

## PASSAIC VALLEY WATER COMMISSION MEETING OF

JUNE 17, 2015

(OPEN SESSION)

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

CHRYSTAL A. CLEAVES, President

RIGO SANCHEZ, Vice President (Absent)

MENACHEM BAZIAN, Treasurer

THOMAS P. DeVITA, Secretary

GLORIA KOLODZIEJ

JEFFREY LEVINE

RUSSELL GRADDY

## A L S O        P R E S E N T :

JOSEPH A. BELLA, Executive Director

GEORGE T. HANLEY, Counsel

YAACOV BRISMAN, Assistant Counsel

JAMES G. DUPREY, Director of Engineering

JAMES J. GALLAGHER, Personnel Director

YITZ WEISS, Comptroller

LOUIS AMODIO, Administrative Secretary

1 MR. AMODIO: Commissioner Sanchez is  
2 absent.

3  
4 (Roll call was taken, all Commissioners  
5 present respond in the affirmative. Commissioner  
6 Sanchez is absent)

7  
8 MR. AMODIO: Commissioner Bazian is here  
9 but not in his seat.

10 The time is 12:06.

11 We have a quorum.

12 All of the requirements of the Open Public  
13 Meetings Act have been met. Notices have been  
14 furnished to all Commissioners; City Clerks of  
15 Paterson, Passaic, and Clifton; North Jersey  
16 Herald News; The Record - Passaic County edition  
17 and the Commission's Executive Staff with a copy  
18 posted at the main bulletin board at the Clifton  
19 facility.

20 Will you please rise.

21 Commissioner Graddy.

22

23 (Pledge of Allegiance)

24

25 PRESIDENT CLEAVES: We're going to begin

1 with the public.

2 Bill Linteris.

3 MR. LINTERIS: Bill Linteris representing  
4 the Passaic County Board of Realtors.

5 At this point, I'm here just to followup  
6 to see if there's anything new and to see if we're  
7 progressing; if the RFQ is going to change or has  
8 been changed while we're in a timeout with the  
9 Administrative Consent Order.

10 I was wondering also if there was any  
11 discussion with Great Notch and any possible  
12 cooperation with the other water supply as to  
13 being able to save that reservoir rather than tank  
14 it.

15 Thank you.

16 PRESIDENT CLEAVES: Bob Guarasci.

17 MR. GUARASCI: Good afternoon,  
18 Commissioners. Bob Guarasci from NJCDC.

19 So I wanted to be here today because I  
20 know that on the agenda is what appears to be the  
21 intent of the Commission to award a contract with  
22 respect to public outreach services for the Levine  
23 Reservoir.

24 I did, through the open process, have an  
25 opportunity to take a look at the presentations

1 from the two bidders and the only thing that I  
2 would once again like to state, which I've stated  
3 here before, and I don't fully know what the  
4 intent of this body is today, is that while I  
5 applaud the notion that we ought to be hiring a  
6 firm who can in an impartial way conduct a series  
7 of hearings designed to solicit greater public  
8 input on this important topic, I do have some  
9 concerns about the notion of spending \$140,000 or  
10 up to that amount in ratepayer money for something  
11 that I honestly believe can be much less costly.  
12 And I think that has to become the bylaws around  
13 here or the by-phrase, if you will, when is a good  
14 idea; how can we do it any less costly than we  
15 might otherwise do it, because we obviously all  
16 want to be as easy on the ratepayers as possible.

17 So I applaud the notion here, but I'm  
18 absolutely convinced that it can and should be  
19 done for far less than up to \$140,000.

20 I also had within the last month written a  
21 letter to the Commission of Department of  
22 Environmental Protection and the head of the State  
23 Historic Preservation Office and I've asked for a  
24 full review, particularly, from the State Historic  
25 Preservation Office of what is happening with

1 regard to an analysis of this project from a  
2 historic standpoint.

3 It's always been my position that I do not  
4 believe that the Levine Reservoir project will be  
5 ready to go forward because it will in fact  
6 infringe upon a historic asset that is integral to  
7 the new Great Falls National Historic Park. In  
8 many ways I wish that we could have collectively  
9 come to that conclusion previously, but we haven't  
10 and so we'll go through these hearings. The  
11 process at the State level will obviously unwind  
12 as well.

13 In the end analysis, I don't believe that  
14 we need a five million gallon capacity from  
15 Levine. So I once again urge this body to scrap  
16 that particular element of the plan. Of course,  
17 that will be articulated more by me and many  
18 others during the public process that is going to  
19 unfold.

20 So I too, like Bill, would like to receive  
21 a status report this afternoon. If you would be  
22 so kind to let us know if anything has transpired  
23 over the last month or so with respect to the  
24 timeout or any other element.

25 I do understand from the State Historic

1            Preservation Office that there is a new draft  
2            modified ACO relative to the conversations that  
3            have been occurring. They have told me that and  
4            so I'd appreciate it if you would advise the  
5            public whether in fact we know of that new draft  
6            modified ACO.

7            And thank you for your time.

8            Thank you.

9            Eddie Gonzalez.

10           MR. GONZALEZ: Thank you for the  
11           opportunity. Welcome, everyone.

12           Once again we're here to echo what Bob  
13           said and Bill, just to followup on what's been  
14           happening over the last couple of months.

15           One of the things that I keep coming  
16           before this body for is to consistently just  
17           announce that we do want to participate in any  
18           public hearings, anything that we can do to help  
19           the process.

20           Bob and I have reviewed those documents  
21           and we do feel that it's at a high price. We've  
22           done many public hearings throughout the City of  
23           Paterson and other places for a fraction of that  
24           cost. So I'm curious to know, if awarded, what  
25           part of that contract can be eliminated so that

1 the cost would be reduced and maybe a partnership  
2 with us to help fill in the gaps. I just want to  
3 put that out there as a helping hand.

4 Also, as a taxpayer in the City of  
5 Paterson, I just want you to know that the  
6 residents of the City of Paterson have a hardship  
7 with all the tax increases. We have to be mindful  
8 of any additional increases. Like Bob said,  
9 anywhere that we can save.

10 And, again, just to keep us on a short  
11 list of resources if you need us.

12 Thank you.

13 PRESIDENT CLEAVES: Thank you.

14 Jonathan, I can't make out your last name.

15 MR. ORASCO: Orasco.

16 I pass.

17 PRESIDENT CLEAVES: Orasco?

18 MR. ORASCO: Yes.

19 I pass.

20 PRESIDENT CLEAVES: You pass?

21 Thank you.

22 That's it for public.

23 COMMISSIONER BAZIAN: Motion to close.

24 COMMISSIONER KOLODZIEJ: Second.

25 MR. AMODIO: Motion by Commissioner

1 Bazian.

2 Second by Commissioner Kolodziej.

3

4 (Roll call was taken, all Commissioners  
5 present respond in the affirmative. Commissioner  
6 Sanchez is absent)

7

8 MR. AMODIO: Time is 12:14.

9 COMMISSIONER BAZIAN: May I ask a question  
10 based upon --

11 PRESIDENT CLEAVES: Yes. Comments, yes.

12 COMMISSIONER BAZIAN: Based upon comments.

13 Joe or Jim, whoever is appropriate, the  
14 question asked about the \$140,000 price tag. I  
15 don't know how much these things cost but the  
16 question's been raised and I think it's a very  
17 valid question in terms of the monies. I'm  
18 curious. We used to have a public relation  
19 consultant. Do you remember what that cost us on  
20 a per year basis?

21 MR. BELLA: I don't recall.

22 COMMISSIONER BAZIAN: So let's just deal  
23 with the direct question. The \$140,000 price tag,  
24 is that reasonable for what we're talking about?  
25 Again, I can't judge it, but the question's been

1 raised.

2 MR. BELLA: Well, first thing it's a  
3 not-to-exceed. We're not going to spend, you  
4 know, commit to spend or order them to spend more  
5 than we actually have to. We're always pretty  
6 conservative about that. That's the first thing.

7 Second thing is, we haven't really done a  
8 lot of that kind of work before, but it follows  
9 basically what the State has told us to do and it  
10 seems like those hours that are in there are  
11 reasonable, although, again, we don't think we're  
12 going to get up to the \$140,000. If we add all  
13 the different things we think we might need  
14 together, they may not. It just may not reach  
15 that. Jim is really tough on consultants.

16 COMMISSIONER DeVITA: May I?

17 COMMISSIONER BAZIAN: I'm sorry, just a  
18 followup. So just to be clear, the specification  
19 of the contract is based upon the requirements of  
20 what were mandated by the State?

21 MR. BELLA: That's correct. And time and  
22 materials not-to-exceed.

23 COMMISSIONER BAZIAN: Time and materials  
24 not-to-exceed.

25 Do we have any internal estimates of what

1 we think this will actually cost as opposed to the  
2 maximum allowed?

3 MR. BELLA: It's hard to say. It really  
4 is. It depends on, you know, what comes out of  
5 the sessions and, you know, alternative looks and  
6 that kind of thing; how long they go, how many  
7 weeks as we move forward.

8 Bob and I have talked about this before,  
9 like one of the venues maybe at one of the schools  
10 so we could, you know.

11 COMMISSIONER BAZIAN: Auditorium.

12 MR. BELLA: Not even an auditorium, break  
13 it down into individual questions and have  
14 classrooms so hopefully we'll be able to get  
15 through that and not have as many meetings.

16 COMMISSIONER BAZIAN: Just to understand  
17 the process. Are we looking at a fixed process or  
18 iterative process? By which I mean, in a fixed  
19 process we're planning on X number of meetings of  
20 X duration, as opposed to an iterative process,  
21 you have a meeting and that based upon that  
22 meeting maybe we have to have a planning session  
23 or we have to redesign or maybe we have to do some  
24 analysis and then we'll have another meeting. So  
25 is it iterative or is it fixed?

1 MR. BELLA: No, it's iterative. That's a  
2 good way of putting it.

3 COMMISSIONER BAZIAN: It's similar to, in  
4 my mind, to what I'm doing in the systems  
5 specification. That's the way it works. So now I  
6 understand.

7 In all fairness, in all fairness, the  
8 comments by Mr. Gonzalez are well taken knowing  
9 how hard Paterson, I know how hard Passaic is  
10 about to be hit with taxes, so it's something that  
11 I know all of us are on the same page.

12 MR. BELLA: Yes.

13 PRESIDENT CLEAVES: Commissioner DeVita,  
14 you have a question?

15 COMMISSIONER DeVITA: Yes.

16 My understanding is that, as you said  
17 before, the State's requiring us to do this?

18 MR. BELLA: That's correct. We're trying  
19 to fit what they explained to us.

20 COMMISSIONER DeVITA: Okay.

21 COMMISSIONER KOLODZIEJ: I think the  
22 important thing here is I particularly like this,  
23 we had two that you explained were the finalists  
24 and in my opinion this firm is the right firm for  
25 the job because it fits the mold of what the State

1 requires. If you've ever been to one of their  
2 State outreach things, I was at two, one for the  
3 juncture of 46 and Route 3. It's an informational  
4 session. Not everybody is going to have the  
5 background that the people that came out here  
6 today to speak will have. So for a lot of people,  
7 it will be their first opportunity to understand  
8 what the projects entail and it has morphed from  
9 just the one that came out of our first consultant  
10 to the three that we have added. They will also  
11 take input on anything additional.

12 Joe, what kind of alarmed me is Mr.  
13 Guarasci saying if there's a modified ACO out  
14 there. Have we seen that modified ACO? Because  
15 we certainly haven't.

16 MR. BELLA: No. We spoke to the State  
17 yesterday. They told us what they're going to do.  
18 They should be sending us the final ACO in the  
19 next couple of weeks.

20 COMMISSIONER KOLODZIEJ: But what  
21 modifications were they moving towards? Are there  
22 going to be modifications on this historic  
23 preservation? The only modifications that I'm  
24 aware from the committee meetings that we hold is  
25 the modification on the timeline. So that's what

1 I'm waiting for. But other than that, have you  
2 had any information --

3 MR. BELLA: And the public outreach.

4 COMMISSIONER KOLODZIEJ: And the public  
5 outreach.

6 Well, perhaps at the end of the meeting  
7 you can ask Mr. Guarasci to give you the name of  
8 the person he dealt with so if there's anything  
9 else coming down the line in the way of a  
10 modification, let's have it all together, not  
11 piecemeal. So we expect the two, but this one is  
12 a new one.

13 COMMISSIONER GRADDY: Madam?

14 PRESIDENT CLEAVES: Yes.

15 COMMISSIONER GRADDY: May I just ask Mr.  
16 Guarasci a question.

17 It seems to me that your basic objection  
18 is the cost of the project or you're objecting to  
19 the project?

20 MR. GUARASCI: No, it's the cost. And I  
21 certainly understand that the State has said that  
22 we are requiring you to undertake this public  
23 outreach process and I support that, but the State  
24 never said that you need to spend up to \$140,000  
25 to do it. I would have been happy with frankly

1           some inhouse process mixed with some community  
2           flavor to do it at a much less cost.

3                   COMMISSIONER GRADDY: That's what I'm  
4           getting to. Excuse me, I don't know the young  
5           man's name.

6                   PRESIDENT CLEAVES: Eddie Gonzalez.

7                   COMMISSIONER GRADDY: Mr. Gonzalez, he  
8           said something about cutting out maybe some  
9           portions of the project and a partnership with  
10          your group to do some of the work to keep some of  
11          the costs down. Am I hearing that correct?

12                   MR. GONZALEZ: Yes. I was referencing to  
13          some of the public outreach work; getting  
14          organized, publicizing the meetings, getting folks  
15          to attend the meetings, getting feedback, all of  
16          those things that someone who's not native to  
17          Paterson will have a much more difficult time to  
18          reach out to. Parents and families who are busy  
19          with their personal lives. Unless you have a  
20          personal connection or some relationship with them  
21          that they trust that this is an important matter  
22          that, you know, when you say come out to this  
23          event, they will show up. And it's really based  
24          on the merit that you're telling them that you  
25          have that relationship.

1           So in that regard, we can get a lot more  
2 folks, I'm pretty sure than a public consultant  
3 would. So we can help out in that matter.

4           And in addition to that, we ourselves, you  
5 know, are neighbors to the site, the Levine site.  
6 And, you know, it's in our neighborhood. It's  
7 right adjacent to our property. So we want to  
8 have as many people to come out to give their  
9 opinions as to the design, not just about cost,  
10 but it's also, if we're mandated to do something,  
11 it doesn't necessarily mean that you have to put  
12 tanks there. There's other alternatives that  
13 we've discussed.

14           So, again, just getting the public to give  
15 some input in the design process as well.

16           COMMISSIONER GRADDY: Thank you.

17           PRESIDENT CLEAVES: Commissioner DeVita.

18           COMMISSIONER DeVITA: This contract is to  
19 be time and materials. So if your organization is  
20 willing to help and assist in this, it will  
21 seriously cut down on the time and materials spent  
22 by a vendor. So you could still award it and you  
23 can still help.

24           MR. GUARASCI: The only thing I would want  
25 to be conscious about is although I would tell you

1 directly that any involvement we have would be  
2 completely non-bias, the fact that we are on  
3 record as an objector, I just want to be careful  
4 that that doesn't in any way taint the notion of  
5 an open process. Because when you have an open  
6 process, even though I do not want this to occur,  
7 I have to allow for the room that a majority of  
8 people might want it to occur.

9 So we are willing to help, of course. But  
10 we are also on record as an objector and I just  
11 think we should --

12 COMMISSIONER DeVITA: Understood,  
13 understood. But you'll get people out.

14 Mr. GUARASCI: I will. Absolutely,  
15 absolutely.

16 COMMISSIONER DeVITA: I got the impression  
17 you would.

18 PRESIDENT CLEAVES: Mr. Bella, is there  
19 any other updates that you need to provide?

20 MR. BELLA: No, that's it.

21 COMMISSIONER KOLODZIEJ: The committee has  
22 pushed for something in writing for each of us to  
23 have on any amendments, any timelines, because  
24 we've been getting information through Joe so  
25 that's important to us and we should be able to

1 have that by our next meeting.

2 I think it's also important to point out  
3 that this particular firm that is on our agenda  
4 for approval has had a considerable amount of  
5 experience in conducting these public outreaches.  
6 They are very strong in reaching out to the  
7 community at large, not just in Paterson but every  
8 affected person. And I thought they had some  
9 really good ideas of how to do that to add, you  
10 know, your expertise. So that's certainly not a  
11 problem and I think that would fall into exactly  
12 what they plan to do.

13 So I'm confident that the firm that we  
14 have on record today is the way to go. It really  
15 is.

16 MR. AMODIO: Anything else?

17 Move onto committee reports.

18 COMMISSIONER LEVINE: Don't we have to  
19 close the open portion?

20 MR. AMODIO: We did already.

21 Personnel.

22 COMMISSIONER GRADDY: Madam President, my  
23 personnel committee report, we did meet and  
24 discussed and brought before you some  
25 recommendations today.

1           We do have a couple of our title changes  
2           as per Civil Service. We have equipment  
3           operators. We have a couple of those: Martinez  
4           and Gary Robinson.

5           A couple of new hires. We have Ariel  
6           Williams, a water sampler and one laborer that  
7           we'd like to bring on at this meeting.

8           And one other, that Wendy Simone.

9           MR. AMODIO: Commissioner, just for the  
10          record, we're going to hold that for next month.  
11          Item 3 is going to be held.

12          COMMISSIONER KOLODZIEJ: I don't have  
13          that.

14          COMMISSIONER LEVINE: I didn't have that  
15          either.

16          MR. AMODIO: It came out yesterday.

17          COMMISSIONER GRADDY: All right. And the  
18          third we're going to hold. We're going to deal  
19          with the first two.

20          Any discussion on that?

21          COMMISSIONER KOLODZIEJ: Yes. I have  
22          nothing on my agenda under Personnel. So we have  
23          an amended --

24          PRESIDENT CLEAVES: It was revised.

25          MR. BRISMAN: Any Personnel will be held

1 in closed.

2 COMMISSIONER KOLODZIEJ: I had a question  
3 about the procedure. We used to adhere to the  
4 agenda that if you didn't have everything in by  
5 the time that the agenda normally got posted, it  
6 would be held to the next meeting. So I'm just  
7 questioning this. Are we following procedure?  
8 Are we stepping outside of procedure to get this  
9 on the agenda?

10 PRESIDENT CLEAVES: We're following  
11 procedure.

12 COMMISSIONER KOLODZIEJ: We always close  
13 this the Wednesday before the meeting, so this was  
14 available to us at that time. Right?

15 PRESIDENT CLEAVES: We're following  
16 procedure, but I can explain to you.

17 COMMISSIONER KOLODZIEJ: All right. In  
18 closed session?

19 PRESIDENT CLEAVES: Yes.

20 COMMISSIONER KOLODZIEJ: All right. Thank  
21 you, I appreciate that, Madam President.

22 COMMISSIONER GRADDY: What are we saying?  
23 I'd like to see this move forward with the new  
24 hires we have, just not hold it over because maybe  
25 some of the Commissioners --

1 PRESIDENT CLEAVES: No, I think there's a  
2 better understanding --

3 COMMISSIONER KOLODZIEJ: Just an  
4 explanation. That's what I'm looking for.

5 COMMISSIONER GRADDY: Very good.

6 MR. AMODIO: Finance.

7 COMMISSIONER BAZIAN: Other than the  
8 standard stuff, we had a discussion about the  
9 fishing program that the Commission asked us to  
10 look at that. We asked Yitz to put together some  
11 figures together for us.

12 Do you have those figures?

13 We had a per day cost whether it was on a  
14 Saturday or a Sunday. What is it, like, 1,800 a  
15 day if we went with the kids?

16 MR. WEISS: The original number we had is,  
17 right, 1,800 with kids; 2,800 if we did with our  
18 employees. And subsequently, when I sat down with  
19 Mr. Gallagher, that was based on a 12-hour day.  
20 We cut it down to eight hours open, a ten-hour day  
21 splitting it in half so no one is working more  
22 than five hours so we're talking about 2,335 a  
23 day.

24 COMMISSIONER BAZIAN: Using our employees?

25 MR. WEISS: That's using our employees.

1                   COMMISSIONER LEVINE: What about using the  
2 kids?

3                   MR. WEISS: With the kids, it would be  
4 about a thousand dollars less.

5                   COMMISSIONER BAZIAN: So about \$1,300.

6                   COMMISSIONER LEVINE: What about eight  
7 hours?

8                   MR. WEISS: We were asked to come up with  
9 a proposal and bring it back. We can always  
10 tailor that, that's fine.

11                   COMMISSIONER BAZIAN: We also talked about  
12 the fact that we did not budget for that. And  
13 just as a reminder, in general, something is  
14 considered budgeted for when it's either in a  
15 specific line item or in cases like this, it's  
16 within the budget narrative, which this was not  
17 within the budget narrative. Just because we  
18 haven't budgeted for it doesn't mean that it's  
19 impossible to do. It means that we have to make a  
20 conscious decision to take money, whatever amount  
21 it turns out we need, from line item A and put it  
22 into line B. And Yitz, we had a discussion of  
23 that and he believes he has a line item that's A,  
24 appropriate and B, has the money that we could  
25 transfer some money from.

1           We don't have a specific proposal in terms  
2 of numbers of days. We have options to do, well,  
3 I think what did we say, two days a month?

4           MR. WEISS: We actually said two Sundays  
5 in July and two Sundays in August. We actually  
6 have that set.

7           COMMISSIONER KOLODZIEJ: We talked about  
8 one day during the week.

9           COMMISSIONER BAZIAN: Right.

10          MR. WEISS: Two Sundays in July; two  
11 Sundays in August. And we said also that we  
12 wanted to make it optional, we wanted to make it  
13 available during the week for local organizations  
14 within the owner cities if they wanted to bring  
15 groups, that would be something that would have to  
16 be scheduled on an individual basis.

17          COMMISSIONER DeVITA: What's the total  
18 cost?

19          MR. WEISS: There wouldn't be any real  
20 additional cost. It would be more allocating  
21 resources.

22          COMMISSIONER DeVITA: During the week.

23          MR. WEISS: During the week. The cost is  
24 really just for the weekend.

25          COMMISSIONER DeVITA: If we do it on the

1 weekend, roughly 2,350.

2 MR. WEISS: Correct. To cleanup the  
3 reservoir. Jim Gallagher was saying cleanup the  
4 reservoir, whatever the cleanup, fix up needs to  
5 be. That's going to be a cost of about \$3,000.  
6 So all told, we're talking about four days over  
7 the summer using our employees because Jim  
8 believes that if we're going to have it open on  
9 the weekend, you're better off using our employees  
10 rather than the summer kids because they're  
11 generally not available on Sunday. We're talking  
12 about a cost of 12,500 roughly.

13 COMMISSIONER LEVINE: What's the cleanup?

14 MR. WEISS: I'm not at liberty to say.

15 COMMISSIONER LEVINE: Why can't they  
16 cleanup during the day?

17 COMMISSIONER BAZIAN: Whatever it is,  
18 bottom line, just for the discussion right now:  
19 We're looking at two Sundays per month with  
20 cleanup is approximately 12 and a half thousand  
21 dollars. That's the cost that we're looking at.  
22 Okay. And then the question is, you know,  
23 whatever the pleasure of the Commissioners.

24 COMMISSIONER KOLODZIEJ: I really asked  
25 because to me I consider this a new pilot program

1           because we're just starting. Next year we may be  
2           able to expand that. Attendance records be taken  
3           so that we actually see what we're getting in  
4           return for our money.

5                    COMMISSIONER LEVINE: We should let people  
6           know that we're starting this back up.

7                    COMMISSIONER KOLODZIEJ: I'm sure the  
8           owner cities will be the first ones to know. I  
9           don't know how that works because in the past it  
10          was only for the owner cities. It wasn't for  
11          other people to come unless the Commissioners gave  
12          out, you know.

13                   COMMISSIONER LEVINE: Would it be worth  
14          putting it in the local paper, you know, with the  
15          owner cities?

16                   COMMISSIONER KOLODZIEJ: I think if you  
17          just go to your mayors and let them know that this  
18          is happening and the Commissioners are the ones  
19          that are going to be holding the passes? So if  
20          your mayor calls you and says he wants 50 passes,  
21          you're going to give him 50 passes. You got 150  
22          passes right here. So I don't think it needs to  
23          go any further than that.

24                   Plus the fact that if any of your camps,  
25          certainly, I'm going to be calling our recreation

1 department and say if you want to do a field trip  
2 to the reservoir and take Clifton kids from the  
3 camp fishing, let our people know.

4 COMMISSIONER DeVITA: During the week.

5 COMMISSIONER KOLODZIEJ: Exactly, Tom. So  
6 it's a pilot program. I don't know how many  
7 agencies will take us up on that, but it's out  
8 there. It's out there. I think it's limited as  
9 it has been in the past to the owner cities.

10 MR. AMODIO: That's it for finance?

11 COMMISSIONER BAZIAN: Well, I believe, is  
12 it appropriate to ask if the Commission wants to  
13 go in a particular direction and perhaps get a  
14 vote or hold that off until next month and get a  
15 Resolution.

16 COMMISSIONER KOLODZIEJ: No, do it now.

17 COMMISSIONER BAZIAN: I'm not arguing. I  
18 didn't hear anybody say anything.

19 COMMISSIONER LEVINE: I'll make a motion  
20 that we try this pilot program not-to-exceed the  
21 amount of 12,500. If we have to amend it, but I'd  
22 like it to be less and work the particulars out  
23 later maybe in the finance committee this month.  
24 But at least we could get the cards out and get  
25 that rolling. I'd like to see 8,000 but we'll see

1                   what we can do.

2                   COMMISSIONER BAZIAN:  If I may?  Just to  
3                   offer an amendment.  That would be, Yitz, I'd like  
4                   the motion to include the budget amendment; where  
5                   we're taking the money from and where it's going  
6                   to.  You have to provide that detail.

7                   COMMISSIONER LEVINE:  Yes.

8                   COMMISSIONER BAZIAN:  If you can't provide  
9                   it now, I'm okay with you providing us with the  
10                  details at the next meeting but I want that  
11                  explicitly on the record that there's a budget.

12                  MR. WEISS:  Okay.

13                  COMMISSIONER BAZIAN:  I believe that our  
14                  auditors wanted that.

15                  PRESIDENT CLEAVES:  You have a motion on  
16                  the floor.

17                  Is there a second?

18                  COMMISSIONER BAZIAN:  I'll second.

19                  MR. AMODIO:  Second by Commissioner  
20                  Bazian.

21                  Two Sundays in July and two Sundays in  
22                  August.  One day during the week for owner cities  
23                  not-to-exceed 12,500 and there will be a budget  
24                  amendment.

25                  COMMISSIONER BAZIAN:  Louie, that one day

1                   during the week, no. What we had said for  
2                   organizations scheduled with Mr. Gallagher that we  
3                   would make it available during the week.

4                   COMMISSIONER DeVITA: One day.

5                   COMMISSIONER BAZIAN: I don't know that we  
6                   have to say one day.

7                   COMMISSIONER LEVINE: We'll make it  
8                   available for organizations during the week with  
9                   approval of our Personnel Director or Executive  
10                  Director.

11                  COMMISSIONER BAZIAN: Joe, work it out  
12                  with Jim. We don't want to impact operations, but  
13                  I think it would be very great for the kids of  
14                  Passaic, Paterson, and Clifton to go down and fish  
15                  for a day.

16                  COMMISSIONER LEVINE: Otherwise, we'll be  
17                  open for two Sundays a month in July and August,  
18                  four total times for the season not-to-exceed ten  
19                  hours a day or whatever.

20                  COMMISSIONER BAZIAN: We gave it a 12 and  
21                  a half thousand dollar limit.

22                  COMMISSIONER LEVINE: That's fine. I'd  
23                  rather work off the money.

24                  COMMISSIONER BAZIAN: Maybe they can get  
25                  some kids and keep it open longer, you know.

1 We have a motion and second.

2 MR. AMODIO: Commissioner Levine made the  
3 motion.

4 Second by Commissioner Bazian.

5

6 (Roll call was taken, all Commissioners  
7 present respond in the affirmative. Commissioner  
8 DeVita responded in the negative. Commissioner  
9 Sanchez is absent)

10

11 COMMISSIONER DeVITA: I like the idea of  
12 it being open during the week for kids' groups.  
13 I'm not crazy about weekends and spending that  
14 kind of money. I'm going to vote no.

15 MR. AMODIO: Motion approved.

16 COMMISSIONER KOLODZIEJ: Before we move  
17 over from finance, one of the items on our agenda  
18 is the refunding of the bonds which you're, I  
19 guess, going to talk about in your report.

20 And the other thing was: Do we or don't  
21 we have to revote on the budget? You had  
22 explained to us at finance because we were so  
23 diligent and so good and we did everything on time  
24 that the State was behind. So do we have to do  
25 that or not?

1 MR. WEISS: So the answer is yes, I think  
2 the plan was to do that during the Controller's  
3 Report.

4 COMMISSIONER KOLODZIEJ: Okay. We'll do  
5 it under your report. I just want everybody to  
6 know that it's not our fault, it's the State that  
7 was dragging their feet. So I'm liking the fact  
8 that we did good.

9 Thank you.

10 COMMISSIONER BAZIAN: Doesn't matter,  
11 we'll get blamed.

12 COMMISSIONER GRADDY: Before we move on.

13 PRESIDENT CLEAVES: Still under finance.

14 COMMISSIONER GRADDY: We're still under  
15 finance.

16 I want to know in terms of liabilities for  
17 the Commission, are we covered?

18 COMMISSIONER KOLODZIEJ: Yes.

19 COMMISSIONER LEVINE: Yes.

20 COMMISSIONER GRADDY: Okay.

21 PRESIDENT CLEAVES: Okay.

22 MR. AMODIO: Anything from IT?

23 COMMISSIONER BAZIAN: Not at this time.

24 MR. AMODIO: Legal affairs.

25 COMMISSIONER DeVITA: We had our meeting

1 last week and went over the RFPs and everything  
2 went into effect.

3 MR. AMODIO: Special projects.

4 COMMISSIONER KOLODZIEJ: You saw the  
5 wonderful presentation on how we're moving along  
6 on some very needed improvements, capital projects  
7 which have all been budgeted for. Three of our  
8 items we covered: The New Street Dam and also the  
9 outreach that will be on for our vote in a little  
10 while.

11 The last thing on our agenda was the Point  
12 View Reservoir upgrade plan. That's going to take  
13 Joe and his staff time to do. We can't budget for  
14 it until next year anyway so it would be just an  
15 item that we're carrying over for discussion.

16 COMMISSIONER LEVINE: I wanted to bring  
17 something up I guess that --

18 PRESIDENT CLEAVES: Is this part of  
19 the agenda?

20 COMMISSIONER LEVINE: I guess it's kind of  
21 part of Personnel, I guess.

22 COMMISSIONER GRADDY: We did Personnel  
23 already.

24 COMMISSIONER BAZIAN: I think, just  
25 forgive me, but this might be better under Old

1 Business.

2 PRESIDENT CLEAVES: Under Old Business.

3 COMMISSIONER BAZIAN: You're revisiting  
4 something from last month so do it a little later.

5 COMMISSIONER LEVINE: Okay.

6 MR. AMODIO: Policy committee.

7 COMMISSIONER KOLODZIEJ: Policy, we  
8 haven't met. We're still wrestling with the tax  
9 lien situation so until Mr. Hanley gets us an  
10 update on what we need to do, which is basically  
11 as we understand it, it would require legislative  
12 kind of remediation so that's the only item that's  
13 out there. And you'll see on the item today we're  
14 getting on our agenda the things that we need to  
15 do by Resolution. So that's the only item out  
16 there is the tax lien situation.

17 MR. AMODIO: We'll move to the Executive  
18 Director's report. I believe we have Howard  
19 Eichenbaum here.

20 MR. EICHENBAUM: Good afternoon. Howard  
21 Eichenbaum from Gluck, Walrath and Dennis Enright.

22 We're here today because of a Resolution  
23 that you have before you with respect to some  
24 refunding opportunities.

25 As you know, the Commission issued bonds

1 from time to time to finance the Commission's  
2 facilities and at times interest rates change.  
3 And I think it's beneficial for you to consider  
4 refunding those bonds by issuing bonds at a lower  
5 interest rate. And so basically, the 2003 bonds  
6 and 2005 bonds have been identified by the  
7 financial advisor as refunding candidates. And  
8 the process basically is that we need to go to the  
9 Local Finance Board to approve it and a bond  
10 Resolution would then be done after LFB approves  
11 this to issue those bonds.

12 In the meantime, the process is for NW to  
13 identify an underwriter. Based upon the nature of  
14 the bonds that we're refunding, the one series of  
15 bonding can only be refunded within 90 days of  
16 December 15th. So the anticipation is that the  
17 bonds would probably be sold late August, early  
18 September and closed some time after  
19 September 15th. It would be within that 90 days.

20 Do you have any questions?

21 There's a Resolution before you basically  
22 authorizing the application to the Local Finance  
23 Board which is the first step.

24 PRESIDENT CLEAVES: Commissioner Bazian.

25 COMMISSIONER BAZIAN: Thank you, Madam

1 President.

2 I just want to make sure we're all on the  
3 same page. Forgive me. The questions are going  
4 to be coming rather rapidly.

5 There's no cash out. All we're doing is  
6 retiring old bonds?

7 MR. EICHENBAUM: Yes.

8 COMMISSIONER BAZIAN: In effect, you're  
9 refinancing the loan?

10 MR. EICHENBAUM: Yes.

11 COMMISSIONER BAZIAN: And what is the  
12 estimated cost benefit to the Commission from the  
13 expected refinance, estimated? We understand that  
14 we won't know until the bonds close.

15 MR. EICHENBAUM: About a half million  
16 dollars at present value.

17 COMMISSIONER BAZIAN: About a half million  
18 dollars at present value.

19 And the actual cash over the life of the  
20 bonds?

21 MR. EICHENBAUM: Six hundred thousand  
22 dollars.

23 COMMISSIONER BAZIAN: Six hundred thousand  
24 dollars.

25 Is that net of any fees to your respective

1 organization?

2 MR. EICHENBAUM: Yes.

3 COMMISSIONER BAZIAN: So what we're  
4 looking at is the potential of authorizing this  
5 right now and saving the Commission a half million  
6 dollars net without any dollars going to anything  
7 else.

8 We discussed it in finance and we kind of  
9 looked at each other. It was a very quick  
10 conversation. We looked at each other and said:  
11 Sounds like a no brainer.

12 COMMISSIONER KOLODZIEJ: Right.

13 COMMISSIONER BAZIAN: Thank you.

14 I just wanted to make sure we all  
15 understood what we were talking about; what the  
16 numbers were.

17 MR. EICHENBAUM: Essentially, the Local  
18 Finance Board looks for at least a three percent  
19 savings in order to approve financing. People  
20 generally won't even bring them up and go to the  
21 Local Finance Board until we have at least that.

22 COMMISSIONER BAZIAN: And remind me what  
23 percentage are --

24 MR. ENRIGHT: A little over five.

25 COMMISSIONER BAZIAN: A little over five.

1                   Are those the only three? We don't have  
2                   any higher.

3                   MR. ENRIGHT: No, we did too good in the  
4                   past.

5                   MR. BELLA: The important thing is:  
6                   Interest rates will probably be going against us.

7                   COMMISSIONER BAZIAN: I also want to thank  
8                   NW Financial for having a caucus. That's what we  
9                   pay you guys for. You're doing your job and thank  
10                  you for doing your job and potentially saving us a  
11                  half million dollars.

12                 MR. EICHENBAUM: Normally, you would have  
13                 a bond sale and because of the concerns and  
14                 interest rates potentially rising, the intention  
15                 is possibly sell these bonds maybe three weeks or  
16                 more before the actual closing just to avoid the  
17                 potential increase, even in that couple weeks  
18                 period.

19                 COMMISSIONER BAZIAN: So I'll make a  
20                 motion.

21                 MR. AMODIO: By Commissioner Bazian.  
22                 Do I have a second?

23                 COMMISSIONER LEVINE: Second.

24                 MR. AMODIO: By Commissioner Levine.  
25                 On the roll.

1 (Roll call was taken, all Commissioners  
2 present respond in the affirmative. Commissioner  
3 Sanchez is absent).

4  
5 MR. AMODIO: Motion approved.

6 Moving on to the Executive Director's  
7 report.

8 MR. BELLA: I pretty much did.

9 PRESIDENT CLEAVES: Controller's Report.

10 MR. WEISS: Cash on hand is currently  
11 15.9 million.

12 Our accounts receivable 15.4 million.

13 Our 30 days or less accounts receivable is  
14 at 14.4 million which is about 94 percent.

15 Accounts payable is at 4 million.

16 Just to give you an update on a couple of  
17 quick things; number one: Our new billing  
18 software is live. We are up and running. We are  
19 still troubleshooting some issues and we ended up  
20 being about two weeks behind with our billing. We  
21 did hit a snag. We're mostly caught up. We  
22 should be caught up by the end of this month  
23 that's the reason why cash is actually lower than  
24 it has been the past couple of months because our  
25 cash flow's got to catch up. We will be doing all

1 the billing; we will be collecting all of that but  
2 we're a little bit behind.

3 That's number one.

4 Number two: As far as the audit's  
5 concerned, we were waiting for some financial  
6 calculations that are being done by an outside  
7 third party so the auditors can finish. There was  
8 an important integral part of the audit. They  
9 have the information they need. I understand  
10 that's a process, but if I had to guess I would  
11 say it's unlikely that we will have the audit by  
12 the end of the month which means that our audit  
13 will probably be late.

14 COMMISSIONER BAZIAN: Two questions: What  
15 are the consequences of it being late and how soon  
16 can we see that --

17 MR. WEISS: Good question. I have to get  
18 back to you on the answer. I don't have an answer  
19 off the top of my head.

20 COMMISSIONER BAZIAN: Both questions?

21 MR. WEISS: Yes. I haven't seen the draft  
22 yet. Until they have the last piece of the  
23 puzzle, we're not going to see any of those  
24 figures.

25 Next: We talked about the fishing

1 program.

2 Just to give you another heads up. This  
3 is something that's going to be -- we're going to  
4 go through, obviously, in the finance committee  
5 meetings, we're back into budget season again as  
6 of July. We're going to have updated reports that  
7 should be coming out next month so you'll see  
8 again budget national reports at some point and  
9 some standardized reports now that the billing  
10 project is for the most part completed. And we'll  
11 be starting the process for the budget. In other  
12 words, we'll be getting the information out to the  
13 department heads and the department heads will put  
14 together preliminary numbers. We'll be meeting  
15 with them so we can review and scrutinize and  
16 bring everything back and have the budget back for  
17 you.

18 COMMISSIONER BAZIAN: When is that?

19 MR. WEISS: July; at the end of this  
20 month, beginning of July.

21 COMMISSIONER BAZIAN: So finance committee  
22 can start discussions in August?

23 COMMISSIONER LEVINE: July.

24 MR. WEISS: We may even be able to start  
25 in July. We certainly will have reports, even if

1 we don't have numbers back from the department  
2 heads.

3 Did you have another question? I'm sorry.

4 COMMISSIONER BAZIAN: No. I just have to  
5 say, I mean, it's very gratifying to see that we  
6 got the budget process on a timely schedule which  
7 hasn't been in the past, but now it seems like  
8 we're actually low and any holdups, either be it  
9 on the audit or on the budgets, haven't been on  
10 our end although we'll get blamed anyway, but it  
11 hasn't been on our end.

12 MR. WEISS: Right. That's a good segue.  
13 So I was contacted by the Division of Local  
14 Government Services and they told us that we  
15 adopted our budget on time in December, which was  
16 great, however, they said that we adopted the  
17 budget without them first approving our approved  
18 budget. So they requested that we readopt the  
19 budget. That's the reason why you have another  
20 adopted budget in front of you today.

21 COMMISSIONER DeVITA: The one we did in  
22 December?

23 MR. WEISS: The same one we did in  
24 December they want us to adopt it again now that  
25 they have signed off on it.

1                   COMMISSIONER BAZIAN: In other words, we  
2 followed the schedule and they didn't.

3                   MR. WEISS: Correct.

4                   COMMISSIONER BAZIAN: But we have to redo  
5 the work?

6                   MR. WEISS: I asked them. I said: Does  
7 this mean now we're going to get, you know, are we  
8 going to have to do a late budget amendment. And  
9 they said: No, it's all procedural. They just  
10 want to make sure that we have an adopted budget  
11 Resolution after they approved our approved  
12 budget.

13                   So I have the approved budget approved by  
14 them back and you have in front of you our  
15 adoption so that we can a readopt our adopted  
16 budget.

17                   COMMISSIONER BAZIAN: Can I just do a  
18 motion on that now?

19                   MR. WEISS: Please.

20                   COMMISSIONER BAZIAN: Let's do a motion on  
21 that and get it done.

22                   MR. AMODIO: Motion by Commissioner  
23 Bazian.

24                   COMMISSIONER KOLODZIEJ: Second.

25                   MR. AMODIO: Second by Commissioner

1 Kolodziej.

2 On the roll.

3

4 (Roll call was taken, all Commissioners  
5 present respond in the affirmative. Commissioner  
6 Sanchez is absent)

7

8 MR. AMODIO: Thank you.

9 MR. WEISS: That's all I have.

10 MR. AMODIO: There's nothing else for open  
11 session.

12 Do I have a motion for closed?

13 COMMISSIONER BAZIAN: Move it.

14 MR. AMODIO: Motion by Commissioner  
15 Bazian.

16 COMMISSIONER GRADDY: Second.

17 MR. AMODIO: WHEREAS, Section 8 of the  
18 Open Public Meetings Act permits the exclusion of  
19 the public from a meeting in certain  
20 circumstances; and

21 WHEREAS, the public body is of the opinion  
22 that such circumstances presently exist;

23 NOW, THEREFORE, BE IT RESOLVED, by the  
24 Commissioners of Passaic Valley Water Commission:

25 1. The public shall be excluded from the

1 discussion hereinafter specified subject matters;  
2 the general nature of the subject matters being:  
3 Financial, Insurance, Personnel, Contracts,  
4 Negotiations, Security. Under Law we have  
5 Summary/Aging, PVWC v. Dial Corporation. Title  
6 changes as per Civil Service: Joe Martinez and  
7 Gary Robinson - Heavy Equipment Operators. New  
8 Hire: Ariel Williams - Water Sample Collector New  
9 Hire: Miles Brown - Laborer. Under  
10 Administration we have Project 15-P-56 "Public  
11 Outreach and Participation for the Levine  
12 Reservoir Water Storage Improvements". We also  
13 have Change in Scope for Professional Services for  
14 Project 14-P-56 "Professional Services for  
15 Completion of the PVWC's New Customer Information  
16 System" and any other matter as may be discussed  
17 in camera.

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

23 3. This Resolution shall take effect  
24 immediately.

25 Second by Commissioner Graddy.

1 MR. HANLEY: I'm sorry, did you mention 2  
2 Market Street as a subject in closed?

3 PRESIDENT CLEAVES: No.

4 MR. AMODIO: What's 2 Market Street?

5 MR. HANLEY: I would ask that be added.

6 MR. AMODIO: 2 Market Street, please add.

7 COMMISSIONER KOLODZIEJ: Is that the  
8 Paterson Museum Great Falls Preservation issue?

9 MR. HANLEY: Yes.

10 COMMISSIONER KOLODZIEJ: Good, because we  
11 said it would come back.

12 MR. AMODIO: On the roll.

13

14 (Roll call was taken, all Commissioners  
15 present respond in the affirmative. Commissioner  
16 Sanchez is absent)

17

18 MR. AMODIO: Gentlemen, thank you.

19 Please close the doors.

20

21 \*\*\*

22

23 MR. AMODIO: On the roll.

24

25 (Roll call was taken, all Commissioners

1 present respond in the affirmative. Commissioner  
2 Sanchez is absent)

3  
4 MR. AMODIO: You have a quorum.

5 The time is 1:18 p.m.

6 Consent Agenda: We have the minutes of  
7 Passaic Valley Water Commission in camera and  
8 Regular Public Meetings held on May 20, 2015.

9 Do I have a motion?

10 COMMISSIONER LEVINE: So moved.

11 COMMISSIONER KOLODZIEJ: Second.

12  
13 (Roll call was taken, all Commissioners  
14 present respond in the affirmative. Commissioner  
15 Sanchez is absent)

16  
17 MR. AMODIO: Thank you.

18 Next: Does the Chair accept, receive, and  
19 file miscellaneous purchase orders placed by the  
20 Purchasing Agent Linda Beckering for the period of  
21 May 11, 2015 to June 7th, 2015?

22 PRESIDENT CLEAVES: Yes.

23 MR. AMODIO: Next, Resolutions:

24 Resolution of PVWC Authorizing an  
25 Indemnification and Hold Harmless Agreement With

1 APSARA Network, Inc. to Conduct a Line of Sight  
2 Test At the Harrison Avenue Water Storage Tank in  
3 Lodi.

4 Resolution of PVWC Policy and Procedures  
5 for the Interview/Hiring Process for Personnel.

6 Questions?

7 Motion?

8 COMMISSIONER BAZIAN: Move them.

9 COMMISSIONER KOLODZIEJ: Second.

10 MR. AMODIO: Motion by Commissioner  
11 Bazian.

12 Second by Commissioner Kolodziej.

13  
14 (Roll call was taken, all Commissioners  
15 present respond in the affirmative. Commissioner  
16 Sanchez is absent)

17  
18 MR. AMODIO: New Business: Summary of  
19 Disbursements & Payrolls for June 17th, 2015, in  
20 the Amount of \$7,581,444.18.

21 Treasurer.

22 COMMISSIONER BAZIAN: Yes.

23 MR. AMODIO: You're making a motion?

24 COMMISSIONER BAZIAN: Yes.

25 MR. AMODIO: Second?

1 COMMISSIONER KOLODZIEJ: Second.

2 MR. AMODIO: By Commissioner Kolodziej.

3 On the roll.

4

5 (Roll call was taken, all Commissioners  
6 present respond in the affirmative. Commissioner  
7 Sanchez is absent)

8

9 COMMISSIONER BAZIAN: Abstain on Dell.

10 COMMISSIONER DeVITA: Abstain on Rachles  
11 Michele.

12 MR. AMODIO: Recommendations from closed  
13 session.

14 Personnel: Joseph Martinez and Gary  
15 Robinson - Heavy Equipment Operator.

16 Mr. Martinez has a current salary  
17 \$64,969.20.

18 Gary Robinson has a current salary of  
19 \$57,969.60 with both ranges at \$18,366.40 to  
20 64,969.20. There is no change in salary at this  
21 time.

22 New Hires: Ariel Williams - Water Sample  
23 Collector.

24 Salary of \$38,000.

25 Range of \$18,637 to \$65,604.

1 Miles Brown - Laborer.

2 Salary of \$32,000.

3 Range of \$16,770 to \$59,124.

4 3a is a hold until next month.

5 Do I have a motion?

6 COMMISSIONER GRADDY: So move.

7 MR. AMODIO: By Commissioner Graddy.

8 COMMISSIONER KOLODZIEJ: Second.

9 MR. AMODIO: By Commissioner Kolodziej.

10 Commissioner Sanchez is absent.

11 On the roll.

12

13 (Roll call was taken, all Commissioners  
14 present respond in the affirmative. Commissioner  
15 Sanchez is absent)

16

17 MR. AMODIO: Thank you.

18 Next two items: Project 15-P-56

19 "Professional Services For Public Outreach and  
20 Participation For the Levine Reservoir Water  
21 Storage Improvements".

22 Recommendation to award to JGSC Group of  
23 Merchantville, New Jersey, time and materials  
24 not-to-exceed \$140,000.

25 Resolution: Passaic Valley Water Change

1 in Scope For Professional Services Project 14-P-56  
2 "Professional Services for Completion of PVWC's  
3 New Customer Information System", increased amount  
4 of 25,500.

5 Question?

6 Motion?

7 COMMISSIONER BAZIAN: Move it.

8 COMMISSIONER KOLODZIEJ: Second.

9 MR. AMODIO: Motion by Commissioner  
10 Bazian.

11 Second by Commissioner Kolodziej.

12 Commissioner Sanchez is absent.

13  
14 (Roll call was taken, all Commissioners  
15 present respond in the affirmative. Commissioner  
16 Sanchez is absent)

17  
18 COMMISSIONER DeVITA: As reluctant as I am  
19 to spend \$140,000 on that project, I'm going to  
20 vote yes on both.

21 MR. AMODIO: Commissioner Levine, what  
22 would you like to discuss under Good and Welfare.

23 COMMISSIONER LEVINE: I have something for  
24 Old Business.

25 I wanted to bring up something for Old

1 Business. This came to my attention for summer  
2 hires. I've been contacted by schools from  
3 Paterson. Last year I was waiting, you know, for  
4 the schools and I put the name out. The seniors  
5 in high school have a work program, you know,  
6 where they're allowed to go out there and work in  
7 the City. And people contacted me. Most of them  
8 are just turning 18 or will be turning 18. And I  
9 spoke it over with Jim Gallagher, you know. The  
10 concern, we did it the past couple of years and  
11 what Jim told me was, I mean, I'd like to bring  
12 him in here, that the insurance just recommended  
13 they don't drive machinery and they don't drive  
14 cars if they're below 18. So I mean, I'd like to  
15 --

16 COMMISSIONER DeVITA: Or use power tools.

17 COMMISSIONER LEVINE: Or use power tools.

18 So if Jim has a position for the summer  
19 people or if there's a position, say one of the  
20 department heads can use one of these 17-year old  
21 kids from the school system, I don't have, you  
22 know, anybody directly. And I want to see, you  
23 know, if I can make a motion that as long as  
24 there's a position for them and Jim tells us that  
25 the insurance says it's okay as long as they

1 don't, there's no hurt to the Passaic Valley Water  
2 Commission that some of these 17-year olds, maybe  
3 one of each of our Commissioners if we had a  
4 17-year old could be hired out of our two hires.

5 COMMISSIONER KOLODZIEJ: Can we wait and  
6 see who we get?

7 PRESIDENT CLEAVES: The policy we have  
8 says 18-year olds. So you want us to revisit the  
9 policy?

10 COMMISSIONER LEVINE: Yes.

11 PRESIDENT CLEAVES: And revise the age.

12 COMMISSIONER LEVINE: We've done it in the  
13 past. The last couple of years we've done it and  
14 right now we're lowering --

15 PRESIDENT CLEAVES: I understand that.  
16 You want us to revisit the policy and lower the  
17 age to 17 as opposed to 18 just for the summer  
18 help?

19 COMMISSIONER LEVINE: Just for summer  
20 help.

21 COMMISSIONER DeVITA: If I may? It's also  
22 provided they don't use power tools and drive.

23 COMMISSIONER LEVINE: They don't use power  
24 tools or drive.

25 COMMISSIONER DeVITA: As long as our

1 insurance allows --

2 COMMISSIONER LEVINE: As long as our  
3 insurance and Personnel Director says there's no  
4 liability issue of the Passaic Valley Water  
5 Commission.

6 COMMISSIONER GRADDY: So what is it they  
7 could do?

8 COMMISSIONER LEVINE: They can work in  
9 Customer Service. They can work in the Chemistry.  
10 That's the request I have is for the chemist.  
11 There's a girl, I guess, that has a resume --

12 COMMISSIONER DeVITA: They should be  
13 seniors.

14 COMMISSIONER LEVINE: Yes, they're seniors  
15 so they could work because they have the work  
16 program.

17 PRESIDENT CLEAVES: They're going to be  
18 seniors?

19 COMMISSIONER LEVINE: They are seniors.

20 PRESIDENT CLEAVES: So they're graduating?

21 COMMISSIONER LEVINE: Yeah, yeah. They're  
22 17 years old. They're graduating.

23 PRESIDENT CLEAVES: They just have a late  
24 birthday.

25 COMMISSIONER LEVINE: A lot of the seniors

1           aren't 18 until after you get out and the seniors  
2           have the work program and that's where some of my  
3           City and myself, you know. Doesn't mean I have  
4           to. I don't want to say relatives --

5                    COMMISSIONER KOLODZIEJ: Can we see what  
6           openings are in Chemistry? Suppose Clifton has an  
7           18-year old?

8                    COMMISSIONER LEVINE: No, no, if there's  
9           no opening in Chemistry, they don't work.

10                   COMMISSIONER KOLODZIEJ: Do we have any  
11           openings in Chemistry? Obviously, he wants to  
12           accommodate one student who's well qualified but  
13           underage. Do we have an opening in the Chemistry  
14           Department?

15                   MR. BELLA: You mean the laboratory?

16                   COMMISSIONER LEVINE: Yeah.

17                   COMMISSIONER KOLODZIEJ: So how can we  
18           change a policy without seeing what the job --

19                   COMMISSIONER LEVINE: That's what I said.  
20           If there is an opening.

21                   COMMISSIONER KOLODZIEJ: Can you wait  
22           until the next meeting?

23                   COMMISSIONER LEVINE: The next meeting is  
24           July. It's almost over.

25                   COMMISSIONER KOLODZIEJ: Then I'm going to

1 have to vote no.

2 COMMISSIONER LEVINE: I understand.

3 COMMISSIONER KOLODZIEJ: If you're going  
4 to crawl over an 18-year old Clifton person that I  
5 have that --

6 COMMISSIONER LEVINE: No, no,  
7 Commissioner, I'm not --

8 COMMISSIONER KOLODZIEJ: Then you're  
9 basically saying the 17-year old is better than  
10 the 18-year old --

11 COMMISSIONER LEVINE: No, no, no,  
12 Commissioner Kolodziej, that's not what I'm  
13 saying.

14 COMMISSIONER KOLODZIEJ: Well, it sounds  
15 like it.

16 COMMISSIONER LEVINE: No, no. Let me  
17 explain myself. If there is a 17-year old and I  
18 submit them to Jim and Jim says: There's already  
19 somebody there at Chemistry; there's no position.  
20 Then there's no position for them at all.

21 COMMISSIONER KOLODZIEJ: But we don't even  
22 know if there is a position in that.

23 COMMISSIONER LEVINE: It may not be  
24 Chemistry, I'm just saying.

25 COMMISSIONER KOLODZIEJ: He may have an

1 intern.

2 COMMISSIONER LEVINE: If there's no  
3 opening, there's no opening for them.

4 COMMISSIONER KOLODZIEJ: You can't wait?  
5 You can't wait? The senior can wait.

6 COMMISSIONER LEVINE: It's only two --

7 COMMISSIONER KOLODZIEJ: I know it is. I  
8 know it is. This is my opinion. We disagree, so  
9 we're going to agree to disagree.

10 COMMISSIONER LEVINE: I want Jim, because  
11 we've done this in the past so if there's any  
12 liability. My concern is the liability to the  
13 Water Commission. As long as they don't drive or  
14 use power tools or anything like that.

15 MR. HANLEY: Well, I mean, I would simply  
16 refer to the insurance company. It doesn't change  
17 our coverage, if they are covered it's not  
18 inherently different than an 18-year old.

19 COMMISSIONER DeVITA: And if there's a  
20 position.

21 COMMISSIONER LEVINE: And if there's a  
22 position and if somebody objects to anybody else's  
23 position that's already there. Either which way,  
24 it's not an extra person. Either which way all  
25 the Commissioners get two hires. I'm just saying

1 one of them --

2 COMMISSIONER KOLODZIEJ: I would like to  
3 see what positions are open. You've been here  
4 when we had kids come in here and say: I'm not  
5 cutting grass or I'm not doing that or I want be  
6 in -- they're telling our people.

7 COMMISSIONER LEVINE: They might not even  
8 have anything --

9 COMMISSIONER KOLODZIEJ: I'm done. I'm  
10 done.

11 PRESIDENT CLEAVES: The meat of this is  
12 you just want to change just the age requirement  
13 from an 18-year old to a 17-year old. It doesn't  
14 matter where they fit in the operation. We know  
15 what they can't do. You just want to --

16 COMMISSIONER LEVINE: And if they are 17,  
17 they can't --

18 PRESIDENT CLEAVES: Let me finish my  
19 statement.

20 COMMISSIONER LEVINE: I'm sorry.

21 PRESIDENT CLEAVES: You just want to lower  
22 the age from 18 to 17.

23 COMMISSIONER LEVINE: Yes.

24 PRESIDENT CLEAVES: Because the policy  
25 right now stands at 18. So you just want to lower

1 the age and it doesn't matter who brings them in  
2 or what you bring them in for.

3 COMMISSIONER LEVINE: No.

4 PRESIDENT CLEAVES: Your fight is for the  
5 age, not the particular person.

6 COMMISSIONER LEVINE: Correct.

7 PRESIDENT CLEAVES: Okay. Because we  
8 already have a policy in place, so then we would  
9 have to revisit that policy.

10 COMMISSIONER LEVINE: Amend it, yes.

11 PRESIDENT CLEAVES: We would have to amend  
12 that policy.

13 So now my question is: We amend the  
14 policy, can we make a motion to amend the policy  
15 now or does it need to go through policy  
16 committee?

17 MR. AMODIO: You can amend the policy.

18 MR. HANLEY: That's not a legal issue,  
19 that's your own procedural issue. You can do  
20 whatever you want.

21 PRESIDENT CLEAVES: Okay. So if you want  
22 to make the motion, you make the motion and then  
23 we take it to a vote.

24 COMMISSIONER LEVINE: Okay. I'd like to  
25 make a motion that we amend the policy to 17

1           rather than 18. I think it goes to --

2                   PRESIDENT CLEAVES: You don't have to --  
3           you just make your motion.

4                   COMMISSIONER LEVINE: I make a motion to  
5           17 years old from 18 years old for summer help  
6           until Labor Day weekend as long as they don't use  
7           power tools or Jim, you tell us what.

8                   MR. GALLAGHER: The insurance provider did  
9           not want us having anyone under the age of 18  
10          using power equipment or driving our vehicles.

11                   COMMISSIONER LEVINE: Okay. As long as  
12          they don't drive vehicles or use power equipment  
13          and there's a position available for them by the  
14          department head just like our 18 year olds.

15                   COMMISSIONER GRADDY: I have a question.

16                   PRESIDENT CLEAVES: Before you make your  
17          motion.

18                   COMMISSIONER GRADDY: I have a question.  
19          Does that extend the two summer people that each  
20          Commissioner is able to bring in?

21                   PRESIDENT CLEAVES: No.

22                   COMMISSIONER GRADDY: It doesn't extend?

23                   PRESIDENT CLEAVES: No.

24                   COMMISSIONER GRADDY: That means you have  
25          to bring that 17-year old --

1 PRESIDENT CLEAVES: As one of your  
2 persons.

3 COMMISSIONER LEVINE: No, no, anybody -

4 PRESIDENT CLEAVES: It has to be one of  
5 your two people.

6 COMMISSIONER LEVINE: Yeah, it has to be  
7 one of your two people. Or you can bring two 18  
8 year olds. You bring two 19 or 20 year olds.  
9 Just one of your two hires is allowed to be 17.  
10 We have done it in the past, I believe.

11 PRESIDENT CLEAVES: You want to make your  
12 motion, make your motion.

13 COMMISSIONER LEVINE: Okay.

14 PRESIDENT CLEAVES: If not, we're going to  
15 adjourn.

16 COMMISSIONER LEVINE: I'm sorry, I thought  
17 I made the motion already. I made the motion.

18 MR. AMODIO: Motion to amend the summer  
19 program Resolution to hire students 17 years of  
20 age from 18 years of age providing that they don't  
21 use power tools, drive Passaic Valley vehicles,  
22 and there is a position available to them.

23 Is that correct?

24 COMMISSIONER LEVINE: Yes.

25 MR. AMODIO: Motion by Commissioner

1           Levine.

2                   Do I have a second?

3                   COMMISSIONER BAZIAN: I'll second it.

4                   MR. AMODIO: Second by Commissioner

5           Bazian.

6                   Commissioner Sanchez is absent.

7

8                   (Roll call was taken, all Commissioners  
9           present respond in the affirmative. Commissioner  
10           Kolodziej responds in the negative. Commissioner  
11           Sanchez is absent)

12

13                   COMMISSIONER KOLODZIEJ: No.

14                   MR. AMODIO: One last thing: Under Good  
15           and Welfare, Happy 29th Anniversary to  
16           Commissioner Bazian and his lovely wife.

17                   Next meeting is July 15th at noon.

18                   Motion to adjourn.

19                   COMMISSIONER BAZIAN: Motion to adjourn.

20                   MR. AMODIO: Have a Happy 4th of July.

21                   Time is 1:33.

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C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XIO1388, a  
Certified Court Reporter and Notary Public of the State  
of New Jersey, certify that the foregoing is a true and  
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I further certify that I am neither attorney  
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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