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

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

ALAN C. LEVINE, President  
SIMON GRUBIN, Vice-President  
IDIDA RODRIGUEZ, Treasurer  
ROBERT L. VANNOY, Secretary  
RIGO SANCHEZ  
THOMAS P. DEVITA  
GLORIA KOLODZIEJ

A L S O      P R E S E N T :

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

(CONFIDENTIAL)

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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

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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.





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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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1. The first part of the document is a title page. It contains the title "THE HISTORY OF THE UNITED STATES OF AMERICA" and the author "BY JAMES M. SMITH".



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C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XIO1388, a  
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date hereinbefore set forth.

I further certify that I am neither attorney  
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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