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ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

Wednesday, November 15, 2017

G. Bruce Ward, Executive Director
Garth Moyle, Deputy Executive Director
Fredric L. Bor, Esquire, Board Solicitor
Claude Smith, Engineer
Anita Thapa, Assistant Director Accounting & Finance
Kelley Williams, Board Administrator

B E F O R E:

Milton L. Smith, Chairman
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 for November 15, 2017, 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: Mr. Colanzi?

19 MR. COLANZI: Here.

20 MR. BOR: Mr. Smith?

21 MR. SMITH: Here.

22 MR. BOR: The record should indicate
23 Mr. Hill and Mr. McGettigan are not present and our
24 two alternates will be sitting as if they were
25 regular members today.

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1 MR. SMITH: Let's have the flag salute.

2 (Flag salute.)

3 MR. BOR: Minutes? Next are our
4 minutes of our last meeting. Is there a motion to
5 approve the minutes?

6 MR. SMITH: Move them, if everything is
7 in compliance.

8 MS. BAILEY: Second.

9 MR. BOR: Mr. Cheatham?

10 MR. CHEATHAM: Yes.

11 MR. BOR: Ms. Bailey?

12 MS. BAILEY: Yes.

13 MR. BOR: Mr. Lea?

14 MR. LEA: Yes.

15 MR. BOR: Mr. Colanzi?

16 MR. COLANZI: I have to abstain.

17 MR. BOR: So noted. Mr. Smith?

18 MR. SMITH: Yes.

19 MR. BOR: So carries.

20 MR. WARD: Good morning, Board members
21 and Staff and members of the Public in attendance. I
22 would like to start by reading the e-mail that we
23 received from Gary Hill.

24 "Good morning, Bruce,

25 "Can you please thank the entire Board

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1 for the fruit basket and sympathy note from the Board
2 and MUA on the passing of my dad. I am in
3 Pennsylvania to handle some things, but will be back
4 in A.C. on Friday if you need signatures, okay? It
5 has been a tough year for sure and my brother passed
6 32 days prior to my dad, but the outreach means a lot
7 to all.

8 "My best. See you in December, Gary
9 Hill, Board member." I responded that the ACMUA
10 family will always be there in support of him.

11 MS. BAILEY: Thank you.

12 MR. BOR: Tough year.

13 MR. SMITH: Anita, what is this?

14 MS. THAPA: This is the one check.

15 MR. SMITH: But you don't need that?

16 MS. THAPA: That's a void.

17 MR. SMITH: Thank you.

18 MR. WARD: I would like to report that
19 we had hydro flushing on October 23rd, 25th and 26th.
20 We have a physical count of approximately 1,728 fire
21 hydrants. The undertaking involved key people sent
22 over from the plant to assist our yard personnel, so
23 we had large teams to go out. That way we could
24 compress the hydrant flushing into a smaller amount
25 of time. There were certainly public notices put out

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1 and the effort does in fact clean out any residual
2 corrosion that may have been sitting in the system.
3 And at the same time it allows the Authority to note
4 any of the hydrants that have problems with openings
5 and closings and then we go back out, oil some of the
6 valves and so forth and so on.

7 So I would like to give a -- I would
8 like to give kudos to Dale Archie and to Kevin
9 Jordan, both of whom are relatively new in their
10 supervisory roles, but the support that we've been
11 getting from these two individuals has been, in my
12 judgement, outstanding.

13 We had a situation with the bankruptcy
14 of Trump Taj Mahal and Trump Plaza and Trump World's
15 Fair, whatever. When the bankruptcy occurred, the
16 bankruptcy trustee went out to, in its exercise to
17 try to find assets to pay off creditors, and we
18 engaged a law firm to assist us on that, we got a
19 very very good settlement, but at the end of the day,
20 we received on October the 27th a check for \$1,000
21 back for the overage that occurred in that, so we're
22 just happy to report that we got \$1,000 back from the
23 bankruptcy matter.

24 Otherwise, we can begin with the agenda
25 at this time. We have League of Municipalities in

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1 residence at their convention here in Atlantic City.
2 Some of our staff members are attending classes.
3 I've been attending classes. I got another one this
4 afternoon, another one tomorrow.

5 But basically, the issues that we'll be
6 discussing in Closed Session, some of which are about
7 the Water Quality Accountability Act and we have a
8 resolution and some discussion on our further efforts
9 to build our infrastructure and to come into
10 compliance with this Act.

11 Director's Forum?

12 MR. SMITH: Nothing at this time.

13 MR. WARD: Do we have members from the
14 Public here on any of the adjustments? Are there any
15 people here from adjustments? Yes, your name, sir?

16 MR. TUCKER: James Tucker. I'm here
17 for Pat Tucker, 1059 Ohio Avenue.

18 MS. WILLIAMS: That's the next page,
19 9.b(2).

20 MR. WARD: That's going to be 9.b(2),
21 9.b(2). Mr. Tucker, you proceeded to apply for an
22 abatement on the basis of a water leak at your
23 property; is that correct, sir?

24 MR. TUCKER: Yes, sir.

25 MR. WARD: Can you tell the Board the

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1 experience that you've had in locating the leak and
2 having the leak repaired?

3 MR. TUCKER: Yes. We -- a plumber was
4 hired to come out and inspect the system, and
5 assessed that it was a problem at the main. He went
6 out, repaired it. Our receipt was submitted, along
7 with all his license numbers. It was turned in here
8 and the bill pending was paid. I have the receipt on
9 my phone and I'm requesting the abatement.

10 MR. SMITH: Is this your first
11 abatement?

12 MR. TUCKER: I believe it is.

13 MR. SMITH: Is it or it isn't?

14 MR. TUCKER: It is. I'm not with any
15 other abatements.

16 MR. SMITH: Since you had the property?

17 MR. TUCKER: Yes, my mom owns the
18 property. Yes, it's the first one since she had the
19 property.

20 MR. SMITH: What was the abatement for?

21 MR. WARD: \$746.68.

22 MR. COLANZI: Tucker?

23 MR. WARD: \$746.68.

24 MR. SMITH: Move it.

25 MR. COLANZI: Second.

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1 MR. BOR: Mr. Cheatham?

2 MR. CHEATHAM: Yes.

3 MR. BOR: Ms. Bailey?

4 MS. BAILEY: Yes.

5 MR. BOR: Mr. Lea?

6 MR. LEA: Yes.

7 MR. BOR: Colanzi?

8 MR. COLANZI: Yes.

9 MR. BOR: And Smith?

10 MR. SMITH: Yes.

11 MR. BOR: Carries.

12 MR. WARD: Sir, your abatement is
13 approved, so you can work out the details on your
14 account in the lobby.

15 MR. TUCKER: Thank you.

16 MR. SMITH: Have a good one.

17 MR. WARD: The Board's pleasure. I see
18 representatives from Triple D Cleaning in the
19 audience, and as per last Board meeting, the Board
20 has directed the Executive Director to make a report,
21 and that would be 8.d. How did you want to proceed?

22 MR. SMITH: Do we have a report?

23 MR. WARD: Yes. I'll make it brief.

24 There is a file that has been brought to the
25 attention of the Authority on qualitative concerns.

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1 Qualitative concerns would be, Was the bathroom
2 clean, was the bathroom cleaned up on this point so
3 forth and so on. And again, a qualitative concern is
4 one that can vary with respect to a person's
5 feelings, opinions and so forth and so on, less
6 reliable.

7 On the quantitative measure, the
8 contract requires that, and this would be the
9 contract for the plant, the Authority.

10 MR. SMITH: Is that what we're talking
11 about, the plant or --

12 MR. WARD: Well, I am talking about the
13 plant on this report because this was the Board's
14 directive to me, to respond to Mr. Turner, who came
15 to the Board meeting, and the Board directed me to
16 make a report on this. The Authority would -- will
17 require the contractor to schedule employees, who
18 will be performing the work included in this
19 contract, to be on site during the hours of 8 a.m. to
20 12 noon. That's a contract term.

21 The sign-in and sign-out log for the
22 plant will reveal that on 60 occasions and on 34
23 occasions, on 94 occasions the representative from
24 Triple D spent an average of two hours on site. So
25 there is a two-hour discrepancy, and in some cases

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1 more on the sign-in sheets for 94 days where the
2 contract calls for four hours, there's only two hours
3 being spent at the plant.

4 MR. SMITH: So they're not in
5 compliance with the contract?

6 MS. BAILEY: Correct.

7 MR. WARD: Not on the qualitative
8 measure. The quantitative measure is pretty firm.

9 MR. SMITH: And we're still paying
10 them?

11 MR. WARD: Yes.

12 MR. SMITH: Can't continue that way.
13 Who is in charge over there to make sure that they
14 spent the four hours?

15 MR. WARD: Again, I don't know that we
16 have an employee to say, You can't sign out at 9
17 a.m., 9 a.m., 9 a.m. when you came in at 8:20. You
18 came in at 8:20 and signed out at 9:30.

19 MR. SMITH: Excuse me, Bruce.

20 MR. WARD: You see what I'm saying?

21 MR. SMITH: Is there a representative
22 for the company here?

23 MR. WARD: Yes, there is a
24 representative.

25 MR. SMITH: Let's --

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1 MR. BRUMFIELD: How are you doing, sir,
2 and how are you doing Board members? One question,
3 if possible? Can you give me the page in the
4 contract to where it says the hours? I have the
5 contract in front of me.

6 MR. WARD: Detail Specifications,
7 follows Exhibit A. You have Exhibit A, then you have
8 Detailed Specifications.

9 MR. BRUMFIELD: If you don't mind?

10 MR. WARD: The highlighted area, sir.

11 MR. BRUMFIELD: "The Authority will
12 require the contractor to schedule employees, who
13 will be performing the work included in this
14 contract, to be on site during the hours of 8 a.m. to
15 12 noon." Now what this contract says, is that we
16 have to be on site at this time.

17 We previously had this contract. We
18 previously had this contract in 2013, 2014 and then
19 2015. The next cleaning contractor got the --
20 received the -- was awarded the contract. We
21 previously had this issue, as well. When Ernie was
22 running the plant in Pleasantville, that the issue
23 came out about us coming in too early. We was coming
24 in 6 a.m., staying for about three hours. Later on
25 they told us that we had to be there for these times,

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1 and then through the past contractor, he came there
2 and doing different things and then one way or
3 another, it came out again and they were saying about
4 us being in there for four hours, so we had this
5 battle before about, my company, my cleaners being in
6 the building for four hours.

7 Once we went over the contract, we came
8 to the understanding, everyone agreed and understood
9 that the contract is not stating for you to be in the
10 building for four hours. If it was stating that, it
11 would be mandatory for you to be in the building for
12 four hours. It's saying that the work is to be
13 performed during this period of time.

14 Also I had a breakdown, if it's
15 necessary, of how much it would cost to man this area
16 for four hours a day for five days a week, with an
17 average of 21 to 22 days, working days.

18 MR. SMITH: It doesn't take four hours
19 to clean the area, does it?

20 MR. BRUMFIELD: No.

21 MR. SMITH: And how many people do you
22 have working?

23 MR. BRUMFIELD: We have our one cleaner
24 that comes in and our supervisor that comes in and
25 help and also walk around, make sure everything is up

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1 to par. We have our supervisors to come in and
2 check, to talk to the people to make sure if there is
3 anything the cleaners has missed, any issues, they
4 can contact them. We haven't received any e-mails
5 about any problems or issues regarding the pumping
6 station. And if I may recant that statement, we may
7 have received one.

8 MS. BAILEY: For clarity purposes, in
9 your reading of the contract and Mr. Ward's reading
10 of the contract, I want to understand that the
11 contract does not state a four-hour period that you
12 have to be there; it states within a four-hour time
13 frame that you must do your work?

14 MR. BRUMFIELD: Yes.

15 MR. BOR: I'll reread it, if you would
16 allow me? "The Authority will require the contractor
17 to schedule employees, who will be performing the
18 work included in this contract, to be on site during
19 the hours of 8 a.m. to 12 noon."

20 MS. BAILEY: I got you, that's key.
21 Being on site between those hours, meaning that you
22 are expected to be on site during those hours.

23 MR. BRUMFIELD: During.

24 MR. SMITH: But it doesn't say that
25 they have to be there for four hours.

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1 MR. BOR: It says they're obligated to
2 be on site for four hours.

3 MR. SMITH: I understand, if I'm
4 correct or not, that they have to do their work
5 between those four hours. Or they have to be present
6 the whole four hours? Clarify it for me.

7 MR. BOR: The language of it says that
8 the contractor must be "on site during the hours of 8
9 a.m. to 12 noon."

10 MR. SMITH: How do you interpret that,
11 Fred?

12 MR. BOR: I interpret you got to be
13 there, and I guess this gentleman is suggesting as
14 long as they get the work done between 8:00 and
15 12:00, that's adequate. So it becomes a question of
16 what the plain language of the contract says as
17 opposed to what the understanding of the
18 interpretation of the contract is.

19 If the Board feels that the
20 interpretation of the language only requires that the
21 work be done during the hours, they can modify the
22 contract or clarify the intent of the contract, but
23 the plain language does indicate they must be on site
24 during those hours.

25 MR. BRUMFIELD: If I may, it says "on

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1 site during the hours." Now, the key thing is, there
2 is no other place, but to be on site. But the hours
3 that you must be there is during. Normally we have
4 multiple contracts. We have over 70, 80 contracts.
5 Now, we have 70, 80 contracts that we have to go
6 over. Now, whenever it is stipulated that we are to
7 be in a place, it's saying you are to be in a place
8 mandatory eight hours for a shift. For a contract
9 right now, we have to be on site for 15 man-hours.
10 They don't care whether it's two people, three
11 people, but they need 15 man-hours at this location.

12 This is what we do for a living. This
13 is like you do for a living, so we have to pay
14 attention to things like this. If you look at this,
15 when you're putting an employee in position, us
16 paying our employee \$10 an hour, that's \$40 a day.
17 Once I do the math, that's \$840 a month that you
18 would just pay for an employee, does not include
19 insurance, workmans' comp, payroll. You know, that
20 always doubles up, as everyone should know, that
21 that's \$840; our contract itself is only \$845 a
22 month, so it's mathematically impossible for you to
23 man this station with four hours.

24 Now, also with that being said, every
25 time we go in and we strip a floor, we carpet clean,

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1 we did all these carpets, we stripped and waxed
2 floors, we did these windows. These windows have
3 never been done in this building, from my
4 understanding.

5 MR. MOYLE: They have.

6 MR. BRUMFIELD: Thank you, my
7 apologies. From my understanding from the questions
8 that I asked from the people, most people have not
9 seen a lot of things done that have been done in this
10 building, so all this comes out of our pocket. We
11 don't make all this money off of this contract. All
12 our money goes directly for the employee. We do this
13 for our brand, not for the money.

14 MR. SMITH: What I'm trying to clarify,
15 are we satisfied with the plant, the work that's done
16 at the plant?

17 MR. WARD: We are responding to the
18 former contractor coming in and having a complaint,
19 that the present contractor is not in compliance with
20 the contract. That's what we're here for. Remember
21 Mr. Turner came to our Board meeting and as a result
22 of his statements, the Board asked me to provide a
23 report? This is the report, best report that I can
24 provide because again, I don't want to get into
25 whether it was cleaned this much or that much.

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1 MR. SMITH: I don't think we have to
2 acquiesce or comply with the other contractor.
3 That's not an issue we should address. Am I in the
4 right here or wrong here?

5 MR. BOR: Well, the differential is
6 really three words. If this gentleman's argument is
7 sound to the Board, it would have to say included in
8 this contract, to be on site, you would have to
9 include the word, to perform their services during
10 the hours of 8:00 to noon. Those four words will
11 clarify, if the Board chooses, that they just have to
12 perform their services between those four hours. The
13 contract does not have the four words; it says you
14 have to be on site.

15 MR. SMITH: Let's clean that up. We
16 also got to be satisfied with the work. I don't care
17 if it takes two hours, three hours or half an hour,
18 if the work is done properly and we're paying them
19 the right amount of money, I don't see a problem.

20 MS. BAILEY: We also have to have a
21 paper trail. We're talking about the possibility of
22 reneging on a contract. There should be a paper
23 trail showing that he has not performed -- not just
24 maybe one person saying -- I love the way you started
25 out, Bruce, because of quantitative and qualitative,

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1 because there are so many ways to look at it.

2 I suggest, from my old hat, that we
3 make sure that if his company is not performing up to
4 par, that we begin to document them, so if we decide
5 not to use them or renege on the contract. I like
6 what you said, it can't be a visual or somebody's
7 personal opinion. We have to go to a paper trail.

8 I agree that we change the language to
9 be quite clear, because it is up to interpretation.
10 When I heard the gentleman, I went to his side, and
11 when you reread it, there is a gray area how the
12 contract reads, and we went three years without
13 clarifying it. We need to clarify it to make a
14 decision.

15 MR. SMITH: I don't think we should
16 take the word of an outside contractor --

17 MS. BAILEY: Agreed.

18 MR. SMITH: -- that wants the job
19 themselves, and saying they're not doing the job. If
20 the plant over there is being cleaned properly and
21 we're understanding, I don't care about the hours,
22 but we should make the language where it's in
23 compliance.

24 MR. BOR: The operative paragraph
25 doesn't deal with the qualitative aspect, just the

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1 quantitative aspect. So if the Board is interested
2 in modifying the quantitative and dealing with the
3 qualitative in some other fashion, you would have to
4 add the phrase that I suggested to modify the
5 contract. We're only dealing with the quantified.

6 MR. SMITH: Can that be done with the
7 new contract?

8 MR. BOR: It's called a law of
9 novation. We could put an addendum to the paragraph,
10 that the paragraph is amended to be, on site to
11 perform its services during the hours between.

12 MR. SMITH: Personally, that's what I
13 would prefer.

14 MS. BAILEY: Agree.

15 MR. CHEATHAM: Do you take pride in
16 your work?

17 MR. BRUMFIELD: Yes, I do.

18 MR. CHEATHAM: Do all your employees
19 take pride in your work?

20 MR. BRUMFIELD: Yes, they do.

21 MR. CHEATHAM: I wanted to know that.
22 To me that's more important than all these
23 technicalities that you're discussing here. If you
24 take pride in your work and work is done properly, to
25 me that's the only thing that we should be concerned

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1 about. That's what I'm concerned about, simple as
2 that. Because I see too many people working on jobs
3 that they half do it because they don't care, and
4 that's why I asked that question, Do you take pride?

5 MR. BRUMFIELD: We basically do this
6 for free. We do this to help the community. The
7 people that we hire are residents from Atlantic City
8 or this area. People that it was -- one gentleman
9 that didn't have a job, he was working for the board
10 of education when everything changed. He was doing
11 janitorial service and by the grace of God, we was
12 able to give him a job and now he's able to make
13 decent money. And me and my brother laugh about it
14 all the time, because the employees make more money
15 than we make because we got to pay out all the checks
16 and we got to net 60 or net 90 or net 120.

17 MR. SMITH: I'm sorry for you because
18 that's not business. You're doing a great thing.

19 MR. BRUMFIELD: It pays off because at
20 the end of the day, we're blessed. I don't have a
21 need or a want and it's only through the grace of God
22 and me doing the right thing.

23 Before I go any further, this is for
24 the quality award. What we do, is all our contracts,
25 we come around every six months we come around and

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1 talk to the employees and we like to find out and get
2 an understanding from them, how do they feel about us
3 since the new cleaning company came? And it's very
4 simple because everybody is working and doing
5 everything, so we asked them a simple question, How
6 do you feel about the cleaning -- let me read
7 exactly, "Since June 1, 2017," this is for the MUA,
8 "have you noticed an improvement in the cleanliness
9 of the building?" So we what we do is walk around
10 the site and talk to the employees and staff members
11 and ask them the question, and they sign the name and
12 signature. And the answer is, yes, no, or the same.
13 So what we did is we have the signatures, we have
14 everything. We also have a pie chart to where the
15 understanding of how they feel. The total outcome of
16 everything was nine better, 12 the same, three no
17 improvement. So this is what we use.

18 So now our plan is to turn everything
19 to better. We want a total pie, for it to say
20 better. Right now, we're doing considerably better
21 than what the last cleaning company was doing. And
22 so this is what qualitative work is. If the Board
23 would like to see it?

24 MR. SMITH: I got it. If you want to
25 show the rest of the Board members?

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1 MR. BOR: That's not necessary.

2 MS. BAILEY: Very good. That answers
3 the other question.

4 MR. BOR: Propose a motion?

5 MR. SMITH: Let's get this squared
6 away, so I know we --

7 MR. BOR: For the contract you would
8 Detail Specifications, paragraph two, that there
9 would be an addendum prepared, by the Director to be
10 signed also by the contractor, to include the
11 language after "who will be performing the work
12 included in this contract, to be on site," after the
13 word "site," to perform its services, "during the
14 hours of 8:00 to 12:00." So it's just to include,
15 "to perform its services," after "on site." All
16 right, Bruce?

17 MR. WARD: Yes.

18 MR. BOR: We would need a resolution
19 because we're amending an existing contract.

20 MR. SMITH: I'll move it.

21 MS. BAILEY: Second.

22 MR. BOR: Mr. Cheatham?

23 MR. CHEATHAM: Yes.

24 MR. BOR: Ms. Bailey?

25 MS. BAILEY: Yes.

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1 MR. BOR: Mr. Lea?

2 MR. LEA: Yes.

3 MR. BOR: Colanzi?

4 MR. COLANZI: This is the second
5 meeting. I would think I abstain.

6 MR. BOR: Smith?

7 MR. SMITH: Yes.

8 MR. BOR: That's good, carries.

9 MR. WARD: I will be providing an
10 addendum to your contract directly to you for your
11 signature pursuant to this resolution.

12 MR. BRUMFIELD: I just wanted to
13 confirm that it's going to be not that we have to be
14 there mandatory four hours, but for during.

15 MR. WARD: Did you hear the solicitor?

16 MR. BRUMFIELD: I just want to confirm.

17 MR. WARD: Did you hear the solicitor's
18 words because his words were the words pursuant to
19 the resolution, so those are the words that will go
20 into the addendum.

21 MR. BRUMFIELD: I was trying to get an
22 understanding.

23 MS. BAILEY: He was trying to get
24 understanding. He doesn't mean he has to have the
25 man there for the four hours.

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1 MR. BOR: You have to perform the
2 services during the time from 8:00 to 12:00.

3 MR. WARD: You have correspondence
4 which I've done and personnel committee meeting
5 minutes are attached. Financial report, is attached,
6 shut offs are attached. Any questions?

7 If not, we can proceed to 8.a(1), which
8 is a request for proposal on contract services for
9 distribution yard, 8.a(1). That would be Tri-County
10 security.

11 MR. SMITH: Move it. Is this for the
12 new contract?

13 MR. WARD: Yes.

14 MR. BOR: Any second?

15 MR. CHEATHAM: Second.

16 MR. BOR: Mr. Cheatham?

17 MR. CHEATHAM: Yes.

18 MR. BOR: Ms. Bailey?

19 MS. BAILEY: Yes.

20 MR. BOR: Mr. Lea?

21 MR. LEA: Yes.

22 MR. BOR: Colanzi?

23 MR. COLANZI: Yes.

24 MR. BOR: Smith?

25 MR. SMITH: Yes.

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1 MR. BOR: Carries.

2 MR. WARD: 8.b(1), we're accepting the
3 bids for Zeta Lyte Anionic Polymer, 8.b(1).

4 MS. BAILEY: Yes, move it.

5 MR. SMITH: Second.

6 MR. WARD: Custom Environmental.

7 MR. BOR: Mr. Cheatham?

8 MR. CHEATHAM: Yes.

9 MR. BOR: Ms. Bailey?

10 MS. BAILEY: Yes.

11 MR. BOR: Mr. Lea?

12 MR. LEA: Yes.

13 MR. BOR: Colanzi?

14 MR. COLANZI: Yes.

15 MR. BOR: Smith?

16 MR. SMITH: Yes.

17 MR. BOR: Carries.

18 MR. WARD: 8.b(2), miscellaneous
19 electrical repairs, Calvi Electric.

20 MR. SMITH: Move it.

21 MS. BAILEY: Second.

22 MR. BOR: Mr. Cheatham?

23 MR. CHEATHAM: Yes.

24 MR. BOR: Ms. Bailey?

25 MS. BAILEY: Yes.

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1 MR. BOR: Mr. Lea?

2 MR. LEA: Yes.

3 MR. BOR: Colanzi?

4 MR. COLANZI: Yes.

5 MR. BOR: Smith?

6 MR. SMITH: Yes.

7 MR. WARD: 8.b(3), well casing liner,
8 the well number 19, A.C. Schultes.

9 MS. BAILEY: Yes.

10 MR. SMITH: Second.

11 MR. BOR: Mr. Cheatham?

12 MR. CHEATHAM: Yes.

13 MR. BOR: Ms. Bailey?

14 MS. BAILEY? Yes.

15 MR. BOR: Mr. Lea?

16 MR. LEA: Yes.

17 MR. BOR: Colanzi?

18 MR. COLANZI: Yes.

19 MR. BOR: Smith?

20 MR. SMITH: Yes.

21 MR. WARD: 8.c, we 8.c(1). We have
22 public hearing dates for the 2018 budget, which would
23 be Tuesday, November the 28th and Tuesday, December
24 the 5th.

25 MR. SMITH: We don't have to have a

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1 vote on this?

2 MR. WARD: No, this is an information.
3 We utilized both the Press of Atlantic City, which in
4 the Press of Atlantic City, it goes on the classified
5 page and you probably need a microscope --

6 MR. CHEATHAM: Magnifying glass.

7 MR. WARD: -- to see it. However, on
8 the A.C. Times, which is a local pickup paper of
9 pretty large circulation in Atlantic City, that's the
10 ad. So we generally don't get much from the public
11 on our public hearings but --

12 MR. SMITH: They never show up.

13 MR. WARD: -- but we'll be ready.
14 We'll be present.

15 MR. CHEATHAM: I just want to see just
16 how many show up.

17 MR. WARD: We'll see.

18 MR. BOR: So we already did 8.d.

19 MR. WARD: I think we have another
20 member from the Public. This is Mr. Nammour,
21 abatement 9.b(1). Mr. Nammour, good morning, sir.

22 MR. NAMMOUR: Good morning. My hearing
23 is kind of bad.

24 MR. WARD: 9.b(1), 9.b(1), let me pull
25 that out here. This is resolution 9.b(1) for an

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1 abatement, Nimer Nammour, and the abatement is for
2 \$777.48.

3 Mr. Nammour, would you tell the Board,
4 for the property located at 1134 Emerson Place, what
5 was the issue which caused the water leak and has
6 that been resolved?

7 MR. NAMMOUR: Yes, the issue has been
8 resolved. They fixed the plumbing leak that was
9 there.

10 MR. WARD: You had a plumber come out.
11 Is this the first --

12 MR. NAMMOUR: Yes.

13 MR. WARD: -- abatement for that
14 property?

15 MR. NAMMOUR: Yes.

16 MR. WARD: Any questions, Board
17 members?

18 MR. SMITH: Move it.

19 MR. COLANZI: How much is it for?

20 MR. WARD: \$777.48.

21 MS. THAPA: It's 707.

22 MS. BAILEY: 707.

23 MR. WARD: \$777.48.

24 MS. WILLIAMS: 707.

25 MS. BAILEY: 707.

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1 MR. WARD: Well, I'm reading it. It
2 says 777, so which one is right?

3 MS. BAILEY: We got a discrepancy
4 between the written number.

5 MR. WARD: And the typed number.

6 MS. WILLIAMS: \$707.48, \$707.

7 MR. WARD: Okay. Down here, here it
8 is, 707.48.

9 MR. BOR: I think we've got a motion.
10 We need a second.

11 MS. BAILEY: Second.

12 MR. BOR: Mr. Cheatham?

13 MR. CHEATHAM: Yes.

14 MR. BOR: Ms. Bailey?

15 MS. BAILEY: Yes.

16 MR. BOR: Mr. Lea?

17 MR. LEA: Yes.

18 MR. BOR: Colanzi?

19 MR. COLANZI: Yes.

20 MR. BOR: Smith?

21 MR. SMITH: Yes.

22 MR. BOR: Carries.

23 MR. WARD: Your abatement is approved,
24 okay, sir?

25 MR. NAMMOUR: Thank you, gentleman and

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1 ladies. Have a good day.

2 MR. WARD: Okay. We come back to the
3 agenda. We have, just to mention on the public
4 hearing budget, you will have of course information
5 on rules, rates and regulations and connection fee.
6 We've done the Triple D, which is 8.d, that's done.

7 Engineering report, Mr. Claude Smith.

8 MR. CLAUDE SMITH: Good morning,
9 everyone. I only have two things to actually cover.
10 We did actually receive two proposals for the
11 insurance proposal, for the general liability and
12 public officials liability. One was actually from
13 Glenn Insurance Company and the other was from M&C
14 Insurance Company. Those two proposals are in the
15 process of being --

16 MR. MOYLE: Did you say Glenn?

17 MR. CLAUDE SMITH: That's from
18 Siracusa, good catch. The first proposal is from
19 Siracusa Kauffman Insurance Company and the other one
20 is from M&C Insurance. Both policies are being
21 reviewed. We're waiting for the broker to actually
22 review them, give us a recommendation. We have an
23 engineering meeting on the 13th of December for
24 further review and either accept or comment on and
25 should have it ready for the next Board meeting for

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1 actually acceptance.

2 The workers' comp insurance, New Jersey
3 Manufacturers, Anita has provided them with the
4 documentation for them to give us a pricing. That
5 pricing won't come in until sometime next month. In
6 the past we have seen it comes in late in December.
7 It might actually be after the next Board meeting,
8 but we should have it ready.

9 MS. BAILEY: Who holds the present?

10 MR. CLAUDE SMITH: New Jersey
11 Manufacturers.

12 MR. WARD: Next we have New Business,
13 9.a. We are appointing Mr. William Lea Board Member
14 as acting vice chairman and secretary for the
15 duration of the November 2017 meeting.

16 MR. BOR: Congratulations.

17 MR. LEA: I accept.

18 MR. BOR: Is there a motion?

19 MS. BAILEY: Motion.

20 MR. SMITH: Second.

21 MR. BOR: Mr. Cheatham?

22 MR. CHEATHAM: Yes.

23 MR. BOR: Ms. Bailey?

24 MS. BAILEY: Yes.

25 MR. BOR: Mr. Lea?

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1 MR. LEA: Yes.

2 MR. BOR: Colanzi?

3 MR. COLANZI: Yes.

4 MR. BOR: Smith?

5 MR. SMITH: Yes.

6 MR. WARD: We have two abatements,
7 9.b(3) and (4), which are unnecessary to appear.
8 It's 9.b(3) and (4), Mohammad Younas and Primitiva
9 Lopez.

10 MR. SMITH: Move them.

11 MR. CHEATHAM: Second.

12 MR. BOR: Mr. Cheatham?

13 MR. CHEATHAM: Yes.

14 MR. BOR: Ms. Bailey?

15 MS. BAILEY? Yes.

16 MR. BOR: Mr. Lea?

17 MR. LEA: Yes.

18 MR. BOR: Colanzi?

19 MR. COLANZI: Yes.

20 MR. BOR: Smith?

21 MR. SMITH: Yes.

22 MR. BOR: Carries.

23 MR. WARD: 9.c, DeWalt Brewing Company
24 had an issue with their lawyers. They are in their
25 final acquisition of financing and they could not get

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1 prepared with their PowerPoint for today, so we will
2 push them off to a later meeting, but they were on
3 the schedule to make a presentation today, but it
4 appears as though they are finalizing all of their
5 financials to move into the unit at Delaware and
6 Lexington. They will be co-located with Little Water
7 Distillery and we have a concept at this time that
8 they would be able to bottle our water for
9 distribution.

10 MR. BOR: Interesting.

11 MR. WARD: Leave of absence. Can you
12 do Chris Bronk and David Pham together? Any
13 questions?

14 MR. SMITH: What's the duration?

15 MR. WARD: Okay. Garth, you may have
16 more information on the duration of these two.

17 MR. MOYLE: Mr. Bronk is meeting early
18 December or mid December. David Pham is -- Debbie
19 Dansby called him and he put in for another month.
20 He thinks it may be two more.

21 MR. SMITH: I thought he was coming
22 back?

23 MR. WARD: Yeah.

24 MR. MOYLE: Yeah.

25 MR. WARD: All of us did.

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1 MR. SMITH: As I said before, let's see
2 if we can't get that position filled as soon as
3 possible.

4 MR. MOYLE: Well, you know, the maximum
5 that they could be out has been limited to two years
6 now. It used to be five, if you remember.

7 MR. SMITH: They can be out for two
8 years.

9 MR. MOYLE: That was -- yeah, we had a
10 guy who was out for nearly five years and you guys
11 lowered it to two after he came back, which again is
12 very generous.

13 MR. SMITH: How long has he been out
14 now, Pham?

15 MR. MOYLE: If he stays out through
16 December, it's another six-month special, so he's got
17 another year and a half.

18 MR. SMITH: Let's stay on top of it, to
19 see if we can't get someone in there to do his job,
20 train somebody to do that job.

21 MR. WARD: Fortunately Kevin Jordan has
22 stepped up. I had a discussion with him at the
23 operations meeting. Kevin says while he has been
24 out, Kevin has cleaned up a lot of his accounts, is
25 trying to get everything straight before David comes

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1 back. So we have questions as to David's performance
2 when he's here, which he's not here as much. So it's
3 the concern that you have, we have that concern. In
4 terms of that very very important task for the
5 Authority, we have those concerns.

6 MS. BAILEY: Mr. Ward, David's
7 superior, has there been any paperwork or performance
8 appraisal, any tracking? Because it sounds like it's
9 one thing being out, but what you did when you were
10 here is reflective when you leave and somebody else
11 has to do it, but I'm wondering do we let this
12 continue or does someone do an evaluation on Mr.
13 Pham?

14 MR. WARD: That's an interesting
15 question, Ms. Bailey. Perhaps we'll move this into
16 Closed Session.

17 MR. SMITH: The point is, we're really
18 not paying him, the way I understand it.

19 MR. WARD: Unpaid leave, yes.

20 MR. SMITH: Unpaid leave, that helps,
21 alleviates some of the problem, okay.

22 MR. WARD: So that's resolution 9.d.

23 MR. BOR: We're going to be taking
24 9.d(1) and (2).

25 MR. WARD: All on one resolution.

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1 MR. BOR: Is there a motion?

2 MR. SMITH: Yes.

3 MR. CHEATHAM: Second.

4 MR. BOR: Mr. Cheatham?

5 MR. CHEATHAM: Yes.

6 MR. BOR: Ms. Bailey?

7 MS. BAILEY: Yes.

8 MR. BOR: Mr. Lea?

9 MR. LEA: Yes.

10 MR. BOR: Colanzi?

11 MR. COLANZI: Yes.

12 MR. BOR: Smith?

13 MR. SMITH: Yes.

14 MR. WARD: Continuing disclosure

15 reporting services is now rescinded. We are awaiting
16 further documentation to go forward on that. That
17 will be coming up next month.

18 F would be request for qualifications
19 and proposals for Authority solicitor and labor
20 counsel, resolution 9.f(1) and (2).

21 MS. BAILEY: Motion.

22 MR. SMITH: What is this?

23 MR. BOR: RFP for Weber and myself.

24 MR. CHEATHAM: Second.

25 MR. BOR: Just the RFP.

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1 MR. SMITH: Move it.

2 MR. BOR: Mr. Cheatham?

3 MR. CHEATHAM: Yes.

4 MR. BOR: Ms. Bailey?

5 MS. BAILEY: Yes.

6 MR. BOR: Mr. Lea?

7 MR. LEA: Yes.

8 MR. BOR: Colanzi?

9 MR. COLANZI: Yes.

10 MR. BOR: Smith?

11 MR. SMITH: Yes.

12 By the way, where is Mr. Weber today?

13 MR. WARD: Mr. Weber is here with the
14 Municipalities Board. All of his Board from
15 Willingboro is here. He's at the meetings with his
16 Board, so he's asked if I could cover for him and I
17 can.

18 MR. SMITH: As long as he's okay, he's
19 accessible.

20 MR. WARD: Finally in this package is
21 g, an extension for water meters, water meter repair
22 parts. Mr. Moyle may have more detail on this to
23 what the extension is about.

24 MR. MOYLE: As you remember in
25 September, this was brought up and we can -- since

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1 they're holding the prices on the meters, we can
2 extend it for another two years. And this is the
3 instrument that does it. So again, we've --
4 especially the large meters, we've only had Sensus or
5 Rockwell, which is the same company, so I'm too late
6 in my career to start putting in junk meters or
7 untried meters.

8 MS. BAILEY: This is an extension of
9 the existing contract?

10 MR. MOYLE: Yes.

11 MR. SMITH: Move it.

12 MR. MOYLE: For two years.

13 MS. BAILEY: Second.

14 MR. BOR: Mr. Cheatham?

15 MR. CHEATHAM: Yes.

16 MR. BOR: Ms. Bailey?

17 MS. BAILEY: Yes.

18 MR. BOR: Mr. Lea?

19 MR. LEA: Yes.

20 MR. BOR: Colanzi?

21 MR. COLANZI: Yes.

22 MR. BOR: Smith?

23 MR. SMITH: Yes.

24 MR. BOR: Carries.

25 MR. WARD: And as 10 you have your

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1 monthly bills, resolution 10.a.

2 MR. SMITH: Let's move that also. Pay
3 the bills.

4 MR. CHEATHAM: Second.

5 MR. BOR: Mr. Cheatham?

6 MR. CHEATHAM: Yes.

7 MR. BOR: Ms. Bailey?

8 MS. BAILEY: Yes.

9 MR. BOR: Mr. Lea?

10 MR. LEA: Yes.

11 MR. BOR: Colanzi?

12 MR. COLANZI: Yes.

13 MR. BOR: Smith?

14 MR. SMITH: Yes.

15 Five-minute break, please, and get this
16 thing moving.

17 (Closed Session from

18 10:50 a.m. to 11:20 a.m.)

19 MR. WARD: We have come out of Closed
20 Session. We've had some discussion about the meeting
21 with the state attorneys overseeing the city, and the
22 Water Quality Accountability Act of which there is a
23 resolution 11.a(4) for the Board's consideration.

24 MR. SMITH: Do we have to vote on that?

25 MR. BOR: Yes, 11.a(4) we have to vote

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1 on.

2 MR. SMITH: Move it.

3 MS. BAILEY: Second.

4 MR. BOR: Mr. Cheatham?

5 MR. CHEATHAM: Yes.

6 MR. BOR: Ms. Bailey?

7 MS. BAILEY: Yes.

8 MR. BOR: Mr. Lea?

9 MR. LEA: Yes.

10 MR. BOR: Colanzi?

11 MR. COLANZI: Yes.

12 MR. BOR: Smith?

13 MR. SMITH: Yes.

14 MR. BOR: Carries.

15 MR. WARD: No further business for this
16 Board. We can entertain a motion.

17 MR. BOR: Move to adjourn?

18 MR. SMITH: Move it.

19 MR. BOR: No objections?

20 (The meeting adjourned at 11:22 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: November 22, 2017

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