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ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

Wednesday, January 20, 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.

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

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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 January 20, 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. Cheatham?

13 MR. CHEATHAM: Present.

14 MR. BOR: Ms. Bailey?

15 MS. BAILEY: Present.

16 MR. BOR: Mr. Lea?

17 MR. LEA: Here.

18 MR. BOR: Colanzi?

19 MR. COLANZI: Here.

20 MR. BOR: McGettigan?

21 MR. MCGETTIGAN: Here.

22 MR. BOR: Hill?

23 MR. HILL: Here.

24 MR. BOR: Smith?

25 MR. SMITH: Here.

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1 MR. BOR: Quorum.

2 MR. SMITH: The first thing I wanted to
3 do is take care of this lady. She was here since 9
4 o'clock.

5 MR. WARD: Miss Tuyet Dang?

6 MS. DANG: Yes.

7 MR. WARD: You wanted to address the
8 Board this morning?

9 MS. DANG: Yes, I'm addressing this
10 here. I was agreed to have a new service coming in
11 the house because I bought the old house and I own
12 about five properties in Atlantic City and pay my
13 water. And this one here take ten minutes for the
14 man put the meter on, and charging this I think so
15 much, I see the charge, it's like \$31,010.93.

16 MR. SMITH: 3,100, not 31,000.

17 MS. DANG: 3,100.

18 MR. SMITH: Yeah, you said 31,000.

19 MS. DANG: That sounds better.

20 MR. SMITH: You didn't tell me this is
21 a connection fee. You said they put in a meter, but
22 the connection fee sounds about right. And we gave
23 you time to pay this, if I can recall correctly.

24 MS. DANG: I had the time to pay, but I
25 think it's what the charging here, that is -- I never

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1 -- I have one in there before and it's never have
2 this and this is awful lot that for ten minutes. You
3 also here, we set the meter, connection fee. This is
4 a, I think I did not have this one before, but now
5 I'm looking at it. I think that's a lot of money
6 for --

7 MR. WARD: Ms. Tuyet, this is a
8 connection fee that is part of the rate and rule
9 structure that we are required by the State of New
10 Jersey to set our rules. Our rules are published on
11 the website and we could also make sure that you have
12 a copy.

13 But when a property becomes
14 disconnected from the system, even if it's a property
15 that was on the system, once it's disconnected, for
16 us to reconnect it, there has to be a connection fee
17 attached to that for joining back into the system.
18 So the fee is correct.

19 And when you came in, we worked out an
20 arrangement with you to pay the fee on a monthly
21 basis without interest. So I can understand that you
22 have other properties and those other properties may
23 not have had a connection fee because you may have
24 purchased a live property, property that already had
25 its water, so all you had to do is switch the water

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1 bill to you, but this is the due diligence that's
2 necessary if you're going to continue to buy
3 properties in the City and develop them. You got to
4 know whether or not water service is there if you
5 want to have a clear understanding of what your fees
6 and costs are in terms of acquiring and developing
7 properties.

8 MS. DANG: Can I ask you what your
9 name?

10 MR. WARD: My name is Bruce Ward.

11 MS. DANG: Mr. Ward, I don't think this
12 is the way. I'm not going to buy another piece of
13 property in Atlantic City.

14 MR. WARD: I can't make those
15 determinations for you.

16 MS. DANG: I will tell you with the tax
17 and your fee, it's outrageous. And I asked you to
18 reduce it. For me to come here because like they
19 told me, I thought they going to have a line, you
20 know, and the meter and everything. The guy put in
21 ten minutes and I think this took me just somehow,
22 you know, it's nothing wrong with the line and
23 putting it in there, \$3,100.

24 MR. WARD: Ma'am, we are a public
25 agency and we are required to conform.

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1 MS. DANG: How many people look in the
2 website? I'm old-timer, sir. I'm 67 years old.

3 MR. SMITH: We understand. We do have
4 a connection fee that I wasn't aware of and I thought
5 they told you that.

6 MS. DANG: They get the water in there,
7 where --

8 MR. COLANZI: You said that you were
9 not buying more property in Atlantic City; is that
10 correct?

11 MS. DANG: If it's like this.

12 MR. COLANZI: I'm going to tell you
13 what you don't know. You're not going to buy another
14 piece of property in New Jersey. This is not our
15 law, this is a state law. It's not -- it's not how
16 long it takes to do it.

17 MS. DANG: A lot of people move out of
18 Atlantic City, a lot of business out of business.

19 MR. COLANZI: Go in another town.

20 MS. DANG: I go back to my country.
21 Cheaper living there, 100 dollar.

22 MR. COLANZI: You came here because you
23 wanted to pay more money?

24 MS. DANG: No, I come here and I want
25 to make money and freedom.

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1 MR. COLANZI: In order to make money,
2 you have to charge. If you really want to complain
3 about this, go to Trenton. Go before the state
4 Senate and tell them.

5 MS. DANG: I just come here to reduce
6 my fee.

7 MR. COLANZI: We can't do this or we
8 would have to issue everybody in this town a check
9 back. It could cost us maybe \$20 million just to
10 satisfy you.

11 MR. SMITH: Ms. Dang, we can't. I
12 thought I could help you. Because you didn't tell me
13 it was connection fee, we can't do that. We can't do
14 anything else but what we've already done. We've
15 given you time to pay it over a year.

16 MS. DANG: If you -- if I don't pay it,
17 what are you going to do, take my house?

18 MR. SMITH: No, turn the water off. I
19 don't want you to move. You've been a good person in
20 Atlantic City. You've been here a long time. I
21 don't want to see you move.

22 MS. DANG: I don't want to move either.

23 MR. HILL: We have no choice.

24 MS. THAPA: When it comes to the
25 connection fee, that's what it is.

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1 MS. DANG: It's a lot of charge, ten
2 minutes putting the meter, coming in there and charge
3 like that. Some people don't know. I'm standing
4 there. If you put the line in and something like
5 that, that's okay.

6 MR. WARD: You're in a nice
7 neighborhood. You're doing a good job. As soon as
8 you put the tenant in, you can put this price on the
9 rent, and so --

10 MS. DANG: My tenant, I don't want my
11 tenant to be suffering. Same way, I don't want to
12 raise them. The tax are high. The tenant will
13 suffer from that. Everybody be suffering from that.
14 Maybe they don't have a job and they cannot afford it
15 and I would be suffering later on, too.

16 MR. WARD: If your tenant doesn't have
17 a job, it will be very difficult for them to pay
18 rent, but if they do have a job in Atlantic City,
19 they can probably walk to work so they don't have the
20 expense of a car. It's something that you can, you
21 know, economically, it becomes an issue that you can
22 confront.

23 MS. DANG: I always like to have my
24 tenant have as much as they can get, the wealth.
25 They are able to pay the rent, have a nice car and

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1 live. I don't want them to walk either. I never
2 wished to anyone.

3 MR. SMITH: I understand your fate.
4 There is nothing we can do about that.

5 MS. DANG: It's somebody coming in
6 there. There is a different --

7 MR. SMITH: Just don't leave us and go
8 back home. Don't leave us. Stay here. Stay here
9 and suffer with the rest of us.

10 MS. DANG: I also Republican, just
11 remember that.

12 MR. WARD: Mr. Chair, I don't have much
13 on the Executive Director's report. There were a
14 number of issues that I could bring up in Closed
15 Session.

16 MR. SMITH: First, guys, let me have
17 the room for about five minutes. All the Board
18 members stay and discuss a few things.

19 MR. HILL: We also didn't do the
20 minutes.

21 MS. JOHNSON: Closed Session?

22 MR. SMITH: It's not a Closed Session,
23 just the meeting for the Board Members.

24 (The time is 10:10 a.m.)

25 MR. SMITH: I just want to discuss the

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1 proposal on giving our Director and the legal people
2 money for their contracts if there is a dissolution.
3 I want to take it off the table right now. I don't
4 know everybody has been told about it. I think we
5 should wait and see what happens with the City and
6 the bankruptcy that's coming up as opposed to giving
7 a written contract to anybody to get money for their
8 services.

9 And mainly I'm concerned really with
10 Bruce's contract and our contract. I don't want to
11 do something that looks un legal, to bring attention
12 to the Board.

13 And in reference to the honorarium and
14 the money that we were trying -- we would make, I
15 don't know how to explain the whole thing there, but
16 I want to take it off the table right now.

17 MR. HILL: You're talking about taking
18 all three of those resolutions off?

19 MR. SMITH: Correct.

20 MR. HILL: Can I say a few words?

21 MR. SMITH: Certainly.

22 MR. HILL: I believe -- well, I support
23 Bruce, I always have. I think he's done an
24 outstanding job, considering the Bruce Ward we're
25 talking about. I don't really know if it's legal, if

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1 we can do this or not.

2 MS. BAILEY: Right.

3 MR. HILL: I think he deserves his
4 contract, whatever happens. You know, I really don't
5 -- but I don't know if any of this is legal for us to
6 do and I think we should check that out.

7 MR. SMITH: That's what I've been doing
8 with our solicitor prior to this meeting. I wouldn't
9 do anything that's illegal or get anybody on this
10 Board in any kind of legal problems, although we
11 would be -- the MUA will have to take care of their
12 expense. But it's not morally right with me to a
13 degree and I'm not going to subject myself to that.

14 I've done everything I can to keep this
15 water company intact and the rates low so the people
16 of Atlantic City can take advantage of that.

17 MR. HILL: The legal people, we've
18 already given them X amount of money for 2015, I
19 believe. Could we not give them something for '16
20 since we're in '16?

21 MR. SMITH: They got a contract.

22 MR. HILL: I'm talking about the extra
23 services.

24 MS. BAILEY: Can I say something?

25 MR. SMITH: Excuse me, just for a

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1 minute.

2 MR. HILL: That \$5,000 we gave them in
3 '15, I think it was 5,000, to help us with our
4 situation.

5 MR. SMITH: They can still --

6 MR. HILL: I know that, but that's
7 over. '15 is over. Should we do one for '16, is
8 what I'm asking?

9 MR. SMITH: I'm not sure they collected
10 for '15.

11 MR. HILL: Maybe we should ask.

12 MR. COLANZI: I want to deal with just
13 one issue there. The governor of New Jersey came to
14 Atlantic City three or four years ago and raised hell
15 with everybody, and this is wrong and that's wrong
16 and he didn't like a lot of things. And he went back
17 to Trenton and he issued an order that no one gets a
18 salary and no one gets health care in the whole state
19 if they're appointed to a Board. If you recall --
20 let me finish. Please let me finish.

21 MR. SMITH: Go ahead.

22 MR. COLANZI: It's the second part of
23 this that I believe is law. The attorney general,
24 the State of New Jersey came out a week later and
25 told the governor, You can't do that. You can issue

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1 an order for starting today and in the future, but
2 anyone --

3 MR. SMITH: That's what I was going to
4 say.

5 MR. COLANZI: Okay.

6 MR. SMITH: That's what I was going to
7 say, Ed.

8 MR. COLANZI: Do you want to take off
9 the honorarium?

10 MR. SMITH: We're not going to take it
11 off.

12 MR. COLANZI: Are you going to leave
13 the honorarium? It sounded like that was one of the
14 three things, the honorarium. The attorney general
15 agreed once the people got it on the Board, any Board
16 in the state, if that's what they got, they're
17 entitled to it, that you can't change it, when they
18 took the job.

19 MR. SMITH: The only change they said
20 is anybody after a certain date. Go ahead, Pat.

21 MS. BAILEY: That change is expected.
22 That's why Mr. Cheatham and I weren't offered any
23 honorarium and that change is in place.

24 MR. SMITH: And the benefit of health
25 care.

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1 MS. BAILEY: Right. Of course I want
2 to say thank you, with the full Board. Myself and
3 Mr. Cheatham don't have a vote, but from the ethical
4 standpoint, those three resolutions should not go
5 forward from an ethical standpoint.

6 MR. SMITH: When I thought about it --

7 MR. HILL: I agree.

8 MS. BAILEY: They're in here in the
9 packet. I don't know if you read your packet?

10 MR. COLANZI: I had read them all.

11 MR. SMITH: He does.

12 MR. COLANZI: I thought I brought it up
13 last meeting. They took the honorarium and took
14 paying the contract and put it in the same
15 resolution.

16 MS. BAILEY: It's three separate
17 resolutions, it's three separate resolutions.

18 MR. HILL: But it doesn't matter, pull
19 it.

20 MR. COLANZI: That it was part of the
21 honorarium was part of the salary thing. Now in the
22 meantime, you said you're going to move all three of
23 them off anyway, right? They said the honorarium
24 one, the money is not included.

25 MS. BAILEY: The honorarium, without a

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1 doubt, based on the law that you just quoted, no one
2 can take that from you. That's a law so it's not
3 necessary to have a resolution.

4 MR. HILL: Did you hear that?

5 MR. COLANZI: I was under the
6 impression the honorarium was connected to the
7 salary.

8 MR. HILL: Originally it was connected.
9 We had a conversation and then I also talked to Mr.
10 Bor and then he talked to Mr. Smith, and we said you
11 cannot do this. So remember --

12 MR. SMITH: You're talking about mixing
13 with the salary?

14 MR. HILL: Right. It's away, it's
15 gone.

16 MR. COLANZI: From what I said and you
17 read, I was wondering why are they taking that part
18 out? It's legal.

19 MS. BAILEY: I'm agreed, what's legal
20 is legal. They can't touch that.

21 MR. SMITH: We're all right there. You
22 just misunderstood.

23 One other thing I was going to speak
24 on, we got reorganization next month and I was
25 wondering if there is someone that wants to be

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1 chairman as opposed to, or has anybody --

2 MR. HILL: No, I think you do a fine
3 job.

4 MS. BAILEY: We wouldn't change that.

5 MR. SMITH: I'm getting a little old
6 and I can't even talk even with my good teeth in, but
7 I do.

8 MS. BAILEY: Thank you, Mr. Smith.
9 That was bothering me even if I wasn't a recipient,
10 it was bothering me as an ethical standpoint.

11 MR. SMITH: Even though you don't have
12 the vote, hey, I'm open any time, anything you got to
13 say.

14 MS. BAILEY: Once you pass it and you
15 can't take it back, you're going to be ridiculed.

16 MR. SMITH: I didn't want this going to
17 Trenton and being investigated. We don't need that.

18 MR. COLANZI: The conversation after he
19 talked to me --

20 MR. HILL: If we look at the new agenda
21 that Stella gave us in the very end, in Executive
22 Session, look at the last on the agenda. It's
23 10.(a), (b) and (c).

24 MR. COLANZI: That I didn't know.

25 MR. HILL: It just changed.

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1 MR. SMITH: We're going to table those.

2 MR. HILL: There we go. We will pull
3 them and table them until things have been decided.

4 MR. SMITH: I still want you to be vice
5 president.

6 MR. HILL: Doesn't matter to me,
7 whatever you want. We don't know how long we're
8 going to be here.

9 MR. SMITH: Exactly, exactly.

10 MR. HILL: But we might be longer than
11 we think.

12 MR. SMITH: Now, with bankruptcy and
13 the people getting ready to get rid of -- mayor and
14 councilman is onboard, they're trying to get rid of
15 the police, the firemen.

16 MR. HILL: From our legislators to the,
17 as far as to the NAACP to the churches to the school,
18 direct to the police to the fire.

19 MR. SMITH: Everybody is onboard.

20 MR. HILL: It's like okay.

21 MR. SMITH: Okay. I don't want to hold
22 those people up.

23 MR. MCGETTIGAN: We're united now.

24 MR. SMITH: Yeah, supposedly.

25 MR. HILL: The county is the only one

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1 I'm not sure about, but that's okay.

2 MR. SMITH: I'm glad we got that
3 squared away.

4 (The time is 10:20 a.m.)

5 MR. SMITH: We're back in Open Session.

6 MR. WARD: As I had indicated, I'll
7 have a couple of remarks in Closed Session.

8 And we had a personnel committee
9 meeting. The minutes did not get prepared, but we
10 basically talked about the kinds of things we talked
11 about in Closed Session.

12 MR. HILL: I think we didn't approve
13 the minutes from last month.

14 MR. WARD: That's 3, I'm sorry,
15 absolutely.

16 MR. BOR: Stand corrected. The Members
17 of the Board have received copies of the minutes of
18 last meeting and unless there is any discussion, is
19 there a motion on it?

20 MR. SMITH: Move them.

21 MR. MCGETTIGAN: Second.

22 MR. BOR: Mr. Lea?

23 MR. LEA: Yes.

24 MR. BOR: Colanzi?

25 MR. COLANZI: Yes.

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1 MR. BOR: McGettigan?

2 MR. MCGETTIGAN: Yes.

3 MR. BOR: Hill?

4 MR. HILL: Yes.

5 MR. BOR: Smith?

6 MR. SMITH: Yes.

7 MR. BOR: Carries.

8 MR. WARD: Financial report, shut offs
9 should be attached. Any questions, any comments? If
10 not, let's move to Old Business.

11 We're asked to accept the bids for the
12 replacement of water mains. That would be resolution
13 7.a(1). This is a new company.

14 MR. SMITH: Do we need a vote on that?

15 MS. THAPA: Yes. We don't have as for
16 the deposit, we only have 1.1 in 2016 and --

17 MR. MOYLE: It's actually 1.49.

18 MS. THAPA: That's what, with the, with
19 the DCA project 1.1, but it's still with the State.
20 The one we provided to the State is 1.4, and this is
21 1.6. So just because the budget is not approved, do
22 we need to explain? That's on the legal side.

23 MR. WARD: This went out a couple of
24 times, finally got a lower bid. Now I guess the
25 question that we can ask is whether we can bifurcate.

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1 This takes more than --

2 MR. MOYLE: Again.

3 MR. WARD: -- more than one.

4 MR. MOYLE: We're going to wait, if
5 we're ever approved, because this probably will go
6 this year, but we have to bifurcate it just to play
7 the games of the DCA, play along with those clowns,
8 for lack of a general term.

9 MR. SMITH: Even if the budget is not
10 approved, can't we put those things --

11 MR. MOYLE: You have to move money
12 around after it's approved. 1.49 will get this thing
13 on the way and if we don't have a budget if by the
14 time we get to 1.49, we should sue the DCA.

15 As I understand it, they were supposed
16 to give us an answer in 45 days and they came back
17 with questions at around, call it 60 days later. And
18 they haven't responded to the MUA's answers yet.

19 MR. WARD: How long would this project
20 take place in terms of its implementation?

21 MR. MOYLE: We're going to be firing up
22 probably as of preconstruct meeting soon. Maybe
23 firing up in March, April. This has two or three
24 months, so you're looking at if they fire in April,
25 May, June, you're looking at July to finish it up and

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1 that's best case scenario. Again, this guy never
2 worked in Atlantic City. He doesn't know what fun it
3 is to work here. There is junk that nobody knows
4 about and it's going to be fun because the capital
5 change order.

6 MR. MCGETTIGAN: So it's one project?

7 MR. MOYLE: It's many small projects.

8 Trenton Avenue water main from --

9 MR. MCGETTIGAN: Being done by one
10 contractor?

11 MR. MOYLE: Correct, and I think I
12 asked them to split out whatever was close to around
13 119,000. I haven't seen the resolution. Whatever is
14 close to that, throw that on '17 for now. And the
15 other 1.4 something that we're allowed that we have
16 in our budget, put that on '16. And after it's done,
17 we're allowed to move money around. We do that all
18 the time. And we'll move it from '17 back in.

19 MR. HILL: What's your concern, Anita?

20 MS. THAPA: Because I do have to put --
21 I have to go by 1.1 at this time.

22 MR. MOYLE: No.

23 MR. WARD: Right now the budget to the
24 State is 1.4. Whatever went to the State, you go by.

25 MS. THAPA: In my system --

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1 MR. MOYLE: That's okay. What's
2 official is what went to the State. I have 1.7 in my
3 system. Let's use that. We got to use the number
4 that went to the State and we can use that.

5 MS. THAPA: I do have the 10 million,
6 that's what we sent, but I can move it in November
7 with -- with the budget adjustment. That's when we
8 do it, around in November or December. I think this
9 year we did it in December.

10 MR. MOYLE: How was this thing written,
11 by the way, since I didn't look? Is it -- is it
12 split the way I wanted it?

13 MR. SMITH: Are they working on these
14 now, the replacement valves -- I mean the water
15 mains?

16 MR. MOYLE: Not yet. We're going to
17 have -- after this is approved, we'll have a start-up
18 meeting this month. I can't see them mobilizing
19 until the weather breaks, March.

20 MR. SMITH: We got some time. So it's
21 a possibility that our budget is passed.

22 MR. MOYLE: May, and then we do move
23 our money around.

24 MR. MCGETTIGAN: Do you want to do it
25 in Executive?

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1 MR. SMITH: I want her to be able to
2 know what she's doing.

3 MR. MOYLE: I spoke to Linda and she
4 said she was going to talk to you. I said Linda,
5 I'll agree to this. We haven't done water mains in a
6 long time.

7 MS. THAPA: In the other account, then
8 we might have the money. That's what --

9 MR. MOYLE: We have the money.

10 MS. THAPA: I have to go with this
11 number. We have -- we did send the 10 million to the
12 State. The difference between the 1.6 to 1.4 we're
13 trying to move to 2017, which I'm not sure if --

14 MR. MOYLE: I can work with that.

15 MR. SMITH: Being this is not an urgent
16 matter, let's table it.

17 MR. MOYLE: We can't. We have to go
18 out and rebid. We have to accept it since it's 60
19 days since we accepted the bid.

20 MR. SMITH: When are they supposed to
21 start?

22 MR. MOYLE: Either way, we have to make
23 some decision today or go out and rebid. I would
24 accept whatever resolution we have and we'll live
25 with it for now.

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1 MR. HILL: If we pass it and sign the
2 contract, but then we don't have the money approved.

3 MR. MOYLE: No, what we'll do is send
4 them a copy of this resolution that says 100 some odd
5 thousand dollars is going on next year's budget,
6 which is fine. We can do that.

7 MR. HILL: As long as they accept that
8 and --

9 MR. MOYLE: And why won't they?

10 MR. SMITH: We accepted their bid.

11 MR. HILL: We're trying to now.

12 MR. MOYLE: Again, it's a shame we have
13 to resort to this, but it's the DCA way. This is
14 what they brought this company to. Our company has
15 been run pretty well for the 25 years that I've been
16 here, run right, and that's why they want to take it
17 and rape it because if we had been run by the rest of
18 the City, we would be a private right now. Again,
19 they're so interested in keeping the money for
20 whoever takes this over, it's pathetic. And that's
21 not their mission statement.

22 MR. SMITH: That's noted, Garth. I
23 totally agree with you on that because it has been
24 running very well.

25 MR. HILL: We only did these bids for

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1 only 30 days. What did you say, we had 60 days to do
2 it now and we accepted these bids in November?
3 Didn't we go to rebid? We probably went to rebid.
4 It doesn't matter.

5 MR. MOYLE: We don't have another Board
6 meeting. December 8th, January 8th, the next Board
7 meeting is February whatever it is. It will be over
8 60 days, but I think we're fine.

9 MR. SMITH: Are you guys okay in the
10 engineering committee?

11 MR. HILL: I know we went to rebid.
12 That's all I remember.

13 MR. MOYLE: We didn't go to rebid. We
14 could have accepted this. We wanted to make sure
15 this guy was doing everything we wanted. There is
16 not much we could do with it. We couldn't reject the
17 bid for the technicality.

18 MS. BAILEY: It's low bidder?

19 MR. MOYLE: And responsible bidder.

20 MS. BAILEY: He could sue you, you
21 start messing around with it now.

22 MR. MOYLE: Yes.

23 MR. SMITH: Are you satisfied with the
24 bid, you and the --

25 MR. MOYLE: Personally I would rather

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1 work with another company, but I can't choose them.
2 I would like to skip them, but I can't. We couldn't
3 find a reason to skip it. I've heard this guy is a
4 trickster. We're going to have to watch him.

5 MR. WARD: We also have Buchart Horn as
6 the engineer to go over and set the bid scope, and
7 the bid package was done by an engineering firm so,
8 you know, the bid is pretty tight, no question about
9 it. Exactly what each vendor submitted their price
10 for the scope of the work is very tight.

11 MS. THAPA: Legally, are we allowed to
12 spend it?

13 MR. MOYLE: We're allowed to enter into
14 a contract up to 2017. We could enter into a
15 two-year contract, and split it any way we want.
16 Being a public entity, this is what we have to resort
17 to now.

18 MR. SMITH: What is the solution?

19 MR. BOR: There is no approved budget.
20 We know that we've created this conditional approval,
21 which is of our own creation. Looks like we haven't
22 gotten any blow-back from it yet. But it's the
23 conditional approval is of our own creation.

24 And the DCA may very well say you have
25 not been approved because you can't create your own

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1 conditional approval, so we're spending now based on
2 the premise that we're going to be okay under this
3 conditional.

4 MR. MCGETTIGAN: Are you ready to call
5 an emergency to proceed?

6 MR. MOYLE: It's not an emergency.

7 MR. MCGETTIGAN: Then is rebidding an
8 option?

9 MR. MOYLE: It's wasting time. We
10 haven't done water mains in several years.

11 MR. MCGETTIGAN: So declare it
12 essentially emergency work. Can we declare it
13 immediate necessary work that has to be done.

14 MR. MOYLE: We're allowed to enter into
15 multiyear contracts. Two years is not a long time.
16 Again, if we decide to split it up, this way you can
17 say, I don't like it and then we would have to rebid.

18 MR. SMITH: We should accept this
19 resolution?

20 MR. MOYLE: Yes, please.

21 MR. WARD: And then the contract would
22 be set up such that the amount of money that we have
23 designated in 2016 will be at the front part of the
24 contract and the other part would be coming in 2017.
25 The guy can't get paid more than what we have in

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1 2016.

2 MR. MOYLE: Again, there is several
3 ways you can handle it. If he does finish up this
4 year, you could then move it then. If they're not
5 answering, if they don't give us a budget or
6 something hasn't happened, wink wink, that we haven't
7 been blown up, we have to then move it, even without
8 this. And again, if they haven't given us an answer
9 by June, July, we got to keep moving. We can't keep
10 wasting our time waiting for the clowns and the games
11 they're playing.

12 MR. HILL: Starting the contract --

13 MR. WARD: The contract will be
14 bifurcating --

15 MR. MOYLE: We're looking out for the
16 next person that wants to take over this place.

17 MR. MCGETTIGAN: We're doing what's
18 right for the system to take immediate action and
19 approve this and go forward.

20 MR. WARD: And the mechanism is there
21 to protect the budget as we have stated.

22 MR. HILL: Right.

23 MR. MCGETTIGAN: I'll move it.

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. MCGETTIGAN: Thank you, very much,
12 Garth.

13 MR. HILL: Thank you, Garth and Anita,
14 thank you.

15 MR. WARD: Mr. Chairman, we have an
16 abatement 8.b(1) and we have Ms. Lynelle
17 Bard-Hairston present.

18 MR. SMITH: Let's take care of her,
19 please.

20 MR. WARD: 8.b(1).

21 MR. SMITH: Is this her first
22 abatement?

23 MS. JOHNSON: Yes.

24 MR. SMITH: And how much is it for?

25 MR. WARD: \$1,044.92.

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1 MR. SMITH: Is that half of --

2 MR. WARD: Ma'am, you had a plumbing
3 failure? You had a plumbing failure at your
4 property?

5 MS. BARD-HAIRSTON: Yes.

6 MR. WARD: And that failure was
7 remedied?

8 MS. BARD-HAIRSTON: Yes.

9 MR. WARD: You brought in a plumber?

10 MS. BARD-HAIRSTON: No, I didn't bring
11 in a plumber. The contractor was working on it took
12 care of it.

13 MR. WARD: So the contractor had
14 plumbing skills?

15 MS. BARD-HAIRSTON: Yes.

16 MR. SMITH: I still don't understand.
17 How much is the abatement she's seeking?

18 MR. WARD: \$1.044.92.

19 MR. SMITH: And this is her first?

20 MR. WARD: First, yes.

21 MR. SMITH: Move it.

22 MR. HILL: Second.

23 MR. BOR: Mr. Lea?

24 MR. LEA: Yes.

25 MR. BOR: Colanzi?

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1 MR. COLANZI: Yes.
2 MR. BOR: McGettigan?
3 MR. MCGETTIGAN: Yes.
4 MR. BOR: Hill?
5 MR. HILL: Yes.
6 MR. BOR: Smith?
7 MR. SMITH: Yes.
8 MR. WARD: Your abatement is approved.
9 MS. BARD-HAIRSTON: Thank you so much.
10 Happy New Year. Have a blessed New Year.
11 MR. SMITH: Same to you, ma'am.
12 MR. WARD: Okay. We're at 8.a(2),
13 which is white sodium silico fluoride.
14 MR. MCGETTIGAN: I'll make a motion.
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 MR. WARD: I'm sorry, that was 7.a(2).

2 MR. BOR: 7.a(2).

3 MR. WARD: That passes.

4 Okay. This would be 7.b(1), resolution
5 to authorize the rules and regulations of 2016.

6 MR. SMITH: We passed b, the budget?

7 MR. WARD: Pardon me?

8 MR. SMITH: 2016 budget before that?

9 MR. WARD: We've passed that.

10 MR. BOR: Did we pass that?

11 MR. WARD: We passed a conditional
12 budget, yes, in the last meeting.

13 MR. SMITH: Okay.

14 MR. WARD: This would be rules and
15 regulations.

16 MR. BOR: Is it b(1) and (2) together?
17 Will that be satisfactory?

18 MR. WARD: That's fine with me because
19 the connection fee is imbedded in it.

20 MR. BOR: Motion 7.b(1) and (2).

21 MS. THAPA: It went up in 2016. It's
22 14.2784, compared to 12.9597 from last year. So I
23 don't know, it did go up.

24 MR. MCGETTIGAN: The connection fee
25 went up?

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1 MR. HILL: We had to do that.

2 MR. WARD: Hopefully we have some
3 construction to bring the fees in.

4 MR. BOR: Resolution for b(1) and (2).

5 MR. MCGETTIGAN: Move it.

6 MR. BOR: Is there second?

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.

19 MR. WARD: 7.c(1), this is ACMUA versus
20 Epoxy Corporation. Just for those who recall, the
21 Authority had a condition on the roof of this
22 building that needed to be remedied. A contractor
23 was engaged, who used a product called epoxy. The
24 remedy failed in terms of its performance and the
25 contractor accepted a portion of his responsibility

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1 and paid. The remaining issue was Epoxy's liability
2 to the ACMUA, which was \$2,500 they had promised and
3 entered into a settlement to pay \$2,500. However,
4 they never performed and paid the settlement, which
5 required our solicitor to bring legal suit. And so
6 this is a resolution to accept the attorney fees for
7 our solicitor.

8 MR. SMITH: What was the fee?

9 MR. BOR: 500 legal fee, \$250 cost to
10 file the suit and what was it, three and a quarter I
11 believe to serve the defendant in Massachusetts.
12 That's why it was a little more expensive.

13 MR. SMITH: Move it.

14 MR. HILL: 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: Hill?

22 MR. HILL: Yes.

23 MR. BOR: Smith?

24 MR. SMITH: Yes.

25 MR. BOR: Anita.

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1 MS. BAILEY: What was the, Mr. Bor,
2 what was the outcome?

3 MR. BOR: We got the full amount.

4 MR. WARD: We had to chase them all the
5 way to Massachusetts.

6 MR. BOR: That's the settlement check.

7 MS. THAPA: Okay.

8 MR. BOR: That's the total settlement
9 check.

10 MR. WARD: 7.d(1) is a resolution.

11 MS. THAPA: We don't have a check. I
12 guess you probably -- and Stella probably told you we
13 don't have a check today. We were still looking for
14 the paperwork, right?

15 MS. JOHNSON: Yes.

16 MR. WARD: For you, you will get a
17 check, but we don't have it today.

18 MR. BOR: That's okay.

19 MR. HILL: We have other checks for
20 you.

21 MR. WARD: And Gary will sign it.

22 7.d(1), legal services contract
23 renewal. Counsel for solicitor and labor counsel
24 were appointed on December the 30th of 2015. And
25 separate and apart from their responsibilities, we

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1 have an increased amount of assistance required by
2 the Authority with respect to matters in the City
3 dissolutions and so forth and so on, and this is a
4 resolution to address some additional payment to our
5 two attorneys.

6 MS. BAILEY: Is this part of the 5,000?

7 MR. HILL: This is what I was bringing
8 up in our meeting and I think these are the two
9 checks, correct, that we're going to be doing today
10 for the year?

11 MR. BOR: For the year?

12 MR. HILL: Mr. Bor and mister --

13 MR. BOR: How much?

14 MR. HILL: 5,400.

15 MR. BOR: That's our monthly salary.

16 MR. HILL: Did you get your 2015 --

17 MR. BOR: Let me explain what Ms.
18 Bailey is referring to. Back in July, the Board,
19 while we were --

20 MR. SMITH: Excuse me for a minute.
21 That's their monthly stipend?

22 MR. HILL: Yes.

23 MR. BOR: Back in July at the July
24 Board meeting, it had become evident that both
25 Mr. Weber and I had to be working on issues separate

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1 and apart from our regular services. I had meetings
2 with Arch Liston, and the Board authorized not to
3 exceed \$5,000 in July for both Mr. Weber and I to
4 share for those services, even though our time well
5 exceeded that. We feel obligated.

6 And I'm speaking for Mr. Weber and I,
7 to give us what the Board gave us in 2015, not to
8 exceed 5,000 or 2,500 apiece. This new resolution is
9 saying that if Mr. Weber and I have to do new work on
10 dissolution, takeover, bankruptcy issues, whatever we
11 have to do, we'll be paid separate and apart from our
12 usual contract. So it's the same theory as before,
13 except it's going forward, and it would only be
14 related to matters that are not part of our ordinary
15 activity here as counsel, but only outside matters.

16 MR. SMITH: I do remember that, but did
17 we pay you already for --

18 MR. BOR: No.

19 MR. SMITH: In other words, we owe you
20 2,500 apiece?

21 MR. BOR: In other words, you owe us
22 2,500 apiece. And Mr. Weber and I will do it.

23 MR. SMITH: Move it.

24 MS. BAILEY: The \$2,500 apiece is
25 arrears, if I can say, as of December 30th, but this

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1 resolution is more moving forward; am I correct?

2 MR. HILL: Yes.

3 MS. BAILEY: This is going to be new
4 money for 2016?

5 MR. SMITH: So we didn't pay them for
6 2015.

7 MS. BAILEY: I understand that. If I'm
8 understanding correctly, we set a flat fee of \$5,000?

9 MR. SMITH: Correct.

10 MS. BAILEY: This resolution sets an
11 hourly fee of \$200 an hour. That's a big difference.

12 MR. SMITH: I didn't grasp that.

13 MR. WEBER: Reviewable quarterly. I
14 think the reason why, it's because --

15 MR. SMITH: Slow down.

16 MS. BAILEY: It's a difference.

17 MR. SMITH: Are we talking about 200
18 apiece an hour for work done?

19 MS. BAILEY: Yes.

20 MR. SMITH: For each attorney?

21 MR. MCGETTIGAN: Each legal hour.

22 MS. BAILEY: If we're going to look
23 every 90 days and we know we're going to get into the
24 thick of it with Atlantic City, it's going to be a
25 lot more than \$5,000. So every 90 days is kind of

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1 like a long period of time. I'm assuming you guys
2 are going to be working hard.

3 MR. BOR: I'll move that down every 30
4 days, come in with a bill.

5 MS. BAILEY: That's not going to be any
6 control. That's \$200 an hour; that's \$400 an hour
7 when they have their heads together. They can get
8 there real fast.

9 MR. WEBER: Basically what we've been
10 doing is dividing the responsibilities. It's sort of
11 like I've been taking the responsibilities, and you
12 will hear it in Closed Session, more in terms of the
13 bankruptcy, the State issues that have been
14 addressed.

15 Fred has been doing a lot of the Title
16 40. There is a possibility we may need an order to
17 show cause at some point in time to go into State
18 court. Fred is the one going to be handling that.

19 So you're really not being -- basically
20 we're dividing up that responsibility, so it's not
21 like we're both taking the same amount of work. It
22 so happens there is a lot of it.

23 MR. SMITH: I get where you're coming
24 from. Instead of \$200 an hour, it would be \$400 an
25 hour.

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1 Let me say this. They've both been
2 doing a good job, but let's table this until next
3 month, see what happens, and let's put this on the
4 back burner until next month, if it's agreeable?

5 MR. MCGETTIGAN: Yes, and track your
6 work.

7 MR. SMITH: I don't have a problem.

8 MR. HILL: Don't stop working. Just
9 track it and we'll reimburse.

10 MR. BOR: I'm not sure Mr. Weber and I
11 feel comfortable putting in a bill that wasn't
12 authorized.

13 MR. WEBER: We'll track our time.

14 MR. HILL: You can. You got to put in
15 your bills for '15.

16 MR. BOR: Yes.

17 MR. HILL: Track your time from January
18 1st to whatever this is.

19 MR. MCGETTIGAN: At the present there
20 is settling for 2015 at 2,500 each, so '15 is done.
21 And forward should be tracked so the Board can review
22 it.

23 MR. WEBER: Yes, I'm okay.

24 MR. BOR: Yes.

25 MR. WEBER: Every day is a holiday here

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1 and I say that facetiously. You never know what is
2 going to happen in another week.

3 MR. BOR: Once we submit our bills for
4 time --

5 MR. SMITH: I like the fact that we had
6 the service for them in '15 for \$5,000. And I would
7 like to set another fee similar to that.

8 MR. WEBER: I think the main thing, as
9 long as we have the authority to do what we need to
10 do, I think we've gotten that, and we'll get more in
11 detail in Closed Session. Tomorrow we could be in
12 Federal court, for all we know, and that's probably
13 me, or we could be in State court and that's him, so
14 it's really, you know --

15 MR. SMITH: Let's move on and discuss
16 this more in Closed Session.

17 MR. MCGETTIGAN: In Closed Session I
18 have a few questions.

19 MR. WARD: Moving to New Business,
20 which would be 8.a, diesel fuel spill under well 19,
21 8.a(1). We had a particularly difficult issue with
22 well 19 when the pump discharged diesel fuel into the
23 ground and the groundwater, so we have been working
24 diligently to remedy that.

25 And at this point, and Garth help me,

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1 are we bringing in the, is it a bacteria?

2 MR. MOYLE: Microbes.

3 MR. WARD: Microbes that will eat it.

4 MR. MOYLE: This has been dragging on
5 since September '12, maybe.

6 MS. BAILEY: It sounds like Flint.

7 MR. MCGETTIGAN: Buchart Horn will do
8 this project?

9 MR. MOYLE: They'll deal with the
10 State, make them happy, file the permit required,
11 because there is always a permit required, and
12 hopefully then when this is done and we get clean
13 results for like four quarters, I believe, we can
14 close this down and move on with our lives.

15 MR. MCGETTIGAN: So this is an
16 amendment to add to their contract?

17 MR. MOYLE: Again, we've been trying to
18 do it on the cheap. As we can, we've used our own
19 crews. This again is just the groundwater, surface,
20 I mean 10 feet, because of course diesel fuel will
21 float. So it hasn't gotten into the wells. There is
22 no sign that it would.

23 MR. SMITH: Don't do a Flint on us.

24 MS. BAILEY: That's what I just said.

25 MR. WARD: And we're not using this

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1 well.

2 MR. SMITH: The State is still coming
3 down here, making sure we're in compliance.

4 MR. MOYLE: All through the State.

5 MR. SMITH: Through the lab over here?

6 MR. MOYLE: We don't do the testing.
7 We don't have the facilities to do the testing.

8 MR. SMITH: We send out and get our
9 testing?

10 MR. MOYLE: Absolutely.

11 MR. SMITH: As long as we're in
12 compliance.

13 MR. MOYLE: Oh, yeah, this is. We're
14 looking hard at it. I'll have a little story for you
15 in Closed Session.

16 MR. SMITH: Just don't do a Flint.

17 MR. WARD: By using the bacteria, it's
18 probably considered a very environmentally natural
19 way to address this.

20 MR. MCGETTIGAN: What was the amount?

21 MR. WARD: \$20,398.

22 MR. MCGETTIGAN: To continue work?

23 MR. MOYLE: Yeah, hopefully, this
24 again --

25 MR. MCGETTIGAN: I'll move that.

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1 MR. SMITH: Second.

2 MR. BOR: Mr. Lea?

3 MR. LEA: Yes.

4 MR. BOR: Colanzi?

5 MR. COLANZI: Yes.

6 MR. BOR: McGettigan?

7 MR. MCGETTIGAN: Yes.

8 MR. BOR: Hill?

9 MR. HILL: Yes.

10 MR. BOR: Smith?

11 MR. SMITH: Yes.

12 MR. BOR: Carries.

13 MR. WARD: Under abatements necessary
14 to appear, item 8.b(2), Mohammed Hossain did not
15 appear. He will have to be postponed to the next
16 meeting.

17 If it's the Board's pleasure, we could
18 take the remaining abatements, which will be 8.b(3)
19 through (8). We could vote on those together, if
20 that's okay?

21 MR. MCGETTIGAN: They're all good?

22 MR. WARD: Yes, they're not necessary
23 to appear.

24 MR. SMITH: Move them.

25 MR. MCGETTIGAN: Second.

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1 MR. BOR: This is 8(2) through (8) --
2 excuse me, excuse me, (3) through (8).

3 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're going to ask under
15 8.c(1) to approve our ability to RFP for a special
16 legal counsel. This would only be triggered under
17 the advice of the solicitor that we have entered into
18 an area where special legal talent would be
19 necessary, and that could be bankruptcy or some other
20 action in a Federal court. And again, this is a
21 tentative RFP, just to get the RFP out there, without
22 making an appointment at this time. And we would not
23 make an appointment until such a time was absolutely
24 necessary and also under consultation with the Board.

25 MR. SMITH: Which one is this, b(1)

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1 d(1)?

2 MR. HILL: C8.

3 MS. BAILEY: 8.c(1).

4 MR. MCGETTIGAN: Page two.

5 MR. BOR: Just to elaborate a tad more
6 on that. We're of course in uncharted waters at this
7 point. And this special legal counsel would likely
8 be a bankruptcy rights kind of person in all
9 likelihood, because in these uncharted waters, things
10 will start happening very fast at some point. At
11 some point we've got to make a determination, as well
12 as the City, what legal options they have.

13 One of those options Mr. Weber will
14 discuss these now or in Closed, is that bankruptcy is
15 really out there as an option to takeover. So we
16 need someone available to protect our rights, whether
17 it's a bankruptcy court or an order to show cause in
18 State court. Only if it's an area of expertise that
19 I don't have or Mr. Weber doesn't have, or Andy
20 actually has more in bankruptcy than I do, but it
21 would be somebody beyond my pay grade and this would
22 only happen in the event we're at that point where
23 it's fait accompli. It's either going to the second
24 house, waiting the governor where, you know, it's
25 ending and you're at that point or if bankruptcy

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1 looks like it's going to happen which, as Mr. Weber
2 will describe to you, is an option for the City for
3 certain. Then we have to be ready to go to protect
4 our interest, because we'll be a creditor of the City
5 at that point.

6 MR. WEBER: I think all this is doing
7 is just authorizing an RFQ to go out, so really it's
8 nothing is going to happen because we would have to
9 come back. The only reason why we're doing this, you
10 know, there is a process to the point and blah, blah,
11 and it may be that you never appoint.

12 MR. BOR: Exactly.

13 MR. SMITH: Hopefully.

14 MR. HILL: I'll move 8.c(1).

15 MR. MCGETTIGAN: 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 MR. WARD: Thank you. 8.d(1) and (2)
2 are service agreements. If it's the Board's
3 pleasure, we can move both together.

4 MR. MCGETTIGAN: What are the projects?

5 MR. WARD: A.C. Equities is --

6 MR. MOYLE: Head Start and I think it's
7 a housing project also.

8 MR. MCGETTIGAN: That's right, housing
9 on Montpelier Avenue is what kind of project? It's
10 on Atlantic Avenue.

11 MR. WARD: 3200 block of Atlantic
12 Avenue.

13 MR. MOYLE: I'm sorry, this is a Rite
14 Aid and a housing project.

15 MR. MCGETTIGAN: Right, that's a Rite
16 Aid corner.

17 MR. MOYLE: You know, there is one at
18 Albany.

19 MR. MCGETTIGAN: There is one --

20 MR. HILL: It changed.

21 MR. WARD: That's the way of the world.

22 MR. MCGETTIGAN: It's a medium, the
23 housing is the big one, 31,000.

24 MR. MOYLE: That would be the bigger
25 one. I think again, if we're around, but the --

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1 MR. MCGETTIGAN: And the connection is
2 much lower.

3 MR. HILL: I think they over submitted.

4 MR. MOYLE: The use of the pharmacy, we
5 can only get 20 percent of that back. I met them, as
6 much as they can, the DEP standards.

7 MR. MCGETTIGAN: The two-inch water --

8 MR. MOYLE: The DEP standards are such
9 that you have to figure it on the square footage of
10 the place, .125 gallons per square foot per day, and
11 that adds up to a decent connection fee. I'll be
12 surprised if they average --

13 MR. MCGETTIGAN: A pharmacy doesn't use
14 a lot of water.

15 MR. MOYLE: A couple hundred a day, but
16 you live with the numbers.

17 MR. MCGETTIGAN: They're the rules,
18 rates and regulations, so I move to make a motion.

19 MR. BOR: (1) and (2) together.

20 MR. SMITH: 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: Okay. And we have finally
7 8.e(1), which is emergency repairs to the 48. We
8 located somewhere between Wednesday and Thursday of
9 last week, a significant fissure on the 48-inch at
10 Albany Avenue.

11 MR. MOYLE: What happened, I saw it on
12 Friday the 8th. I kept driving by and I said, That
13 can't be a leak. I drove by on Saturday, it's a
14 leak. It wasn't a big leak. It was under 100
15 gallons a minute, which in the scope of things, isn't
16 that large, but I went out for prices, two prices,
17 one from Lafayette and one from Weco. Weco had the
18 lower price.

19 I thought it was one of the old lead
20 joints in the 48, it wasn't. It was the tapping
21 sleeve for the high school. It's a 12-inch by 48.
22 And the thing was, I hoped that they could maybe
23 tighten it up, but they couldn't because when they
24 tightened it, one of the bolts on the bottom, it
25 rusted on the bottom, broke and the leak may have

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1 increased to under 200, so we had to replace it.

2 Now this was an old regular sleeve
3 coated with blue whatever they put on in circa '94,
4 and again, you should get more than 22 years on a
5 tapping sleeve, so this time we kicked it up and went
6 with state of the art all stainless steel.

7 This is not going to be a cheap repair
8 and we scheduled around the high school. Thankfully
9 that 12-inch main was holding on. It didn't really
10 move. When we found this Saturday, it was repaired.
11 We did it around the school. Bruce checked with the
12 school; they said they have nothing on Saturday.

13 MR. WARD: But we saved the Friday
14 night basketball game.

15 MR. MOYLE: And the swim meet. I
16 happened to know that Holy Spirit was going against
17 Atlantic City, and Holy Spirit got spanked, so we
18 waited until Saturday morning, started the shutdown.
19 It went as much as it would and thankfully Angelo
20 DeMeo for the City, emergency guy, was very helpful.
21 His idea was to bring in tanker trucks. He's one of
22 the good guys.

23 Aren't they getting ready to start new
24 construction, Albany Avenue where the old high school
25 was?

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1 MR. HILL: That's going to be Stockton,
2 not until the spring.

3 MR. WARD: In addition, I got a phone
4 call this morning from the assistant superintendent
5 of schools and of facilities, and apparently some
6 buzz was in the high school that perhaps the water
7 was not safe. And again with Flint, Michigan out in
8 the media, those concerns are heightened at this
9 time.

10 MR. SMITH: You got that right.

11 MR. WARD: We called the plant. We had
12 tested the water yesterday. The water was safe
13 yesterday. I sent an additional test over today and
14 we're going to report back to the high school, and
15 the high school and Chelsea Heights is going to send
16 out a blast to all the parents to settle everybody.

17 MR. MOYLE: When you shut down a main
18 like that, which we had to do, we had to shut it down
19 starting 8 a.m., dewater it for about three hours,
20 and only took like an hour and a half to do the
21 repairs and bring it back up slowly. When you empty
22 that main more than halfway, you got air in that
23 pipe. You bring it up too quickly, I've seen it
24 before, you blow the thing up. And yesterday we left
25 the valve -- there is two valves we had to close, one

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1 at old Ruffu Ford and one just past where the
2 expressway entrance is, so we had to close those two.
3 Bringing them back up, we stirred up the main and on
4 Saturday flushed it. They opened the valve. We left
5 that valve closed because it was being back fed from
6 the Missouri Avenue main to the Heights, which they
7 were fine. When the high school and Ole Hanson, they
8 suffered in silence until 2:00 or 3:00 in the
9 afternoon when they finally called. We flushed it
10 and we knew it was going to move down into Chelsea
11 Heights and maybe go to Chelsea Heights again. It's
12 rusty water. You don't really -- who wants to drink
13 rusty water? It has that metallic taste, but it's
14 not dangerous, and doesn't look good. You can't help
15 it too much. You have to bring the mains up slowly.

16 MR. WARD: Garth, you and your
17 organization for diligent work to move this thing
18 into the right time. Saturday was as least
19 disruption possible to those neighborhoods. I mean
20 you guys did a fantastic job and backed up in terms
21 of the public relations with respect to our
22 constituents.

23 MR. SMITH: Give all you guys an atta
24 boy.

25 MR. BOR: You need a resolution for the

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1 emergency repair.

2 MR. WARD: This is to pay 50,000.

3 MS. THAPA: We're going to have to
4 change the account. Is it going to the miscellaneous
5 account?

6 MR. MOYLE: We put it there for a long
7 long time.

8 MS. THAPA: So do we put it into
9 emergency account?

10 MR. MOYLE: We usually don't tap that
11 until it's a true true emergency, but to pay it out
12 of --

13 MS. THAPA: We already have. We
14 wouldn't have enough money for that account, but we
15 did have 1.7 million for emergency capital repairs.
16 Do we want to put there or -- this is the one we
17 might have a problem with, the 1.6 million, the
18 contract.

19 MR. MCGETTIGAN: You should -- we
20 should shift money into the regular ten.

21 MR. MOYLE: There is 10 million in that
22 regular account.

23 MS. THAPA: Which one?

24 MR. HILL: The miscellaneous.

25 MS. THAPA: Emergency capital?

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1 MR. MOYLE: No, no, this one. How much
2 is in my miscellaneous account, line replacement?

3 MS. THAPA: 1.1, but we -- with the DCA
4 is 1.4, but if we do the 1.6 contract, we won't have
5 enough.

6 MR. MOYLE: Again, there is always room
7 for Jell-o. If they'll approve the emergency number,
8 that's fine. We have it there. We never really tap
9 it. It's always been tradition.

10 MR. MCGETTIGAN: We'll make it look
11 like we properly use our emergency.

12 MR. WARD: And it was an emergency.

13 MR. MCGETTIGAN: It should be reflected
14 to anybody, we do need emergency funds.

15 MR. MOYLE: And the 50,000 should come
16 in more, I'm hoping, you never know, come in more
17 like 35,000, but I like to cover it.

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

19 MR. WARD: With the amendment?

20 MR. BOR: Along with an amendment that
21 it be subject to the --

22 MR. WARD: Emergency fund.

23 MR. BOR: In the budget.

24 MR. MCGETTIGAN: We'll pay the
25 emergency.

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1 MR. COLANZI: Second.
2 MR. BOR: Mr. Lea?
3 MR. LEA: Yes.
4 MR. BOR: Colanzi?
5 MR. COLANZI: Yes.
6 MR. BOR: McGettigan?
7 MR. MCGETTIGAN: Yes.
8 MR. BOR: Hill?
9 MR. HILL: Yes.
10 MR. BOR: Smith?
11 MR. SMITH: Yes.
12 MR. BOR: Carries.
13 MR. WARD: Nine is bills, and that
14 would be resolution number 9.a.
15 MR. SMITH: Move them.
16 MR. MCGETTIGAN: 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: Carries.

3 MR. WARD: Executive Session.

4 MR. SMITH: Let's take a five-,
5 ten-minute break.

6 (Closed Session from
7 11 a.m. to 11:50 a.m.)

8 MR. WARD: We're back in Open Session.
9 The Board met in Executive Session. Board met in
10 Executive Session, had a report from labor counsel.

11 MR. SMITH: Let's take care of this
12 business so we can get out of here.

13 MR. WARD: Board had a report from
14 labor counsel with respect to discussions with
15 Mr. Layton.

16 Also the status of the unions, which
17 seem to be unclear at this time. Labor counsel will
18 continue to reach out to the union.

19 Discussions with regard to City
20 development and items that have appeared in the
21 newspaper with respect to the position of City and
22 the Authority.

23 It was also announced that the
24 Executive Director met with the Golden Circle and
25 will be meeting with the Chelsea Neighborhood

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1 Association towards the end of this month.

2 And the Board decided to table 10.a(4),
3 and that was the scope of the meeting.

4 Motion for adjournment?

5 MR. BOR: Hearing any objection?

6 MR. SMITH: None, so we're adjourned.

7 (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.

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DATED: February 5, 2016

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