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ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

Wednesday, February 19, 2014

G. Bruce Ward, Executive Director
Linda R. Bazemore, Deputy Executive Director
Garth Moyle, Deputy Executive Director
Fredric L. Bor, Esquire, Board Solicitor
Stella Johnson, Board Administrator

B E F O R E:

Milton L. Smith, Chairman
Gary L. Hill, Vice Chairman/Secretary
John McGettigan, Treasurer
William Lea
Edmund J. Colanzi

Also Present: Claude Smith and Andrew Weber, Esquire

TAKEN BEFORE: JACQUELINE M. ZARRILLO,
Certified Court Reporter of the State of New Jersey,
License No. XI01786, at the ATLANTIC CITY MUNICIPAL
UTILITIES AUTHORITY, 401 North Virginia Avenue,
Atlantic City, New Jersey 08404, commencing
at 10 a.m.

JACQUELINE M. ZARRILLO, CCR
CERTIFIED COURT REPORTER
1724 TILTON ROAD
NORTHFIELD, NEW JERSEY 08225
(609) 641-6640

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I N D E X

PUBLIC

(NO PUBLIC PRESENT.)

PAGE

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1 MR. SMITH: Adequate notice of this
2 meeting has been provided, as required by law, by
3 mailing into the Press a list of the regularly
4 scheduled meetings of the Board of Directors.
5 Included in the notice is the regular meeting
6 scheduled for February 19, 2014, at 401 North
7 Virginia Avenue, conference room, Atlantic City, New
8 Jersey. Said copy of the notice was sent to the city
9 clerk to be posted. Roll call?

10 MR. BOR: Mr. Lea?

11 MR. LEA: Here.

12 MR. BOR: Colanzi?

13 MR. COLANZI: Here.

14 MR. BOR: McGettigan?

15 MR. MCGETTIGAN: Here.

16 MR. BOR: Hill?

17 MR. HILL: Here.

18 MR. BOR: Smith?

19 MR. SMITH: Here.

20 MR. BOR: Quorum present. I take it
21 the Board has already received copies of the minutes
22 of our last meeting? That being the case, is there
23 any motion to accept the minutes?

24 MR. SMITH: I think Ed had a question.
25 Did you have a question on those or do you want to

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1 forego that, Ed? Did you have a question on the
2 minutes?

3 MR. COLANZI: It's not important.

4 MR. HILL: Move.

5 MR. SMITH: Second.

6 MR. BOR: Second on the minutes.

7 Mr. Lea?

8 MR. LEA: Yes.

9 MR. BOR: Colanzi?

10 MR. COLANZI: Yes.

11 MR. BOR: McGettigan?

12 MR. MCGETTIGAN: Yes.

13 MR. BOR: Hill?

14 MR. HILL: Yes.

15 MR. BOR: Smith?

16 MR. SMITH: Yes.

17 MR. BOR: Director, the time is yours.

18 MR. WARD: Reorganization.

19 MR. BOR: We'll do that first. Okay,
20 next order of business is going to be reorganization.
21 As we've done in the past, we'll take nominations and
22 seconds, and the person we're seeking to place into a
23 position, of course, has got to recuse themselves
24 from the vote.

25 MR. HILL: I would like to nominate

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1 Milt Smith as chairman.

2 MR. MCGETTIGAN: Second.

3 MR. BOR: Mr. Lea?

4 MR. LEA: Yes.

5 MR. BOR: Colanzi?

6 MR. COLANZI: Yes.

7 MR. BOR: McGettigan?

8 MR. MCGETTIGAN: Yes.

9 MR. BOR: Hill?

10 MR. HILL: Yes.

11 MR. BOR: Carries for chairman.

12 MR. SMITH: I nominate Gary for vice
13 chair.

14 MR. MCGETTIGAN: Second.

15 MR. BOR: Mr. Lea?

16 MR. LEA: Yes.

17 MR. BOR: Colanzi?

18 MR. COLANZI: Yes.

19 MR. BOR: McGettigan?

20 MR. MCGETTIGAN: Yes.

21 MR. BOR: Smith?

22 MR. SMITH: Yes.

23 MR. BOR: Carries. Any nominations for
24 treasurer?

25 MR. HILL: I'd like to nominate John

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1 McGettigan for treasurer for the MUA.

2 MR. SMITH: Second.

3 MR. BOR: Mr. Lea?

4 MR. LEA: Yes.

5 MR. BOR: Colanzi?

6 MR. COLANZI: Yes.

7 MR. BOR: Hill?

8 MR. HILL: Yes.

9 MR. BOR: Smith?

10 MR. SMITH: Yes.

11 MR. BOR: Carries.

12 MR. SMITH: First order of business, I
13 would like to congratulate Gary for taking care of
14 Neil Goldfine's retirement party. Everyone said he
15 did a great job on that.

16 Also the second order is, Bruce, figure
17 out what your letterhead and what kind of -- what's
18 it called?

19 MR. WARD: There would be one change on
20 the letterhead.

21 MR. SMITH: Whatever you want.

22 MR. WARD: Just my name.

23 MR. SMITH: Get that straightened out.

24 Other than that, go ahead, take over.

25 MR. WARD: With respect to committees,

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1 do you want to change your committees or keep them?

2 MR. SMITH: We're going to keep the
3 same committees, if it's agreeable with everyone?

4 MR. HILL: That's fine.

5 MR. MCGETTIGAN: I'm pleased.

6 MR. LEA: Yes.

7 MR. BOR: Personnel committee
8 identified as Mr. Glickman, upon approval of
9 Mr. Weber. If the Board is so pleased today, you
10 have to substitute Mr. Weber in for Mr. Glickman on
11 personnel.

12 MR. HILL: Of course.

13 MR. SMITH: Yes. I think that was a no
14 brainer, easy, since he's gone. So our new attorney
15 is Andy Weber. Do we have to vote on him?

16 MR. BOR: Yes, we do. It's a little
17 later on on the agenda.

18 MR. WARD: Schedule of meetings has
19 been prepared by Stella Johnson, which follows the
20 pattern of the third Wednesday of each month for the
21 Board meetings. And if the committees desire to stay
22 on the same format, those dates would also apply on a
23 monthly basis. Is there a consensus there?

24 MR. SMITH: Very good.

25 MR. WARD: Cash Management,

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1 Ms. Bazemore?

2 MS. BAZEMORE: Annually by law, we're
3 required to adopt a Cash Management Plan and it
4 occurs every February. It lists our investing and
5 financial policies. So it's pretty standard. We
6 just need a resolution to pass our plan for 2014.

7 MR. MCGETTIGAN: I'll make the motion.

8 MR. HILL: Second.

9 MR. BOR: Mr. Lea?

10 MR. LEA: Yes.

11 MR. BOR: Colanzi?

12 MR. COLANZI: Yes.

13 MR. BOR: McGettigan?

14 MR. MCGETTIGAN: Yes.

15 MR. BOR: Hill?

16 MR. HILL: Yes.

17 MR. BOR: Smith?

18 MR. SMITH: Yes.

19 MR. WARD: Moving along, Executive
20 Director's Report with respect to Correspondence.
21 The Authority received an announcement of the South
22 Jersey Men R Cooking program. I believe it is in
23 your packet. And that would be for February the
24 20th, 2014. That supports the Boys and Girls Club,
25 which more recently has been forced to shutter one of

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1 its facilities in the Chelsea neighborhood.

2 Secondly, the Authority has received
3 from the Metropolitan Business and Civic Association
4 notice of the March Madness mixer, which is dated,
5 the event will become on March the 10th at Sofia's
6 Restaurant. All of the funds will benefit the
7 Seashore Gardens Living Center. Gary, anything else
8 on that?

9 MR. HILL: No.

10 MR. WARD: Okay. And third
11 correspondence was a thank you letter from the Battle
12 of the Bay Basketball Invitational Classic. The
13 Authority sent water to assist the program.

14 MR. LEA: Thank you, thank you.

15 MR. WARD: This has been 22 years, I
16 believe.

17 MR. LEA: I think it's the 20th.

18 MR. WARD: 20 years of this program.

19 It was a success.

20 MR. SMITH: That's taken place already,
21 hasn't it?

22 MR. WARD: Yes, it has. This was a
23 thank you letter for our donation.

24 Next 5 b, Financial Report, Ms.
25 Bazemore?

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1 MS. BAZEMORE: You guys have the
2 Financial Report. Basically it's our December
3 financial statement and our auditors will be coming
4 through to do a review of our audit, probably for the
5 next week. Overall where we budgeted, it may look
6 like we come in under budget due to our connection
7 fee give-backs. Just for regular revenues for the
8 year we were pretty much on target, so the decrease
9 that we may be showing for our revenues for 2013
10 results from the connection recapture, which we gave
11 back about \$600,000 in 2013. But if you guys have
12 any questions, you can always ask and I can assist
13 you.

14 MR. WARD: Next, the Shut Off Report is
15 attached. Any questions? That's a memorandum of
16 February 14th.

17 Proceeding along, the Engineering
18 Committee Report. Engineering met February the 13th.

19 MR. SMITH: Fred, you were here
20 telephonically?

21 MR. BOR: Yes, and again, thank you for
22 the -- it was that storm day.

23 MR. SMITH: Is there a motion needed to
24 be made?

25 MR. BOR: No.

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1 MR. WARD: Just informational.

2 MR. HILL: Some of those issues will be
3 discussed later on in the agenda.

4 MR. WARD: Yes.

5 Okay, 5 d, January, February, extreme
6 weather. The memory of our staff, going back 22
7 years with Mr. Moyle, there has not been a more
8 severe winter session than what we've had over the
9 past time that we have met. We had, and this number
10 is accurate as of Friday of last week, Mr. Moyle will
11 give you some additional breaks, we had 18 water main
12 breaks, 56 no water calls, we had 114 freeze ups of
13 broken home pipes that our staff went out, our crews,
14 and went out and attended to these calls. One of
15 which, an extreme situation which the plant crew
16 located a break on the 48-inch main and they walked
17 approximately four and a half miles on the main until
18 they could find it. And they found it at mile post
19 two and this has been repaired.

20 Mr. Moyle will detail also the more
21 recent breaks and attempts to gain control over the
22 distribution system, which suffered considerably over
23 this extreme weather position.

24 MR. MOYLE: As we all remember, the
25 eight-inch break on Route 30, that was finally

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1 repaired. Then because we shut off Route 30, there
2 was a six-inch main that suspended off that last
3 bridge between Murray Avenue and whatever, the last
4 bridge in, that developed a new ten-foot split
5 because it was shut off and as soon as we went to
6 turn it back on, it started raining like a shower.
7 Today where Weco did site work, they put some crushed
8 concrete to get out there with an 80-foot boom.
9 They're going to hopefully today cut out about 32
10 feet of it and put in plastic pipe and hopefully
11 we'll see no more reaction on that, I hope.

12 Probably, probably notice that nice
13 break on Pacific Avenue across from Ocean. That,
14 today Weco is on that one too and that's not going to
15 be a cheap-ey.

16 MR. MCGETTIGAN: Across from where?

17 MR. MOYLE: Ocean, between Tennessee
18 and South Carolina. Probably going to go with a
19 couple of what's called insta valves, 12-inch insta
20 valve. It's the leak on the 12. As leaks go, it's
21 not as bad as the one we finally found last -- well,
22 we shut it down last Friday and our flow, this big
23 leak, although we've had again, just to jump around a
24 little because there is so much of it, they're on
25 that leak today at Mediterranean and North Carolina,

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1 but we shut that down, and the flows went down three
2 or three and a half million per day over the weekend.
3 Hopefully we can get that fixed today, but getting
4 back to Pacific, they're putting in a couple of
5 12-inch insta valves, which aren't cheap, but we're
6 going to keep everyone in service. You got Ho Jo's
7 and Perry's Restaurant on the corner of Tennessee and
8 they're going to be in service.

9 MR. SMITH: Garth, are you using the
10 same construction people?

11 MR. MOYLE: We got prices. I've got to
12 do -- there is plenty of emergency resolutions and
13 then I sent them to the State and usually they don't
14 say anything and hopefully -- there must be a lot of
15 emergency resolutions coming in this year, but we
16 went to Lafayette, Weco and Mount Construction, who
17 currently has our road opening contract. What they
18 did, they submitted prices for laborers, operators,
19 whatever you got, and their equipment.

20 MR. SMITH: My only problem, make sure
21 they're not gouging us.

22 MR. MOYLE: They're not gouging us, in
23 my opinion.

24 MR. SMITH: That's what I'm saying.

25 MR. MOYLE: We'll see how these go, but

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1 believe me, I try. And if they -- they try, they're
2 trying.

3 MR. SMITH: I know it's not easy. It's
4 an opportunity for them to get over.

5 MR. MOYLE: Because that leak at
6 Pacific is not a good one.

7 MR. WARD: The leak at North Carolina
8 Avenue was an extremely complex situation because he
9 had a fire, which began a series of water shortages
10 on a six home, six resident stretch about a half a
11 block a way from the fire. Plus when we started to
12 interact with those residents, those residents were
13 -- let us know about their ongoing water problems in
14 their new homes. Whenever the sewerage company opens
15 up a hydrant to clean the sewerage trucks, the sewer
16 company is close to that, their pipes shake within
17 their house.

18 In addition, we were searching to try
19 to find this leak, which was around the Baltic Avenue
20 Canal, which is always a problem.

21 MR. MOYLE: We had had a suggestion to
22 go around the City and take pressure tests on the
23 hydrants. And I said our last low pressure complaint
24 was right there at North Carolina. Go there first.
25 And sure enough, that's where it was. And when you

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1 put the key for the valve, put the key on it, the
2 thing shook. I've never seen that, but --

3 MR. SMITH: It led where you had one of
4 the casinos had low pressure.

5 MR. MOYLE: They were running at 49
6 PSI, and that tank was only at 27 feet, so the
7 pressure was low in the City. Once they brought the
8 pressure up to 51 that day, they were fine. This is
9 a big day today. I'm hoping things go well.

10 MR. SMITH: You guys have been doing a
11 great job, under the conditions.

12 MR. MOYLE: That leak was killing me.

13 MR. SMITH: Got to give you an atta
14 boy.

15 MR. WARD: We sent out two press
16 releases to inform the communities to trickle their
17 water during the minus and single digit temperatures.

18 Okay. We had two tours of the plant
19 locations for the potential of investigating solar
20 power. One was January 23rd and that was Standard
21 Solar, the company that did the roof of the public
22 works building in Atlantic City. And then on
23 February the 10th, Constellation Energy came out.
24 This is a fact-finding exercise to just investigate
25 what our opportunities are to get some inroads into

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1 the energy costs that we're experiencing.
2 Constellation Energy wants to come back and bring
3 additional technicians to review our sites in
4 Pleasantville.

5 MR. SMITH: We need all the help we can
6 get there.

7 MR. WARD: There had been a complaint
8 in the Atlantic City Housing Authority's Jeffries
9 Tower facility of water that was brown. And Garth
10 and I went to visit the housing authority resident
11 council and we spoke to the entire resident council
12 that came down. That was on January the 22nd. And I
13 think we did -- I think we were successful in giving
14 them an assurance that number one, we do test at that
15 location. That's one of our permanent test sites.
16 And that the water that we are sending into the
17 facility is of high quality.

18 There are some questions that they're
19 going to have to review with respect to their pipes
20 and whether or not their system has been flushed out
21 and so forth and so on, but we definitely went out
22 and spoke to them.

23 H, Rafael Valentin. Rafael Valentin is
24 the union representative for AFSCME. And basically I
25 wanted to meet with him on January 15th to try to

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1 establish an ongoing relationship, and my theme with
2 him was that certainly we have labor and management
3 personnel that have to work together, but every
4 misunderstanding does not have to go to world war
5 three, and we can have a misunderstanding, to have a
6 discussion, to try to get an understanding before
7 proceeding directly to a legal fight or a union
8 fight. And I think we're off on a good foot,
9 starting off on a good foot.

10 I met with the city solicitor, Jason
11 Holt. He's the new solicitor for the City of
12 Atlantic City. That was on January the 30th and that
13 was my preview to getting involved to protect our
14 interest, because the solicitor's office had to be
15 ready to receive our request from the council
16 committee for Ordinance 32. And we'll be discussing
17 that a little later, so that was a good meeting with
18 the city solicitor.

19 And finally on Director's Forum, we
20 also sent out a press release on a utility worker
21 impersonation scam. This was sent out to all of our
22 media and it was carried on Channel 40 News.
23 Hopefully we sent it out directly to you at your
24 addresses. This is a pattern that has become of such
25 concern that Philadelphia City Council actually had a

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1 hearing on it and I wanted to get out in front in
2 case that starts to migrate into our South Jersey
3 area so that our seniors and our residents are aware
4 they should not open doors and that our employees do
5 not go into the residences unless it is an
6 appointment request from the resident.

7 MR. SMITH: I just want to interject, I
8 want to thank the guys for selection, and
9 congratulate Gary and John and the rest of the Board
10 members. We got a good Board and I want to continue
11 working the same way we have and, you know, everybody
12 got their input, everybody got somebody they want to
13 deal with or subject they want to deal with, it's
14 open.

15 MR. HILL: Thank you. I would like to
16 make a comment in Director's Forum. I want to thank
17 Stella and Debbie helping out with the retirement
18 dinner, as well as Tropicana, and it was a nice
19 night.

20 MS. JOHNSON: And the MUA saved money.

21 MR. HILL: Isn't that amazing, heaven
22 forbid.

23 MS. JOHNSON: And we thank you, Gary.

24 MR. WARD: Definitely.

25 MR. SMITH: Bruce mentioned to me about

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1 Claude's -- about our engineer being aboard here and
2 we never had Claude with us during our meeting, so
3 he's a welcome member.

4 MR. CLAUDE SMITH: Thank you.

5 MR. WARD: Claude is a key utility
6 engineer and he can be deployed in so many various
7 areas, fixing --

8 MR. SMITH: We got to make a seat for
9 him at the table.

10 MR. WARD: -- fixing computers and
11 patching --

12 MR. SMITH: I hear we got the painters
13 out in March.

14 MR. HILL: They're coming back.

15 MR. BOR: It's March in two weeks.

16 MR. WARD: Weather permitting.

17 We have the Polyaluminum Chloride bid,
18 which is 7 a. I believe we have a resolution to
19 accept?

20 MR. MCGETTIGAN: Garth, everything
21 looks fine?

22 MR. MOYLE: Yes, prices down from last
23 year.

24 MR. HILL: Second.

25 MR. BOR: Mr. Lea?

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1 MR. LEA: Yes.

2 MR. BOR: Colanzi?

3 MR. COLANZI: Yes.

4 MR. BOR: McGettigan?

5 MR. MCGETTIGAN: Yes.

6 MR. BOR: Hill?

7 MR. HILL: Yes.

8 MR. BOR: Smith?

9 MR. SMITH: Yes.

10 MR. BOR: Carries.

11 MR. WARD: Appointment of Authority
12 professionals, Authority solicitor is 7 b, Frederick
13 Bor.

14 MR. HILL: I'd like to make a motion,
15 Fred, 7 b, Frederick Bor as the solicitor.

16 MR. SMITH: Second.

17 MR. BOR: Mr. Lea?

18 MR. LEA: Yes.

19 MR. BOR: Colanzi?

20 MR. COLANZI: Yes.

21 MR. BOR: McGettigan?

22 MR. MCGETTIGAN: Yes.

23 MR. BOR: Hill?

24 MR. HILL: Yes.

25 MR. BOR: Smith?

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1 MR. SMITH: Yes.

2 MR. BOR: Thank you, gentleman.

3 MR. WARD: Next is 7 b (2), labor
4 counsel, recommending Andrew Weber, Esquire, labor
5 counsel.

6 MR. SMITH: Move it.

7 MR. HILL: Second.

8 MR. BOR: Mr. Lea?

9 MR. LEA: Yes.

10 MR. BOR: Colanzi?

11 MR. COLANZI: Yes.

12 MR. BOR: McGettigan?

13 MR. MCGETTIGAN: Yes.

14 MR. BOR: Hill?

15 MR. HILL: Yes.

16 MR. BOR: Smith?

17 MR. SMITH: Yes.

18 MR. BOR: Carries. Congratulations,
19 Andy.

20 MR. WEBER: Thank you, very much.

21 MR. WARD: Transcript stenographer
22 services, 7 b (3).

23 MR. SMITH: I'd like to make a motion
24 Jackie continues her position.

25 MR. HILL: Second.

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1 MR. BOR: Mr. Lea?

2 MR. LEA: Yes.

3 MR. BOR: Colanzi?

4 MR. COLANZI: Yes.

5 MR. BOR: McGettigan?

6 MR. MCGETTIGAN: Yes.

7 MR. BOR: Hill?

8 MR. HILL: Yes.

9 MR. BOR: Smith?

10 MR. SMITH: Yes.

11 MR. BOR: Carries.

12 Have you heard from them at all, Dewey
13 Place?

14 MR. WARD: No, we haven't heard
15 anything.

16 MR. BOR: I'll report, my pleasure, on
17 that 126 Dewey Place. To refresh the Board, this was
18 a request for an abatement that the Board seemed fine
19 with it, subject to my preparing a release for them,
20 releasing them from responsibility for our water
21 damage from the storm. I prepared and sent them the
22 release. I prepared the release and sent it to them,
23 asked them to get it signed, sent back to me, has to
24 be two months ago. He has not done it.

25 I also followed up. If you don't have

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1 a notary, bring it to a meeting, I'll notarize it and
2 you'll get your abatement back and still haven't
3 heard. We've done as far as we should. The
4 community member is concerned and the ball is in his
5 court at this point.

6 MR. WARD: I can take it off of the
7 agenda, rather than keep repeating it for Old
8 Business, and if and when the individual steps
9 forward, it comes back up.

10 MR. BOR: If he surfaces, I'll
11 communicate with him and get him to sign the release
12 and ask that it be put back on the agenda.

13 MR. WARD: That would be fine. Old
14 Business, 7 e Atlantic Club Casino.

15 MS. BAZEMORE: We have some good news
16 to report. You are aware that they filed bankruptcy.
17 On our books we had about \$155,000 listed as a
18 potential loss. However, we did submit that
19 information over to the City of Atlantic City. And
20 they were required to pay taxes and our amount was
21 listed as special charges and they were required to
22 pay that as well, so we did receive payment January
23 21st from Atlantic Club in the amount of 140,000, so
24 their accounts are now current.

25 MR. HILL: Wow, that's great.

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1 MR. SMITH: Very good.

2 MR. WARD: We covered that on both
3 sides. We both had -- we submitted a claim in the
4 bankruptcy court at the same time Linda's staff
5 submitted with the City a special charge which became
6 a lien, so that even though they shut the place down,
7 they had to get through closing.

8 MR. SMITH: That's amazing because we
9 don't usually get --

10 MR. WARD: They could not clear title
11 until that was paid.

12 MR. SMITH: Caesars bought that place?

13 MS. BAZEMORE: They do have a current
14 bill. Caesars is now responsible for about 20,000.

15 MR. MCGETTIGAN: Who do we bill?

16 MS. BAZEMORE: Caesars.

17 MR. SMITH: That was great, very good.

18 MR. BOR: And that could not have
19 happened without Linda's intervention, so hats off to
20 Linda for 140 grand.

21 MS. BAZEMORE: And staff. Hopefully we
22 won't see huge financial impact with the building
23 closing financially for consumption and billing.
24 That's still yet to be seen how they will impact us.

25 MR. MCGETTIGAN: Consumption has to be

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1 a big decline, major.

2 MR. WARD: They're keeping it open as a
3 shell. This exercise has given us again a level of
4 how we deal with a casino that could be in distress.
5 Linda's staff is aware of if a situation where a
6 casino hasn't paid three to four months and they have
7 a significant arrears, we're going to go straight to
8 the City and log it in so that we can capture those
9 dollars. In case of any bankruptcy, they will become
10 a higher priority.

11 MR. SMITH: Did the City get their
12 taxes also?

13 MS. BAZEMORE: I'm sure they did. I'm
14 sure they got paid before we did.

15 MR. SMITH: That's what I'm saying,
16 that's great, okay.

17 MR. HILL: How is the Trump properties,
18 Trump Plaza?

19 MS. BAZEMORE: I think they're pretty
20 current accounts. I don't recall any, you know,
21 monthly delinquents out there that's significant.

22 MR. WARD: Okay. We have a new phone
23 system, which is in the process of completion of a
24 somewhat complex installment. And Mr. Smith, would
25 you give us a summary of the phone system, its new

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1 attributes and where we are and where we have to get?

2 MR. CLAUDE SMITH: The summary is a
3 short recap. What's been going on, we have been
4 having some issues with the phone system. The
5 majority of it has been resolved.

6 We are down to at least one problem
7 that's still outstanding and that's within the router
8 system; that provides a tunnel between here and
9 Pleasantville because we are both interconnected now.
10 They're constantly going to be, the next 24 to 48
11 hours, constantly monitoring those two routers, one
12 at this location and one at the plant location to see
13 if there is any interruptions. Pretty much
14 diligently working on it. They're going to monitor
15 it, like I said, over the next 24 to 48 hours.
16 Hopefully if nothing occurs, they think they might
17 actually have the problem resolved.

18 But in regards to some of the features
19 and so forth that the phone system has to offer, we
20 still have to venture into that. We're halfway
21 tapped into that resource. Once we have already
22 resolved, we can start tapping into the resources it
23 offers, but it's a better phone system than what we
24 had. Cost wise it's very beneficial to us. And as
25 soon as we get this all resolved, I think we should

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1 be in the clear.

2 MR. WARD: One of the upgrades was that
3 the plant was on a separate phone system from the
4 administration, so when we had to call someone in the
5 plant, we had to dial a three-four-eight number,
6 which created a message unit on the bill. So now
7 this is one system between the plant and if we need
8 to call the plant, it's just an extension; it's not a
9 full phone call.

10 MR. SMITH: What was the financial,
11 what was the price?

12 MR. CLAUDE SMITH: The cost of that
13 phone system, 25 -- I think it was \$25,000, but we're
14 going in a lease plan.

15 MS. BAZEMORE: 30.

16 MR. CLAUDE SMITH: It finally did come
17 out to \$30,000, and we're in a lease.

18 MR. SMITH: Does that include our small
19 phones or what have you, they're not incorporated
20 with that?

21 MR. CLAUDE SMITH: Not -- it's not --
22 it's internal office phones.

23 MR. WARD: Cell phones.

24 MR. COLANZI: I'm stepping on thin ice,
25 but when you call the MUA, up until last Friday, an

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1 inhuman voice turns around and says "hello," like
2 you're bothering me for calling me. Public relations
3 wise, that's worth a fortune because everybody is
4 going to be -- you could be aggravated.

5 MR. CLAUDE SMITH: We're aware of that,
6 Mr. Colanзи.

7 MR. COLANZI: When an important person
8 answers at the other end, we're going to catch it.

9 MR. CLAUDE SMITH: Before we start
10 doing a lot of changes, we have to fix the main issue
11 first and that is denial, one of the things we're
12 going to be changing.

13 MR. COLANZI: Public relations is an
14 important thing. About a week and a half ago if you
15 called the MUA and it was closed, it would ring and
16 ring and ring. Now if there was an emergency and
17 somebody wanted the emergency crew to help them,
18 nothing happened. I understand that's been taken
19 care of.

20 MR. CLAUDE SMITH: That was one of the
21 issues we were having. When you don't have any calls
22 over an extended period of time, pretty much that
23 router goes to sleep and it needs something to
24 actually wake it up. If you're not receiving any
25 calls on a constant basis, it stays asleep. So even

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1 if that first call comes in and says I'm calling in,
2 it might not necessarily answer because it hasn't
3 been woken up yet.

4 MR. COLANZI: If that would be an
5 important issue, if somebody was really having
6 trouble and wanted to call in for help --

7 MR. CLAUDE SMITH: That was last week,
8 so therefore that situation has actually been
9 resolved.

10 MR. COLANZI: Okay.

11 MR. WARD: Okay. I missed -- I went
12 ahead. I missed Ordinance 32, which is 7 d.
13 Ordinance 32 you would recall was an ordinance that
14 was adopted last year, which forced all of the
15 utility companies, including this utility, to pave an
16 entire block curb to curb if a number of street
17 openings occurred, and we had a problem with this
18 coming in. As soon as I came in, recognizing that,
19 you know, we just didn't have an opportunity to get
20 at the stable and I took this into the City, met with
21 the City solicitor, met with the council planning and
22 development committee, and we've had a first reading
23 and a first reading was successful. And the first
24 reading was February the 11th. The next reading is
25 February 26th.

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1 MR. HILL: Next week.

2 MR. WARD: And the ordinance will have
3 a new provision, and the provisions of this chapter
4 do not apply to street openings for the purpose of
5 installing new or replacing old water laterals owned
6 by the Atlantic City Municipal Utility Authority. In
7 other words, we are moving to have this Authority
8 exempted from that, so that's been successful so far.

9 MR. HILL: Good job.

10 MR. WARD: New Business.

11 MR. BOR: That's terrific. That's
12 really good.

13 MR. WARD: Emergency water repairs.
14 Garth, do you want to provide on those?

15 MR. MOYLE: Yeah, I mentioned these
16 earlier on. That the 20-inch water main was the one
17 we discussed in engineering or -- no, we discussed it
18 somewhere in one of our meetings and that was the
19 settlement we made with Weco for about 50, whatever
20 it was now, 59, I believe; eight-inch water main
21 Route 30, that again was the one that shut Route 30
22 down for a while; six-inch water main on Ohio, there
23 was a break there around Grant and couldn't get a
24 shut down. So we got some insta valves installed so
25 we could shut it down to work on it. Well, it says

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1 not to exceed, it's about \$12,000 for those two
2 valves. And we discussed the six-inch under the
3 bridge, the split that they're hopefully fixing today
4 and that's actually a 12 on Pacific, not a 20. I
5 have been told it was a 20, but it's actually a 12.
6 That's hopefully being done today, so I hope the rain
7 holds off for them.

8 MR. HILL: How are we, Linda, with our
9 emergency line item since it's a hundred some
10 thousand dollars?

11 MS. BAZEMORE: What we actually had in
12 the budget, I have to take a look at that. I'll
13 report next month where that stands.

14 MR. MOYLE: We're taking it out of
15 miscellaneous waterline. I think that had quite a
16 bit of money.

17 MS. BAZEMORE: I'm not a hundred
18 percent sure.

19 MR. MOYLE: Read waterline replacement.

20 MS. BAZEMORE: The good point, it's the
21 new year so it's a new budget amount, so we should be
22 okay.

23 MR. MCGETTIGAN: It's the capital
24 account?

25 MR. MOYLE: Yes, the capital account.

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1 And also while I'm on this subject,
2 it's because it's kind of an event, the way we've
3 been doing this, I would like to go outer wrap. It
4 doesn't have to be immediately. Hopefully these
5 things will stop with the weather. Of course we
6 might have a few more. Instead of the managing out
7 for bid, have \$150,000 as an upset figure, but it's
8 going to be looking at their prices for their work
9 crews and things, and that will lead us to which one
10 we take. And of course too these insert valves we
11 need a lot of. We can go out and hopefully get a bid
12 from somebody that the digging of the holes is done
13 by others, either the MUA or this emergency crew,
14 they come in and install them. And again, an upset
15 figure, maybe 75,000 a year, and if we don't use it,
16 we bid it again and roll it, but when we need it,
17 we'll have it. So I thought I should bring that up
18 now.

19 MR. MCGETTIGAN: In an emergency?

20 MR. MOYLE: Mike Magella mentioned it a
21 few years ago, and now I wish I had done it.

22 MS. BAZEMORE: When we did our new
23 money borrowing last August, we borrowed 2.5 million,
24 1.5 for the painting of the tank and we had an extra
25 million dollars for water service laterals. I'll

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1 take a look and see if we can give you some of that
2 money. It's sitting there, borrowed, but it's
3 sitting there to cover some of these costs.

4 MR. WARD: Garth and I met with Bill
5 England, the city engineer, in going forward where
6 other authorities are going open streets. That would
7 give us an opportunity to go in and make corrections,
8 upgrade valves and so on and so forth, and so there
9 is a plan for Pacific Avenue by the CRDA and there is
10 further work to be done on Arctic Avenue, so we're
11 going to stay close with the city engineer's office
12 when we have an opportunity to go in because the
13 street is going to be open.

14 MR. BOR: Move, if there is no
15 objection? I see no reason why we can't move on 8 a
16 (1), (2), (3) and (4) as one resolution.

17 MR. MCGETTIGAN: I'll make the motion.

18 MR. HILL: Second.

19 MR. BOR: Mr. Lea?

20 MR. LEA: Yes.

21 MR. BOR: Colanzi?

22 MR. COLANZI: Yes.

23 MR. BOR: McGettigan?

24 MR. MCGETTIGAN: Yes.

25 MR. BOR: Hill?

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1 MR. HILL: Yes.

2 MR. BOR: Smith?

3 MR. SMITH: Yes.

4 MR. BOR: Carries.

5 MR. WARD: There are two abatements
6 unnecessary to appear. They're in your packet. One
7 is for Mot Huu Ly, and I'm looking for the --

8 MR. HILL: Abdul, here. Here, Bruce,
9 right there is the second one.

10 MR. WARD: Yes. \$356.75, that would be
11 Mot Huu Ly and for Abdul Mannan would be for \$189.97.

12 MR. SMITH: Move them.

13 MR. MCGETTIGAN: Second.

14 MR. BOR: Mr. Lea?

15 MR. LEA: Yes.

16 MR. BOR: Colanzi?

17 MR. COLANZI: Yes.

18 MR. BOR: McGettigan?

19 MR. MCGETTIGAN: Yes.

20 MR. BOR: Hill?

21 MR. HILL: Yes.

22 MR. BOR: Smith?

23 MR. SMITH: Yes.

24 MR. BOR: Carries.

25 MR. WARD: WEB Insurance consultant.

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1 This is Bill Brengel. Apparently the Authority has
2 used his services over the years to help organize and
3 structure the insurance RFP for health care.

4 MR. SMITH: I think his contract is for
5 what, 10,000 or 7,000?

6 MR. HILL: 75.

7 MR. SMITH: I'm always against Bill,
8 but move it. He's been doing a good job.

9 MR. HILL: Particularly this year, but
10 that's because of a lot of help with the staff.

11 MR. SMITH: So move it.

12 MR. MCGETTIGAN: Second.

13 MR. BOR: Mr. Lea?

14 MR. LEA: Yes.

15 MR. BOR: Colanzi?

16 MR. COLANZI: Yes.

17 MR. BOR: McGettigan?

18 MR. MCGETTIGAN: Yes.

19 MR. BOR: Hill?

20 MR. HILL: Grudgingly, but yes.

21 MR. BOR: Smith?

22 MR. SMITH: Yes.

23 MR. HILL: Yes.

24 MR. WARD: Okay. We're required by the
25 State to appoint a PACO officer, and that's a public

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1 agency compliance officer. That officer for the MUA
2 would be Ms. Linda R. Bazemore, our Deputy Executive
3 Director. That's agenda item 8 d (1).

4 MR. HILL: Move 8 d (1).

5 MR. MCGETTIGAN: Second.

6 MR. BOR: Mr. Lea?

7 MR. LEA: Yes.

8 MR. BOR: Colanzi?

9 MR. COLANZI: Yes.

10 MR. BOR: McGettigan?

11 MR. MCGETTIGAN: Yes.

12 MR. BOR: Hill?

13 MR. HILL: Yes.

14 MR. BOR: Smith?

15 MR. SMITH: Yes.

16 MR. WARD: 8 e (1) is a request to
17 solicit for custom reactivated carbon for the plant
18 treatment.

19 MR. MCGETTIGAN: I'll make a motion.

20 MR. HILL: Second.

21 MR. BOR: Mr. Lea?

22 MR. LEA: Yes.

23 MR. BOR: Colanzi?

24 MR. COLANZI: Yes.

25 MR. BOR: McGettigan?

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1 MR. MCGETTIGAN: Yes.

2 MR. BOR: Hill?

3 MR. HILL: Yes.

4 MR. BOR: Smith?

5 MR. SMITH: Yes.

6 MR. WARD: Status of service agreements
7 under f. Garth and I met with representatives in the
8 development of Bass Pro Shops and we still have some
9 additional language to resolve. We do, however, have
10 the potential of eliminating the Ordinance 32 matter,
11 which helps to clarify and open that path. But
12 Garth, anything further to that?

13 MR. MOYLE: I haven't had any
14 correspondence since the meeting. They're very
15 adamant, they don't want to kill -- they've raised
16 that site three feet, and we've got a 20-inch main
17 under there and a four-inch main, and they don't
18 believe it's their job to eliminate them underneath
19 that, even though they're reminded that Cordish, in
20 other issues, they cut and capped a 20 and they had
21 to replace it. And they did do that between Arctic
22 and -- anyway, but they did replace one.

23 All we're asking them to do, we don't
24 believe we need it, is kill it so it doesn't break
25 and we have to go under, go down six feet.

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1 MR. WARD: This was a former park. Now
2 they're creating a parking lot, which makes it a
3 private situation. So we wouldn't have the same
4 access we would have if it was a public park and we
5 just have to have that access when there is an
6 emergency to go in. We need them to kill it so it
7 would go around it.

8 MR. MCGETTIGAN: Can't we kill it from
9 the street?

10 MR. MOYLE: They can. They're going to
11 do it in the street, but it's their work. We're not
12 paying for that.

13 MR. MCGETTIGAN: Okay.

14 MR. SMITH: The projected opening date
15 is this spring?

16 MR. MOYLE: No, it's not this spring.
17 At least the fall.

18 MR. HILL: Maybe.

19 MR. MCGETTIGAN: It can be done at the
20 line in the street, but they're liable for it,
21 responsible for it?

22 MR. MOYLE: Yeah.

23 MR. MCGETTIGAN: They're resistant?

24 MR. MOYLE: Yeah, their one lawyer is,
25 especially. They understood, they put in water mains

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1 and other things throughout this whole thing, but now
2 they got this guy. The one guy that the MUA always
3 worked with was Bill Barnes and he knew exactly what
4 had to be done. There was never a problem. They got
5 a new guy and his name happens to be Newbie at
6 Cordish, so I think they're coming around a little.
7 We're hoping we can save them some money, but getting
8 them a good shutdown, which we'll test as soon as we
9 get out of this weather and catch up with our work.
10 We want to work with them. We don't want to throw
11 the burden, whatever it costs to do, on the customers
12 that get nothing.

13 MR. SMITH: Stay on top of it, as I
14 assume you are.

15 MR. MCGETTIGAN: It's part of the
16 connection agreement?

17 MR. MOYLE: Absolutely, they were
18 ex-ing things out of that thing.

19 MR. MCGETTIGAN: Eventually they have
20 to comply.

21 MR. MOYLE: Yeah.

22 MR. WARD: And Hope VI, we've got a
23 start with them.

24 MR. MOYLE: Yeah, they, again, they
25 still owe us some drawings of how they want the water

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1 fed to these buildings. I got some. They look like
2 drawings I've done, I call them cocktail napkin
3 drawings, and hopefully we'll be getting something
4 better than that soon and we can write a service
5 agreement for them.

6 I think, again, we've taken a position
7 that when the developer appears, we want to reach out
8 and invite them and find out what the requirements
9 are, how we can help them to get their project on
10 line. We're not sitting back and they can't accuse
11 us for failing to reach out and we try to assist
12 them.

13 MR. WARD: Okay. G would be investing
14 Capital Bank.

15 MS. BAZEMORE: We had two CDs that
16 matured at the end of January and we're going to
17 reinvest those as 60 basis points, and we need a
18 resolution for the investment of two CDs.

19 MR. MCGETTIGAN: I'll make the motion.

20 MR. HILL: Second.

21 MR. BOR: Mr. Lea?

22 MR. LEA: Yes.

23 MR. BOR: Colanzi?

24 MR. COLANZI: Yes.

25 MR. BOR: McGettigan?

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1 MR. MCGETTIGAN: Yes.

2 MR. BOR: Hill?

3 MR. HILL: Yes.

4 MR. BOR: Smith?

5 MR. SMITH: Yes.

6 MR. WARD: Information item h is the
7 National Center for Sustainable Water Infrastructure
8 Modeling Research. This was an EPA, Environmental
9 Protection Administration grant for \$4 million to
10 create a national center for research. When I saw
11 it, I thought about the synergy potential, synergy
12 between our Authority having a reservoir in federal
13 property, so I contacted Richard Stockton College.
14 They were interested, but they felt they needed
15 another partner who had more engineering resources on
16 the site. Stockton suggested we contact Rowan
17 University. Rowan University got very excited and we
18 pooled together a potential collaboration and that
19 collaboration met telephonically on one occasion, and
20 then after going through a pre review with the EPA,
21 the EPA felt that our plan was probably not going to
22 survive. However, the coalition likes the fact that
23 there may be potential new opportunities to do some
24 things with Stockton, with Stockton's new effort to
25 take over the NextGen, which that name is going to

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1 change that research park next to the FAA Technical
2 Center, and we're looked at as potentially a partner
3 if there is going to be any water research that
4 benefits us.

5 Chronic --

6 MR. SMITH: What are you saying,
7 they'll be doing all the research?

8 MR. WARD: What we're saying, there is
9 again an open eye and an open ear to opportunities
10 that may be available with some research partners in
11 our region and we have a college, Richard Stockton
12 College graduates 20 percent of all math and science
13 graduates in public universities in the State. They
14 have a very very strong environmental studies program
15 and now that the Rowan University knows that we're on
16 the map, they like the fact, because they have
17 hydrology and other engineering services -- excuse
18 me, other engineering faculty that could assist us at
19 a certain point if we needed some research help.

20 Giving you another little piece, I got
21 a call from Ron Cash, the health director for the
22 City of Atlantic City, and he is going to put
23 together some sort of an investigative team to find
24 out what's going on with Bally's. Bally's has had a
25 small bloom of Legionnaire's disease on their

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1 property. Now, we know that we send the same water
2 to all of the casinos. We also know that this bloom
3 has been isolated at this one property. Bally's also
4 has its own well. So it uses mostly its own water
5 and sometimes it opens a gate and lets some of our
6 water in. We charge them for it when they do it.

7 The other thing is, and folks around
8 this table would know, that Bally's, part of that
9 hotel is the Haddon Hall -- no, Marlborough Blenheim,
10 very old property and when you get a Legionaire's
11 disease bloom like that, you're generally talking
12 about an old building. The one in Philadelphia was
13 an older building.

14 MR. SMITH: That wasn't publicized?

15 MR. WARD: No, it's kind of quiet. But
16 the health department has been contacted and so the
17 health department is going to put together again some
18 sort of an investigative team. We're going to be
19 brought into it. We have to be brought into it
20 because it's a waterborne, moisture borne kind of
21 disease.

22 MR. SMITH: As long as our labs say
23 we're in compliance.

24 MR. WARD: So in terms of this
25 collaboration, if we have to make a call and get a

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1 pro tester who has a particular specialty in, you
2 know, waterborne, we got partners now.

3 MR. SMITH: Understood.

4 MR. MCGETTIGAN: Is there diagnosed
5 cases over there? When you say "bloom" --

6 MR. WARD: I use the term "bloom," but
7 there have been -- we had something earlier around
8 November, right, November or as soon as I came on in
9 the training capacity, there was something about
10 Legionaire's disease at Bally's.

11 MR. MOYLE: And it happened in the
12 summertime, which makes sense. It's probably from
13 the air conditioning. You get that condensation
14 inside, just like where it started in Philadelphia
15 and the Legionaire's grows in that nice warm moist
16 environment. You have to breathe it in and that's
17 how you get it and it's usually people who are
18 somewhat compromised, either through smoking, asthma
19 or whatever. They have -- that's who it gets, but
20 again, Bally's started using our water quite a bit.
21 Bally's Park Place, end of September it looks like,
22 so they must have gotten word and shut their well
23 down, I guess. So you know, it's -- but again, it's
24 usually your air conditioning that does it. And our
25 water doesn't get inside the air conditioning ducts;

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1 it's just condensation.

2 MS. BAZEMORE: They've been on our
3 system at least seven months.

4 MR. MOYLE: Since the end of September.

5 MR. MCGETTIGAN: They're still using
6 it?

7 MR. MOYLE: Yeah.

8 MS. BAZEMORE: I thought.

9 MR. MOYLE: Not having the full
10 details, my guess is they got word, Hey guys, you got
11 some Legionaire's problem. Let's get off our well
12 and use their well because it's chlorinated. We'll
13 see what happens. We went through this before.

14 MR. SMITH: Who detected it, EPA?

15 MR. MOYLE: People showed up and DEP
16 was in, Bruce said it was in November we had a
17 meeting with them and their results, a few of the DEP
18 guys apologized to me, because the one woman from DEP
19 was flat out blaming the MUA and I said, No, it's not
20 the MUA. And they finally went away inconclusively.
21 It's very hard to pin this down unless you get very
22 lucky -- not lucky, but that whole thing in
23 Philadelphia where they did find it inside the air
24 conditioning duct, so we'll see what happens with
25 that.

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1 MR. SMITH: I just said we could use
2 all the assistance we can get from the outside.

3 MR. WARD: We'll be out in front of it,
4 and we don't want a rumor mill generated saying it's
5 our water.

6 Chronic absentees and there is a
7 resolution number 8 i.

8 MR. SMITH: We wouldn't do that.

9 MR. WARD: Do this in the personnel
10 committee meeting.

11 MR. MOYLE: I noticed, I thought it was
12 on there, there are some removals from the list.
13 Again that's not truly important because they're
14 happy to be off. I just want to mention there is
15 probably four or five people at least that are coming
16 off the list, among them Richie Cole.

17 MR. SMITH: Move it. I agree with you
18 guys totally.

19 MR. MCGETTIGAN: Is this the new list,
20 the first seven names, and then the expiring list?

21 MR. MOYLE: No, the first list is these
22 are the, for lack of a better term, real chronics.
23 They have to have the sick time available and a
24 doctor note to avoid further discipline or to avoid
25 discipline. The second list is a list of people that

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1 they have to supply doctor notes for every absence,
2 but if they run out of time and use another sick day
3 unpaid, they don't get. As long as they bring in a
4 doctor note, they don't get further discipline.
5 That's the modified chronic. That's no call, no
6 show, you move through a different -- that's a
7 different title. This is because they use all their
8 sick time, every year, for 30 years.

9 MR. WARD: Richard Cole is not on now.

10 MR. MOYLE: Right, he is removed. He
11 was a chronic and he straightened out and he carried
12 at least four or five days into the year out of 15.
13 So around here, that's good.

14 MR. SMITH: It is.

15 MR. WARD: Do you want to call the
16 motion?

17 MR. SMITH: Move it.

18 MR. MCGETTIGAN: Second.

19 MR. BOR: Mr. Lea?

20 MR. LEA: Yes.

21 MR. BOR: Colanzi?

22 MR. COLANZI: Yes.

23 MR. BOR: McGettigan?

24 MR. MCGETTIGAN: Yes.

25 MR. BOR: Hill?

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1 MR. HILL: Yes.

2 MR. BOR: Smith?

3 MR. SMITH: Yes.

4 MR. BOR: Carries.

5 MR. WARD: State contract vendors.

6 That would be item 8 j.

7 MR. HILL: These are the approved
8 vendors. Every year we have to do this. Move 8 j.

9 MR. MCGETTIGAN: This is a partial
10 list?

11 MS. BAZEMORE: Basically this is a
12 partial list, yes.

13 MR. MCGETTIGAN: Second.

14 MR. BOR: Mr. Lea?

15 MR. LEA: Yes.

16 MR. BOR: Colanzi?

17 MR. COLANZI: Abstain.

18 MR. BOR: McGettigan?

19 MR. MCGETTIGAN: Yes.

20 MR. BOR: Hill?

21 MR. HILL: Yes.

22 MR. BOR: Smith?

23 MR. SMITH: Yes.

24 MR. WARD: Bills, monthly bills, 9 a.

25 MR. SMITH: Move them.

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1 MR. WARD: Any questions?

2 MR. MCGETTIGAN: Second.

3 MR. BOR: Mr. Lea?

4 MR. LEA: Yes.

5 MR. BOR: Colanzi?

6 MR. COLANZI: Yes.

7 MR. BOR: McGettigan?

8 MR. MCGETTIGAN: Yes.

9 MR. BOR: Hill?

10 MR. HILL: Yes.

11 MR. BOR: Smith?

12 MR. SMITH: Yes.

13 MR. WARD: Public Participation, I see
14 no one from the public. Board's pleasure.

15 MR. SMITH: Take a five-minute break
16 and go into Executive Session.

17 (Executive Session from
18 10:55 a.m. to 11:50 a.m.)

19 MR. WARD: We are back in Open Session.
20 The Board has come out of its Executive Session.
21 First discussion was the personnel committee report,
22 with some emphasis on the discussion of the assistant
23 manager function and how the Authority is undertaking
24 a plan to begin to replace key skills and key
25 management individuals arising out of the resignation

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1 of one assistant manager and the potential or
2 upcoming resignations of two other individuals with
3 years of experience.

4 We had a continued discussion to begin
5 to introduce our labor counsel to acquire the files
6 from former labor counsel and to begin to prepare for
7 an EEOC matter involving a staff employee,
8 Mr. Raymond Morton. That would be coming up in
9 March, that first hearing at the EEOC here in
10 Atlantic City. And there are union contract
11 negotiations that our new labor counsel will begin to
12 become familiar with, as well as management
13 contracts.

14 Mr. Bor reported on the New York Avenue
15 lawsuit, that there was no update, and an extended
16 discussion on the Borgata connection fee lawsuit.
17 Members of the Board, as well as staff, discussed the
18 potential direction for the Authority to respond to
19 the Borgata's recent lawsuit. The plan at this time
20 is to answer the lawsuit with responsive pleadings
21 from Solicitor Bor and begin a series of discussions
22 to see where the parties are and how far the parties
23 are apart.

24 Finally, there was a discussion over
25 former Executive Director Neil Goldfine and his

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1 participation, his request to become a consultant.
2 He is at this time going to be reviewed in the
3 personnel committee, alongside the need for when and
4 if his involvement becomes necessary in the Borgata
5 lawsuit.

6 And finally, a number of smaller items,
7 which are overdue with respect to Tropicana, South
8 Jersey Transportation Authority, Bernie Robbins
9 Stadium, New Jersey Transit, Route 40. A number of
10 these are easement and transactional legal matters
11 that the Director, as well as Solicitor and Labor
12 Counsel will assist in terms of cleaning up. And I
13 believe that was --

14 MR. BOR: One second.

15 MR. WARD: Yes, and director --
16 Commissioner Gary Hill and Commissioner John
17 McGettigan both indicated that there may be issues of
18 potential conflict, that it would be comfortable for
19 them with Solicitor's guidance that they would recuse
20 in any formal action with respect to the Borgata
21 since this matter has now moved to a pre litigation
22 phase.

23 MR. BOR: And of course we still have
24 an active quorum even without those two
25 participating.

ATLANTIC CITY MUA

1 MR. SMITH: Also they're directors as
2 opposed to commissioners.

3 MR. WARD: They're directors. I was
4 struggling with that.

5 MR. BOR: He's our only commissioner
6 right there.

7 MR. SMITH: Adjournment?

8 (The meeting adjourned at 11:55 a.m.)

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C E R T I F I C A T E

I, JACQUELINE M. ZARRILLO, a Certified Court Reporter of the State of New Jersey, do hereby certify that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

JACQUELINE M. ZARRILLO
Certified Court Reporter
License No. XI01786

DATED: February 26, 2014

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