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ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

Wednesday, November 19, 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
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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Xiaojun Zheng	21

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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 a notice of the regular meeting scheduled
6 for November 19, 2014, at 401 North Virginia Avenue,
7 conference room, Atlantic City, New Jersey. Copy of
8 said notice was submitted to city clerk to be posted.
9 All of the aforesaid complies with Chapter 231 of the
10 laws of 1975, known as open public meeting laws.

11 Roll call?

12 MR. BOR: Mr. Lea?

13 MR. LEA: Here.

14 MR. BOR: Colanzi?

15 MR. COLANZI: Here.

16 MR. BOR: McGettigan?

17 MR. MCGETTIGAN: Here.

18 MR. BOR: Hill? Smith?

19 MR. SMITH: Here.

20 MR. BOR: Carries, quorum, and Gary
21 absent.

22 MR. SMITH: I went to the dentist and
23 got my teeth changed. I couldn't talk before and
24 it's getting worse.

25 MR. WARD: We'll listen carefully.

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1 MR. BOR: Minutes. I take it Board
2 members have received copies of the minutes? If so,
3 any comments, come forth? If not, is there a motion
4 to approve the minutes?

5 MR. SMITH: Move them.

6 MR. MCGETTIGAN: Second.

7 MR. BOR: Mr. Lea?

8 MR. LEA: Yes.

9 MR. BOR: Colanzi?

10 MR. COLANZI: Yes.

11 MR. BOR: McGettigan?

12 MR. MCGETTIGAN: Yes.

13 MR. BOR: Smith?

14 MR. SMITH: Yes.

15 MR. BOR: Minutes carry.

16 MR. WARD: Okay. Correspondence. We
17 received a letter from Monsignor Hodge of Saint
18 Nicholas of Tolentine.

19 First of all, good morning to Members
20 and Board Staff.

21 We received a letter from Father Hodge
22 from Saint Nicholas of Tolentine. They have a raffle
23 and tickets are \$5 each, a book is \$25, and they are
24 three trips, one to Orlando, one to Saint Thomas and
25 another which I forget, so I'm hopeful that I can win

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1 the Saint Thomas. That would be great.

2 MR. MCGETTIGAN: Ireland is the third
3 one.

4 MR. WARD: Ireland is the third one,
5 that's right.

6 We received a request from City of
7 Atlantic City for water for the League of
8 Municipalities Convention, which is here. I
9 indicated to Ms. Harvey, director of special events,
10 that we have been unable to retain our water bottled
11 under our label and that perhaps it would not make
12 sense to distribute Aquafina water at their booth and
13 she agreed with me, so for the most part, we took
14 care of that.

15 Moving along, we have a financial
16 report. Ms. Bazemore, give us an update on the
17 financial report, which is attached. The financial
18 statement is available, as well as the Cash
19 Management Plan, 2015 budget summary.

20 MS. BAZEMORE: So we still appear to be
21 in line with closing out the year as projected in our
22 budget that was prepared in October and introduced.
23 If you have any other questions, I would be glad to
24 answer them.

25 MR. WARD: Again, Ms. Bazemore is under

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1 considerable pressure given the movement of
2 facilities in the City of Atlantic City. The issue
3 of the Taj Mahal has not been resolved and probably
4 we should know more by the December Board meeting.
5 That would create another budgetary issue with
6 respect to the water consumption from that property.

7 MR. MCGETTIGAN: They owe a lot right
8 now?

9 MS. BAZEMORE: Basically, I think they
10 have in bankruptcy about 130,000, but those amounts
11 were added to the City to be added as a special
12 charge. We're looking at, hopefully, to be paid.

13 MR. MCGETTIGAN: That's what we have
14 outstanding?

15 MS. BAZEMORE: Yes. And as far as the
16 budget, when we did the 2015 budget, we assumed that
17 they were going to be closing so we did pull out
18 those volumes and revenue associated with that
19 property.

20 MR. WARD: So again, just to underscore
21 the volatility, if you will, of the economic market,
22 we're also hoping that there will be a sale of Revel,
23 that Revel will get some renovation and come back
24 online, as well as the most recent report of Stockton
25 taking over the Showboat. So we're just looking and

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1 hoping for some turnaround on these.

2 MR. SMITH: That looks like a good bet,
3 Stockton taking over. I don't know about the Revel,
4 but Stockton is good.

5 MR. BOR: Even though Stockton wouldn't
6 pay any property tax, but they'll generate event for
7 event, you would think. They're going to buy and do
8 things in the City.

9 MR. WARD: I think they do pay payment
10 in lieu of taxes for their Seaview property in
11 Galloway Township, because as I understand, at least
12 the more recent statement is that they intend to
13 utilize some of that property as a hotel, so that
14 would be a for profit enterprise as opposed to all
15 teaching and all classroom.

16 MR. BOR: This would also be part of
17 the commercial space. It's the same rationale, City
18 makes some money out of the portion that's not used
19 for school purposes.

20 MR. WARD: Yes, the City should get
21 some revenue out of that.

22 Okay. Personnel committee -- I'm
23 sorry, shut offs. The shut off list is attached. Of
24 course, at this time of the year, there are no shut
25 offs. But any questions on those I'll entertain.

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1 Personnel committee meeting is
2 attached. That was a November the 5th meeting. And
3 I'd just like to point out that the chair, Mr. Smith,
4 requested a review of the memorial, which was placed
5 on the property as a result of the murder of the
6 young man, and I did reach out to Chief White. Chief
7 White sent me the information on the mother and the
8 sister. They live at 212 Atlantic Avenue. Chief
9 White's notation is that the sister perhaps is the
10 one to talk with because the mother might not be
11 English literate, so I'm looking to find someone in
12 the First Ward that will go with me. I want to go
13 personally to the house and speak with them. And it
14 may be Councilman Randolph to go with me to talk with
15 them and explain that the new year is coming and that
16 the Authority plans to take down the monument. They
17 have the opportunity to come and take pictures and so
18 forth.

19 MR. SMITH: It's been almost a year,
20 hasn't it?

21 MR. WARD: Yes, a little less than a
22 year, but the same thing, as I understand, I spoke
23 with Pamela James, the director of the housing
24 authority. There is a monument similar to this one
25 on Martin Luther King, and that one is even more

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1 problematic than ours because that monument reflects
2 an individual who was not a resident of the Stanley
3 Holmes Village and now she has complaints from the
4 residents that the residents want it removed, so
5 she's going through the same process as we are.

6 MR. SMITH: I'm not trying to be
7 insensitive, but you know, it's been a long time.

8 MR. WARD: It has been a long time and
9 I think your directive to me was the right one and
10 that we want to go personally, call ahead, sit down
11 and talk, express our condolences, but you know, let
12 them understand it's reasonable now for us to remove
13 that.

14 Okay. 2014 lien sale.

15 MS. BAZEMORE: Yes, the lien sale is
16 scheduled for December 11th. We have about 200
17 properties that we sent over to the City to be added
18 to the lien sale. The dollar value is about 95,000,
19 so we'll inform you once the sale has occurred, what
20 the outcome was.

21 MR. WARD: Okay. Director's Forum.
22 Any items from Directors?

23 MR. SMITH: I've got some things I want
24 to discuss and I want to discuss them in private and
25 maybe it will be for the next meeting when Gary is

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1 here. When we have our full Board here, we'll
2 discuss it.

3 MR. WARD: Public participation, we see
4 no one from the public, so we'll move to New
5 Business.

6 MR. SMITH: Excuse me, any other
7 Directors have any input?

8 MR. WARD: Any input? 7 a (1), RFP.
9 We received bids for four year main -- four inch,
10 excuse me, water main replacement, five-year plan. I
11 think we received about six.

12 MR. CLAUDE SMITH: Five.

13 MR. WARD: Five bids and we will review
14 them, bring them forward with the engineering
15 committee meeting for determination.

16 We also received bids for the
17 distribution yard security services there were two
18 bids received and appears that the lower bid is a new
19 company, so I'm sure we're going to have them come in
20 and discuss some aspects of our needs and see where
21 we go with that.

22 MR. SMITH: Are we satisfied with the
23 company we're using now?

24 MR. WARD: Well, we were somewhat
25 satisfied, particularly with the individuals who know

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1 the plant, know what our needs are and seem to have
2 been responsive.

3 MR. SMITH: Were the individuals local
4 people in the City?

5 MR. WARD: That I don't know.

6 MR. SMITH: No?

7 MR. WARD: I don't know that.

8 MR. SMITH: I can't remember the
9 company. What's the name of the company?

10 MR. WARD: Tri County. We have Tri
11 County now.

12 MR. SMITH: Who is the company now?

13 MR. WARD: Allied Burton, bigger
14 company.

15 MR. SMITH: Burton?

16 MR. MOYLE: Barton.

17 MR. WARD: AlliedBarton. So Tri
18 County, I think if we describe it, is a smaller
19 company.

20 MR. SMITH: I'm familiar with a little
21 bit about Tri County, but this Barton, is this the
22 guy that used to be a bail bondsman?

23 MR. WARD: I think this is a much
24 larger company, maybe multi state. They have in
25 their proposal a number of proprietary features that

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1 they bring to the table.

2 MR. SMITH: It's not the person I was
3 thinking about.

4 MR. WARD: It's a bigger company.

5 MR. SMITH: Much bigger. Do your due
6 diligence and do whatever you think is good and bring
7 it to us.

8 MR. WARD: Okay. Under 7 b (1), we
9 have a resolution to accept bids for white sodium
10 silico fluoride. Garth, any comment on that bid?

11 MR. MOYLE: No. We were told since the
12 stuff has been hanging around, that the first load,
13 we better make sure isn't rock hard.

14 MR. WARD: It's been difficult to get
15 fluoride.

16 MR. MOYLE: Yeah.

17 MR. WARD: So we do have a bid for
18 fluoride for the water. Any questions on resolution
19 7 b (1)?

20 MR. BOR: Motion?

21 MR. MCGETTIGAN: Make a motion.

22 MR. BOR: Any second?

23 MR. SMITH: 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: Smith?

6 MR. SMITH: Yes.

7 MR. BOR: Carries.

8 MR. SMITH: Where did you get the
9 fluoride before, Garth? And when we got -- didn't we
10 get the last --

11 MR. MOYLE: Company called Univar.

12 MR. SMITH: Is that who you're getting
13 it from this time also?

14 MR. MOYLE: Main, M-A-I-N, Mechanical
15 Pool and Chemical.

16 MR. WARD: Main Pool and Chemical.

17 7 c, the 2015 budget. Number one,
18 Public Hearing dates have been established for
19 Tuesday, November 25, 2014 and Thursday, December 4,
20 2014.

21 Under c (2), Rules, Rates and
22 Regulations, Ms. Bazemore, you wanted this to go into
23 the December meeting or did you want it now, Rules,
24 Rates and Regulations?

25 MS. BAZEMORE: It was just for

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1 mentioning the changes for, regarding the rules and
2 rates was submitted to the Board members for your
3 review. At the next Board meeting we will have a
4 resolution passed for the rules and rates.

5 MR. BOR: Excuse me, are the public
6 meetings 10 o'clock?

7 MS. BAZEMORE: Yes.

8 MR. BOR: Thank you.

9 MR. WARD: Of course the connection fee
10 changes would be incorporated into the rules and
11 regulations going forward.

12 Engineering report, 7 d. We had a
13 meeting with Hazen and Sawyer on finalizing or
14 attempting to resolve the outstanding billing issues
15 with regard to the ASR well. A number of features in
16 finalizing the Hazen and Sawyer matter await the
17 delivery by the subcontractor; is that correct?

18 MR. CLAUDE SMITH: It's somewhat
19 dependent on theory of the delivery, but it's not
20 completely the delivery. It's the contractor has to
21 deliver to us.

22 MR. WARD: Basically, Ms. Bazemore and
23 the team, we reviewed Hazen and Sawyer's request for
24 payment and Ms. Bazemore cut it down to 61 --

25 MS. BAZEMORE: At this time, they were

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1 looking at a total payment of about 102,000 from, was
2 it 2011? May have been the last time of the
3 invoicing. And what we did, we took a look at the
4 amounts open on the contract and agreed to make
5 payment in the amount of 61,000 and stated to them we
6 will discuss it further at our next engineering
7 committee meeting, because it appears that they
8 billed for additional hours due to the slow-down of
9 the project and just other issues with the project,
10 and there was extra costs that was incurred, so we
11 wanted to really lay it all out before the
12 engineering committee before we make a final decision
13 as to whether or not the balance will be paid.

14 MR. SMITH: Do we owe them?

15 MS. BAZEMORE: Basically they have
16 provided invoices stating the hours they worked and
17 rates and so forth.

18 MR. SMITH: Is this above the original
19 contract?

20 MS. BAZEMORE: In our -- in my opinion,
21 it is.

22 MR. SMITH: That's what I'm saying.
23 Make sure -- what is the words you guys use, cross
24 over?

25 MR. BOR: Change over.

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1 MR. WARD: Cost over runs.

2 MR. BOR: We don't like change overs.

3 MS. BAZEMORE: It's a little more
4 complicated because back in 2001 is when the first
5 contract was awarded to Hazen and Sawyer for the ASR
6 project and it was stalled for some years. Then when
7 we got NJEIT funding, we did an addition to that
8 contract. There is still monies available when you
9 look at the original contract in 2001, but that
10 doesn't necessarily --

11 MR. SMITH: How much over?

12 MS. BAZEMORE: It's about 40,000.

13 MR. SMITH: More than what we
14 contracted for originally?

15 MS. BAZEMORE: For the second contract,
16 yes. And the other issue when we take a look at the
17 NJEIT with amounts based on construction costs, we
18 had a dollar amount closer to we paid them for
19 engineering.

20 MR. SMITH: What I'm going to suggest,
21 have our attorneys check on that. Maybe we can
22 resolve with them getting less money. They've been
23 doing a lot of business. They've been with us almost
24 as long as I've been here and we paid them a lot of
25 money.

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1 MR. MCGETTIGAN: When they exhaust the
2 original contract, don't they notify us that they're
3 going to start overtime issues now?

4 MS. BAZEMORE: I think what makes it
5 unique is the fact that it was a previous contract in
6 existence for ASR well work. So they are aware that
7 -- and they're aware of what dollar amount was still
8 open between the two contracts, so they feel that
9 they're within rights to actually bill the additional
10 amount.

11 MR. WARD: I think another thing that
12 we will discuss with our attorneys is the notion that
13 we have some losses with respect to the delay of the
14 project. There have been some long-time delays and I
15 think that that needs to have an opportunity to be
16 calculated into the reduction.

17 MR. SMITH: That's what I'm saying. Do
18 what you have to do to try to reduce it or get it
19 solved without having to pay them all that money, but
20 if we owe it, we got to pay it.

21 MS. BAZEMORE: Certainly we should try
22 to, you know, negotiate the amount and we'll take it
23 from there.

24 MR. SMITH: Okay.

25 MR. BOR: Any estimate what amount

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1 you're referring to, Linda?

2 MS. BAZEMORE: That we should
3 negotiate? Garth and I, we've thrown around -- what
4 number did you say? Maybe 25, 30,000 out of the 40?

5 MR. MOYLE: Yeah.

6 MR. BOR: You mean negotiate down to?

7 MS. BAZEMORE: Down to.

8 MR. BOR: Okay.

9 MR. WARD: From 40,000 down to 25.

10 MR. BOR: Keep me in the loop.

11 MS. BAZEMORE: Okay.

12 MR. WARD: Okay. Proceeding to New
13 Business. 8 a (1) is Gannett Fleming and this would
14 be a resolution to resolve the --

15 MR. CLAUDE SMITH: You have --

16 MR. WARD: We only have two matters
17 here. Then we can put all the papers together. One
18 second.

19 MR. CLAUDE SMITH: Let me give the
20 update on the ASR well in regards to the As-Builts.
21 In addition to pretty much what we discussed in terms
22 of the financial issue and the budgetary payment, we
23 are still working on the ASR well in regards to the
24 as builts. I recently met with the contractor
25 yesterday at the ASR well to finalize some of the

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1 As-Builts aspects of the ASR -- of the As-Builts
2 itself and the input that needed to be updated or
3 added to it. So we're working on that. I'm hoping
4 to have that completed by either the end of the week
5 or by next week and we can proceed to whatever else
6 of the contract that's open that we have to close
7 out.

8 MR. WARD: And in addition to that,
9 Mr. Smith, during our meeting this month when Gannett
10 Fleming was here giving what purportedly is their
11 final invoice --

12 MR. CLAUDE SMITH: Hazen and Sawyer.

13 MR. WARD: I'm sorry. Garth mentioned
14 to them that we have not received a final
15 construction completion report, which is required, so
16 they had to hurry up and call back to their home base
17 and have that forwarded over to us. So again --

18 MR. CLAUDE SMITH: That was something
19 that was actually, that particular report was done
20 some time back. The report or the completion that I
21 was actually referring to is the letter that needs to
22 be sent to the State, along with an additional form.

23 In addition to that particular comment,
24 we should be meeting with the State probably this
25 Friday to do a final inspection of the ASR well and

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1 that particular project, as well as probably the
2 cradle project. So we are proceeding. We're trying
3 to move along to get these projects off the books.
4 So once we meet with the State and have that final
5 inspection done, then of course that will kind of
6 release some of the responsibility or obligations
7 that we have in regards to completing this project.

8 MR. WARD: Okay. Going forward.

9 MR. SMITH: Hold up. Let's take care
10 of this gentleman.

11 MR. WARD: Want to do him now?

12 MR. SMITH: Yes, get him out of here.

13 MR. WARD: Let's move to 8 b (5).

14 These abatements, unnecessary to appear. Since (1)
15 through (5) are all unnecessary to appear, the Board
16 at its pleasure want to --

17 MR. BOR: One is necessary.

18 MR. WARD: It's a change? Oh, he is
19 necessary. I didn't have this one, I'm sorry. So he
20 would be resolution 8 b (5).

21 MR. BOR: Uh-huh, 8 b (1) you mean.

22 MS. JOHNSON: Yeah, that changed too.

23 MR. COLANZI: 8 b (6).

24 MR. BOR: I'm showing --

25 MS. JOHNSON: 8 b (1).

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1 MR. WARD: 8 b (1).

2 MS. JOHNSON: It's an error on the
3 agenda.

4 MR. COLANZI: Then the others --

5 MR. BOR: Are unnecessary.

6 MR. COLANZI: (2) (3) (4) and (5).

7 MR. BOR: We hear those together.

8 MR. COLANZI: But we change the
9 numbers?

10 MS. JOHNSON: Yes.

11 MR. WARD: Okay. So this is the matter
12 of Xiaojun Zheng?

13 MR. ZHENG: Yes.

14 MR. SMITH: Are you familiar with his
15 address?

16 MR. WARD: 321 North Indiana Avenue.

17 MR. COLANZI: 321?

18 MR. WARD: Yes.

19 MR. SMITH: Has he ever had any other
20 abatements there?

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

22 MR. SMITH: What is he seeking? What
23 is he looking for?

24 MR. BOR: 1,500.

25 MR. WARD: 1,500.

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1 MR. COLANZI: May I ask a question,
2 please?

3 MR. SMITH: Sure.

4 MR. COLANZI: Number (5) that we had
5 before, came up, is for 321 North Indiana. Is this
6 the same property or is it 221?

7 MS. BAZEMORE: It's 321, but it's
8 necessary to appear.

9 MR. COLANZI: All I do is change (5) to
10 (1), right?

11 MS. BAZEMORE: It's 321.

12 MR. COLANZI: I change 8 b (1).

13 MS. BAZEMORE: He has a different one?

14 MR. WARD: That's correct.

15 MR. COLANZI: And he changed all the
16 others?

17 MR. WARD: Yes, you're right, uh-huh.
18 Any questions with respect to
19 Mr. Zheng's miscellaneous water leak that we need to
20 ask him?

21 MR. SMITH: No. Are you guys familiar
22 with this, to accept the 1,500?

23 MS. BAZEMORE: Yes.

24 MR. SMITH: Give him his abatement.
25 Move it.

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1 MR. MCGETTIGAN: Second.

2 MR. BOR: Mr. Lea?

3 MR. LEA: Yes.

4 MR. BOR: Colanzi?

5 MR. COLANZI: Yes.

6 MR. BOR: McGettigan?

7 MR. MCGETTIGAN: Yes.

8 MR. BOR: Smith?

9 MR. SMITH: Yes.

10 MR. BOR: Carries.

11 MR. WARD: Your abatement is approved,
12 sir.

13 MR. ZHENG: Thank you.

14 MR. WARD: Good luck. Returning --

15 MR. BOR: We have four others to go.

16 MR. WARD: Let's go back to our New
17 Business, the tank. So we're on 8 a (1) Gannett
18 Fleming. There is a resolution to resolve payment on
19 the 2 million gallon tank. Work that was done that
20 were cost overruns as a result of what was it,
21 weather and other conditions?

22 MR. CLAUDE SMITH: Inspection services
23 and management services.

24 MR. SMITH: How far overrun?

25 MR. CLAUDE SMITH: Actually, it's --

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1 you want to talk on it?

2 MS. BAZEMORE: Basically, we're just
3 moving money from one contract, the contract, his
4 contract, U.S. Tank and that dollar amount over to
5 Gannett and Fleming due to extra inspection and
6 engineering services they had to provide due to the
7 delay. So this tank is --

8 MR. SMITH: Is everything complete with
9 the tank?

10 MR. CLAUDE SMITH: Yes, it is.

11 MR. SMITH: All inspections?

12 MR. CLAUDE SMITH: We will be doing
13 following final inspection sometime next year around
14 June or July. What we're doing is transferring
15 monies, funds from the contractor to the engineer for
16 the overrun in regards to costs for engineering
17 services and inspection services that were done on
18 the tank.

19 MR. SMITH: What I'm saying, are we
20 already budgeted for that?

21 MR. CLAUDE SMITH: Correct, yes.
22 That's, I'm saying we're taking money from one
23 account and transferring it to the other account.

24 MR. SMITH: So the cost overrun is not
25 going to cost us any additional?

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1 MR. CLAUDE SMITH: Correct, there is no
2 additional cost to us for that particular scenario.

3 MR. SMITH: That's all I'm trying to
4 get at. I didn't want to cut you short. I just
5 wanted to see where the money was going.

6 MR. WARD: So resolution 8 a (1).

7 MR. SMITH: Move it.

8 MR. MCGETTIGAN: Second.

9 MR. BOR: Mr. Lea?

10 MR. LEA: Yes.

11 MR. BOR: Colanzi?

12 MR. COLANZI: Yes.

13 MR. BOR: McGettigan?

14 MR. MCGETTIGAN: Yes.

15 MR. BOR: Smith?

16 MR. SMITH: Yes.

17 MR. WARD: Resolution 8 a (2) is the
18 change order reducing the payment to U.S. Tank
19 payment in order to pay for the previous resolution,
20 so it's reducing it in the amount \$31,935.50.

21 MR. MCGETTIGAN: Move it.

22 MR. SMITH: Second.

23 MR. BOR: Mr. Lea?

24 MR. LEA: Yes.

25 MR. BOR: Colanzi?

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1 MR. COLANZI: Yes.

2 MR. BOR: McGettigan?

3 MR. MCGETTIGAN: Yes.

4 MR. BOR: Smith?

5 MR. SMITH: Yes.

6 MR. BOR: Carries.

7 MR. WARD: Okay. The remaining
8 abatements unnecessary to appear are under 8 b (2)
9 (3) (4) and (5) as amended.

10 MR. MCGETTIGAN: Move it.

11 MR. SMITH: 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: Smith?

19 MR. SMITH: Yes.

20 MR. BOR: As to b (2) (3) (4) and (5).

21 MR. WARD: Okay. Resolution 8 c (1) to
22 solicit bids for corrosion inhibitor chemical.

23 MR. MCGETTIGAN: Move it.

24 MR. SMITH: I'm sorry?

25 MR. MCGETTIGAN: It's just a bid. I

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1 made a motion.

2 MR. SMITH: 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: Smith?

10 MR. SMITH: Yes.

11 MR. WARD: Carries. Resolution 8 d (1)

12 is for a service agreement with Ta'Ja Real Estate
13 Investors, LLC.

14 MR. SMITH: What do they do for us?

15 MR. BOR: They were in last month,
16 remember?

17 MR. WARD: Ta'Ja has been a small
18 business developer along Arctic Avenue here with
19 Councilman Small.

20 MR. SMITH: I forgot the name. Move
21 it.

22 MR. MCGETTIGAN: Second.

23 MR. BOR: Mr. Lea?

24 MR. LEA: Yes.

25 MR. BOR: Colanzi?

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1 MR. COLANZI: Yes.

2 MR. BOR: McGettigan?

3 MR. MCGETTIGAN: Yes.

4 MR. BOR: Smith?

5 MR. SMITH: Yes.

6 MR. WARD: Next is resolution to search
7 for payroll services.

8 MS. BAZEMORE: We're going to table
9 that until next month. We requested a -- we were
10 hopeful that we would have it at the time of the
11 Board meeting, but we have not yet received it.

12 MR. WARD: Resolution will be tabled.

13 8 f (1) is a resolution to circulate an
14 RFQ for energy counsel and energy consultant. These
15 are individuals, will be paid by a successful
16 proposer for solar services for the plant. It's
17 already in the RFP, so there is no cost to the
18 Authority. It's 8 f (1).

19 MR. MCGETTIGAN: They'll be selected by
20 us?

21 MR. WARD: They'll be selected by us,
22 yes. We select our own energy counsel and energy
23 consultant. There is a process, just at our
24 discretion.

25 These would be for professional

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1 services. This is an RFQ. We will interview the
2 interested parties and we will select individuals
3 that will be most beneficial to this process. The
4 energy consultant will assist us in the evaluation
5 and selection of the various proposals that come in
6 and energy counsel will assist us with drafting the
7 power purchase agreement.

8 MR. SMITH: You said this wouldn't cost
9 the MUA?

10 MR. WARD: No, we put those costs in
11 the RFP, so the successful proposer has to pay for
12 this.

13 MR. SMITH: Move it. I got you.

14 MR. MCGETTIGAN: Second.

15 MR. BOR: Mr. Lea?

16 MR. LEA: Yes.

17 MR. BOR: Colanzi?

18 MR. COLANZI: Yes.

19 MR. BOR: McGettigan?

20 MR. MCGETTIGAN: Yes.

21 MR. BOR: Smith?

22 MR. SMITH: Yes.

23 MR. WARD: G, 8 g (1) is a resolution
24 authorizing the continuing disclosure initiatives out
25 of the security and exchange commission.

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1 Ms. Bazemore has been advised, as well
2 as other similarly situated authorities, public
3 authorities that there are these new regulations with
4 respect to SEC, that has a responsibility to make
5 sure that compliance has occurred along the way with
6 respect to bonds and other finances. These are
7 resolutions to engage support to go back through our
8 finance packages to make sure that our disclosures
9 are correct and if any disclosures need to come
10 forward in order to get us into compliance, that's
11 what they do.

12 Ms. Bazemore, any further description
13 of where we're going with this?

14 MS. BAZEMORE: So basically 8 g (1) is
15 a resolution where we're agreeing, as Bruce said, we
16 will go back and take a look at over the last five
17 years to make sure that we are in compliance with
18 giving disclosure regarding our bond information.
19 Each year we're required to go on to the municipal
20 websites for bond issuers for municipal bonding and
21 we have to upload audit information as well as other
22 statistical information, and the Securities and
23 Exchange Commission noticed that a lot of municipal
24 brokers were not completing that task. So as a
25 result, they are giving municipal government an

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1 opportunity to do a look-back over the last five
2 years and then self report any discrepancies where
3 information was not complied with.

4 MR. SMITH: Is this mandated by the
5 State or who is this mandated by?

6 MS. BAZEMORE: Well, the State is
7 involved. The local finance -- they issued a local
8 finance notice regarding making it clear that
9 municipal government must comply and make sure that
10 disclosure information is provided regarding bonding,
11 so they're heavy on it.

12 MR. SMITH: Don't we do that anyway?

13 MS. BAZEMORE: We --

14 MR. SMITH: I'm not saying -- are we
15 duplicating something we're already doing?

16 MS. BAZEMORE: Based on when we issue
17 bonds, we have specific language in there regarding
18 disclosure and we thought we were in compliance
19 because we do upload our audits annually, but in
20 addition to that, they were looking for operating
21 data. And our assumption was that our audits are
22 pretty extensive and all information really should be
23 encaptured in that document, but in their opinion,
24 it's other statistical information that really should
25 have been uploaded as well, so --

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1 MR. SMITH: My opinion was I think
2 they're on a fishing expedition in some cases and
3 Ford Scott and whoever the people we have took care
4 -- I see where they had gotten in some kind of
5 trouble in one of the other communities recently, but
6 we've always been in compliance as far as I know.

7 MS. BAZEMORE: Basically, we have an
8 opportunity to self report any discrepancies, and
9 we're going to do that.

10 The next resolution actually names
11 Phoenix as advisors, as the firm that's going to help
12 us with that, because we are going to self report
13 that we did not include all the operating data and
14 it's an indication where we did not upload our
15 financial statements in the prescribed time, so we're
16 going to take advantage of self reporting this
17 information to the Securities and Exchange
18 Commission.

19 MR. WARD: I think it's interesting
20 that Phoenix is only charging \$650 to assist us to
21 get this done.

22 MR. WEBER: Was this specifically
23 requested to the ACMUA or was this across the board?

24 MS. BAZEMORE: This is across the
25 board.

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1 MR. SMITH: For the whole City?

2 MR. WEBER: For everybody. It wasn't
3 just us.

4 MR. SMITH: Got you, all right. Do we
5 need a motion?

6 MR. WARD: You want to group those two?

7 MR. BOR: So it would be g and h.

8 MR. SMITH: Move it.

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: Smith?

17 MR. SMITH: Yes.

18 MR. BOR: Carries g and h.

19 MR. WARD: Next is leave of absence for
20 Mr. Scott Haynes. Scott Haynes was injured in a fall
21 at the plant, and he has made the application for an
22 unpaid leave of absence to see how his recovery is
23 going to proceed. That's under 8.

24 MR. SMITH: Is he out on disability?

25 MR. WARD: Yes.

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1 MR. SMITH: And he's asking for -- has
2 it run out, Bruce?

3 MS. BAZEMORE: He's on workers' comp.

4 MR. SMITH: Still being paid?

5 MS. BAZEMORE: Through workers' comp.

6 MR. SMITH: But we don't have to pay
7 it? I guess we're paying because of the insurance.

8 MR. WARD: Insurance, yes.

9 MR. SMITH: Okay. How much time is he
10 asking for?

11 MS. BAZEMORE: What we normally do is
12 just as a courtesy, because they're out --

13 MR. SMITH: Job related.

14 MS. BAZEMORE: -- to cover health
15 benefits and so forth is why we do this resolution.

16 MR. WARD: He's asking to go to the end
17 of the year, December 31st, with this resolution.

18 MR. SMITH: Move it.

19 MR. MCGETTIGAN: Second.

20 MR. BOR: Mr. Lea?

21 MR. LEA: Yes.

22 MR. BOR: Colanzi?

23 MR. COLANZI: Yes.

24 MR. BOR: McGettigan?

25 MR. MCGETTIGAN: Yes.

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1 MR. BOR: Smith?

2 MR. SMITH: Yes.

3 MR. WARD: Okay. Under 9 energy, the
4 treatment plant addendum one moved the submission to
5 December 5th. We received finally the Board of
6 Public Utilities Energy Resilient Grant information.
7 Again, we sent the RFP out in anticipation that we
8 would be able to secure funding for battery backup
9 from the Board of Public Utilities. When the grant
10 came out, the grant advisory in particular focused on
11 those organizations that suffered severe Sandy damage
12 or Sandy down time. And that, for the most part,
13 looked as though that was not going to be promising
14 for us, so we sent out an advisory to all of the
15 bidders that the battery component would be
16 withdrawn, that they would continue on with the solar
17 component.

18 And subsequent to that, one of the
19 proposers indicated that would the Authority agree to
20 the alternative if a battery was put into the
21 project, could that battery storage therefore have
22 the ability to capture more energy and sell it back
23 to the grid and therefore reduce the PPA to the
24 Authority?

25 So I said if that's the case and if the

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1 technology is there for that to happen, then we sent
2 out addendum number two to advise all proposers that
3 they could bid in the alternative. They could bid
4 with the battery or without a battery, so it's giving
5 everybody a level playing field to provide what the
6 best practice of technology could be in order to
7 improve upon us.

8 We also had again, through Garth's
9 organization, we had a clearing of the former pad out
10 at the plant. The plant pad, which is going to be in
11 the rear for the installation of solar, needed to be
12 leveled and it needed to be cleared and we had a
13 contractor go out and take care of that under
14 contract.

15 So we are looking at bringing in all of
16 the proposals for the treatment plant solar in
17 December of this year. We hope to have all of those
18 proposals done. We would have the energy consultant
19 and the energy counsel interviews probably
20 immediately following, get selections going, get the
21 identification of the best system for us. And
22 hopefully we want to have this in place in June at
23 the expiration of the PPL contract, so that is moving
24 along.

25 B, floating solar at the reservoir at

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1 the FAA. We received advisory that we can go forward
2 with an RFP for floating solar at the FAA. And that
3 would be a project where an energy company would come
4 in and install floating solar on the upper reservoir
5 and make arrangements for the FAA to purchase the
6 energy. The FAA made it clear that in any release of
7 information, that there is no commitment for them to
8 purchase, but they would have the opportunity to
9 review, and if pricing was attractive enough for them
10 to have a savings as a result of that, then they
11 would move forward. We'll continue to work on this.

12 There is also a bird deterrent piece
13 that would have to be implemented on the floating
14 solar at the reservoir. So that is also in stages of
15 development in order to get a release.

16 Now we've already previously had a
17 resolution authorizing us to do floating solar. That
18 again, it's just taking time to meet with the FAA and
19 get the levels of approvals so that we could get
20 forward to marshaling this effort.

21 Number 10, monthly bills, resolution 10
22 a.

23 MR. SMITH: Pay them.

24 MR. MCGETTIGAN: Second.

25 MR. BOR: Mr. Lea?

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1 MR. LEA: Yes.

2 MR. BOR: Colanzi?

3 MR. COLANZI: Yes.

4 MR. BOR: McGettigan?

5 MR. MCGETTIGAN: Yes.

6 MR. BOR: Smith?

7 MR. SMITH: Yes.

8 MR. WARD: That's it. Executive
9 Session.

10 MR. COLANZI: What is the amount?

11 MR. WARD: The amount, I'm sorry.

12 MR. SMITH: Are you talking about the
13 monthly bills?

14 MR. WARD: \$736,822.57.

15 MR. SMITH: Three-quarters of a
16 million. Take ten.

17 MS. JOHNSON: Can I approach you for a
18 second before you go into Closed Session in regards
19 to one of the items that you have on the agenda?
20 It's the holiday party and retirement dinner. I
21 understand that you will be discussing it in Closed
22 Session, so I wanted to put this before you so while
23 you're discussing, you can add this thought. I know
24 with the things changing in town, the closing of the
25 various casinos, it's effecting us financially.

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1 However, I believe there might have been some items
2 that may be pulled from the employees regarding the
3 retirement dinner and I would ask that you look at
4 this seriously and not pulling the items, such as the
5 watches. First of all, people worked, myself
6 included, years and you look forward to the item when
7 you depart, that you will have some type of
8 memorabilia indicating that you worked here for 30,
9 40, 50 years, and some 20.

10 I understand that there is financial
11 restraints, but if we could cut back other areas as
12 opposed to us. I know we do a lot of spending
13 outside that may not be necessary and I think you
14 really should look at in-house being that we are
15 employees and we have dedicated our lives here. We
16 don't know how long we're going to be here. However,
17 when we do depart, we would like to have something to
18 show that we worked here as an employee.

19 And the watches, I myself ordered them
20 every year for the employees, as well as the service
21 pens. And I've taken pride over the years getting
22 one every ten, 20 years. And now to get to the end
23 of my end to retire soon, not too soon, I would like
24 to look forward to the watch with my name and ACMUA,
25 and I would ask that you do consider keeping that on

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1 there and the years worked.

2 MR. SMITH: Okay, Stella, ten minute
3 break, please.

4 (Closed Session from
5 10:45 a.m. to 12:05 p.m.)

6 MR. WARD: We are we back in Open
7 Session. We've come out of item number 11, Executive
8 Session. We had a report from labor counsel.
9 Primarily, the meeting between all three unions, and
10 the discussion there of the unions presented a matrix
11 of issues. They wish to begin on the negotiations.
12 I think it's clear that some of the issues are
13 housekeeping, in that there is an effort to make the
14 terms equal that have no economic impact and other
15 items that have to do with economic impact and/or
16 employee work assignment promotion, so forth and so
17 on will take more time. The union, however, has been
18 advised that they may want to try to resolve all
19 three union contracts hopefully before the end of the
20 year and if not, very very early in 2015.

21 Also, Mr. Weber did indicate he
22 received the motion from the attorney general with
23 respect to the Dabney case and he will have an
24 opportunity to review that and report back.

25 We had a conversation with respect to

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1 the development in the City, and administration has
2 been urged to continue its pursuits with respect to
3 energy development and so forth and go on.

4 The administration building roof repair
5 will be postponed until the spring of 2015 in order
6 to await temperatures in the 60 degree range, so that
7 the application can proceed. The Authority has
8 received a check from the applicators in the
9 settlement agreement and is awaiting the 25 gallons
10 of solution for that job to be assigned in the spring
11 of 2015.

12 American Demolition Company. This was
13 a dispute over a demolition company's handling of an
14 Authority meter hydrant meter for a nearly ten-year
15 period, and there has been a determination by the
16 Board of trustees -- excuse me, the Board of
17 Directors here that the final bill will be in the
18 \$7,000 range. And our solicitor will send a letter
19 back to Lloyd Levenson, who represented American
20 Demolition, providing also a payment plan for the
21 \$7,000 and that payment plan would have to be entered
22 into in order for American Demolition to continue to
23 take out hydrants.

24 Pacific Avenue repaving. The Board
25 discussed the ongoing project with the CRDA serving

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1 as the lead for this project and how the repaving
2 engineering is working with our operations people to
3 identify areas in the street where the model will
4 have to be adjusted so as to not interfere with
5 Authority assets underground. And we'll report back
6 as this process continues.

7 With respect to the employee merit
8 programs and holiday retirement dinner, that matter
9 will be rediscussed at the December meeting and also
10 in personnel committee.

11 MR. SMITH: Correct.

12 MR. WARD: Okay.

13 MR. SMITH: Are you finished?

14 MR. WARD: I'm finished.

15 MR. SMITH: Move for adjournment.

16 MR. BOR: Hearing no objection.

17 (The meeting adjourned at 12:10 p.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
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DATED: November 26, 2014

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