

1 ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

2 BOARD OF DIRECTORS MEETING

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5 DATE: Friday - June 19th, 2020

6 COMMENCING AT 10:00 A.M.

7 ATLANTIC CITY MUNICIPAL AUTHORITY

8 401 NORTH VIRGINIA AVENUE

9 ATLANTIC CITY, NEW JERSEY 08404

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2	<p>1 Computer-aided transcript of the Board of 2 Directors meeting, taken stenographically in the 3 above-entitled matter before Dominique R. Caputo. 4 5 BOARD MEMBERS: 6 JOHN DEVLIN, Chairman 7 GARY L. HILL, Vice Chairman/Secretary 8 MILTON L. SMITH, Board Member (Via telephonic) 9 PATRICIA BAILEY, Board Member 10 NYNELL LANGFORD, Board Member 11 WILLIAM CHEATHAM, Alternate Board Member 12 13 ALSO PRESENT: 14 Kelley Williams, Executive Secretary Atlantic City Municipal Utilities Authority 15 16 Fred Bor, Authority Solicitor Atlantic City Municipal Utilities Authority 17 18 Andrew Weber, Labor Counsel Atlantic City Municipal Utilities Authority 19 (Via telephonic) 20 Michael Riley, Counsel Atlantic City Municipal Utilities Authority 21 22 Claude Smith, Acting Executive Director Atlantic City Municipal Utilities Authority 23 24 Anita Thapa, Assistant Director, Accounting & Finance Atlantic City Municipal Utilities Authority 25</p>	4	<p>1 THE CHAIRMAN: Here. 2 MR. BOR: Quorum is present. Flag Salute. 3 --- 4 Whereupon the Pledge of Allegiance 5 was recited. 6 --- 7 THE CHAIRMAN: I need a motion to 8 approve-- 9 MR. BOR: Well, I just want to confirm 10 everyone has received both the regular and the 11 executive session minutes from last meeting? 12 MR. HILL: Yes. 13 MR. BOR: And I'm seeing everyone nod in 14 the affirmative. And if so-- and if there are 15 no additional questions or issues, is there a 16 motion to approve? 17 MR. HILL: Motion to move. 18 THE CHAIRMAN: Second. 19 MR. BOR: Ms. Bailey. 20 MS. BAILEY: Yes. 21 MR. BOR: Ms. Langford. 22 MS. LANGFORD: Yes. 23 MR. BOR: Mr. Smith. 24 MR. SMITH: Yes. 25 MR. BOR: Mr. Hill.</p>
3	<p>1 --- 2 PROCEEDING 3 --- 4 THE CHAIRMAN: Adequate notice of this 5 meeting has been provided as required by law by 6 mailing to the Press a list of the regularly 7 scheduled meeting, June 19, 2020 at 401 North 8 Virginia Avenue, Conference Room, Atlantic 9 City, New Jersey. A copy of said notice was 10 sent to the city clerk to be posted. 11 All of the aforesaid complies with chapter 12 231 of the Laws of 1975 known as the Open 13 Public Meetings Law. 14 MR. BOR: Roll call. Mr. Cheatham. 15 MR. CHEATHAM: Present. 16 MR. BOR: Ms. Bailey. 17 MS. BAILEY: Present. 18 MR. BOR: Ms. Langford. 19 MS. LANGFORD: Here. 20 MR. BOR: And Mr. Smith. You are by 21 telephone, Mr. Smith? 22 MR. SMITH: Yes. 23 MR. BOR: Okay. Mr. Hill. 24 MR. HILL: Here. 25 MR. BOR: And Mr. Devlin.</p>	5	<p>1 MR. HILL: Yes. 2 MR. BOR: Mr. Devlin. 3 THE CHAIRMAN: Yes. 4 MR. BOR: Regular and executive session 5 minutes are approved. 6 THE CHAIRMAN: For the record, Mr. Long is 7 not able to attend and he said to proceed. 8 Thank you. 9 MR. BOR: You got a text? 10 THE CHAIRMAN: Yes, I did. 11 MR. BOR: Okay. Next issue, Mr. Director, 12 your report. 13 MR. SMITH: In regards to the items that 14 are listed here, the first one which is 15 Atlantic City Electric signing. And Mr. Riley, 16 if he doesn't mind, in regards to doing this 17 because the fact that it kind of segues into 18 the solar PPA project that we have actually 19 been working on in terms of doing some 20 discoveries to determine pretty much what we 21 needed to do in terms of moving forward 22 overall. 23 You should have-- I gave issue. It looks 24 like this. It says Atlantic City Electric. 25 Okay, this is the form that we have been asked</p>

<p style="text-align: right;">6</p> <p>1 to actually sign. And apparently, for us to 2 actually move forward and determine whether or 3 not the companies electric will be able to 4 deliver the proper power provision based on the 5 PPA agreement that was actually made with the 6 authority, we have to get this study going. 7 We met with-- we actually had a conference 8 call with them. And based on that particular 9 conference call, they are guaranteeing that 10 what they actually had in that particular 11 agreement they will be able to provide. 12 The 350 allotment by ACE is the study that 13 needs to be done to make sure that they can 14 actually make that particular provision. If 15 they cannot then of course that's a decision 16 that we have to make or a conclusion we have to 17 come to determine if we want to go ahead with 18 this particular solar project. But in order 19 for us to make a decision, we need to have this 20 done. 21 So I'm just providing you with that 22 particular information so you know that the 23 actual paperwork will be signed and sent back 24 to Atlantic City Electric for them to move 25 forward with getting this survey completed.</p>	<p style="text-align: right;">8</p> <p>1 MR. RILEY: And then we had Spano and his 2 main-- his main engineer with us. And we went 3 through all the paperwork, all the 4 explanations. We have information now that we 5 didn't have before. I think we have maybe more 6 clarity as to why-- 7 MR. SMITH: Yes, I agree with that word. 8 MR. RILEY: -- as to what we have. And I 9 think if we have to do this survey. It's going 10 to dictate what we do next. But there are 11 other things out there that-- and we can pass 12 the survey issue, we would like to discuss with 13 you because there are possibilities that some 14 unique benefits that can be brought to the 15 city. I'll just gave you a quick overview. 16 They have RFPs out for the floating solar 17 piece now, okay, that have been out there with 18 our consultant. In the event things work out 19 in a way which is beneficial and that has to do 20 with the rate-- rates being set by the state 21 and a variety of other things, if that's done 22 to our benefit, we could theoretically move 23 part of our operation to the floating solar. 24 And the benefit of that is that it would 25 generate more electric, more electricity. But</p>
<p style="text-align: right;">7</p> <p>1 MR. RILEY: And what we want to do, just 2 to sort of focus it a little bit, is we want to 3 determine whether or not what we bargained for 4 initially is achievable. Because what we 5 bargained for initially provides a great 6 savings for the electrical cost of the MUA. 7 There has been so much confusion. The 8 waters have been muddied significantly that it 9 took us a while to get to the point where we 10 got Spano to explain to us why they think they 11 can still deliver what the contract requires 12 them to deliver. And what Claude is saying is 13 we don't know if that's going to be the case 14 until the survey is done. 15 So the survey is going to, in many ways, 16 cause us to make the ultimate decision. Are we 17 going to continue on with that project and 18 maybe a secondary project or are we going to 19 pull the plug on it and say we are not getting 20 what we bargained for, we're walking away from 21 this. 22 So we spent-- I don't know. How long was 23 it, Claude? A couple hours in here? 24 MR. SMITH: Yes, we did. About two and a 25 half hours I spoke with him on the phone.</p>	<p style="text-align: right;">9</p> <p>1 there are programs there, one in particular 2 that they discussed with us, that allows the 3 average electrical ratepayer in their homes to 4 get a benefit from the secondary floating solar 5 approach which means not only can we reduce the 6 electric cost for the MUA, but we might be able 7 to provide a direct benefit to the people that 8 are paying their electric bills in town. 9 And that's something that once we heard 10 that, we wanted to explore that to the end 11 because that's like a win win if it's true. 12 Right now we don't know, with some degree 13 of understanding that we are comfortable with, 14 what is ACE going to say. They are driving the 15 bus. They do the survey and they are going to 16 tell us. And then we collectively can meet and 17 go over it all and decisions can be made. 18 MR. BOR: Well, won't they make an 19 objection to this cost savings to us and to the 20 community? 21 MR. RILEY: No. 22 MR. BOR: ACE won't make an objection? 23 MR. RILEY: No, no, no. No, they won't 24 because there are programs that are in 25 existence now where, given the right set of</p>

<p style="text-align: right;">10</p> <p>1 circumstance, that's what's done. 2 MR. BOR: So is there a reasonable pathway 3 to get there now? 4 MR. RILEY: Yeah. I think there-- but the 5 whole thing is the threshold pathway which is 6 what's ACE going to say about whether they can 7 provide the amount of electrical product that 8 we bargain for. And if they can't then the 9 decision has to be made do we go forward, do we 10 not. And I think the answer is pretty clear 11 once we get that survey back. 12 MR. BOR: I would think if it works out it 13 would be a great benefit to our community 14 knowing that we are doing something not only to 15 benefit ourselves, but to impact the rates of 16 all of our users. 17 MR. RILEY: And it's unique. 18 MR. BOR: And unique. 19 THE CHAIRMAN: You know, Mike-- 20 MR. BOR: The citizens would love it. 21 THE CHAIRMAN: I mean, it sounds great. 22 Don't get me wrong. But in depth talks when I 23 was with Bruce and also I know solar-- I spoke 24 to Roy Foster who is like really pushing solar 25 throughout the whole county if not the state.</p>	<p style="text-align: right;">12</p> <p>1 the survey, the survey is looking to see if 2 they can produce 350 or 420? 3 MR. SMITH: 350. 4 MS. BAILEY: 350? 5 MR. SMITH: Yes. 6 MS. BAILEY: Okay. Thank you. 7 MR. SMITH: Now, I guess we have to handle 8 this in two stages or two phases. Of course 9 stage one or phase one, basically, is to get 10 the ground cover solar resolved based on doing 11 the survey. 12 Upon completing that particular survey 13 that will determine whether, like he says, we 14 either go for it with an exception or objection 15 of what is actually being proposed by the solar 16 company or the company that actually has the 17 PPA. 18 So once that's actually done, it's our-- 19 if you want to call it-- it's our 20 responsibility to move forward into the second 21 phase and determine whether or not we want to 22 do the float installer and what the benefits of 23 what the float installer will be for the 24 company and to the community as well too. 25 But we have to get beyond this particular</p>
<p style="text-align: right;">11</p> <p>1 He was looking at me and he was like, 2 listen-- and I don't know anything about solar 3 so part of my ignorance. But he was like, 4 listen, floating solar does not generate that 5 kind of energy that ground base solar produces. 6 So he goes, look, I get what you are saying. 7 It's cool. It's unique. But you might want to 8 look into that. 9 So I don't know if we-- do we discuss with 10 other, you know, consultants or somebody who 11 really knows-- 12 MR. RILEY: We haven't gone beyond getting 13 the basic response from Atlantic City Electric 14 because that's going to determine what we do. 15 So we are not going to run off half-cocked with 16 some idea that may not even work. 17 We want to get-- we want to do this 18 incrementally and thoroughly so once and for 19 all everybody in this room understands what's 20 going on. 21 MS. BAILEY: I have a question. So the 22 language in here that says, "By reducing the 23 application size from 420 kilowatts on your 24 previous application to 350 kilowatts on the 25 advised application." So when you are doing</p>	<p style="text-align: right;">13</p> <p>1 phase first before we can start adventuring 2 into the second phase and make any particular 3 determination of what-- 4 MR. BOR: Well, what's the cost of the 5 survey and what's the-- 6 MR. SMITH: The cost is-- there's no cost 7 to us as the MUA. The cost is absorbed by the 8 contractor. 9 MS. BAILEY: But based on what Mr. Devlin 10 was just saying about-- so would this 350 be 11 sufficient from your knowledge? 12 MR. SMITH: This is only for our plant 13 location. This ground solar is only for our 14 plant facility. 15 MS. BAILEY: Okay. 16 MR. SMITH: So more than likely whatever 17 that output is from this particular ground 18 solar will be using all that particular energy. 19 MS. BAILEY: Okay. 20 THE CHAIRMAN: Okay. So this will not be 21 something that's being distributed to the 22 community or anything of the sort. 23 MS. BAILEY: Okay. 24 MR. WARD: That's strictly for the 25 authority of the plant location.</p>

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1 MS. BAILEY: Okay. Okay.

2 THE CHAIRMAN: Mike, also too, I sent you

3 a bunch of emails regarding when I received

4 emails from Bruce. We have an EPA that was the

5 environmental protection concern or was a

6 fallacy that--

7 MR. RILEY: No, there was a concern.

8 There was apparently a study done. People

9 involved who are familiar with birds and bird

10 habitats and stuff like that have looked at it.

11 And I checked the information that you had

12 in those emails. And there is documentations

13 and other sources that this was a concern and

14 they were looking at it.

15 But what John is talking about is in a

16 certain area where floating solar was initially

17 contemplated, there were migratory birds that

18 were in that area and they were presenting some

19 problems that was also-- apparently the

20 alligation was the eagle. There was an eagle

21 there.

22 THE CHAIRMAN: That's what he told me. I

23 mean, I have the email. You got the email,

24 right?

25 MR. RILEY: Yes, I got the email. And

15

1 that's true. There was some issue and concern

2 about these birds. We don't know what's

3 happened since then because right now we are

4 focusing on the ground solar. And we are not

5 going to take a step any other way until the

6 ground solar thing is resolved.

7 And it could be resolved very simply by

8 ACE coming back saying we can't do this, we

9 can't do that. And then we're out.

10 THE CHAIRMAN: And every email that I got

11 and I forwarded to you was-- it had a lot to do

12 with EPA putting those-- I thought it was

13 tablets out there or those tiles on the

14 floating water. There was concern that they

15 might break lose and clog the reservoir. Do

16 you remember reading these?

17 MR. RILEY: Yes, absolutely. I mean,

18 there's always a concern from an engineering

19 standpoint whether or not--

20 THE CHAIRMAN: Even though they were rated

21 at 120 miles or whatever but--

22 MR. RILEY: Yeah. Well, I mean, they

23 built buildings in San Francisco, they aren't

24 supposed to collapse of their earthquakes. And

25 you know, so we don't know.

16

1 But I mean, there are some facilities in

2 New Jersey that are very large and they are

3 floating and they are fine. I think it's the

4 environment that you find them in. Whether the

5 water is moving, whether the water is stagnant,

6 all different--

7 THE CHAIRMAN: Just for myself, I would

8 like, when we get to that stage, maybe bring in

9 somebody that really knows floating solar.

10 MR. RILEY: Oh, yeah. Oh, absolutely.

11 THE CHAIRMAN: I mean, that's just for

12 speaking for--

13 MR. RILEY: We may not even get to that

14 phase. Because if ACE comes back and says,

15 "Look, we can't deliver. Guys, that's it."

16 And then we say to them we have to meet and

17 discuss it and we have to reevaluate our

18 positions.

19 THE CHAIRMAN: Mr. Smith, are we getting

20 anymore bills-- I guess that's the next

21 question-- from any of these companies? I know

22 we owed a bill and we discussed to pay it, we

23 approved to pay that one bill.

24 But are we getting any more residual

25 billings from any of these companies regarding

17

1 solar or consulting or ACUMA, LLC or--

2 MR. SMITH: Well, the one bill that I know

3 that's actually probably still outstanding is

4 from Gable which was the first bill that we

5 received that was \$35,000.

6 We have-- of course we don't pay any bills

7 to Spano, okay, because pretty much they are

8 actually absorbing-- they are actually

9 financing the cost for actually doing the PPA

10 or install of the solar panels.

11 In regards to-- there might have been a

12 bill that came in somewhat recently. I did

13 look at it. Of course I passed it on to Fred.

14 That might be for--

15 MR. BOR: The Decotiis bill?

16 MR. SMITH: Yeah, but nothing has been

17 paid recently.

18 MR. RILEY: What is that for? Is that for

19 solar?

20 MR. SMITH: I think that's actually for--

21 MR. BOR: No. I'll bring it up. We can

22 talk about it. Yeah, one of the bills that the

23 director sent me from the Decotiis firm dated

24 March 9, 2020 for \$75.00, but it's for an

25 office conference with Fareno ACMUA audit

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1 response letter preparation of instructions
 2 regarding pending or threatening litigation.
 3 Did that arise out of some discussions you
 4 had? And why should we pay for their--
 5 MR. RILEY: No, no, no. What they do--
 6 they do this every year. And they ask the same
 7 questions every year and we tell them the same
 8 thing every year. They want to know how much
 9 money we are tide up with the PFOS litigation.
 10 Like, in other words, the auditors can't
 11 seem to get it through their head that we are
 12 not paying any money. This is a contingent
 13 fee. So we had to-- and the timing is about
 14 right.
 15 We sent them a-- we being a firm in
 16 California and myself, we sent them a letter
 17 saying this is the status of the case if it's
 18 the same thing. It could be something
 19 different.
 20 MR. BOR: Well, it looks like it's
 21 something different, Mike.
 22 MR. RILEY: Yeah, if it's something
 23 different then it's something different. But
 24 apparently, it's-- because we had new auditors
 25 this year. And we had to go through the same

19

1 thing we went through last year. Apparently
 2 Farena was responding to--
 3 MR. HILL: Maybe Anita knows about this.
 4 MR. RILEY: -- an email to pending
 5 threatening litigation.
 6 MR. SMITH: I think she does, yes.
 7 MR. HILL: Maybe Anita knows about this.
 8 MR. RILEY: Yeah. I don't know what
 9 threatening litigation they are talking about.
 10 Is there anything that--
 11 MR. BOR: Well--
 12 MS. THEPA: Yeah. It's the same letter
 13 that we usually send in.
 14 MR. BOR: No. This is a unique letter
 15 that none of us has ever seen. My read of it
 16 is Dakotas is having some discussion among
 17 themselves with Mr. Farena as part of the firm.
 18 And there was a discussion among themselves
 19 regarding an ACMUA audit response letter
 20 regarding threatening litigation-- we haven't
 21 gotten to the point where anybody is
 22 threatening litigation-- and then billing us
 23 for the time spent.
 24 So I don't see this as a valid bill. If
 25 they are having discussions among themselves

20

1 regarding threatening litigation and we aren't
 2 threatening litigation-- I realize it's only
 3 \$75.00, but--
 4 MR. RILEY: Yeah, what's the point? What
 5 are they doing?
 6 MR. BOR: I don't know what they are
 7 doing.
 8 MR. RILEY: Is there a copy of a letter
 9 that they authored or something?
 10 MR. BOR: No. So my recommendation, if
 11 everyone agrees, is do not pay it until a
 12 letter can get directed to us and ask them for
 13 more specificity.
 14 I realize it's only \$75.00. But if there
 15 are discussions among themselves in their
 16 conference room regarding something we are not
 17 aware of and then billings for it, it just
 18 sounds a little bit--
 19 MR. RILEY: Shady as they say.
 20 MR. BOR: Would you like me to direct a
 21 letter to Decotiis and ask them for
 22 clarification?
 23 MR. SMITH: I think you should.
 24 MR. BOR: Okay. And then I will be the
 25 one to direct that to Decotiis seeking

21

1 clarification of their half hour and 250 an
 2 hour regarding a litigation that doesn't exist.
 3 THE CHAIRMAN: So moving forward, what's
 4 our next step as far as solar?
 5 MR. RILEY: Solar?
 6 THE CHAIRMAN: Yes, sir.
 7 MR. RILEY: The next step is that we are
 8 going to assign the survey authorization. They
 9 are going to start. ACE is going to do it.
 10 They are going to come back to us anywhere from
 11 maybe a month, three weeks.
 12 MR. SMITH: They said anywhere between a
 13 month to two months in terms of doing the
 14 survey.
 15 MR. RILEY: So what we are doing is we
 16 have told the consultant and we told Spanos
 17 stop everything until we get this survey back.
 18 And when the survey comes back, we will know.
 19 And if they can't do it then they can't do it.
 20 THE CHAIRMAN: Fair enough. Thank you.
 21 MR. RILEY: John, just so you know, we are
 22 still not finished looking at stuff with this.
 23 MR. SMITH: Right. Okay.
 24 MR. BOR: Now, Mr. Smith, are we reopening
 25 the customer service?

<p style="text-align: right;">22</p> <p>1 MR. SMITH: Yes. Just to touch on this</p> <p>2 briefly, basically, initially I was thinking of</p> <p>3 actually opening back the office somewhere</p> <p>4 within a next week timeframe. But we are going</p> <p>5 to push that back probably at least until maybe</p> <p>6 the second week in July or something.</p> <p>7 I know we are trying to coordinate with</p> <p>8 the state. I'm trying to figure out what is</p> <p>9 actually going on as well too.</p> <p>10 But in regards to opening back our offices</p> <p>11 to customers probably coming in whether or not</p> <p>12 it's on a schedule or appointment or something</p> <p>13 like that, we prefer to wait a little bit</p> <p>14 longer to actually open up the facilities. But</p> <p>15 we are still taking precautions in regards to</p> <p>16 putting up our sneeze guards and putting up our</p> <p>17 social distances.</p> <p>18 And so, we have been waiting on materials.</p> <p>19 And we are getting materials in. So with that</p> <p>20 being said, we are going to push it back a</p> <p>21 little bit further.</p> <p>22 MR. BOR: We need plexiglass.</p> <p>23 MR. SMITH: That just came in. We just</p> <p>24 had-- yeah, that just came in and--</p> <p>25 THE CHAIRMAN: We ordered that--</p>	<p style="text-align: right;">24</p> <p>1 MR. HILL: To Mr. Jordan.</p> <p>2 THE CHAIRMAN: We pulled that letter.</p> <p>3 MR. HILL: Oh, it never went out?</p> <p>4 THE CHAIRMAN: You didn't send that</p> <p>5 letter, correct, Mr. Weber?</p> <p>6 MR. WEBER: Correct. That letter went</p> <p>7 over to Mike Riley.</p> <p>8 THE CHAIRMAN: Right, that's fine. Yeah,</p> <p>9 we as a committee decided-- I mean, there is no</p> <p>10 litigation, correct? I mean, it's--</p> <p>11 MR. RILEY: Absolutely.</p> <p>12 MR. HILL: So why respond to that?</p> <p>13 THE CHAIRMAN: Exactly. We are not going</p> <p>14 to start catering to some--</p> <p>15 MR. RILEY: No, no, no. It's sort of one</p> <p>16 of those idle threat things. They make enough</p> <p>17 noise, they think you are going to fold.</p> <p>18 MS. BAILEY: Mr. Weber, it's Pat. So the</p> <p>19 personnel manual and organizational chart,</p> <p>20 what's your timeframe with those two things</p> <p>21 are?</p> <p>22 MR. WEBER: Well, I haven't seen the</p> <p>23 organizational chart. But the personnel manual</p> <p>24 is out to senior staff.</p> <p>25 MS. BAILEY: Okay.</p>
<p style="text-align: right;">23</p> <p>1 MR. SMITH: Yes.</p> <p>2 THE CHAIRMAN: -- months ago.</p> <p>3 MR. SMITH: Yes. So just being</p> <p>4 precautionary, we are going to just, like I</p> <p>5 said, push it back.</p> <p>6 I'm not sure exactly what date we are</p> <p>7 taking about, but it will definitely be</p> <p>8 sometime in July.</p> <p>9 MR. SMITH: And no reason not to keep the</p> <p>10 plexiglass there going forward even when</p> <p>11 hopefully this is over sooner or later.</p> <p>12 THE CHAIRMAN: Yeah, they definitely need</p> <p>13 something there.</p> <p>14 MR. SMITH: We have other plans for that</p> <p>15 station.</p> <p>16 THE CHAIRMAN: Yeah, just keep us posted.</p> <p>17 I mean, is everybody else on the board good</p> <p>18 with that as far as pushing back?</p> <p>19 MS. BAILEY: Hm-hmm. Yeah.</p> <p>20 MR. BOR: Personnel committee meeting.</p> <p>21 MR. SMITH: You have the minutes. Any</p> <p>22 questions, any comments?</p> <p>23 MR. HILL: We will talk about the one</p> <p>24 letter from Mr. Weber in closed session.</p> <p>25 THE CHAIRMAN: Which letter?</p>	<p style="text-align: right;">25</p> <p>1 MR. WEBER: And I heard back from them</p> <p>2 informally that they are looking at it.</p> <p>3 There's some changes in the old order versus</p> <p>4 what I have.</p> <p>5 And I assume the next step-- but I haven't</p> <p>6 spoken to Floyd yet-- is that I think they are</p> <p>7 looking at it, marking it up and they will</p> <p>8 probably have some kind of informal discussion</p> <p>9 about it.</p> <p>10 THE CHAIRMAN: And then that's going out</p> <p>11 to all the employers, correct?</p> <p>12 MR. SMITH: When it's completed, yes. It</p> <p>13 will go to all employees. But of course, a</p> <p>14 revision has to be done on it.</p> <p>15 MR. WEBER: Right.</p> <p>16 MR. SMITH: I just asked Andy the other</p> <p>17 day in terms of whether or not that's a</p> <p>18 combination of new stuff versus what we already</p> <p>19 have in our personnel manual. Basically, it's</p> <p>20 a conglomeration of pretty much the personnel</p> <p>21 manual.</p> <p>22 So again, we have to review the entire</p> <p>23 thing and start making some comments and make</p> <p>24 some provisions on it of course. The personnel</p> <p>25 manual revision or review sort of started back</p>

26	<p>1 sometime last year. And I mentioned that we 2 actually submitted that to Bruce.</p> <p>3 Of course, I don't know exactly how it was 4 actually distributed, but now we are back to 5 square one in regards to looking at the manual 6 and reviewing it, making comments, suggestions 7 or whatever it might be. Of course, that's 8 going to take some time, but the objectives are 9 finished up before the end of the year.</p> <p>10 THE CHAIRMAN: Thank you.</p> <p>11 MR. SMITH: Okay.</p> <p>12 THE CHAIRMAN: And you know, do we-- and 13 again, part of my ignorance. Do we as a whole 14 do that every year? Do we update that manual 15 every year or--</p> <p>16 MR. SMITH: It is supposed to be updated 17 every year-- well, reviewed every year, not 18 necessarily updated.</p> <p>19 THE CHAIRMAN: Right. I mean, that's 20 something that's important. And you know, 21 since I've been here we have referred to it 22 numerous-- this is like, you know--</p> <p>23 MR. SMITH: It's supposed to be reviewed 24 every year. I mean, that doesn't necessarily 25 mean that it will be updated every year.</p>	28	<p>1 advertisements for an attestant manager and we 2 received a few.</p> <p>3 Those particular submittals will be 4 reviewed and then interviews will be started 5 sometime soon. We see a prospect for us to be 6 able to at least hire someone. So we are going 7 to actually move forward with that.</p> <p>8 Our next personnel meeting probably will 9 come sometime early next month. So we might 10 not have anything to propose to the personnel 11 meeting by that particular time period, but 12 more than likely sometime thereafter we should 13 at least be able to move forward with looking 14 to hire someone to fill that position.</p> <p>15 MR. BOR: Claude, is there anybody in 16 house that has the qualifications for Archie's 17 position? It's always nice to hire in house if 18 you can.</p> <p>19 MR. SMITH: Well, the position was posted 20 in house. So as per the interviewing process, 21 we will be interviewing individuals that were 22 applied in house and people that have applied 23 outside of the company as well too.</p> <p>24 THE CHAIRMAN: I think the message for the 25 personnel committee is we are really</p>
27	<p>1 THE CHAIRMAN: And do you want to discuss 2 the organizational chart? We did look at one.</p> <p>3 MS. BAILEY: Right, we did.</p> <p>4 MR. SMITH: I-- last-- of course last 5 board meeting I did distribute them.</p> <p>6 THE CHAIRMAN: But that was the draft, 7 right?</p> <p>8 MS. BAILEY: Right.</p> <p>9 MR. BOR: Okay. So we are jumping down to 10 organizational chart which is 8 B.</p> <p>11 MR. SMITH: Since the last time, I 12 actually did hand out the organizational chart. 13 There have been definitely some changes. And 14 of course, we probably will be having changes 15 as time goes on.</p> <p>16 But I guess the basic structure that we 17 are looking at right now is the one that I am 18 proposing in regards to the board-- whether or 19 not it's in acceptance or review, additional 20 reviews need to be done.</p> <p>21 But as you can see, we are down one 22 assistant manager in the distribution 23 department. Mr. Archie retired so of course 24 that position is actually vacant. We are 25 currently-- we have currently put out</p>	29	<p>1 consolidating a lot of these through attrition 2 which is awesome.</p> <p>3 But there are certain things we just can't 4 rob or take away from the MUA to function. You 5 have Mr. Mancuso doing-- he's doing Mr. 6 Archey's job. And it's just, you know, I 7 think, you know, one of the things is we don't 8 want to burn him out. We discussed that in 9 personnel.</p> <p>10 MR. SMITH: That's correct.</p> <p>11 THE CHAIRMAN: In the, you know, light 12 that we want to be frugal, this is something we 13 just can't continue.</p> <p>14 MR. SMITH: Right.</p> <p>15 THE CHAIRMAN: We need certain aspects and 16 you guys need certain tools.</p> <p>17 MR. SMITH: This is a position that we 18 definitely need to fill.</p> <p>19 MR. BOR: Well, particularly since right 20 now Mr. Mancuso is doing two jobs since--</p> <p>21 MR. SMITH: He's wearing two hats. 22 Absolutely true.</p> <p>23 MS. BAILEY: And we are not backfilling 24 the customer service rep.</p> <p>25 MR. SMITH: And that's correct. We have</p>

30	<p>1 one individual who is actually retiring. He's</p> <p>2 also retiring as of July 1st and we are not</p> <p>3 replacing that particular position.</p> <p>4 We have another retiree which is actually</p> <p>5 coming up as well too also on July 1st. So we</p> <p>6 are losing two individuals. That particular</p> <p>7 position which is under the supervisor</p> <p>8 position, we are going to hold off a little bit</p> <p>9 in terms of seeking someone. We can probably</p> <p>10 find someone in house as well.</p> <p>11 We'll hold off in terms of advertising</p> <p>12 that and going out for a replacement in that</p> <p>13 particular position.</p> <p>14 MS. BAILEY: So it's Robert Jordan that's</p> <p>15 retiring or is it Benjamin?</p> <p>16 MR. SMITH: It's Ben.</p> <p>17 MS. BAILEY: Ben?</p> <p>18 MR. SMITH: Yes. Sorry. Im sorry. It's</p> <p>19 Robert Jordan.</p> <p>20 MS. BAILEY: Okay.</p> <p>21 THE CHAIRMAN: When are we going to be</p> <p>22 able to make this permanent?</p> <p>23 MR. SMITH: Well, I think that's up to the</p> <p>24 board in regards to how we want to move forward</p> <p>25 with actually accepting the new organizational</p>	32	<p>1 with the authority.</p> <p>2 In regards to other positions-- and this</p> <p>3 is not names, it's positions-- it is if you</p> <p>4 notice in green you have a regular typing</p> <p>5 position that we are intended on eliminating.</p> <p>6 That also kind of stems from the fact of us</p> <p>7 getting rid of the security company that was</p> <p>8 actually working which of course we had issues</p> <p>9 with.</p> <p>10 We have made some reorganization in</p> <p>11 regards to how we actually do our-- trying to</p> <p>12 make some reorganization in terms of mark outs.</p> <p>13 But in regards to emergency calls, we have made</p> <p>14 some rearrangements in that. So in regards to</p> <p>15 that particular location, we are trying, again,</p> <p>16 trying to be even more efficient in how we</p> <p>17 operate and in terms of utilizing our personnel</p> <p>18 as well too.</p> <p>19 So that is a position that we feel that we</p> <p>20 no longer will be valid based on the direction</p> <p>21 that we are moving in in the reconstruction of</p> <p>22 the organization.</p> <p>23 The other one which is the type clerk</p> <p>24 position, basically, that was also on the last</p> <p>25 organizational chart that I actually</p>
31	<p>1 chart and start moving forward with it.</p> <p>2 You know, I have put it out there. This</p> <p>3 is the second time-- I mean, since the first--</p> <p>4 since the last month that I actually did put it</p> <p>5 out there, there has been some changes. And</p> <p>6 this is pretty much what it is right now as we</p> <p>7 see it. So it's just a matter of whether or</p> <p>8 not you want to accept it, you want to move on</p> <p>9 it.</p> <p>10 MR. BOR: Well, even if the board accepts</p> <p>11 it, of course names change. All we are really</p> <p>12 voting on, if we do, is just the structure of</p> <p>13 the chart. Names come and go.</p> <p>14 MR. SMITH: Right. Names will definitely</p> <p>15 come and go.</p> <p>16 MR. HILL: I think we should move forward.</p> <p>17 THE CHAIRMAN: And also too, I know we</p> <p>18 eliminated some positions and reorganized.</p> <p>19 MR. SMITH: The committee coordinator</p> <p>20 position I took out of there completely because</p> <p>21 it wasn't a functional position at the</p> <p>22 particular time. And even with Covid it</p> <p>23 becomes even less functional. That individual</p> <p>24 was actually placed as a laborer or laborer two</p> <p>25 position basically as a continuous employment</p>	33	<p>1 distributed. And that's the position that we</p> <p>2 think we can actually consolidate.</p> <p>3 THE CHAIRMAN: Which one is that?</p> <p>4 MR. SMITH: Clerk typist. Typist clerk.</p> <p>5 MS. LANGFORD: So Claude, my question is</p> <p>6 in eliminating these positions, are we</p> <p>7 terminating these employees?</p> <p>8 MR. SMITH: Some of it, yes, will be a</p> <p>9 termination of employees. That's correct.</p> <p>10 THE CHAIRMAN: And what is the--</p> <p>11 MR. SMITH: That's the asset manager</p> <p>12 position pretty much with also the termination</p> <p>13 are eliminating some of these positions or</p> <p>14 maybe one of the positions we can consolidate</p> <p>15 some of that work into that particular position</p> <p>16 and maintain or continue with that particular</p> <p>17 work at this particular time.</p> <p>18 THE CHAIRMAN: So will there be an asset</p> <p>19 manager or there won't be an asset manager?</p> <p>20 MR. SMITH: The title will still exist.</p> <p>21 MS. BAILEY: So basically, in eliminating</p> <p>22 the titles, it's just that one?</p> <p>23 MR. SMITH: We are actually eliminating</p> <p>24 two positions, two titles right now.</p> <p>25 THE CHAIRMAN: Which are?</p>

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1 MR. SMITH: Which are the radio dispatcher
 2 typing which is the bottom one and-- actually,
 3 three. And the typist clerk and senior
 4 customer service rep.
 5 MR. BOR: We also eliminated outside
 6 coordinator?
 7 MR. SMITH: And-- well, yes. That is--
 8 actually, it's not on there. So it's
 9 eliminated. It's eliminated.
 10 MR. BOR: The outside coordinator we
 11 eliminated by resolution I believe.
 12 MR. SMITH: No, we never did. It was
 13 something that was actually discussed, but
 14 never did. But at the same time in regards
 15 to--
 16 THE CHAIRMAN: So move on this then?
 17 Let's get this in place.
 18 MR. SMITH: Again, like I said, it's up to
 19 the board to determine pretty much.
 20 THE CHAIRMAN: I'm good with moving. If
 21 anybody else has any questions--
 22 MR. SMITH: As it stands in regards to the
 23 distribution of employees or just positions
 24 basically, this is something that I'm proposing
 25 for--

35

1 MS. BAILEY: It's a living document. It's
 2 going to constantly change over time.
 3 MR. SMITH: Yes, it is. It is a living,
 4 breathing document.
 5 MS. BAILEY: We are voting on it as it is
 6 now. It will be changed in six months, a year
 7 or whatever.
 8 THE CHAIRMAN: At least we have a
 9 backbone.
 10 MS. BAILEY: I agree.
 11 MR. WEBER: Can I ask a question?
 12 MR. SMITH: Who is this? Andy?
 13 MR. BOR: Yes. Go ahead, Andy.
 14 MR. WEBER: Yes. It's me, Andy Weber. I
 15 have a quick question. Are these people that
 16 are being-- I think it was Commissioner
 17 Langford that asked whether if you are
 18 eliminating the position, are you terminating
 19 the person. Are any of those people union
 20 members?
 21 MR. SMITH: Yes, they are.
 22 MR. WEBER: All right. Because there's a
 23 process in the union contract as to how you do
 24 that.
 25 MR. SMITH: Well, that's--

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1 MR. WEBER: Have you looked at that at
 2 all?
 3 MR. SMITH: Yeah, that's correct. In
 4 regards to-- well, at the same time, if we are
 5 eliminating the position in regards to that
 6 particular position, of course they are going
 7 to have to look into the union process of
 8 actually terminating an individual.
 9 MR. WEBER: Okay. I just wanted to make
 10 sure that you were aware of the fact that if
 11 they are union members there is a process in
 12 order to terminate them, those people, that's
 13 all.
 14 MR. SMITH: Yes. And that's where you
 15 come in, Andy.
 16 MR. WEBER: Okay.
 17 MR. BOR: And I take it Andy knows-- and
 18 of course, Andy, I assume if the position is
 19 eliminated, it's much more of a streamline
 20 process because the position is no longer here.
 21 MR. WEBER: Well, I guess maybe what we
 22 ought to do is-- I mean, unless the board
 23 approves the plan, then implementing it will be
 24 up to Claude who will then talk to me. And
 25 we'll figure that out if that's fair enough.

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1 MR. SMITH: Absolutely.
 2 MR. BOR: Is there a motion to approve 8
 3 B?
 4 THE CHAIRMAN: Motion.
 5 MR. HILL: Second.
 6 MR. BOR: Ms. Bailey.
 7 MS. BAILEY: Yes.
 8 MR. BOR: Ms. Langford.
 9 MS. LANGFORD: Yes.
 10 MR. BOR: Mr. Smith.
 11 MR. SMITH: Abstain.
 12 MR. BOR: Mr. Hill.
 13 MR. HILL: Yes.
 14 MR. BOR: Mr. Devlin.
 15 THE CHAIRMAN: Yes.
 16 MR. BOR: Carries. Now, we are going back
 17 to number five, financial reports. Claude.
 18 MR. SMITH: Those are all part of the
 19 package.
 20 MR. BOR: Part of the package?
 21 MR. SMITH: Yes.
 22 MR. BOR: Director's forum. Anybody--
 23 MS. BAILEY: Can I ask a question? Did
 24 you miss-- we didn't move the personnel
 25 committee? We didn't move that?

<p style="text-align: right;">38</p> <p>1 MR. BOR: I think committees are 2 informational. 3 MS. BAILEY: Okay. No problem. Okay. 4 MR. HILL: I did have one question. 5 Either maybe Mr. Smith or Mr. Mancuso could 6 answer. Have we reached out to our new 7 engineering consultant-- 8 MR. SMITH: Yes. 9 MR. HILL: -- just to kind of keep up with 10 what's going on and where we might need them? 11 MR. SMITH: Yes. Just to inform the 12 board, I have reached our personnel, the new 13 consulting engineering company. As a matter of 14 fact, we had a schedule to meet today. But of 15 course, with the weather, we were expecting it 16 to be the thunderstorms and all that other 17 stuff. So that's been put out to next week. 18 But yes, I have been in contact. 19 MR. HILL: Okay. Just so we have a lot of 20 communication. 21 MR. SMITH: Yes. We have already 22 established a line of communication. That's 23 correct. 24 MR. HILL: Good. Thank you. 25 MS. BAILEY: We were supposed to have bad</p>	<p style="text-align: right;">40</p> <p>1 of problems in terms of getting information. 2 For instance, Three M. Three M had testing 3 done on this material way back to the late 4 '50s. They have been involved in litigation 5 over the years. They are now refusing to turn 6 over the documents and the test results that 7 they had back in the late '50s which is a 8 foundational piece to move forward on our case 9 and other cases that are suing Three M. 10 So there is a lot of disputes going on 11 particularized to particular defendants. So 12 what I-- and I can recite them to you, but I 13 don't think that's helpful. I think what I 14 would like to do-- and I'll be guided by what 15 you think-- is I can give you something in 16 writing every month and show you, for instance, 17 Dupont and some of the games that Dupont is 18 playing and what is required of us. 19 Because, if you remember, we are in the 20 front of the line as to the water suppliers. 21 This judge, at some point, is going to start 22 looking to cherrypick cases to go to trial. 23 Those cases are going to be the first ones up 24 and then they are going to be the first ones 25 that set the tone, liability issues and damage</p>
<p style="text-align: right;">39</p> <p>1 weather today? 2 MR. SMITH: It was. 3 MR. BOR: Okay. I guess we need a 4 resolution on the organizational chart and then 5 we will go back to the director's forum in case 6 anyone has any input. Is there a vote? 7 THE CHAIRMAN: We already voted on that. 8 MS. BAILEY: We already did that. 9 THE CHAIRMAN: We voted and approved that. 10 MR. BOR: On 8 B? Okay. Now, back to 11 director's forum. Anyone? 12 MR. HILL: I just asked the question and I 13 got the answer. Thank you. 14 MR. BOR: 8 is old business. Mr. Riley. 15 MR. RILEY: With regard to the litigation, 16 let me bring you up to speed a little bit. At 17 this point we-- last time I spoke to you about 18 it, I mentioned that discovery was now ongoing. 19 And to keep in mind, we have eight different 20 defendants that we have sued including the 21 United States Government, including Three M, 22 including Dupont and a variety of other people 23 in between. 24 What I would-- and each one of these 25 particular defendants presents a different set</p>	<p style="text-align: right;">41</p> <p>1 issues. 2 Now, we have to be prepared to take these 3 big companies on at a particular time. And we 4 are going to be ahead of everybody else. So we 5 don't want to be pushed to the front of the 6 line and say okay, you got a trial date in ten 7 months, something like that. 8 The amount of material is staggering in 9 terms of the volume of material and the 10 complexity of the material. And I could recite 11 all this for you, but it's not going to do any 12 good. What I would like to do is provide you a 13 breakdown as to each defendant, where we are, 14 okay? 15 For instance, the United States 16 Government, they are presenting problems to us 17 that Three M, Dupont and the other suppliers or 18 the other produces don't. They can simply say, 19 "Well, you know, we don't want to give up this 20 information. We have it in a warehouse in 21 Wyoming and we just don't have the personnel to 22 go get it." I mean, we are hearing crazy 23 things like this. This is the day, you know, 24 of digital, you know, informational management. 25 And some of the other plaintiffs are</p>

<p style="text-align: right;">42</p> <p>1 running into bigger problems with particularly 2 the military. The Air Force in particular has 3 been a real headache to the folks out in the 4 western part of the country where there is a 5 lot of Air Force bases.</p> <p>6 And so, it keeps getting deeper and deeper 7 and deeper. We are dealing with the issues 8 that Dupont is taking assets that are related 9 to PFOS giving them to newly created 10 corporations that we now are suing. And they 11 are saying, well, the assets go here. So 12 whatever liability, you know, it's not us 13 anymore, it's them. So they underfund those 14 corporations with the idea that-- they are 15 driving them into bankruptcy.</p> <p>16 And you know, that was done in the 17 asbestos cases if you remember. Asbestos is 18 like a spit in the ocean compared to this, but 19 the techniques were the same. What they did is 20 they had numerous companies and then spun off 21 other companies and then tried to do the same 22 thing. So it's an old game. It's an old 23 trick, but it takes a long time to plow through 24 it and break it essentially.</p> <p>25 So that's what is going on. And I would</p>	<p style="text-align: right;">44</p> <p>1 than we have. They have different theories of 2 liability than we have.</p> <p>3 But at some point in the not too distant 4 future, we are going to be actively working 5 with them on certain things that we do have 6 commonality with them. And that will keep 7 folks in Trenton, their nose focused as to what 8 we are doing. And it will keep us moving 9 forward also.</p> <p>10 There is a recent case that was filed this 11 week from a city in Massachusetts alleging the 12 same complaints that we had. So we are going 13 to monitor what they are doing and they are 14 behind us. And I think they have got problems 15 in terms of figuring out where the 16 contamination is coming from. That's the 17 primary problem that most of these plaintiffs 18 have. Again, we don't have it. We just have 19 to look up the road and there it is.</p> <p>20 But in any event, it is-- it still is a 21 struggle. And at some point, just like in the 22 asbestos cases, when you get them close to a 23 courthouse and they see the front steps of the 24 courthouse and there's a courtroom out there 25 for them, that's when they start coming up with</p>
<p style="text-align: right;">43</p> <p>1 feel more comfortable if I gave you something 2 in advance of the meeting so you can read it 3 and see what Three M is doing and see what this 4 company is doing and what this company is 5 doing.</p> <p>6 And the plaintiff executive committees are 7 divided up going after certain particular 8 defendants. So at any given time you can look 9 and see okay what's Three M doing, you know, 10 what's Dupont doing. And Dupont is not just 11 that one defendant. There is multiple 12 defendants that come off of Dupont.</p> <p>13 So what is going to happen, I think, with 14 this, the new state standards which Claude has 15 given us, and it basically says that New Jersey 16 is at the front of the line in the country as 17 to the MCLs, okay? So not only are we front of 18 the line with the MCLs, we are also in front of 19 the line with this litigation.</p> <p>20 So a lot is going to fall on us at some 21 point. And that's why I think the State has 22 not absorbed our litigation into their 23 litigation because they are in a different 24 form. They are in state court. We are in 25 federal court. They have different targets</p>	<p style="text-align: right;">45</p> <p>1 money, coming up with funds, funding these big 2 multibillion dollar funds where plaintiffs go 3 and they collect their money. But it's a 4 battle.</p> <p>5 But I think you should be aware of it 6 because the more it-- the further it goes, the 7 more press it's going to get. And you may have 8 people asking you about it. And at least at 9 that point you can say, well, these are our 10 target defendants. This is what we are doing. 11 This is why we are in front of everybody else. 12 And when we go to trial, it's going to be in 13 Camden and right at our back door, right?</p> <p>14 MS. BAILEY: Right.</p> <p>15 MR. RILEY: Okay. In any event, I know 16 I'm kind of windy on this, but it's to the 17 point now where fur is really flying. And the 18 judge down there is, you know, jumping on 19 people.</p> <p>20 MS. BAILEY: In this bill our public 21 response was the same as it was six months ago?</p> <p>22 MR. SMITH: Yes, I think so. That's 23 right.</p> <p>24 MS. BAILEY: Okay.</p> <p>25 MR. RILEY: And I think we have to be</p>

<p style="text-align: right;">46</p> <p>1 consistent. If there is something out in the 2 news media, there are going to be reporters-- 3 MS. BAILEY: They will be calling. They 4 will ask questions. 5 MR. SMITH: Before you go, tell Gary 6 thanks for distributing the news article that 7 was actually in the Press that came out on the 8 third of this month. 9 I did circulate this particular paper. 10 And I encourage you to read it, okay? The PFOS 11 situation is definitely a very important part 12 of our operation going forth. This particular 13 new MCL that was actually put into place, we 14 have to come into compliance within 18 months 15 of actually the time that was actually put out 16 there. 17 Of course, the first quarter of 2021 we 18 will have to start reporting our results for 19 this particular contaminant. 20 Of course we are going to have to try to 21 come up with standards or find ways of how we 22 are going to actually come into some form of 23 compliance and it's not going to be cheap, 24 okay? 25 So I just want to let you know that this</p>	<p style="text-align: right;">48</p> <p>1 contaminated well. 2 So in other words, if you're at the 25-- 3 the MCL is the 25, you take it and you flush 4 regular water and it drops it down to 15. So 5 it's kind of-- but you know, the people that do 6 this are very brilliant, smart chemist and 7 hydrologist and all that. 8 But there are different techniques of how 9 you can basically water it down. But that's 10 the short one because the one-- you got to fix 11 it. So that's where the money is going to come 12 from. 13 MR. BOR: Okay, moving on. Abatements 14 under new business. I think that's what we are 15 up to. The first two are unnecessary to 16 appear. 17 MR. SMITH: I think they made a call on 18 this because of the Covid. So we are not 19 necessary to opening it up to the public. 20 MR. BOR: Okay. So abatements one and 21 two. 22 MR. SMITH: For 9 A 1 that's for Stanley 23 Ogbuehi for \$498.47. And the second one is 24 John Mazzatena for \$259.58. 25 MR. BOR: Okay. We can do those together.</p>
<p style="text-align: right;">47</p> <p>1 is not something that is going to go away 2 whether or not this is to a litigation that we 3 are doing in that particular point of time to 4 try to absorb funds to try to pay for combating 5 this type of chemical or contaminant. But it 6 definitely will be something that we are going 7 to look in depth into. 8 MR. HILL: When do you think we should 9 look at that issue? I mean, we're looking at 10 it now. But when do you think we should start 11 to make a plan? 12 MR. SMITH: Well, we have an engineering 13 meeting next month. 14 MR. HILL: Right. 15 MR. SMITH: So we will start to have a 16 discussion then and try to at least pursue some 17 of those, I guess, recommendations from that 18 particular discussion. 19 MR. HILL: Okay. 20 MR. RILEY: There's one technique that has 21 been used and it's kind of clever. They will 22 isolate a well where this contaminant is 23 flowing from and then they will get water from 24 a different well that's not contaminated and 25 they will dilute the water coming out of the</p>	<p style="text-align: right;">49</p> <p>1 MR. HILL: I'll move 9 1 and 2. 2 MS. BAILEY: I'll second it 9 1 and 2. 3 MR. BOR: Ms. Bailey. 4 MS. BAILEY: Yes. 5 MR. BOR: Ms. Langford. 6 MS. LANGFORD: Yes. 7 MR. BOR: Mr. Smith. 8 MR. SMITH: Yes. 9 MR. BOR: Mr. Hill. 10 MR. HILL: Yes. 11 MR. BOR: Carries. Mr. Devlin is 12 temporarily not in the room, but carries. 13 9 B 1. Claude, this is the one that 14 Mr. Capizzi has been working on and sent me a 15 form of the resolution. 16 MR. SMITH: That's correct. 17 MR. BOR: If you would like to enlighten 18 the board. 19 MR. SMITH: This is actually a part of the 20 I-Bank funding that we are trying to receive. 21 And this resolution actually covers the bonding 22 situation for actually obtaining this funding 23 from the I-Bank. This is just one of the steps 24 that we have to go through in regards to at 25 least proposing it.</p>

<p style="text-align: right;">50</p> <p>1 Again, this is an estimate of course. Of 2 course when things are finalized, of course 3 this number might be a little bit different. 4 But this is the process that we are going 5 through with. 6 MR. HILL: And this came from our bond 7 counsel? 8 MR. SMITH: This is from our bond counsel. 9 MS. BAILEY: So this is two million? 10 MR. SMITH: Two and a half million 11 dollars. 12 MS. BAILEY: Two and a half million 13 dollars. 14 MR. SMITH: Yeah, 2.57. 15 MR. BOR: Mr. Capizzi sent me a draft of 16 it. So the one you see under 9 B 1 was sent to 17 me. I approved this form. And it's now for up 18 for the board. 19 MR. SMITH: And this is for the water 20 meters and the MTUs. 21 MR. HILL: Ill move 9 B 1. 22 MS. BAILEY: Second. 23 MR. BOR: Ms. Bailey. 24 MS. BAILEY: Yes. 25 MR. BOR: Ms. Langford.</p>	<p style="text-align: right;">52</p> <p>1 MR. HILL: Second. 2 MR. BOR: Ms. Bailey. 3 MS. BAILEY: Yes. 4 MR. BOR: Ms. Langford. 5 MS. LANGFORD: Yes. 6 MR. BOR: Mr. Smith. 7 MR. SMITH: I didn't get the last part of 8 that. I didn't get the last part of that. I'm 9 going to have to abstain on that. 10 MR. BOR: Okay. Mr. Hill. 11 MR. HILL: Yes. 12 MR. BOR: And that's still quorum so it 13 carries. And that's 9 C 1. 14 Monthly bills. There's no questions? Is 15 there a motion? 16 MR. SMITH: Monthly bills. Move them. 17 MR. BOR: Thank you, Mr. Smith. I need a 18 second. 19 MR. HILL: Second. 20 MR. BOR: Ms. Bailey. 21 MS. BAILEY: Yes. 22 MR. BOR: Ms. Langford. 23 MS. LANGFORD: Yes. 24 MR. BOR: Mr. Smith. 25 MR. SMITH: Yes.</p>
<p style="text-align: right;">51</p> <p>1 MS. LANGFORD: Yes. 2 MR. BOR: Mr. Smith. 3 MR. SMITH: Yes. 4 MR. BOR: Mr. Hill. 5 MR. HILL: Yes. 6 MR. BOR: And Mr. Devlin is temporarily 7 not with us. So 9 B-- excuse me. 9 C-- excuse 8 me. 9 B Bank Bond approved. 9 Leave of absence, Mr. Smith. 10 MR. SMITH: This is just to let you know 11 that Mr. Williams is still on a leave of 12 absence. He has been actually out for a period 13 of time. The last personnel meeting that we 14 have, Mr. Abdur is actually waiting for some 15 form of release from his doctor to come back. 16 Apparently he is willing to come back, but 17 as for his doctor, he is, I guess, taking a 18 precautionary measure of not completing a 19 release to come back to work. 20 MS. BAILEY: And this is an unpaid leave 21 anyway? 22 MR. SMITH: Yes, it is an unpaid leave. 23 MR. BOR: Motion? 24 MS. BAILEY: Motion. 25 MR. BOR: Second?</p>	<p style="text-align: right;">53</p> <p>1 MR. BOR: And Mr. Hill. 2 MR. HILL: Yes. 3 MR. BOR: Carries. 4 MR. HILL: Move into executive. 5 MR. BOR: I don't believe we have anything 6 further. There is no motion as to executive 7 session so we have no issues. 8 MR. HILL: Unless the Chairman has 9 anything, but he's not here. 10 MR. SMITH: What happened to the Chair? 11 MS. BAILEY: He had a phonecall. 12 MR. HILL: He had a phonecall. 13 MR. BOR: We'll see if he has any issues. 14 I'm sure he doesn't. 15 MR. HILL: Otherwise we can adjourn. 16 MR. SMITH: No, the Chair is not. 17 MR. BOR: Okay. The board has indicated 18 that the Chairman has no issues for executive 19 session. Is there a motion to adjourn? 20 MR. HILL: Yes, motion. 21 MS. BAILEY: Second. 22 MR. BOR: Hearing no objection. Meaning 23 is adjourned. 24 25</p>

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Meeting adjourned at 10:56 a.m.

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CERTIFICATION

I, Dominique R. Caputo, Court Report and
Notary Public, certify that the foregoing is a true
and accurate transcript of the foregoing deposition,
that the witness was first sworn at the time, place
and on the date herein set forth.

I further certify that I am neither
attorney nor counsel for, not related to, nor
employed by any of the parties to the action in
which this deposition was taken; further, that I am
not a relative or employee of any attorney or any
counsel employed in this case, nor am I financially
interested in this action.

Dominique R. Caputo
Court Reporter and
Notary Public

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