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ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

Wednesday, June 18, 2014

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

B E F O R E:

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

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

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

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I N D E X

<u>PUBLIC</u>	<u>PAGE</u>
David Nguyen	8
Alois Schwinghammer	9

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 regular scheduled
4 meetings of the Board of Directors, including the
5 notice of the regular meeting scheduled for June 18,
6 2014 at 401 North Virginia Avenue, conference room,
7 Atlantic City, New Jersey. Copy of said notice was
8 sent to city clerk to be posted. All of the
9 aforesaid complies with Chapter 231 of the laws of
10 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. Board members have
23 received a copy of the minutes. Any comments? If
24 not, any motion?

25 MR. SMITH: Move them, if no

ATLANTIC CITY MUA

1 objections.

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: Good morning, everyone.

15 With regard to correspondence, there is a letter June
16 the 5th from Jack Heath from the Historic Gardner's
17 Basin. When he says I'm returning to the Board, I
18 was a frequent, I would say, ex officio member as a
19 councilman, so I used to sit on the Board as a
20 councilman to help direct policy with the Basin. He
21 has assured me that meetings are very very early and
22 very very short and that it will not disrupt with my
23 responsibilities here.

24 In addition to Gardner's Basin --

25 MR. SMITH: Glad to have someone from

ATLANTIC CITY MUA

1 here on the Board.

2 MR. WARD: In addition to the Gardner's
3 Basin letter, we received a letter dated June the 3rd
4 from AtlantiCare, and this was a thank you letter for
5 attendance at the 55th Annual Century Club Gala. We
6 also received a letter from the Marine Mammal
7 Stranding Center and they're basically, it is a
8 solicitation for support for their programs, Dancing
9 with Dolphins.

10 Moving right ahead, it will be time for
11 the financial report. Ms. Bazemore?

12 MR. BOR: I got the same letter from
13 AtlantiCare.

14 MS. BAZEMORE: I just wanted to give
15 you a brief snapshot where we stand for the year. We
16 sort of discussed it at the engineering meeting. I
17 mentioned that our revenues for the year actually
18 surprisingly look pretty good. We're about 994,000
19 up over last year, but the primary reason for that is
20 the reason we didn't have a huge connection fee
21 give-back this year as we did last year, which was
22 approximately 900,000, somewhere in that
23 neighborhood.

24 Also we actually had extra billing for
25 Tropicana, due to a malfunctioning meter. They gave

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1 us about 250,000 additional revenues, so that along
2 with our rate increase that we implemented in 2014
3 pretty much is keeping us stable at this point.

4 However, Atlantic Club closing is
5 impacting us still. As of to date through June,
6 we're down about 75,000 from Atlantic Club. And the
7 larger usage months have not yet hit, meaning June,
8 July, August, September.

9 MR. SMITH: I think somebody just
10 bought Atlantic Club.

11 MS. BAZEMORE: Claridge, TJM.

12 MR. WARD: It's no action.

13 MS. BAZEMORE: It's still inactive. It
14 depends when they come online. I think we originally
15 projected we would be down about 250,000 for the year
16 as a result of their closing. If they don't open, I
17 think we'll be pretty much in line with what we
18 projected for their closing.

19 Connection fee income for this year,
20 including June, because when I give you guys your
21 financial statements they're through April, we have a
22 lag period, so through June. It looks like we've
23 collected about \$230,000 in connection fees, which
24 will be used towards capital. Expenses, year to
25 date, is slightly higher. And I also mentioned that

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1 interest income, we're really struggling. The market
2 is really tight as far as investigating our money and
3 making earnings on that, so that's pretty much our
4 highlights and I'll keep you guys posted.

5 MR. WARD: Questions, financial?

6 We do of course have the concern from
7 public statements that another casino could be
8 impacted, another casino could be closing before the
9 end of the year. So we're taking steps to manage our
10 finances as best as we can, considering the economic
11 situation based in Atlantic City.

12 MR. HILL: Mr. Ward, did we send a
13 letter to Revel? Remember we talked about that?

14 MS. BAZEMORE: Actually, I was going to
15 mention that, and we talked about shut offs, we did.
16 It's \$63,000 was sent over to the City of Atlantic
17 City to be added as a special charge to secure us,
18 because they're delinquent at this point. We had
19 talked about this point. They're definitely
20 delinquent for their May bill. Their June bill isn't
21 due until the 26th, but that dollar amount was
22 included, as well.

23 MR. WARD: We do have two guests today,
24 David Nguyen and Alois Schwinghammer. For
25 Mr. Nguyen, there is an abatement under 8 b (1), a

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1 necessary to appear. Did you want to, Mr. Chairman,
2 handle these matters?

3 MR. SMITH: Yes, go ahead, handle those
4 matters, please.

5 MR. WARD: Okay. This would be
6 resolution 8 b (1), Mr. Bor, David Nguyen.

7 MR. BOR: This is a necessary to appear
8 item for \$1,382.31. Any discussion?

9 MR. SMITH: Has he had an abatement
10 before?

11 MS. BAZEMORE: No, he hasn't.

12 MR. SMITH: This is his first one?

13 MS. BAZEMORE: This is his first one.

14 MR. SMITH: So what's the pleasure?

15 MR. HILL: Move it.

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?

ATLANTIC CITY MUA

1 MR. SMITH: Yes.

2 MR. BOR: Abatement granted by
3 resolution.

4 MR. WARD: Your abatement is granted,
5 Mr. Nudge.

6 MR. NGUYEN: Thank you.

7 MR. WARD: Our second guest is here.

8 MR. SCHWINGHAMMER: Schwinghammer.

9 MR. WARD: Good morning, sir. You're
10 appearing on our resolution 8 b (2). It is not
11 necessary for you to appear, but of course you are
12 welcome.

13 MR. HILL: But you're here.

14 MR. WARD: So that would be resolution
15 8 b (2).

16 MR. BOR: Before the Board is
17 resolution 8 b (2). Everyone has a copy, I assume,
18 for \$549.90? Linda, any priors?

19 MS. BAZEMORE: No.

20 MR. BOR: No prior abatement and what's
21 the Board's pleasure?

22 MR. SMITH: Move it.

23 MR. HILL: Second.

24 MR. BOR: Mr. Lea?

25 MR. LEA: Yes.

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1 MR. BOR: Colanzi?

2 MR. COLANZI: Yes.

3 MR. BOR: McGettigan?

4 MR. MCGETTIGAN: Yes.

5 MR. BOR: Hill?

6 MR. HILL: Yes.

7 MR. BOR: Smith?

8 MR. SMITH: Yes.

9 MR. BOR: 8 b (2) passed by resolution.

10 MR. WARD: Your abatement is granted,
11 sir, okay?

12 MR. SCHWINGHAMMER: Thank you.

13 MR. BOR: Move on.

14 MR. WARD: Okay. Shut offs are in your
15 packet. Are there any questions on the shut offs?

16 MS. BAZEMORE: I just wanted to mention
17 Tropicana showing delinquent in the delinquent
18 reports. However, we did get a recent payment.

19 MR. MCGETTIGAN: Is the Revel issue a
20 shut off issue?

21 MS. BAZEMORE: Did we issue them a
22 notice, no.

23 MR. MCGETTIGAN: You're putting the
24 bill on for 60,000?

25 MS. BAZEMORE: What we did, because it

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1 really worked to our advantage and it worked also
2 with Atlantic Club, the reason, even though they
3 filed bankruptcy, we're not impacted because we are
4 not a secure claim holder but with the City we are.
5 So what we do is periodically going forward, we're
6 going to take a look at their delinquency and we put
7 a letter to the tax collector, Would you please add
8 this as a special charge? And now we're secure with
9 them.

10 MR. WARD: So the properties can't be
11 transferred without those special charges and all
12 taxes being paid.

13 MR. MCGETTIGAN: And threatening to
14 shut them off?

15 MS. BAZEMORE: Therein that's always
16 still an option, but I think we're pretty safe at
17 this point, handing the information to the City.

18 MR. WEBER: Do we get the statement
19 that the City does in terms of delinquent?

20 MS. BAZEMORE: No. When we send it
21 over, it's just that dollar amount. It's what we'll
22 request to be paid. On our books it's still showing
23 delinquent when our penalties are applied, but as far
24 as the City is concerned about collecting it, no.

25 MR. WARD: Okay.

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1 MR. SMITH: Excuse me, is the Revel
2 still in bankruptcy or is it out of bankruptcy?

3 MR. HILL: It's not officially in
4 bankruptcy, but supposedly will be very shortly. So
5 I think Linda is smart. They're doing a proactive
6 approach in case that does happen, then we're at
7 least on the list.

8 MS. BAZEMORE: Theresa the tax
9 collector said they didn't pay the taxes.

10 MR. HILL: I know that. That's why
11 we're a little ahead of the game.

12 MR. WARD: 4 d engineering committee
13 meeting. The minutes are included. I would like to
14 point out that during the engineering committee
15 meeting, we had a preview of some of our financial
16 conditions and we also circulated what was prepared
17 by Ms. Bazemore as a capital improvement policy. So
18 what we're doing is as we are approaching our next
19 year's budget, we're going out in a systematic way to
20 our management team to prioritize what are the
21 necessary items that we need to begin to recognize
22 for capital improvement. And that could be both
23 either maintenance or purchases of large items. So
24 we have a policy and instruction now to give us
25 guidance.

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1 MS. BAZEMORE: Yes.

2 MR. MCGETTIGAN: Do they have a
3 two-month review to get it back?

4 MS. BAZEMORE: We're going to start
5 meeting again in two weeks and then in July and
6 finalize in August. Because by September, we have to
7 introduce our budget in October, but by September we
8 have to pretty much have it.

9 MR. WARD: Corresponding to this also
10 is our asset management program, which is underway.
11 It's been led at the plant at this time by Ernest
12 Gratz and that will identify and maintain in a
13 computer profile all of our assets and the time and
14 the date when regular maintenance should be checked
15 and, therefore, the computer will trigger that back
16 out, so we don't want to go into a scatter shot
17 approach in terms of maintenance and purchases. We
18 want to have information into a data base so that it
19 can be recovered automatically and triggered.

20 Number 5 is Director's Forum.

21 MR. SMITH: Nothing. Any questions?
22 With the exception -- I want to take care of that in
23 Closed Session -- involving Neil Goldfine.

24 MR. WARD: Number 6 Public
25 Participation. We have handled the public, two

ATLANTIC CITY MUA

1 individuals.

2 At this point, it's number 7, Old
3 Business. Number 8, to accept bids on fire hydrants.
4 Mr. Garth, any comment on the fire hydrant bids?

5 MR. MOYLE: We would have accepted the
6 low bid, except these didn't meet the specs. Four
7 bidders, and they each got some of it. They didn't
8 meet the specs. We took the next lowest bidder that
9 did meet the specs.

10 MR. WARD: We got a call yesterday from
11 South Jersey Transportation Authority. They've done
12 a major cosmetic exterior work on the garage on New
13 York Avenue. You haven't been on New York Avenue?

14 MR. HILL: No.

15 MR. WARD: Unit block of New York
16 Avenue, off of Atlantic.

17 MR. HILL: Yes, yes.

18 MR. WARD: They want us to come out and
19 maintain the fire hydrants, so we put that on our
20 list.

21 MR. SMITH: Good job.

22 MR. HILL: It does look nice.

23 MR. WARD: Engineering report,
24 Mr. Smith?

25 MR. CLAUDE SMITH: Good morning. First

ATLANTIC CITY MUA

1 item, Aclara we had some issues with the eight-inch
2 Aclara meter -- I'm sorry, Omni meter in regards to
3 having it working with our new Aclara MTUs.

4 MR. WARD: I'm sorry, we have to accept
5 the bids. We had the conversation.

6 MR. BOR: 7 a (1).

7 MR. HILL: Make a motion to accept 7 a
8 (1).

9 MR. MCGETTIGAN: 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. BOR: Carries.

21 MR. WARD: Thank you, Mr. Hill.

22 MR. CLAUDE SMITH: Getting back, we had
23 some issues with our eight-inch Omni meter in regards
24 to working with our new Aclara MTUs. The contractor
25 actually provided us with some directives in regards

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1 to programming that particular meter, which
2 apparently did work. Does not necessarily mean that
3 we're out of the woods with the other five eight-inch
4 meters working with the MTUs, so we're still actually
5 corresponding and working with that to at least see
6 what they're going to do in regards to that working
7 with our MTUs.

8 Two million gallon tank punch list.
9 Basically we're at a small punch list right now in
10 regards to that tank and completing it. I can give
11 you a few of the items are like the sidewalk,
12 concrete sidewalk that needs to be repaired. The
13 blacktop that's within the perimeter off the tank
14 itself, that needs to be repaired. And probably some
15 minor things that probably need to be done in terms
16 of clean-up work, but pretty much the tank is
17 completed.

18 We need to get in touch with the
19 engineer to at least finalize the contract itself.
20 That's been a task on its own, but that's something
21 that we're going to have to cross that hurdle.

22 MR. SMITH: Have we given the last
23 month --

24 MR. CLAUDE SMITH: No.

25 MR. SMITH: They have to do this to

ATLANTIC CITY MUA

1 complete the --

2 MR. CLAUDE SMITH: Correct, correct.

3 MR. SMITH: Stay on top of that.

4 MR. WARD: They have to complete the
5 close-out before we pay out.

6 MR. SMITH: Other than that, that's a
7 good job.

8 MR. CLAUDE SMITH: Thank you.

9 The leak detection system. The last
10 time we talked about at least scheduling some
11 additional training. We did schedule training.
12 Apparently the contractor had some other obligations
13 that they had to pull out. We have not rescheduled
14 new training as yet, but that's something that's
15 going to be done sometime soon.

16 ASR well, O and M Manuals and as-built.
17 Preset communications with the engineers that the
18 as-builts were actually sent and reviewed by the
19 engineers, sent back to the contractor for review and
20 corrections. The O and M Manuals are, a good
21 percentage of the O and M Manuals have been submitted
22 to the engineer. They're in the process of actually
23 reviewing that and making comments and sending it
24 back to the contractor, if there is need for
25 corrections. So we've made some progress with that.

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1 I'm not certain exactly what time frame we're working
2 with to complete that, but we're definitely trying to
3 work on that feverishly to get completed.

4 Cradle project, wetlands restoration
5 monitoring and survey. Myself and Jeannette Dicks,
6 which is actually the environmental specialist, went
7 out June 3rd to survey the locations that we had did
8 some restoration with the plants. We did identify
9 certain locations that need to be replanted. The
10 letter was sent out to the engineer and the
11 contractor. I spoke with the contractor, as a matter
12 of fact, today this morning in regards to what is his
13 time line coming back out to do the planting. He did
14 tell me they're in the process of actually going into
15 a contract with someone to come out and do that
16 particular planting. Once that contract is actually
17 completed, they'll be contacting me and then coming
18 out to do that restoration. So I'm hoping to have
19 that done probably in the next couple weeks,
20 hopefully, if he gets someone onboard within that
21 time period.

22 Lead and copper survey tests. It's
23 ongoing. The reason why, we did send out -- we have
24 an obligation to get at least 30 samples, 30
25 different homes throughout the City. Of course the

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1 letters went out; I got seven responses.

2 MR. MOYLE: You know I'm good for it.

3 MR. CLAUDE SMITH: Seven locations,
4 there is currently no consumption at those locations,
5 so I either consider that location to be the meter
6 has been removed, house has probably been abandoned
7 or it's probably in foreclosure where there is no
8 activity going on at the particular location. So
9 right away tells me that at least seven of these
10 locations have to be replaced on our sample list. I,
11 despite the fact, I did not get responses from
12 everyone. I still started going out and distributing
13 our containers for collection. I did receive two
14 back, which is a good sign. Hopefully as I continue
15 to go out and distribute the rest of our containers
16 for sample collection, I'll continue to get back at
17 least our samples, so hopefully. We have up until
18 September to actually complete this. And even though
19 yes, we have that length of time, getting in touch
20 with people and getting them to respond, it's very
21 difficult. It's not a priority so, therefore, they
22 don't really care.

23 That's it. Thank you.

24 MR. WARD: Questions on Mr. Smith's
25 report for engineering?

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1 Okay, New Business. Emergency repairs,
2 20-inch valve on Arctic Avenue near Maryland.

3 MR. MOYLE: I believe it was the
4 International Pipeline Services, somebody working for
5 the gas company, sliced through the bonnet of a
6 20-inch valve in Arctic Avenue near Maryland. Of
7 course it wasn't that easy to fix, took two line
8 stops, two new 20-inch valves. Once I get the bill
9 from Garrison Enterprise, the people that did the
10 work, I'll send one of those line stops and one of
11 the valves to the gas company and they can send it
12 along to their contractor. They should pay for it
13 because the valve was marked out and the one guy from
14 the gas company, Wesley that I spoke with, they
15 supposedly had a standing order with these guys to
16 only cut six inches into the pavement, but they cut
17 with a Vermeer saw and they had it at 15 when they
18 cut through the bonnet.

19 MR. BOR: Garth, who is the contractor?

20 MR. MOYLE: I'll get it.

21 MR. BOR: In other words, who will I
22 eventually have to sue?

23 MR. MOYLE: It's pretty clear cut. You
24 might have to. A lot of times people do indeed pay.
25 We'll see what happens. We'll charge them for a

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1 four-man crew for one day for the two holes it took
2 to dig.

3 MR. MCGETTIGAN: What will be the cost?

4 MR. MOYLE: The resolution I hope is
5 high. I'm trying to aim high. It's 50 grand. I'm
6 hoping it comes in a lot less than that, but I'm
7 tired of being low. Approximately half of whatever
8 is spent should be back to the MUA by the mark-out
9 laws.

10 MR. WARD: Any questions? Here is the
11 resolution.

12 MR. BOR: For which, for the RFP?

13 MR. HILL: So this would come out of
14 the emergency fund?

15 MS. BAZEMORE: To start with, I was
16 just telling Garth take --

17 MR. HILL: Where the money would come
18 from?

19 MS. BAZEMORE: Yes, once Garth sends
20 the letter to the gas company, we'll set up the
21 authorization to set up a receivable on our books.

22 MR. BOR: I'm at 8 a, emergency
23 repairs. Board members have received the resolution
24 that we've had a report by Garth and the opportunity
25 for discussion. Any motions on it?

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: 8 a carries.
14 MR. WARD: 8 c is a resolution to go
15 out for checking account services, RFP resolution.
16 MR. BOR: Before the Board is 8 c (1),
17 resolution to go out for new checking services. Is
18 there any questions? Linda can address them, or any
19 discussion? Hearing none, any motion?
20 MR. HILL: Motion to accept.
21 MR. MCGETTIGAN: Second.
22 MR. BOR: Mr. Lea?
23 MR. LEA: Yes.
24 MR. BOR: Colanzi?
25 MR. COLANZI: Yes.

ATLANTIC CITY MUA

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: Heretofore we've had a
9 contract with an individual to provide a security
10 review of playground, as well as cleaning, two
11 separate contracts. And over my period of time here,
12 it's come to my attention that the individual no
13 longer is an employee of the housing unit across the
14 street and we went out to try to make sure that our
15 playground would be covered by someone who is local.

16 I spoke to a family across the street
17 who always has their eyes on the program, on the
18 playground. And we had them up for an opportunity,
19 but we've later found out that they were on SSI and
20 couldn't take in any more income.

21 Mr. Lea identified an individual who
22 lives in the unit, who would be available. His name
23 is Rashad El-Amin and his resolutions could be 8 d
24 (1) and 8 d (2). He would be at the same dollar
25 amount as has been previously held by the former

ATLANTIC CITY MUA

1 incumbent.

2 MR. SMITH: Move it.

3 MR. MCGETTIGAN: Second.

4 MR. BOR: Mr. Lea?

5 MR. LEA: Yes.

6 MR. BOR: Colanzi?

7 MR. COLANZI: Yes.

8 MR. BOR: McGettigan?

9 MR. MCGETTIGAN: Yes.

10 MR. BOR: Hill?

11 MR. HILL: Yes.

12 MR. BOR: Smith?

13 MR. SMITH: Yes.

14 MR. BOR: 8 d (1) carries.

15 MR. MCGETTIGAN: He's going to get
16 both, (1) and (2)?

17 MR. WARD: He's got (1) and (2), so the
18 second one would be for maintenance.

19 MR. SMITH: How come they're not
20 combined? I noticed they're two separate.

21 MR. MCGETTIGAN: We would have to bid.
22 It prevented the bidding.

23 MR. WARD: I just did them the way it
24 had always been done.

25 MR. HILL: That's why.

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1 MS. BAZEMORE: That's why, the bidding
2 is over a certain amount, 2,600.

3 MR. BOR: 8 d (2), the maintenance
4 portion, \$2,250, any decision?

5 MR. HILL: Move it.

6 MR. BOR: Any second?

7 MR. SMITH: 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: Okay. Next is 8 e,
20 resolution to solicit for bids for liquid sodium
21 permanganate and liquid sodium hypochlorite.

22 MR. MCGETTIGAN: Move it.

23 MR. SMITH: Second. You have the bids
24 already?

25 MR. HILL: No, this is requesting --

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1 MR. WARD: We're doing them together.

2 MR. BOR: So the motion is on 8 e (1)
3 and (2) and has there been any motion?

4 MR. SMITH: Yes, it's been seconded.

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: Item f, we had an
17 interconnection meeting with the City of Ventnor, and
18 the meeting arose as a result, we have an
19 interconnection agreement with Ventnor, which expires
20 in August. And we thought it was an opportune time
21 to speak to Ventnor to perhaps make an assessment of
22 their current usage needs, so forth and so on. So we
23 had an opportunity.

24 Mr. Bor attended with me and basically
25 we sent off a letter to let them know that we

ATLANTIC CITY MUA

1 appreciated the opportunity to meet with them. And
2 if they wish to consider whether they wish to
3 continue to process water or would they like to
4 purchase water from the City of Atlantic City. We
5 left that question with them and it has not been
6 answered.

7 MR. BOR: The result is we're going to
8 continue the interconnection agreement because that's
9 worked well for many years, and even the Ventnor
10 folks acknowledge they've used it a few times and
11 saved themselves some aggravation by being able to
12 use it. That's been in place for what, a couple
13 decades -- a decade at least.

14 MR. WARD: Garth would know how long.

15 MR. BOR: The connection has been
16 around for ten years or more.

17 MR. MOYLE: No, it's been around since
18 about 1980.

19 MR. BOR: I'm going to negotiate as
20 soon as I hear from the solicitor whether there is
21 any tweaks to that interconnection agreement.

22 My sense, I don't know whether Mr. Ward
23 agrees, they're going to continue in this vein. I
24 can't see them -- they're very into their own home
25 rule in Ventnor. They're very very proud of their

ATLANTIC CITY MUA

1 tanks and their water.

2 MR. WARD: Although you wouldn't drink
3 it.

4 MR. BOR: I wouldn't drink their water.
5 Mr. Klein from their public works said, I know lots
6 of people that wouldn't drink Atlantic City water and
7 he reminded me, he was out to my house, because I had
8 a broken pipe.

9 But my sense, the interconnection
10 agreement is a good thing that will continue. I'll
11 tweak it with their solicitor, but I think it's not
12 going to be past that.

13 MR. WARD: I don't think so.

14 MR. SMITH: I think we should start
15 drinking our own water.

16 MR. WARD: Number 9, energy. We have
17 an ongoing effort to develop our energy potential and
18 resources. That was highlighted by a meeting with
19 two senior officials from the Board of Public
20 Utilities, who came to our plant on June 2nd. That
21 was Mr. Gary Finger and Mr. Ed Mercer.

22 Basically our concept is one which is
23 well received by the Board of Public Utilities, and
24 that would be the CHP, combined heat and power
25 concept. Both of the gentlemen began to review the

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1 audit that the City did -- excuse me, that the MUA
2 did in 2009, as well as the audit of the
3 Pleasantville Leeds Avenue School. Both of those
4 audits of course are public documents and they were
5 there to begin to do an assessment of the power
6 needs.

7 And basically the Board of Public
8 Utilities advised me to reach out to Concord
9 Engineering. Concord was the organization that did
10 the Authority's 2009 energy audit out at the plant.
11 So subsequently that week, Friday of that week I met
12 with Concord Engineering and I indicated to them that
13 we were advised by the Board of Public Utilities to
14 pursue with them a pre-engineering base analysis to
15 develop a base of power that would be necessary that
16 would be precursor to an RFP to be out for companies
17 to come in and build it.

18 Concord got back to me, and for the
19 most part wanted to move away from combined heat and
20 power and focus more on solar, and two individuals
21 that I met with from Concord were not the principals
22 and I believe that I had given them a specific
23 picture of what the Board of Public Utilities wanted,
24 so when I got that report, I shared it with the Board
25 of Public Utilities immediately and they said that

ATLANTIC CITY MUA

1 they're going to talk to Concord and put this on the
2 right track or the track that the State wants,
3 because basically as we have been indicating all
4 along, if the State of New Jersey wants its water and
5 waste water facilities to be on an independent energy
6 platform, they do not want the loss of power by a
7 grid brownout or blackout to effect water treatment
8 and waste water treatment, so we will continue to
9 await my next word, that I expect to hear will be
10 coming from the Board of Public Utilities, but we
11 have really made good strides in terms of getting
12 closer to this new regulatory agency that is involved
13 in energy.

14 I want to say that the proposed
15 partner, Pleasantville, City of Pleasantville has not
16 been as aggressive in terms of getting back to us
17 with regard to their beneficial position on this, and
18 I will be continuing to work to bring their
19 cooperation in line.

20 Number b, Standard Solar. Standard
21 Solar was the solar company that provided the second
22 largest solar installation in the City of Atlantic
23 City on top of the public works building, and they
24 came down and did a tour of our site and came back
25 with a proposal for Westcott Road. That proposal, a

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1 large -- it's a 1.7 megawatt proposal that they
2 provided, would put us in a higher energy making
3 capacity.

4 The Board of Public Utilities wants us
5 to go first towards the CHP project and back into the
6 solar at a later date, because again solar is a
7 variable energy source. If it's going to be cloudy
8 for five days, you might not have enough energy to
9 pump water into Atlantic City, but with the CHP, we
10 would always have the energy necessary, regardless of
11 the grid, to pump water and treat water and send it
12 into the City, so we've placed Standard Solar's
13 proposal on a black burner for the time being.

14 May 28th Public Service Electric and
15 Gas subsidiary Exelon came and toured the plant and
16 they are very very interested, as well as all of the
17 ESCOs, energy service providers, in going into a
18 power purchase agreement with us. So they would have
19 to await an RFP and compete with other companies.

20 D, the FAA tour on June 11th. I, along
21 with Ernie Gratz, attended the monthly super fund
22 meeting at the FAA, and after that they took us on a
23 tour of the entire FAA platform and culminated with
24 the manner in which they are treating contaminated
25 water at the FAA.

ATLANTIC CITY MUA

1 They spent millions and millions and
2 millions of dollars on various cleanups of disposals
3 that have occurred over the course of the FAA's
4 coming online out there. And we remain confident
5 that our water supply is still protected.

6 Again, we have the upper reservoir
7 within the FAA footprint and any of the plumes that
8 have been found, by all types of methods that they
9 use, they have underground methods which they can
10 actually see where a plume is and how it's moving.
11 They've been able to isolate those plumes and pull
12 the contamination out and our water is protected.

13 In addition, what I did find out on
14 June the 11th is that our proposal for solar power to
15 float on the reservoir has moved from environmental
16 to their business unit. So it's in their business
17 and labor unit now, but it moved from our
18 presentation into the environmental area. The
19 environmental has released it. It's now in the
20 business area. So we'll continue to stay on top of
21 that and update.

22 Number 10, bills. Any questions on
23 energy? I'm sorry, before I move on, any questions?

24 Okay, we have a resolution on bills,
25 which is 10 a.

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1 MR. BOR: Any discussion on 10 a?

2 MR. MCGETTIGAN: Anything extraordinary
3 with bills?

4 MS. BAZEMORE: Normal, State health
5 benefits approximately 176,000, our electric bill is
6 a higher bill and insurance. Capital was down for
7 the month, about 37,000.

8 MR. SMITH: What was the total, Linda?

9 MS. BAZEMORE: 459, 459,000.

10 MR. SMITH: Monthly, move them.

11 MR. HILL: Second.

12 MR. BOR: Mr. Lea?

13 MR. LEA: Yes.

14 MR. BOR: Colanzi?

15 MR. COLANZI: Yes.

16 MR. BOR: McGettigan?

17 MR. MCGETTIGAN: Yes.

18 MR. BOR: Hill?

19 MR. HILL: Yes.

20 MR. BOR: Smith?

21 MR. SMITH: Yes.

22 MR. BOR: Carries.

23 MR. WARD: Number 10 -- excuse me,
24 number 11, Executive Session.

25 MR. SMITH: Take five.

ATLANTIC CITY MUA

1 (Closed Session from
2 10:35 a.m. to 11:25 a.m.)

3 MR. WARD: Back in session. Reporting
4 on item 11 of the agenda of the Board, which was
5 Executive Session, the item number a (1), our labor
6 counsel, employee discipline. Our employee counsel
7 reported on the success and the resolution of the
8 Raymond Morton EEOC discrimination case. With the
9 Board's approval, the Board would give the Executive
10 Director the authority to sign a resolution setting
11 forth the provisions of the settlement. The
12 individual would be provisionally promoted to a grade
13 four position, subject to passing a civil service
14 test on that grade in order to remain in said
15 position.

16 MR. WEBER: That's the ultimate goal.
17 There are a number of steps that will be incorporated
18 in the agreement, as I had mentioned in Closed
19 Session.

20 MR. HILL: So we need to pass a
21 resolution giving you the authority?

22 MR. WARD: Yes.

23 MR. SMITH: Pass it, good.

24 MR. HILL: I'll move that.

25 MR. MCGETTIGAN: Second.

ATLANTIC CITY MUA

1 MR. SMITH: Been moved and seconded.

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. WARD: Item number (2), union
13 contract negotiations. Mr. Weber gave a presentation
14 of the status of an initial meeting with the
15 supervisor's union. Their contract had terminated as
16 of December 2012. Mr. Weber indicated that there
17 were items that the union presented as their initial
18 objectives and at this time Mr. Weber has taken those
19 issues under consideration. However, it is noted and
20 it was noted that the Authority is, as in many public
21 associations, organizations and agencies, undergoing
22 a new normal in terms of its financial and its
23 economic status and the union negotiations will
24 continue with an open dialogue to reach an accord.

25 The Borgata connection fee lawsuit,

ATLANTIC CITY MUA

1 number (3), which was discussed. And that matter is
2 awaiting a new tapping sleeve, a replacement tapping
3 sleeve for one which did arrive but was the wrong
4 size. Once that sleeve is received by the Authority,
5 the Authority will install it and there will be a
6 test by the Borgata as to whether the appropriate
7 pressure can be realized by the Borgata, and in that
8 case, that would help to resolve this matter.

9 Mr. Bor reported that he and
10 plaintiff's counsel sent a letter to the Superior
11 Court and the Superior Court has agreed to suspend
12 any time lines with respect to discovery, as the
13 parties are in a pause status to await the
14 installation of the tapping sleeve and the test by
15 the Borgata, which should help to resolve.

16 Number (4), the two million gallon tank
17 logo issue. Mr. Bor reported that he contacted the
18 pro bono attorney representing the Yellowbird persons
19 and that at this time he was advised that they are
20 pursuing remedies with the CRDA, and Mr. Bor
21 indicated that the response was that he should stand
22 down and await the CRDA response.

23 With respect to the public health
24 inquiry, the Authority was given notice by the City's
25 public health department, as well as the Department

ATLANTIC CITY MUA

1 of Environmental Protection of a public health issue
2 in the City of Atlantic City and the Authority is
3 responding to the letter from the Department of
4 Environmental Protection with respect to what
5 remedial action the Authority may need to take.

6 With respect to the administration roof
7 repair, there was a contract with a number of
8 companies to both provide a coating for our roof here
9 at the administration building, as well as an
10 applications contract. And with the three parties,
11 now that there has been a discrepancy on a number of
12 places on the roof identified, the Authority is
13 pursuing the responsible party. We now have a
14 situation where a warranty has been presented and
15 there is some question as to whether or not between
16 the parties a signature is valid. All of these
17 issues will have to continue to be researched to
18 identify the responsible party. We have also sent a
19 letter to one party suggesting the resolution at a
20 \$4,500 number. But again, this will go back and
21 forth until the actual responsible party is
22 identified and their feet is held to the fire.

23 That was the close of the Executive
24 Session. If there is anymore matters before the
25 Board today? May I have a motion for adjournment?

JACQUELINE M. ZARRILLO, CCR

ATLANTIC CITY MUA

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MR. SMITH: Make a motion for
adjournment.

MR. BOR: Hearing no objection?

(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.

JACQUELINE M. ZARRILLO
Certified Court Reporter
License No. XI01786

DATED: June 28, 2014

\$	30 [2] - 18:24 37,000 [1] - 33:7 3rd [2] - 5:3, 18:7	27:10 Aclara [4] - 15:1, 15:2, 15:3, 15:24 action [4] - 6:12, 37:5, 39:8, 39:10 activity [1] - 19:8 actual [1] - 37:21 add [1] - 11:7 added [1] - 7:17 addition [3] - 4:24, 5:2, 32:13 additional [2] - 6:1, 17:11 address [1] - 22:18 adequate [1] - 3:1 adjourned [1] - 38:4 adjournment [2] - 37:25, 38:2 administration [2] - 37:6, 37:9 Administrator [1] - 1:9 advantage [1] - 11:1 advised [3] - 29:8, 29:13, 36:19 aforesaid [1] - 3:9 agencies [1] - 35:21 agency [1] - 30:12 agenda [1] - 34:4 aggravation [1] - 27:11 aggressive [1] - 30:16 agreed [1] - 36:11 agreement [6] - 26:19, 27:8, 27:21, 28:10, 31:18, 34:18 agrees [1] - 27:23 ahead [3] - 5:10, 8:3, 12:11 aim [1] - 21:5 Alois [2] - 2:4, 7:24 Amin [1] - 23:23 amount [4] - 7:21, 11:21, 23:25, 25:2 analysis [1] - 29:14 Andrew [1] - 1:8 Annual [1] - 5:5 answered [1] - 27:6 appear [3] - 8:1, 8:7, 9:11 appearing [1] - 9:10 applications [1] - 37:10 applied [1] - 11:23 appreciated [1] - 27:1 approach [2] - 12:6, 13:17 approaching [1] - 12:18	B
\$1,382.31 [1] - 8:8 \$2,250 [1] - 25:4 \$230,000 [1] - 6:23 \$4,500 [1] - 37:20 \$549.90 [1] - 9:18 \$63,000 [1] - 7:16	4	appropriate [1] - 36:6 approval [1] - 34:9 April [1] - 6:21 Arctic [2] - 20:2, 20:6 area [2] - 32:18, 32:20 arose [1] - 26:18 arrive [1] - 36:3 as-built [1] - 17:16 as-builts [1] - 17:18 ASR [1] - 17:16 assessment [2] - 26:21, 29:5 asset [1] - 13:10 assets [1] - 13:13 associations [1] - 35:21 assume [1] - 9:17 assured [1] - 4:21 Atlantic [14] - 1:19, 3:7, 6:4, 6:6, 6:10, 7:11, 7:16, 11:2, 14:16, 27:4, 28:6, 30:22, 31:9, 37:2 ATLANTIC [2] - 1:1, 1:18 AtlantiCare [2] - 5:4, 5:13 attendance [1] - 5:5 attended [2] - 26:24, 31:21 attention [1] - 23:12 attorney [3] - 36:18, 39:7, 39:9 audit [3] - 29:1, 29:2, 29:10 audits [1] - 29:4 August [3] - 6:8, 13:6, 26:20 Authority [8] - 14:11, 35:20, 36:4, 36:5, 36:24, 37:2, 37:5, 37:12 AUTHORITY [2] - 1:1, 1:18 authority [2] - 34:10, 34:21 Authority's [1] - 29:10 authorization [1] - 21:21 automatically [1] - 13:19 available [1] - 23:22 Avenue [8] - 1:18, 3:6, 14:13, 14:16, 20:2, 20:6, 29:3 await [4] - 30:9, 31:19, 36:13, 36:22 awaiting [1] - 36:2	bankruptcy [4] - 11:3, 12:2, 12:4 base [3] - 13:18, 29:14, 29:15 based [1] - 7:11 Basin [4] - 4:17, 4:20, 4:24, 5:3 Bazemore [3] - 1:7, 5:11, 12:17 BAZEMORE [20] - 5:14, 6:11, 6:13, 7:14, 8:11, 8:13, 9:19, 10:16, 10:21, 10:25, 11:15, 11:20, 12:8, 13:1, 13:4, 21:15, 21:19, 25:1, 33:4, 33:9 BEFORE [1] - 1:17 began [1] - 28:25 begin [2] - 12:21, 29:5 beneficial [1] - 30:17 benefits [1] - 33:5 best [1] - 7:10 between [1] - 37:15 bid [2] - 14:6, 24:21 bidder [1] - 14:8 bidders [1] - 14:7 bidding [2] - 24:22, 25:1 bids [5] - 14:3, 14:4, 15:5, 25:20, 25:23 bill [6] - 7:20, 10:24, 20:8, 33:5, 33:6 billing [1] - 5:24 bills [3] - 32:22, 32:24, 33:3 black [1] - 31:13 blackout [1] - 30:7 blacktop [1] - 16:13 block [1] - 14:15 BOARD [1] - 1:1 Board [21] - 1:8, 1:9, 3:4, 3:22, 4:17, 4:19, 5:1, 9:16, 21:23, 22:16, 28:19, 28:23, 29:7, 29:13, 29:23, 29:24, 30:10, 31:4, 34:4, 34:9, 37:25 Board's [2] - 9:21, 34:9 bonnet [2] - 20:5, 20:18 bono [1] - 36:18 books [2] - 11:22, 21:21 BOR [9] - 3:12, 3:14, 3:16, 3:18, 3:20,
0	5		
08225 [1] - 1:24 08404 [1] - 1:19	5		
1	5 [1] - 13:20 50 [1] - 21:5 55th [1] - 5:5 5th [1] - 4:16		
1 [9] - 7:25, 8:6, 22:16, 23:24, 24:14, 24:16, 24:17, 26:2, 34:5 1) [2] - 15:6, 15:8 1.7 [1] - 31:1 10 [5] - 1:19, 32:22, 32:25, 33:1, 33:23 10:35 [1] - 34:2 11 [2] - 33:24, 34:4 11:25 [1] - 34:2 11:35 [1] - 38:4 11th [2] - 31:20, 32:14 15 [1] - 20:17 1724 [1] - 1:24 176,000 [1] - 33:5 18 [2] - 1:3, 3:5 1975 [1] - 3:10 1980 [1] - 27:18	6		
2	6 [1] - 13:24 60,000 [1] - 10:24 609 [1] - 1:25 641-6640 [1] - 1:25		
2 [6] - 10:9, 24:16, 24:17, 25:3, 26:3, 35:12 2) [4] - 9:10, 9:15, 9:17, 23:24 2,600 [1] - 25:2 20-inch [3] - 20:2, 20:6, 20:8 2009 [2] - 29:2, 29:10 2012 [1] - 35:16 2014 [4] - 1:3, 3:6, 6:2, 39:18 231 [1] - 3:9 250,000 [2] - 6:1, 6:15 26th [1] - 7:21 28 [1] - 39:18 28th [1] - 31:14 2nd [1] - 28:20	7		
3	7 [3] - 14:2, 15:6, 15:7 75,000 [1] - 6:6		
3 [1] - 36:1	8		
	8 [18] - 2:3, 7:25, 8:6, 9:10, 9:15, 9:17, 10:9, 14:3, 21:22, 22:13, 22:14, 22:16, 23:23, 23:24, 24:14, 25:3, 25:19, 26:2		
	9		
	9 [2] - 2:4, 28:16 900,000 [1] - 5:22 994,000 [1] - 5:18		
	A		
	a.m. [4] - 1:19, 34:2, 38:4 abandoned [1] - 19:6 abatement [6] - 7:25, 8:9, 9:2, 9:4, 9:20, 10:10 able [2] - 27:11, 32:11 accept [5] - 14:3, 15:4, 15:7, 22:1, 22:20 accepted [1] - 14:5 accord [1] - 35:24 account [1] - 22:15 acknowledge [1] -		

<p>3:22, 4:3, 4:5, 4:7, 4:9, 4:11, 4:13, 5:12, 8:7, 8:17, 8:19, 8:21, 8:23, 8:25, 9:2, 9:16, 9:20, 9:24, 10:1, 10:3, 10:5, 10:7, 10:9, 10:13, 15:6, 15:10, 15:12, 15:14, 15:16, 15:18, 15:20, 20:19, 20:21, 21:12, 21:22, 22:3, 22:5, 22:7, 22:9, 22:11, 22:13, 22:16, 22:22, 22:24, 23:1, 23:3, 23:5, 23:7, 24:4, 24:6, 24:8, 24:10, 24:12, 24:14, 25:3, 25:6, 25:8, 25:10, 25:12, 25:14, 25:16, 25:18, 26:2, 26:5, 26:7, 26:9, 26:11, 26:13, 26:15, 27:7, 27:15, 27:19, 28:4, 33:1, 33:12, 33:14, 33:16, 33:18, 33:20, 33:22, 35:2, 35:4, 35:6, 35:8, 35:10, 38:3</p> <p>Bor [6] - 1:8, 8:6, 26:24, 36:9, 36:17, 36:20</p> <p>Borgata [4] - 35:25, 36:6, 36:7, 36:15</p> <p>bought [1] - 6:10</p> <p>brief [1] - 5:15</p> <p>bring [1] - 30:18</p> <p>broken [1] - 28:8</p> <p>brownout [1] - 30:7</p> <p>Bruce [1] - 1:6</p> <p>budget [2] - 12:19, 13:7</p> <p>build [1] - 29:17</p> <p>building [2] - 30:23, 37:9</p> <p>built [1] - 17:16</p> <p>builds [1] - 17:18</p> <p>burner [1] - 31:13</p> <p>business [3] - 32:16, 32:20</p> <p>Business [2] - 14:3, 20:1</p>	<p>24:14, 25:18, 26:15, 33:22</p> <p>case [3] - 12:6, 34:8, 36:8</p> <p>casino [2] - 7:7, 7:8</p> <p>CCR [1] - 1:23</p> <p>Center [1] - 5:7</p> <p>Century [1] - 5:5</p> <p>certain [3] - 18:1, 18:9, 25:2</p> <p>Certified [3] - 1:17, 39:4, 39:16</p> <p>CERTIFIED [1] - 1:23</p> <p>certify [1] - 39:6</p> <p>Chairman [1] - 1:12</p> <p>chairman [1] - 8:1</p> <p>Chairman/Secretary [1] - 1:12</p> <p>Chapter [1] - 3:9</p> <p>charge [3] - 7:17, 11:8, 20:25</p> <p>charges [1] - 11:11</p> <p>checked [1] - 13:14</p> <p>checking [2] - 22:15, 22:17</p> <p>CHP [3] - 28:24, 31:5, 31:9</p> <p>circulated [1] - 12:16</p> <p>City [22] - 1:19, 3:7, 7:11, 7:16, 7:17, 11:4, 11:17, 11:19, 11:24, 18:25, 26:17, 27:4, 28:6, 29:1, 30:15, 30:22, 30:23, 31:9, 31:12, 37:2</p> <p>CITY [2] - 1:1, 1:18</p> <p>city [1] - 3:8</p> <p>City's [1] - 36:24</p> <p>civil [1] - 34:13</p> <p>claim [1] - 11:4</p> <p>Claridge [1] - 6:11</p> <p>CLAUDE [6] - 14:25, 15:22, 16:24, 17:2, 17:8, 19:3</p> <p>Claude [1] - 1:9</p> <p>clean [1] - 16:16</p> <p>clean-up [1] - 16:16</p> <p>cleaning [1] - 23:10</p> <p>cleanups [1] - 32:2</p> <p>clear [1] - 20:23</p> <p>clerk [1] - 3:8</p> <p>close [2] - 17:5, 37:23</p> <p>close-out [1] - 17:5</p> <p>Closed [3] - 13:23, 34:1, 34:18</p> <p>closer [1] - 30:12</p> <p>closing [4] - 6:4, 6:16, 6:18, 7:8</p> <p>cloudy [1] - 31:7</p>	<p>Club [5] - 5:5, 6:4, 6:6, 6:10, 11:2</p> <p>coating [1] - 37:8</p> <p>COLANZI [12] - 3:15, 4:6, 8:20, 10:2, 15:13, 22:6, 22:25, 24:7, 25:11, 26:8, 33:15, 35:5</p> <p>Colanzi [13] - 1:14, 3:14, 4:5, 8:19, 10:1, 15:12, 22:5, 22:24, 24:6, 25:10, 26:7, 33:14, 35:4</p> <p>collected [1] - 6:23</p> <p>collecting [1] - 11:24</p> <p>collection [2] - 19:13, 19:16</p> <p>collector [2] - 11:7, 12:9</p> <p>combined [3] - 24:20, 28:24, 29:19</p> <p>coming [4] - 18:13, 18:17, 30:10, 32:4</p> <p>commencing [1] - 1:19</p> <p>comment [1] - 14:4</p> <p>comments [2] - 3:23, 17:23</p> <p>committee [2] - 12:12, 12:14</p> <p>communications [1] - 17:17</p> <p>companies [3] - 29:16, 31:19, 37:8</p> <p>company [5] - 20:5, 20:11, 20:14, 21:20, 30:21</p> <p>compete [1] - 31:19</p> <p>complete [4] - 17:1, 17:4, 18:2, 19:18</p> <p>completed [3] - 16:17, 18:3, 18:17</p> <p>completing [1] - 16:10</p> <p>complies [1] - 3:9</p> <p>computer [2] - 13:13, 13:15</p> <p>concept [2] - 28:22, 28:25</p> <p>concern [1] - 7:6</p> <p>concerned [1] - 11:24</p> <p>Concord [6] - 29:8, 29:9, 29:12, 29:18, 29:21, 30:1</p> <p>concrete [1] - 16:12</p> <p>conditions [1] - 12:16</p> <p>conference [1] - 3:6</p> <p>confident [1] - 32:4</p> <p>connection [5] - 5:20, 6:19, 6:23, 27:15,</p>	<p>35:25</p> <p>consider [2] - 19:5, 27:2</p> <p>consideration [1] - 35:19</p> <p>considering [1] - 7:10</p> <p>consumption [1] - 19:4</p> <p>contacted [1] - 36:17</p> <p>contacting [1] - 18:17</p> <p>containers [2] - 19:13, 19:15</p> <p>contaminated [1] - 31:24</p> <p>contamination [1] - 32:12</p> <p>continue [10] - 19:14, 19:16, 27:3, 27:8, 27:23, 28:10, 30:8, 32:20, 35:24, 37:17</p> <p>continuing [1] - 30:18</p> <p>contract [8] - 16:19, 18:15, 18:16, 23:9, 35:13, 35:15, 37:7, 37:10</p> <p>contractor [8] - 15:24, 17:12, 17:19, 17:24, 18:11, 20:12, 20:19</p> <p>contracts [1] - 23:11</p> <p>conversation [1] - 15:5</p> <p>cooperation [1] - 30:19</p> <p>copper [1] - 18:22</p> <p>copy [3] - 3:7, 3:23, 9:17</p> <p>correct [2] - 17:2</p> <p>corrections [2] - 17:20, 17:25</p> <p>correspondence [1] - 4:15</p> <p>corresponding [2] - 13:9, 16:5</p> <p>cosmetic [1] - 14:12</p> <p>cost [1] - 21:3</p> <p>councilman [2] - 4:19, 4:20</p> <p>counsel [5] - 34:6, 36:10, 39:7, 39:9</p> <p>couple [2] - 18:19, 27:12</p> <p>course [6] - 7:6, 9:11, 18:25, 20:7, 29:4, 32:3</p> <p>COURT [1] - 1:23</p> <p>Court [5] - 1:17, 36:11, 39:5, 39:16</p> <p>covered [1] - 23:15</p> <p>cradle [1] - 18:4</p>	<p>CRDA [2] - 36:20, 36:22</p> <p>crew [1] - 21:1</p> <p>cross [1] - 16:21</p> <p>culminated [1] - 31:23</p> <p>current [1] - 26:22</p> <p>cut [4] - 20:16, 20:18, 20:23</p>
D				
<p>Dancing [1] - 5:8</p> <p>data [1] - 13:18</p> <p>date [4] - 6:5, 6:25, 13:14, 31:6</p> <p>DATED [1] - 39:18</p> <p>dated [1] - 5:3</p> <p>David [3] - 2:3, 7:24, 8:6</p> <p>days [1] - 31:8</p> <p>decade [1] - 27:13</p> <p>decades [1] - 27:13</p> <p>December [1] - 35:16</p> <p>decision [1] - 25:4</p> <p>definitely [2] - 7:19, 18:2</p> <p>delinquency [1] - 11:6</p> <p>delinquent [6] - 7:18, 7:20, 10:17, 11:19, 11:23</p> <p>department [1] - 36:25</p> <p>Department [2] - 36:25, 37:3</p> <p>Deputy [2] - 1:7, 1:7</p> <p>despite [1] - 19:11</p> <p>detection [1] - 17:9</p> <p>develop [2] - 28:17, 29:15</p> <p>dialogue [1] - 35:24</p> <p>Dicks [1] - 18:5</p> <p>different [1] - 18:25</p> <p>difficult [1] - 19:21</p> <p>dig [1] - 21:2</p> <p>direct [1] - 4:20</p> <p>directives [1] - 15:25</p> <p>Director [4] - 1:6, 1:7, 1:7, 34:10</p> <p>Director's [1] - 13:20</p> <p>Directors [1] - 3:4</p> <p>DIRECTORS [1] - 1:1</p> <p>discipline [1] - 34:6</p> <p>discovery [1] - 36:12</p> <p>discrepancy [1] - 37:11</p> <p>discrimination [1] - 34:8</p> <p>discussed [2] - 5:16, 36:1</p> <p>discussion [4] - 8:8,</p>				

<p>21:25, 22:19, 33:1 disposals [1] - 32:2 disrupt [1] - 4:22 distribute [1] - 19:15 distributing [1] - 19:12 documents [1] - 29:4 dollar [3] - 7:21, 11:21, 23:24 dollars [1] - 32:2 Dolphins [1] - 5:9 done [5] - 14:11, 16:15, 17:15, 18:19, 24:24 down [5] - 6:6, 6:15, 30:24, 33:6, 36:22 drink [3] - 28:2, 28:4, 28:6 drinking [1] - 28:15 due [2] - 5:25, 7:21 during [1] - 12:14</p>	<p>12:12, 12:14, 14:23, 19:25, 29:14 engineers [2] - 17:17, 17:19 Enterprise [1] - 20:9 entire [1] - 31:23 Environmental [2] - 37:1, 37:4 environmental [4] - 18:6, 32:15, 32:18, 32:19 Ernest [1] - 13:11 Ernie [1] - 31:21 ESCOs [1] - 31:17 Esquire [2] - 1:8, 1:8 eventually [1] - 20:22 ex [1] - 4:18 exactly [1] - 18:1 except [1] - 14:6 exception [1] - 13:22 excuse [3] - 12:1, 29:1, 33:23 Executive [7] - 1:6, 1:7, 1:7, 33:24, 34:5, 34:9, 37:23 Exelon [1] - 31:15 expect [1] - 30:9 expenses [1] - 6:24 expires [1] - 26:19 exterior [1] - 14:12 extra [1] - 5:24 extraordinary [1] - 33:2 eyes [1] - 23:17</p>	<p>fire [4] - 14:3, 14:4, 14:19, 37:22 first [4] - 8:12, 8:13, 14:25, 31:5 five [3] - 16:3, 31:8, 33:25 fix [1] - 20:7 float [1] - 32:15 focus [1] - 29:20 folks [1] - 27:10 footprint [1] - 32:7 foreclosure [1] - 19:7 former [1] - 23:25 forth [3] - 26:22, 34:11, 37:21 Forum [1] - 13:20 forward [1] - 11:5 four [3] - 14:6, 21:1, 34:13 four-man [1] - 21:1 frame [1] - 18:1 Fredric [1] - 1:8 frequent [1] - 4:18 Friday [1] - 29:11 fund [2] - 21:14, 31:21</p>	<p>guests [1] - 7:23 guidance [1] - 12:25 guy [1] - 20:13 guys [3] - 6:20, 7:4, 20:15</p>	<p>huge [1] - 5:20 hurdle [1] - 16:21 hydrant [1] - 14:4 hydrants [2] - 14:3, 14:19 hypochlorite [1] - 25:21</p>
E			H	
<p>early [1] - 4:21 earnings [1] - 7:3 easy [1] - 20:7 economic [2] - 7:10, 35:23 Ed [1] - 28:21 Edmund [1] - 1:14 EEOC [1] - 34:8 effect [1] - 30:7 effort [1] - 28:17 eight [3] - 15:1, 15:23, 16:3 eight-inch [3] - 15:1, 15:23, 16:3 either [2] - 12:23, 19:5 EI [1] - 23:23 El-Amin [1] - 23:23 electric [1] - 33:5 Electric [1] - 31:14 emergency [3] - 20:1, 21:14, 21:22 employee [5] - 23:13, 34:6, 39:6, 39:8 end [1] - 7:9 energy [11] - 28:16, 28:17, 29:10, 30:5, 30:13, 31:2, 31:7, 31:8, 31:10, 31:17, 32:23 Engineer [1] - 1:9 engineer [3] - 16:19, 17:22, 18:10 Engineering [2] - 29:9, 29:12 engineering [6] - 5:16,</p>			<p>half [1] - 21:7 handing [1] - 11:17 handle [2] - 8:2, 8:3 handled [1] - 13:25 health [4] - 33:4, 36:23, 36:25, 37:1 hear [2] - 27:20, 30:9 hearing [2] - 22:19, 38:3 heat [2] - 28:24, 29:19 Heath [1] - 4:16 held [2] - 23:25, 37:22 help [3] - 4:20, 36:8, 36:15 hereby [1] - 39:5 heretofore [1] - 23:8 high [2] - 21:5 higher [3] - 6:25, 31:2, 33:6 highlighted [1] - 28:18 highlights [1] - 7:4 hill [1] - 15:21 HILL [32] - 3:19, 4:10, 7:12, 8:15, 8:24, 9:13, 9:23, 10:6, 12:3, 12:10, 14:14, 14:17, 14:22, 15:7, 15:17, 21:13, 21:17, 22:1, 22:10, 22:20, 23:4, 24:11, 24:25, 25:5, 25:15, 25:25, 26:12, 33:11, 33:19, 34:20, 34:24, 35:9 Hill [13] - 1:12, 3:18, 4:9, 8:23, 10:5, 15:16, 22:9, 23:3, 24:10, 25:14, 26:11, 33:18, 35:8 Historic [1] - 4:16 hit [1] - 6:7 holder [1] - 11:4 holes [1] - 21:1 home [1] - 27:24 homes [1] - 18:25 hope [1] - 21:4 hopefully [3] - 18:20, 19:14, 19:17 hoping [2] - 18:18, 21:6 house [2] - 19:6, 28:7 housing [1] - 23:13</p>	I
				<p>identified [3] - 23:21, 37:12, 37:22 identify [3] - 13:12, 18:8, 37:18 immediately [1] - 29:25 impacted [2] - 7:8, 11:3 impacting [1] - 6:5 implemented [1] - 6:2 improvement [2] - 12:17, 12:22 inactive [1] - 6:13 inch [3] - 15:1, 15:23, 16:3 inches [1] - 20:16 included [2] - 7:22, 12:13 including [2] - 3:4, 6:20 income [3] - 6:19, 7:1, 23:20 incorporated [1] - 34:17 increase [1] - 6:2 incumbent [1] - 24:1 indeed [1] - 20:24 independent [1] - 30:5 indicated [3] - 29:12, 35:16, 36:21 indicating [1] - 30:3 individual [4] - 23:9, 23:12, 23:21, 34:12 individuals [2] - 14:1, 29:20 information [2] - 11:17, 13:18 initial [2] - 35:14, 35:17 inquiry [1] - 36:24 install [1] - 36:5 installation [2] - 30:22, 36:14 instruction [1] - 12:24 insurance [1] - 33:6 interconnection [5] - 26:17, 26:19, 27:8, 27:21, 28:9 interest [1] - 7:1</p>
	F		G	
	<p>FAA [5] - 31:20, 31:22, 31:23, 31:25, 32:7 FAA's [1] - 32:3 facilities [1] - 30:5 fact [2] - 18:12, 19:11 family [1] - 23:16 far [2] - 7:2, 11:23 fee [3] - 5:20, 6:19, 35:25 fees [1] - 6:23 feet [1] - 37:22 feverishly [1] - 18:3 few [2] - 16:11, 27:10 filed [1] - 11:3 finalize [2] - 13:6, 16:19 finances [1] - 7:10 financial [5] - 5:11, 6:21, 7:5, 12:15, 35:22 financially [1] - 39:10 Finger [1] - 28:21</p>		<p>Gala [1] - 5:5 gallon [2] - 16:8, 36:16 game [1] - 12:11 garage [1] - 14:12 Gardner's [3] - 4:16, 4:24, 5:2 Garrison [1] - 20:9 Garth [7] - 1:7, 14:4, 20:19, 21:16, 21:19, 21:24, 27:14 Gary [2] - 1:12, 28:21 gas [4] - 20:5, 20:11, 20:14, 21:20 Gas [1] - 31:15 gentlemen [1] - 28:25 give-back [1] - 5:21 given [3] - 16:22, 29:22, 36:24 glad [1] - 4:25 goal [1] - 34:16 Goldfine [1] - 13:23 grade [2] - 34:12, 34:14 grand [1] - 21:5 granted [3] - 9:2, 9:4, 10:10 Gratz [2] - 13:12, 31:21 grid [2] - 30:7, 31:11 guest [1] - 9:7</p>	

<p>interested [2] - 31:16, 39:10</p> <p>International [1] - 20:4</p> <p>introduce [1] - 13:7</p> <p>investigating [1] - 7:2</p> <p>involved [1] - 30:12</p> <p>involving [1] - 13:23</p> <p>isolate [1] - 32:11</p> <p>issue [5] - 10:19, 10:20, 10:21, 36:17, 37:1</p> <p>issues [4] - 15:1, 15:23, 35:19, 37:17</p> <p>item [6] - 8:8, 15:1, 26:16, 34:4, 34:5, 35:12</p> <p>items [4] - 12:21, 12:23, 16:11, 35:17</p> <p>itself [2] - 16:14, 16:19</p>	<p>laws [3] - 3:9, 3:10, 21:9</p> <p>lawsuit [1] - 35:25</p> <p>Lea [14] - 1:13, 3:12, 4:3, 8:17, 9:24, 15:10, 22:3, 22:22, 23:21, 24:4, 25:8, 26:5, 33:12, 35:2</p> <p>LEA [12] - 3:13, 4:4, 8:18, 9:25, 15:11, 22:4, 22:23, 24:5, 25:9, 26:6, 33:13, 35:3</p> <p>lead [1] - 18:22</p> <p>leak [1] - 17:9</p> <p>least [8] - 12:7, 16:5, 16:19, 17:10, 18:24, 19:9, 19:17, 27:13</p> <p>led [1] - 13:11</p> <p>Leeds [1] - 29:3</p> <p>left [1] - 27:5</p> <p>length [1] - 19:19</p> <p>less [1] - 21:6</p> <p>letter [14] - 4:15, 5:3, 5:4, 5:6, 5:12, 7:13, 11:7, 18:10, 21:20, 26:25, 36:10, 37:3, 37:19</p> <p>letters [1] - 19:1</p> <p>License [2] - 1:18, 39:16</p> <p>Linda [5] - 1:7, 9:18, 12:5, 22:18, 33:8</p> <p>line [5] - 6:17, 18:13, 20:7, 20:10, 30:19</p> <p>lines [1] - 36:12</p> <p>liquid [2] - 25:20, 25:21</p> <p>list [6] - 3:3, 12:7, 14:20, 16:8, 16:9, 19:10</p> <p>lives [1] - 23:22</p> <p>local [1] - 23:15</p> <p>location [2] - 19:5, 19:8</p> <p>locations [5] - 18:7, 18:9, 19:3, 19:4, 19:10</p> <p>logo [1] - 36:17</p> <p>look [3] - 5:18, 11:6, 14:22</p> <p>looks [1] - 6:22</p> <p>loss [1] - 30:6</p> <p>low [2] - 14:6, 21:7</p> <p>lowest [1] - 14:8</p>	<p>maintain [2] - 13:12, 14:19</p> <p>maintenance [5] - 12:23, 13:14, 13:17, 24:18, 25:3</p> <p>major [1] - 14:12</p> <p>malfunctioning [1] - 5:25</p> <p>Mammal [1] - 5:6</p> <p>man [1] - 21:1</p> <p>manage [1] - 7:9</p> <p>management [2] - 12:20, 13:10</p> <p>manner [1] - 31:24</p> <p>Manuals [3] - 17:16, 17:20, 17:21</p> <p>Marine [1] - 5:6</p> <p>mark [1] - 21:8</p> <p>mark-out [1] - 21:8</p> <p>marked [1] - 20:13</p> <p>market [1] - 7:1</p> <p>Maryland [2] - 20:2, 20:6</p> <p>matter [3] - 18:11, 36:1, 36:8</p> <p>matters [3] - 8:2, 8:4, 37:24</p> <p>MCGETTIGAN [28] - 3:17, 4:2, 4:8, 8:16, 8:22, 10:4, 10:19, 10:23, 11:13, 13:2, 15:9, 15:15, 21:3, 22:2, 22:8, 22:21, 23:2, 24:3, 24:9, 24:15, 24:21, 25:13, 25:22, 26:10, 33:2, 33:17, 34:25, 35:7</p> <p>McGettigan [13] - 1:13, 3:16, 4:7, 8:21, 10:3, 15:14, 22:7, 23:1, 24:8, 25:12, 26:9, 33:16, 35:6</p> <p>mean [1] - 16:2</p> <p>meaning [1] - 6:7</p> <p>meet [4] - 14:6, 14:8, 14:9, 27:1</p> <p>meeting [13] - 3:2, 3:5, 3:10, 5:16, 12:13, 12:15, 13:5, 26:17, 26:18, 28:18, 31:22, 35:14, 38:4</p> <p>MEETING [1] - 1:1</p> <p>meetings [2] - 3:4, 4:21</p> <p>megawatt [1] - 31:1</p> <p>member [1] - 4:18</p> <p>members [2] - 3:22, 21:23</p> <p>mention [2] - 7:15,</p>	<p>10:16</p> <p>mentioned [3] - 5:17, 6:25, 34:18</p> <p>Mercer [1] - 28:21</p> <p>met [2] - 29:11, 29:21</p> <p>meter [6] - 5:25, 15:2, 15:23, 16:1, 19:5</p> <p>meters [1] - 16:4</p> <p>methods [2] - 32:8, 32:9</p> <p>might [2] - 20:24, 31:8</p> <p>million [2] - 16:8, 36:16</p> <p>millions [3] - 32:1, 32:2</p> <p>Milton [1] - 1:12</p> <p>minor [1] - 16:15</p> <p>minutes [2] - 3:23, 12:13</p> <p>money [2] - 7:2, 21:17</p> <p>monitoring [1] - 18:5</p> <p>month [3] - 13:3, 16:23, 33:7</p> <p>monthly [2] - 31:21, 33:10</p> <p>months [1] - 6:7</p> <p>morning [4] - 4:14, 9:9, 14:25, 18:12</p> <p>Morton [1] - 34:8</p> <p>most [1] - 29:19</p> <p>motion [9] - 3:24, 15:7, 22:1, 22:19, 22:20, 26:2, 26:3, 37:25, 38:1</p> <p>motions [1] - 21:25</p> <p>move [11] - 3:25, 8:15, 9:22, 10:13, 24:2, 25:5, 25:22, 29:19, 32:23, 33:10, 34:24</p> <p>moved [3] - 32:15, 32:17, 35:1</p> <p>moving [2] - 5:10, 32:10</p> <p>MOYLE [7] - 14:5, 19:2, 20:3, 20:20, 20:23, 21:4, 27:17</p> <p>Moyle [1] - 1:7</p> <p>MR [274] - 3:1, 3:12, 3:13, 3:14, 3:15, 3:16, 3:17, 3:18, 3:19, 3:20, 3:21, 3:22, 3:25, 4:2, 4:3, 4:4, 4:5, 4:6, 4:7, 4:8, 4:9, 4:10, 4:11, 4:12, 4:13, 4:14, 4:25, 5:2, 5:12, 6:9, 6:12, 7:5, 7:12, 7:23, 8:3, 8:5, 8:7, 8:9, 8:12, 8:14, 8:15,</p>	<p>8:16, 8:17, 8:18, 8:19, 8:20, 8:21, 8:22, 8:23, 8:24, 8:25, 9:1, 9:2, 9:4, 9:6, 9:7, 9:8, 9:9, 9:13, 9:14, 9:16, 9:20, 9:22, 9:23, 9:24, 9:25, 10:1, 10:2, 10:3, 10:4, 10:5, 10:6, 10:7, 10:8, 10:9, 10:10, 10:12, 10:13, 10:14, 10:19, 10:23, 11:10, 11:13, 11:18, 11:25, 12:1, 12:3, 12:10, 12:12, 13:2, 13:9, 13:21, 13:24, 14:5, 14:10, 14:14, 14:15, 14:17, 14:18, 14:21, 14:22, 14:23, 14:25, 15:4, 15:6, 15:7, 15:9, 15:10, 15:11, 15:12, 15:13, 15:14, 15:15, 15:16, 15:17, 15:18, 15:19, 15:20, 15:21, 15:22, 16:22, 16:24, 16:25, 17:2, 17:3, 17:4, 17:6, 17:8, 19:2, 19:3, 19:24, 20:3, 20:19, 20:20, 20:21, 20:23, 21:3, 21:4, 21:10, 21:12, 21:13, 21:17, 21:22, 22:1, 22:2, 22:3, 22:4, 22:5, 22:6, 22:7, 22:8, 22:9, 22:10, 22:11, 22:12, 22:13, 22:14, 22:16, 22:20, 22:24, 22:22, 22:23, 22:24, 22:25, 23:1, 23:2, 23:3, 23:4, 23:5, 23:6, 23:7, 23:8, 24:2, 24:3, 24:4, 24:5, 24:6, 24:7, 24:8, 24:9, 24:10, 24:11, 24:12, 24:13, 24:14, 24:15, 24:17, 24:19, 24:21, 24:23, 24:25, 25:3, 25:5, 25:6, 25:7, 25:8, 25:9, 25:10, 25:11, 25:12, 25:13, 25:14, 25:15, 25:16, 25:17, 25:18, 25:19, 25:22, 25:23, 25:25, 26:1, 26:2, 26:4, 26:5, 26:6, 26:7, 26:8, 26:9, 26:10, 26:11, 26:12, 26:13, 26:14, 26:15, 26:16, 27:7,</p>
J				
<p>Jack [1] - 4:16</p> <p>JACQUELINE [4] - 1:17, 1:23, 39:4, 39:15</p> <p>Jeannette [1] - 18:5</p> <p>JERSEY [1] - 1:24</p> <p>Jersey [6] - 1:17, 1:19, 3:7, 14:11, 30:4, 39:5</p> <p>job [2] - 14:21, 17:7</p> <p>John [1] - 1:13</p> <p>Johnson [1] - 1:9</p> <p>July [2] - 6:8, 13:5</p> <p>June [14] - 1:3, 3:5, 4:15, 5:3, 6:5, 6:7, 6:20, 6:22, 7:20, 18:7, 28:20, 31:20, 32:14, 39:18</p>				
K				
<p>keep [1] - 7:4</p> <p>keeping [1] - 6:3</p> <p>Klein [1] - 28:5</p> <p>known [1] - 3:10</p>				
L				
<p>labor [2] - 32:17, 34:5</p> <p>lag [1] - 6:22</p> <p>large [2] - 12:23, 31:1</p> <p>larger [1] - 6:7</p> <p>largest [1] - 30:22</p> <p>last [4] - 5:19, 5:21, 16:22, 17:9</p> <p>law [1] - 3:2</p>				
	M			
	<p>mailing [1] - 3:3</p>			

<p>27:14, 27:15, 27:17, 27:19, 28:2, 28:4, 28:13, 28:14, 28:16, 33:1, 33:2, 33:8, 33:10, 33:11, 33:12, 33:13, 33:14, 33:15, 33:16, 33:17, 33:18, 33:19, 33:20, 33:21, 33:22, 33:23, 33:25, 34:3, 34:16, 34:20, 34:22, 34:23, 34:24, 34:25, 35:1, 35:2, 35:3, 35:4, 35:5, 35:6, 35:7, 35:8, 35:9, 35:10, 35:11, 35:12, 38:1, 38:3</p> <p>MS [20] - 5:14, 6:11, 6:13, 7:14, 8:11, 8:13, 9:19, 10:16, 10:21, 10:25, 11:15, 11:20, 12:8, 13:1, 13:4, 21:15, 21:19, 25:1, 33:4, 33:9</p> <p>MTUs [4] - 15:3, 15:24, 16:4, 16:7</p> <p>MUA [2] - 21:8, 29:1</p> <p>MUNICIPAL [2] - 1:1, 1:18</p>	<p>7:25, 8:6</p> <p>nice [1] - 14:22</p> <p>none [1] - 22:19</p> <p>normal [2] - 33:4, 35:22</p> <p>North [2] - 1:18, 3:6</p> <p>NORTHFIELD [1] - 1:24</p> <p>noted [2] - 35:19, 35:20</p> <p>nothing [1] - 13:21</p> <p>notice [5] - 3:1, 3:5, 3:7, 10:22, 36:24</p> <p>noticed [1] - 24:20</p> <p>nudge [1] - 9:5</p> <p>number [17] - 13:20, 13:24, 14:2, 14:3, 28:16, 30:20, 32:22, 33:23, 33:24, 34:5, 34:17, 35:12, 36:1, 36:16, 37:7, 37:11, 37:20</p>	<p>organization [1] - 29:9</p> <p>organizations [1] - 35:21</p> <p>originally [1] - 6:14</p> <p>own [3] - 16:20, 27:24, 28:15</p>	<p>Pleasantville [3] - 29:3, 30:15</p> <p>pleasure [2] - 8:14, 9:21</p> <p>plume [1] - 32:10</p> <p>plumes [2] - 32:7, 32:11</p> <p>point [6] - 6:3, 7:18, 7:19, 11:17, 12:14, 14:2</p> <p>policy [3] - 4:20, 12:17, 12:24</p> <p>portion [1] - 25:4</p> <p>position [3] - 30:17, 34:13, 34:15</p> <p>posted [2] - 3:8, 7:4</p> <p>potential [1] - 28:17</p> <p>power [7] - 28:24, 29:5, 29:15, 29:20, 30:6, 31:18, 32:14</p> <p>pre [1] - 29:14</p> <p>pre-engineering [1] - 29:14</p> <p>precursor [1] - 29:16</p> <p>prepared [1] - 12:16</p> <p>presentation [2] - 32:18, 35:13</p> <p>presented [2] - 35:17, 37:14</p> <p>preset [1] - 17:17</p> <p>Press [1] - 3:3</p> <p>pressure [1] - 36:7</p> <p>pretty [8] - 5:18, 6:3, 6:17, 7:3, 11:16, 13:8, 16:16, 20:23</p> <p>prevented [1] - 24:22</p> <p>preview [1] - 12:15</p> <p>previously [1] - 23:25</p> <p>primary [1] - 5:19</p> <p>principals [1] - 29:21</p> <p>prioritize [1] - 12:20</p> <p>priority [1] - 19:21</p> <p>priors [1] - 9:18</p> <p>pro [1] - 36:18</p> <p>proactive [1] - 12:5</p> <p>process [3] - 17:22, 18:14, 27:3</p> <p>profile [1] - 13:13</p> <p>program [2] - 13:10, 23:17</p> <p>programming [1] - 16:1</p> <p>programs [1] - 5:8</p> <p>progress [1] - 17:25</p> <p>project [2] - 18:4, 31:5</p> <p>projected [2] - 6:15, 6:18</p> <p>promoted [1] - 34:12</p> <p>properties [1] - 11:10</p>	<p>proposal [5] - 30:25, 31:1, 31:13, 32:14</p> <p>proposed [1] - 30:14</p> <p>protected [2] - 32:5, 32:12</p> <p>Protection [2] - 37:1, 37:4</p> <p>proud [1] - 27:25</p> <p>provide [2] - 23:9, 37:8</p> <p>provided [4] - 3:2, 15:25, 30:21, 31:2</p> <p>providers [1] - 31:17</p> <p>provisionally [1] - 34:12</p> <p>provisions [1] - 34:11</p> <p>Public [10] - 13:24, 28:19, 28:23, 29:7, 29:13, 29:23, 29:25, 30:10, 31:4, 31:14</p> <p>PUBLIC [1] - 2:2</p> <p>public [10] - 3:10, 7:7, 13:25, 28:5, 29:4, 30:23, 35:20, 36:23, 36:25, 37:1</p> <p>pull [2] - 17:13, 32:11</p> <p>pump [2] - 31:9, 31:11</p> <p>punch [2] - 16:8, 16:9</p> <p>purchase [2] - 27:4, 31:18</p> <p>purchases [2] - 12:23, 13:17</p> <p>pursue [1] - 29:14</p> <p>pursuing [2] - 36:20, 37:13</p> <p>put [4] - 11:6, 14:19, 30:1, 31:2</p> <p>putting [1] - 10:23</p>
N	O	P		
<p>name [1] - 23:22</p> <p>near [2] - 20:2, 20:6</p> <p>necessarily [1] - 16:2</p> <p>necessary [6] - 8:1, 8:7, 9:11, 12:21, 29:15, 31:10</p> <p>need [7] - 12:21, 16:15, 16:18, 17:24, 18:9, 34:20, 37:5</p> <p>needs [4] - 16:12, 16:14, 26:22, 29:6</p> <p>negotiate [1] - 27:19</p> <p>negotiations [2] - 35:13, 35:23</p> <p>neighborhood [1] - 5:23</p> <p>Neil [1] - 13:23</p> <p>new [8] - 15:3, 15:24, 17:14, 20:8, 22:17, 30:12, 35:22, 36:2</p> <p>NEW [1] - 1:24</p> <p>New [9] - 1:17, 1:19, 3:7, 14:12, 14:13, 14:15, 20:1, 30:4, 39:5</p> <p>next [5] - 12:18, 14:8, 18:19, 25:19, 30:9</p> <p>NGUYEN [1] - 9:6</p> <p>Nguyen [4] - 2:3, 7:24,</p>	<p>objection [1] - 38:3</p> <p>objections [1] - 4:1</p> <p>objectives [1] - 35:18</p> <p>obligation [1] - 18:24</p> <p>obligations [1] - 17:12</p> <p>occurred [1] - 32:3</p> <p>October [1] - 13:7</p> <p>OF [1] - 1:1</p> <p>officially [1] - 12:3</p> <p>officials [1] - 28:19</p> <p>officio [1] - 4:18</p> <p>offs [3] - 7:15, 10:14, 10:15</p> <p>Old [1] - 14:2</p> <p>Omni [2] - 15:2, 15:23</p> <p>onboard [1] - 18:20</p> <p>once [4] - 18:16, 20:8, 21:19, 36:4</p> <p>one [10] - 8:12, 8:13, 20:10, 20:13, 21:1, 24:18, 28:22, 36:3, 37:19</p> <p>ongoing [2] - 18:23, 28:17</p> <p>online [2] - 6:14, 32:4</p> <p>open [3] - 3:10, 6:16, 35:24</p> <p>opportune [1] - 26:20</p> <p>opportunity [4] - 21:24, 23:18, 26:23, 27:1</p> <p>option [1] - 11:16</p> <p>order [2] - 20:15, 34:14</p>	<p>packet [1] - 10:15</p> <p>PAGE [1] - 2:2</p> <p>paid [2] - 11:12, 11:22</p> <p>part [1] - 29:19</p> <p>Participation [1] - 13:25</p> <p>particular [3] - 16:1, 18:16, 19:8</p> <p>parties [4] - 36:13, 37:10, 37:16, 39:7</p> <p>partner [1] - 30:15</p> <p>party [4] - 37:13, 37:18, 37:19, 37:21</p> <p>pass [2] - 34:20, 34:23</p> <p>passed [1] - 10:9</p> <p>passing [1] - 34:13</p> <p>past [1] - 28:12</p> <p>pause [1] - 36:13</p> <p>pavement [1] - 20:16</p> <p>pay [4] - 12:9, 17:5, 20:12, 20:24</p> <p>payment [1] - 10:18</p> <p>penalties [1] - 11:23</p> <p>people [4] - 19:20, 20:9, 20:24, 28:6</p> <p>percentage [1] - 17:21</p> <p>perhaps [1] - 26:21</p> <p>perimeter [1] - 16:13</p> <p>period [3] - 6:22, 18:21, 23:11</p> <p>periodically [1] - 11:5</p> <p>permanganate [1] - 25:21</p> <p>persons [1] - 36:18</p> <p>picture [1] - 29:23</p> <p>pipe [1] - 28:8</p> <p>Pipeline [1] - 20:4</p> <p>place [1] - 27:12</p> <p>placed [1] - 31:12</p> <p>places [1] - 37:12</p> <p>plaintiff's [1] - 36:10</p> <p>plant [4] - 13:11, 28:20, 29:10, 31:15</p> <p>planting [2] - 18:13, 18:16</p> <p>plants [1] - 18:8</p> <p>platform [2] - 30:6, 31:23</p> <p>playground [3] - 23:10, 23:15, 23:18</p>	<p>Q</p> <p>questions [8] - 7:5, 10:15, 13:21, 19:24, 21:10, 22:18, 32:22, 32:23</p> <p>quorum [1] - 3:22</p>	
				<p>R</p> <p>Rashad [1] - 23:23</p> <p>rate [1] - 6:2</p> <p>Raymond [1] - 34:8</p> <p>reach [2] - 29:8, 35:24</p> <p>realized [1] - 36:7</p> <p>really [5] - 7:1, 7:2, 11:1, 19:22, 30:11</p> <p>reason [4] - 5:19, 5:20, 11:2, 18:23</p> <p>receivable [1] - 21:21</p>

<p>receive [1] - 19:13 received [6] - 3:23, 5:3, 5:6, 21:23, 28:23, 36:4 recent [1] - 10:18 recognize [1] - 12:21 recovered [1] - 13:19 regard [2] - 4:15, 30:17 regardless [1] - 31:10 regards [6] - 15:2, 15:23, 15:25, 16:6, 16:10, 18:12 regular [3] - 3:3, 3:5, 13:14 regulatory [1] - 30:12 relative [2] - 39:6, 39:8 released [1] - 32:19 remain [2] - 32:4, 34:14 remedial [1] - 37:5 remedies [1] - 36:20 remember [1] - 7:13 reminded [1] - 28:7 removed [1] - 19:6 repair [1] - 37:7 repaired [2] - 16:12, 16:14 repairs [2] - 20:1, 21:23 replaced [1] - 19:10 replacement [1] - 36:2 replanted [1] - 18:9 report [5] - 5:11, 14:23, 19:25, 21:24, 29:24 reported [3] - 34:7, 36:9, 36:17 Reporter [3] - 1:17, 39:5, 39:16 REPORTER [1] - 1:23 reporting [1] - 34:3 reports [1] - 10:18 representing [1] - 36:18 request [1] - 11:22 requesting [1] - 25:25 required [1] - 3:2 rescheduled [1] - 17:13 researched [1] - 37:17 reservoir [2] - 32:6, 32:15 resolution [18] - 8:6, 9:3, 9:10, 9:14, 9:17, 10:9, 21:4, 21:11, 21:23, 22:14, 22:15, 22:17, 25:20, 32:24, 34:7, 34:10, 34:21,</p>	<p>37:19 resolutions [1] - 23:23 resolve [2] - 36:8, 36:15 resources [1] - 28:18 respect [4] - 36:12, 36:23, 37:4, 37:6 respond [1] - 19:20 responding [1] - 37:3 response [2] - 36:21, 36:22 responses [2] - 19:1, 19:11 responsibilities [1] - 4:23 responsible [3] - 37:13, 37:18, 37:21 rest [1] - 19:15 restoration [3] - 18:4, 18:8, 18:18 result [3] - 6:16, 26:18, 27:7 returning [1] - 4:17 Revel [3] - 7:13, 10:19, 12:1 revenues [2] - 5:17, 6:1 review [4] - 13:3, 17:19, 23:10, 28:25 reviewed [1] - 17:18 reviewing [1] - 17:23 RFP [4] - 21:12, 22:15, 29:16, 31:19 Road [1] - 30:25 ROAD [1] - 1:24 roll [1] - 3:11 roof [3] - 37:6, 37:8, 37:12 room [1] - 3:6 rule [1] - 27:25</p>	<p>2:4, 7:24, 9:8 second [15] - 4:2, 8:16, 9:7, 9:23, 15:9, 22:2, 22:21, 24:3, 24:18, 25:6, 25:7, 25:23, 30:21, 33:11, 34:25 seconded [2] - 26:4, 35:1 secure [3] - 7:17, 11:4, 11:8 security [1] - 23:9 see [4] - 16:5, 20:25, 27:24, 32:10 send [6] - 7:12, 11:20, 18:23, 20:10, 20:11, 31:11 sending [1] - 17:23 sends [1] - 21:19 senior [1] - 28:19 sense [2] - 27:22, 28:9 sent [8] - 3:8, 7:16, 17:18, 17:19, 18:10, 26:25, 36:10, 37:18 separate [2] - 23:11, 24:20 September [4] - 6:8, 13:6, 13:7, 19:18 Service [1] - 31:14 service [2] - 31:17, 34:13 Services [1] - 20:4 services [2] - 22:15, 22:17 session [1] - 34:3 Session [6] - 13:23, 33:24, 34:1, 34:5, 34:19, 37:24 set [2] - 21:20, 21:21 setting [1] - 34:10 settlement [1] - 34:11 seven [3] - 19:1, 19:3, 19:9 shared [1] - 29:24 short [1] - 4:22 shortly [1] - 12:4 shot [1] - 13:16 showing [2] - 10:17, 11:22 shut [5] - 7:15, 10:14, 10:15, 10:20, 11:14 sidewalk [2] - 16:11, 16:12 sign [2] - 19:14, 34:10 signature [1] - 37:16 sit [1] - 4:19 site [1] - 30:24 situation [2] - 7:11, 37:14</p>	<p>six [1] - 20:16 size [1] - 36:4 sleeve [4] - 36:2, 36:3, 36:4, 36:14 sliced [1] - 20:5 slightly [1] - 6:25 small [1] - 16:9 smart [1] - 12:5 SMITH [46] - 3:1, 3:21, 3:25, 4:12, 4:25, 6:9, 8:3, 8:9, 8:12, 8:14, 9:1, 9:22, 10:8, 12:1, 13:21, 14:21, 14:25, 15:19, 15:22, 16:22, 16:24, 16:25, 17:2, 17:3, 17:6, 17:8, 19:3, 22:12, 23:6, 24:2, 24:13, 24:19, 25:7, 25:17, 25:23, 26:4, 26:14, 28:14, 33:8, 33:10, 33:21, 33:25, 34:23, 35:1, 35:11, 38:1 Smith [15] - 1:9, 1:12, 3:20, 4:11, 8:25, 10:7, 14:24, 15:18, 22:11, 23:5, 24:12, 25:16, 26:13, 33:20, 35:10 Smith's [1] - 19:24 snapshot [1] - 5:15 sodium [2] - 25:20, 25:21 Solar [2] - 30:20, 30:21 solar [6] - 29:20, 30:21, 30:22, 31:6, 32:14 Solar's [1] - 31:12 solicit [1] - 25:20 solicitation [1] - 5:8 solicitor [2] - 27:20, 28:11 Solicitor [1] - 1:8 someone [4] - 4:25, 18:15, 18:20, 23:15 sometime [1] - 17:15 somewhere [1] - 5:22 soon [2] - 17:15, 27:20 sorry [3] - 15:2, 15:4, 32:23 sort [1] - 5:16 source [1] - 31:7 South [1] - 14:11 special [3] - 7:17, 11:8, 11:11 specialist [1] - 18:6 specific [1] - 29:22</p>	<p>specs [3] - 14:6, 14:8, 14:9 spent [2] - 21:8, 32:1 SSI [1] - 23:19 stable [1] - 6:3 stand [2] - 5:15, 36:21 Standard [3] - 30:20, 31:12 standing [1] - 20:15 start [3] - 13:4, 21:15, 28:14 started [1] - 19:12 State [5] - 1:17, 30:2, 30:4, 33:4, 39:5 statement [1] - 11:18 statements [2] - 6:21, 7:7 status [3] - 35:14, 35:23, 36:13 stay [2] - 17:3, 32:20 Stella [1] - 1:9 steps [2] - 7:9, 34:17 still [8] - 6:5, 6:13, 11:16, 11:22, 12:2, 16:4, 19:12, 32:5 stops [2] - 20:8, 20:10 Stranding [1] - 5:7 street [2] - 23:14, 23:16 strides [1] - 30:11 struggling [1] - 7:1 subject [1] - 34:13 submitted [1] - 17:21 subsequently [1] - 29:11 subsidiary [1] - 31:15 success [1] - 34:7 sue [1] - 20:22 suggesting [1] - 37:19 super [1] - 31:21 Superior [2] - 36:10, 36:11 supervisor's [1] - 35:15 supply [1] - 32:5 support [1] - 5:8 supposedly [2] - 12:4, 20:15 surprisingly [1] - 5:18 survey [3] - 18:5, 18:7, 18:22 suspend [1] - 36:11 system [1] - 17:9 systematic [1] - 12:19</p>
S				
<p>safe [1] - 11:16 sample [2] - 19:10, 19:16 samples [2] - 18:24, 19:17 saved [1] - 27:11 saw [1] - 20:17 scatter [1] - 13:16 schedule [1] - 17:11 scheduled [2] - 3:3, 3:5 scheduling [1] - 17:10 School [1] - 29:3 SCHWINGHAMMER [2] - 9:8, 10:12 Schwinghammer [3] -</p>				
T				
		<p>TAKEN [1] - 1:17 tank [5] - 16:8, 16:10,</p>		

<p>16:13, 16:16, 36:16 tanks [1] - 28:1 tapping [3] - 36:2, 36:14 task [1] - 16:20 tax [2] - 11:7, 12:8 taxes [2] - 11:12, 12:9 team [1] - 12:20 ten [1] - 27:16 terminated [1] - 35:15 terms [6] - 11:19, 13:17, 16:15, 30:11, 30:16, 35:22 test [3] - 34:14, 36:6, 36:14 tests [1] - 18:22 themselves [1] - 27:11 therefore [2] - 13:15, 19:21 therein [1] - 11:15 Theresa [1] - 12:8 they've [3] - 14:11, 27:10, 32:11 threatening [1] - 11:13 three [1] - 37:10 throughout [1] - 18:25 tight [1] - 7:2 TILTON [1] - 1:24 tired [1] - 21:7 TJM [1] - 6:11 today [3] - 7:23, 18:12, 37:25 together [1] - 26:1 took [4] - 14:8, 20:7, 21:1, 31:22 top [3] - 17:3, 30:23, 32:20 total [1] - 33:8 touch [2] - 16:18, 19:19 tour [3] - 30:24, 31:20, 31:23 toured [1] - 31:15 towards [2] - 6:24, 31:5 track [2] - 30:2 training [3] - 17:11, 17:14 transferred [1] - 11:11 Transportation [1] - 14:11 Treasurer [1] - 1:13 treat [1] - 31:11 treating [1] - 31:24 treatment [2] - 30:7, 30:8 trigger [1] - 13:15</p>	<p>triggered [1] - 13:19 Tropicana [2] - 5:25, 10:17 try [1] - 23:14 trying [2] - 18:2, 21:5 tweak [1] - 28:11 tweaks [1] - 27:21 two [14] - 7:23, 13:3, 13:5, 13:25, 16:8, 19:13, 20:7, 20:8, 21:1, 23:10, 24:20, 28:19, 29:20, 36:16 two-month [1] - 13:3 types [1] - 32:8</p> <p style="text-align: center;">U</p> <p>ultimate [1] - 34:16 under [2] - 7:25, 35:19 undergoing [1] - 35:21 underground [1] - 32:9 underway [1] - 13:10 union [4] - 35:12, 35:15, 35:17, 35:23 unit [5] - 14:15, 23:13, 23:22, 32:16, 32:17 up [6] - 5:19, 16:16, 19:17, 21:20, 21:21, 23:18 update [1] - 32:21 upper [1] - 32:6 usage [2] - 6:7, 26:22 UTILITIES [2] - 1:1, 1:18 Utilities [8] - 28:20, 28:23, 29:8, 29:13, 29:23, 29:25, 30:10, 31:4</p> <p style="text-align: center;">V</p> <p>valid [1] - 37:16 valve [3] - 20:2, 20:6, 20:13 valves [2] - 20:8, 20:11 variable [1] - 31:7 various [1] - 32:2 vein [1] - 27:23 Ventnor [5] - 26:17, 26:19, 26:21, 27:9, 27:25 Vermeer [1] - 20:17 Vice [1] - 1:12 Virginia [2] - 1:18, 3:6</p>	<p style="text-align: center;">W</p> <p>wants [3] - 30:2, 30:4, 31:4 WARD [41] - 4:14, 5:2, 6:12, 7:5, 7:23, 8:5, 9:4, 9:7, 9:9, 9:14, 10:10, 10:14, 11:10, 11:25, 12:12, 13:9, 13:24, 14:10, 14:15, 14:18, 14:23, 15:4, 15:21, 17:4, 19:24, 21:10, 22:14, 23:8, 24:17, 24:23, 25:19, 26:1, 26:16, 27:14, 28:2, 28:13, 28:16, 33:23, 34:3, 34:22, 35:12 Ward [1] - 1:6 ward [2] - 7:12, 27:22 warranty [1] - 37:14 waste [2] - 30:5, 30:8 water [16] - 27:3, 27:4, 28:1, 28:4, 28:6, 28:15, 30:4, 30:5, 30:7, 30:8, 31:9, 31:11, 31:25, 32:5, 32:12 WEBER [2] - 11:18, 34:16 Weber [4] - 1:8, 35:13, 35:16, 35:18 Wednesday [1] - 1:3 week [2] - 29:11 weeks [2] - 13:5, 18:19 welcome [1] - 9:12 Wesley [1] - 20:14 Westcott [1] - 30:25 wetlands [1] - 18:4 William [1] - 1:13 wish [2] - 27:2 woods [1] - 16:3 word [1] - 30:9 words [1] - 20:21 works [2] - 28:5, 30:23</p> <p style="text-align: center;">X</p> <p>XI01786 [1] - 1:18 XI01786 [1] - 39:16</p> <p style="text-align: center;">Y</p> <p>year [9] - 5:15, 5:17, 5:19, 5:21, 6:15, 6:19, 6:24, 7:9 year's [1] - 12:19 years [2] - 27:9, 27:16 Yellowbird [1] - 36:18</p>	<p>yesterday [1] - 14:10 York [3] - 14:13, 14:15</p> <p style="text-align: center;">Z</p> <p>ZARRILLO [4] - 1:17, 1:23, 39:4, 39:15</p>
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