclosure
11 document, to the public markets and then the final
12 version of that GOS will be an official statement.

13 And also authorizes the verification.
14 It's necessary to actually verify any proceeds
15 that you will have will be to pay off your prior
16 bonds as invested.

17 And the last thing it does will authorize
18 various officers, including you the President and
19 the Executive Director to sign these various
20 agreements.

21 The current schedule right now, and Dan
22 can confirm it, we're looking to post the
23 preliminary official statement August 29th through
24 August 30th. The pricing the following week on
25 September 7th. Closing may occur on

1 Chris' point about the insurance, I think the last
2 time we went out in 2015, we did use bond
3 insurance at the time. It was beneficial between
4 our determination and the underwriter, which was
5 actually selling the bonds. We had a split rate
6 last year. This year because of the upgrade it
7 doesn't appear that we're going to need insurance
8 but that will be the day of pricing decision by
9 really the underwriter and consultation with us
10 and we have to actually only use that if it proves
11 out to be beneficial financially. If it doesn't,
12 we won't use it.

13 MR. AMODIO: Any further questions?

14 Do I have a motion?

15 COMMISSIONER VANNOY: So moved.

16 MR. AMODIO: By Commissioner Vannoy.

17 COMMISSIONER RODRIGUEZ: Second.

18 MR. AMODIO: Second by Commissioner
19 Rodriguez.

20 On the roll.

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

24
25 MR. AMODIO: Motion approved.

1 Thank you very much.

2 PRESIDENT FRIEND: We thank you.

3 MR. WALRATH: Thank you very much.

4 MR. AMODIO: We can go back up to the top
5 unless, Dan, would you like to talk anymore about
6 the rate increase?

7 MR. MARINIELLO: I think they covered it
8 all. We will continue to work with Joe and Steve
9 and Yitz and everybody in trying to see if we can
10 get better in the next couple of years on that
11 rating.

12 MR. AMODIO: Thank you.

13 Back up to committee reports.

14 COMMISSIONER RODRIGUEZ: I met --

15 PRESIDENT FRIEND: Finance.

16 COMMISSIONER RODRIGUEZ: I met with our
17 controller and it seems that the overtime is
18 coming. There's still a little, you know,
19 questionable things, but it's coming down. So
20 everything is going.

21 MR. AMODIO: Thank you.

22 Personnel.

23 COMMISSIONER VANNOY: There's a lot of
24 personnel. We have about six or seven people
25 coming off the Civil Service list. We have a few

1 new hires and a few promotions that we need to
2 talk about once we get there.

3 MR. AMODIO: For the record, on that we
4 have a number of people who want their employment
5 status discussed in open session. That is Brian
6 Frierson, Tammy Tomak, Debra Wilson, John Cascone,
7 and Kevin Bower.

8 COMMISSIONER SANCHEZ: Are they coming?

9 MR. AMODIO: No, they signed off on their
10 Rice notice for open session so those cannot be
11 discussed in closed. They have to be discussed in
12 open.

13 Is there any discussion on those?

14 COMMISSIONER BLUMENTHAL: What's the
15 benefit of discussing in open?

16 MR. AMODIO: That's their request. They
17 can come if they want.

18 COMMISSIONER VANNOY: They can come.

19 COMMISSIONER BLUMENTHAL: But they're not
20 coming in?

21 MR. AMODIO: They're not coming in.

22 PRESIDENT FRIEND: Do any of those have to
23 be discussed in closed session? Does anybody have
24 questions?

25 COMMISSIONER VANNOY: If they have

1 questions, it wouldn't be in closed.

2 COMMISSIONER RODRIGUEZ: I have not a
3 question but I have a comment and the comment has
4 to do with the operations.

5 We lost a young man tragically last month
6 and I think that that department needs, you know,
7 help and we have to look to replace that young
8 man's position right away. So I'm going to
9 encourage the personnel committee to look into
10 that because I mean, people are on vacation.
11 People are out on disability and, you know, that's
12 one of the most integral parts of this
13 organization, the pump station, the pump station
14 operations.

15 COMMISSIONER SANCHEZ: The other thing I
16 was going to say is you have some guy when we
17 hired pump attendant and supposedly, they're
18 running the plant and they're doing the job plant
19 upgraded, so I don't know whether you had a chance
20 to speak to one of the supervisors about that, but
21 find out what the situation is. My understanding
22 is that instead of being pump operator, they
23 operating themselves to be pump attendant now
24 operating the plant. That's what I hear.

25 MR. BELLA: All right. We'll look into

1 it. I'll get back to you in the personnel
2 committee.

3 COMMISSIONER VANNOY: Maybe on the same
4 note under Good and Welfare we can have a moment
5 of silence for the young man. From what I
6 understand he was a really good guy. That will be
7 at the end. I don't know his name. He had a
8 brother that worked here.

9 MR. AMODIO: Moving on.

10 PRESIDENT FRIEND: Otherwise, we don't
11 have to discuss it in closed session. They can
12 just be approved.

13 COMMISSIONER VANNOY: Right. There's no
14 questions.

15 PRESIDENT FRIEND: We'll go onto special
16 projects.

17 COMMISSIONER KOLODZIEJ: Yes. Special
18 projects met last week. You all should have
19 received a letter from the North Jersey District
20 Water Supply Commission.

21 The purpose of the committee meeting was
22 to discuss the letter and potential actions that
23 we need to take since the proposed changes to the
24 overdraft regulations would have a negative impact
25 on our operations.

1 Just to kind of recap the letter.

2 Currently, there's no peak period. You're allowed
3 to draw 150 percent per day, 120 percent over 30
4 days, 110 percent over a three-month period, 105
5 percent over a six-month period. The penalties
6 for the withdrawing are \$150 per million gallons
7 if you get permission. \$500 per million gallons
8 without permission from the North Reservoir and a
9 thousand dollars per million gallons from the
10 South Reservoir without permission.

11 The proposed changes will now create a
12 peak period from May 15th to September 15th, which
13 is when everyone needs water the most.

14 120 percent per day during non-peak and
15 110 percent per day during peak would now be the
16 new cap. And the penalties would now be
17 100 percent water rate in effect at the time and
18 200 percent of the water rate for the annual
19 consumption.

20 So we discussed at the committee level
21 different strategies, obviously, fight the new
22 overdraft regulations. They had scheduled a
23 hearing for October. They included technical,
24 legal, legislative approaches. All of those would
25 best be discussed in closed session.

1 That's it.

2 COMMISSIONER SANCHEZ: I think, my
3 understanding is that, I apologize, but
4 Commissioner Rodriguez over there spoke about
5 really, really getting out there and getting
6 somebody to go to bat for us and it gets postponed
7 and it doesn't get done. We spend a lot of money
8 on this outreach and everything else. I think we
9 should do this right now and as a Commissioner,
10 I'm willing to make a decision right now. We got
11 to do this.

12 COMMISSIONER RODRIGUEZ: We're going to
13 discuss it in closed session. We're right there,
14 exactly where you are.

15 COMMISSIONER SANCHEZ: I want to say this
16 in public first.

17 COMMISSIONER RODRIGUEZ: Okay.

18 COMMISSIONER SANCHEZ: Because for years
19 we said we're going to do this and when your
20 mother was alive we made that decision, but we
21 never, and I guess Joe got to interview a couple
22 of people, but this has got to get done. I mean,
23 we are an \$80 million company and nobody knows who
24 we are and nobody defends us. All we do is get
25 attacked.

1 COMMISSIONER RODRIGUEZ: Let me go on
2 public too.

3 You know, I'm not opposed to any of it.
4 Right now we have a Resolution for \$140,000 to do
5 public outreach, you know, and I find that
6 excessive. I mean, it's up to this Board. I find
7 it excessive.

8 I've had conversations with Joe, you know.
9 This is what I do for a living and that's an
10 excessive contract when you can couple several
11 things under that. Like I said, I'm not going to
12 oppose it. I just want to bring it to light. I
13 said it. I sound like a broken record. But yet
14 we have a Resolution on here for \$140,000
15 not-to-exceed. But I do know about those
16 not-to-exceed contracts because they come in front
17 of me every single month and when you tell the
18 client, you know, when you tell a vendor, they'll
19 find a way to spend \$140,000 because there's
20 nobody really checking it.

21 I agree, we got to, you know, I think we
22 probably need to discuss this in closed session
23 and I want to give an idea but I'm not, you know,
24 whatever this Board...

25 COMMISSIONER SANCHEZ: We're here to

1 represent the best interest of the owner cities
2 and my best interest to say maybe this doesn't
3 have to get done today, but maybe include the
4 whole thing at once. Maybe they can do both.

5 COMMISSIONER RODRIGUEZ: They're not
6 lobbyists though. They're not lobbyists. We
7 probably need a lobbyist that does public affairs.
8 So that's all I have to say. We can discuss this
9 in closed session, but you're right.

10 MR. AMODIO: Okay. Moving forward, the
11 Executive Director's report.

12 MR. BELLA: First off, I'd just like to
13 sort of congratulate the Commissioners about the
14 upgrade of our bond rating. Hit that hard but I
15 still want to say it was a lot of hard work for a
16 lot of years and, you know, years ago when we
17 first were, we thought we would never get to AA
18 and we're here and particularly a revenue bond
19 operation like we are. So that's really
20 important.

21 Second thing is, the year has not been a
22 high sales year because of the rain, obviously.
23 We've been getting regular rain and we've been
24 basically hitting the averages for rain except for
25 in June we actually exceeded the average by two

1 inches, so that sort of dampens sales,
2 particularly on the bigger wholesales.

3 Many of our projects are ready to go. We
4 have, you know, our cleaning and lining is
5 starting up. We'll be coming out in the next
6 month or two with a new pipe job about two and a
7 half to three miles of new pipe on the ground.
8 Gearing up to meet our capital plans. Capital
9 planning budget, planning process has been much
10 more intense and we're sticking to our long-term
11 plan of switching over from cleaning the line to
12 more of new pipe in the ground. So that's
13 important.

14 The reservoir situation is moving forward.
15 It's now in the EPA's hand. The public had a
16 chance to comment, now it's in the hands of the
17 EPA. We're just waiting to hear from that.

18 Other than that, we're ready to go.

19 COMMISSIONER RODRIGUEZ: The plan that we
20 have for the reservoir is that EPA is what you're
21 saying?

22 MR. BELLA: Yeah, the EPA, the 106 Review,
23 the historic review, went to the EPA.

24 COMMISSIONER RODRIGUEZ: Right.

25 MR. BELLA: Then it came back out. They

1 said what they were going to say and then there's
2 a period of time where the public can comment on
3 their comments, on their --

4 COMMISSIONER RODRIGUEZ: Did we go out to
5 the public?

6 MR. BELLA: Yeah, they advertise.

7 COMMISSIONER RODRIGUEZ: Did we? Did we,
8 the Passaic Valley Water Commission, go out to the
9 public to our owner cities, to our ratepayers, and
10 get their comments?

11 MR. BELLA: No, it's not us. That was the
12 EPA sending out to all interested parties.

13 COMMISSIONER RODRIGUEZ: My question --

14 MR. BELLA: The answer is we did not.

15 COMMISSIONER RODRIGUEZ: That's all I
16 wanted to know.

17 MR. BELLA: EPA did that.

18 COMMISSIONER RODRIGUEZ: I know, but how
19 are we being proactive? I mean, my question --
20 let me finish, please. I'm just asking how are we
21 being proactive? If you know EPA's stance on it,
22 we did submit a plan for their perusal and they
23 give it back to us.

24 MR. BELLA: No, they give it back to the
25 public for review. But, go ahead.

1 COMMISSIONER RODRIGUEZ: But we are the
2 public and so what I'm saying is if they gave it
3 to us, because we do have people that we hire to
4 do this, have we, and it's too late because it
5 went back, but I'm just asking, my simple question
6 was: Did we go out to the public and try to
7 assess, you know, what, when I say "public" the
8 interest, the --

9 MR. BELLA: We do.

10 COMMISSIONER RODRIGUEZ: The Guarascis of
11 the world. The people that have been following
12 this closely, did we have a community forum just
13 to ask these questions? That's all. If we
14 didn't, it's okay. I'm just asking.

15 MR. BELLA: We did not have this round,
16 but we had many rounds before this. It's not our
17 place to do that. That's EPA. It's completely
18 out of our hands. They went down. They all got
19 copies. They all sent comments back to the EPA.
20 That's going on out there.

21 COMMISSIONER RODRIGUEZ: How do we
22 followup to see what the thoughts of the people
23 have been, you know --

24 MR. BELLA: That will all come back to us
25 from the EPA.

1 COMMISSIONER RODRIGUEZ: -- People that
2 have been challenging this or for it?

3 MR. BELLA: They make their comment to the
4 EPA, 106 Review, and then it comes back to us --

5 COMMISSIONER RODRIGUEZ: You know what,
6 not a problem. I'll call Bob and ask. Don't
7 worry about it.

8 COMMISSIONER SANCHEZ: My main thing is
9 with all the back slashing that we had, maybe we
10 can do it ourselves so they don't feel like we're
11 trying to -- they don't blame the EPA, they blame
12 us.

13 MR. BELLA: If you made a comment, you got
14 a copy of the EPA's comments on what they say.
15 That went to the DEP. It went to anybody that
16 commented to the EPA. They got their comments.

17 COMMISSIONER RODRIGUEZ: I'd like to see
18 what the EPA said. That's all. In terms of what,
19 I wasn't here, so I didn't get to see any of that.

20 COMMISSIONER SANCHEZ: Do you think it
21 will be a good idea for us to make that
22 recommendation for the people, say: Listen, this
23 is what EPA, in case you did not get it.

24 MR. BELLA: That's a formal process that
25 goes on between EPA --

1 COMMISSIONER RODRIGUEZ: And the public.

2 MR. BELLA: -- The DEP and the public.

3 We're out of it. I understand what you're saying.

4 COMMISSIONER SANCHEZ: My point is, do you
5 think it would be a good idea for us to have that
6 information just in case?

7 MR. BELLA: Well, we will get that back.
8 It's part of the process. It's a whole process
9 that they have that they go through that we don't
10 really have any control over and they all have a
11 chance to comment. Anybody that commented at any
12 time gets a copy.

13 PRESIDENT FRIEND: Okay. Just going back
14 to the bond rating and credit rating that we have,
15 I know the local municipalities, Clifton,
16 Paterson, Passaic get a copy of our minutes every
17 month, but I would like this to go out as a
18 separate document to the local Clifton, Passaic,
19 and Paterson Mayors and Councils so it
20 specifically pointed out to them that the credit
21 rating, you know, has been maintained and
22 upgraded.

23 MR. BELLA: Okay.

24 PRESIDENT FRIEND: And I don't know, you
25 know, there's always negative comments in the

1 newspaper and what have you. I don't know how we
2 get something positive in the paper about that,
3 but I guess if it goes to the Mayor and the
4 Council that'll be sufficient. Okay.

5 And in terms of what we just discussed
6 with the EPA, you know, if there's any reports
7 that come in, you know, I guess we should just get
8 a copy so that we're aware so that if somebody out
9 there in the public does approach any one of us,
10 we're kind of up to date and aware of what's going
11 on.

12 COMMISSIONER RODRIGUEZ: The reason why I
13 mention it, I mean, because you see him before,
14 even before I was here, Bob Guarasci and Great
15 Falls, the letters and, you know, because they're
16 preservationists, if you will, if that's -- what
17 I'm asking about if they were, you know, and I'll
18 find out if EPA contacted them and if they knew
19 about this, because what they'll do is they'll
20 come back. It's exactly what Rigo says, is
21 exactly they'll come back and say: Oh, well, you
22 know, you're hiding something from us and we
23 should have known about this. And we could tell
24 them: Well, it's EPA's fault and some of it makes
25 sense.

1 PRESIDENT FRIEND: Right. Okay. Along
2 those lines --

3 COMMISSIONER RODRIGUEZ: And that will get
4 in the paper.

5 PRESIDENT FRIEND: With school opening
6 coming up in the next two to three weeks, do we
7 have any reports back from the different towns
8 that we service in terms of what their lead
9 findings are at this point? Have they been
10 testing there this summer so the day after school
11 opens we don't see something blasted in the
12 newspaper?

13 MR. BELLA: The towns are doing that on
14 their own.

15 PRESIDENT FRIEND: Do they report back to
16 us in any way?

17 MR. BELLA: If there's a problem, they get
18 back to us.

19 PRESIDENT FRIEND: Have we received
20 anything?

21 MR. BELLA: We have not had any major...
22 I mean, no one has contacted us directly that I
23 could recall. But what happens is, generally what
24 will happen is they'll test their individual
25 fountains and replace them. Paterson has done a

1 great job doing that all along and other towns
2 also sort of followed suit. So they're testing
3 their individual interior plumbing situations.

4 PRESIDENT FRIEND: Okay. And I know we
5 have kids out there for the private residences to
6 obtain as well, has there been an increase on that
7 or is it pretty stable or in terms of people
8 requesting a kit to test their --

9 MR. BELLA: Actually, it slowed down, but
10 it has been fairly steady, but not nearly like it
11 was initially.

12 PRESIDENT FRIEND: Okay. I guess we can
13 move on.

14 MR. AMODIO: Okay. Moving on. Request to
15 advertise an RFP for Project #17-P-71
16 "Professional Services For Source Water Inventory
17 Assessment".

18 Any questions?

19 Do I have a motion?

20 COMMISSIONER SANCHEZ: So move.

21 COMMISSIONER VANNOY: Second.

22 MR. AMODIO: Motion by Commissioner
23 Sanchez.

24 Second by Commissioner Vannoy.

25 On the roll.

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

3
4 MR. AMODIO: Thank you.

5 Moving on. We have a Resolution for
6 closed session.

7 Can I have a motion?

8 COMMISSIONER BLUMENTHAL: So move.

9 COMMISSIONER SANCHEZ: Second.

10 MR. AMODIO: WHEREAS, Section 8 of the
11 Open Public Meetings Act permits the exclusion of
12 the public from a meeting in certain circumstances;
13 and

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

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

18 1. The public shall be excluded from the
19 discussion of the hereinafter specified subject
20 matters; the general nature of the subject matters
21 being: Financial, Insurance, Contracts,
22 Regulatory Issues, and any other matter as may be
23 discussed in camera.

24 2. It is anticipated at this time that
25 the above-stated subject matters will be ratified

1 during public meeting following or as soon
2 thereafter as the reason for discussion no longer
3 exists.

4 3. This Resolution shall take effect
5 immediately.

6 Second by Commissioner Sanchez.

7 On the roll.

8
9 (Roll call was taken, all Commissioners
10 respond in the affirmative)

11
12 MR. AMODIO: Thank you.

13 Please close the doors.

14

15 ***

16

17 MR. AMODIO: On the roll.

18

19 (Roll call was taken, all Commissioners
20 respond in the affirmative. Commissioner Sanchez
21 is not in the room)

22

23 MR. AMODIO: The time is 10:52.

24 Move to Consent Agenda.

25 We have the minutes of Passaic Valley

1 Water Commission in camera and Regular Public
2 Meetings held June 21st, 2017.

3 Do I have a motion?

4 COMMISSIONER BLUMENTHAL: Move it.

5 COMMISSIONER VANNOY: Second.

6 MR. AMODIO: By Commissioner Blumenthal.

7 Second by Commissioner Vannoy.

8 On the roll.

9
10 (Roll call was taken, all Commissioners
11 respond in the affirmative)

12
13 MR. AMODIO: Thank you very much.

14 Next, does the Chair accept, receive, and
15 file miscellaneous purchase orders placed by Gregg
16 Lucianin, Director of Purchasing, for the period
17 of June 12, 2017, to August 6, 2017?

18 Commissioner Friend, do you accept,
19 receive, and file?

20 PRESIDENT FRIEND: Yes.

21 MR. AMODIO: Thank you.

22 Move onto Resolutions.

23 PRESIDENT FRIEND: We've removed d.

24 MR. AMODIO: Yes.

25 PRESIDENT FRIEND: We can do one roll call

1 on the rest of them.

2 MR. AMODIO: Would you like to do one
3 roll, Commissioners?

4 COMMISSIONER KOLODZIEJ: Yes, so moved the
5 group with the exception.

6 MR. AMODIO: Move the group with the
7 exception.

8 We can't get everybody at once so...

9 PRESIDENT FRIEND: We're going to do the
10 Resolutions as a group with the exception of item
11 d.

12 MR. AMODIO: So we have on the Resolutions
13 a, b, c, e, and f. D was tabled.

14 Do I have a motion?

15 COMMISSIONER RODRIGUEZ: I have a comment.
16 Any time we sit on a special committee meeting,
17 any time there's a special project such as this,
18 it would have been a lot easier if this had been
19 brought to us last week to the special projects
20 committee, if I had questions I could have asked
21 them then.

22 MR. AMODIO: I'm sorry --

23 COMMISSIONER RODRIGUEZ: That's for future
24 references, when we have special project
25 resolutions or RFPs, maybe that makes it easier

1 that we can bring them to special projects such as
2 this it will make it a lot easier then we don't
3 have to discuss it here.

4 MR. BELLA: No problem.

5 MR. AMODIO: I'm sorry, who made the
6 motion? Commissioner Kolodziej?

7 COMMISSIONER VANNOY: And I seconded.

8 MR. AMODIO: On the roll.

9

10 (Roll call was taken, all Commissioners
11 respond in the affirmative for the following
12 Resolutions:

13 a. Resolution: Authorizes and Awards a
14 two-year extension to Contract No. 15-B-30
15 "Electrical System Inspection, Maintenance,
16 Testing and Protective Device Calibration" To
17 Siemens Industry, Inc. Of Florham Park, NJ in the
18 not to exceed amount of \$605,263.00.

19 b. Resolution Authorizing the Renewal of
20 the Previously Procured Proprietary Software and
21 Maintenance Contract to Sungard Public Sector for
22 six months in the amount of \$60,592.53.

23 c. Resolution Authorizing Project
24 #17-P-49 (Re-Solicitation) "Professional Services
25 for Background Checks" Recommendations to award

1 to Staff Investigations, Inc. of Somerville, NJ,
2 in the not to exceed amount of \$29,500.

3 d. Tabled.

4 e. Resolution Changes in Scope of
5 Professional Services for Project #16-P-47
6 "Professional Services for GIS to CIS Integration"
7 with Mott MacDonald of Iselin, NJ, the previously
8 approved not to exceed total price of \$380,750.00
9 is hereby increased by the additional amount of
10 \$63,000.00, for a revised not to exceed amount of
11 \$443,750.00.

12 f. Resolution Authorizing a Water Supply
13 Agreement for Water Supply to the Borough of
14 Riverdale)

15
16 MR. AMODIO: Next, we'll move to New
17 Business.

18 Summary of disbursements and payrolls
19 through August 16th, 2017, in the amount of
20 \$11,755,701.24.

21 Does the Treasurer find them in order?
22 Madam Treasurer?

23 COMMISSIONER RODRIGUEZ: Yes, sir.

24 MR. AMODIO: Would you make a motion?

25 COMMISSIONER RODRIGUEZ: I make a motion.

1 MR. AMODIO: Do I have a second?

2 COMMISSIONER VANNOY: Yes, you do.

3 Second.

4 MR. AMODIO: Second by Commissioner

5 Vannoy.

6 Thank you.

7 On the roll.

8

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

11

12 COMMISSIONER VANNOY: Abstain on American
13 Hose Hydraulics.

14 COMMISSIONER SANCHEZ: Abstain on P & A
15 and Montana.

16 MR. AMODIO: Thank you very much.

17 Moving on. Recommendations from executive
18 conference. We're tabling item c under New Hires.

19 PRESIDENT FRIEND: That was it.

20 COMMISSIONER RODRIGUEZ: That was it.

21 MR. AMODIO: Okay. So do I have a motion?

22 COMMISSIONER SANCHEZ: Wait, wait, that's
23 from -- I thought we had d.

24 COMMISSIONER VANNOY: No, that's
25 Resolutions.

1 MR. AMODIO: Do I have a motion?

2 COMMISSIONER VANNOY: So move.

3 COMMISSIONER BLUMENTHAL: Second.

4 MR. AMODIO: By Commissioner Vannoy.

5 Second by Commissioner Blumenthal.

6 On the roll.

7

8 (Roll call was taken, all Commissioners
9 respond in the affirmative for the following under
10 Personnel:

11 1. Promotions:

12 a. Kevin Bower to Permanent Mechanic (as
13 per CSC) - No change in salary.

14 b. John Cascone to Permanent Senior
15 Mechanic (as per CSC) - No change in salary.

16 c. Mario Cucuzzella to Permanent
17 Assistant Maintenance Supervisor (CSC) - No change
18 in salary.

19 d. William Torrento to Permanent
20 Assistant Maintenance Supervisor (CSC) - No change
21 in salary.

22 e. Zackary Miranda to Permanent Water
23 Treatment Plant Operator (as per CSC) - No change
24 in salary.

25 f. Marisah L. Potkaleksy to Permanent Sr.

1 Technician Management Info Systems (CSC) -
2 Proposed Salary: \$75,000.00. Proposed Salary
3 Range: \$45,000.00 - \$62,000.00 (change TOR to
4 \$80,000).

5 g. Bryan Frierson to Provisional
6 Technical Assistant, Management Information
7 Systems - Proposed Salary: \$42,305.27. Proposed
8 Salary Range: \$15,015.00 - \$53,981.20.

9 h. Debbie Wilson to Provisional Senior
10 Engineer Civil - Proposed Salary: \$85,066.80.
11 Proposed Salary Range: \$85,066.80 - \$86,759.40.

12 i. Tammy Tomak to Provisional Keyboarding
13 Clerk 2 - Proposed Salary:\$54,839.02. Proposed
14 Salary Range: \$16,489.20 - \$59,113.60.

15 j. Krystle Morales to Provisional
16 Keyboarding Clerk 2 - Proposed Salary:
17 \$54,839.02. Proposed Salary Range: \$16,489.20 -
18 \$59,113.60.

19 k. Maria Malfa Salary Increase -
20 Proposed Salary: \$80,000.00. Proposed Salary
21 Range: \$16,998.80 - \$66,830.40 (change TOR to
22 \$80,000.00).

23 2. Request To Hire:

24 a. John Tomic as Keyboarding Clerk 1 -
25 Proposed Salary: \$38,000.00. Proposed Range:

1 \$15,015.00 - \$53,981.20.

2 b. Edward Cotton as Laborer - Proposed
3 Salary: \$37,000.00 annually. Proposed Range:
4 \$16,307.20 - \$58,531.20.

5 c. Tabled.

6 d. Michael Nigro as Laborer - Proposed
7 Salary: \$41,000.00 annually. Proposed Range:
8 \$16,307.20 - \$58,531.20)

9

10 MR. AMODIO: Thank you.

11 There is the issue of the meeting dates
12 for the following three months aside from the
13 special meeting.

14 COMMISSIONER VANNOY: 10:00 on the 23rd,
15 which is next Wednesday?

16 MR. AMODIO: Yes, the 23rd of August.

17 We're also looking at the September
18 meeting which is originally scheduled for the
19 20th, looking to change it to the 13th at 9:30.

20 COMMISSIONER RODRIGUEZ: I won't be here.

21 MR. BELLA: The 12th.

22 MR. AMODIO: No, no, Joe, Joe, wait.
23 Wrong day. We're talking about September.

24 MR. BELLA: So am I. Commissioner
25 Rodriguez --

1 COMMISSIONER RODRIGUEZ: You can do it,
2 but I won't be here.

3 MR. AMODIO: Will the 12th work for you?

4 COMMISSIONER RODRIGUEZ: Yes. The day
5 before or the day after?

6 MR. AMODIO: Thursday the 14th? Everybody
7 good with Thursday the 14th?

8 COMMISSIONER VANNOY: 9:30, right?

9 MR. AMODIO: 9:30.

10 COMMISSIONER VANNOY: Okay. That's fine.

11 MR. AMODIO: Counsel, 14th of September?

12 MR. HANLEY: Yes.

13 MR. AMODIO: Okay. October the 18th,
14 recommendation to either move it up later in the
15 day or to do it on the following day?

16 COMMISSIONER SANCHEZ: Doesn't matter.

17 MR. BELLA: I think we should move that,
18 move it back so that way we have a little more
19 time to deal with --

20 PRESIDENT FRIEND: So we're not talking
21 about the time on the 18th, we're talking about
22 the 11th or the 25th?

23 COMMISSIONER RODRIGUEZ: The whole thing
24 after North Jersey, yeah.

25 MR. AMODIO: Do you want to have the

1 meeting, Joe, you're saying before?

2 MR. BELLA: Their meeting is on the 18th.
3 Give us some time maybe on, you know, like a
4 couple of days or maybe the week before.

5 MR. AMODIO: The week before?

6 MR. BELLA: Yes.

7 COMMISSIONER RODRIGUEZ: As long as
8 it's -- the Wednesday I can't be here.

9 COMMISSIONER BLUMENTHAL: I can't be here
10 the entire week of October 8th. The 16th won't
11 work with me personally.

12 COMMISSIONER SANCHEZ: Monday or Tuesday
13 doesn't work for me.

14 COMMISSIONER RODRIGUEZ: So can we do it
15 before that?

16 COMMISSIONER SANCHEZ: Unless you do it
17 late afternoon.

18 MR. AMODIO: You can do it the same day
19 and move it up.

20 COMMISSIONER RODRIGUEZ: What day?

21 MR. AMODIO: The 18th, which is the
22 regular scheduled day.

23 COMMISSIONER SANCHEZ: That's a Tuesday?

24 MR. AMODIO: That's the original day it's
25 scheduled for.

1 COMMISSIONER RODRIGUEZ: Their meeting is
2 at what time?

3 MR. BELLA: 9:30.

4 COMMISSIONER RODRIGUEZ: What time is the
5 hearing?

6 MR. BRISMAN: The North Jersey meeting is
7 on the 18th. In order for us to get a report to
8 move our meeting later in the day or --

9 PRESIDENT FRIEND: What time is their
10 meeting?

11 COMMISSIONER KOLODZIEJ: 9:30.

12 COMMISSIONER BLUMENTHAL: Are we looking
13 for a report or strategize before?

14 MR. AMODIO: Excuse me, you're going to
15 have a special meeting next week to appoint
16 someone. So, theoretically, by September you can
17 have it then.

18 COMMISSIONER BLUMENTHAL: The strategy
19 will be happen.

20 MR. AMODIO: Theoretically, but you can
21 always have another meeting just to discuss --

22 COMMISSIONER RODRIGUEZ: Or the --

23 COMMISSIONER BLUMENTHAL: So let's have
24 our meeting after their meeting.

25 MR. AMODIO: The same day?

1 COMMISSIONER BLUMENTHAL: Keep the 18th
2 and do it in the afternoon. 12:00? Will that
3 work.

4 MR. AMODIO: For staff?

5 COMMISSIONER BLUMENTHAL: What time do
6 their meetings end?

7 MR. BELLA: That's hard to say.

8 COMMISSIONER RODRIGUEZ: Maybe the 19th
9 would be better.

10 MR. AMODIO: October 19th, that's a
11 Thursday.

12 COMMISSIONER SANCHEZ: That's fine.

13 MR. AMODIO: Counsel, October 19th?

14 PRESIDENT FRIEND: At what time?

15 MR. AMODIO: 9:30.

16 MR. HANLEY: That's good.

17 MR. AMODIO: And while we're at it,
18 November we're scheduled for the 15th, which is
19 the week of the League of Municipalities so we may
20 want to change that as well while we're at it.
21 The following week would be the 22nd. It's the
22 day before Thanksgiving. I don't know if anybody
23 wants to do that.

24 COMMISSIONER VANNOY: I'm preparing my
25 turkey around that time.

1 MR. AMODIO: Or we can do Tuesday, the
2 21st?

3 COMMISSIONER SANCHEZ: I don't do Tuesday.

4 MR. AMODIO: Can we do November 16th?
5 That's a Thursday. Or the 17th is a Friday? It's
6 the same week.

7 COMMISSIONER RODRIGUEZ: I won't be here,
8 but you can do it.

9 MR. AMODIO: How about the 29th of
10 November?

11 COMMISSIONER BLUMENTHAL: That doesn't
12 work for me.

13 MR. AMODIO: How about November 8th?

14 COMMISSIONER RODRIGUEZ: I would probably
15 do it. November 7th's Election Day.

16 COMMISSIONER LEVINE: Let me ask you, the
17 29th, what day is that?

18 MR. AMODIO: Rigo can't do Monday or
19 Thursday.

20 COMMISSIONER LEVINE: What about the
21 Thursday?

22 MR. AMODIO: Thursday is the 30th?

23 MR. BRISMAN: Who's going to the League?

24 COMMISSIONER VANNOY: I go.

25 PRESIDENT FRIEND: When is our December

1 meeting?

2 MR. AMODIO: The 20th.

3 COMMISSIONER LEVINE: So what's the date
4 for November?

5 MR. AMODIO: We're looking at the 30th of
6 November. Everyone? Joe? George? November
7 30th, 9:30.

8 COMMISSIONER VANNOY: Lou, will you
9 actually send out these dates?

10 MR. AMODIO: I post them in the newspaper.

11 COMMISSIONER LEVINE: Send it to us.

12 MR. AMODIO: I'll send you an e-mail and
13 paper copy.

14 COMMISSIONER VANNOY: Because I didn't
15 write any of these dates.

16 PRESIDENT FRIEND: Anything else?

17 MR. AMODIO: So we're good on that.
18 Everybody is good. Joe, you're good with those
19 dates? September works for you?

20 MR. BELLA: Yes.

21 MR. AMODIO: So just to go over this
22 again:

23 Special meeting August 23rd, 10:00 a.m.

24 September meeting will now be the 14th of
25 September, which is a Thursday at 9:30 a.m.

1 We're going to move October also to a
2 Thursday and it will be the 19th at 9:30 a.m.

3 And November will be moved to the 30th,
4 which again is a Thursday at 9:30 a.m.

5 Is everybody good?

6 Now, if we could have a moment of silence
7 for the gentleman that passed away.

8

9 (Moment of Silence)

10

11 MR. AMODIO: Thank you.

12 PRESIDENT FRIEND: Did we acknowledge the
13 family?

14 MR. BELLA: Yes, we did.

15 COMMISSIONER BLUMENTHAL: Motion to
16 adjourn.

17 COMMISSIONER KOLODZIEJ: Second.

18 MR. AMODIO: Second by Commissioner
19 Kolodziej.

20 On the roll.

21

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

24

25 MR. AMODIO: Thank you, everyone.

The time is 11:06.

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(Proceedings concluded)

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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 hearing at the time and the date hereinbefore set forth.

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

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

LYNANN DRAGONE, CCR
Certified Court Reporter