

PASSAIC VALLEY WATER COMMISSION SPECIAL MEETING OF

MARCH 31, 2021

(OPEN SESSION)

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

RUBY COTTON, President

RONALD VAN RENSALIER, Vice President

GERALD G. FRIEND, Treasurer

JEFFREY LEVINE, Secretary

RIGO SANCHEZ

JOSEPH KOLODZIEJ

CARMEN DEPADUA

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

JAMES GALLAGHER, Personnel Director

LOUIS AMODIO, Administrative Secretary

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MR. AMODIO: On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative. Commissioner Sanchez is not present yet)

MR. AMODIO: You have a quorum.

The time is 2:03 p.m.

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

Please rise.

Commissioner Levine, if you'd lead us in the Pledge of Allegiance.

(Pledge of Allegiance)

MR. AMODIO: Okay. Looks like Commissioner Sanchez is coming in right now.

Commissioner Sanchez is here.

1 Good afternoon, Commissioner.

2 Commissioner Cotton.

3 PRESIDENT COTTON: You're ready for me?

4 MR. AMODIO: Yes.

5 PRESIDENT COTTON: I want to say good
6 afternoon to everyone and welcome to our special
7 meeting. I want to thank all the commissioners
8 that agreed to meet today.

9 The topic that we're going to be
10 discussing is about the B.A. position and also
11 some of the fellow commissioners have reached out
12 about the executive director.

13 First we're going to go with the B.A.. I
14 just want to say that I'm going to let the
15 commissioners know who responded from the OPRA.
16 All the department heads received an OPRA.

17 MR. AMODIO: Rice notice.

18 PRESIDENT COTTON: Rice.

19 I'm thinking OPRA. I get so many OPRAs.

20 Rice notice. Four of them have agreed to
21 talk about them in open session. That's Weiss,
22 DeLorenzo, Marotta and Bisesi.

23 Now, I personally don't have anything to
24 say about any of them, so what I'm going to do is,
25 before we go into closed session, whoever wants to

1 speak about someone that I just mentioned - and
2 let me just say that Jim Gallagher never responded
3 to his Rice notice so I guess we can talk about
4 him in open session.

5 Legal, give me an answer, please.

6 MR. BRISMAN: No, ma'am.

7 PRESIDENT COTTON: Okay, no.

8 MR. BRISMAN: If somebody doesn't respond,
9 the safe way to proceed is to go into closed
10 session.

11 PRESIDENT COTTON: Okay.

12 MR. BRISMAN: You have to say that you
13 want open.

14 PRESIDENT COTTON: Oh, you have to say
15 that. So by him not responding at all that means
16 we would have to go into closed.

17 MR. BRISMAN: Correct.

18 PRESIDENT COTTON: Okay. All right. So
19 what we're going to start out with is that we're
20 really going to be discussing for the B.A. I,
21 like I said, the four names that I mentioned, I
22 really do not have anything to say about them.
23 But what I would like my fellow commissioners to
24 do is, if you're going to talk about any of them,
25 can you just raise your hand so then I can

1 acknowledge you and when it's your turn so this
2 way we won't be interrupting each other. That's
3 the best way of doing it. This way whatever you
4 need to say, you can say it and then I go on to
5 the next one.

6 So who would like to go first?

7 COMMISSIONER KOLODZIEJ: I'm sorry, Madam
8 President, before we continue, because normally
9 this would be on the agenda list with the names,
10 at least that's how I'm used to seeing personnel
11 stuff. So if you can repeat the names that are
12 public.

13 PRESIDENT COTTON: Okay. Weiss,
14 DeLorenzo, Marotta, and Andrew Bisesi. Those are
15 the four names, Commissioner Kolodziej.

16 COMMISSIONER KOLODZIEJ: And the names
17 that are going to be closed?

18 PRESIDENT COTTON: The names in closed is
19 Lucianin, Lorfink, Duprey, Simone and Brisman,
20 Yaacov.

21 COMMISSIONER KOLODZIEJ: I'm sorry. I'm a
22 little slow at writing. Can you repeat the closed
23 again?

24 PRESIDENT COTTON: Okay. Lucianin,
25 Lorfink, Duprey, Simone and Brisman.

1 COMMISSIONER FRIEND: Wasn't Amodio on the
2 list as well?

3 PRESIDENT COTTON: Who's Amodio?

4 COMMISSIONER FRIEND: Lou.

5 PRESIDENT COTTON: Oh, Lou. I was looking
6 at the ten directors that we had. But, yes, he's
7 on and he has requested closed session.

8 MR. AMODIO: Excuse me, I just got a text
9 message from Danny Rodriguez. It seems Jim
10 Gallagher's Rice notice is for open session.

11 Is that true, Jim?

12 MR. GALLAGHER: Yes, it is.

13 MR. AMODIO: Okay. So you may discuss Jim
14 Gallagher in open as well.

15 COMMISSIONER KOLODZIEJ: Madam Chair.

16 PRESIDENT COTTON: I'm going to start with
17 you, Commissioner.

18 COMMISSIONER KOLODZIEJ: I just want to
19 make sure, because, this is, again, an agenda that
20 I'm not accustomed to seeing. So we have five
21 names that are in public and six names that are in
22 closed. Is that correct?

23 PRESIDENT COTTON: Yes.

24 COMMISSIONER KOLODZIEJ: All right. And
25 then the item that I'm looking at, the Discussion

1 and Appointment Business Administrator. Is that a
2 typo? Should that read interim?

3 PRESIDENT COTTON: No, it's not a typo.

4 COMMISSIONER KOLODZIEJ: Okay. Then I
5 have no questions. I don't plan on voting for a
6 permanent replacement for someone who hasn't left
7 yet.

8 PRESIDENT COTTON: Okay. Who wants to go
9 next?

10 Jeff Levine.

11 COMMISSIONER LEVINE: I'll speak.

12 You know, Joe Bella's leaving today and
13 we're going to have a new executive director come
14 in who doesn't, most likely doesn't know our
15 operation, doesn't know the people. I thought it
16 was important to put somebody who knows water.
17 I'm just talking about knows the company, the
18 water, some of the employees.

19 I'm looking at most of the employees, you
20 know, that do it are either retiring or leaving.
21 I looked on the paperwork and the paperwork how
22 like there's an emergency, Joe Bella's number one
23 and it looks like the second in command that we
24 have if there's emergencies to call is Mike
25 Marotta.

1 So, I mean, I would recommend him staying
2 department head where he is right now, but make
3 him like a deputy director because the new
4 director, whoever is going to come in, is going to
5 need guidance and someone who the employees
6 actually know and feel comfortable with.

7 He's been with us for 30 years and I think
8 he would be the right decision for us to move
9 someone forward right now that we do need. I'm
10 not saying as an executive director. I think
11 we'll put an executive director in place, but
12 someone that can help him and guide the executive
13 director through.

14 Out of all the department heads that we
15 have left, I believe he's the person. I mean,
16 because he's also named second right now in
17 command if something happens in the company.

18 PRESIDENT COTTON: Okay.

19 COMMISSIONER LEVINE: On the emergency
20 list right now.

21 PRESIDENT COTTON: Okay. Thank you.

22 COMMISSIONER LEVINE: He's not on the
23 executive end, he's more on the water making, on
24 the maintenance, on the pipes. I think it's a big
25 portion of it right now.

1 PRESIDENT COTTON: Okay. All right.

2 COMMISSIONER FRIEND: But he would still
3 be performing that function --

4 COMMISSIONER LEVINE: Yeah, he would still
5 be his department head. We're not putting someone
6 in place of him. He would just be the second
7 person to look for guidance. He does have two
8 assistant supervisors.

9 COMMISSIONER FRIEND: I personally think
10 we need someone who is more familiar with the
11 total --

12 PRESIDENT COTTON: One second,
13 Commissioner.

14 Are you finished, Commissioner Levine?

15 COMMISSIONER LEVINE: Yes.

16 PRESIDENT COTTON: Commissioner Friend.

17 COMMISSIONER FRIEND: Yes, I think that we
18 need somebody, if it's an interim basis even,
19 somebody who's more familiar with the entire
20 operation of the Passaic Valley Water Commission
21 and, you know.

22 COMMISSIONER LEVINE: It's not for --

23 PRESIDENT COTTON: Jeff, Jeff, I said
24 we're not interrupting. We said we're not
25 interrupting. If you want to speak after Friend

1 then just raise your hand and let me know.

2 COMMISSIONER FRIEND: The individual that
3 I would have in mind we have to discuss in closed
4 session, so I'll hold off until then.

5 PRESIDENT COTTON: Okay. Anyone else,
6 please?

7 I'll tell you what, Commissioner Levine,
8 you said your point. You said what you said what
9 you thought we needed. Commissioner Friend said
10 what he thought what we needed to look for.

11 COMMISSIONER LEVINE: I was just
12 clarifying. I wasn't saying executive director.
13 I was saying deputy. If he thought I said
14 executive, I'm not talking about executive.

15 PRESIDENT COTTON: Okay. Okay.

16 Anyone else?

17 If I may, I know we have Jim Gallagher on.
18 I'm going to request, I don't know if I can, I
19 would rather see Jim on Zoom than not seeing him
20 at all. Can I request that for our next meeting
21 because I can't do it for this meeting.

22 MR. BRISMAN: I believe Mr. Gallagher
23 usually dials in. But if you request that he goes
24 on Zoom, I would just direct that request to him
25 and I'm sure that he would listen to the

1 president.

2 PRESIDENT COTTON: Thank you.

3 Anyone else?

4 I just want to say while we're still in
5 open session that Commissioner Depadua and I had
6 the privilege of being lead by our executive
7 director that is now leaving, the tour of the
8 plant. And let me tell you something, it was very
9 interesting. And I could know that my fellow
10 commissioner can say that, there were a lot of
11 things that we learned and we kind of understood
12 how everything goes.

13 And what I can say is that I think that
14 each department head or director, if you want to
15 call it, knows what their job function is and they
16 should continue to do what their job function is
17 to make sure that this plant is run like it's
18 supposed to be run. You know, we're also here for
19 the ratepayers too. So I just want to say to you,
20 Joe Bella, thank you.

21 I mean, I came in in the middle of a
22 pandemic. We didn't have an opportunity and every
23 chance that we were going to go, I didn't have an
24 opportunity to go because something was happening
25 with some of the directors. And, you know, areas

1 were like shut down and people were not being able
2 to be in. So I just want to say that it was very
3 interesting. And some of the stuff I knew from
4 working from Passaic Valley Sewer. Some of the
5 things that were -- you know what, in that
6 building, we went to Little Falls and what I saw
7 was that, I believe there's about six directors
8 over there. Joe Bella, can you help me with that?
9 There's about six directors over there.

10 MR. BELLA: Four.

11 PRESIDENT COTTON: Oh, there's four at the
12 Little Falls plant. Okay. I think only one was
13 in. Only one director was in out of the four when
14 Carmen and I went there.

15 But I just want to say to you, Joe, Jim,
16 that thank you for the tour. I wish we could have
17 done it sooner with me, but I figured that since
18 my other female commissioner's here with me, we
19 decided to go together on this tour. I just want
20 to say thank you, Joe for, that.

21 It was nice to meet some of the employees
22 that work at the plant. I believe that, and I
23 think my fellow commissioner can say that they
24 were excited kind of to see us, someone who's on
25 this board that they can finally be able to put a

1 face with a name and I find that sometimes that's
2 important that people can put a face with a name
3 this way they can see and they show interest. And
4 what I plan on doing is making more visits to both
5 sites, the Clifton and the Little Falls site. So
6 the employees, it's important that they put names
7 with your position of being on the board.

8 So I know that Joe, you are the director,
9 executive director, and you make sure those
10 directors are doing what they're supposed to do.
11 Us board members, commissioners, we here are
12 supposed to make sure the executive director is
13 doing what he's supposed to be doing towards the
14 other directors. So I just want to say thank you,
15 Joe, for that.

16 Carmen, do you have anything?

17 COMMISSIONER DEPADUA: Yes. Thank you. I
18 have the same feelings as Commissioner Cotton.

19 Joe, it was a good tour, like she said.
20 For me it was very, very interesting and an
21 indication, because I have no idea and what I left
22 with is we spoke about is the museum, which we
23 thought about that's a great piece to have and
24 hopefully get it running. It's a great thing for
25 children, for day trips during the school and

1 maybe trying to work with that. And Joe Bella
2 mentioned that you'd be more than happy to come
3 back as a volunteer and work on that museum
4 getting it off and getting it fixed and doing
5 whatever we need to do to put a landmark and
6 really make that a good place for children or
7 adults to go and see how the water museum works
8 and any questions. I think a lot of children
9 would be interested because this is how they would
10 know how to go to school, to become an engineer,
11 if they ever want work there, or chemist.

12 So, thank you, Joe, it was great.

13 PRESIDENT COTTON: All right.

14 MR. BELLA: Thank you for coming too.

15 It's not always easy to get commissioners there.

16 COMMISSIONER DEPADUA: We got to arrange
17 for lunch.

18 MR. BELLA: I won't forget you. When we
19 get the museum straightened out.

20 And the reason why I wanted to do this,
21 and I just wanted to tell the commissioners, that
22 museum and the contents of that, it has studies
23 that go back to 1897, 1898, and 1900 about
24 disinfection and filtration that go back to the
25 very basis of our industry and it's really an

1 important piece of waterworks history. So I
2 really want to make sure it gets preserved and
3 everything and in good shape there. It's a
4 feather in the cap of our commission and the owner
5 cities. So it's important. Thank you.

6 PRESIDENT COTTON: All right. Thank you,
7 Joe.

8 Lou, we can now go into closed session.

9 MR. AMODIO: Okay, Commissioner.

10 Do I have a motion?

11 Commissioner Van Rensalier made the
12 motion.

13 Second by Commissioner Depadua.

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

17 Whereas, the public body is of the opinion
18 that such circumstances presently exist;

19 Now, therefore, be it resolved by the
20 Commissioners of Passaic Valley Water Commission:

21 1. The public shall be excluded from
22 discussion of the hereinafter specified subject
23 matters; the general nature of the subject matters
24 being: Personnel issues and other matters as may
25 be discussed in camera.

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

6 3. This resolution shall take effect
7 immediately.

8 Second by Commissioner Depadua.

9 MR. AMODIO: On the roll.

10 COMMISSIONER KOLODZIEJ: I want to go on
11 the record before voting that I am objecting to
12 this agenda and to this process in particular to
13 protect myself from any potential investigations
14 that may occur by the DEP, the FBI, the AG's
15 office, or any regulatory agency. I vote no for
16 going into closed.

17 MR. AMODIO: Thank you.

18 Are you going to recuse yourself or are
19 you going to stay in closed?

20 COMMISSIONER KOLODZIEJ: No, I will stay
21 in closed so that I can be a potential witness.

22 MR. AMODIO: Okay. Very good. Thank you.

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

1 MR. AMODIO: Please close the door.

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Open open open.

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MR. AMODIO: Okay. On the roll.

11

PRESIDENT COTTON: What are you taking the
12 roll? We're closing out the session.

13

MR. AMODIO: No, we're coming back out
14 into open.

15

PRESIDENT COTTON: Oh, okay.

16

17

(Roll call was taken, all Commissioners
18 present respond in the affirmative. Commissioner
19 Friend and Commissioner Van Rensalier are absent)

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21

MR. AMODIO: Thank you.

22

The time is 3:42.

23

You have a quorum.

24

There is no recommendations from closed

25

session.

1 PRESIDENT COTTON: No recommendation from
2 closed session so we're going to close the
3 meeting.

4 COMMISSIONER LEVINE: Ruby, I wanted to
5 make a motion. Did you forget?

6 PRESIDENT COTTON: Okay. You want to make
7 a motion?

8 COMMISSIONER LEVINE: Yeah, for Michael
9 Marotta for the interim --

10 PRESIDENT COTTON: Let's do that for the
11 April meeting.

12 COMMISSIONER DEPADUA: Yeah, this wasn't
13 on this agenda.

14 PRESIDENT COTTON: Let's do it for the
15 April meeting.

16 COMMISSIONER LEVINE: He was Rice noticed.

17 PRESIDENT COTTON: You want -- that's a
18 name -- Let's do it for the April meeting.

19 Lou, can you do the roll to close the
20 meeting.

21 COMMISSIONER KOLODZIEJ: Madam Chair, I
22 have a statement to make, for the record, before
23 we close.

24 PRESIDENT COTTON: Okay.

25 COMMISSIONER KOLODZIEJ: I am deeply

1 Commissioner Friend is absent.

2 COMMISSIONER DEPADUA: Motion.

3 MR. AMODIO: Thank you.

4 Is there a second?

5 COMMISSIONER DEPADUA: Second.

6 MR. AMODIO: You can't second your own.

7 PRESIDENT COTTON: Before she goes into,
8 she made a motion to close.

9 MR. AMODIO: Yes --

10 PRESIDENT COTTON: I can second?

11 MR. AMODIO: No, you can't. You'd have to
12 step down to second, but I wouldn't know that.

13 Commissioner Levine.

14 PRESIDENT COTTON: You know, I can
15 understand. I sat here --

16 MR. AMODIO: I'm sorry.

17 PRESIDENT COTTON: Wait a second. Wait a
18 second, Lou.

19 MR. AMODIO: Yes.

20 PRESIDENT COTTON: I mean, since people we
21 want to make closing remarks. I mean, I've been
22 here a short time; my other colleague's been here
23 a short time. I have seen so much stuff go on.
24 All of a sudden this meeting here is not correct,
25 is not right. The outside, Joe Bella said it over

1 and over again, the outside he got, clearly,
2 clearly he got in place, which I'm happy that he
3 got this clearly, clearly in place that this plant
4 can run.

5 It's about the inside part of it that
6 needs to be making sure that it's getting taken
7 care of and the inside part is not. Those
8 department heads out there knows what their titles
9 are, they know what they need to do. There's so
10 many stuff, all of a sudden stuff's been going on
11 for years, all of a sudden Cotton comes on board
12 and everything is all wrong. What I've seen and I
13 talked to everybody, but I'm saying I see it more
14 on the inside than the outside because they
15 already know.

16 I wouldn't even make the community scared
17 by even mentioning Flint, Michigan. I wouldn't
18 even make them scared like that. To think that
19 something can happen and I hope that nothing don't
20 happen to our water system while we're out there.
21 But I think that we're nowhere near like Flint at
22 all because then that would be a harm to Joe Bella
23 because he was running this place. So that meant
24 Joe Bella wasn't doing something right if we
25 become that.

1 So with that being said, the inside I feel
2 needs to be held together until we can get to
3 where we need to get to.

4 Lou, you can call the call.

5 MR. AMODIO: Yes.

6 Commissioner Sanchez seconded for you.

7 So Commissioner Friend is absent.

8 This is a motion to close.

9
10 (Roll call was taken, all Commissioners
11 present respond in the affirmative. Commissioner
12 Friend and Commissioner Van Rensalier are absent)

13

14 MR. AMODIO: The time is 3:46.

15 Everyone have a great remainder of their
16 holiday and for those who have not yet celebrated
17 their holidays, have a Happy Holiday.

18 PRESIDENT COTTON: Happy Easter everyone.

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20 (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