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ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY  
BOARD OF DIRECTORS MEETING

Wednesday, February 17, 2016

G. Bruce Ward, Executive Director  
Garth Moyle, Deputy Executive Director  
Fredric L. Bor, Esquire, Board Solicitor  
Andrew Weber, Esquire  
Claude Smith, Engineer  
Stella Johnson, Board Administrator  
Anita Thapa

B E F O R E:

Milton L. Smith, Chairman  
Gary L. Hill, Vice Chairman/Secretary  
John McGettigan, Treasurer  
William Lea, Board Member  
Edmund J. Colanzi, Board Member  
William K. Cheatham, Alternate  
Patricia Bailey, Alternate

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.

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JACQUELINE M. ZARRILLO, CCR  
CERTIFIED COURT REPORTER  
1724 TILTON ROAD  
NORTHFIELD, NEW JERSEY 08225  
(609) 287-2593

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## ATLANTIC CITY MUA

1                   MR. SMITH: Adequate notice of this  
2 meeting has been provided, as required by law, by  
3 mailing to the Press a list of the regularly  
4 scheduled meetings of the Board of Directors,  
5 including the notice of the regular meeting scheduled  
6 February 17, 2016, at 401 North Virginia Avenue,  
7 conference room, Atlantic City, New Jersey. Copy of  
8 said notice was sent to city clerk to be posted. All  
9 of the aforesaid complies with Chapter 231 of the  
10 laws of 1975, known as open public meeting laws.

11                   Roll call?

12                   MR. BOR: Mr. Lea?

13                   MR. LEA: Here.

14                   MR. BOR: Colanzi?

15                   MR. COLANZI: Here.

16                   MR. BOR: McGettigan?

17                   MR. MCGETTIGAN: Here.

18                   MR. BOR: Hill?

19                   MR. HILL: Here.

20                   MR. BOR: Smith?

21                   MR. SMITH: Here.

22                   MR. BOR: Quorum.

23                   With regard to the minutes, I take it  
24 Board Members have received it, and if no discussion,  
25 is there a motion?

## ATLANTIC CITY MUA

1 MR. HILL: Motion to accept.

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. BOR: Carries.

14 MR. WARD: We have a reorganization.

15 MR. SMITH: I would like to get the  
16 reorganization, please, over with as quickly as we  
17 can so we can move on.

18 MR. BOR: First, is any nomination for  
19 chairman?

20 MR. HILL: I would like to nominate  
21 Milt Smith for chairman.

22 MR. MCGETTIGAN: Second.

23 MR. BOR: Mr. Lea?

24 MR. LEA: Yes.

25 MR. BOR: Colanzi?

## ATLANTIC CITY MUA

1 MR. COLANZI: Yes.  
2 MR. BOR: McGettigan?  
3 MR. MCGETTIGAN: Yes.  
4 MR. BOR: Hill?  
5 MR. HILL: Yes.  
6 MR. BOR: Carries.  
7 Vice chairman/secretary, any  
8 nominations?  
9 MR. SMITH: Nominate Gary Hill.  
10 MR. MCGETTIGAN: Second.  
11 MR. BOR: Mr. Lea?  
12 MR. LEA: Yes.  
13 MR. BOR: Colanzi?  
14 MR. COLANZI: Yes.  
15 MR. BOR: McGettigan?  
16 MR. MCGETTIGAN: Yes.  
17 MR. BOR: Smith?  
18 MR. SMITH: Yes.  
19 MR. BOR: Carries.  
20 Treasurer, any nominations?  
21 MR. HILL: John McGettigan, please.  
22 MR. COLANZI: Second.  
23 MR. BOR: Mr. Lea?  
24 MR. LEA: Yes.  
25 MR. BOR: Colanzi?

## ATLANTIC CITY MUA

1 MR. COLANZI: Yes.

2 MR. BOR: Hill?

3 MR. HILL: Yes.

4 MR. BOR: Smith?

5 MR. SMITH: Yes.

6 MR. BOR: Carries.

7 MR. WARD: Mr. Chairman, we do have two  
8 visitors, who appear for abatements under 9.a. We  
9 have Mohammed Hossain and this is a necessary to  
10 appear, under 9.a.

11 MR. SMITH: First, before we go any  
12 further, I would like to recommend -- to thank the  
13 Board for the nomination. Also if there is no  
14 objection, we'll keep our committees the same, unless  
15 there is some kind of problem whatsoever.

16 MR. HILL: Committees okay.

17 MR. LEA: Everything is good.

18 MR. MCGETTIGAN: Thank you.

19 MR. SMITH: Any problem, we'll discuss  
20 that at a later date.

21 MR. HILL: Very good.

22 MR. SMITH: Go ahead, Director.

23 MR. WARD: The first is Mohammed  
24 Hossain. This is 9.a(1). This is for an abatement.  
25 I'm trying to find it.

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1 MR. BOR: \$812.

2 MR. WARD: Is that it, 812?

3 MR. HILL: \$812.57, yeah.

4 MR. SMITH: I assume this is the first  
5 abatement, correct?

6 MR. WARD: Mr. Hossain, is this your  
7 first abatement?

8 MR. HOSSAIN: Yes, yes.

9 MR. WARD: Any of the plumbing problems  
10 have been repaired?

11 MR. MOYLE: Yes.

12 MR. WARD: What happened? Tell us  
13 briefly.

14 MR. HOSSAIN: After Sandy has been --  
15 was actually much more closed, so we don't know  
16 that's at the leaking there. So the people from  
17 here, they go few times, they said the water is  
18 running so high. So they couldn't find it. So and  
19 then later on, they find the problem and fix it.

20 MR. WARD: And had it repaired?

21 MR. HOSSAIN: And had it fixed.

22 MR. WARD: Any further questions from  
23 the Board?

24 MR. HILL: I'll move 9.a(1).

25 MR. MCGETTIGAN: Second.

## ATLANTIC CITY MUA

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: Granted.

12 MR. WARD: So your abatement is  
13 approved. Thank you.

14 MR. HOSSAIN: Thank you.

15 MR. MCGETTIGAN: They'll help him at  
16 the desk.

17 MR. WARD: Yes, they'll help you at the  
18 desk.

19 MR. HOSSAIN: Thank you.

20 MR. WARD: Next would be 9.a(2). This  
21 would be James Regan. Mr. Regan, good morning, sir.

22 MR. REGAN: Good morning.

23 MR. WARD: Mr. Regan, you are present  
24 for a proposed abatement for \$2,912.27. Can you tell  
25 the Board what was the condition of the property and



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1 how the property may have been remedied.

2 MR. REGAN: Well, yes. The problem I  
3 had was I didn't notice it as it was going on. There  
4 was one toilet that was running, and I had a break in  
5 the pipe underneath the house. But it was -- you  
6 couldn't see it. But evidently it was leaking, so  
7 when we checked everything over really close, that's  
8 what we found the problems were and we repaired them.  
9 Had them repaired and everything is in working order  
10 now.

11 MR. SMITH: Is the property occupied?  
12 Is the property occupied?

13 MR. REGAN: Yes.

14 MR. WARD: And the period of leak was  
15 the first, second, third and fourth quarter --

16 MR. REGAN: Yes.

17 MR. WARD: -- of 2015, you didn't know  
18 that was happening?

19 MR. REGAN: No.

20 MR. WARD: Okay, Board, what's your  
21 pleasure?

22 MR. SMITH: Move it.

23 MR. COLANZI: Are you related to the  
24 commissioner of New York City?

25 MR. REGAN: No. No, I'm not.

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1 MR. SMITH: Move it, please.

2 MR. HILL: 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: Sir, your abatement is  
14 approved. And any questions that you have with  
15 respect to your building, staff will be able to  
16 answer it.

17 MR. REGAN: Thank you, very much.

18 MR. WARD: You're welcome, sir.

19 MR. SMITH: Painless, wasn't it?

20 MR. REGAN: Painless, yeah.

21 MR. BOR: How about the unnecessaries?

22 MR. WARD: Reorganization we've done.

23 We're at schedule of meetings, resolution 4.d. Get  
24 some of the housekeeping matters done, is that okay?

25 MR. HILL: Sure.

## ATLANTIC CITY MUA

1 MR. BOR: 4.d, schedule of meetings.

2 Is there a motion?

3 MR. HILL: I'll make a motion.

4 MR. MCGETTIGAN: Second.

5 MR. BOR: Mr. Lea?

6 MR. LEA: Yes.

7 MR. BOR: Colanzi?

8 MR. COLANZI: Yes.

9 MR. BOR: McGettigan?

10 MR. MCGETTIGAN: Yes.

11 MR. BOR: Hill?

12 MR. HILL: Yes.

13 MR. BOR: Smith?

14 MR. SMITH: Yes.

15 MR. WARD: Cash Management Plan. That  
16 came in at a later juncture. May be on the top of  
17 your packet. That's resolution 4.e.

18 MR. HILL: Is there any difference on  
19 this?

20 MR. WARD: No.

21 MR. HILL: Just the general?

22 MR. WARD: Same principles that we've  
23 applied.

24 MR. SMITH: Move it.

25 MR. MCGETTIGAN: 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 MR. WARD: And f would be committee  
13 meetings, 4.f.  
14 MR. MCGETTIGAN: Move it.  
15 MR. SMITH: Second.  
16 MR. BOR: Mr. Lea?  
17 MR. LEA: Yes.  
18 MR. BOR: Colanzi?  
19 MR. COLANZI: Yes.  
20 MR. BOR: McGettigan?  
21 MR. MCGETTIGAN: Yes.  
22 MR. BOR: Hill?  
23 MR. HILL: Yes.  
24 MR. BOR: Smith?  
25 MR. SMITH: Yes.

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1 MS. JOHNSON: There is no resolution  
2 required.

3 MR. BOR: Strike that.

4 MR. WARD: Okay. Executive Director's  
5 report. Just a couple of items. Number one, I'll  
6 pass around a thank you letter from the president of  
7 the Golden Circle. I made a presentation at the  
8 Golden Circle with PowerPoint to explain the role and  
9 the value of the MUA.

10 MR. HILL: How were you received there?

11 MR. WARD: I think it was unanimous  
12 what people, number one, learned about.

13 MR. HILL: Educated.

14 MR. WARD: People just don't know about  
15 the value of water, how we bring it to them. Because  
16 it's so easy, we turn on the spigot and it's there.

17 This is something that's in the  
18 literature continuously, in the water journals about  
19 how the industry has not done a lot of effort to  
20 educate the public. We're so critical. We're so  
21 valuable. We can't live six days beyond without  
22 water, so it went well.

23 I also made a presentation to the  
24 Chelsea Neighborhood Association. And at the end of  
25 my presentation, they actually did a vote, unanimous

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1 vote in support of the MUA. I think I mentioned that  
2 at the Special Meeting, because I got an opportunity  
3 to meet the new councilman from the Fifth Ward,  
4 Mr. Chang.

5 MR. HILL: Right.

6 MR. WARD: For those who know that the  
7 MBCA is continuing on, there is a March Madness Mixer  
8 coming up for charity, as usual.

9 We were also mentioned in the Press of  
10 Atlantic City for our work to assist the falcon to  
11 adopt a new home. It was quite an undertaking, along  
12 with the advice and consent of the Department of  
13 Environmental Protection. Obviously peregrine  
14 falcons are on the endangered species list and the  
15 peregrine falcon had a nest up on our one million  
16 gallon tank. We actually built a new nesting area  
17 and moved the straw and the stuff the falcon had been  
18 using and the hope, through the DEP, is the falcon  
19 will be able to smell its former scent and move over  
20 to the roof.

21 MR. SMITH: I think that contaminates  
22 it, though, I don't know.

23 MR. WARD: The roof?

24 MR. SMITH: No.

25 MR. WARD: Because we moved it, you

## ATLANTIC CITY MUA

1 think it will contaminate it?

2 MR. SMITH: We'll see what happens.

3 MR. WARD: We worked with the DEP.

4 MR. SMITH: Understood.

5 MR. WARD: So I thought I'd let the  
6 Press know there is something very positive that they  
7 can say about us. And I guess that's all for today.

8 Of course in the Press today, there is  
9 an opinion that the Authority should probably be  
10 purchased by Atlantic County. I have not had any  
11 notice whatsoever from Mr. Levenson. I did call Rick  
12 Dovey and Rick Dovey said he's had no interest  
13 whatsoever in being involved with the Atlantic City  
14 Municipal Utilities Authority. So proceeding on.

15 MR. BOR: Want to knock out the  
16 unnecessaries?

17 MR. WARD: Okay. Unnecessary to  
18 appear, we'll move on to 9.a(3), 9.a(3).

19 MR. BOR: (4), (5) and (6)?

20 MR. WARD: (4), (5) and (6), want to  
21 approve all those together?

22 MR. SMITH: Make a motion that we  
23 approve.

24 MR. MCGETTIGAN: Second.

25 MR. BOR: Mr. Lea?

## ATLANTIC CITY MUA

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: Personnel committee meeting,  
12 the notes are attached. In attendance of course was  
13 Chairman Smith and Mr. Colanzi. Any comments on  
14 personnel committee meeting?

15 Okay, next would be the engineering  
16 committee meeting. A couple of items discussed on  
17 engineering committee meeting. I tend to think that  
18 the major flooding that we have been experiencing on  
19 our island and also on back bays might have something  
20 to do with this foundation of the train, the train  
21 that comes into Atlantic City. Because you ride by  
22 there sometimes and the big flood and the train is up  
23 a little bit, but I don't know how strong that ground  
24 is and I always have this fear that that train could  
25 derail and hit our pipes, so my esteemed colleague



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1 Mr. Garth Moyle does not agree with me.

2 MR. MOYLE: We have hundreds of things  
3 to worry about, but you could have a heart attack.

4 MR. WARD: Anyway, we have always had  
5 spirited discussions on these things.

6 Financial report and shut offs, any  
7 questions?

8 MR. HILL: How is Borgata?

9 MR. SMITH: Excuse me. We don't do  
10 shut offs until April, do we?

11 MR. WARD: Yes, we send out notices.

12 MR. HILL: How is Borgata's bill with  
13 us? Do they owe us any money?

14 MR. MCGETTIGAN: We don't have the  
15 commercial accounts delinquent accounts with us  
16 today?

17 MR. HILL: No.

18 MR. MCGETTIGAN: Just the residential?

19 MS. JOHNSON: That appeared on my desk  
20 the next day after the package went out. I'll get  
21 you the list.

22 MR. MCGETTIGAN: All commercial  
23 accounts, but our shut offs don't become active until  
24 March 1st.

25 MR. WARD: Director's Forum.

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1 MR. SMITH: We're going to have a  
2 Member of the City Council here today to discuss some  
3 issues for the rest of the Board Members. The  
4 president Marty Small, he called just a few minutes  
5 ago to say he was on his way, so we'll entertain him  
6 and he'll enlighten us when he gets here.

7 MR. WARD: No members of the public are  
8 present.

9 Old Business. That would be 8.a,  
10 accept requests for qualifications/proposals. (1) is  
11 special legal counsel, resolution 8.a(1). We  
12 conducted an open RFQ for special legal counsel. The  
13 firm that we have determined is the appropriate firm  
14 for this next exercise would be firm of Capehart  
15 Scatchard. Any questions?

16 MR. SMITH: What are we using them for,  
17 Director?

18 MR. WARD: Special legal counsel will  
19 assist us to navigate with the State of New Jersey in  
20 terms of determining the best future for the ACMUA.  
21 This will be counsel that has strategic access to  
22 Trenton, an office on State Street, the ability to  
23 meet with movers and shakers and allow us, the  
24 Authority, to begin to propel our own destiny, one  
25 destiny that will protect, to the best of our

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1 ability, our work force and our rate payors.

2 MR. SMITH: I assume they'll work with  
3 our three legal minds?

4 MR. WARD: Absolutely.

5 MS. BAILEY: For the reorganize, Mr.  
6 Cheatham and I were not asked if we were present  
7 because I wasn't sure if we -- you didn't call either  
8 one of us in the attendance or roll call.

9 MR. SMITH: You're a Member of the  
10 Board and you can ask any questions if you want, both  
11 of you guys, feel free.

12 MS. BAILEY: I'm assuming the committee  
13 of the legal team reviewed all the requests for RFP,  
14 and was a dollar figure discussed as to how much this  
15 person will charge?

16 MR. WARD: Their rates start at --

17 MR. SMITH: Good question.

18 MR. WARD: -- \$225 an hour for the  
19 senior partner and they go down in terms of  
20 associate. Associate is 200 and I think they have a  
21 paralegal rate, which might be about 100. However,  
22 we will jump start our attorney through our own  
23 resources, and the RFP/RFQ will contain a package  
24 that in the partnership of our partnering with a  
25 market centered partner, that that partnership would

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1 pay for the bulk of the legal fees, and we've done  
2 this before with solar. We've done this before with  
3 solar, where the actual vendor is picking up certain  
4 expenses in terms of the development and legal.  
5 We've done this before, and the RFP -- RFP/RFQ would  
6 contain that provision, such that those other legal  
7 matters would be paid for out of the partnership  
8 project.

9 MS. BAILEY: This resolution covers the  
10 actual contract, if you will, and that information  
11 will be stated in the document?

12 MR. WARD: That would be in the  
13 contract.

14 MR. WEBER: Also I should mention that  
15 we also took a look at what other law firms would be  
16 charging for some kind of service like this. And by  
17 and large, most of the law firms charge a lot more  
18 money than this. The reason why this law firm  
19 charges what they do, number one, they are primarily  
20 South Jersey. And as we all know, North Jersey seems  
21 to charge more money. And two is because they do a  
22 lot of government work. And so when we sort of put  
23 the RFQ out, we wanted everyone to know that this is  
24 a government based project and not a private based  
25 project. And that's the reason why the fees sort of

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1 reflect that.

2 MS. BAILEY: Thank you.

3 MS. JOHNSON: Can I get that name  
4 again?

5 MR. WARD: Capehart Scatchard.

6 MR. HILL: Seems very fair --

7 MR. WEBER: It is.

8 MR. HILL: -- in comparison.

9 MR. WEBER: Gary, you know just from  
10 CRDA what some of the numbers look like.

11 MR. HILL: It seems very very fair.

12 MR. MCGETTIGAN: Yeah, I just want to  
13 say, this is just so they're standing ready, they're  
14 accepted; we're not employing them yet?

15 MR. WARD: This is to engage. We've  
16 already made the search. This is to engage them.  
17 This is to sit down and map out a contract, and  
18 mapping out the contract, along with the RFQ, will  
19 establish what our fee structure is, our fee  
20 structure up front to get them started. And as soon  
21 as we get to the partnership, they will -- the  
22 partnership itself will pick up the bulk of the legal  
23 fees. That's the concept that we are approaching.

24 MR. SMITH: Do we have a limit set as  
25 how much we want to spend or are willing to spend? I

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1 don't want someone to come in here and saying they're  
2 going to charge us \$250 an hour and they not have a  
3 limit to where we're going with this.

4 MR. WARD: What do you think would be  
5 the front end number of hours that to get to the RFQ?

6 MR. WEBER: I never bothered. The only  
7 thing I can say is that it's very very time  
8 sensitive. And so to a certain extent, within the  
9 next two weeks, we're going to be -- we're going to  
10 know --

11 MR. WARD: Where we are.

12 MR. WEBER: But that doesn't, Mr.  
13 Chairman, answer your question, per se.

14 MR. SMITH: I understand that. My only  
15 concern is I don't want someone to say we're spending  
16 \$250 an hour and running up a bill close to 200,  
17 \$300,000.

18 MR. WARD: No, no, nowhere near that.

19 MR. SMITH: That's what I'm concerned  
20 with.

21 MR. WARD: This will be a run-up to get  
22 the RFQ/P established and started.

23 MR. SMITH: You want us to be prepared;  
24 I understand where you guys are coming from. I know  
25 how you legal guys do that.

## ATLANTIC CITY MUA

1                   MR. WEBER: This is an experienced  
2 government law firm. They do that once, they're  
3 never going to get another job from another  
4 government entity.

5                   MR. SMITH: Enough said. I just wanted  
6 to make it clear, keep our eyes on what's going on,  
7 that's all.

8                   MR. BOR: If I may, essentially, to  
9 bring it down into more understandable terms, what  
10 we're trying to do here, and Bruce and Andy and I  
11 have spent unbelievable amounts time conferencing  
12 this over and over and over again, is particularly in  
13 light of the new takeover bill. What we're trying to  
14 do is create alternatives and options to avoid the  
15 ultimate death penalty, if you will, to the MUA. And  
16 Mr. Paulsen is going to help navigate whether there  
17 are any options or alternatives that may be viable  
18 and may be acceptable to the State so that all the  
19 players get their due share.

20                   We just can't just sit by and do  
21 nothing essentially, and I'm always sensitive to the  
22 money too, especially as a solicitor of this Board.  
23 It's like one of the situations where you almost have  
24 to give a certain amount of good faith because we're  
25 in a lifeboat sinking and we can't ask the marine

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1 police, who is picking us up, Are you going to charge  
2 time and a half?

3 MR. SMITH: Due diligence is all we're  
4 concerned with.

5 MR. BOR: I'll make sure I'll oversee  
6 it.

7 MR. SMITH: We're depending on you guys  
8 to do it.

9 MR. BOR: I'll oversee it and report  
10 back if I think there is something wrong with the  
11 time, I assure you.

12 We're going to go to Closed Session.

13 MR. HILL: Let's pass this.

14 MR. MCGETTIGAN: Do we need a  
15 resolution?

16 MR. BOR: Is there a motion for special  
17 counsel?

18 MR. MCGETTIGAN: Motion.

19 MR. HILL: Second.

20 MR. BOR: Mr. Lea?

21 MR. LEA: Yes.

22 MR. BOR: Colanzi?

23 MR. COLANZI: Yes.

24 MR. BOR: McGettigan?

25 MR. MCGETTIGAN: Yes.



## ATLANTIC CITY MUA

1 MR. BOR: Hill?

2 MR. HILL: Yes.

3 MR. BOR: Smith?

4 MR. SMITH: Yes.

5 MR. HILL: Make a motion to go into  
6 Closed Session.

7 MR. BOR: Mr. Lea, for Closed Session?

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 (Closed Session from  
18 10:25 a.m. to 11:20 a.m.)

19 MR. WARD: We got the resolution  
20 8.a(2). This is a resolution for the inspection of  
21 Doughty and Kuehnle Pond Dam. We had a circulation  
22 of an RFP and French and Parrello was the successful  
23 bidder.

24 MR. SMITH: Is our engineering man  
25 here?

## ATLANTIC CITY MUA

1 MR. HILL: Yes and it was approved by  
2 the engineering committee.

3 MR. SMITH: I'll make a motion.

4 MR. MCGETTIGAN: Second.

5 MR. BOR: Mr. Lea?

6 MR. LEA: Yes.

7 MR. BOR: Colanzi?

8 MR. COLANZI: Yes.

9 MR. BOR: McGettigan?

10 MR. MCGETTIGAN: Yes.

11 MR. BOR: Hill?

12 MR. HILL: Yes.

13 MR. BOR: Smith?

14 MR. SMITH: Yes.

15 MR. BOR: Carries.

16 MR. WARD: Nine, corrosion inhibitor,  
17 9.b(1), corrosion inhibitor, skip around here.

18 MR. MCGETTIGAN: Move it.

19 MR. WARD: Corrosion inhibitors.

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?

## ATLANTIC CITY MUA

1 MR. MCGETTIGAN: Yes.

2 MR. BOR: Hill?

3 MR. HILL: Yes.

4 MR. BOR: Smith?

5 MR. SMITH: Yes.

6 MR. BOR: Carries.

7 MR. WARD: 9.b(2), Maryland Avenue one  
8 million gallon tank rehabilitation.

9 MR. MCGETTIGAN: Is that for a bid?

10 MR. HILL: Yes, because we go to bid  
11 now because we're in the end of February.

12 MR. MCGETTIGAN: Solicit, move it.

13 MR. HILL: 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. WARD: Designation public agency  
25 compliance officer. That would be c. Previously

## ATLANTIC CITY MUA

1 that was Linda Bazemore. We determined that I'll  
2 serve in that capacity.

3 MR. HILL: Move it.

4 MR. MCGETTIGAN: Second.

5 MR. BOR: Mr. Lea?

6 MR. LEA: Yes.

7 MR. BOR: Colanzi?

8 MR. COLANZI: Yes.

9 MR. BOR: McGettigan?

10 MR. MCGETTIGAN: Yes.

11 MR. BOR: Hill?

12 MR. HILL: Yes.

13 MR. BOR: Smith?

14 MR. SMITH: Yes.

15 MR. WARD: 9.d(1), resolution, Capital  
16 Bank is designated as our depositor for checking.

17 MR. MCGETTIGAN: Move it.

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?

## ATLANTIC CITY MUA

1 MR. HILL: Yes.

2 MR. BOR: Smith?

3 MR. SMITH: Yes.

4 MR. WARD: 9.e(1) is our insurance  
5 consultant, contract for renewal.

6 MR. COLANZI: Is that your friend?

7 MR. HILL: This is his friend.

8 MR. SMITH: Abstain.

9 MR. HILL: I'll move it.

10 MR. MCGETTIGAN: Second.

11 MR. BOR: Mr. Lea?

12 MR. LEA: Yes.

13 MR. BOR: Colanzi?

14 MR. COLANZI: Yes.

15 MR. BOR: McGettigan?

16 MR. MCGETTIGAN: Yes.

17 MR. BOR: Hill?

18 MR. HILL: Yes.

19 MR. BOR: Smith abstains. Still  
20 carries.

21 MR. WARD: 9.f, we would like to  
22 appoint a transcript stenographer. Her name is  
23 Jacqueline Zarrillo, under 9.f.

24 MR. SMITH: Move it.

25 MR. HILL: Second.

JACQUELINE M. ZARRILLO, CCR

## ATLANTIC CITY MUA

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. WARD: 9.g, chronic absenteeism.

8 We talked about this in personnel committee meeting.

9 It's the list that we've established, chronic  
10 absentee list.

11 MR. MCGETTIGAN: Move it.

12 MR. HILL: 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: Yes.

21 MR. BOR: Smith?

22 MR. SMITH: Yes.

23 MR. BOR: Going back to transcript  
24 stenographer service, I have positive for Lea,  
25 Colanzi, McGettigan. Hill is a positive?

## ATLANTIC CITY MUA

1 MR. HILL: Yes.

2 MR. BOR: And Smith positive?

3 MR. SMITH: Yes.

4 MR. BOR: That carries.

5 MR. WARD: 9.h would be state contract  
6 vendors resolution, list of state contract vendors is  
7 attached.

8 MR. MCGETTIGAN: Move it.

9 MR. HILL: Second.

10 MR. BOR: Mr. Lea?

11 MR. LEA: Yes.

12 MR. BOR: Colanzi?

13 MR. COLANZI: Yes.

14 MR. BOR: McGettigan?

15 MR. MCGETTIGAN: Yes.

16 MR. BOR: Hill?

17 MR. HILL: Yes.

18 MR. BOR: Smith?

19 MR. SMITH: Yes.

20 MR. WARD: Leave of absence, John  
21 Rothman resolution 9.i(1), Jean Valeus resolution  
22 9.i(2). Both of these individuals have health issues  
23 and requested unpaid leave of absence.

24 MR. MCGETTIGAN: Move them.

25 MR. SMITH: Second.

## ATLANTIC CITY MUA

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. WARD: And j, request for  
12 qualifications for designing a new post lime feed  
13 system for the Authority's water treatment plant in  
14 Pleasantville.

15 MR. HILL: Maybe we should discuss that  
16 a little bit so we know what we're doing on that.

17 MR. WARD: Okay. Mr. Moyle is familiar  
18 with the lime feed system. That's had problems and  
19 we're looking at a redesign to address this issue.

20 MR. SMITH: Are you on top of it,  
21 Garth?

22 MR. MOYLE: Yeah, the lime house is  
23 circa 1950 and needs a lot of work. The roof is bad,  
24 dilapidated, so it's a better thing to bring in a  
25 package unit lime silo than the -- like it's at the



## ATLANTIC CITY MUA

1 low lift, currently pre treatment lime.

2 MR. SMITH: In other words, you're on  
3 top of it?

4 MR. MOYLE: I hope so.

5 MR. SMITH: Move it.

6 MR. HILL: That's what we're trying to  
7 be. Second.

8 MR. MCGETTIGAN: What do you do, scrap  
9 the old lime building or asset?

10 MR. MOYLE: Eventually, yeah, knock it  
11 down.

12 MR. MCGETTIGAN: Knock it down.

13 MR. BOR: I think there is a second, so  
14 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. WARD: And k is the RFQ/RFP for the  
25 selection of a private market partner.

## ATLANTIC CITY MUA

1 MR. BOR: That was discussed in Closed  
2 Session.

3 MR. MCGETTIGAN: Move.

4 MR. SMITH: Second.

5 MR. BOR: Mr. Lea?

6 MR. LEA: Yes.

7 MR. BOR: Colanzi?

8 MR. COLANZI: Yes.

9 MR. BOR: McGettigan?

10 MR. MCGETTIGAN: Yes.

11 MR. BOR: Hill?

12 MR. HILL: Yes.

13 MR. BOR: Smith?

14 MR. SMITH: Yes.

15 MR. WARD: Bills, monthly bills,  
16 resolution 10.a.

17 MR. MCGETTIGAN: Move them.

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?

## ATLANTIC CITY MUA

1 MR. HILL: Yes.

2 MR. BOR: Smith?

3 MR. SMITH: Yes.

4 MR. WARD: Mr. Smith, any update on  
5 engineering that you can make briefly? We're kind of  
6 running out of time here.

7 MR. CLAUDE SMITH: Absolutely. In  
8 regards to the cradles, we have actually submitted to  
9 the trust for a reimbursement for monies allocated to  
10 the contractor for payment for the cradle job. We  
11 received our last payment invoice, I think it was  
12 last month. That should be submitted, as a matter of  
13 fact, should have been in today's package for  
14 payment. And unfortunately, the trust has informed  
15 us if we did not do this immediately, we were in  
16 jeopardy of losing the funds that we were allocated  
17 because of the fact the project has gone on for so  
18 many years. And they were being pressured by, of  
19 course, the IRS for completing their books and so  
20 forth, so we did that. Hopefully, we can take --  
21 that will actually resolve all the issues that we're  
22 having right now in regards to the funding, and I'll  
23 just wait to hear back from them.

24 MR. SMITH: How much are you talking  
25 about losing?

## ATLANTIC CITY MUA

1 MR. CLAUDE SMITH: The last payment I  
2 think was like \$67,000. And like I said, as we put  
3 in for reimbursement from the trust, because of the  
4 fact that we went for that particular allocation  
5 under the ARRA several years back and it's just a  
6 matter of time.

7 MR. MCGETTIGAN: That's what we'll be  
8 receiving back, \$67,000 back?

9 MR. CLAUDE SMITH: Right, at least  
10 that. Anita just corrected me. We're getting 40  
11 something back from them, but we're paying out 67 to  
12 the contractor.

13 On the one million gallon tank, of  
14 course you just passed the resolution for us to  
15 actually go out for bid. What we have done, which  
16 Mr. Ward just mentioned earlier on, in regards to  
17 removal of the falcon, and that was a part of getting  
18 things prepared so we can actually do the painting  
19 rehab of the tank. If we did not accomplish that  
20 before February 21st, was it Garth, February 15th,  
21 that would have delayed us an entire year before we  
22 could actually get this time payment again. So it  
23 was imperative that we had to get this done and now  
24 we're going to actually try to get this tank painted  
25 and rehabbed.

## ATLANTIC CITY MUA

1           On the two million gallon tank, quick  
2 synopsis. We're still trying to get this thing  
3 closed out with the contractor. The engineers  
4 actually sent a number of e-mails and letters in  
5 regards to submittal of their last invoice and so  
6 forth. We have not gotten much communication back  
7 from them and we just told him to send out at least  
8 some sort of a verbiage telling if we do not hear  
9 from them in a short period of time, we're going to  
10 start talking to the bonding company so we can  
11 actually start getting things moving.

12           MR. MCGETTIGAN: Just one question of  
13 the painting of the one million gallon tank. Is that  
14 money already reserved in our capital budget?

15           MR. CLAUDE SMITH: Yes, money  
16 available.

17           MR. MCGETTIGAN: Approximately 1.5  
18 million?

19           MR. CLAUDE SMITH: Correct.

20           MS. THAPA: We were supposed to get the  
21 money from -- we were about to loan it, but it was  
22 disqualified, but we might have the money. We might  
23 have to use from the reserve money.

24           MR. HILL: Right. We were originally  
25 going to get a loan, but we can't do that now.

## ATLANTIC CITY MUA

1 MR. CLAUDE SMITH: We were originally  
2 going to go through the trust. In regards to  
3 requesting the time for the work, due to the time  
4 constraint, we realized we wouldn't be able to meet  
5 their requirement and complete the painting and rehab  
6 of the tank for this particular year. If we  
7 proceeded to go through or pursue that, we would not  
8 have been able to do this at all until probably maybe  
9 next year or something like that.

10 MR. MCGETTIGAN: So since we have the  
11 capital in there, I suggest we expedite it --

12 MR. SMITH: We are.

13 MR. MCGETTIGAN: -- to deplete --

14 MR. SMITH: We're not changing it.  
15 It's going to go through.

16 MR. HILL: We have to see what this is.  
17 We just put it out to bid now, so let's see what it  
18 costs us. We have a rough idea.

19 MR. SMITH: It's going to cost a  
20 million and a half, if I'm not mistaken, right?

21 MR. HILL: A little less.

22 MR. CLAUDE SMITH: We think about, it's  
23 going to cost us maybe about a million and a half.  
24 We won't know until we actually receive the bids and  
25 see pretty much where those numbers come in, whether

## ATLANTIC CITY MUA

1 they're in the ballpark.

2 MR. SMITH: We got the money in the  
3 budget. That's all.

4 MR. MCGETTIGAN: No, I'm suggesting  
5 that we reduce our capital reserve budget as  
6 expediently as we can.

7 MR. SMITH: I know you're on top of  
8 that.

9 MR. BOR: You're right.

10 MR. MCGETTIGAN: To deplete it down. I  
11 don't want people saying we have an extra million and  
12 a half dollars and we can put off the painting of the  
13 tank for five more years and cost us three million to  
14 repair it.

15 MR. SMITH: Understood.

16 MR. MCGETTIGAN: I'm suggesting  
17 expeditiously is the way to go.

18 MR. CLAUDE SMITH: And that's why we're  
19 trying to get the painting of the tank for this year,  
20 because we know we can't go another several years  
21 without doing this and this is also bringing up a lot  
22 of the OSHA standards that the tank currently does  
23 need.

24 MR. SMITH: Stay on top of it. We're  
25 only trying to expedite the meeting to get out of

## ATLANTIC CITY MUA

1 here. Do what we have to do for these guys.

2 MR. WARD: Just a final note. Tomorrow  
3 the auction is going to be held here for the futures  
4 on our antenna and the minimum bid is \$40,000. So we  
5 look to have a check for \$40,000 here today.

6 MR. MCGETTIGAN: Is that an annual  
7 rate?

8 MR. WARD: Actually what we're looking  
9 at, to allow the development of more cell towers to  
10 be taken over by a private company, and a private  
11 company would, you know, front us, you know, a  
12 considerable amount of money. 40,000 is ten percent  
13 of the tank term bid.

14 MR. SMITH: Ten percent of 400,000?

15 MR. WARD: Yes, that's what happened in  
16 the City of Lakewood.

17 MR. SMITH: Sounds good. Are we ready  
18 to close?

19 MR. WARD: Motion?

20 MR. BOR: Is there any motion to close?

21 MS. JOHNSON: Usually in Closed Session  
22 you discuss what was said for the record.

23 MR. SMITH: I don't think we had to do  
24 that this time.

25 MR. WARD: We had discussion with



## ATLANTIC CITY MUA

1 Council President about, you know, ideas with regard  
2 to the ACMUA.

3 MR. BOR: Good enough. Hearing no  
4 objection to adjournment?

5 MR. SMITH: Adjournment.

6 (The meeting adjourned at 11:35 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.

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JACQUELINE M. ZARRILLO  
Certified Court Reporter  
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DATED: February 26, 2016

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