

PASSAIC VALLEY WATER COMMISSION MEETING OF

JANUARY 10, 2019

(OPEN SESSION)

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

RIGO SANCHEZ, President

JOSEPH KOLODZIEJ, Vice President

RONALD VAN RENSALIER, Treasurer

ROBERT L. VANNOY, Secretary

IDIDA RODRIGUEZ

JEFFREY LEVINE

GERALD G. FRIEND

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

JAMES G. DUPREY, Business Administrator

JOSEPH A. BELLA, Executive Director

GEORGE T. HANLEY, Counsel

YAACOV BRISMAN, Assistant Counsel

YITZ WEISS, Comptroller

LOUIS AMODIO, Administrative Secretary

1 PRESIDENT RODRIGUEZ: Good morning.

2 First, let me apologize. I had thought
3 about calling in because I've been in bed most of
4 this week but I said, oh my God, it's the reorg, I
5 can't do that.

6 I just want to say Happy New Year to
7 everybody.

8 Okay. We can get started.

9 MR. AMODIO: On the roll.

10

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

13

14 MR. AMODIO: You have a quorum.

15 The time is 9:44 a.m.

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

24 Please rise.

25 President Rodriguez.

1 (Pledge of Allegiance)

2

3 MR. AMODIO: We have members of the
4 public.

5 MR. GUARASCI: Good morning,
6 Commissioners. My name is Bob Guarasci, as most
7 of you know, from NJCDC of Paterson.

8 As you know, the main issue that we're
9 concerned with is the Levine project. Initially,
10 I thought that today's meeting would be the
11 meeting at which you would vote on the directive
12 from DEP to either accept or reject the conditions
13 that they're putting upon you with respect to the
14 Levine project. But I looked at the agenda and I
15 don't see that that's on here. I see it's on here
16 for discussion but it's not on here for a vote.

17 So one of the things I'd like to know is
18 if you can tell me, the letter from DEP was dated
19 November 16th and it gave this body a 60-day
20 deadline to respond. So what I'd like to know is
21 if an extension has been granted, because I would
22 like to know when in fact this body intends to
23 vote on the DEP directive to adopt litigation
24 measures related to the Levine Reservoir.

25 So if I pause for a moment, could you tell

1 me whether or not when you anticipate that to be
2 voted upon by this body?

3 PRESIDENT RODRIGUEZ: George.

4 MR. HANLEY: Yes, we just received
5 communication from the Commissioner very late
6 yesterday which we want to discuss in closed
7 session with the governing body.

8 PRESIDENT RODRIGUEZ: By the way, you were
9 copied on it.

10 MR. GUARASCI: Oh, I didn't see it.

11 PRESIDENT RODRIGUEZ: I'm sorry you didn't
12 see it, but you were one of the people copied on.

13 MR. HANLEY: It just came in, like, 4:00,
14 4:30.

15 PRESIDENT RODRIGUEZ: Yes.

16 MR. HANLEY: But, in any event, I need to
17 discuss, I say "I" and Special Counsel, Executive
18 Director, Jim Duprey, need to discuss that with
19 them in closed session. There are some
20 modifications of various issues and whether or not
21 the work we do from there. We do have to make a
22 decision in some fashion today.

23 MR. GUARASCI: Okay.

24 MR. HANLEY: Unless you want to meet
25 again. I think it's due --

1 PRESIDENT RODRIGUEZ: Next week.

2 MR. HANLEY: In other words, next week
3 we're due to respond.

4 MR. GUARASCI: So you'll have a closed
5 session and you'll decide at that time that either
6 you'll take action today or have a special meeting
7 within the next few days. Is that correct?

8 MR. HANLEY: Yes.

9 MR. GUARASCI: Here's the point I want to
10 make. This is a huge issue. Whatever you discuss
11 in private session today, I implore you to have a
12 discussion about that when you come back into
13 public session. There are some very significant
14 conditions that are being imposed upon this body
15 and upon the ratepayers. One of them is putting
16 aside \$2 million in escrow for a particular
17 project. So I think it's fine that you discuss
18 this in private session, but you owe it to the
19 public and you owe it to the ratepayers when you
20 come out of private session to have that
21 discussion in public. If there's full consent,
22 that should be known; and if there's dissent, that
23 should be known. The ratepayers deserve to know
24 and that's the point I would make.

25 COMMISSIONER LEVINE: Let me ask, George,

1 are we allowed to take action today if it's not on
2 the agenda as an action item?

3 MR. HANLEY: Yes.

4 COMMISSIONER LEVINE: Even though we
5 didn't put it in the paper or whatever and
6 advertise for it?

7 MR. HANLEY: No, you're thinking of what
8 municipalities do when they adopt an ordinance.
9 We are not subject to that rule. As long as you
10 do the final decisions in public, which you will
11 do, it's acceptable.

12 PRESIDENT RODRIGUEZ: My question is,
13 legally, because he was cc'd on the letter, can we
14 provide him with a copy of it?

15 MR. HANLEY: Sure, absolutely.

16 PRESIDENT RODRIGUEZ: Can we do that now
17 just so that he can have it.

18 MR. GUARASCI: That will be helping the
19 City.

20 But, again, just to reiterate my point.

21 COMMISSIONER SANCHEZ: Can I say? Bob, I
22 think that's the whole intention of this Board not
23 to hide anything. We want to be as open as
24 possible.

25 MR. GUARASCI: Good.

1 COMMISSIONER SANCHEZ: Of course there's
2 stuff that we need to discuss in private, but not
3 with the intention of hiding anything. We want to
4 be as open as we can and we will be open.

5 MR. GUARASCI: Good. I appreciate this.

6 In closing, what I will say is I've been
7 at many public meetings, not necessarily this one,
8 in which a contentious issue is discussed in
9 private session and when the body comes back to
10 the public session, they simply voted up or down
11 because they had their discussion, but that
12 deprives the public of the benefit of your
13 deliberations. You're here as our representatives
14 and we want to hear what you think and so that's
15 my request to you today.

16 Thank you.

17 MR. AMODIO: Anyone else from the public?

18 MR. GONZALEZ: First, Happy New Year,
19 everyone.

20 It's been years since we've been coming
21 here, as Bob said, in reference to the Levine
22 Reservoir. It's very important to us. I'm a
23 Paterson resident. I work at NJCDC, but I'm also
24 a neighbor resident around the Levine Reservoir.

25 So just to reiterate what we've been

1 saying for many years. It is an important
2 project. It is a costly project. And my main
3 concern, which was just mentioned, is the fact
4 that I see it on the agenda as an item being done
5 in executive session for discussion and I'm sure
6 there could be some importance in there that has
7 to be kept secret. We don't know what that is.
8 But I think that to reiterate what Bob's saying,
9 which is very important to me, which is why I took
10 the time out to be here, is to listen to that
11 discussion to find out what is going on with the
12 Levine Reservoir. If it's in executive session,
13 it defeats the point. And I think, as Bob said,
14 it's very important that the public knows about
15 this especially when they're going to foot the
16 bill at the very end.

17 I really do hope, as Bob had mentioned,
18 that when you come back from executive session
19 that this is -- it's not on your agenda because
20 it's something for you to vote on today. I
21 disagree with the fact that you can vote on this,
22 whether you're mandated or not. I just think when
23 we're talking about the public and we're talking
24 about using public dollars, I think it's only
25 right that the public knows to be here to listen

1 to the discussion, to be here for any kind of
2 presentation or if there's going to be a vote.
3 They don't know to be here if that's not on your
4 agenda.

5 Another thing that I have problem with is
6 that every time we come to this meeting, any board
7 meeting, and I know that this body does not have a
8 lot of individuals coming to the board meeting
9 like the City Council would in the municipality,
10 that door needs to be unlocked. That door needs
11 to be unlocked. The lady at the front desk does
12 not have a key to open up that door and it's not
13 right that the public does not have access to this
14 public meeting.

15 And I understand, as Commissioner Sanchez
16 said, there's nothing to hide. Therefore, open up
17 that door. Put a notice that there's a board
18 meeting every time you have a board meeting so
19 that people who are coming to pay their bills they
20 might not see the notices when the dates are, but
21 if you have something posted saying that you're
22 invited to this board meeting, more people will be
23 more informed.

24 I think it's very disrespectful that we're
25 talking about such a significant project that's

1 going to cost a lot of money, over \$200 million
2 and maybe even more because those were the numbers
3 that were thrown around five years ago, I think
4 it's very important that the public knows and is
5 allowed to enter into this room.

6 And please have adequate copies of the
7 agenda like any other council meeting or public
8 meeting would have so that we can have copies of
9 these things in addition to --

10 PRESIDENT RODRIGUEZ: Eddie, Eddie, I want
11 to just interject just one second.

12 There is a notice on the bulletin when you
13 walk in.

14 There is no key for the door. We all work
15 with these kinds of badges. If anybody wanted to
16 come back here for the intent and purpose of the
17 meeting, she can very well let them in with the
18 badge.

19 MR. GONZALEZ: The lady at the front desk
20 says she doesn't have a key, she can't open the
21 door; the lady behind the window.

22 PRESIDENT RODRIGUEZ: She has a badge; she
23 doesn't have a key.

24 MR. GONZALEZ: Well, not a key, she said
25 she had no access to get in. The lady at your

1 left is the one who let us in. She had a key. So
2 that needs to be addressed at any given time.
3 This is not just now, this has been for years
4 we've been coming and we have to be let into the
5 room and if someone is not at that window, there's
6 no way for any public member to come in here. So
7 I think it's a distraction.

8 PRESIDENT RODRIGUEZ: That's a very valid
9 point.

10 Joe, I'd like you to look into that.
11 That's interesting. What I'm saying is who's the
12 person that's saying they don't have a badge to
13 come in and maybe we can rectify that. That's a
14 very valid point.

15 COMMISSIONER LEVINE: She told me that too
16 last meeting. I asked her for her badge to buzz
17 myself in and she said she doesn't have one.

18 COMMISSIONER VANNOY: They all have one.

19 COMMISSIONER LEVINE: The girl at the
20 front told me too last month when I tried buzzing
21 in. But usually she does. I ask her almost every
22 month. It was just that last month. Every month
23 before that she --

24 PRESIDENT RODRIGUEZ: Eddie's talking
25 about today.

1 COMMISSIONER SANCHEZ: I get the point.
2 We have to find a way. When I started that door
3 used to be open and because of safety and
4 everything that happened, then they implemented
5 that because when we're not here, so people can
6 just walk in here and something could happen.
7 That was one of the main reasons the pad was --

8 COMMISSIONER VANNOY: Exactly.

9 PRESIDENT RODRIGUEZ: Yes, George.

10 COMMISSIONER VANNOY: Maybe on the day of
11 the meeting we can have somebody out there to let
12 the people in.

13 PRESIDENT RODRIGUEZ: A guard, yeah.
14 One at a time. One at a time, please.
15 George.

16 MR. HANLEY: Public must, I think you
17 know, must have easy access to our meetings.

18 PRESIDENT RODRIGUEZ: Yes.

19 MR. HANLEY: And so if it's a safety
20 issue, then, frankly, you've got to post a guard
21 out there.

22 PRESIDENT RODRIGUEZ: That's what I just
23 said.

24 COMMISSIONER VANNOY: That's what I just
25 said. Just make it easy.

1 MR. BELLA: That's what we'll do.

2 COMMISSIONER LEVINE: Just have Terry sit
3 there.

4 MR. HANLEY: Number two, if you're talking
5 about this bulletin board back here.

6 PRESIDENT RODRIGUEZ: No, it's in the
7 front.

8 MR. HANLEY: The one in front where the
9 public sees it all the time?

10 PRESIDENT RODRIGUEZ: Yes.

11 MR. HANLEY: Does it post the meetings and
12 the agenda?

13 MR. AMODIO: Yes.

14 PRESIDENT RODRIGUEZ: Yes.

15 MR. HANLEY: Okay.

16 COMMISSIONER VANNOY: Terry can do it.

17 MR. AMODIO: Anyone else from the public?
18 The public portion is closed.

19 We'll move onto Old Business.

20 We have the minutes of Passaic Valley
21 December 19, 2018, in camera and regular public
22 meeting minutes.

23 Do I have a motion?

24 COMMISSIONER SANCHEZ: So move.

25 COMMISSIONER VANNOY: Second.

1 MR. AMODIO: By Commissioner Sanchez.

2 Second by Commissioner Vannoy.

3 On the roll.

4

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

7

8 MR. AMODIO: Thank you.

9 Does the Chair accept, receive, and file
10 miscellaneous purchase orders placed from the
11 period of December 12, 2018, to January 1, 2019?

12 PRESIDENT RODRIGUEZ: Yes.

13 MR. AMODIO: Thank you very much.

14 We'll move onto summary of disbursements
15 and payrolls through January 10, 2019, in the
16 amount \$3,413,822.59.

17 Does the Treasurer find them in order?

18 COMMISSIONER VANNOY: Yes.

19 MR. AMODIO: Motion.

20 Second.

21 COMMISSIONER VAN RENSALIER: Second.

22 MR. AMODIO: On the roll.

23

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

1 MR. AMODIO: Thank you. Okay.

2 The president will now turn the Chair over
3 to General Counsel for the reorg of the Passaic
4 Valley Water Commission 2019 year.

5 MR. HANLEY: Okay. We'll now accept
6 nominations for the election of officers.

7 The first one will be the nomination for
8 President.

9 Is there someone to move a name?

10 COMMISSIONER VAN RENSALIER: I'd like to
11 nominate Commissioner Sanchez.

12 MR. HANLEY: Okay. Is there a second?

13 MR. AMODIO: I'm sorry, who was the
14 second.

15 COMMISSIONER VANNOY: Me.

16 MR. HANLEY: Are there any other
17 nominations for President?

18 Hearing none, it's been moved and
19 seconded, I'll call for the vote.

20 MR. AMODIO: Roll call.

21

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

24

25 MR. HANLEY: Commissioner Sanchez,

1 congratulations.

2 Would you like to be sworn?

3 COMMISSIONER SANCHEZ: We can do it as a
4 group.

5 MR. HANLEY: Okay. I'll take nominations
6 for Vice President.

7 COMMISSIONER SANCHEZ: I nominate
8 Commissioner Kolodziej for Vice President.

9 MR. HANLEY: Okay. Is there a second?

10 PRESIDENT RODRIGUEZ: Second.

11 MR. HANLEY: All right. Call the roll,
12 please.

13 MR. AMODIO: On the roll.

14

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

17

18 MR. HANLEY: Congratulations.

19 Nominations for Treasurer.

20 COMMISSIONER FRIEND: I'd like to move the
21 name of Commissioner Van Rensalier for Treasurer.

22 COMMISSIONER SANCHEZ: Second.

23 MR. HANLEY: Are there any other
24 nominations?

25 Hearing none, please call the roll.

1 MR. AMODIO: Okay. Roll call.

2

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

5

6 MR. HANLEY: Congratulations.

7 Nominations for Secretary.

8 COMMISSIONER KOLODZIEJ: I'd like to
9 nominate Robert Vannoy.

10 MR. HANLEY: Is there a second?

11 PRESIDENT RODRIGUEZ: Second.

12 MR. AMODIO: That was seconded by
13 Commissioner Rodriguez.

14 On the roll.

15

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

18

19 MR. AMODIO: Congratulations.

20 MR. HANLEY: Congratulations, everybody.

21 Would you like to be sworn as a group?

22

23 (Whereupon, Commissioner Sanchez was sworn
24 in as President; Commissioner Kolodziej was sworn
25 in as Vice President; Commissioner Van Rensalier

1 was sworn in as Treasurer; and Commissioner Vannoy
2 was sworn in as Secretary)

3

4 MR. AMODIO: We'll move onto roll call.

5

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

8

9 MR. AMODIO: You have a quorum.

10 The time is 10:03 a.m.

11 Move onto committee reports. I don't
12 believe there were any this month.

13 COMMISSIONER RODRIGUEZ: No.

14 MR. AMODIO: Okay. We can move onto the
15 Executive Director's report.

16 MR. BELLA: This month has been a really
17 big month in terms of operations. A couple of big
18 things happened.

19 Doing a Route 46 interchange 51-inch main
20 is currently excised out of the ground and we're
21 supplying some part of our system's cooperation
22 with the City of Newark. It's a really big
23 operation. It's the first time that main has seen
24 the light of day in 120 years so it's a really
25 important part of what's going on there. We're

1 adding huge valves on both sides of the highway so
2 that if there's a main break we can deal with it.

3 We've had a rash of main breaks. We had
4 one really interesting in Passaic. It was two
5 blocks of main burst when a truck hit one of our
6 fire hydrants.

7 PRESIDENT RODRIGUEZ: Did anything turn
8 out from that investigation?

9 MR. BELLA: It's under investigation. The
10 town is looking into it. There were numerous
11 cameras in the area, so, hopefully, we'll be able
12 to track that down. Hopefully, we'll get
13 reimbursed. We're talking about a hundred
14 thousand dollars worth of damage here. So it's a
15 big deal.

16 We're making a lot of strives towards
17 getting some of the projects done, not done, but
18 started, engineered.

19 Our waste treatment at the plant, which
20 needs upgrade, is underway. Probably in April
21 we'll be out to bid or out to, yeah, and so that
22 will be a really good one. We're going to NJEIT
23 for that.

24 We're continuing with our hydrant program.
25 We're really moving forward, putting a lot of

1 hydrants in the ground.

2 Oh, there's one other thing. I wanted to
3 have our consultants just give a brief
4 presentation about our lead education program that
5 we're doing. We've got some pamphlets. I'll let
6 him describe it. I wanted you to know it's going
7 to happen here in the next couple of weeks.

8 MR. GETZ: Good morning, Commissioners.
9 My name is Joe Getz, Principal of JGSC Group.

10 This is the mockup of the brochure that I
11 believe the committee signed off on. The purpose
12 of the program is to try and alert the customers
13 of PVWC that may have lead service lines on their
14 side of the box, meaning it's a customer owned
15 lead service line, and the estimate is there are
16 thousands and perhaps tens of thousands of people
17 who have that. So we put together a program.
18 This is an example of the first piece that is
19 going to be mailed to about 115,000 residents in
20 Paterson, Passaic, and Clifton. It's followed up
21 by a bill stuffer which will be inserted in bills
22 and then run for a 90-day period. They're
23 identical to this brochure except they don't have
24 a mailing catalog. That's the only difference.

25 There's also digital advertising that

1 we're meeting with the staff today to discuss what
2 arrangements we should use for that, but we're
3 thinking it's going to be Facebook. And maybe
4 some of the digital ads in the media as well.

5 But the point of it is to promote a
6 program that has existed here at PVWC for a period
7 of time and to see if we can get people to replace
8 their lead service lines so that they're not at
9 risk of contaminated drinking water.

10 COMMISSIONER RODRIGUEZ: If I may?
11 Observation. This is all in English and our three
12 cities we have, you know, tons of other
13 nationalities, a lot that don't speak English. So
14 I think that this is something you should
15 definitely take into consideration.

16 MR. GETZ: If the Commission wants to
17 consider that going forward, absolutely. We
18 followed the format that is in place today, which
19 is the translation panel that is on the mailing
20 panel. So that's what's been done on all of the
21 consumer notices each year, on all of the mailings
22 that we've done. Again, Commissioner, I don't
23 disagree. Maybe it's time to revisit it. But
24 that's the protocol that's in place as of this
25 moment.

1 MR. BELLA: We would definitely want to do
2 that. Last count there's something like 70
3 languages spoken.

4 COMMISSIONER RODRIGUEZ: But I mean,
5 you're going to look at the homeowners who are
6 going to be responsible for making this change in
7 this investment. You have to look at that roster,
8 talk to the tax assessor and find out who the
9 homeowners are and you're going to find there are
10 a lot of non-English speaking and I think we're
11 just trying to be conscious and considerate of the
12 tax paying community.

13 MR. BELLA: The other thing we're looking
14 into is, because there's so many languages, we're
15 looking into a telephone system where almost every
16 language you can think of, people call in and we
17 can send them to this, it's an outside operation,
18 you know, that will have somebody on staff that
19 can speak those languages. So maybe we don't have
20 Bengali on our staff to speak that, so they'll be
21 able to go to that person. They'll be able to
22 call that number and speak to someone that speaks
23 that language or, you know, another language.

24 COMMISSIONER RODRIGUEZ: That I
25 understand, but I'm talking about dissemination of

1 public information. It's a must. It's something
2 that, you know...

3 MR. BELLA: I'm just saying in addition.

4 COMMISSIONER RODRIGUEZ: That's a great
5 idea. I'm just saying, I'm speaking on this kind
6 of dissemination.

7 MR. BELLA: So the other thing, the reason
8 why we're doing bill stuffers also aside from that
9 is to make sure that not just the residents get
10 it, but also the owners of the property. We have
11 a very high absentee landlord rate. It's going to
12 go in bills. We're going to do this a couple of
13 times to get this.

14 COMMISSIONER LEVINE: How would you pick
15 what languages to pick? I mean, there's so many
16 diversified languages.

17 COMMISSIONER RODRIGUEZ: You have to start
18 with the dominating language.

19 MR. BELLA: Yes.

20 COMMISSIONER RODRIGUEZ: I mean, that's a
21 conversation for special projects, whoever is
22 going to be in that. But you have to pick the
23 dominant languages: Spanish, Arabic, Bengali, so
24 on and so forth. And you do that I guess by a
25 demographic breakdown.

1 MR. GETZ: It's a census bureau. They
2 actually have data that will tell you what
3 language --

4 COMMISSIONER RODRIGUEZ: There's four or
5 five dominant languages because of the growing of
6 the community.

7 MR. GETZ: Yes.

8 MR. BELLA: Okay. And then one of the
9 other issues with doing this is we want to make
10 sure that, not just homeowners and that kind of
11 thing, but at some point we have a very low
12 acceptance rate. In other words, we knock on the
13 door and say, hey, we want to take your lead
14 service out. We're working on our side and we're
15 disturbing a line which causes the lead to go up,
16 so what we do is we take it all the way out, if we
17 disturb your line, we're going to take it all the
18 way in your house to fix it. Even with that is
19 very low. So one of the things we're working on
20 and --

21 COMMISSIONER RODRIGUEZ: And who does
22 this?

23 MR. BELLA: We do.

24 COMMISSIONER RODRIGUEZ: I'm talking about
25 who?

1 MR. BELLA: The homeowners.

2 COMMISSIONER RODRIGUEZ: No, no, who asks?

3 MR. BELLA: Oh, our people. Our people.

4 Our contractors are required to do it when they go
5 to change the service on our behalf. Our inhouse
6 staff is --

7 PRESIDENT SANCHEZ: Joe, can I say
8 something? We had a meeting in Passaic and I
9 think the mayor of Passaic is going to do Facebook
10 showing people that we don't want to go into
11 people's basement, we don't want to interrupt
12 their privacy, we just want to help them. I think
13 local authorities should emphasize, tell people
14 that we just want to change the water line. We
15 don't want to do more than that. We just want to
16 do our job. We're not going to look for anything
17 else. We need to approach local people and just
18 do it through them.

19 MR. BELLA: It's really important that we
20 get to this.

21 COMMISSIONER RODRIGUEZ: You got to garner
22 support from the community.

23 MR. BELLA: That's one of the things --

24 COMMISSIONER RODRIGUEZ: You know,
25 stakeholders.

1 MR. GETZ: Thank you.

2 MR. AMODIO: Anything else, Joe?

3 MR. BELLA: That's it.

4 MR. AMODIO: Move onto Controller's
5 Report.

6 MR. WEISS: Cash on hand is 30.3 million.

7 Accounts receivable is 14.9 million.

8 Accounts payable is 3.6 million.

9 Our collections remain strong.

10 We're in the middle of doing our physical
11 inventory, which is the first step for our annual
12 audit. The auditors will probably be in in
13 February, towards the end of February. The budget
14 adoption Resolution you'll have on your agenda for
15 February. That's not for this month.

16 What else... Oh, you have a chart in
17 front of you. That's the results of our
18 investment program and I'm very pleased to report
19 that for 2018 we were able to earn \$1.25 million
20 in interest, which is a record high for us which
21 is phenomenal. That means what we're doing is
22 working, which is great. There's a lot of people
23 that put in a lot of time to make sure that this
24 happens and that literally saves us... It saves
25 our ratepayers 1.25 percent rate increase that we

1 do not have to implement because we're finding
2 other ways to be able to create this additional
3 income.

4 The only other thing I have is, you'll
5 hear about this probably in February or March.
6 We're going to be going through a billing system
7 upgrade. You'll have more information on that.
8 Then later this year we'll be starting the process
9 of implementing a CMMS system which will replace
10 our antiquated work order system. That's part of
11 our business process review which we started
12 several years ago. That's the next step in the
13 process.

14 COMMISSIONER FRIEND: Question. Did we
15 get paid by the municipality that was in arrears?

16 MR. WEISS: We did not get paid by them.
17 I spoke to the CFO earlier this week. He assured
18 me that they're putting a check in the mail to us.

19 PRESIDENT SANCHEZ: Counsel, I'm sorry,
20 that's what I say all the time, the check is in
21 the mail. But you were supposed reach out and
22 have a meeting with these people. What's going on
23 here? It's like we're dealing with --

24 MR. HANLEY: With what now?

25 PRESIDENT SANCHEZ: Garfield. Just say

1 who it is. Garfield owes us money and we're
2 supposed to have a meeting with them. What
3 happened? I thought by the end of December they
4 were supposed to pay us.

5 MR. BRISMAN: Garfield regarding the money
6 they owe us.

7 MR. HANLEY: Garfield?

8 MR. BRISMAN: Yeah.

9 MR. HANLEY: Yitz has been the contact
10 because he is more successful in getting to talk
11 to somebody and I ask him probably once a week.
12 He just gave you the answer, the check's in the
13 mail. So I guess we'll see, and maybe the next
14 meeting if it's not there...

15 COMMISSIONER VANNOY: Tell them we'll come
16 pick it up.

17 MR. BELLA: I already made that
18 suggestion.

19 COMMISSIONER FRIEND: I think they should
20 be told if we don't have the check by the 15th,
21 we're going to enforce the penalty that was
22 supposed to be imposed if they didn't pay by the
23 31st.

24 PRESIDENT SANCHEZ: Let me ask you this.
25 Who's going to communicate with them now? Can

1 somebody communicate and let them know how we feel
2 about it?

3 MR. HANLEY: He'll do the phone; I'll do
4 the letter.

5 PRESIDENT SANCHEZ: So we'd like to get an
6 e-mail back and see what happens.

7 COMMISSIONER FRIEND: It's not fair to the
8 ratepayers.

9 PRESIDENT SANCHEZ: Okay. Thank you.

10 MR. AMODIO: Is that it for the
11 Controller's Report?

12 MR. WEISS: Yes.

13 MR. AMODIO: Can I have a motion for
14 closed?

15 COMMISSIONER VANNOY: So move.

16 MR. AMODIO: Motion by Commissioner
17 Vannoy.

18 COMMISSIONER VAN RENSALIER: Second.

19 MR. AMODIO: Second by Commissioner Van
20 Rensalier.

21 Commissioner Vannoy offers the following
22 Resolution for adoption:

23 Whereas, Section 8 of the Open Public
24 Meetings Act permits the exclusion of the public
25 from a meeting in certain circumstances; and.

1 Whereas, the public body is of the opinion
2 that such circumstances presently exist;

3 Now therefore be it resolved, by the
4 Commissioners of Passaic Valley Water Commission:

5 1. The public shall be excluded from the
6 discussion of the hereinafter specified subject
7 matters; the general nature of the subject matters
8 being: Financial, Insurance, Personnel, Contracts
9 Negotiations, Summary/Aging, Workers' Comp, Levine
10 Reservoir Storage Improvement Project Update, and
11 other matters as may be discussed in camera.

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

17 3. This Resolution shall take effect
18 immediately.

19 Second by Commissioner Van Rensalier.

20 On the roll.

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

24
25 MR. AMODIO: Gentlemen, please close the

1 doors.

2

3

4

5

MR. AMODIO: On the roll.

6

7

8

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

9

10

MR. AMODIO: You have a quorum.

11

The time is 11:09 a.m.

12

13

14

15

We have a series of resolutions. The
first Resolution that we have is public auditor.
The recommendation is to award Ferraioli,
Wielkocz, Cerullo & Cuva in the amount of \$42,000.

16

17

18

19

20

The next Resolution we have is a
Resolution adopting the meeting, public meetings,
for the year 2019. It's the Commission's purview
to stay with the third week at 9:30 a.m., third
Wednesday, 9:30 a.m.

21

PRESIDENT SANCHEZ: Do I get a motion?

22

MR. AMODIO: No, wait, wait.

23

24

And then we have the motion adopting the
banking institutions for the year 2019.

25

Resolution authorizing certain statutory

1 payments of claims and other claims regular in
2 nature.

3 PRESIDENT SANCHEZ: Who are the banking
4 institutions?

5 MR. AMODIO: You have a list in there.

6 We have a Resolution authorizing
7 investment of funds.

8 And we have a Resolution shared services
9 with the USDA for goose damage maintenance project
10 in the amount of \$11,639.00.

11 Do I have a motion?

12 MR. GUARASCI: Mr. President --

13 PRESIDENT SANCHEZ: Hold on. We're doing
14 something else.

15 Can we get a motion?

16 COMMISSIONER VAN RENSALIER: Move it.

17 COMMISSIONER VANNOY: Second.

18 MR. AMODIO: Hold on.

19 By Commissioner Van Rensalier.

20 Second by Commissioner Vannoy.

21 On the roll.

22

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

25

1 MR. AMODIO: Okay. Next we'll move on.

2 PRESIDENT SANCHEZ: You're going to have
3 your turn, hold on a second.

4 MR. AMODIO: Recommendation from closed
5 session.

6 I believe, Counsel Hanley.

7 MR. HANLEY: Okay. As I would state, you
8 have considered the Assistant Commissioner's
9 decision with respect to the State Historical
10 aspects of the Levine Reservoir project very
11 carefully and at length and you have decided that
12 you will accept that order as written and
13 clarified.

14 And, Ken, can you give me the dates?

15 PRESIDENT SANCHEZ: Counsel --

16 MR. HANLEY: The clarification, the date
17 of the original issuance of the opinion is
18 something that you reviewed and asked us to go
19 back and ask for clarifications. The original
20 decision request was made with a deadline of
21 December 16th. You are now accepting the
22 clarifications as stated in the issuance of those
23 clarifications and your comments by the
24 Commissioner dated January 9th, 2019. So you're
25 effectively agreeing with the order as originally

1 issued in conjunction with his clarifications.

2 So if there's a motion.

3 PRESIDENT SANCHEZ: Before the motion, can
4 you state the...

5 MR. BELLA: Sure.

6 I'd just like to say, I'd like to address
7 everyone here, that, you know, after substantial
8 discussion and partly at my implore, not partly,
9 mostly at my implore, that the Commission do this.

10 And the reason why we do this is because,
11 and believe me, I was as conflicted as the next
12 person, we have these responsibilities and our
13 highest responsibilities is to our consumers and
14 our next responsibility is to our ratepayers.

15 This is absolutely important. This will
16 clearly help us to lower the lead to protect the
17 public health because these are open finished
18 reservoirs. They are not, let's put it this way,
19 they're not standard procedure in the water
20 industry. They're not standard in any sense of
21 the word. Most of them were taken out of service
22 long before there was a law because of the
23 problems, the operational problems, that we had
24 and we well document that throughout our system.

25 We also have found that because of the

1 vulgarity of our system, the way our system's
2 laid out, there's protected portions that get
3 phosphates and there's unprotected portions that
4 do not get phosphates. Those unprotected portions
5 mainly from basically about here, to the north,
6 which is all of Paterson, those unprotected areas
7 have between three and four times higher leads
8 than the protected areas. Now this has been going
9 on for a few years and this is what was the real
10 call to action. I presented this at board
11 meetings. I've shown the data before. And this
12 is clearly an important event and it's well
13 documented in the industry.

14 Also, we have just this overwhelming
15 obligation to do the right thing I think in our
16 case. It's not like we're putting new curbs or
17 we're paving roads. This is about people who
18 cannot have any other choice but to do the right
19 thing but to drink our water and use our water.
20 It's very important.

21 And I said to the Commissioners and I'll
22 repeat it again, none of us like the idea that we
23 have to do this in order to do something that we
24 were ordered to do. And that is clear. I would
25 much rather see the money be used elsewhere, but

1 that's our case. And they really put us in a
2 position where we don't have a lot to do.

3 And one more thing, on behalf of the
4 Commission, they asked me and they thought that,
5 you know, working with your types of organizations
6 to get out there and get this information, like
7 Barbara Dunn, you and I had conversations, that
8 kind of thing. So that's going to be important
9 getting this kind of information out.

10 PRESIDENT SANCHEZ: So do we have a
11 motion?

12 MR. AMODIO: Motion?

13 MR. GUARASCI: May I just... Extend me
14 the courtesy?

15 PRESIDENT SANCHEZ: I will, once --

16 MR. GUARASCI: I think it's important
17 because all I want to say is this, very
18 respectfully, are you going to vote in mute
19 fashion where you don't let the public know about
20 any thoughts of any objections that you might
21 have? I get it, you're probably going to have to
22 vote yes to accept this, but the public deserves
23 to understand and to hear some of the very
24 deliberations that I'm certain you had in private
25 session. So will you vote in mute fashion or will

1 you give voice as to how you truly feel about
2 being forced into this vote? That's all I want to
3 know.

4 PRESIDENT SANCHEZ: Okay. Bob, listen,
5 Joe spoke, but I think the Commission, everybody
6 here was debating and I think at the end public
7 safety is the main reason why we're doing it.
8 None of us feel comfortable that we have to give
9 this money away to this entity, but I guess we
10 have no choice but to choose public safety first
11 and that's why we're doing it.

12 Go ahead.

13 MR. GONZALEZ: I just have a question.

14 So you're saying this is for public safety
15 and I don't think anybody disagrees with that
16 concept, right. The original mandate had nothing
17 to do with lead, from my understanding. It had to
18 do with the microorganisms. I believe many years
19 ago we brought the lead issue because that was a
20 more important issue in Paterson, specifically,
21 and there was studies showing that Paterson
22 students had a lot more lead compared to other
23 cities, including, you know, some from Michigan
24 and other towns in New Jersey as well. And then
25 lead somehow got wrapped into this mandate. So I

1 just want to be clear that lead has nothing to do
2 currently with the mandate itself. However, the
3 solution could assist to help mitigate the lead.
4 I think that's the argument.

5 What I just want to know is if you're
6 comfortable in that, because I'm a taxpayer, I'm a
7 homeowner, I live around the Levine Reservoir, I
8 consume that water or the water that's provided to
9 me from that area, I want to know how confident
10 are you and what percentages are we going to save,
11 reduce the lead in the water, because we do have
12 30,000 homes or so that have lead pipes and I want
13 to know that if you don't fix the lead service
14 pipes from the homes, the homes are still going to
15 get lead.

16 PRESIDENT SANCHEZ: Were you out the door
17 listening to us, because we asked the same
18 question you're asking. We had the same concern
19 you have.

20 MR. GONZALEZ: Well, we'd like to hear. I
21 guess to Bob's point, with all due respect, this
22 is exactly what we want to know. When you had
23 that discussion, we're having the same discussion.
24 We're trying to figure this out. With all due
25 respect, I just want to be clear that at the end

1 of this project that we're no longer going to
2 receive letters saying that we have high levels of
3 lead in the water. If I do, it's going to be in
4 big bold red letters, I don't want to be subject
5 to having consumed or have the possibility of
6 consuming lead after this project. That's my main
7 point, because if there's other things that we
8 should be looking at prior to this project that we
9 can mitigate the lead in the water that's an
10 alternative route opposed to spending so much on
11 tanks, I don't see that the tanks itself is going
12 to solve the lead issue.

13 So, you know, at the end of the day, we'll
14 spend the money if we have to because it's a
15 mandate and we're being subjected to it, but I
16 want to hear percentages and I want to know how
17 much is it going to completely solve the lead
18 problem or not.

19 MR. BELLA: Okay. And I've given this to
20 the papers, our statistics, our maps, where the
21 high leads are and everything like that. I
22 discussed this with the Board. I put it in our
23 reports and that kind of thing. We've done
24 reports up here.

25 We're looking at reducing the lead

1 probably by three times by putting phosphates in
2 the water. We know that. We can prove it. It's
3 absolutely provable. I feel completely
4 comfortable in saying that and my background is in
5 science and science people don't like to give you
6 a hundred, but I feel really comfortable that it's
7 going to reduce the lead substantially.

8 MR. GONZALEZ: Three times by what?
9 Comparable to what?

10 MR. BELLA: So if you look at, you know,
11 I'm talking about parts per billion, I can't
12 remember the exact numbers. But you can basically
13 go from, like, say when you exceed 15 parts per
14 billion, divide that by three, it's going to bring
15 you down to five and it's a substantial amount.

16 What's happening in the industry is people
17 are, you know, they're seeing these reductions and
18 they're switching. Most everybody has already
19 gone to phosphates. We're inhibited from that
20 because of the open finished water reservoirs.
21 That's the first, most important thing.

22 But as I explained to the Commissioners,
23 you know, I'm sure we'll be able to get you some
24 information about that discussion, but I think the
25 important thing here is not only is it lead, lead

1 somehow -- I mean, look, lead got big because of
2 Flint, right. Our concern was that we would be
3 Flint; we would be "the Flint" because of this
4 situation. But there's other things here to be
5 concerned about and the other thing, we said this
6 all along, is that microbiological. It's as
7 insidious as the lead situation because you don't
8 see it all the time.

9 You know, somebody asked show me somebody
10 that died from it. Well, I can't show you that
11 because there's tens of thousands of people dying
12 regularly from all kinds of things.

13 What's important, the industry standard.
14 That's what's important. And the industry
15 standard, I mean, that's the overriding thing.
16 There are just a few of these left in the whole
17 country. In fact, we probably have more than
18 50 percent of them here in this state. Why New
19 Jersey is in that situation, it's hard to explain
20 except for it's New Jersey. And I think this
21 administration is on top of this. They want to
22 get rid of this. This administration really is
23 starting to push this and it's my absolute belief
24 that there is nothing good happening with those
25 reservoirs. And we need to do it and we need to

1 have that storage where we have it for the public
2 safety aspect. I'm just talking about health. If
3 there was a main break on one of our transmission
4 lines, we have water right in Paterson, you know,
5 right in our gradient that supplies Paterson. It
6 will always be there for us and that's what's
7 important.

8 MR. GONZALEZ: Real quick, are you just
9 confirming that we will not get letters because it
10 will be reduced three times would make it lower
11 than the industry standard and we will no longer
12 have --

13 MR. BELLA: Yes, yes. You won't see that.

14 And then what I was explaining to the
15 Commissioners, because of the way the system lays
16 out, you have these higher leads in Paterson, but
17 lower leads over here, so overall --

18 MR. GONZALEZ: It averages out.

19 MR. BELLA: -- it averages out and it goes
20 below. So we're not obligated to send the letters
21 out, but we send them out because we want to alert
22 people to this. We want to make them understand
23 that just because as a system, we're not failing,
24 there are areas where there's problems and that's
25 where we want help on the public end.

1 PRESIDENT SANCHEZ: What about the lead
2 and copper rule, Joe, how is this tied into this?

3 MR. BELLA: I'm sorry?

4 PRESIDENT SANCHEZ: The lead and copper
5 rule, how is this tied into this?

6 MR. BELLA: I mean, it's clear the way
7 it's written, you know, it's an average of over
8 the entire distribution system of a system,
9 whatever system it is. And when you take that
10 average, and because of the way we can protect
11 some areas and we can't protect others, it lowers
12 it below the threshold that we have to do the
13 formal public notification. That's the important
14 thing. And the Commission has elected, and in
15 good sense, to do this kind of notification
16 regardless and that's one of the reasons why we
17 don't find ourselves in a situation like other
18 cities where they didn't do the kind of public
19 notification. We did it whether we had to do it
20 or not. We've been doing it for a very long time.

21 PRESIDENT SANCHEZ: With that being said,
22 I guess there's a motion on the table.

23 MR. AMODIO: Do I have a motion?

24 COMMISSIONER VANNOY: So move.

25 COMMISSIONER VAN RENSALIER: Second.

1 MR. AMODIO: Motion by Commissioner
2 Vannoy.

3 Second by Commissioner Van Rensalier.

4 On the roll.

5 COMMISSIONER LEVINE: I'm abstaining
6 because I believe that we should be asking for an
7 extension since we just got this letter today. I
8 don't feel comfortable voting on it even if we can
9 because we haven't had enough discussion on it.
10 It wasn't on the agenda. I just found out about
11 it now. I'm not saying it's the wrong thing, I'm
12 just saying I'd like to know what the feasibility
13 study is going to cost the Commission. I want to
14 know what the ins and outs, what else that we can
15 incur money for the taxpayers.

16 And I don't feel the DEP is correct
17 sending us something the day of our Commission
18 meeting and, you know, and our attorney saying
19 there's no way we can ask for an extension. We
20 can ask for an extension and then hear their
21 response because they need to respond to us by
22 their deadline and then we can hold a special
23 meeting, if need be, the day before to discuss it.

24 But I believe we need to ask for -- we --
25 so I'm abstaining on this.

1 PRESIDENT SANCHEZ: Abstain. Okay.

2 Go ahead.

3 COMMISSIONER KOLODZIEJ: I find it
4 troubling, it's troubling me to me that a State
5 agency named the Department of Environmental
6 Protection seems more concerned about aesthetics
7 than protecting a natural resource and public
8 safety. But I also believe that people are more
9 important than money, so I will vote yes.

10 MR. AMODIO: Thank you.

11 COMMISSIONER VAN RENSALIER: I will vote
12 yes in the name of public safety.

13 MR. AMODIO: Commissioner Rodriguez.

14 COMMISSIONER RODRIGUEZ: Mr. President, if
15 I may?

16 PRESIDENT SANCHEZ: Yes.

17 COMMISSIONER RODRIGUEZ: Bob, I have to
18 thank you and your group, first of all, for coming
19 to us many, many years ago about the issues of
20 lead and the City of Paterson, particularly. And
21 because of your tenacity in addressing this issue
22 and being hard core about it, I think the City of
23 Paterson owes you and your group a debt of
24 gratitude.

25 This is a tough issue. It's a difficult

1 issue. I implore you to continue to advocate for
2 this.

3 Joe and Jim and our attorney made a
4 compelling issue. It is about public health; it
5 is about public safety. I think lead is something
6 that, you're right, it wasn't part of this
7 mandate, but we included it and I think and, you
8 know, gratitude to Joe because he has kept this at
9 the forefront.

10 And what I'm going to encourage is for our
11 consultant to work closely with you because you're
12 a tremendous advocate and spokesperson, as is
13 Eddie, for the City of Paterson and I think it's
14 important that there is a campaign that has to be
15 headed. It's got to be grass root socializing
16 and, Joe, we got to make sure that we get this
17 done.

18 So on that basis, I vote yes.

19 MR. AMODIO: Commissioner Sanchez.

20 PRESIDENT SANCHEZ: I'm going to say there
21 should be a meeting with Bob Guarasci and people
22 like you that care and you can have a discussion
23 and, basically, one answers, you know what I'm
24 saying. Most people don't care, most people don't
25 take the time to do this. I said in the

1 beginning, what you've done in Paterson is
2 commending. I mean, you took it upon yourself.
3 Paterson is your life and you care about Paterson.
4 We just need more people like you.

5 But, unfortunately, we could be on both
6 sides, we could be on your side and the
7 ratepayers' side. But on the same thing, we're
8 here to provide quality water and to provide safe
9 quality water and based on that we have no choice
10 but to say yes and my vote is yes.

11
12 (Roll call was taken, all Commissioners
13 respond in the affirmative. Commissioner Levine
14 abstained)

15
16 MR. AMODIO: Thank you.

17 Motion approved.

18 There being nothing further, the
19 committees will be established by Commissioner
20 Sanchez and disseminated some time this month.

21 Nothing under Good and Welfare.

22 Next meeting is scheduled for Wednesday,
23 February 20th at 9:30 a.m.

24 Commissioner Vannoy?

25 COMMISSIONER VANNOY: We're supposed to

1 come up with a date for our Table of Organization
2 special meeting.

3 MR. AMODIO: Okay.

4 COMMISSIONER FRIEND: Before we set a
5 date, has Administration reviewed the Table of
6 Organization and ready to report?

7 MR. BELLA: We're going to sit down and do
8 that.

9 COMMISSIONER VANNOY: That's a discussion
10 for all of us. I mean, they can look at it too,
11 but --

12 MR. BELLA: We'll look at it.

13 PRESIDENT SANCHEZ: So how long is it
14 going to take you to look at it?

15 COMMISSIONER VANNOY: We need to set "the
16 meeting". Okay. They have to do whatever they
17 have to do. We need to set the meeting. This is
18 way too long that we've been just going on. We're
19 not making any progress on what we need to do.

20 COMMISSIONER FRIEND: I think we need to
21 know from Administration when we have that meeting
22 in terms of justifications for any new positions,
23 eliminations on positions or change in title.

24 PRESIDENT SANCHEZ: I just sat down, can
25 you give me like this week to go over and then

1 we'll set up the meeting via e-mail. Is that okay
2 with you?

3 COMMISSIONER VANNOY: Yeah. Well, we
4 definitely need to set a date. Okay. All right.

5 MR. AMODIO: Nothing further. Motion to
6 adjourn, Commissioner Vannoy.

7 COMMISSIONER VANNOY: Yes.

8 MR. AMODIO: Thank you.

9 Commissioner Levine, second.

10 On the roll.

11

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

14

15 MR. AMODIO: Time is 11:31 a.m.

16 Thank you, everyone.

17

18 (Proceedings concluded)

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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