

## PASSAIC VALLEY WATER COMMISSION MEETING OF

APRIL 17, 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 MR. AMODIO: On the roll.

2 Commissioners Levine and Vannoy are not  
3 present yet.

4 Commissioner Rodriguez will be late.

5

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

10

11 MR. AMODIO: Okay.

12 The time is 9:30.

13 You have a quorum.

14

15 Resolutions of the requirements of the  
16 Open Public Meetings Act have been met. Notices

17 have been furnished to all Commissioners; City  
18 Clerks of Paterson, Passaic, and Clifton; North

19 Jersey Herald News; The Record - Passaic County  
20 edition and the Commission's Executive Staff with

21 a copy posted at the main bulletin board at the  
22 Clifton facility.

23

24 Please rise.

25

Commissioner Kolodziej.

(Pledge of Allegiance)

1 MR. AMODIO: We have a member of the  
2 public.

3 MS. ALEX: Hello.

4 PRESIDENT SANCHEZ: Can you state your  
5 name and who you are, please?

6 MS. ALEX: My name is Pat Alex. I live in  
7 Clifton.

8 I'm not going to speak, no. I'm just here  
9 to listen.

10 PRESIDENT SANCHEZ: No? Okay. Thank you.

11 MR. AMODIO: Okay. Anybody else from the  
12 public? Is that guy from the public?

13 MR. BELLA: He's actually from the housing  
14 authority -- no, I'm sorry, he's an attorney.

15 PRESIDENT SANCHEZ: For what?

16 MR. BELLA: About the Riverside  
17 development.

18 PRESIDENT SANCHEZ: What we're going to do  
19 is we're going to set up... I guess we need  
20 further information.

21 Joe, what are they looking for right now?  
22 Can you tell us what they're looking for so we can  
23 go from there?

24 MR. BELLA: You want to speak?

25 MR. ZENN: Sure.

1                   PRESIDENT SANCHEZ: Sir, what is it that  
2                   you're looking for?

3                   State your name and who you are and what  
4                   you do.

5                   MR. ZENN: My name is Jeffrey Zenn,  
6                   Z-e-n-n, from Cullen and Dykman. We represent the  
7                   redeveloper that's got the agreement with the  
8                   housing authority to redevelop the Riverside  
9                   Terrace Projects. That's an existing 300  
10                  apartments, to demolish those 300 apartments and  
11                  construct 80 units of senior affordable housing  
12                  and 165 townhouses for affordable homes for  
13                  families.

14                  The issue is the Commission's existing  
15                  42-inch water line that goes alongside the  
16                  property. And the housing authority has an  
17                  existing building there. I'm not sure if it's a  
18                  management or a maintenance building that sits  
19                  atop that line.

20                  So our original thought was simply just  
21                  turn off the water and allow us to demo that and  
22                  we'll demo that. And then consultation with the  
23                  authority, if you're going to do that maybe we'll  
24                  just replace the lines since it's a hundred years  
25                  old. And our feeling is, well, if you're going to

1 replace the line, that's a trunk line. We're not  
2 connecting to that. That should be the  
3 Commission's cost. Otherwise, we're just asking  
4 for you to turn off the water meter and we'll demo  
5 the building. If there's any repairs, we make the  
6 repairs.

7 PRESIDENT SANCHEZ: Okay. So do we have  
8 an easement there?

9 MR. BELLA: We do.

10 PRESIDENT SANCHEZ: We have an easement on  
11 that pipe?

12 MR. BELLA: Yup.

13 PRESIDENT SANCHEZ: What's the condition  
14 of the pipe now?

15 MR. BELLA: It's working. It's about 70  
16 years old, 80 years old, which is still well  
17 within its lifetime.

18 PRESIDENT SANCHEZ: So we have no plans to  
19 do anything with that pipe right now?

20 MR. BELLA: No, we didn't have any plans.

21 COMMISSIONER FRIEND: Do you have a  
22 developer's agreement with the City of Paterson or  
23 the housing authority?

24 MR. ZENN: With the housing authority.

25 COMMISSIONER FRIEND: And does it make

1 reference to the pipe at all in terms of the  
2 responsibility?

3 MR. ZENN: No.

4 COMMISSIONER FRIEND: No reference in the  
5 developer's agreement?

6 MR. ZENN: No, and in fact, I'm told, and  
7 Miss Irma Gorham is going to be here as well.

8 PRESIDENT SANCHEZ: I guess it's going to  
9 be late because we're closing the public session.

10 Well, it seems to me that we're not  
11 sympathetic to spending money, especially, where  
12 there's a private developer involved. But we're  
13 going to set up a committee, I guess, I don't  
14 know, unless my Commissioners are ready to make a  
15 decision now. I don't know what's the feeling?

16 COMMISSIONER FRIEND: I think we need  
17 everybody here.

18 When is construction supposed to start?

19 MR. ZENN: Construction is supposed to  
20 start with environmental remediation and  
21 demolition. And we can only have one contract for  
22 that, so we would work going down the hill from  
23 the west side going towards this water easement.  
24 So we can't start, we can't commit until we know  
25 we have an understanding with regard to that water

1 line.

2 PRESIDENT SANCHEZ: Let me ask you this to  
3 be more fair. Have we been in that position  
4 before ever? Have we been in that position where  
5 we have a pipe and they need to do development on  
6 top of our pipe? What's the past history of the  
7 Commission?

8 MR. BELLA: Well, any work around our  
9 pipes is done by whoever does the work, you know,  
10 not by us. It's always done by somebody else.  
11 Rarely do we have one that's this big though. I  
12 mean, the biggest one that comes to mind is the  
13 DOT and Route 46, Route 3 where they changed the  
14 grade, you know. The pipe was going to be buried  
15 under 20 feet of fill instead of four feet of  
16 fill, so we had them change that.

17 COMMISSIONER FRIEND: Who paid for that?

18 MR. BELLA: DOT.

19 PRESIDENT SANCHEZ: Can I ask George one  
20 question?

21 George, what's the legal responsibility  
22 that we have?

23 MR. HANLEY: Well...

24

25 (Whereupon, Commissioner Vannoy is present

1 at 9:37 a.m.)

2

3

MR. HANLEY: Under these circumstances  
4 and, Joe, we don't have any need to do anything  
5 with this pipe, so...

6

PRESIDENT SANCHEZ: Can you speak louder?  
7 I'm sorry.

8

MR. HANLEY: Pardon me?

9

PRESIDENT SANCHEZ: Can you speak louder?

10

MR. HANLEY: Oh, yeah, I'm sorry.

11

12

I said we don't have any need to do  
13 anything from our point of view with this pipe at  
14 all. It's perfectly serviceable. It's working.  
15 As Joe said, it's well within its period of  
16 usefulness. In fact, we have pipes that are much  
older than that.

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The problem, the primary problem that  
18 arises, if I understand it correctly, is that with  
19 the work that we're going to do, we can't allow it  
20 to remain under its current condition. It has to  
21 be modified. Don't ask me to get into the  
22 technical reasons, but the Engineering Department  
23 and Joe and Jim have done a lot of studies on  
24 this. They spent a lot of time inhouse and the  
25 conclusion they come to is that the pipe would be



1 in great jeopardy if we don't do certain things,  
2 which we wouldn't otherwise have to do.  
3 Therefore, our position is that these costs should  
4 be imposed on the developer.

5 And this is not explicitly applicable to  
6 us, but the closest analogy to this situation that  
7 I'm aware of, and I've done some research on this,  
8 would be a typical development major subdivision.  
9 I think Jerry, Commissioner Friend, referred to  
10 that.

11 And the general principal there is  
12 developers should pay their fair share of what  
13 that cost is and that portion will be allocated.  
14 And they've done a report on that, which Mr. Zenn  
15 has; the developer has. We actually had several  
16 meetings with the developer and his various  
17 advisors. And we've put together a pretty  
18 complete study and Pat Porcaro, Jim, Joe...

19 PRESIDENT SANCHEZ: Okay.

20 MR. HANLEY: So they have that study.

21 PRESIDENT SANCHEZ: Okay.

22 MR. HANLEY: And they know what we think  
23 what the cost is.

24 COMMISSIONER FRIEND: Other than that,  
25 anything that we have, like, parts or materials

1           that we had bid on in the past and we have a  
2           contract to purchase along for a year or two,  
3           whatever it may be, anything over and above that  
4           would we be violating the public bidding law if we  
5           contributed to any other cost?

6                   MR. HANLEY: I think we could use the same  
7           analogy if it's their project and they're  
8           impacting, I think, correct me if I'm wrong, our  
9           position is we would want to at the very least  
10          supervise all the work and probably use some  
11          inhouse and a significant amount would be paid.  
12          They would pay, I mean, their fair share.

13                   PRESIDENT SANCHEZ: I'm sorry,  
14          Commissioner Van Rensalier, do you have a  
15          question?

16                   COMMISSIONER VAN RENSALIER: I didn't have  
17          a question, but just at the finance committee  
18          meeting yesterday, Commissioner Friend and Vannoy,  
19          we had a presentation about this very project. So  
20          I think it's incumbent upon all the Commissioners  
21          to have that same presentation because it was very  
22          extensive. We had some very good questions and  
23          concerns both from a technical standpoint and  
24          monetarily, like who's going to pay for what. So  
25          I think before the Board can make a collective

1 decision, I think each Commissioner should have  
2 their presentation.

3 PRESIDENT SANCHEZ: I'm glad Commissioner  
4 Vannoy is here because he has been more indulged  
5 in this process than anybody else. Can you  
6 enlighten us, Commissioner, you know, and then I  
7 guess we're going to...

8 COMMISSIONER VANNOY: Right.

9 Well, I guess more importantly, the  
10 presentation should be presented to the other  
11 three Commissioners, I'm sorry, other four  
12 Commissioners because it does entail a lot of  
13 things.

14 The housing development has a project  
15 that's going on, for the most part, has a project  
16 that's going on. It was built over, what, 1943.  
17 They built over some pipes that really shouldn't  
18 have been built over, therefore, now they want to  
19 do construction and knock down this building and  
20 rebuild it, but there's a problem because of where  
21 the pipes are located at.

22 My question -- and I'm sorry, sir, who are  
23 you?

24 MR. ZENN: I'm the attorney for the  
25 redeveloper.

1 COMMISSIONER VANNOY: Right, right.

2 So in our meeting yesterday, one of the  
3 questions that came up that I had was did the  
4 developer do any research as far as this --  
5 actually, maybe I should be asking you.

6 Did the developer do any research as far  
7 as this pipe as to any add ons or whatever that he  
8 may incur during the process?

9 MR. ZENN: We made add ons.

10 COMMISSIONER VANNOY: What did we call  
11 that yesterday? Not the plans, but we called it  
12 something yesterday.

13 PRESIDENT SANCHEZ: Due diligence.

14 COMMISSIONER VANNOY: No, it wasn't really  
15 due diligence.

16 COMMISSIONER FRIEND: The presentation  
17 that was made, who's giving the funding? New  
18 Jersey Housing Mortgage or is it tax exempt bonds?

19 MR. ZENN: There's several different  
20 sources of funding. HUD insured mortgage. There  
21 will be FHA. Bonds coming in. There will be tax  
22 credits. There will be several different sources  
23 of funding.

24 COMMISSIONER FRIEND: Okay. And how is  
25 the cost of this pipe included in any of those

1 presentations?

2 MR. ZENN: It wasn't. It's a trunk line.  
3 We're not tapping into it. We're not touching it.

4 COMMISSIONER FRIEND: So the cost of  
5 relocating the pipe --

6 PRESIDENT SANCHEZ: Can I say one thing?  
7 In any development, and George knows this, it's  
8 called a process of due diligence, if I remember.  
9 Let's say if you were to find a contaminated site,  
10 then what would you do then? When you do due  
11 diligence for a project, you need to find out the  
12 elements that you're going to confront on that  
13 side and that pipe wasn't there. We didn't put it  
14 there now, it was there before. Let me say that.

15 To all fairness, if you don't mind,  
16 Commissioners, can we set up a committee of three  
17 Commissioners? We're going to sit down with  
18 Administration and come back and, say, listen we  
19 went over this and this is how we feel and have  
20 the whole Board brought on it. Is that okay with  
21 you?

22 COMMISSIONER VANNOY: It is.

23 The other Commissioners need to see the  
24 project, though. That's the most important thing.

25 MR. ZENN: Can I ask you a question about

1 due diligence and to be perfectly clear about  
2 statements.

3 There is no recorded easement. The  
4 Commission does not have a recorded easement for  
5 this project. Now, the line was there. The line  
6 was there in about 1942 or 1943.

7 MR. BELLA: Before that.

8 MR. ZENN: Well, I'm saying what we know  
9 because the deed into the housing authority  
10 reflects its subject to a 42-inch line. So we  
11 know it's there and they took subject to that.  
12 But understand that there's no recorded easement  
13 that says here's the line and here's where it is.

14 Now, in the process of engineering this,  
15 we kept our proposed new buildings off the line so  
16 that we wouldn't interfere with the line. It was  
17 only as we were doing the engineering that we  
18 realized that, A, this building sits on top of the  
19 line and that's creating the danger of the  
20 demolition of that because our original proposal  
21 and still is, just turn the water off so we can do  
22 the demolition and then we'll repair, if the line  
23 is damaged we'll make any necessary repairs for  
24 that demolition.

25 COMMISSIONER KOLODZIEJ: And how long will

1           you commit to those repairs? Your demolition  
2           today may cause a problem a year and a half from  
3           now. That doesn't show up for a year and a half.  
4           How long would you commit to repair?

5                     MR. ZENN: I don't know how long --

6                     COMMISSIONER VANNOY: Well, engineering  
7           studies say that when you start to have activity  
8           around a certain area, it doesn't have to happen  
9           then but it could happen in the future and I'm  
10          getting this from, obviously, from the engineers.  
11          I have no clue.

12                    MR. ZENN: I'd have to talk to our  
13          engineers to answer that.

14                    COMMISSIONER VANNOY: Right.

15                    COMMISSIONER FRIEND: Are any of the new  
16          buildings going to be constructed over the new  
17          line?

18                    MR. ZENN: No.

19                    COMMISSIONER FRIEND: How close will they  
20          be to the existing line?

21                    MR. ZENN: The new buildings are not an  
22          issue --

23                    COMMISSIONER FRIEND: By the way, you went  
24          before the Paterson Planning Board?

25                    MR. ZENN: Yes.

1                   COMMISSIONER FRIEND: Did we get notice of  
2 the meetings?

3                   PRESIDENT SANCHEZ: Before this gets out  
4 of line, can you do me a favor? I'd like to set  
5 up a committee. I'd if you want to come in, if  
6 the housing wants to come in, we are going to talk  
7 and then we're going have a presentation for  
8 everybody.

9                   COMMISSIONER VANNOY: Here's the thing,  
10 they're ready to start this project yesterday. So  
11 right now, I mean, if we're going to do committees  
12 and stuff, we need to come to something so we can  
13 allow them to proceed with what they're doing.

14                   Now, in talking with Jim and Joe  
15 yesterday, your initial work would not interfere  
16 with what we have this whole thing going on. So  
17 that way at least you could start. But as a body  
18 here, we need to address this ASAP so that they  
19 can move forward. They already have their  
20 funding.

21                   COMMISSIONER FRIEND: Except with all due  
22 respect, Bob, none of us had notice of anything  
23 going on until yesterday.

24                   COMMISSIONER VANNOY: Except me, right,  
25 exactly.



1                   COMMISSIONER FRIEND: A million and a half  
2                   dollar expenditure to come before us and expect to  
3                   be approved in 24 hours and has all of these  
4                   issues, I'm not ready to move on it. Okay.

5                   PRESIDENT SANCHEZ: We need to make --

6                   COMMISSIONER FRIEND: Everybody is in  
7                   favor of affordable housing. Let's put that  
8                   aside. But we still have a duty to all of our  
9                   ratepayers.

10                  COMMISSIONER VANNOY: Absolutely.

11                  COMMISSIONER FRIEND: And, you know.

12                  PRESIDENT SANCHEZ: Commissioner, listen,  
13                  this week I'm off. If you want --

14                  COMMISSIONER FRIEND: I'm not available  
15                  next week. I'm won't available till the 30th of  
16                  April.

17                  PRESIDENT SANCHEZ: Joe, are you around?

18                  COMMISSIONER KOLODZIEJ: I could stand in  
19                  the stead of Commissioner Friend.

20                  PRESIDENT SANCHEZ: Are you around?

21                  COMMISSIONER VAN RENSALIER: Yes.

22                  PRESIDENT SANCHEZ: Are you around, Bobby?

23                  COMMISSIONER VAN RENSALIER: We saw the  
24                  entire presentation.

25                  PRESIDENT SANCHEZ: I'd like for you to

1 sit down with Administration now and come up with  
2 a formula that we all could be happy with. Is  
3 that okay?

4 COMMISSIONER VANNOY: Yes, and maybe,  
5 Commissioner, if you can sit in.

6 PRESIDENT SANCHEZ: Yeah, yeah, the three  
7 of you, because I won't be here this week.  
8 Because you've been involved, could you please?

9 COMMISSIONER VANNOY: Absolutely.

10 PRESIDENT SANCHEZ: Pick a day this week,  
11 sit down with Administration, and come back with a  
12 formula. And if you guys are happy, maybe we can  
13 make a decision.

14 MR. HANLEY: How many people will you have  
15 at the meeting? How many Commissioners?

16 COMMISSIONER VANNOY: Three. There only  
17 could be three.

18 PRESIDENT SANCHEZ: Three Commissioners.  
19 And if you want to invite them in.

20 COMMISSIONER FRIEND: I think legal  
21 counsel should be present.

22 PRESIDENT SANCHEZ: I think George you  
23 should be present at the meeting.

24 MR. HANLEY: Oh, yeah, yeah.

25 PRESIDENT SANCHEZ: What day is good for

1                   you guys? I'm sorry, what's good for you?

2                   COMMISSIONER KOLODZIEJ: This week or next  
3 week, Mr. President?

4                   PRESIDENT SANCHEZ: Whatever's good.  
5 Friday?

6                   MR. BELLA: How about next Tuesday.

7                   PRESIDENT SANCHEZ: Next Tuesday. Is  
8 everybody okay? What time?

9                   MR. BELLA: 10:30.

10                  COMMISSIONER VANNOY: You're talking about  
11 for us, right? Joe, what works for you?

12                  COMMISSIONER KOLODZIEJ: 10:30 is fine.

13                  PRESIDENT SANCHEZ: Okay. Really, I  
14 appreciate this. We want to make a decision that  
15 is responsible for the ratepayers and we want to  
16 be fair. We want to hear all the facts. And  
17 George, Joe, make sure we have all the details and  
18 all the information. All right.

19                  MR. BELLA: Run through the whole thing  
20 again and then...

21                  PRESIDENT SANCHEZ: And tell us what  
22 you're feeling is as Administration.

23                  MR. BELLA: And at that meeting should we  
24 schedule another meeting with the developer and  
25 that people with the three Commissioners also?

1 PRESIDENT SANCHEZ: Why don't you invite  
2 them like at 11:00 so that you can sit down with  
3 them.

4 COMMISSIONER KOLODZIEJ: Yes, let's do it  
5 all that day.

6 MR. BELLA: Sounds good.

7 11:30 next Tuesday.

8  
9 (Whereupon, Commissioner Levine is present  
10 9:50 a.m.)

11  
12 MR. AMODIO: Commissioners are at 10:30  
13 and the housing and development at 11:30.

14 Very good.

15 PRESIDENT SANCHEZ: All right. Guys,  
16 thank you for coming.

17 COMMISSIONER FRIEND: I'm sorry, I didn't  
18 get the attorney's name.

19 MR. ZENN: Jeff Zenn.

20 COMMISSIONER FRIEND: Can we get a copy of  
21 that developer's agreement prior to the meeting?  
22 It should be public record if it's going to get  
23 recorded in the --

24 MR. ZENN: The developer's agreement  
25 doesn't get recorded.

1 COMMISSIONER FRIEND: Developer's  
2 agreements do get recorded. Yes, they do. Every  
3 project I ever worked on they do. But it should  
4 still be a public record. You're dealing with a  
5 public agency. Why would you not want to let us  
6 see the developer's agreement.

7 MS. GORHAM: There's no issue with you  
8 seeing the --

9 COMMISSIONER FRIEND: I'm asking as a  
10 courtesy.

11 MS. GORHAM: Yes, yes.

12 PRESIDENT SANCHEZ: Can we get your name,  
13 for the record? I'm sorry.

14 MS. GORHAM: For the record, my name is  
15 Irma Gorham. I'm the Executive Director of  
16 Paterson Housing Authority.

17 And yesterday we sent over a letter sort  
18 of just framing where we are with the project and  
19 what our position is. So we made copies for the  
20 Commissioners.

21 MR. BELLA: It was sent out yesterday.

22 MR. AMODIO: Yes, they were sent. They  
23 were e-mailed.

24 MS. GORHAM: So it would be a good frame  
25 for the discussion when we have the committee.

1 Thank you.

2 And we will have copies before your next  
3 meeting for your review.

4 COMMISSIONER FRIEND: Before Tuesday's  
5 meeting. Correct?

6 MS. GORHAM: Yes.

7 PRESIDENT SANCHEZ: All right. Thank you.  
8 I mean...

9 COMMISSIONER VANNOY: You'll be able to, I  
10 guess, maybe e-mail it over so we can look at it.

11 MS. GORHAM: Yes, as soon as we have the  
12 e-mail addresses. That was the issue.

13 PRESIDENT SANCHEZ: Do everything through  
14 Lou Amodio.

15 MS. GORHAM: Okay. Fine.

16 COMMISSIONER VANNOY: Lou, do you have her  
17 information?

18 MR. AMODIO: Yes, she e-mailed me  
19 yesterday.

20 PRESIDENT SANCHEZ: All right. Guys.

21 MR. AMODIO: Moving on. Finance.

22 PRESIDENT SANCHEZ: Finance committee,  
23 Ron.

24 COMMISSIONER VAN RENSALIER: Nothing.  
25 There was nothing out of the ordinary and actually

1 the overtime has decreased significantly in some  
2 departments and we talked about the Riverside  
3 project.

4 PRESIDENT SANCHEZ: All right. Thank you.

5 MR. AMODIO: Moving on.

6 Special projects.

7 Personnel. Rice notices have been sent,  
8 if everyone looks, it was on their desk. The only  
9 names that can be mentioned in open session are  
10 Nancy Rivera, Claire Rolling and Javier Hendricks.  
11 The rest are for closed session.

12  
13 (Whereupon, Commissioner Rodriguez is  
14 present at 9:54 a.m.)

15  
16 COMMISSIONER KOLODZIEJ: No names will  
17 actually get mentioned. It will be rather  
18 generic.

19 We reviewed six promotions that were  
20 essentially mandated by Civil Service, but for the  
21 desk audit to be a trainee transition.

22 We discussed the summer employment program  
23 that's going to begin right after Memorial Day.

24 And we also discussed the Table of  
25 Organization and the next steps that would need to

1 be taken. We had Legal in. There are a lot of  
2 legal issues that are involved with the table that  
3 we have at this point. So our discussion  
4 basically said we'll ultimately get to approving a  
5 formal table of organization that may be anywhere  
6 from six months to 18 months from now.

7 COMMISSIONER LEVINE: We said longer than  
8 that.

9 COMMISSIONER KOLODZIEJ: And maybe even  
10 longer. Legal is the next step we need to take  
11 with this table of organization, but the one thing  
12 that Administration is going to need from the  
13 Commission as a whole is a general commitment to  
14 the roadmap that we laid out.

15 So we're not officially approving any type  
16 of table of organization at this point, we're just  
17 saying that in theory we agree with what we see on  
18 a piece of paper and we now want the various  
19 departments, Legal, Personnel, Civil Service,  
20 everything to go through it before it's formally  
21 ratified. So I suppose there needs to be some  
22 sort of at least a motion and second.

23 COMMISSIONER LEVINE: Maybe Yaacov should  
24 explain it like he explained to us.

25 COMMISSIONER KOLODZIEJ: He certainly



1           could.

2                   COMMISSIONER LEVINE:   Yaacov, you need to  
3 explain why the decision was made based solely on  
4 what you said during the meeting with the  
5 Commissioners.

6                   COMMISSIONER KOLODZIEJ:   Which we could do  
7 in closed session because it's going to touch on  
8 contractual issues and...

9                   PRESIDENT SANCHEZ:   I guess we could do it  
10 in public.

11                   MR. BRISMAN:   No, it's not appropriate for  
12 public.

13                   PRESIDENT SANCHEZ:   I guess everybody --  
14 you said it right, whatever you said.

15                   COMMISSIONER RODRIGUEZ:   He already said  
16 it.

17                   PRESIDENT SANCHEZ:   He already said it.  
18 He doesn't need a translator.

19                   COMMISSIONER KOLODZIEJ:   I said it in very  
20 generic terms.  If the Commissioners want to see  
21 more specifics to it...

22                   COMMISSIONER LEVINE:   It will be in  
23 closed, that's fine.  We'll get some detail  
24 because we got it in detail.

25                   COMMISSIONER VANNOY:   Maybe we should have

1           you explain it.

2                   COMMISSIONER LEVINE:  It's not going to be  
3           as fancy.

4                   MR. AMODIO:  Moving on.  
5                   Executive Director's report.

6                   PRESIDENT SANCHEZ:  Joe.

7                   MR. BELLA:  My report, the main issue that  
8           we've been dealing with right now is the  
9           construction of the new facilities.  That's moving  
10          along very well.  We're making a big effort.

11                   And the next big effort that we're making  
12          is the restoration of the pump station building.  
13          That is being dealt with.  That's a big project.  
14          A couple of others.

15                   As far as operations, everything's moving  
16          along very well.  We're advertising for the  
17          assistant position at the treatment plant and, you  
18          know, I think we're moving along very well.

19                   I hope that the rain holds off now next  
20          month.

21                   PRESIDENT SANCHEZ:  Tomorrow is supposed  
22          to be rainy.

23                   MR. BELLA:  Supposed to rain right to  
24          Monday, the next four days.

25                   PRESIDENT SANCHEZ:  What else?

1 MR. AMODIO: Moving on.

2 We have the Passaic County Police Academy  
3 request use of the Point View Reservoir.

4 PRESIDENT SANCHEZ: What do you need on  
5 that?

6 MR. AMODIO: Just need a motion and  
7 second.

8 COMMISSIONER KOLODZIEJ: So move.

9 COMMISSIONER VANNOY: Second.

10 MR. AMODIO: Motion by Commissioner  
11 Kolodziej.

12 Second by Commissioner Vannoy.

13

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

16

17 MR. AMODIO: Thank you.

18 Next we have the Controller's Report.

19 MR. WEISS: Cash on hand is 29.8 million.

20 Our account's receivable is 18.7 million.

21 Our account's payable is at 4.8 million.

22 Our collections are strong.

23 Our audit is still in process.

24 We're moving ahead with the upgrade to our  
25 billing system.

1                   We're also moving ahead with the business  
2                   process review update and, ultimately, to the next  
3                   phase in the project, which will be our CIS work  
4                   order system.

5                   PRESIDENT SANCHEZ: Okay.

6                   MR. AMODIO: Any questions?

7                   Do I have a motion for closed?

8                   COMMISSIONER FRIEND: Wait, I did make a  
9                   comment at the finance meeting yesterday that  
10                  looking at the report it looks like we're finally  
11                  getting a handle on some departments with the  
12                  overtime. I want to compliment whoever is taking  
13                  care of that.

14                  MR. AMODIO: Wait, Commissioner Levine is  
15                  out of the room.

16                  COMMISSIONER RODRIGUEZ: He needs to hear  
17                  that.

18                  PRESIDENT SANCHEZ: He doesn't hear. Let  
19                  him...

20                  COMMISSIONER VANNOY: The meeting will  
21                  take a half hour longer if you tell him.

22                  MR. AMODIO: Motion for closed.

23                  COMMISSIONER VANNOY: So move.

24                  COMMISSIONER KOLODZIEJ: Second.

25                  MR. AMODIO: Motion by Commissioner

1 Vannoy.

2 Second by Commissioner Kolodziej.

3 Whereas, Section 8 of the Open Public  
4 Meetings Act permits the exclusion of the public  
5 from a meeting in certain circumstances and;

6 Whereas, the public body is of the opinion  
7 that such circumstances presently exist;

8 Now, therefore, be it resolved, by the  
9 Commissioners of Passaic Valley Water Commission:

10 1. The public shall be excluded from  
11 discussion of the hereinafter specified subject  
12 matters; the general nature of the subject matters  
13 being: Contracts, Negotiations, Security, Law and  
14 other matters as may be discussed in camera.

15 2. It's anticipated at this time that the  
16 above-stated subject matters will be ratified  
17 during public meeting following or as soon  
18 thereafter as the reason for the discussion no  
19 longer exists.

20 3. This Resolution shall take effect  
21 immediately.

22 On the roll.

23

24 (Roll call was taken, all Commissioners  
25 present respond in the affirmative. Commissioner

1 Levine is out of the room)

2

3 MR. AMODIO: The time is 10:00 a.m.

4 Gentlemen, please close the doors.

5

6

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7

8 MR. AMODIO: Time is 10:20.

9 You have a quorum.

10 We'll move on to the Consent Agenda.

11 I have the minutes of Passaic Valley Water

12 Commission in camera session and regular public

13 meetings held March 20th, 2019.

14 Do I have a motion?

15 COMMISSIONER KOLODZIEJ: So moved.

16 MR. AMODIO: Motion by Commissioner

17 Kolodziej.

18 Second by Commissioner Vannoy.

19 On the roll.

20

21 (Roll call was taken, all Commissioners

22 respond in the affirmative. Commissioner Van

23 Rensalier is out of the room)

24

25 MR. AMODIO: Thank you.

1 Commissioner Sanchez, does the Chair  
2 accept, receive, and file miscellaneous purchase  
3 orders?

4 PRESIDENT SANCHEZ: Yes.

5 MR. AMODIO: Moving on, Resolutions.

6 Would you like one roll call?

7 COMMISSIONER KOLODZIEJ: Yes.

8 MR. AMODIO: Okay.

9 COMMISSIONER FRIEND: So move.

10 COMMISSIONER VANNOY: Second.

11 MR. AMODIO: Okay. Commissioner Friend  
12 made the motion.

13 Commissioner Vannoy, second.

14

15 (Whereupon, the following Resolutions were  
16 approved for adoption:

17 (a) Contract No. 17-B-8 "Bituminous Cold  
18 Patch Materials" Two Year Contract Extension with  
19 Newark Asphalt Corp. Of Newark, NJ in the amount  
20 of \$150,000.00.

21 (b) Contract No. 17-B-29 "Furnish and  
22 Deliver Water Meters and Appurtenances" Two Year  
23 Contact Extension with Neptune Technology Group,  
24 Inc. Of Tallassee, Alabama in the amount of  
25 \$748,682.30.

1 (c) Contract No. 17-B-30 "Furnish and  
2 Deliver Water Meter Repair Parts" Two Year  
3 Contract Extension with Neptune Technology of  
4 Tallassee, Alabama in the amount of \$680,236.00.

5 (d) Contract No. 19-B-6 "Roll-Off  
6 Container-Trash Removal Services" Recommendation  
7 to award a Two Year Contract to Direct Waste  
8 Services, Inc., Newark, New Jersey in the amount  
9 of \$92,505.90.

10 (e) Contract No. 19-B-29 "Furnish and  
11 Deliver Large Diameter Pipe, Fittings and Valves"  
12 Recommendation to award a One Year Contract to  
13 Ferguson Enterprises of Lakewood, New Jersey in  
14 the amount of \$1,444,270100.

15 (f) Amendment to the Agreement for Project  
16 18-P-21 (Revised) "Government Relations and Public  
17 Affair" awarded to Gibbons, PC of Trenton, New  
18 Jersey in the amount of \$7,500.00 per month, plus  
19 reimbursable expenses for the duration of the  
20 project (One Year Extension)

21  
22 MR. AMODIO: On the roll.

23  
24 (Roll call was taken, all Commissioners  
25 respond in the affirmative. Commissioner Levine



1 is out of the room)

2

3 MR. AMODIO: We have New Business.

4 We have summary of disbursements and  
5 payrolls through April 17, 2019, in the amount of  
6 \$8,817,266.45.

7 Do I have a motion?

8 COMMISSIONER VANNOY: So move.

9 PRESIDENT SANCHEZ: Motion by Commissioner  
10 Vannoy.

11 Second by Commissioner Friend.

12 COMMISSIONER VANNOY: Abstain on American  
13 Hose and Del Sardo.

14 PRESIDENT SANCHEZ: Abstain on Gaeta and P  
15 & A.

16

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

19

20 MR. AMODIO: Recommendations from closed  
21 session.

22 We have the Personnel agenda, one roll  
23 call for that.

24 COMMISSIONER KOLODZIEJ: Move the group.

25 MR. AMODIO: Is there any questions on

1                   that?

2                   PRESIDENT SANCHEZ: No.

3                   MR. AMODIO: Do I have a motion?

4                   COMMISSIONER VANNOY: So move.

5                   COMMISSIONER RODRIGUEZ: Second.

6                   MR. AMODIO: By Commissioner Vannoy.

7                   Second by Commissioner Rodriguez.

8                   (Whereupon, the following items from the  
9                   Personnel Agenda were approved for adoption:

10                   1. Promotions

11                   a. Otilia Espino as Provisional Customer

12                   Service Representative - Bilingual Spanish and

13                   English (Per CSC)

14                   Current Title: Keyboarding Clerk 1

15                   Current Salary: \$57,564.78 TOR

16                   Proposed Salary: \$58,800.00 TOR

17                   b. Franklin Bautista as Provisional

18                   Customer Service Representative-Bilingual Spanish

19                   and English (Per CSC)

20                   Current Title: Keyboarding Clerk 1

21                   Current Salary: \$57,566.09 TOR

22                   Proposed Salary: \$58,800.00 TOR

23                   c. Matthew Espino as Provisional Customer

24                   Service Representative-Bilingual Spanish and

25                   English (Per CSC)

1 Current Title: Keyboarding Clerk 1  
2 Current Salary: \$57,566.09 TOR  
3 Proposed Salary: \$58,800.00 TOR  
4 d. Nancy Rivera as Provisional Keyboarding  
5 Clerk 2 (Per CSC)  
6 Current Title: Keyboarding Clerk 1  
7 Current Salary: \$57,566.09 TOR  
8 Proposed Salary: \$58,478.30 TOR  
9 e. Claire Rolling as Geographic  
10 Information Systems (GIS) 1 (Per CSC)  
11 Current Title: Geographical Information  
12 Systems (GIS)  
13 Current Salary: \$44,802.95  
14 Proposed Salary: \$47,993.74  
15 f. Javier L. Hendricks as Assistant  
16 Engineer (Civil) (Per CSC)  
17 Current Title: Civil Engineer - Trainee  
18 Current Salary: \$55,686.20  
19 Proposed Salary: \$59,052.92  
20 2. Increments  
21 a. Yaxira Lopez as Assistant Personnel  
22 Technician  
23 Current Title: Assistant Personnel  
24 Technician  
25 Current Salary: \$71,449.38

1 Proposed Salary: \$76,449.38

2 b. Lindsay Kelly as Keyboarding Clerk 2

3 Current Title: Keyboarding Clerk 2

4 Current Salary: \$56,171.69

5 Proposed Salary: \$63,039.33 TOR

6 3. Salary Ranges

7 a. Tae Pak as Water Repairer Supervisor

8 Current Title: Water Repairer Supervisor

9 Current Salary: \$77,656.83 TOR

10 Proposed Salary: No change in salary

11 b. Richard Johnson as Provisional Water

12 Repairer Supervisor

13 Current Title: Water Repairer Supervisor

14 Current Salary: \$73,679.53

15 Proposed Salary: No change in salary

16 c. Robert Healy, Jr. as Water Repairer

17 Supervisor

18 Current Title: Water Repairer Supervisor

19 Current Salary: \$77,648.84

20 Proposed Salary: No change in salary

21 d. Joseph Evelina as Provisional Water

22 Repairer Supervisor

23 Current Title: Water Repairer Supervisor

24 Current Salary: \$70,762.23

25 Proposed Salary: No change in salary)

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MR. AMODIO: On the roll.

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

MR. AMODIO: Thank you.

You have nothing else on the agenda,  
Anything under Good and Welfare?

PRESIDENT SANCHEZ: Well, Happy Easter.

MR. AMODIO: And Passover.

Motion to close.

COMMISSIONER KOLODZIEJ: So move.

MR. AMODIO: By Commissioner Kolodziej.  
Second by Commissioner Vannoy.

On the roll.

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

MR. AMODIO: The time is 10:24.

Next meeting is scheduled for May 15th,  
2019; 9:30 a.m.

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C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XI01388, a Certified Court Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the 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