

PASSAIC VALLEY WATER COMMISSION MEETING OF  
FEBRUARY 17, 2010  
(OPEN SESSION)

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

RIGO SANCHEZ, President  
IDIDA RODRIGUEZ, Vice-President  
JEFFREY LEVINE, Treasurer  
ROBERT L. VANNOY, Secretary  
THOMAS P. DeVITA (Absent)  
GLORIA KOLODZIEJ  
MENACHEM BAZIAN

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

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PRESIDENT SANCHEZ: Let's get moving,  
guys.

MR. AMODIO: On the roll.

Commissioner DeVita excused absence.

Commissioners Kolodziej and Rodriguez are not here  
yet.

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(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: The time is 9:37.

You have a quorum, Mr. President.

All of the requirements of the Open Public Meetings Act have been met. Commission meeting notice 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 on the main bulletin board at the Clifton facility.

Everyone please rise. Commissioner Vannoy, lead us in the Pledge of Allegiance, please.

First item on the agenda will be the Executive Director's Report.

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Mr. Bella, please.

MR. BELLA: The reservoir --

MR. AMODIO: No, department reports, first.

MR. BELLA: Demands in the plant are very low. Demands to the system are very low. Our costs have been pretty much under control in terms of the treatment costs.

And the other thing I want to report, too, was the work we're doing on the hydroelectric generators. We have two of them back on line.

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We're working on getting a spec together for the last two. Hopefully we can get them done and get that out to bid in the next four months.

All the equipment seems to be working. It is working properly, not seems. We're having a first set of settling tubes installed in the treatment plant actiflow. We awarded that contract. We installed one. We awarded the contractor for four. We installed one. Let that run for the summer to see how it performs, new types of tubes and then we'll decide whether or not to issue the award for the other three.

So, pretty much that's a synopsis.

Main breaks are up, but not substantially.

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And --

COMMISSIONER BAZIAN: Mr. President, may I?

You have a note in here that main breaks for January were 27 whereas the average I think were nine per month.

MR. BELLA: That's correct.

Well, in the wintertime. When I -- recently, the first three weeks of January were really bad, then it settled down to normal wintertime routine. But that's a substantial amount and you'll see the bulk of our breaks come between November and March. Then it drops off, even below the average.

COMMISSIONER LEVINE: Because of the cold

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or because they're old?

MR. BELLA: Well, it's a combination of those. What happens is, when the water temperature -- what particularly affects us is the change in water temperature. As the water temperature goes up and goes down, it causes the pipes to expand in the track that will cause the break. When you have old pipes, that expansion and cracks, that movement in the pipe, which might be a very small amount, will break more frequently

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when you have older pipes, particularly cast iron.

COMMISSIONER BAZIAN: The only reason why I ask the question because you had mentioned that main breaks are pretty much a little bit below average. I presume you mean since that?

MR. BELLA: Yeah, since the last couple of weeks it hasn't been that bad.

PRESIDENT SANCHEZ: Joe, I have a couple of things I asked you to look into.

First of all, vehicles status. I guess you put a list together?

MR. BELLA: Yes, I did.

PRESIDENT SANCHEZ: But basically on that list, how can we go about picking out the vehicles that are not worth keeping right now?

MR. BELLA: That probably wouldn't be hard to do because our fleet is so old. You'll see, we kind of put the ones that we thought needed to be replaced as soon as possible.

PRESIDENT SANCHEZ: Do me a favor, the  
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chairman of the finance committee is here, Jeff, can that be for discussion in finance and have him come up with some recommendation?

MR. BELLA: Okay. We'll do that.

PRESIDENT SANCHEZ: I guess the finance

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committee has to determine whether using the vehicle, buy the vehicle, or keep putting money towards the vehicle.

COMMISSIONER LEVINE: Should we go through all the vehicles and look and the repair bills what we spent in the last years?

MR. BELLA: Okay. No problem.

PRESIDENT SANCHEZ: The second thing, you were going to have a company tracking the vehicles. Did you look into that?

MR. BELLA: Yes, we have that. We're going to make arrangements for a demonstration. We looked at two companies just to give us demonstrations. One would be Horizon, who is our current user, and the other one is, I can't remember the name, but we've already contacted them. We're trying to schedule that to happen at which time I'll let you know as President and then we can decide.

PRESIDENT SANCHEZ: And from that, I think that should be run through security, through the security committee.

MR. BELLA: Okay. All right. Good.

PRESIDENT SANCHEZ: So they know how it

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works.

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MR. BELLA: Yes.

PRESIDENT SANCHEZ: And third, Joe, I, honestly, looked at this.

MR. BELLA: We know.

PRESIDENT SANCHEZ: And I said -- my wife, she called me an idiot. I said, "You're right, honey, I'm an idiot." And then I went to see smart people, a couple of smart people, and they didn't know what it is. I said, you know what, I'm a smart guy, I don't understand this.

MR. BELLA: This is the backup to the consolidated sheet. What we did, at the urgings of Commissioner, we got a bigger one. We'll provide you with that. It's on two sheets now, instead of trying to squeeze it on one sheet.

COMMISSIONER VANNOY: I can't even read that one.

PRESIDENT SANCHEZ: Listen, I like to be explained things in a simple, practical way. I mean, there's no way. I don't know anybody in this room. I don't think that Commissioner Bazian that knows a little bit about numbers and can't understand this thing. To me it's like somebody doing a puzzle and, please, I mean, this is not a way to put. Who did this?

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MR. BELLA: I did.

COMMISSIONER BAZIAN: Mr. President, if I  
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may?

Perhaps, and if this is inappropriate, again, being new, somebody tell me. Perhaps if I could be of some assistance, working with Excel 85 hours a day, perhaps I could be a little bit of assistance. How to help you output it in a form that might be a little easier for us to read.

It's your report, I'm not going to redesign it, but if I could provide some assistance.

MR. BELLA: Okay.

PRESIDENT SANCHEZ: Yes, fine. That's a great thing to do.

COMMISSIONER BAZIAN: You can't read 2.type?

PRESIDENT SANCHEZ: No. If I could do that, I'd be an ambitious man.

MR. AMODIO: Any further questions?

COMMISSIONER BAZIAN: If I may?

Have you covered purchasing or are you going to cover purchasing or you didn't go through it?

I just had some questions.

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Looking at the purchasing, first thing is Contract #09-B-3. I notice that you're recommending a two-year extension at a two and a half percent decrease for each year.

I'm going to ask a very, based on a silly question, just bear with me, why would they be

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willing to cut their prices at 2.5 percent a year?

MR. DUPREY: They want the business.

Times are pretty tough right now.

COMMISSIONER BAZIAN: Good.

My next question is, if they want the business, A, could we do better going elsewhere? And, B, if they really want the business, do you think they might even sweeten the deal a little bit more so they could perhaps give us instead of 2.5 percent the first year, maybe give us the total discount for the final year? Just a question.

(Whereupon, Commissioner Koldziej is present at 9:46)

MR. DUPREY: We could put it out there, Commissioner. We could.

MR. BELLA: We could actually go out to

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bid again.

COMMISSIONER BAZIAN: Does that make sense? I don't want to dumb up the words. I'm just trying to get the best deal we can get.

MR. DUPREY: Just quick background. We had checked some industry pricing and we got some similar pricing. And even the seven percent solution was going for \$1.50 a gallon. That was only a seven percent solution and this is a fifty percent solution and I guess based on the original bids, there was about a \$600,000

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difference between this bidder before the award and the second bidder and there were --

COMMISSIONER BAZIAN: Six hundred thousand less or more?

MR. DUPREY: This bidder was the successful contractor now was 623,000 under. So it's almost 27 percent less.

So just on that basis, extrapolating that forward and we actually negotiated the complicit price, which was only a two percent one time shot. We negotiated a two and a half percent decrease and then a second two and a half percent decrease, which isn't a total, but it was a two and a half percent of the two and a half percent reduction so

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we did negotiate.

COMMISSIONER BAZIAN: Okay. Fine. Just asking the question.

(Whereupon, Commissioner Rodriguez is present at 9:48)

COMMISSIONER LEVINE: Is there any update on the lead in the water in certain areas? Is that being taken care of?

MR. BELLA: Well, as you know -- actually, you don't know. This lead issue has been around for a while. It's tied into the reservoirs because we can't add corrosion inhibitor phosphate base which would induce our lead until we do

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something with the reservoirs getting covered we have to use other methods that are not as efficient, such as changing the PH of the water.

There's a whole bunch. One of the them was we switched from a ferric chloride coagulant to a ferric sulfate coagulant and that's what we used to treat the water. So by switching that, hopefully, that would lower our corrosion.

COMMISSIONER LEVINE: Has it done anything when retested?

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MR. BELLA: We have retested it and it hasn't -- we haven't had the success.

COMMISSIONER LEVINE: The lead levels are still high?

MR. BELLA: They're still high in certain instances. It's not throughout the system.

Remember, that's the water that sits in your piping. It's in contact with lead solder if they over-solder. If you had a lead pipe going in your house, you know, a lead --

COMMISSIONER LEVINE: Other municipalities don't --

MR. BELLA: Because they don't have open finished reservoirs. They can use phosphates.

COMMISSIONER LEVINE: Other people have the same exact lead pipes the water is going through, they don't have high leads. It's something else different.

MR. BELLA: Yeah, they're treating their water with corrosion inhibitors that have a lot of

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chemicals.

COMMISSIONER LEVINE: We can't do it without the covers?

MR. BELLA: Well, we're studying that. It's a big undertaking and it's going to take some

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time and that was one of the driving forces for covering the reservoir.

COMMISSIONER BAZIAN: Just a few more quick questions.

Looking at our professional contracts. The projects that you have on your report, the RFPs to be received March 5th, 2010, I was just curious. I see some things professional service for financial advisers, professional service for accounting and management consulting services, and about half dozen or more professional legal services. I was wondering, number one, do we have an idea of what the value of these contracts are if they're variable and what they have been in the past.

Secondly, have we looked at perhaps consolidating some of these? For example, financial advice, management consulting, and accounting, unless there's some reason not to combine them.

I see a half dozen different legal and special counsel services or something along those lines. Would it make sense to retain one firm that could do all of this for us?

asking. I understand what we can do to perhaps incur, get the same level of service but incur something lower in terms of cost.

MR. HANLEY: I'll answer with respect to the legal side.

First of all, I don't think that that would necessarily be a cost saver at all because you're paying on an hourly rate and you're paying by project or by case. So, whether it's one firm or five firms, you're basically going to be billed on an hourly rate. And the hourly rates are the same for everybody with very few exceptions. And they are firms that are, you know, we receive proposals now for I guess three or four years through the Open Fair Process, Pay-to-Play process. And they're typically people who have special expertise.

We have an employment lawyer, Sam Samaro. That's a specialty. So, it's very typical to the smaller ones to have specials in the field for very good reason.

We have a tradition of having three firms for defending claims under the Tort Claims Act. That tradition much predates me, but I do think it's a good system. We're self-insured, remember,

so we defend our own cases and so those, we have three firms, again, who have been through the Open

Fair Process.

And then there are other specialties like that. We have an attorney who handles the bankruptcies, which they didn't always have, but that was, in my opinion, that is a true specialty as well.

So, again, I don't think you'll be saving money. First of all, not a lot of firms have all those specialties in one house. There are some, they're very large firms, quite frankly, most of them wouldn't take the hourly rates that we offered them.

So, for that reason I think this is a testing system. It's an open and fair system and it's for, you know, what it's going to cost in a given year, it's really a wild guess because it depended on, you know, what instance occurred.

Like, for example, I think you know very, very major cases specified but so in those years -- actually, one point we had five attorneys working on one case because of the conflicts among various parties and classes of parties. Hopefully, that won't be repeated in the near

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future, whatever.

I wouldn't project that kind of cost for that activity, but who knows what's going to happen tomorrow.

COMMISSIONER KOLODZIEJ: Can I, on that, please, if you don't mind my jumping in?

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I think I have a question for that hybrid on what you're looking for.

If our goal is to get the best for the price, I've not seen it done with professional services. I don't disagree with anything you said, Mr. Hanley. However, there are certain other kind of professional contracts that we often bid in the alternative in two ways, you can bid on this or you can bid on this.

Is that possible to do sort of a hybrid here and encourage the smaller firms to bid on their specialty and just their aspect of the larger firms to bid on both so that we also get the best from the larger firms.

MR. HANLEY: Could you be more specific? I don't think I fully understand.

COMMISSIONER KOLODZIEJ: It's how you prepare your bid specs. And I basically see it done --

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MR. HANLEY: Can you give me an example?

COMMISSIONER KOLODZIEJ: With engineering services and things like that, where, again, you know, in this economy with people hurting.

COMMISSIONER LEVINE: How would that save money?

COMMISSIONER KOLODZIEJ: It does save money.

COMMISSIONER RODRIGUEZ: He does that already.

COMMISSIONER KOLODZIEJ: Their specialty  
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at a very good rate.

COMMISSIONER LEVINE: The rate is the rate.

COMMISSIONER KOLODZIEJ: I'm also suggesting, we had that, we advertised \$75 an hour and wound up paying more than what the bid spec called for.

COMMISSIONER LEVINE: You're saying let them bid?

COMMISSIONER KOLODZIEJ: I'm asking in this professional service. I don't disagree with anything George says.

COMMISSIONER LEVINE: I'm trying to understand what you're saying. You're trying to

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say, let the legal services actually bid on their rate?

COMMISSIONER KOLODZIEJ: Because you're getting a smaller firm who may specialize --

COMMISSIONER LEVINE: who may do it cheaper.

COMMISSIONER KOLODZIEJ: I think Commissioner Bazian was looking for the larger firms who may be able to do better because they're bigger. I don't want anything. He raised the question, we could do things differently and I'm trying to follow the logic and Mr. Hanley's explanation was fine with me.

But now that you've peaked my interest here, I'm saying is there another way that we can

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do this to make sure we are getting what we're looking for, the best of the best for the reasonable rate?

MR. HANLEY: I'd like to answer that question.

PRESIDENT SANCHEZ: Can you hold on a second. Hold on one second.

Isn't there standard rates?

COMMISSIONER LEVINE: That's what I said.

MR. HANLEY: Let me address the issue,

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please. I'll answer.

COMMISSIONER RODRIGUEZ: I have, by the way, you do have a hybrid where you select four or five firms at any given time for a specific job, am I correct?

MR. HANLEY: For some functions.

COMMISSIONER RODRIGUEZ: Right, for some functions, yes, because I have seen that.

MR. HANLEY: But, I mean, I don't know if I want to -- I guess I'll say it right out loud.

My firm, as a partner, and my firm does much of this kind of work representing public entities. We have most of the specialties, not all of them. The going rate for a partner at my level, which is what you want in some cases, by the way, not all cases, but in some cases when you get heavy lifting or at least you want them supervised. My rate is \$400 an hour. That's not, by the way, an extraordinary rate in my profession.

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The problem with municipal public work, this is what this really is, we're not a municipality, there are differences. The rates could at times be very low, ridiculously low. I've seen them as low as 125 an hour and I am sure

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we can get people to bid at 125 an hour. But the problem is, I don't know that you're getting the best bargain for that rate. Because the quality attorneys who have a decent practice just aren't going to take that rate.

And so, can we get lawyers to do that? Yes, we can. Could they be necessarily of the level of expertise and experience that I think we should have generally? I'm skeptical. I'm not saying it would never be the case, but I'm very skeptical.

So that's why I picked a rate that is still low by, you know, general practice standards but not so low that they're going to send the individual who just graduated last week. That's my thinking.

Can it be done other ways? Yes, it could. We could see how competitive they want to be. But that's the rationale I utilize.

COMMISSIONER BAZIAN: If I may, Mr. President?

I just mentioned legal because I saw legal. I didn't mean to just focus in on legal. I'm talking about in general, how we're doing our

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professional services in general. The IT

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committee, for example, is going to be reviewing our professional services as it relates to our support and maintenance in the network. And we're basically going to be going through everything to see if there are different ways of trying to do these things and hopefully even save money. That's the goal here.

I don't think it's something that we can necessarily deal with in the context of the, you know, all of us sitting here, but I'm just wondering if there might be something that we can do in looking at these contracts overall and whatever other professional services that we're contracting for and we ask ourselves, be it legal, accounting, government, media relations, whatever it is, reviewing all of these contracts, what do we need, what don't we need, how are we choosing them, does this make sense. Because that's the economic reality we live in. That's my question.

Again, this may be something you discovered before. I don't know. I'm just the new kid on the block.

COMMISSIONER RODRIGUEZ: I'm going to answer that.

Every discipline has specialties. That's

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the bottom line. I defer to the legal professional here in terms -- I'm going, since we

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started with legal, because I know that in the legal field there's specialties within that discipline no different than engineering. I can't say, well, I want Birdsall to do X, Y, Z because their specialty -- they might have five specialties.

I'm a proponent of not giving one firm all the business either. If you don't know what they're doing here, plus, these contracts are all draw down. The professional contracts for the most part and the specialties like engineering, architect, they're draw down contracts. If they don't perform the work, they don't get paid.

So -- and those kind of professional fields, I'm very, you know, I'm very cautious about giving all the work to one specific company. I don't think it sets a good precedent. I think that's how entities get in -- so, I agree that we have to look --

COMMISSIONER BAZIAN: That wasn't my suggestion. I'm not suggesting we need to pick one big firm. That was just one thought off the top of my head.

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what I'm suggesting is we look for different ways. It could be -- I'm sure I can't think of all the ways it could be. I'm saying just to take a critical look at what we have and what we're doing. If it means staying with what we have, that's fine. At least we have looked at

it. That's all I'm saying.

I'm not suggesting any particular way. I'm just suggesting perhaps, especially since it's the beginning of the year, we're looking at all of these contracts, do we need all of them.

I see special services for financial advisor. I don't know what that means. I don't know what they do.

I see special advisers for accounting management services. Well, I do kind of know what that can mean. It's a pretty wide umbrella.

COMMISSIONER RODRIGUEZ: It's not something bringing in your bookkeeping --

PRESIDENT SANCHEZ: Can I say one thing? I was going to propose, first of all, I was going over some of the numbers, just like consulting firm making like \$47 an hour and they charge more hours a week than the week has. So things like that, we look into it. What can we do inhouse.

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And reviewing the contract, who's producing for us, who is not. And what we need and don't need.

So I think the finance committee should look into everything. Go through -- let finance look through everything they have.

Let IT look through everything we have. And let's find out what we need, what is producing, and what is not producing.

Whatever is not producing in this tough times, good. Joe, Yitz reported water consumption went down. So, increasing the rates doesn't

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guarantee you're going to have everything because we've been increasing rates and increasing them for awhile and nothing guaranteed that's going to meet our finance needs.

So, I think we need to look into every expenditure we have, see what we need and don't need. Let's start with that.

IT was a thing, we can do a lot of things inhouse. A lot of people, we spend a million dollars there and we don't know why. Let's look into everything and let's find out what we need and don't need.

I mean, it's not impossible to have all these people, but if we don't need them, we don't

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need them.

COMMISSIONER LEVINE: Let me ask a question. I don't know if it's feasible, can we offer for the legal services, can they offer to us a certain deduction, four percent net 30 or net ten on paying the bills or four percent deduction at the end of rebate if the Water Commission gets back on the total services if it goes above \$20,000 a year in services --

COMMISSIONER RODRIGUEZ: That's not -- this is a professional service.

COMMISSIONER LEVINE: Like we pay --

COMMISSIONER RODRIGUEZ: George, I want to answer that because that's applicable when you're delivering a product. It makes a lot of sense,

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because I've done that before. But in a professional service, I provide the professional services for a living, I wouldn't do it.

COMMISSIONER LEVINE: I'm saying is it possible?

COMMISSIONER RODRIGUEZ: I'm not saying -- everything in life is possible but as a professional service provider, I wouldn't do it.

MR. HANLEY: Some of it is unethical for attorneys, but I would suggest you may not want to

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deal with the 30 days net because --

COMMISSIONER RODRIGUEZ: I think budget should look at it.

COMMISSIONER LEVINE: No, no, if someone took a deduction --

PRESIDENT SANCHEZ: Jeff, why don't you set up a meeting.

COMMISSIONER KOLODZIEJ: We have one.

COMMISSIONER RODRIGUEZ: I think those questions are very valid.

PRESIDENT SANCHEZ: Counsel, let me ask you this. Some of the proposals we get we don't use them anyway.

MR. HANLEY: With any of them, we only use them as needed.

PRESIDENT SANCHEZ: We don't necessarily use them.

MR. HANLEY: Some of them get almost no work. But you never know, next year may be different. The reason those categories are there

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is because at times, over the past ten, 12 years, we have had that need, particular need, so I'd like to have them available because, you know, if I get a call from Joe tomorrow and it's an emergent kind of thing, I can't wait 30 days to

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bring somebody in. We can have phone calls and things, that usually doesn't happen, by the way, but these are things where we know we have had the need in the past.

COMMISSIONER KOLODZIEJ: We should hold up on this.

PRESIDENT SANCHEZ: Let's --

MR. HANLEY: I want to put out one other thing, if I may. The RFPS --

PRESIDENT SANCHEZ: Can you be so kind to be in the meeting.

MR. HANLEY: Absolutely, absolutely.

COMMISSIONER KOLODZIEJ: He's suggesting we go over --

COMMISSIONER BAZIAN: I don't have a problem. I understand we have emergencies vis-à-vis legal issues. That I can handle.

PRESIDENT SANCHEZ: We do.

COMMISSIONER BAZIAN: I don't see that with accounting and management consulting services. I don't remember the last time we had a management consultant emergency that I needed someone in 30 days.

PRESIDENT SANCHEZ: That's why there's a

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finance committee. You guys sit down and come

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back.

COMMISSIONER RODRIGUEZ: Or recommendations, because this is a body and what happens is, I agree that these are things that need to be looked into. And the budget committee is the place to do it.

MR. HANLEY: The answer is I'd be happy to meet with any committee.

PRESIDENT SANCHEZ: The second thing, and maybe this could be a policy. All these committees that meet, I'd like to request some sort of report to the Chair going forward, not only this year, but moving forward, whoever the Chair is, from the committees.

And third of all, I had something I had in my mind. It's a good thing if the committee meets like once a month, regardless, just to see where we are and where we're going.

So, there's another policy that should be set. There's no policy, like you been President, I've been President, and we use different policies how we're going to determine people to go home. Maybe we can go into Paterson, Passaic, and Clifton and find out how they do it.

I was called that day. I was going over

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what happened in Washington and Trenton. Those people work in Washington, it was bad. So we made

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a determination based on my judgment, not based on the policy.

So if we can come up with a policy based on maybe what other cities doing, maybe we could be in better shape, that way if we determine, based on a policy, based on that. So I don't know, anybody has a suggestion how to go about that?

COMMISSIONER RODRIGUEZ: I think the way you handled it last week was very good. I mean, you kept the skeleton crew here and you kept business going as usual. So that's basically what Paterson does. I don't know what Clifton does or Passaic. I thought it was very prudent the way you addressed it and responded to it.

COMMISSIONER BAZIAN: I know Passaic City Hall was open that day so far as I know.

COMMISSIONER RODRIGUEZ: So were we. Most cities, what they do, depending on where people live, they keep a skeleton crew.

COMMISSIONER BAZIAN: The question then becomes, people who worked that day -- the people who did not work that day, were they given an

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official day off or did they take a vacation day or personal day? The people who worked, if everybody else got a day off, then they're entitled to another day off. That is a material cost to the Commission.

COMMISSIONER RODRIGUEZ: I agree with you.

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I agree with people that had to come into work on Monday to deliver packages, how were they paid, because they didn't work on Wednesday, are they paid overtime?

PRESIDENT SANCHEZ: How can we deal with that?

COMMISSIONER KOLODZIEJ: In Clifton they have to take a personal day. They're not just given a freebee.

That's their choice to call in, "I'm taking a personal day. I'm not coming in." They don't get a freebee.

MR. WEISS: Do you want to refer this to the finance committee?

COMMISSIONER BAZIAN: Either finance or personnel.

COMMISSIONER RODRIGUEZ: I think it's personnel. It's personnel.

PRESIDENT SANCHEZ: we'll deal with that.

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Can we please, Lou, make a note of that?

COMMISSIONER BAZIAN: Mr. President, I'm sorry, there's one other thing that's very important that I wanted to state.

I asked our secretary on my personal behalf to state this. To everybody that did come in in those appalling conditions, because it was horrible that day, I asked Mr. Amodio to express my thanks to everyone who came in and I think this Board, it would be appropriate the people who did come in and brave the conditions, like Mr. Amodio,

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who came in that day --

PRESIDENT SANCHEZ: They don't want him at home.

COMMISSIONER KOLODZIEJ: A letter in their file acknowledging --

MR. AMODIO: Excuse me, Commissioners. Mr. Bella wrote a letter to everybody that he'd like to put in their next paychecks.

MR. BELLA: And the individuals with their names.

COMMISSIONER BAZIAN: What is the cost --

MR. WEISS: I don't think I can answer the question. The answer that I give you is not giving you an actual picture what it's actually

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going to cost.

Our payroll cost is \$50,000 a day. That does not mean by sending people home for an extra day that it's costing us \$50,000. God forbid there would have been an issue because people did come in because it was a regular day it could cost us significantly more than that as an offset.

The actual cost -- this is why I was wondering if you wanted to refer this to the finance committee, it relates more to something you mentioned as far as what it cost us in overtime for people that did have to work that day when everyone else was given a day off.

COMMISSIONER BAZIAN: They got paid overtime?

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MR. WEISS: Yes.

COMMISSIONER RODRIGUEZ: If they worked on Monday, right?

MR. WEISS: Wednesday.

MR. BELLA: They're not getting another day.

MR. WEISS: The Commission has a policy against comp time.

PRESIDENT SANCHEZ: We'll look into that.

COMMISSIONER RODRIGUEZ: We're going to

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look into the policy.

PRESIDENT SANCHEZ: How does it work? Because we need to come up with a policy. Personal days, but I don't think people stayed home should get -- I mean, we think they should take a personal day.

MR. HANLEY: You have to consider collective bargaining.

COMMISSIONER RODRIGUEZ: Not only that, and Commissioner Kolodziej, you would know this, we need to also find out what is in their contract, because, I guess, you know, that's another thing. That's another thing.

COMMISSIONER KOLODZIEJ: I'll pass it along to personnel because we had this issue, people stayed at home.

PRESIDENT SANCHEZ: We all come here with big dreams. Like, when we come to the state with big dreams. But this is something that we deal with here. It's called a union.

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COMMISSIONER KOLODZIEJ: I want to pass along this idea of the Governor called a State of an Emergency in the state, so our employees just took that to, well, I don't have to come into work because the Governor did that. By contract and by

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whatever, our employees were told, no, you need to report to work unless it really is where everything is shut down in the State. But that's a different kind of thing. So I think contractually, you know, we don't go by what Trenton says.

COMMISSIONER VANNOY: What about the people with kids when the school is closed?

PRESIDENT SANCHEZ: Don't have kids.

COMMISSIONER BAZIAN: They have the option of taking a personal day.

COMMISSIONER RODRIGUEZ: That's the key and that's the policy.

PRESIDENT SANCHEZ: We all have families and we have family responsibilities, but don't forget, if you don't work, there's no way to feed the family.

COMMISSIONER VANNOY: I wasn't going in that day.

COMMISSIONER BAZIAN: I worked that entire day from morning to night. I didn't get out of bed. As long as I have a computer, I could work.

I understand that, seriously, I understand the issue is not so much what was done, the issue,

as I see it, is that we don't have an objective,

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agreed to, can refer to, can be the same regardless of whoever is where policy. We are a public entity. We need to have policies. I agree with the President one hundred percent.

PRESIDENT SANCHEZ: It's a matter everything is going on, I felt like am I using -- am I -- how -- especially with everything going on here, like in the state and everything else, we got to make sure we're on the same page all of us here and we do whatever.

Let's move on.

COMMISSIONER BAZIAN: Can I ask a couple of questions on the purchase orders?

I'm sorry.

PRESIDENT SANCHEZ: All right. We're going to limit your questions for now on.

COMMISSIONER KOLODZIEJ: No, I'm enjoying them.

COMMISSIONER BAZIAN: I'm going to limit this. For the record, I discussed this with Mr. Bella. I wanted to bring this up in open session.

There's one field purchased in an order that was issued in the amount of \$2,792 for graphics, printings, system maps, brochures, power point for Washington D.C. with labor of 30 hours

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at \$80. This had to do with -- I spoke with Joe about this. It had to do with a brochure that was

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being printed for our Washington trip.

I raise it not so much for the \$2,700 issue itself but just in general it just seems to pay \$3,000 to lobby -- to print something up, to lobby our representatives who are supposed to represent us to begin with, and paying \$80 an hour for graphic services, which if I remember having paid approximately half that for my business some years ago, just seemed like a little much.

I mention this only because, again, I'm not here to -- I'm not trying to beat anybody up God forbid, not my intent, but rather to introduce a way of thinking that before we say, hey, we're going to do it and let's do it, that we should be critical of the money we're spending.

PRESIDENT SANCHEZ: Before you go on.

Go ahead.

COMMISSIONER RODRIGUEZ: I addressed that about two weeks ago and I think -- and I was very taken aback when I was sent a copy of a brochure that was being taken to Washington. And I was sent a copy because I guess I do, you know, I sit on the -- I sat on the committee for government

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relations and public relations and first and foremost, I asked was our communications specialist involved in this. No. Someone just took it upon themselves to do this without even asking, is this necessary? Where is the cost coming from? Why are we doing this? Can we do

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this inhouse?

I mean, I asked all those questions. And I wanted -- because I wanted -- what was the point of this and basically that's a really good question.

I think, Mr. President, I think there's policies that have to be put in place here. People can't just take it upon themselves, and this happens across the board. You know, they take it upon themselves, do brochures, order equipment, you know, and it goes right back to the things we were talking about. I addressed that specifically.

COMMISSIONER KOLODZIEJ: Who was that? I would like to know who that someone was and I want to know if they overstepped their bounds? Was it someone internal or consultant?

PRESIDENT SANCHEZ: No, it was an employee of ours.

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COMMISSIONER KOLODZIEJ: Am I violating any employee confidentiality to know who took it upon themselves to do it?

MR. HANLEY: It doesn't violate the law.

COMMISSIONER KOLODZIEJ: All I need is a name.

COMMISSIONER RODRIGUEZ: It has nothing to do with law. It has to do with policy and procedure.

COMMISSIONER KOLODZIEJ: My question is who? Maybe you can't tell me who.

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COMMISSIONER RODRIGUEZ: No, no, I'm going to let Joe address this because, obviously, I don't know if you were ever asked if this could be done or if it was just taken upon themselves.

Excuse me, Commissioner.

COMMISSIONER KOLODZIEJ: This bothers me. It's indicative of the whole organization.

COMMISSIONER RODRIGUEZ: Let Joe answer.

Go ahead, Joe.

MR. BELLA: I was asked if we should, not if we should -- somebody suggested we should have a brochure. I said, okay, if that's the right thing to do while we're doing this, which I can fully understand, and we would put something

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together internally, put something together and we would send it out and have it done professionally. And that's the way it went. It wasn't --

COMMISSIONER KOLODZIEJ: Who was the who that asked you, Joe?

MR. BELLA: We were doing that in conjunction with Mr. Farmer.

COMMISSIONER KOLODZIEJ: It was Mr. Farmer?

COMMISSIONER RODRIGUEZ: No, it was Laura Cummings.

MR. BELLA: And suggested that -- made that suggestion and it seemed like a good idea at the time.

PRESIDENT SANCHEZ: I think -- if it's my

money, if you my employee, you come with a wonderful idea, I'd say, how much is it going to cost?

COMMISSIONER RODRIGUEZ: I said the same thing.

PRESIDENT SANCHEZ: You know what I'm saying, that's the thing. That's the little detail.

COMMISSIONER RODRIGUEZ: You know what, our consultants were not even involved, were not

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engaged. Our communications consultants were not engaged until the design was done and for proofing and you know.

COMMISSIONER BAZIAN: If I may, just to take a quick step back.

Having raised the issue, I raised it not for the individual issue, but just to raise a sensitivity, not to manage how Mr. Bella deals with employees and which employee or whatever, but rather, just to raise the sensitivity, \$2,700 in the context of 80 -- what's our budget? \$75 million budget is nothing. But it's something. Every dollar counts to me and every dollar counts to all of us.

I just pointed it out to raise that sensitivity. I think if we raise that sensitivity to Mr. Bella, the next time something like this happens, I think he'll --

COMMISSIONER RODRIGUEZ: Commissioner Bazian, if you look where we have contracts with

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State vendors, I refuse to do this anymore because it just used to aggravate me. And you look at the things purchased, and I'm like for what? You know, copies, fax, computers, Blackberries, just things because they're a State vendor, we have

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this contract at this amount of money so we just purchase. I mean, and I don't want -- that's a budget issue. I don't want to open up Pandora's box.

COMMISSIONER BAZIAN: Pandora and I are very good friends. I get along very well with Pandora.

PRESIDENT SANCHEZ: I want to discuss, and this is a completely different subject. The security committee, I want to get started on the contract with the Sheriff. Where we are with that?

MR. HANLEY: I would like to address that in closed session, if I may.

PRESIDENT SANCHEZ: I want to say something in public because I saw that article in the paper and who is the person of the security committee? It was Kolodziej and Simon.

Let me ask you this. I think as a committee when you meet and decide this recommendation, should be put in writing because I didn't think there was any formal recommendation in writing --

COMMISSIONER KOLODZIEJ: Did you read your

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minutes?

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PRESIDENT SANCHEZ: I did.

COMMISSIONER KOLODZIEJ: In your minutes we were in agreement because we're the only two left and there was a direction given.

PRESIDENT SANCHEZ: I want to say in writing, coming out of those committee meetings a writing because you're getting a recommendation how to go about --

COMMISSIONER KOLODZIEJ: Commissioner Grubin --

MR. HANLEY: Not until I raised it last week.

COMMISSIONER KOLODZIEJ: You could beat a dead horse but those of us who worked very diligently spent how many hours of time at our meetings. Mr. Grubin every meeting brought you up to date. I was so glad, Commissioner Vannoy, when we discussed this at the last meeting, without having discussed this with you, we both came up with the same thing because we had been on it and we've been reporting back here. So I hope today we're ready to take an action and --

MR. HANLEY: The Commission never instructed me to do that. I want to make that clear, until the last meeting.

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COMMISSIONER BAZIAN: If I may, Mr. President.

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Your request for a policy whereby the committee chairs report at each meeting would ensure that whatever recommendations happen will be put on the record in a general meeting and I think that's a good idea.

If I may, George. Just without getting into any confidential details, do we have any idea how long it's going to take until we can be ready to make a change or is that something you want to do in closed session?

MR. HANLEY: I could address some of it but I prefer to do it first in closed first and then you can sort out what you want in public.

COMMISSIONER BAZIAN: Fair enough.

COMMISSIONER RODRIGUEZ: All right. All right.

MR. HANLEY: Okay. I am going to address it, because I've heard this over and over.

I've sent two letters to the Sheriff's Office over the last two years. This is what, and you've gotten copies of those letters. And it says, "This is what we think should be done." Okay. I have yet to receive a written response of

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any kind whatsoever, which is why I brought it up at the last Commission meeting and asked you to please give me instructions, which you did and which I have followed.

Okay.

I have a draft right here. It's a complex

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issue. It took me a lot of hours to do it. I did it and I've completed what I think is a decent draft.

I forwarded that draft as soon as I completed it to the department heads and to Joe Bella, who are involved with security. Jim Duprey and Joe Bella have commented back that basically they're happy with the draft. I have not heard from Laura Cummings and I'm not criticizing, because, you know, she's probably very busy and hasn't had time. But she will get back to me soon, I'm sure. And to Jim Gallagher, who was obviously been otherwise occupied recently. I haven't got their comments.

I have a draft here, which I'll be happy to have you look at. I would have preferred to see what comments they get, but I'm sure we could live with that. But I'm not going to send it to the Sheriff's Office until we know what our draft

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is.

COMMISSIONER BAZIAN: George, please don't mistake what I said. I wasn't attempting --

MR. HANLEY: I didn't. I didn't.

COMMISSIONER RODRIGUEZ: But, George, did we not ask them for a proposal at one time and the way they responded they couldn't give us specs or what.

MR. HANLEY: They gave a letter that was very vague.

PRESIDENT SANCHEZ: Let me say this. I

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want to say this. Some of you were not here 2005, 9/11, Angara situation. Some of you were not Commissioners at the time. That was a special time. That was a special time where we made a decision to go ahead and pride wasn't a concern. We needed to get the situation under control. We needed to have security, make sure we did the right thing and right contract, make sure we had the right people.

We had to cooperate with authorities. Give information about employees to go out and do it right.

It's easy now to criticize, oh, they spent \$20,000. But they forget when that happened.

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That happened after 9/11 and Angara and so far. So now it's easy to be critical about it. But we made a decision when we needed to, when it counts, after 9/11, Angara, and everything else.

From now on, it's only going to be moving forward. We're not going to spend -- how many people we hire, two, three people a year, mostly, basically. So --

MR. HANLEY: Since the initial --

PRESIDENT SANCHEZ: We're basically staying on the whole number, we went back and met every employee we had. That's how the big money was spent. Moving forward, I was checking the numbers. I'm not saying we should stick with it, I'm only saying in the last year, I think we spent

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\$9,000. I don't know what we spent --

MR. HANLEY: I think a high number --

PRESIDENT SANCHEZ: I was here when that contract was approved.

COMMISSIONER RODRIGUEZ: It was a scary time.

PRESIDENT SANCHEZ: It was easy to say, oh, look, they're spending a hundred dollars, like we're not concerned about spending. But we did it when we had to. We did it the right way, because

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this company that we hired was top of the notch. They did things that other people were not able to do, like background check and the people delivering chemicals for us. Isn't that a wonderful thing to have, because we need to know who is riding through the plants in the middle of the night. Things of that nature, we were looking for.

Thank God nothing has happened. We did well and the only thing that we could say is we spent that amount of money but, you know what, it was well spent and I want to say that for the record.

COMMISSIONER KOLODZIEJ: I agree, Mr. President. And please, Commissioner Vannoy, back me up. We spent a lot of time on this.

My own personal feeling, and I don't think, George, this needs to go into closed session. I honestly feel that the Sheriff has been given enough time to respond to what we want.

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We appreciate the work that you have done. The work that you have done, would that be enough to formulate RFPs to go out to other firms, because at this point in time I seriously doubt that the Sheriff will do this.

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MR. HANLEY: Not only is it enough, that RFP has existed since 2005. And we went, at that time, to this Commission seeking to go out at that time and were asked not to do so until the committee, you know, searched an option with the Sheriff's Office.

The problem is we have not received any, you know, explicit instructions since then except for at the last meeting.

COMMISSIONER KOLODZIEJ: Because, basically, Commissioner Vannoy, bear me out, the Sheriff seems to be tying two tasks together, the whole camera piece, which we're doing under the grant was one, and as an aside, yes, we can do this. And that's why I have my doubts as to whether he can --

COMMISSIONER VANNOY: He talks very good and makes it seem very good.

MR. HANLEY: In this agreement --

COMMISSIONER KOLODZIEJ: We're trying to get to an action today and I think that's the first --

MR. HANLEY: This is the draft. Louie's about to pass out, which I believe is a good

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draft.

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COMMISSIONER KOLODZIEJ: My other question becomes. We're going out, I hope we're going out, to a formal RFP, the Sheriff's Department I think with the County's blessing, would be able to bid on this piece and that's to me the litmus test as to whether -- they've done a lot of work also. I have to give them that. But either they're prepared to set it or they're not. I don't know how they work, but I'm assuming since they're an agency of the County that, you know, I don't know how that works.

MR. HANLEY: Well, I'll answer that, too, because that has come up. If we, in fact --

PRESIDENT SANCHEZ: Counsel, I think we should do something about it. Security meeting.

MR. HANLEY: It's done. It's done.

PRESIDENT SANCHEZ: Listen to me.

COMMISSIONER KOLODZIEJ: I know what you're saying. This is the work. This is what we need to do.

PRESIDENT SANCHEZ: Exactly. That's a great thing that you have now. All of us, we want to work together. Let's make it happen. Let's move on.

MR. HANLEY: Jim Duprey and I, I assure

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you, can have an RFP issued no longer than two weeks. We got the contract. We got the original

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RFP. All we have to do is have your authority.

PRESIDENT SANCHEZ: Counsel, all the Commissioners agree with me, but it's a great thing if whoever wins the bid is willing to do background check, not only on employees, but on people we request. Like I said, if you have a truck delivering chemicals to the plant in the middle of the night, we want to know who it is. I'd like to have that option to be able to --

MR. HANLEY: That issue is addressed. You'll see it as an exhibit that lays out in detail as well as I could.

But I also want to make one other point, because I read a comment in the paper from one of the unsuccessful bidders last time saying there was no point in making -- in checking credit history. And I have a little bit of experience, quite candidly, from the military and for security, and I will tell you something, that's one of the absolute things they check. Because is it bad that somebody fell behind on their credit card? Who hasn't. But if somebody's deeply in debt and has a lot of gambling debts, they are

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more vulnerable to doing things they we don't want done. And it is very relevant. That's just an example of what's the kind of things that we're asking for and I believe for good reason.

Now, the Commission makes the policy. You may read that and say, "Hanley, this is nuts. We

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don't want to do this." But unless I hear that  
comment, that's what we're going with.

COMMISSIONER KOLODZIEJ: At our December  
meeting, we were as specific as we can. We would  
rather have more than enough than not enough.

MR. HANLEY: Yes, you were.

COMMISSIONER KOLODZIEJ: And that's  
exactly what we reported back.

PRESIDENT SANCHEZ: Thank you.

Let's move on.

COMMISSIONER BAZIAN: May I just ask one  
last question, and if this is appropriate for the  
committee.

Our vendors who are sending us things like  
chemicals and stuff like that, obviously,  
whoever's involved in that, the drivers, whoever,  
is appropriate to have security checks. Why don't  
we ask the vendors to pay for the background  
checks. When you come right down to it, if they

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want to do business --

MR. HANLEY: That was thoroughly discussed  
a way long time ago with the security committee.  
And I think Commissioner Kolodziej was there. And  
where we came down, I don't think there was an  
absolute answer, but correct me if I summarize  
this wrong.

They concluded that if we do that, they're  
still going to price that in. And not only  
that -- in other words, if they know they got to  
do that for their drivers, their bid is going to

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be higher than otherwise.

The second thing is, we want to have the say over who does the checks and how we want that reported to us.

There's another aspect to this, by the way, that's very important to understand and why we put this little arcane process of the information went from the entity doing the background check first to Sam Samaro who has done our -- and is still our labor attorney. Why did we do that. Ultimately, it can go to Mr. Gallagher and myself.

First of all, remember, that information is important and useful, but it has not been

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vetted. There's been no cross-examination. There's been no opportunity to rebut. And so you have to protect the rights of the person being investigated as well. If you see some things that's of concern, then they hopefully will go out and do a more thorough investigation. So you have to be careful about that process as well.

And if I get the information directly, believe it or not, the attorney/client privilege between myself and this Commission exists, but it's not as protected as an outside counsel. I don't want to go into the case law and everything. But there are reasons for that that the Courts have determined. I want that information protected. I only want personnel and us to know

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about it when we were forced to act on it in a very careful fashion.

So that's just another aspect of why we ended up where we did as opposed to letting them do their own checks.

PRESIDENT SANCHEZ: Let's move on.

COMMISSIONER KOLODZIEJ: I'd like to stay on security.

One of the things I feel strongly about, any new hires have to pay for their own security

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check. We don't do that anymore.

MR. HANLEY: You do the checks?

COMMISSIONER KOLODZIEJ: We do the checks. In other words, right now, any new employee, we're still paying for.

COMMISSIONER BAZIAN: Why don't we discuss it --

COMMISSIONER KOLODZIEJ: I think that should go to personnel just for new hires.

PRESIDENT SANCHEZ: Okay.

COMMISSIONER VANNOY: Didn't we discuss that already?

COMMISSIONER KOLODZIEJ: Just for new hires.

MR. AMODIO: Moving on.

We have reservoir requests for Passaic County Police Academy for Saturdays, April 17th, 24th, May 1st, 8th, and 15th, 2010.

Any comments?

Any objections.

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Hearing none.

Thank you.

Moving along.

New Jersey Senate Bill #A-1628-Sub  
Metering of Multi-Family Dwellings.

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Mr. Bella.

MR. BELLA: We have no problem with this. We required ourselves and, you know, and this Bill doesn't require you to do that. It allows you to do that. So I'm fine with it. We looked at this a number of times. It's been kicking around with the legislature for years.

COMMISSIONER KOLODZIEJ: It's permissive. We don't have to, but you can if you want to. I like those kind of Bills.

MR. AMODIO: Moving along.

We have the Controller's Report.

MR. WEISS: My current cash on hand is 9.6 million.

Accounts receivable are 9.9 million. Thirty days or less of that is 9.7 million. So that's actually very good.

Accounts payable are 3.5 million.

You have a copy of the updated cash balances report. I was working with my elementary school kids to make sure that I brushed up on my addition so it should foot properly.

We opened up a new bank account with Crown Bank where we're putting all of our monthly cash

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flow through. We're getting 1.64 percent interest

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on that.

COMMISSIONER RODRIGUEZ: They gave us the best interest?

MR. WEISS: 1.64. We're getting .35 on the other.

MR. HANLEY: Are they in the Resolution?

MR. WEISS: They're in the new Resolution, correct, yes.

I think that was it unless you have some specific questions.

We have a Resolution authorizing, this is the one we spoke about last month that Mr. Hanley asked me to make sure that we redo for this year and for every year, authorizing us to go out to get the best rates on investing our short term investments.

COMMISSIONER BAZIAN: Does that require a motion?

Move it.

COMMISSIONER KOLODZIEJ: Second.

(Roll call was taken, all Commissioners present respond in the affirmative)

COMMISSIONER BAZIAN: If I may. I'd like

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to reiterate my request when I see cash balances, I'd like to have in addition to what you provided

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now, a spreadsheet that shows me rolling 12 months so I can have an idea of what's happening with cash, understanding the differences in cash flow with receipts and all of that, but at least we can get an idea of trends.

MR. WEISS: Okay.

COMMISSIONER BAZIAN: Thank you.

COMMISSIONER KOLODZIEJ: Excuse me, Idida was Chair of our finance committee and we had asked for a different format. It's very frustrating. How far did we get in --

COMMISSIONER BAZIAN: Did I just throw a monkey wrench in?

COMMISSIONER KOLODZIEJ: No, you didn't throw a monkey wrench in.

COMMISSIONER RODRIGUEZ: You're reiterating.

COMMISSIONER KOLODZIEJ: That's what I'm trying to say, when the finance committee meets we need to know how far they are to positioning us to have the kind of format we all need to see.

MR. WEISS: You're talking about the cash, is that what you're talking about?

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COMMISSIONER KOLODZIEJ: We're talking about where we ended off on finance and where we're going to be taking off additional.

MR. WEISS: You're talking about the cash model?

COMMISSIONER KOLODZIEJ: I'm talking about

the whole budget process and monitoring on a month-to-month basis.

MR. WEISS: I forgot to mention, we haven't gotten financials this year yet. The reason why is because I've been overwhelmed. We have the auditors coming in on Monday so I've been -- we're trying to dig out to make sure they have what they have to make sure the process gets started quickly. I expect we'll have financials for next month.

COMMISSIONER BAZIAN: Mr. Weiss, if I may, next month I expect not only financials for next month, but for all the months you haven't given them to us.

MR. WEISS: Absolutely.

COMMISSIONER BAZIAN: And I'd like them to be legible. I'd like them to foot. And I'd like them to make some sense and I'd like them in something more than 2.type if you don't mind.

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MR. AMODIO: Moving along.

Next would be the Resolution Local Finance Board Findings and Group Affidavit for the bonds that just went out.

Can I have a motion on that?

COMMISSIONER KOLODZIEJ: So move.

COMMISSIONER VANNOY: Second.

COMMISSIONER BAZIAN: Before I vote on this, I wasn't -- I read through this, but I didn't quite understand. This was just a Resolution saying we read through it?

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MR. AMODIO: Yes.

COMMISSIONER BAZIAN: And what I read was, "Okay. We have no problems with this." Did I miss anything?

MR. AMODIO: No. And we have to do a Group Affidavit with that.

COMMISSIONER BAZIAN: Okay.

MR. HANLEY: Mr. President, Mr. Farmer called me yesterday. He has an idea that merits a consideration by yourselves with respect to the grants but I said I thought he really should run that by the Commission before he implements it. So I promised we would put him on as soon as we could.

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PRESIDENT SANCHEZ: There's a Resolution on the table.

MR. AMODIO: Back to the Resolution. On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative)

COMMISSIONER RODRIGUEZ: I'm going to abstain because this recommendation came from the Local Finance Board.

PRESIDENT SANCHEZ: Mr. Farmer, what's the rush?

MR. FARMER: As we discussed, I'm in the process of putting forward a Federal appropriation

request. We have two projects. One is -- I'll go with our second priority first, which is to put in through a green energy program for the replacement of our hydroelectric generators.

It's a good program. It fits into our cycle. It's going to be our second priority.

Our first priority is to continue on our security initiatives that we've been working on.

Just to give a brief overview of appropriations. There's 12 separate --

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MR. HANLEY: Excuse me, that means the cameras --

MR. FARMER: Correct. The CCTV project. We were working strictly off the vulnerability assessment, the update that was just completed, specifically working on the short term and medium term goals that were requested in there, which is high security fencing around our electrical generator at the plant and specifically completing our CCTV project, which is what we were just awarded from the UASI program. So the actual security initiatives are a little deeper than that. We have some long term that we're going to be continuing to go after.

But specifically for this grant, we're going to be going after the high security fencing and continuation of the CCTV project at the Little Falls Water Treatment Plant and also working with accounting as far as interconnecting these with their new dark fiber project.

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They were looking at where we can request the monies from. I'm working with Congressman Pascrell's office, working with Congressman Rothman's office. We're going to be doing down there again on Thursday and Friday. We had to

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cancel because of the weather. So we're going back down on Thursday and Friday to specifically meet with the Senator's office.

One of the areas that you can request money for water project is in an area that's called a staggering. That's the area that Passaic Valley Sewerage Commission always goes after. It's one of the most highly most competitive grants in the country.

We've been working to get our project into that. Congressman Pascrell's office came up with that idea. They want us to go after an area that's easier to get money out of. It's in the judiciary committee. In the judiciary committee it's the cops, local technology grant that we can go after. But we cannot, as a Water Commission, be the lead sponsor on that. It has to be a law enforcement agency.

As we've been working closely with the Passaic County Sheriff's Office, I would like to combine our efforts. Jerry Speziale is okay with that. Loves the idea. He's done it before with William Paterson University and they were successful so that's why Congressman Pascrell says

do it here. You have a nice swag of money.

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Just so you know, the caveat of this, it's a joint proposal. The money actually will go through the Sheriff's Department on its way to us. It can only be utilized for exactly what I write the grant for. He's okay. It's going to be for our CCTV project that he's going to be doing this on.

So I just need your approval.

It's a really good opportunity for us to get this money. It's not as competitive. They give out a lot more grants in the judiciary than they do through stag. I think it's a really good opportunity. I spoken to Joe and George. I'd just like your approval. They're due Friday.

Congressman Rothman's form is due on Friday. Then the Senate's due on Tuesday and Congressman Pascrell's office is due the following Friday.

So that's what I wanted to come before you to do. It's very safe, you know, as far as they can only utilize dollars for what I utilize the grant for. He does our security patrols anyway. It's a perfect fit, seems to make perfect sense. That's why I'm here.

COMMISSIONER RODRIGUEZ: Ed, I commend you

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on that. To me it's a no brainer. I think it's a really, really good thing. I thank you and the

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Congressman's office for looking at it.

PRESIDENT SANCHEZ: What's the amount?

MR. FARMER: It was their idea, too.

Going into this it always looks good.

What we are requesting is \$1.2 million. I think the area, the appropriations grant -- 1.2 would be a home run, if we were able to get that. In the area that I would, you know, between 500 and \$750,000 is successful. We can go, you know, I wouldn't expect to see it less than 300 if we're successful. That's kind of the bottom number of what these grants are for security grants. So you're looking from anywhere from 300 to \$1.2 million if we're successful and this year we're working closely with Congressman Rothman.

PRESIDENT SANCHEZ: What do you need from us?

MR. FARMER: Just to make sure you guys are okay with it and it will be submitted and we're done. I'm out of your hair.

PRESIDENT SANCHEZ: Thank you.

MR. AMODIO: That will be all.

Resolution to enter in closed session.

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Do I have a motion?

COMMISSIONER VANNOY: So move.

COMMISSIONER RODRIGUEZ: Second.

MR. AMODIO: Pursuant to the Open Public Meetings Act, Commissioner Vannoy offers the following Resolution for adoption:

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whereas, Section 8 of the Open Public Meetings Act permits the exclusion of the public from meeting in certain circumstances; and

whereas, the public body is of the opinion that such circumstances presently exist;

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

1. The public shall be excluded from the discussion of the hereinafter specified subject matters; the general nature of the subject matters being: Financial, Insurance, Personnel, Contracts Negotiations, Securities, in particular 75 Franklin Avenue, Nutley easement, Summary Aging Report, Security Issues, Settlement Agreement with New Jersey DEP, 260 Greg Avenue, Passaic, St. Mary's Bankruptcy. Personnel Issues: Estate of Alan Levine, Rich Zangoglia. Personnel: Appointments of John Wisniewski, Tony Rodriguez, Charles Mills. Discussion of potential

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legislation action from the Division of Pension and Benefits, Green Acres offered to purchase PVWC and Interlocal Government Services Agreement for Water Supply to the town of Harrison and any other matter as may be discussed in camera.

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

This Resolution shall take effect immediately.

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Second by Commissioner Rodriguez.  
On the roll.

(Roll call was taken, all Commissioners  
present respond in the affirmative)

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MR. AMODIO: Time is 11:36.  
You have a quorum, Mr. President.  
We'll move to Consent Agenda.  
The minutes of the Passaic Valley Water

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Commission in camera and Regular Session meetings  
of January 20th, 2010. Do I have a motion?

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER BAZIAN: Second.

(Roll call was taken, all Commissioners  
present respond in the affirmative)

MR. AMODIO: Miscellaneous Purchase Order  
reports from Purchasing Director, Linda Beckering,  
for the period of January 11, 2010 to  
February 17th, 2010. Does the Chair accept,  
receive, and file?

PRESIDENT SANCHEZ: Yes, I do.

MR. AMODIO: Thank you very much.

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Next we'll move onto Requests For Action.

First will be Contract Extension Contract #09-B-3, Liquid Sodium Hydroxide. Current contract is Univar USA, Incorporated. They have agreed to one-year extension at a Negative 2.5 percent -- I'm sorry -- two one-year extensions at a Negative 2.5 percent for each period. First year extension not to exceed \$2,199,950 and the final year not to exceed \$2,144,750. Do I have a motion?

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COMMISSIONER KOLODZIEJ: So moved.

MR. AMODIO: Do I have a second?

COMMISSIONER RODRIGUEZ: Second.

(Roll call was taken, all Commissioners present respond in the affirmative)

PRESIDENT SANCHEZ: Based on the pre-explanation, yes.

MR. AMODIO: Motion's approved.

Next will be Authorization -- there's actually three of these. Authorization for Application for loans from the New Jersey Environmental Infrastructure Financing Program.

I could do all three of them, would that be okay?

COMMISSIONER KOLODZIEJ: Are you talking about eight also?

MR. AMODIO: Six, seven, and eight.

COMMISSIONER KOLODZIEJ: I need to discuss  
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eight.

PRESIDENT SANCHEZ: Six and seven.

COMMISSIONER KOLODZIEJ: Fine.

MR. AMODIO: Items number six and seven.

Loan Numbers 1605002-012-0-0, water

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Distribution Piping Upgrade, North Arlington, NJ, PVWC Contract #11-B-1 and item number seven, which is also a loan, Loan Number 1605002-011-0-0 Cleaning and Lining Water Mains, City of Passaic, PVWC Contract #11-B-2.

Discussion?

COMMISSIONER BAZIAN: Yeah.

Just the first one of these that I'm coming across. We're just authorizing to apply for a loan?

MR. BELLA: That's correct.

We're pretty much assured of getting the loan, because once you get the on that authorized list, you pretty much you're authorizing us to apply for this loan.

COMMISSIONER BAZIAN: How is this different from a bond? We just did a bond issue.

MR. BELLA: This is through the infrastructure trust, which has a very low, probably about half, half or even actually less than half the growing interest rate of what we would do if we went out to market and it's very beneficial to us.

MR. HANLEY: If I may elaborate. This is

a trust that's been ongoing for many years. It's

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basically State issues of bonds and they create an effective bank and they can get a better rate than any almost local municipality because it's a better credit and also it's a bigger deal because it's millions. It covers the whole state. And this is oftentimes the best rate you can get for a locality to do water and sewer type projects.

COMMISSIONER BAZIAN: And so I presume that these projects were not included in the bond issue?

MR. BELLA: That's correct.

COMMISSIONER BAZIAN: What dollar values are we talking about? I don't see dollar values.

MR. DUPREY: There's memorandums that are attached to each of the Resolutions and what I put in there was the cost. And I can go through that.

11-B-1, which is Water Distribution Piping Upgrade for North Arlington is approximately \$11.2.

MR. HANLEY: If I may, Jim. You really, those numbers should be listed on the agenda so that they are clear.

COMMISSIONER RODRIGUEZ: They should.

MR. HANLEY: So they are clear --

COMMISSIONER RODRIGUEZ: Exactly.

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COMMISSIONER BAZIAN: Let me ask another question.

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With the numbers not on the agenda, forgive me, I'm just putting some Zoning Board experience on here. With the numbers not on the agenda, do we have an Open Public Meetings Act problem because it wasn't publicized with that number, can we take action?

MR. HANLEY: No, that's a common confusion. The Board of Adjustment is different and I could go into that, but it's different.

Your agenda does not bind you precisely. The majority of the body can change the details of the agenda and, in fact, add things or subtract things from the agenda. The only thing that matters is the actual notice of the meeting and so the public has adequate time and opportunity to attend.

So you can recite the exact number, Jim.

MR. DUPREY: Right now this is, approximately --

MR. HANLEY: You said approximately. What is it?

MR. DUPREY: Well, right now these have to be bid and bids received --

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MR. HANLEY: No, no. You're seeking a loan not-to-exceed, right?

MR. DUPREY: 1.2 million.

COMMISSIONER BAZIAN: Now, how does it work with projects like this where anticipating an approximate cost up to \$1.2 million, how long is

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this project going to take?

MR. DUPREY: It's going to start in the spring, actually, all three of those projects will start in the spring of 2011 and continue through the fall of 2011.

COMMISSIONER BAZIAN: It's a relatively short term project.

MR. DUPREY: Yes, that's correct.

COMMISSIONER BAZIAN: This is all going to be done internally? We're contracting this out?

MR. BELLA: We bid this.

COMMISSIONER BAZIAN: We'll bid this out.

Our experience has been pretty much that when, if we're saying 1.2 million, it will be 1.2 million, not grow at some point to 2.1 million or 21.1 million?

MR. BELLA: Certainly wouldn't see those type of numbers. It might be 1.3 or 1.1.

COMMISSIONER BAZIAN: The second number is

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better, 1.1 or 1.3.

MR. BELLA: Yeah. It's a great time to do this, bid these infrastructure jobs. You get 20 bidders on the job and so they're very competitive. The numbers will come in very good.

COMMISSIONER BAZIAN: Thank you.

MR. AMODIO: Any further discussion?

MR. HANLEY: What's the number on the other one?

MR. DUPREY: Oh, the number on 11-B-2. It's approximately 1.8 --

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MR. AMODIO: 1.8 million.

MR. DUPREY: And the last one is approximately --

MR. HANLEY: See, let me clarify. It's not approximately. You're applying for a number to them. We understand the project may be a different number. What's the number you're applying for?

MR. DUPREY: 1.8 million.

MR. HANLEY: That's what they're authorizing today.

COMMISSIONER RODRIGUEZ: For the future, can these numbers be on the agenda, please, because I was asking the same thing to myself

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before Commissioner Bazian.

COMMISSIONER BAZIAN: Actually, I missed the interoffice memorandum.

MR. HANLEY: It should be.

COMMISSIONER RODRIGUEZ: It should be on the agenda.

PRESIDENT SANCHEZ: And Resolution.

MR. HANLEY: You're okay because you made it a matter of record.

COMMISSIONER BAZIAN: Thank you.

MR. DUPREY: Last but not least, 11-B-3, 1.2 million.

COMMISSIONER BAZIAN: So we're authorizing a total of \$4.2 million.

MR. AMODIO: Do I have a motion for items

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six and seven?

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER RODRIGUEZ: Second.

(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: Motion approved.

Item number eight.

Authorizing Application for a Loan from

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the New Jersey Environmental Infrastructure Financing Program, Loan Number 1605002-013-0-0, Water Main Replacement, City of Clifton, New Jersey. PVWC Contract #11-B-3 in the amount of \$1.2 million.

Commissioner Kolodziej.

COMMISSIONER KOLODZIEJ: I have no problem with passing this but I just need to ask Mr. Hanley and I wish whoever had the problem with this would have asked me to my face so I would not have had to waste our time asking this question.

Apparently, I have been brought under scrutiny because someone around this table feels I should not be voting on anything that benefits the City of Clifton. That will only be a problem for four more months because I am retiring from office.

George, can I vote on this or do I need to abstain since this is going to be a benefit to the City of Clifton?

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MR. HANLEY: I think your appointment inherently acknowledges and resolves that arguable conflict because it's legal to put you in this position that you would not have to abstain because there's a term that slips my memory, but

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it's a conflict that's resolved by the law in the way it was structured.

COMMISSIONER KOLODZIEJ: So whichever one of my colleagues had a question with that, I already asked our legal department and was given the same answer as George. So whichever one of you had that question, it's done. It's finished. I will continue to vote on anything that benefits the City of Clifton and after four more months --

PRESIDENT SANCHEZ: I have a question.

COMMISSIONER BAZIAN: I'm absolutely upset.

PRESIDENT SANCHEZ: I have a question, Commissioner Kolodziej, what are you going to do when you retire, go to Disney world?

COMMISSIONER KOLODZIEJ: I'm going to join Commissioner Bazian and we're going to shape this Commission up. So watch it. Watch it.

PRESIDENT SANCHEZ: Commissioner Kolodziej, I don't think any Commissioner here had those concerns.

COMMISSIONER KOLODZIEJ: Yes, they did. Yes, they did. They're cowardly enough not to have picked up the phone to ask me, I would have

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given the answer. I'm clearing the air. we're

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done. Let's move on.

I'll move this.

MR. AMODIO: Motion by Commissioner  
kolodziej.

Do I have a second?

COMMISSIONER BAZIAN: Second.

(Roll call was taken, all Commissioners  
present respond in the affirmative)

MR. AMODIO: Motion approved.

PRESIDENT SANCHEZ: Can we do nine, 10,  
11, 12?

COMMISSIONER KOLODZIEJ: So moved, all  
four.

MR. AMODIO: Moved by Commissioner  
kolodziej.

MR. HANLEY: Well, wait. You don't have  
to but you may want to do 12 separately.

COMMISSIONER RODRIGUEZ: Yes.

COMMISSIONER KOLODZIEJ: Nine, 10, and 11.

MR. AMODIO: Nine, 10 and 11, Resolution  
of Retirement of Teddy Reinhardt, General  
Supervising Maintenance Repairer; 34 years and one  
month.

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Michael Lapaglia, Water Meter Reader; 31  
years and eight months.

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Pedro Fuentes, Senior Water Treatment  
Plant Operator; 27 years and nine months.

Motion by Commissioner Kolodziej.

Do I have a second?

COMMISSIONER VANNOY: Yes.

(Roll call was taken, all Commissioners  
present respond in the affirmative)

COMMISSIONER BAZIAN: Just a quick  
question.

COMMISSIONER LEVINE: None of your  
questions are quick that's why we're here till  
12:00.

COMMISSIONER BAZIAN: why does a  
Resolution say, "Unanimously Adopted" before we  
even voted on it?

Continue.

COMMISSIONER RODRIGUEZ: Because it's not  
signed.

COMMISSIONER BAZIAN: I'm just saying...

MR. HANLEY: Because one assumes with  
respect to specific Resolutions no one is going to

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be so rude as to --

COMMISSIONER RODRIGUEZ: That's it.

MR. AMODIO: Next item, 12, Project #32,  
Insurance Agent/Medical Issues, recommendation to  
award to Brown & Brown Metro, Incorporated.

Do I have a motion?

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COMMISSIONER LEVINE: Move.

COMMISSIONER KOLODZIEJ: Second.

(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: Motion approved.

Next. Summary of Disbursements and Payrolls in the amount of \$5,415,014.53.

Commissioner Levine, Summary of Disbursements, are they in order?

COMMISSIONER LEVINE: Yes.

MR. AMODIO: Make a motion.

COMMISSIONER LEVINE: I make a motion.

COMMISSIONER RODRIGUEZ: Second.

COMMISSIONER KOLODZIEJ: I have a question. Can I have a separate roll call on the check #20001 League of Municipalities. Please record me as a no.

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On the bill for the Pro Blinds cleaning on our blinds, is this under contract or was that a formal bid? How many people were asked to bid? I know it's an informal bid, so I don't have a problem with that, but how did this come about on the Pro Blinds? If you can give me the courtesy for holding this for an explanation, obviously, we're looking to get the best cost. This is a service. It does have to be formally bid. We should have contacted all the local blind cleaners in the area. We talked about this many times to

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get the best price. I would like to know what process was followed.

COMMISSIONER LEVINE: Do you have a total price?

COMMISSIONER KOLODZIEJ: Three thousand five thirty-five.

COMMISSIONER RODRIGUEZ: Can you give an explanation of what Pro Blinds did?

MR. BELLA: Cleaned all the blinds.

COMMISSIONER KOLODZIEJ: I don't have a problem with needing that done. I need to know from Administration how many blind cleaner people were asked to give us a quote on what it would cost. That's all.

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MR. AMODIO: Would you like to get Linda Beckering? She can answer that question.

COMMISSIONER KOLODZIEJ: Do you want to waste our time? It's not -- I'm just asking for the courtesy of looking into how this was done.

COMMISSIONER BAZIAN: I did have one question on the checks.

I see, because I saw one PO to Sunguard for 195. I didn't see a PO for this one. I saw one. I questioned it privately. I was wondering, what we get for two checks, one for 100 and one for 195. I was wondering about that.

MR. WEISS: I have to check.

COMMISSIONER BAZIAN: And I also see a check to the Passaic County Sheriff's Department

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for \$50,000. That's for?

MR. WEISS: Security.

COMMISSIONER KOLODZIEJ: We'll talk about that in the committee.

COMMISSIONER RODRIGUEZ: I'm going to make a recommendation to the finance committee, because you know, I have a Paterson Parking Authority meeting on most of the time that we have meetings so I got here late. But I'm going to really ask my colleagues on the finance committee to really

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scrutinize a lot of these things, because I think they're really important. And, you know, one of the reasons why we changed the meetings to earlier was to not get out so late.

So I think all these questions are very, very, very prudent, very, very important for us to address while we're here so if we can get whatever it is that we're going to get, like when we used to do workshops, we used to get preliminary information. If they can get that before we come here. An explanation, just in case they have explanations, even for the Pro Blinds thing or whatever --

COMMISSIONER KOLODZIEJ: I did call, Idida, and said I needed that information. That's --

PRESIDENT SANCHEZ: Make sure you get the information.

COMMISSIONER KOLODZIEJ: That's the hard part.

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PRESIDENT SANCHEZ: Come to Louis, I mean.

COMMISSIONER KOLODZIEJ: I did go to Louis and he sent me to Yitz and I didn't get the answer.

PRESIDENT SANCHEZ: That's not the

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problem. You get it and bring it to the Board, after all, you are the Secretary of the Board.

MR. AMODIO: We're going to hold off on Pro Blinds?

COMMISSIONER RODRIGUEZ: Yeah, because Commissioner Kolodziej didn't get her response and she should get her response.

PRESIDENT SANCHEZ: She should.

COMMISSIONER LEVINE: Can I ask? For the finance, can we have a list of, weekly, I want you to bring it, I'm going to every expenditure and PO that you cut?

COMMISSIONER RODRIGUEZ: I believe we're doing everything one time now.

COMMISSIONER LEVINE: I'm going to meet with them earlier, I want it for myself so I can review it and I can have a better broad view.

MR. WEISS: Again, you want a list of?

COMMISSIONER LEVINE: POs cut weekly since January or however you --

MR. WEISS: The checks are only cut generally. The only checks that are being cut outside the ones being approved directly by the Commission are the ones that are those exceptions.

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COMMISSIONER LEVINE: That's --

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MR. WEISS: Ongoing expenses, those are things like payments for utilities, payments to Verizon, payments for contracts like the Sheriff.

COMMISSIONER LEVINE: Payments like the blind company?

MR. WEISS: That comes before the Board before it gets approved. The only time --

COMMISSIONER LEVINE: Did this come before the Board?

MR. WEISS: This is something we instituted in 2010. For any other checks that have to get paid for some reason before, they'll be able to come before the Board. The Resolution says that somebody on the finance committee has to verbally approve it before we send it out.

COMMISSIONER LEVINE: Any checks?

MR. WEISS: Exactly.

COMMISSIONER LEVINE: Even the non -- RFPs that are small purchase orders?

MR. WEISS: All of the checks. Any checks that don't come before the Board that are not from those exceptions, I have to get verbal approval from the finance committee.

COMMISSIONER LEVINE: Okay. All right.

MR. AMODIO: I'd like to go back.

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I have a motion by Commissioner Levine.  
Second by Commissioner Rodriguez.

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Summary of Disbursements and Payrolls in the amount of \$5,415,014.53, with the exception of Pro Blinds, which will be held.

(Roll call was taken, all Commissioners present respond in the affirmative)

MR. AMODIO: Commissioner Kolodziej, with the exception of check #20001.

COMMISSIONER KOLODZIEJ: Yes.

PRESIDENT SANCHEZ: I have to abstain on Montana.

MR. AMODIO: Okay. Thank you.

Moving along.

We're going to recommendations from Executive Session.

I'd like to first do the personnel piece of the appointments of John Wisniewski, Senior Water Repairer/TA with a proposed range of \$17,465 to \$57,338.

Tony Rodriguez, also the same range.

Charles Mills, also with the same range.

Do I have a motion?

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COMMISSIONER KOLODZIEJ: With the blessing of the Personnel Committee, so moved.

MR. AMODIO: Do I have a second?

COMMISSIONER VANNOY: Second.

(Roll call was taken, all Commissioners

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present respond in the affirmative)

COMMISSIONER RODRIGUEZ: I'm going to request in the future they put the actual salary that the person's going to make. They didn't put that on this.

COMMISSIONER LEVINE: The original salary?

COMMISSIONER RODRIGUEZ: The actual.

COMMISSIONER BAZIAN: I'd like to know what the original is, too.

COMMISSIONER LEVINE: Original and what they're going to get.

COMMISSIONER VANNOY: It's usually on there.

COMMISSIONER RODRIGUEZ: If you can put it on the agenda.

MR. AMODIO: Next will be Resolution authorizing Interlocal Government Service Agreement For Water Supply to the Town of

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Harrison.

Discussion?

Motion.

COMMISSIONER KOLODZIEJ: So moved.

COMMISSIONER VANNOY: Second.

(Roll call was taken, all Commissioners present respond in the affirmative)

COMMISSIONER LEVINE: Weren't we going to discuss this and see if it is --

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MR. AMODIO: No, we discussed it.

COMMISSIONER KOLODZIEJ: This is just  
water --

COMMISSIONER RODRIGUEZ: Supply, supply.

COMMISSIONER LEVINE: Okay.

MR. AMODIO: Approved.

Nothing under Good and Welfare.

COMMISSIONER BAZIAN: If I may. We do  
have Good and Welfare. Condolences to Jim  
Gallagher on the loss of his mother.

MR. AMODIO: Anything else?

Next meeting will be Wednesday,  
March 17th, 2010 at 9:30 a.m.

COMMISSIONER RODRIGUEZ: I have a Paterson

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Parking Authority meeting from 8:30 to 9:30.

PRESIDENT SANCHEZ: Leave it 9:30.

Thank you all Commissioners.

MR. AMODIO: Meeting adjourned.

Time is 11:58.

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#### 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

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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