## PASSAIC VALLEY WATER COMMISSION MEETING OF FEBRUARY 26, 2009 (CLOSED SESSION)

COMMISSIONERS PRESENT:

ALAN C. LEVINE, President

SIMON GRUBIN, Vice-President

IDIDA RODRIGUEZ, Treasurer

ROBERT L. VANNOY, Secretary

RIGO SANCHEZ

THOMAS P. DEVITA

GLORIA KOLODZIEJ

## ALSO PRESENT:

JOSEPH A. BELLA, Executive Director

GEORGE T. HANLEY, Counsel

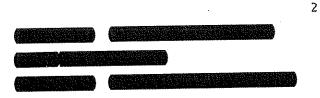
JAMES G. DUPREY, Director of Engineering

JAMES J. GALLAGHER, Personnel Director

YITZ WEISS, Comptroller

LOUIS AMODIO, Administrative Secretary

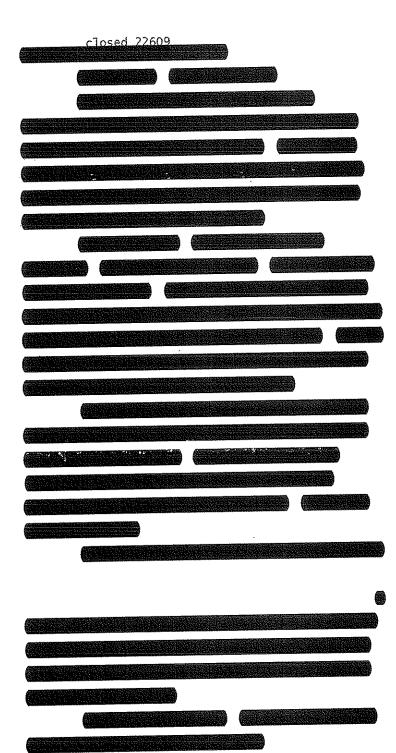
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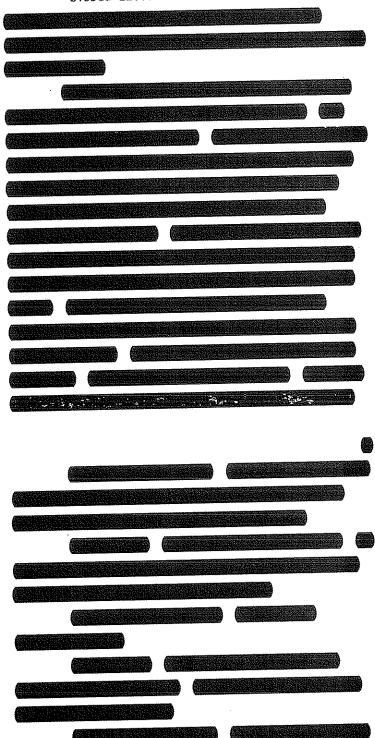
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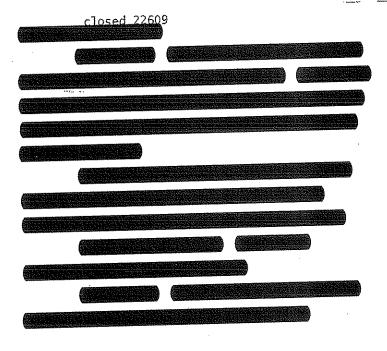
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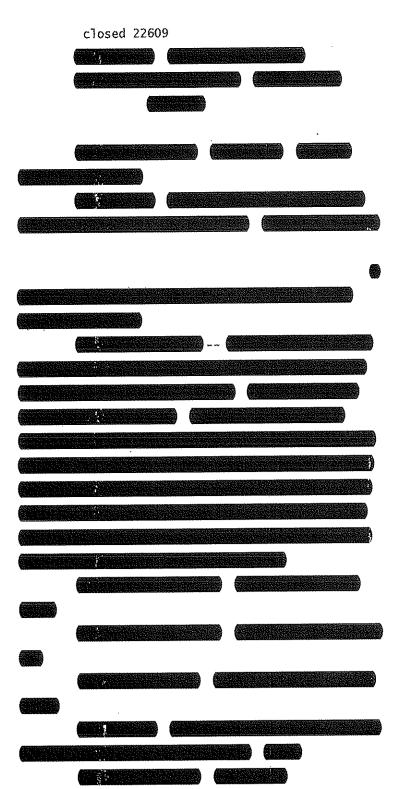




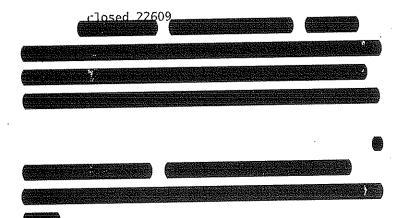
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Unless there are questions, I'll move on to the Finished Water Reservoirs.

We received a draft proposed Consent Order from the DEP in that regard. We just received it a day and a half ago. I'll be meeting with Joe Bella and the consultant tomorrow and you'll have a proposal.

There are obvious things in it but we probably have to deal with questions and timing and exactly what. Of course, we won't do anything definitive. We have to obviously come back to you.

COMMISSIONER RODRIGUEZ: George, if I may. The request they're making of us is a very serious one and we're trying very hard to get some earmark dollars in here to do certain studies, but I need to let my colleagues know that the DEP is coming down hard. They're going to ask us to do a feasibility study ASAP. If we don't do that there's a possibility that we could get fined if we don't do that. They're asking us to do this in partnership with Newark. We're going to look at

the pros and the cons of that because of the people involved. If we're ready to go and do this, and I'm, you know, I'm of the opinion if we can go at this alone, we do it that way, because we don't want to get fined because they're not ready or they want to take control of the project.

So I just wanted to mention that.

COMMISSIONER KOLODZIEJ: I think the only advantage to working with Newark is if there's any funds available they're more likely to get it than us standing alone. I agree with you, but we've been talking about this two years now. Is there any way to expedite getting some realistic dialogue with Newark ---

COMMISSIONER RODRIGUEZ: We are. Joe is going to meet with them.

COMMISSIONER KOLODZIEJ: You've been meeting with them for two years now, Joe. When I first came on you were.

MR. HANLEY: If I can shed some light.

I'm not saying that it will be otherwise, but I know and others know that they were waiting, the new administration was waiting for the City Council, MUA and I think they still don't have one, although from what I hear, it seems likely

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but that's, you know, no guarantees.

In addition to that, what the new fact that matters is this, because it's addressed to

closed 22609 them as well as us. The DEP is urging both parties to do something jointly.

That doesn't even negate what Commissioner Rodriguez is saying, because, and, again, we have to explore this, but we will have discussions with the DEP and we will indicate to them and we certainly have no objection of cooperating with them, but we don't want to be delinquent.

COMMISSIONER KOLODZIEJ: That's the key.

So if they're trying to, you know, continue to have joint ventures, these entities, then they need to cut those entities to make it happen.

You'll be able to ascertain just where they're coming from, what the tenor of the DEP is going to be regarding this?

MR. HANLEY: Yeah, yes.

COMMISSIONER KOLODZIEJ: How soon?

MR. HANLEY: Very soon.

COMMISSIONER RODRIGUEZ: Within the next week or so.

COMMISSIONER KOLODZIEJ: By the next meeting we'll have information to digest and make

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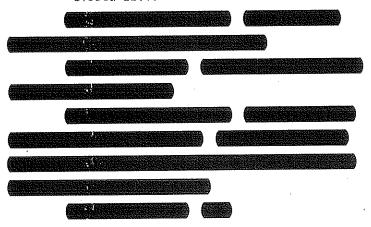
a decision?

MR. HANLEY: We have informal indications from them, although they set certain stringent deadlines, it's a draft and they will be flexible

on this.

PRESIDENT LEVINE: We'll have something at the next meeting, George, right?

MR. HANLEY: Yes. Page 8



 $$\operatorname{MR}.$$  BELLA: We can even report to you, send you a memo or something.

COMMISSIONER KOLODZIEJ: Yes, I think the more information, the better.

COMMISSIONER RODRIGUEZ: We're going to have a committee specifically.





MR. BELLA: What I will do --

PRESIDENT LEVINE: Joe, are you confident you can get this done?

MR. BELLA: Yes.

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PRESIDENT LEVINE: George, are you confident we can get this done?

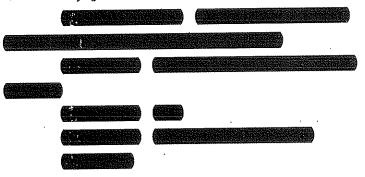
MR. HANLEY: Yes. The question is not when, it's how.

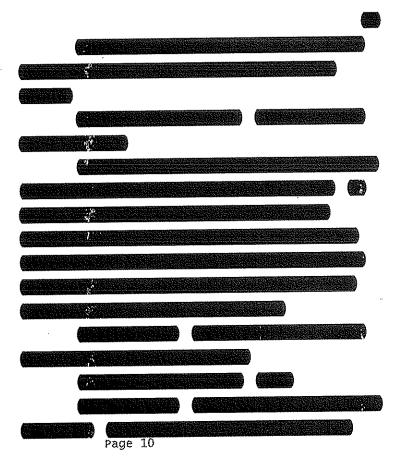
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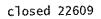
closed 22609 PRESIDENT LEVINE: We can't let much time fall.

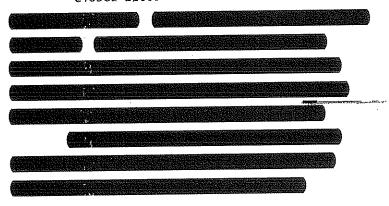
MR. HANLEY: We're meeting tomorrow.

COMMISSIONER RODRIGUEZ: The reservoir thing has to be immediately. We can't wait for that. They gave us a deadline. Joe's been on it.

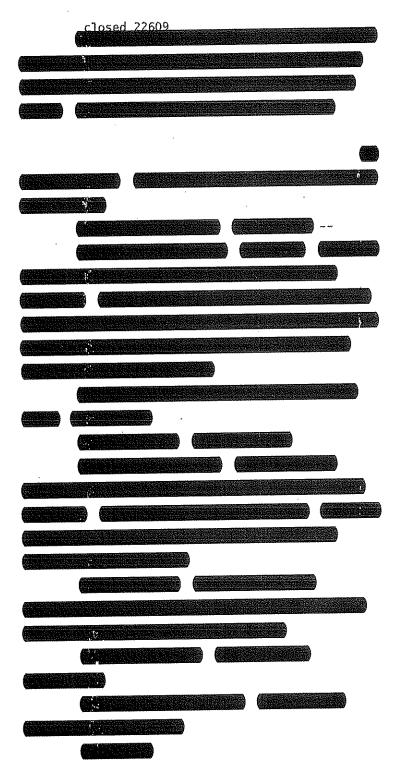






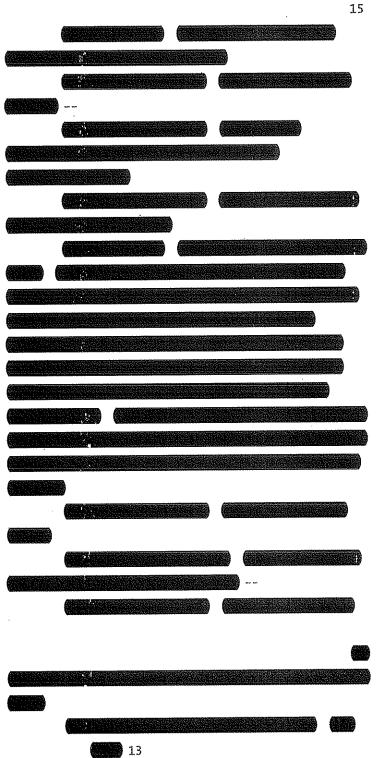


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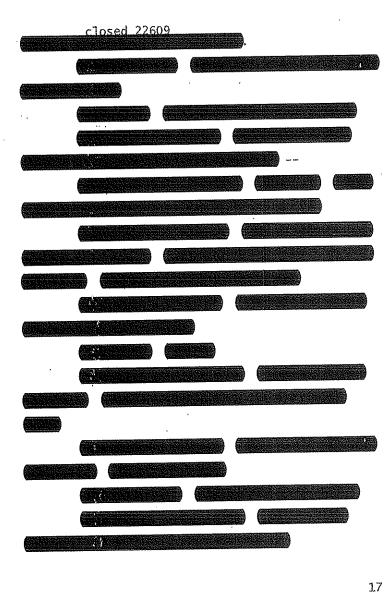


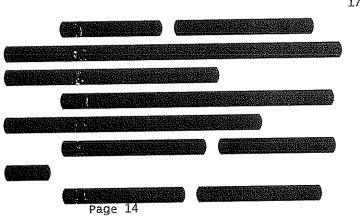
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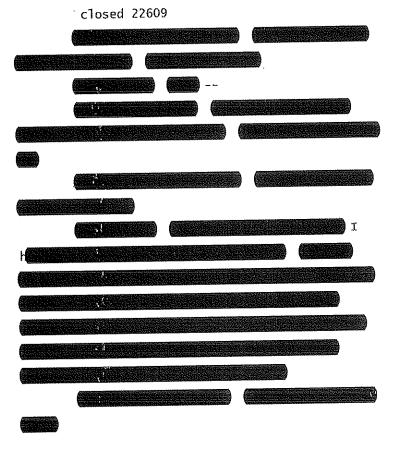
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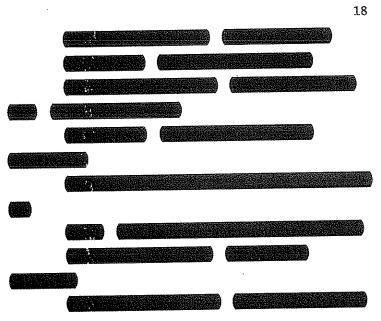


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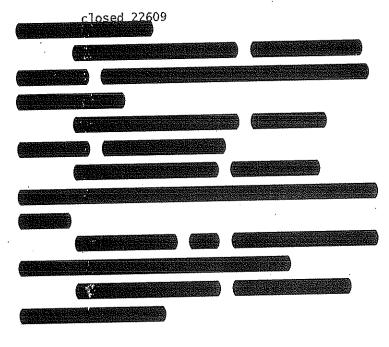


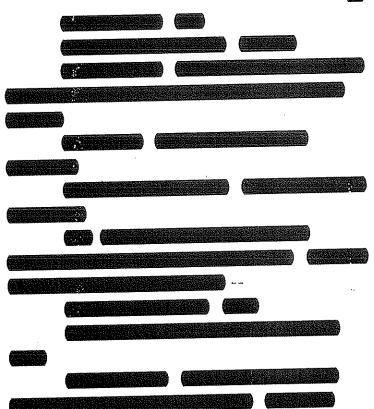




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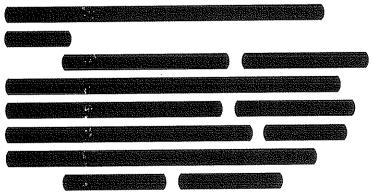
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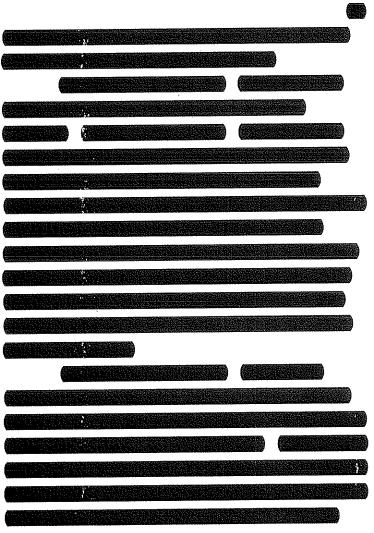




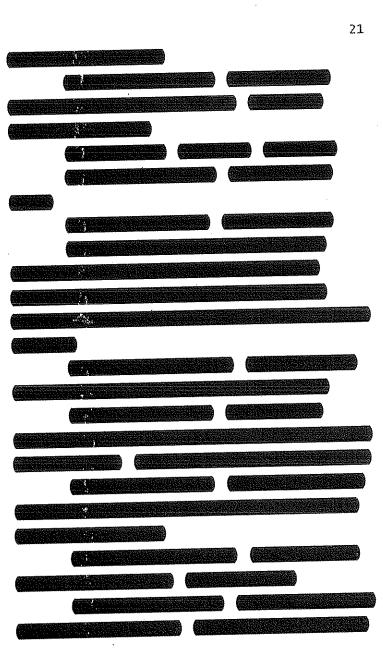
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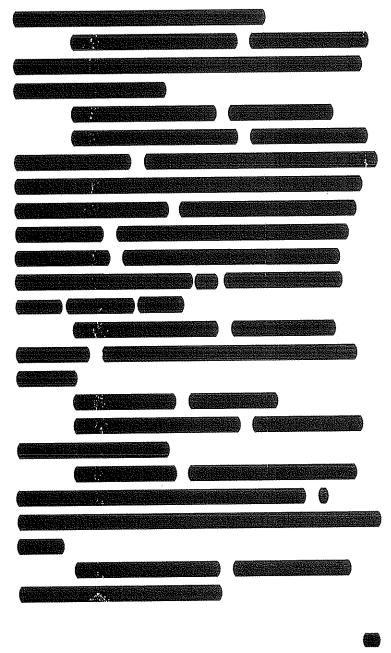


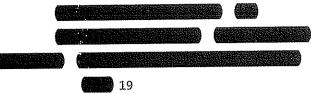


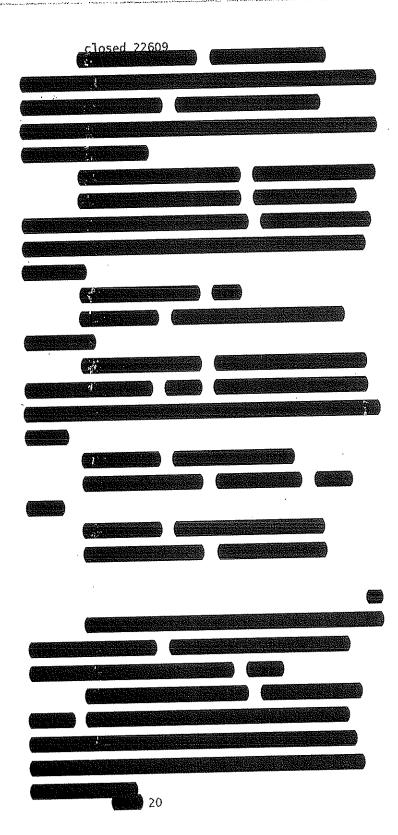


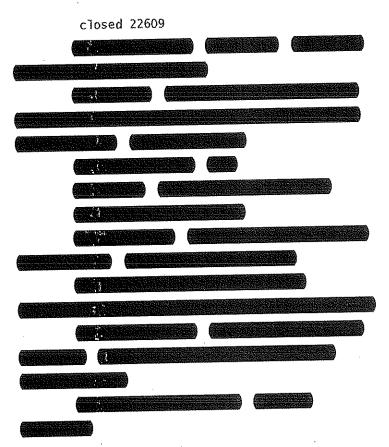


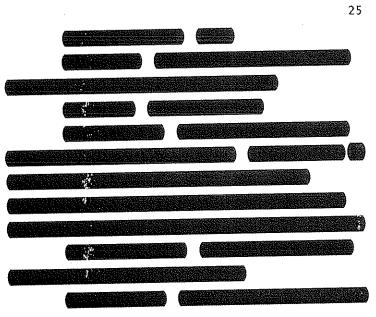
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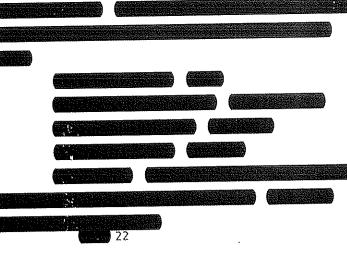


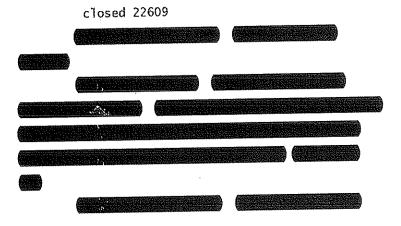


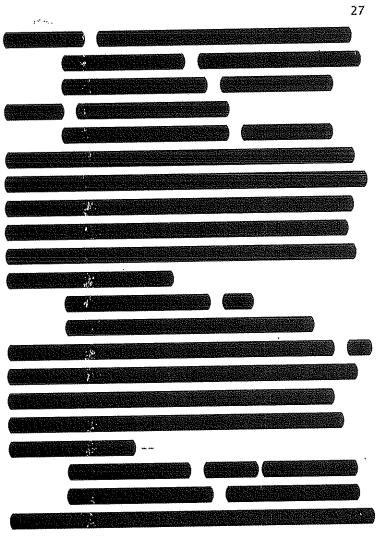




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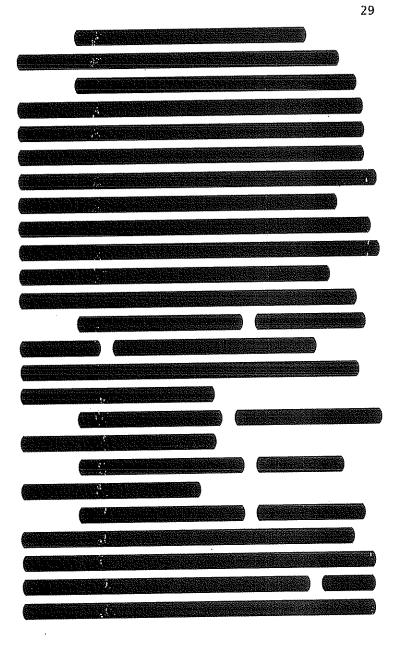


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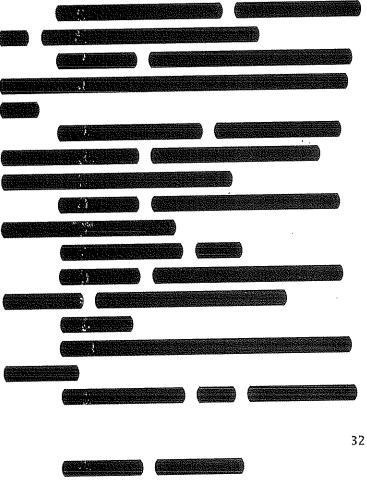
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CERTIFICATE

I, LYNANN DRAGONE, License No. XIO1388, a
Certified Court Reporter and Notary Public of the State
of New Jersey, certify that the foregoing is a true and
accurate transcript of the meeting at the time and the
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closed 22609 date hereinbefore set forth.

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

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

LYNANN DRAGONE, C.S.R. Certified Shorthand Reporter