

## PASSAIC VALLEY WATER COMMISSION MEETING OF

APRIL 17, 2013

(CLOSED SESSION)

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

RIGO SANCHEZ, President

JEFFREY LEVINE, Vice-President

MENACHEM BAZIAN, Treasurer

GLORIA KOLODZIEJ, Secretary

IDIDA RODRIGUEZ

THOMAS P. DeVITA

ROBERT VANNOY

## 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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PRESIDENT SANCHEZ: The reservoir is only  
for discussion, right?

MR. BELLA: It's all for discussion; even  
my recommendation not to do anything today that  
way give everybody time to go through the details.

COMMISSIONER DEVITA: Very confusing.

MR. BELLA: What? The Consent Order?

COMMISSIONER DEVITA: Yes.

PRESIDENT SANCHEZ: Tell us what you know,  
Joe.

MR. BELLA: The long and short of it is --

COMMISSIONER VANNOY: Joe, one second.

MR. BELLA: This Consent Order is, I  
think, very favorable to us in the sense it  
basically left the outer, the largest project, the  
whole, you know, this whole issue to open ended.  
It does say that there's a, you know, 2023 end  
date is for the Great Notch, but it does allow, it

1 gives us a lot more time than we had expected and  
2 it allows us pretty much flexibility and the  
3 design and that kind of thing.

4 So other than that, nothing there is a big  
5 surprise except for the fact that they did give us  
6 more time than I thought they would.

7 PRESIDENT SANCHEZ: Is there going to be  
8 any cost change based on that?

9 MR. BELLA: Well, the cost changes, of  
10 course, they're going to change because, you know,  
11 the value of money changes.

12 COMMISSIONER VANNOY: Obviously, we don't  
13 know what we're doing yet.

14 MR. BELLA: Right. The important thing  
15 is, this is key on this to me, is they're giving  
16 us plenty of time to negotiate with Newark to do  
17 with, you know, to try to come up with a joint  
18 project, you know, keep more storage.

19 COMMISSIONER RODRIGUEZ: For the larger?

20 MR. BELLA: For the Great Notch portion.

21 The first two phases, of course, the  
22 Levine Reservoir and the electrical upgrades,  
23 that's phase one. And then the tank, they've got  
24 us on a fairly tight leash on that.

25 COMMISSIONER RODRIGUEZ: Let me just on

1 the Levine Reservoir, Mr. President, if I may?

2 I'm going to proceed with caution here. I  
3 want to know not, and this is for discussion for  
4 another day, how engaged are we going to have the  
5 Historic, you know, the Historic Preservation?  
6 Because I just want you to know that they are just  
7 sitting back and very proactively, this is not a  
8 criticism, I think this is very important for the  
9 preservation of the Great Falls area that these  
10 folks be engaged from beginning to end on the  
11 design that's going to take place there, because  
12 this is a very valuable piece of property and a  
13 very valuable area for the City of Paterson and  
14 Passaic County.

15 MR. BELLA: The State will be there and  
16 we'll have our consultants involved. We'll be  
17 there, of course.

18 Just to address that issue, we saw that as  
19 an issue a long time ago, so we went to the  
20 National Park ranger, you know, the head person  
21 there and talked to them. We actually invited  
22 them to the meeting with the State.

23 COMMISSIONER RODRIGUEZ: The ranger is the  
24 ranger. That's not the people that are there.

25 MR. BELLA: No, no.

1 COMMISSIONER RODRIGUEZ: I'm talking about  
2 there is a committee formed.

3 MR. BELLA: Yeah. Yeah.

4 COMMISSIONER RODRIGUEZ: I'm talking about  
5 Bob Guarasci, Leonard Zax. I'm talking about  
6 people that are working there 24/7. That's all.

7 MR. BELLA: I've already spoken to Bob  
8 Guarasci and Archimede; his last name is  
9 Archimede, his first name is -- but, anyway --

10 COMMISSIONER RODRIGUEZ: I spoke to Bob  
11 this morning.

12 MR. BELLA: I'm sorry, Commissioner?

13 COMMISSIONER RODRIGUEZ: I said I spoke to  
14 Bob Guarasci on other issues this morning and he  
15 asked me about that. I really didn't want to  
16 divulge anything. I told him to stay tuned. He's  
17 going to be in contact with you. He's going to  
18 send Joe a letter. He just wants to know.

19 MR. BELLA: And by the way, from the time  
20 I talked to him --

21 COMMISSIONER RODRIGUEZ: It was a long  
22 time.

23 MR. BELLA: It was for a tour, nothing  
24 really has changed.

25 COMMISSIONER RODRIGUEZ: Oh, okay.

1 MR. BELLA: Nothing has changed. It's  
2 been exactly the same as it was. That's why we  
3 haven't been bothering him.

4 But, clearly, this is a starting point.  
5 Now that you have, I feel free to start really,  
6 you know, doing those kinds of things once the  
7 Commission has their chance to weigh in next month  
8 and that's why we're doing it this way. We're  
9 being conservative giving you a month to look at  
10 it.

11 COMMISSIONER RODRIGUEZ: One last thing,  
12 Joe, and this is just an advisement. I'm not  
13 trying to pull the cart before the horse.

14 When we get ready to do these designs,  
15 it's really important, not only Community Outreach  
16 and public hearings, but the whole P.R. aspect of  
17 it. Whether we do it inhouse; architects,  
18 engineers do it, it doesn't matter to me. But I'd  
19 rather be proactive than reactive. That's it.

20 MR. BELLA: I agree with you one  
21 hundred percent.

22 PRESIDENT SANCHEZ: We've been saying that  
23 since day one. That's exactly my point. We need  
24 to get the people involved affected by this. So  
25 we need to engage.

1 MR. BELLA: I agree.

2 COMMISSIONER KOLODZIEJ: Right, right.

3 And I'm sure whatever their concern is, they  
4 should be voicing it now. We can do something.

5 But I think you really need to hear from  
6 Commissioner DeVita. We were summoned to appear  
7 from the Clifton Municipal Council because of a  
8 Resolution that's being circulated. And  
9 Commissioner Vannoy had also said you spoke to  
10 someone in Prospect Park who received the same  
11 thing.

12 I would rather you summarize how our  
13 experience went and where it was when we finished.

14 COMMISSIONER DeVITA: Okay. I think from  
15 a public relations standpoint.

16 COMMISSIONER KOLODZIEJ: Yes.

17 COMMISSIONER DeVITA: And to clarify  
18 things. Joe was there, Commissioner Kolodziej and  
19 I were there. We all gave some remarks. Joe gave  
20 a presentation and slides. He now wants to buy I  
21 think a six-foot TV.

22 I think there was a lot of confusion over  
23 what we're anticipating and what we're planning.  
24 I think they heard one side of the story. I don't  
25 quite get that Resolution from the County Planning

1 Board, but whatever it is, it is, Woodland Park,  
2 everybody else.

3 But I think we clarified everything that  
4 we planned to do. Joe did. We all discussed it.  
5 How much impact it would actually have. I think  
6 the important thing was that Joe explained to ...  
7 people, this isn't just going to be a tank rising  
8 above the ground. It's going to be pretty much  
9 buried. There's going to be berms and landscape  
10 and everything else.

11 In actuality, when you look at the  
12 reservoir in Woodland Park, not that many people  
13 see that reservoir. And I think that's what we  
14 pointed out to them. There's not that many homes  
15 that are impacted by what's going to be there.

16 COMMISSIONER RODRIGUEZ: Where?

17 COMMISSIONER DeVITA: In Woodland Park.  
18 There just aren't any. There's some. I said to  
19 them, you drive up Rifle Camp Road.

20 COMMISSIONER RODRIGUEZ: I have the right  
21 response to that when you're done.

22 COMMISSIONER DeVITA: You drive up Rifle  
23 Camp Road, you can't really see the reservoir from  
24 the street when you drive.

25 But I think we clarified, relayed a lot of



1 fears that they have, a lot of concern.

2 PRESIDENT SANCHEZ: That's a great thing,  
3 Tom. What I think is it's overplayed, you know.  
4 People think we're going to have this monster  
5 thing in the middle and they won't be able to see  
6 from the driveway.

7 COMMISSIONER DeVITA: When they heard  
8 there was a big berm --

9 PRESIDENT SANCHEZ: So I think, that's  
10 why, like Commissioner Rodriguez is saying, engage  
11 these people. Say: Listen, that's not what we're  
12 doing.

13 They're pulling this for political reason.  
14 They want to be hero. They want to manipulate  
15 opinions and stuff like that. That's not what  
16 we're doing. Wait a minute, we're going to sit  
17 down with you. We're going to explain it to you.  
18 We're not going to be impacting you. We're going  
19 to do the right thing.

20 COMMISSIONER RODRIGUEZ: Well, our job is  
21 not to uphold property values, and this is what I  
22 told the Mayor of Woodland Park. Our job is not  
23 to say: Oh, you got a beautiful property with a  
24 pristine lake. That's not a lake. That's a  
25 reservoir.

1           Our job is to provide the highest quality,  
2           safest drinking water to our residents and to our  
3           rate payers -- to our residents rather. And it's  
4           not to say, well, you live by a lake. No, you  
5           don't live by a lake. That's a reservoir. We own  
6           it and our obligation is to the residents that  
7           drink water, not to people that own properties.

8           COMMISSIONER DeVITA: That's exactly what  
9           Commissioner Kolodziej said. She quoted you  
10          again.

11          COMMISSIONER RODRIGUEZ: I told him that  
12          and I told everyone that. I said: Listen, if you  
13          guys want to go in and bond with us, I said:  
14          We've gone to these conventions. They have these  
15          beautiful reservoir covers and you can make it  
16          beautiful and aesthetic for yourselves. I mean,  
17          they have reservoirs with tennis courts on top.

18          COMMISSIONER KOLODZIEJ: I think our visit  
19          was important because it was also an owner city  
20          and as an owner city, they also know what they can  
21          and they cannot do. But the best comment was from  
22          the Mayor, because he actually was kind of in  
23          favor, when he said: Okay. I am looking at  
24          aesthetics versus the safety of people's drinking  
25          water. And he said, using those two standards,

1           there's no doubt in his mind that there's no way  
2           to go but the safety of the drinking water. So  
3           that was kind of a turning point.

4           COMMISSIONER BAZIAN: Mr. President.

5           PRESIDENT SANCHEZ: Yes.

6           COMMISSIONER BAZIAN: I just want to  
7           respond to Commissioner Rodriguez.

8           To begin with, I agree with the statement  
9           of the Mayor of Clifton and I'm on record saying  
10          safety first. I also agree with Commissioner  
11          Rodriguez that our job is to provide water.  
12          Having said that, I think there is yet another  
13          responsibility that we have. We do have a  
14          responsibility to the property owners to some  
15          degree. Like it or not, their properties may be  
16          affected, if not, then they have nothing to say.  
17          I think we can't totally discount that.

18          There's no question that this is going to  
19          be a project that has to be done. The question is  
20          how. That's why there's an open process. That's  
21          why there's a review process. That's why we have  
22          public meetings. That's why all these things are  
23          going to happen.

24          Our first priority is safety. That  
25          doesn't mean that safety and the protection of

1 property cannot both go hand in hand.

2 I agree with Commissioner Rodriguez on  
3 another thing. If we're talking about changing  
4 our plan and it's going to result in a  
5 significantly higher cost as a result of changing  
6 things for the property owners, then perhaps the  
7 city should also go in with us on the cost of the  
8 project. I get that.

9 But I don't think that we can just say:  
10 We got to do safety, we're going to do it however  
11 we're going to it. The property owners can't say  
12 anything. Their properties are going to be  
13 affected. I think we have a legal --

14 PRESIDENT SANCHEZ: I agree with you a  
15 hundred percent. Let me clarify this, for the  
16 record.

17 I think the intention of this Commission  
18 is to make sure that we're going to do the best we  
19 can for the property owners; that we intend to  
20 have the best quality water. That's the main  
21 concern that we have and all we have to do is to  
22 communicate that message.

23 We're going to say: Listen, we're not  
24 here to make this thing look ugly. We're going to  
25 do what we got to do and we're going to do the

1 best we can.

2 We don't want to be labeled in a negative  
3 way. So that's the message we need to translate  
4 and translate to these people and make them feel  
5 comfortable that's what we intend to do.

6 COMMISSIONER VANNOY: Also, the message,  
7 too, they've overblown this right from the  
8 beginning and never gave us a chance to say what  
9 we needed to say or to even communicate. I think  
10 probably the papers and whatever assume tanks  
11 and --

12 PRESIDENT SANCHEZ: You have political  
13 operator who take any chance and opportunity to  
14 rouse people and to get --

15 COMMISSIONER RODRIGUEZ: To make this  
16 place look bad period.

17 PRESIDENT SANCHEZ: Exactly. We are the  
18 scapegoat for that now; so.

19 COMMISSIONER DeVITA: Can I make one  
20 comment?

21 One of the biggest things I think that we  
22 communicated at the meeting was that this is not  
23 just going to be a water tank. It's going to be  
24 landscaped. It may have ponds around it. It's  
25 going to be beautiful. And part of the whole

1 process is what it's going to look like. So I  
2 think we were very clear. And I got some comments  
3 from some people that were watching that they  
4 really understood now, that it wasn't just...

5 COMMISSIONER VANNOY: You just had that  
6 meeting. Me and Joe met with several people,  
7 Paterson folks, three or four months ago and tried  
8 to instill it's not just a tank, it's going to be,  
9 you know, something that's nice. People just  
10 automatically think big blue tanks.

11 COMMISSIONER KOLODZIEJ: I just wanted to  
12 do a little humor here. One of the council people  
13 was quick to ask a question after much dialogue  
14 and say: Where does Woodland Park store their  
15 water. And the answer was: In a tank. So the  
16 councilman said: It's good enough for them, but  
17 not good enough for Passaic Valley Water  
18 Commission.

19 COMMISSIONER RODRIGUEZ: That's great.

20 COMMISSIONER BAZIAN: That is excellent.

21 PRESIDENT SANCHEZ: The thing is, I guess  
22 the more we approach this, the more we should  
23 engage more conversation.

24 COMMISSIONER DeVITA: We got homework.

25 COMMISSIONER VANNOY: When was the

1 extension?

2 MR. AMODIO: 2023.

3 COMMISSIONER VANNOY: We're not even  
4 mandated.

5 MR. BELLA: Three years have gone by.

6 PRESIDENT SANCHEZ: We got killed before  
7 we even --

8 COMMISSIONER RODRIGUEZ: We didn't do the  
9 right P.R. from the beginning.

10 PRESIDENT SANCHEZ: The funny thing, we  
11 got people close to us who I think are going out  
12 there and explaining the message.

13 COMMISSIONER DeVITA: I think the very  
14 important thing is we were able to explain the  
15 difference between New York's water and our water,  
16 too, which is a significant difference. Their  
17 water turns over everyday. Joe did a great job.

18 COMMISSIONER KOLODZIEJ: One of the other  
19 important things that needs to be clarified, one  
20 of the council people had said, well, she had  
21 information from Passaic Valley Water Commission  
22 that this would double our rates. So, again --

23 COMMISSIONER RODRIGUEZ: Triple; I heard  
24 quadruple.

25 COMMISSIONER KOLODZIEJ: She went on

1 record saying double. So first of all, I did a  
2 double take and he had the answer right away. We  
3 had all of that. You just heard --

4 PRESIDENT SANCHEZ: The bottom line, I  
5 mean, I got phone calls from people, you know.  
6 What happened here was that people just went and  
7 they say: Oh, they're going to put a tank there.  
8 They're going to --

9 COMMISSIONER RODRIGUEZ: Snowball,  
10 snowball.

11 PRESIDENT SANCHEZ: People, you know, if  
12 that was me, I'd say, "What?" This is how they  
13 got people in the corner. So I guess we should...

14 COMMISSIONER BAZIAN: Just one last point  
15 and I think this is a very good thing.

16 One of the things that we've been saying a  
17 lot, I know I mentioned on many occasions, is that  
18 the only way to fight bad information is with good  
19 information. And I've been advocating that we get  
20 out there. It seems to me to indicate that when  
21 we go out there and tell people exactly what is  
22 going on, it does seem to defuse the concerns and  
23 where we need to be. This is something we need to  
24 do more. And the effort.  
25



1 (Whereupon, Commissioner Levine is present  
2 at 10:16)

3  
4 MR. BELLA: At the next meeting I'll have  
5 a nice presentation for the Commissioners.

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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 meeting at the time and the  
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, CCR  
Certified Court Reporter