

## PASSAIC VALLEY WATER COMMISSION MEETING OF

MAY 22, 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 (Absent)

JEFFREY LEVINE, Vice-President

MENACHEM BAZIAN, Treasurer

GLORIA KOLODZIEJ, Secretary

THOMAS P. DeVITA

ROBERT VANNOY

CHRYSTAL A. CLEAVES (Absent)

## 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)

1 [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED]  
9 [REDACTED] [REDACTED]  
10 [REDACTED]  
11 [REDACTED] [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED] [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED]  
25 [REDACTED] [REDACTED]

1 [REDACTED] [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED] [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED]  
9 [REDACTED] [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED] [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED] [REDACTED]  
20 [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED] [REDACTED]  
25 [REDACTED]

1



2



3



4



5



6



7



8



9



10



11



12



13



14



15



16



17



18



19



20



21



22



23



24



25



1 [REDACTED] [REDACTED]  
2 [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED]  
19 [REDACTED] [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED] [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED] [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED] [REDACTED]

[illegible]

[illegible]



1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

[illegible]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

[illegible]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [REDACTED] [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED] [REDACTED]  
20 [REDACTED]  
21 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED]  
25 [REDACTED] [REDACTED]



1 [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED] [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED]

1



2



3



4



5



6



7



8



9



10



11



12



13



14



15



16



17



18



19



20



21



22



23



24



25



1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

1 [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
4 [REDACTED]  
5 [REDACTED] [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED] [REDACTED]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

1.6

17

18

19

20

21

22

23

24

25



1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

[illegible]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

[illegible]

[REDACTED]

\_\_\_\_\_

**Abstract**

[illegible]

\_\_\_\_\_

\_\_\_\_\_

100



[REDACTED]

\_\_\_\_\_



\_\_\_\_\_

[REDACTED]



\_\_\_\_\_

100

[REDACTED]

[REDACTED]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

1 [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED] [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED] [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED] [REDACTED]  
20 [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED] [REDACTED]





[REDACTED]

\_\_\_\_\_



\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



[REDACTED]

[REDACTED]



100

A dark, textured horizontal bar, possibly a piece of wood or a scan artifact, spanning the width of the page.

\_\_\_\_\_

\_\_\_\_\_



[REDACTED]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[REDACTED]

\_\_\_\_\_

1 [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1



2



3



4



5



6



7



8



9



10



11



12



13



14



15



16



17



18



19



20



21



22



23



24



25



1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

[illegible]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1



2



3



4



5



6



7



8



9



10



11



12



13



14



15



16



17



18



19



20



21



22



23



24



25





1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [REDACTED] [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
3 [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
9 [REDACTED] --  
10 [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED] [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED]

[illegible]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

[illegible]

[illegible]

1 [REDACTED] [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED] [REDACTED]  
3 [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED] [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED] [REDACTED]  
18 [REDACTED]  
19 [REDACTED] [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED]

1 [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED] [REDACTED] [REDACTED]  
20 [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED]  
25 [REDACTED] [REDACTED]



1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 MR. AMODIO: [REDACTED] [REDACTED]

2 [REDACTED] [REDACTED] Joe, if you'd like to go  
3 into the Administrative Consent Order.

4 MR. BELLA: There it is.

5 COMMISSIONER DeVITA: I don't know if  
6 anybody reviewed this, I did. I'm reading it and  
7 reading it and trying to understand.

8 COMMISSIONER VANNOY: You're a lawyer.

9 COMMISSIONER DeVITA: Well, trying to  
10 understand what it says and, you know, I think I  
11 understood it until I got to the end where it's  
12 713 days for this, and 292 days for this. It's,  
13 like, crazy.

14 COMMISSIONER KOLODZIEJ: Welcome to the  
15 world of the DEP.

16 MR. HANLEY: Am I correct in saying that  
17 the extension of time is well beyond the  
18 anticipated use of life for anybody sitting here  
19 at this table?

20 MR. BELLA: That's pretty much.

21 COMMISSIONER DeVITA: What I found  
22 interesting, I don't know if this was all public  
23 education. That was all in it.

24 MR. BELLA: Yes.

25 COMMISSIONER KOLODZIEJ: And requirement.

1 COMMISSIONER DeVITA: I mean, it's really  
2 detailed.

3 MR. BELLA: Yes, it is. And frankly, it's  
4 been favorable to us.

5 COMMISSIONER DeVITA: So, Joe, what's  
6 changed between our original and this is what?  
7 Penalty phases?

8 MR. BELLA: Well...

9 COMMISSIONER BAZIAN: Can I ask a favor?  
10 Can you take 30,000-foot over, because I tried to  
11 read this thing and I just had problems getting  
12 through it. So if you can just outline for us  
13 generally what the ACO is saying what we have to  
14 do and when and how.

15 MR. BELLA: It's essentially telling us  
16 that we have to do the first phase, we got to  
17 start construction by 2014.

18 COMMISSIONER BAZIAN: Phase 1 being  
19 defined as?

20 MR. BELLA: Standby generators, line  
21 reservoir tanks, and the --

22 COMMISSIONER BAZIAN: So we have to start  
23 construction by 2014?

24 MR. BELLA: That's correct.

25 COMMISSIONER BAZIAN: So let's just deal

1 with that for a second. Working backwards, what  
2 kind of a schedule does that impose upon the  
3 Commission in terms of what we need to do in order  
4 to make that happen? Does that provide us with  
5 sufficient time, we're in the middle of 2013, to  
6 hire our experts? Have them do their analysis?  
7 Go through an appropriate period of public comment  
8 and question? Possibly make changes on the basis  
9 of those public comments and questions? Get  
10 designs? Contract? And begin construction by  
11 2014? Given how lack of quickly this organization  
12 runs, 18 months to get that done seems a little  
13 aggressive.

14 COMMISSIONER DEVITA: We don't have to  
15 commence construction till 2014.

16 COMMISSIONER BAZIAN: He said that --

17 COMMISSIONER KOLODZIEJ: Can he answer,  
18 please.

19 MR. BELLA: We have to have the bid  
20 documents ready by 2014. And then by mid 2015, we  
21 start construction. That goes till 2017, mid  
22 2017. That's for the first phase. We should have  
23 no problem whatsoever getting that done. We  
24 figure in shorter amounts of time.

25 For instance, the plant, we were under the

1 ACO for the plant, and that was a more complex  
2 project.

3 COMMISSIONER BAZIAN: The only problem is,  
4 I don't know if there was opposition to the plant.  
5 I wasn't around at that point in time. But we do  
6 know that there is opposition to this, potential  
7 legal challenges which may happen. I don't know.

8 MR. BELLA: Well, that's all part of the,  
9 you know, part of our ability -- if there's  
10 something a Court rules against us, well, then,  
11 that's the way it is, you know. But other than  
12 that, we should be moving forward no problem. I  
13 don't see that this is a problem internally to get  
14 this done.

15 The other important aspect about this is  
16 the Phase 2 shift is they've given us more time  
17 there. That was the one I was more concerned  
18 about, because that's where I would, you know, I  
19 would believe that you have more -- first off,  
20 it's a more complicated issue in terms of the  
21 operational, you know, our abilities to deal with  
22 operational and that kind of thing. The  
23 construction and all the kind of ancillary  
24 construction that goes with it would impact us  
25 more. So that's what I'm more concerned about.

1 MR. HANLEY: Phase 2 is what?

2 MR. BELLA: Just the New Street Reservoir.  
3 Even though it's just the tanks, it's more  
4 complicated in terms of the operations. The  
5 important thing about this is that the Phase 3 is  
6 not set.

7 MR. HANLEY: Phase 3 is?

8 MR. BELLA: The Great Notch Reservoir.  
9 It's not cast in stone where that's going to be.  
10 They've given us a lot of time. They want us to  
11 negotiate with Newark to bring Newark into maybe  
12 doing a joint project. So that has given us and  
13 given the Commission a lot of leeway. And in  
14 fact, there are no real deadlines set in that.  
15 That would be the subject of a future ACO.

16 COMMISSIONER BAZIAN: Now, our role with  
17 the current ACO is what?

18 MR. BELLA: Just approve it.

19 COMMISSIONER BAZIAN: What if we didn't  
20 approve, just out of curiosity, assuming we have a  
21 choice, I'm wondering if there really is a choice.

22 MR. HANLEY: Realistic, just so -- you may  
23 not recall this, the idea that we should sue the  
24 EPA or DEP, it's been done, they've lost.

25 COMMISSIONER BAZIAN: I'm not suggesting

1           that. I'm saying I'm being asked to vote on  
2           something, being asked to vote on something  
3           indicates to me I have a choice. If I'm being  
4           told I don't have a choice, then I'm wondering  
5           what I'm voting on.

6           MR. HANLEY: Well, unfortunately, in the  
7           context of this regulatory scheme, the DEP is the  
8           entity that has been delegated this responsibility  
9           by the EPA. The EPA adopted a rule a long time  
10          ago and it said: Everybody's got to have this  
11          done by 2009. That didn't happen because of a  
12          completely stupid deadline. But the fact of the  
13          matter is, we don't have a choice to do something.  
14          We can argue about the details, which is what  
15          we've done and I think we've won a lot of points  
16          on the details, but can we argue that we don't  
17          have to do this; no.

18          COMMISSIONER DeVITA: It's going to  
19          happen.

20          COMMISSIONER KOLODZIEJ: Correct.

21          MR. HANLEY: You're obligated to do it  
22          under the law. It's no different than all the  
23          other things.

24          COMMISSIONER BAZIAN: I wasn't suggesting  
25          that we don't comply with the requirements of the

1 EPA. I think we all understand there are many  
2 ways to skim that particular cat. The issue that  
3 I am asking is: I have an ACO here. It seems to  
4 me this ACO that was issued by the DEP says this  
5 is the way you're going to get this done. This is  
6 how long you have; period, end of discussion.

7 MR. HANLEY: That's not really true.

8 COMMISSIONER BAZIAN: But that's what I'm  
9 being told. I'm being told --

10 MR. HANLEY: If you thought you were being  
11 told that, I don't think you were. What you're  
12 being told is that the rules are in place, the DEP  
13 came to us and said: You all got to do this. For  
14 the past -- and we have negotiated constantly for  
15 how many years now; four, five years?

16 MR. BELLA: A long time.

17 MR. HANLEY: With them about getting it  
18 shaped to our favor. And there are many, many  
19 changes. This is what, the third?

20 COMMISSIONER DeVITA: So the document we  
21 have in front of us has been the subject of  
22 negotiation?

23 MR. HANLEY: Lengthy, lengthy detail.

24 COMMISSIONER DeVITA: There's been give  
25 and take?



1                   MR. HANLEY: And the Commission had  
2 approved the first already.

3                   COMMISSIONER DeVITA: But this has been  
4 negotiated and this is what we've basically  
5 negotiated?

6                   MR. BELLA: Yeah.

7                   COMMISSIONER VANNOY: And we're happy.

8                   COMMISSIONER KOLODZIEJ: And it's more  
9 favorable.

10                  COMMISSIONER DeVITA: I had a concern with  
11 the time frames like you did until I started  
12 getting into this, I found it confusing, but when  
13 I look six months from this, two years from this,  
14 three years from this, so, I mean, we do seem to  
15 have a fair amount of time. One thing is 910  
16 days. So it's getting up there.

17                  COMMISSIONER BAZIAN: I understand that.  
18 But my concern with the whole process all along  
19 has been that the ACO is mandating tanks and I'm  
20 still not satisfied that I understand properly if  
21 we're still going to be going to the residents and  
22 talking to the residents and have public comments  
23 and when tanks are only one solution, but the ACO  
24 mandates tanks. I don't know what the benefit of  
25 the open meetings is going to be when it's tanks

1           because that's what we're dealing with the DEP on  
2           as opposed to some other method.

3           MR. BELLA: First off, we've been through  
4           this for, like, an unbelievable amount of time.

5           COMMISSIONER BAZIAN: I know.

6           MR. BELLA: We've done studies, which  
7           we've done inhouse. In the first two phases, the  
8           tanks are the only real good option. There are  
9           other options, granted, however, it is in these  
10          first two phases. In the last phase, the Great  
11          Notch phase, that's a little different issue. We  
12          have a little more flexibility there, the way we  
13          do it. The other thing is, also, we have a lot of  
14          flexibility in terms of what they look like and  
15          how they look and, you know, how they're going to  
16          be placed and that kind of thing going forward.  
17          That will come out of these public hearings and  
18          that kind of thing. So we have that kind of  
19          flexibility.

20          MR. HANLEY: Is it fair to say for the  
21          Great Notch tanks are not yet mandated?

22          MR. BELLA: That's correct.

23          COMMISSIONER KOLODZIEJ: There you go.

24          MR. BELLA: We're not sure. We're not  
25          even sure what will happen up there.

1 COMMISSIONER BAZIAN: Forgive me if I look  
2 at my Patersonian colleagues and say Paterson is  
3 cool with our putting tanks with Levine?

4 COMMISSIONER VANNOY: I'm not speaking for  
5 my fellow colleague, but I am.

6 COMMISSIONER BAZIAN: I mean, have you  
7 heard complaints from the residents?

8 COMMISSIONER LEVINE: Everyone is  
9 complaining; the neighbors, the people that live  
10 up there.

11 COMMISSIONER VANNOY: Which is why I tried  
12 to set up appointments for people to come in and  
13 be more knowledgeable about it.

14 COMMISSIONER BAZIAN: I don't disagree  
15 with that. My point is that if we have done an  
16 aggressive outreach, if we had been talking to  
17 people, maybe through public means, some other  
18 method, and the information was out there, I would  
19 feel more comfortable. The information is not out  
20 there and we don't know. I certainly don't know  
21 if at some point when we are talking to people  
22 somebody might come back and say: Well, you know,  
23 what about X. And if X seems like a viable idea,  
24 then what? We are now agreeing in blood to tanks.

25 COMMISSIONER VANNOY: I think we've done

1           our inhouse studies, like Joe said, which is our  
2           best option.

3           COMMISSIONER BAZIAN: I hear.

4           COMMISSIONER VANNOY: We have to do what's  
5           right for us.

6           MR. BELLA: Those studies were done and  
7           presented. They accepted our studies.

8           COMMISSIONER KOLODZIEJ: We have to defend  
9           our choice at this point and we can work with the  
10          public.

11          COMMISSIONER VANNOY: My only negative  
12          feedback has been really from the people of West  
13          Paterson, not the people of Paterson. And I  
14          believe that's because that's where they feel they  
15          have to look at it.

16          COMMISSIONER KOLODZIEJ: They have to look  
17          out their windows, aesthetics.

18          MR. BELLA: That's the most --

19          COMMISSIONER BAZIAN: Forgive me if I do  
20          say that, while they have -- it is their homes.  
21          It's their homes. It's their property values.  
22          Granted, our primary concern, and I've been  
23          consistent with this, is always safety number one,  
24          safety number two, safety number three. I don't  
25          disagree with that. And if somebody's going to

1 tell me the only way we can properly and safely do  
2 this, if this is the only option we have, we're  
3 not having this discussion.

4 PRESIDENT PRO TEM LEVINE: Let me ask you  
5 this question.

6 COMMISSIONER VANNOY: Let him finish.

7 PRESIDENT PRO TEM LEVINE: I want to -- I  
8 agree with you, Menachem, in everything. I mean,  
9 I'm hearing -- what's your proposal to how to get  
10 this done so the Commission can respond to it and  
11 hear -- what do you want us to do? That's the  
12 question.

13 COMMISSIONER BAZIAN: I have been told  
14 there is no option so then we have to move word.

15 PRESIDENT PRO TEM LEVINE: So what's the  
16 point?

17 COMMISSIONER BAZIAN: The point in this is  
18 we're at a point right now and I'm expressing my  
19 discomfort where we're at.

20 PRESIDENT PRO TEM LEVINE: I am, too.  
21 What I wanted to do is have -- it's been blown  
22 over. I want to have a public outreach in the  
23 auditorium where we invite the people from  
24 Passaic, Paterson, and Clifton. We invite the DEP  
25 and the people to just ask questions for what we

1 know right now and we move forward from that, you  
2 know. That's what I wanted to do. And I know  
3 Commissioner Sanchez wanted it too, but we haven't  
4 moved on it and done.

5 COMMISSIONER BAZIAN: I have advocated  
6 that. It hasn't been done. We have the ACO in  
7 front of us --

8 PRESIDENT PRO TEM LEVINE: Let me ask you,  
9 as the Chair, am I allowed to put you in charge of  
10 getting this done and setting something up with  
11 Joe Bella and getting that done? I mean...

12 COMMISSIONER KOLODZIEJ: Can we just move  
13 this along for consensus? George has made a very  
14 valid point. We already approved two previous  
15 ACOs. This is an Amended ACO, which has been  
16 negotiated by our team to get a better position  
17 than we had before.

18 All of these things that you're saying  
19 you'd like to have done, it doesn't preclude us  
20 from doing that. It just moves the process along.  
21 And in my opinion, you don't want to pick off the  
22 DEP. It wasn't my first word. You don't want to  
23 pick off the DEP because our big issue is going to  
24 be water allocation when we're going to be back  
25 before these people fighting against some very

1 heavy hitters. So I just want to get this project  
2 moving.

3 I appreciate the flexibility that we got  
4 on Phase 3, so Woodland Park should be happy.

5 Clifton already had their presentation,  
6 Commissioner. And our municipal council, it was  
7 publicly televised, not anybody on that council,  
8 when it was a matter of the public health, which  
9 was the issue of why we have to cover, versus  
10 aesthetics, I'm telling you right now, seven  
11 council people had no problem saying: Go forward,  
12 do what you have to do. So I'm sure you'll get  
13 the same result and you can still do it.

14 PRESIDENT PRO TEM LEVINE: The reasons  
15 we're getting the complaints is one of the  
16 reservoirs is in our city.

17 COMMISSIONER KOLODZIEJ: Well, the Mayors  
18 Association has been putting a lot pressure on our  
19 mayor and the bottom line, he certainly saw the  
20 light. He said: Aesthetics versus public health,  
21 there's no fight here. Public health comes first.  
22 That was his comment, for the record.

23 MR. BELLA: The other thing, even though  
24 there's tanks, you have flexibility, but tanks are  
25 your best option. They're your best option. In

1 addition to being the best option in those  
2 particular locations, they're also you're least  
3 cost option. We have flexibility how they're  
4 going to look, how high they're going to be. We  
5 have flexibility. Those are the kind of things  
6 we're going to be presenting.

7 And I've talked to people in Paterson.  
8 I've talked to the Paterson, the New Street and  
9 that kind of thing, and now we can move on. And  
10 the next step will be awarding the contract,  
11 getting our contract, getting our designers on  
12 board and that's when we have the big push in  
13 terms of public interaction.

14 COMMISSIONER KOLODZIEJ: Right. It's  
15 mandated in the ACO.

16 MR. HANLEY: Mr. Chairman. Mr. Chairman.

17 PRESIDENT PRO TEM LEVINE: George.

18 MR. HANLEY: I just want to point out,  
19 someone said it doesn't preclude you. The real  
20 controversy, correct me if I'm wrong, is Great  
21 Notch, right? So that decision, again, has not  
22 yet been made. And I don't see any reason why you  
23 can't have a public hearing about Phase 3, you  
24 know, at the appropriate time, depending on when  
25 you want it; any time.



1 COMMISSIONER KOLODZIEJ: But my concern is  
2 we will vote on this today in regular session. So  
3 you have an opportunity to vote whichever way you  
4 want, both Commissioners. But we need to get this  
5 piece done today, correct?

6 MR. BELLA: Yes.

7 COMMISSIONER KOLODZIEJ: One way or the  
8 other.

9 PRESIDENT PRO TEM LEVINE: We'll vote in  
10 open session then.

11 MR. AMODIO: Move it to open session.

12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [REDACTED] [REDACTED] [REDACTED]  
2 [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED]  
5 [REDACTED] [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED]  
14 [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED] [REDACTED] [REDACTED]  
21 [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

[illegible]

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED]  
19 [REDACTED] [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED]  
22 [REDACTED] [REDACTED] [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED]  
25 [REDACTED] [REDACTED] [REDACTED]

[illegible]



1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED]  
9 [REDACTED] [REDACTED] [REDACTED]  
10 [REDACTED]  
11 [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED] [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED] [REDACTED] [REDACTED]  
25 [REDACTED]

[illegible]

[illegible]

1 [REDACTED] [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED] [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED] [REDACTED]  
23 [REDACTED] [REDACTED] [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

1 [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED] [REDACTED]  
13 [REDACTED]  
14 [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
21 [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED] [REDACTED] [REDACTED]  
24 [REDACTED]  
25 [REDACTED] [REDACTED] [REDACTED]



1 [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED] [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED]  
14 [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED] [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED]

1 [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED] [REDACTED] [REDACTED]  
9 [REDACTED] [REDACTED]  
10 [REDACTED]  
11 [REDACTED] [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED] [REDACTED]  
13 [REDACTED]  
14 [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
17 [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED]

1 [REDACTED] [REDACTED] [REDACTED]  
2 [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED]  
7 [REDACTED] [REDACTED] [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED] [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED]

1 [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED] [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED] [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED] [REDACTED]

1 [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED] [REDACTED]  
6 [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED]  
15 [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED]  
24 [REDACTED]  
25 [REDACTED] [REDACTED] [REDACTED] [REDACTED]

1 [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED] [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED]  
19 [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED] [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED]

1 [REDACTED]  
2 [REDACTED] [REDACTED] [REDACTED]  
3 [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED]

10  
11 \*\*\*  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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 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