

## PASSAIC VALLEY WATER COMMISSION MEETING OF

MARCH 16, 2016

(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

GLORIA KOLODZIEJ, Vice President (Absent)

GERALD G. FRIEND, Treasurer

CHRYSTAL A. CLEAVES, Secretary

DAVID BLUMENTHAL

JEFFREY LEVINE

ROBERT L. VANNOY

## 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

YITZ WEISS, Comptroller

LOUIS AMODIO, Administrative Secretary

1 PRESIDENT SANCHEZ: We have a quorum.

2 Let's get going.

3 MR. AMODIO: Commissioner Levine and  
4 Vannoy are not here yet. Commissioner Kolodziej  
5 will not be in today. She sends her apologies.

6

7 (Roll call was taken, all Commissioners  
8 present respond in the affirmative. Commissioners  
9 Levine and Vannoy are not present yet.

10 Commissioner Kolodziej is absent)

11

12 MR. AMODIO: The time is 12:00 noon.

13 You have a quorum.

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

22 Will you please rise.

23 New Commissioner, Commissioner Blumenthal,  
24 would you please lead us in the Pledge of  
25 Allegiance.

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(Pledge of Allegiance)

MR. AMODIO: If we could, I would just like to have Commissioner Blumenthal sworn in. Counsel.

MR. BRISMAN: We need you for the swearing in.

MR. AMODIO: Of the new Commissioner, David Blumenthal.

(Whereupon, Commissioner Vannoy is present at 12:03)

(Whereupon, Commissioner David Blumenthal affirms as a new Commissioner)

MR. AMODIO: Commissioner, welcome on board.

We have a member of the public. Bob Guarasci.

PRESIDENT SANCHEZ: Bob, you have nothing to say. Right?

MR. GUARASCI: I do, but it's quick.

PRESIDENT SANCHEZ: Go ahead, you got two minutes, Bob.

1 MR. GUARASCI: Two; it takes me two  
2 minutes to get up.

3 PRESIDENT SANCHEZ: They tell me whatever  
4 I do, they give me one minute to rest. All right.

5 MR. GUARASCI: So, ladies and gentlemen,  
6 I'm looking forward to the Section 106 Review  
7 process for the Levine Reservoir project. My  
8 conversations with an official at the National  
9 Park Service would suggest that it's going to be a  
10 very high climate for the tanks to be approved.

11 But today I want to discuss the issue of  
12 lead in our water which is the subject of  
13 increasing attention, as it should be. In January  
14 of 2014 I first appeared here and told you that  
15 the real public health crisis is not  
16 microorganisms in the reservoir, but rather the  
17 real public health crisis then and now is lead in  
18 our water.

19 Today I call upon this body to radically  
20 redesign the protocol it uses to test for lead in  
21 the water, particularly, in the City of Paterson.  
22 There needs to be many more tests than the number  
23 currently conducted and it's my understanding that  
24 little or no testing is done in some of the most  
25 distressed areas of the City of Paterson where the

1                   problem may be most pronounced. I'd like to see  
2                   that change.

3                   I call upon you to test the water in every  
4                   school in Paterson in order to avoid the kind of  
5                   problem recently uncovered in Newark. And if high  
6                   levels of lead are found in any schools, community  
7                   centers, or other similar places, I call on you to  
8                   devise a protocol for testing the children to  
9                   ensure that they have not suffered the kind of ill  
10                  effects we are currently seeing in Flint,  
11                  Michigan.

12                 There has never been a time when your  
13                 responsibilities as Commissioners are as clear and  
14                 compelling as they are today in the context of our  
15                 lead water crisis. And I trust you will do your  
16                 duty. Thank you.

17                 PRESIDENT SANCHEZ: Thank you.

18                 Anybody has a comment? Joe, anything?  
19                 Anybody?

20                 MR. BELLA: Well, I'd just like to say  
21                 that the Commission has been way out on all these  
22                 issues and the reason we've been way out on this  
23                 is because we've been trying to get to the point  
24                 where we can add phosphates which would  
25                 dramatically lower the risk of exposure to lead.

1 Bob has been working hard against us to do that.

2 This is clearly our top priority. It's  
3 the industry's top priority. This is the number  
4 one reason why we want, I shouldn't say the number  
5 one reason, there's three very important reasons  
6 why we want to do this reservoir project. One is  
7 because of the microbiological safety of the  
8 water. The second thing is because of the lead.  
9 And I told Bob that the first day we toured the  
10 plant.

11 PRESIDENT SANCHEZ: Before the crisis.

12 MR. BELLA: Long before the crisis; long  
13 before the crisis, years ago.

14 PRESIDENT SANCHEZ: Okay.

15 MR. BELLA: Right. That's number two.

16 Number three is the security of the water.

17 These are very important. They're very  
18 important to us. And we should stick very closely  
19 to the regulations. We do what we need to do. We  
20 offer plenty of programs to help people. If they  
21 have lead service, we'll give them a loan,  
22 interest free. We will test anybody's water.  
23 People are taking advantage of it in better  
24 numbers, actually, better than we had hoped for.

25 So the Commission has been very proactive

1 on this issue and the issue of getting those  
2 reservoirs closed is extremely important. I can't  
3 emphasize that enough.

4 PRESIDENT SANCHEZ: I'm sorry,  
5 Commissioner Vannoy.

6 COMMISSIONER VANNOY: Where are we at  
7 industry standard? Are we below? Are we average?  
8 Are we above? As far as our testing for our lead,  
9 are we failing?

10 MR. BELLA: We fail from time to time and  
11 the reason for that is --

12 COMMISSIONER VANNOY: Time to time or  
13 consistently?

14 MR. BELLA: Not consistently. Sometimes  
15 we pass; sometimes we don't pass. However, when  
16 we do fail, we continue to do the public education  
17 and we'll continue to do that.

18 PRESIDENT SANCHEZ: Let me correct you.  
19 When we fail, but they're still good to  
20 consumption standard.

21 COMMISSIONER VANNOY: Exactly.

22 PRESIDENT SANCHEZ: Is that the correct  
23 term, Joe?

24 MR. BELLA: If we see 15 parts per billion  
25 threshold, ten percent of the samples, you've

1 exceeded. There's no ifs, ands, and buts.  
2 There's no in between. What we're trying to do is  
3 through our program of removing lead services and  
4 that kind of thing is to lower the overall risk.  
5 And we've been doing that for years and years and  
6 years, decades. It's a very important part.

7 My predecessor recognized that was  
8 important. What we need to do and we're doing, as  
9 you all know, is to get the word out there and,  
10 you know, for testing and doing as much as we  
11 could possibly do and we're doing that. We've had  
12 these programs out there for a long time. We  
13 recognize that.

14 Again, like I said, you know, we're  
15 scientists and engineers. We know. This is  
16 something we know and this is important for us to  
17 continue on with this very significant project.

18 PRESIDENT SANCHEZ: Anybody else has a  
19 comment? Ladies first. I'm sorry, I'm prejudice.

20 COMMISSIONER CLEAVES: How often do we  
21 test it?

22 MR. BELLA: Twice a year.

23 COMMISSIONER CLEAVES: Does that include  
24 the school districts also?

25 MR. BELLA: They will test on their own.



1           There's a program called the 3Ts, the US EPA  
2           unveiled, which we help the schools with it.  
3           Paterson's been very proactive in their testing.  
4           That I know of. And we've been contacted with  
5           schools and that kind of thing off and on, not off  
6           and on, but on a regular basis. Health  
7           departments, those things all get out there.

8                     Now getting back to your question about  
9           failing. We might go three years and pass for  
10          three years and then something happens. We think  
11          in this particular case why we failed this time  
12          last year and the year before we had years of very  
13          high chlorides because of ozone operations.  
14          They're starting to become a bigger body of  
15          evidence, scientific evidence, that that has a lot  
16          to do with the chloride attachment in these films  
17          that we're trying to promote. These are  
18          non-phosphate films. These are carbonated films.  
19          The chlorides weaken so it can slug off and allow  
20          the water to be in contact with the lead services  
21          and the lead fixtures in people's houses, lead  
22          solder in pipes. But to mitigate that, phosphates  
23          always goes back to being able to use phosphates  
24          in the system. And we're precluded from doing  
25          that. That's why even the years we pass, we put



1 And the EPA, in all honesty, they promoted this  
2 program called 3Ts and we've been active in that.

3 PRESIDENT SANCHEZ: Commissioner Vannoy.

4 COMMISSIONER VANNOY: How often do the  
5 schools test?

6 MR. BELLA: It depends on the schools.  
7 Some do it every year.

8 COMMISSIONER VANNOY: When they test, do  
9 they come back if they find something wrong?

10 MR. BELLA: Well, they know and we've been  
11 in contact with them, we cannot treat for, as well  
12 as we'd like to, treat for the corrosion because  
13 of phosphates. Because the finished reservoir,  
14 they have a problem. They can also promote by  
15 increased debris that gets in the water in the  
16 systems can cause other problems. This is really  
17 an important thing and it's really, you know, at  
18 the core of what we're trying to do with these  
19 reservoirs. They are completely -- and the public  
20 health. Remember, we're a public health and a  
21 public safety organization. And public health is  
22 on the top of what we need to do. And this is a  
23 public health issue. We know that. We've known  
24 it and we've all talked about it, including with  
25 the public --

1                   PRESIDENT SANCHEZ: I don't want this to  
2                   become a forum, but I want to say this just to  
3                   close it down. Like I'm going to quote my  
4                   Commissioner: If we're going to do this, we're  
5                   going to do this for every customer, all the  
6                   cities, every wholesaler. What I'd like to see,  
7                   I'd like to see an outreach program saying we are  
8                   willing to do this. We want to test your water.  
9                   We want to become involved. I want this to be an  
10                  outreach program. So I think every Commissioner  
11                  wants to see the same thing.

12                  And secondly, I want to say about the  
13                  tank. You either for lead or you either for the  
14                  tank. Because if we trying to solve the lead  
15                  problem, it's clear to me that the tank is going  
16                  to be a great asset for this lead paint to go  
17                  away. So you either for lead or you either for  
18                  the tank. I guess the tank, but you cannot do one  
19                  without the other.

20                  So I think -- public session is closed.

21                  But we have a responsibility to provide  
22                  clean, safe water to the public and I think this  
23                  is what this body intends to do and sometimes when  
24                  I hear people complaining about lead and  
25                  complaining about the tank, those things don't go

1 together unfortunately. That's what I want to  
2 say.

3 I'm sorry --

4 MR. GUARASCI: Can I ask one thing?

5 PRESIDENT SANCHEZ: No, no, no.

6 MR. GUARASCI: I think it will help,  
7 because the question is --

8 PRESIDENT SANCHEZ: As a courtesy to you,  
9 I'm going to let you do it. But next time --

10 MR. GUARASCI: I don't want to be  
11 adversarial. I really do want to try and help. I  
12 just wonder, we're lead to believe that the reason  
13 we need the tanks is because of the phosphates in  
14 the water because if you put it in the reservoir  
15 itself it will grow algae and causes other  
16 problems. My question is: Why can't we put the  
17 very same phosphates in at the plant? Because I  
18 assume the piping goes from the plant into  
19 people's homes and I just wonder why they can't do  
20 that.

21 PRESIDENT SANCHEZ: I'm going to have Joe  
22 answer that briefly. I want to move on with the  
23 meeting. I would've been done by now.

24 MR. BELLA: That is a very important point  
25 here is you can't put it in the plant because the

1 water coming from the plant will go into the  
2 reservoir.

3 COMMISSIONER VANNOY: And goes back out,  
4 right. A lot of people thinks that water comes  
5 right from the plant.

6 MR. BELLA: And that there's no way to  
7 stop. The only way this will work is once we get  
8 Levine Reservoir and New Street Reservoir  
9 completed, then we can add it at those reservoirs  
10 or at the plant in sections where it will not get  
11 into the Great Notch because the Great Notch is so  
12 isolated the way we can pump, we can adjust that.

13 So it's a really important point. That's  
14 a really important point is we cannot do it at the  
15 plant under these conditions.

16 PRESIDENT SANCHEZ: So if you see Levine,  
17 let me know if you be for the tank because you  
18 don't want lead in your water, so I can see you  
19 turning around for us.

20 Thank you for sticking around, I'll see  
21 you.

22 MR. AMODIO: Can I have a motion to close  
23 the public session?

24 COMMISSIONER CLEAVES: So moved.

25 COMMISSIONER VANNOY: Second.

1 (Roll call was taken, all Commissioners  
2 present respond in the affirmative. Commissioner  
3 Kolodziej is absent)  
4

5 PRESIDENT SANCHEZ: Counsel, you want to  
6 do Counsel so he could go home early? Would you  
7 like to deal with Dave?

8 Let's do that.

9 MR. AMODIO: We'll move onto closed  
10 session.

11 Do I have a motion for closed session?

12 COMMISSIONER CLEAVES: So moved.

13 COMMISSIONER FRIEND: Second.

14 MR. AMODIO: WHEREAS, Section 8 of the  
15 Open Public Meetings Act permits the exclusion of  
16 the public from a meeting in certain  
17 circumstances;

18 WHEREAS, the public body is of the opinion  
19 that such circumstances presently exist;

20 NOW, THEREFORE, BE IT RESOLVED by the  
21 Commissioners of Passaic Valley Water Commission:

22 1. The public shall be excluded from the  
23 discussion of the hereinafter specified subject  
24 matters; the general nature of the subject matters  
25 being: Financial; Insurance; Personnel;





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

3  
4 MR. AMODIO: The time is 12:41.

5 You have a quorum.

6 If we could go back to the Executive  
7 Director's report.

8 MR. BELLA: Okay. Commissioners --

9 COMMISSIONER VANNOY: Wait, I got one  
10 question.

11 So we test water. We may not have failed  
12 in three years, like you said, we go back so when  
13 we do fail are we telling people: Don't drink the  
14 water?

15 PRESIDENT SANCHEZ: That's why we send the  
16 notice.

17 COMMISSIONER VANNOY: I know you send the  
18 notices. What are we saying? Don't drink the  
19 water right now or it's getting bad and we have to  
20 wait.

21 MR. BELLA: No, the language we have to  
22 put in these things is very prescribed by the  
23 regulations. So, basically, you have to tell  
24 them, you know, all the problems with lead. You  
25 have to tell them how to mitigate it by flushing

1 and allowing the water --

2 PRESIDENT SANCHEZ: Boiling the water.

3 MR. BELLA: No, no.

4 COMMISSIONER CLEAVES: Just running it.

5 MR. BELLA: In fact, it says: No boiling  
6 water. It boils off the water and leaves the lead  
7 and makes more concentrated or other things.

8 So those are very prescribed. In addition  
9 to this, not only do we have to put each of our  
10 bills as they go out, but we also put on there:  
11 And we'll test your water for free. And people  
12 are taking advantage.

13 PRESIDENT SANCHEZ: I think we should be  
14 more open to that. We should be doing more  
15 outreach when it comes to that.

16 MR. BELLA: We're sending out to that  
17 affect, we're sending out every retail customer,  
18 not just an account, but every apartment, every  
19 resident will get a notice in the next couple of  
20 weeks saying we'll test your water for free.  
21 We're going to be sending out.

22 COMMISSIONER LEVINE: Wouldn't it be  
23 cheaper to send an e-mail out to people if we have  
24 an e-mail address?

25 PRESIDENT SANCHEZ: We don't have --

1                   COMMISSIONER LEVINE: Is there a way to  
2                   get that?

3                   MR. BELLA: To be a hundred percent,  
4                   postal patron is the best way to do it and the  
5                   most complete.

6                   PRESIDENT SANCHEZ: Thank you, Joe,  
7                   because Commissioner Vannoy took it as don't  
8                   shower, so he didn't do it. So now you can take a  
9                   shower, Commissioner.

10                  All right. What else?

11                  We don't have any questions on the rest.

12                  Can we do a Consent Agenda?

13                  MR. AMODIO: Joe, are you done with your  
14                  report?

15                  MR. BELLA: Yes.

16                  MR. AMODIO: Yitz.

17                  MR. WEISS: Cash on hand is 7.8 million.

18                  Our reserves are fully funded. In  
19                  addition to that, our accounts receivable are 18  
20                  million.

21                  Our 30 days or less accounts receivable is  
22                  16.5 million.

23                  And our collections are still strong.

24                  Accounts payable 4.6 million and that's  
25                  it.

1 Cash collections are strong.

2 MR. AMODIO: Any questions?

3 PRESIDENT SANCHEZ: No.

4 MR. AMODIO: No. Okay.

5 We'll move onto the Consent Agenda.

6 We have the minutes of Passaic Valley  
7 Water Commission in camera and regular public  
8 meetings held February 17th, 2016.

9 Do I have a motion?

10 COMMISSIONER CLEAVES: So moved.

11 PRESIDENT SANCHEZ: Second by Commissioner  
12 Vannoy.

13 MR. AMODIO: Second by Commissioner  
14 Vannoy.

15 On the roll.

16  
17 (Roll call was taken, all Commissioners  
18 present respond in the affirmative. Commissioner  
19 Blumenthal abstains. Commissioner Kolodziej is  
20 absent)

21

22 MR. AMODIO: Thank you.

23 Next, does the chair accept, receive and  
24 file miscellaneous purchase orders --

25 PRESIDENT SANCHEZ: I do.

1 MR. AMODIO: Thank you.

2 Move onto Resolutions. Just one note on  
3 the resolutions. Item (d) has been removed from  
4 the agenda. Item (d).

5 PRESIDENT SANCHEZ: Can you recite  
6 everything at once?

7 MR. AMODIO: I will.

8 First Resolution:

9 Resolution - Changes in Scope of  
10 Professional Services for Project #15-P-51  
11 "Professional Engineering Services for Corrosion  
12 Control and Treatment" Recommendation to authorize  
13 a contract amendment for an additional \$35,000  
14 with EE&T in a new not-to-exceed amount of  
15 \$85,000.

16 Resolution authorizing the renewal of the  
17 previously procured Proprietary Software and  
18 Maintenance Contract with SunGard Public Sector  
19 for six months in the amount of \$56,305.14.

20 And the last Resolution we have is  
21 Resolution authorizing State contract purchase for  
22 one year 2016 Jeep Patriot four wheel drive from  
23 Hertrich Ford Fleet Services of Milford, Delaware  
24 in the amount of \$20,931.00.

25 COMMISSIONER FRIEND: I move the

1 Resolutions.

2 COMMISSIONER VANNOY: Second.

3 COMMISSIONER LEVINE: I got a question on  
4 this.

5 I thought with SunGard we were phasing  
6 them out?

7 MR. WEISS: We are phasing them out.

8 COMMISSIONER LEVINE: How come we're  
9 extending the contract?

10 MR. WEISS: It's a maintenance contract.  
11 We still have them. We need them until --

12 MR. BELLA: That's why we keep doing six  
13 months.

14 COMMISSIONER LEVINE: When is that going  
15 to be?

16 MR. WEISS: A few years.

17 PRESIDENT SANCHEZ: We can't just get rid  
18 of them. We need to keep them like three or four  
19 more years.

20 COMMISSIONER LEVINE: All right. If  
21 that's what you say.

22 MR. AMODIO: Any further questions?

23 MR. BELLA: Section by section.

24 COMMISSIONER VANNOY: No further questions  
25 at this time.

1 MR. AMODIO: Motion by Commissioner  
2 Friend.

3 Second by Commissioner Vannoy.

4 On the roll.

5

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

9

10 MR. AMODIO: Thank you.

11 Last, we have New Business. Summary of  
12 disbursements and payrolls through March 17, 2016,  
13 in the amount of \$6,805,601.03.

14 Does the Treasurer find them in order?

15 COMMISSIONER FRIEND: Yes.

16 MR. AMODIO: Motion, sir.

17 COMMISSIONER FRIEND: Move it.

18 COMMISSIONER CLEAVES: Second.

19 MR. AMODIO: Motion by Commissioner  
20 Friend.

21 Second by Commissioner Cleaves.

22 On the roll.

23

24 (Roll call was taken, all Commissioners  
25 present respond in the affirmative. Commissioner

1 Kolodziej is absent)

2 MR. AMODIO: Thank you.

3 Would you like to do a finance committee  
4 report or?

5 COMMISSIONER FRIEND: Just quickly. We  
6 did have a finance committee meeting yesterday and  
7 Commissioner Blumenthal and Commissioner Cleaves  
8 were there and we went over some of the budgeted  
9 items and the Finance Department or Finance  
10 Officer and Administration is going to get us some  
11 additional information on some of the issues that  
12 were raised and we'll have another meeting during  
13 the budgeting process and come up with something  
14 for you.

15 PRESIDENT SANCHEZ: Thank you so much for  
16 the help you've given us in that department.  
17 That's great work you guys are doing.

18 COMMISSIONER FRIEND: Thank you.

19 MR. AMODIO: Anything under Good and  
20 Welfare?

21 Nothing.

22 Motion to close?

23 COMMISSIONER CLEAVES: So moved.

24 MR. AMODIO: By Commissioner Cleaves.

25 Second by Commissioner Vannoy.



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On the roll.

(Roll call was taken, all Commissioners present respond in the affirmative. Commissioner Kolodziej is absent)

MR. AMODIO: The time is 12:49.

Next meeting date is Wednesday, April 20th, 2016 at 12:00 noon.

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C E R T I F I C A T E

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