

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

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DATE: Wednesday - September 18, 2019

COMMENCING AT 9:45 A.M.

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

401 NORTH VIRGINIA AVENUE

ATLANTIC CITY, NEW JERSEY 08404

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1 Computer-aided transcript of the Board of
2 Directors meeting, taken stenographically in the
3 above-entitled matter before Dominique R. Caputo.
4

5 BOARD MEMBERS PRESENT:

6 MILTON L. SMITH, Chairman

7 GARY L. HILL, Vice Chairman/Secretary

8 PATRICIA BAILEY, Board Member

9 NYNELL LANGFORD, Board Member

10 WILLIAM CHEATHAM, Alternate

11 JOHN MCGETTIGAN, Alternate
12

13 ALSO PRESENT:

14 Bruce Ward, Executive Director

Atlantic City Municipal Utilities Authority

15 Claude Smith, Deputy Executive Director

Atlantic City Municipal Utilities Authority

16 Kelley Williams, Executive Secretary

Atlantic City Municipal Utilities Authority

17 Anita Thapa

Atlantic City Municipal Utilities Authority

18 Fred Bor

Atlantic City Municipal Utilities Authority

19 Andrew Weber, Labor Counsel
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PROCEEDINGS

- - -

THE CHAIRMAN: Adequate notice of this meeting has been provided as required by law by mailing to the Press a list of the regularly scheduled meetings of the Board of Directors, including the notice of the regular meeting scheduled for September 18, 2019, at 401 North Virginia Avenue, Conference Room, Atlantic City, New Jersey.

A copy of said notice was sent to the City Clerk to be posted.

All of the aforesaid complies with Chapter 231 of the Laws of 1975 known as "Open Public Meeting Laws." Roll call, please.

MR. BOR: Mr. Cheatham.

MR. CHEATHAM: Here.

MR. BOR: Mr. McGettigan.

MR. MCGETTIGAN: Here.

MR. BOR: Mrs. Bailey.

MRS. BAILEY: Here.

MR. BOR: Mrs. Langford.

MRS. LANGFORD: Here.

MR. BOR: Dr. Devlin is absent. Mr.

1 Hill.

2 MR. HILL: Here.

3 MR. BOR: Mr. Smith.

4 THE CHAIRMAN: Here.

5 MR. BOR: I heard from Commissioner
6 Devlin. He said he's going to try to get here.
7 He's working. In the event that he comes, then the
8 alternate for today will be Mr. McGettigan. In the
9 event Mr. Devlin comes, then you are bumped.

10 MRS. LANGFORD: I'll be leaving at
11 10:45.

12 MR. BOR: So when you leave, Mrs.
13 Langford, or when John comes, we'll adjust. Right
14 now we have our quorum.

15 THE CHAIRMAN: Okay. Let's do our
16 Flag Salute. Mr. Cheatham, will you lead us,
17 please?

18 MR. CHEATHAM: Yes.

19 - - -

20 (Whereupon the Pledge of Allegiance
21 was recited.)

22 - - -

23 MR. BOR: Minutes. Okay, the
24 Commissioners have received copies of the executive
25 session minutes of August 21st and as well as the

1 minutes -- the regular minutes of that date. If
2 there's a motion on that, it will be entertained.

3 MR. HILL: Motion to accept.

4 MRS. BAILEY: Second.

5 MR. BOR: Mr. McGettigan.

6 MR. MCGETTIGAN: Yes.

7 MR. BOR: Mrs. Bailey.

8 MRS. BAILEY: Yes.

9 MR. BOR: Mrs. Langford.

10 MRS. LANGFORD: Yes.

11 MR. BOR: Mr. Hill.

12 MR. HILL: Yes.

13 MR. BOR: Mr. Smith.

14 THE CHAIRMAN: Yes.

15 MR. BOR: Minutes approved.

16 MR. WARD: Okay. Good morning, Board
17 Members and staff. Just a couple of announcements.
18 I wanted to update you on the matter of 2101 Pacific
19 Avenue, 212-214 Atlantic Avenue, 2015 Atlantic
20 Avenue. There's continued nonpayment of taxes and
21 nonpayment of water.

22 We were asked by the City of Atlantic
23 City to hold off on the shutoff because of the
24 thirty or more residents, some of whom are
25 developmentally disabled, would have to be relocated

1 by the City. And that would be a very expensive
2 undertaking. The City has indicated to me that they
3 are aggressive and going straight to court. So I
4 just wanted you to be aware of that.

5 I spoke to the NAACP general meeting
6 on September the 2nd. There was a concern about lead
7 in our water. I was able to explain -- and again,
8 that concern arose out of the experience in Newark,
9 New Jersey. And I explained that that concern is
10 not a concern of Atlantic City, and that we have our
11 regular testing for lead. And we have come through
12 and are in compliance with state and federal
13 guidelines.

14 THE CHAIRMAN: Just a suggestion. We
15 have an individual that goes to the schools and
16 talks that we hired. What's his name?

17 MR. WARD: His name is Aaron
18 Randolph.

19 THE CHAIRMAN: You think it would be
20 wise for him to go to the schools or --

21 MR. WARD: Right now he has been
22 deployed on the crews with regard to the management
23 program. He's kind of a fill in right now in terms
24 of the blue collar crews. He is a blue collar
25 employee. Now, we can pull together a package for

1 him to start going to the schools and, you know, see
2 how his time can be redeployed to go to the schools.

3 THE CHAIRMAN: I just thought it was
4 one of his functions.

5 MR. WARD: Initially, it was.
6 Initially, it was. But he sort of has been
7 backfilling, you know, with hydrants and, you know--

8 THE CHAIRMAN: Okay. Well, as long
9 as someone there at the schools know that we are on
10 top of that. Especially, with the led there.

11 MR. WARD: I'm going to take a note
12 of that. You know, we'll sit down with Mr. Randolph
13 and see how that can be undertaken.

14 THE CHAIRMAN: Just a suggestion.
15 All right. I want everything to be transparent,
16 that's all.

17 MR. WARD: On the 24th of this month
18 I'll be moderating the town hall meeting. The town
19 hall meeting will be 6:00 at the Uptown Complex. We
20 are expecting key representatives from the State of
21 New Jersey as well as stakeholders from the City of
22 Atlantic City. The MBCA has a save the date, but it
23 doesn't have a save the time.

24 MR. HILL: 5:30.

25 MR. WARD: 5:30.

1 MR. HILL: 5:30 at Hard Rock.

2 MR. WARD: At Hard Rock. Any Board
3 Members that are interested in attending, please,
4 let either myself or my trusted assistant, Ms. Kelley
5 Williams, know.

6 Michael Riley, our special counsel
7 who is covering our major litigation, will be
8 meeting with me coming up in over the next two weeks
9 because discovery has started from the federal
10 court. And there is a template of documents that
11 they are going to want from us. And, you know,
12 we'll be here digging through files to make sure
13 that our discovery is complete and up to date.

14 Okay. Other than that, you do have
15 the minutes of the Personnel Committee Meeting. We have
16 financial reports. We have ongoing shut offs which
17 my phone keeps buzzing because when a person gets
18 shut off, they call me, "Can I do anything?" I say,
19 "You know, I can tell you to come in and pay. Just
20 get us up to date here."

21 MS. THAPA: The lein will be
22 starting -- the lein we will be starting September --
23 at the end of September. And the shut off will be
24 for all cycles, all properties, that's if anything --
25 the balance is over \$100. This is like a yearly

1 thing that we do. So hopefully we don't have anymore
2 phonecalls.

3 MR. WARD: Director's forum.
4 Directors, any input? Comments?

5 Public participation. We have two
6 abatements that are required and those persons
7 aren't here. So we should move, therefore, to old
8 business and the first would be 8a1 . Not for
9 vehicles, we talked about that. But 8a1 is our
10 resolution on DSC Construction. And I've had an
11 opportunity to confer with the solicitor.

12 This was the most attractive bid.
13 However, one of the documents was unsigned. And
14 there was a question as to whether to go forward.
15 We've had a conversation with the solicitor. And
16 that document was not considered to be a substantive
17 document. It was an affirmative action document.
18 He can sign it again. He did sign the bid. He
19 signed all of the promises to perform. But this was
20 one supplementary document that wasn't signed.

21 MR. BOR: Excuse me. This matter was
22 a conference between Mr. Smith and I. And I
23 communicated to Mr. Smith that the bidding statute
24 does require a signature on it or else it can be
25 rejected. However, in this situation there was a

1 signature on it, but the addendum relating to
2 affirmative action wasn't signed. So if the bid and
3 chief was signed properly, it would be valid. And I
4 understand that we'll have the affirmative action
5 signature also obtained. Yes, Bruce?

6 MR. WARD: Yes. Yes, we can send it
7 out and have that--

8 MR. BOR: It's a matter of fact that
9 that was the one that was missing the signature.
10 And it's substantive enough to accept that bid.

11 MR. HILL: Which bid? The second
12 bid?

13 MR. WARD: 8a1 for DCS
14 Construction.

15 MR. SMITH: It's 8b1.

16 MRS. BAILEY: I thought it was 8a1.

17 MR. SMITH: Sorry. It's 8a3.

18 MRS. BAILEY: 8a3.

19 MR. HILL: So we're expecting DCS?

20 MS. WILLIAMS: It is 8a1, but we
21 didn't have any -- so we just moved that one down.
22 Yes, it is 8a1.

23 MR. WARD: Is there a motion?

24 MR. BOR: Is there a motion to
25 accept? It's 8a1 now?

1 MS. WILLIAMS: Yes. Because there was
2 two other bids before that. And we didn't get any
3 bids. So we just went down.

4 MRS. BAILEY: So it's that one with
5 1,479--

6 MR. SMITH: 1,479,360.

7 MRS. BAILEY: Okay.

8 MR. SMITH: And as usual, we do
9 request a recommendation from the engineer in
10 regards to the receipt of the bids as well too. And
11 that particular part of it is actually attached. If
12 you want to read it, you can go ahead and read it.

13 MR. BOR: All right. Do we have a
14 motion?

15 MRS. BAILEY: Motion.

16 MR. HILL: Second.

17 MR. BOR: Mr. McGettigan.

18 MR. MCGETTIGAN: Yes.

19 MR. BOR: Mrs. Bailey.

20 MRS. BAILEY: Yes.

21 MR. BOR: Mrs. Langford.

22 MRS. LANGFORD: Yes.

23 MR. BOR: Mr. Hill.

24 MR. HILL: Yes.

25 MR. BOR: Mr. Smith.

1 THE CHAIRMAN: Yes.

2 MR. BOR: Carries.

3 MR. WARD: Okay. Just briefly on
4 vehicles, and this is just a discussion item. We
5 recognized that the bid process going through the
6 State of New Jersey, very cumbersome, very slow. So
7 we had two requests for vehicles. One coming out of
8 the plant, one coming out of distribution in the
9 city. And we decided to go on two different fronts.

10 One, the plant felt that they had a
11 relationship with a state certified dealer, that
12 that state certified dealer could move things
13 faster, and that was Mr. Palombi. So he is
14 expecting his vehicles by the end of the month, to
15 order beginning of October. Because he went out
16 through the bid process.

17 On the second front, through
18 distribution, we decided to try the open bid process
19 meaning that we went out to bid publicly for these
20 vehicles. We got no response. Checked with our
21 solicitor, we had to go out again. It was required
22 that we went out twice. We went out twice. We have
23 no responsive bidders whatsoever which means that
24 our distribution people can go to the dealers that
25 may have stock on their lots. And we can purchase

1 those vehicles as long as they are underneath the
2 price of the State bid. Is that -- that's correct?

3 MR. BOR: Yes. Mr. Ward and I had
4 numerous conversations on this issue. And there is
5 a specific statute concerning what happens if you
6 get no bids. The first requirement is to do it a
7 second time.

8 MRS. BAILEY: Correct.

9 MR. BOR: And if there's no bids even
10 the second time, then it kicks into a procedure,
11 that I instructed Mr. Ward that the Authority did
12 follow, where you have to go out to dealers. It has
13 to be a comparable vehicle. It's got to be under
14 the price of the city vehicle. And I think also you
15 need the two-thirds vote on this one rather than a
16 majority.

17 We've satisfied all those conditions.
18 So, therefore, it is quite proper to go ahead with
19 the motion and the purchase of the vehicles.

20 MR. WARD: So basically during the
21 next 30 days what our team will do, we'll try to
22 secure an offer from dealers for those vehicles, who
23 bring those offers back, and form a resolution to
24 purchase based on those offers. And that will be at
25 our next Board Meeting.

1 MRS. BAILEY: How many vehicles?

2 MR. BOR: Two.

3 MRS. BAILEY: Two.

4 MR. WARD: It's a matter of -- it's a
5 matter of balance between plant and-- I think
6 there's five at the plant and three over here in
7 distribution.

8 MS. THAPA: I don't know if you had
9 seen my email. Polumbi did already have a purchase
10 order for five. Two will be coming--

11 MR. WARD: Two will be coming over
12 here?

13 MS. THAPA: -- over here. And three
14 will be coming -- I mean, three will be coming here
15 and two will be over there. So when I talked to
16 Dale, he is looking at additional -- two more, I
17 think, over here. So probably two more.

18 MR. WARD: We were hopeful that those
19 two vehicles are available. I mean, they have to be
20 on a lot of a dealer. They have to be brand new.
21 And that dealer has to agree to sell them to us at a
22 price that is below the state list.

23 THE CHAIRMAN: Who's taking care of
24 that? Mr. Polumbi?

25 MR. WARD: Mr. Polumbi has his five.

1 He's going through the state bid list. So over here
2 would be Dale and Kevin going out to look at
3 vehicles. And I think-- I think it's Ford. We have
4 to go to Ford.

5 MR. BOR: So no resolution is needed?

6 MR. WARD: No. This is just
7 information only so that we know where we are going.
8 Okay. 8a2, plumbing alterations. Mr. Smith.

9 MR. SMITH: Yes. We just put out a
10 proposal for bids for miscellaneous plumbing
11 alterations. It included HVAC as well too. We did
12 not receive any bids. And I actually took the
13 liberty to call up Falasca because they have
14 actually done work prior. And I have actually bid
15 on this type of proposal before.

16 And I asked them a question, you
17 know, why they didn't actually put any proposal or
18 bid on it. And their response was that the
19 residential portions of it, they do not do. They do
20 not do anymore. So because of the fact a portion of
21 that proposal requires that the contractors, if and
22 when there's a scenario that we might have a cause,
23 a problem, they go into the home to repair that
24 particular problem. And I guess they don't want any
25 liability or any part of that.

1 So I think what's going to have to
2 happen is we're going to have to put that bid out
3 again to see whether or not we can get proposal of
4 these covers for our HVAC system. If not, the State
5 contract pricing, that also does cover HVAC
6 contractors. So that's another way that we can
7 actually look at it as well too.

8 MR. HILL: Two things. One, I
9 believe they bid a while ago and they were very
10 expensive, Falasca, weren't there?

11 MR. SMITH: They did not bid last
12 year.

13 MR. HILL: Not the last time, but
14 like a year or two before.

15 MR. SMITH: Right. They bid a couple
16 years before. Kisby actually did bid last
17 year, but they did not bid this year. Okay. I
18 didn't call them to see pretty much what the issue
19 was. But I wanted to find out from -- because since
20 they are larger, I wanted to see what their position
21 was or is, and why they did not submit a bid at all.

22 So I think we just probably have to
23 review that bid and maybe modify it in regards to
24 putting it back out there to see whether or not we
25 do get anything. But like I said, it's -- you know,

1 regards to the HVAC portions of that particular
2 proposal, we do know that their state contract
3 prices -- there are contractors that's out there
4 that, you know, if we do need to, we can actually
5 solicit.

6 MR. HILL: So you're going to go out
7 to bid again for this?

8 MR. SMITH: I'm going to think about
9 it.

10 MR. WARD: Okay. 8b1, that would
11 be the engineering services for repairs for Basin C,
12 and that would be to appoint PS&S. The total is
13 44,655.

14 MR. HILL: So this will get us -- this
15 has been an issue for so long now.

16 MR. SMITH: This will get us
17 engineering services, our design for Basin C, to
18 repair it, to replace the cover, and repair any
19 particular work that's included inside of the basin
20 itself.

21 MR. HILL: Right. Okay. So this
22 will be us moving forward basically?

23 MR. SMITH: Absolutely. This is
24 moving us forward.

25 MR. HILL: Right.

1 MR. SMITH: Because we need to get
2 that basin back into service.

3 MR. HILL: Okay. Very good. I'll
4 move it.

5 MRS. BAILEY: I'll second.

6 MR. BOR: Mr. McGettigan.

7 MR. MCGETTIGAN: Yes.

8 MR. BOR: Mrs. Bailey.

9 MRS. BAILEY: Yes.

10 MR. BOR: Mrs. Langford.

11 MRS. LANGFORD: Yes.

12 MR. BOR: Mr. Hill.

13 MR. HILL: Yes.

14 MR. BOR: Mr. Smith.

15 THE CHAIRMAN: Yes.

16 MR. BOR: B1 carries.

17 MR. WARD: Next is 8c1. This is a
18 change order for uniforms for This and That. The
19 change order is \$9,244.

20 MRS. BAILEY: How did that -- that's a
21 big number.

22 MS. THAPA: Actually, that's just--

23 MS. WILLIAMS: It's just the
24 resolution was worded wrong. And it had the
25 incorrect amount.

1 MRS. LANGFORD: Okay.

2 MS. WILLIAMS: So we needed to change
3 it. We had like 11,000. But it was actually
4 \$9,244. We just had to amend the resolution.

5 MRS. BAILEY: Okay.

6 MS. WILLIAMS: We are amending the
7 amount for the resolution.

8 MR. BOR: Is there a motion on
9 uniform garments?

10 MR. HILL: Motion.

11 THE CHAIRMAN: Second.

12 MR. BOR: Mr. McGettigan.

13 MR. MCGETTIGAN: Yes.

14 MR. BOR: Mrs. Bailey.

15 MRS. BAILEY: Yes.

16 MR. BOR: Mrs. Langford.

17 MRS. LANGFORD: Yes.

18 MR. BOR: Mr. Hill.

19 MR. HILL: Yes.

20 MR. BOR: Mr. Smith.

21 THE CHAIRMAN: Yes.

22 MR. BOR: C1 carries.

23 MR. WARD: 9a1, request for going
24 out for security contract for distribution yard.
25 This was to go out for bids.

1 MRS. BAILEY: Who does it now?

2 MS. WILLIAMS: Tri-County.

3 MR. WARD: Tri-County. It goes back
4 and forth between the two.

5 MR. HILL: It does.

6 MR. WARD: And it was the same
7 people --

8 MRS. BAILEY: It was somebody else.

9 MR. HILL: We've had different
10 people.

11 MS. WILLIAMS: We had Allied.

12 MR. HILL: Allied, OPS, I think.

13 MRS. BAILEY: Okay.

14 MR. HILL: I know they won a bid,
15 OPS. And Allied was for a while and then they -- and
16 didn't they merge or somebody merged?

17 MR. WARD: Really what happens is
18 that a new company comes in and they hire all of the
19 people that's already in place. So it's the same
20 individuals moving back and forth between different
21 companies.

22 MRS. BAILEY: So it's a two-year
23 contract or a one-year contract?

24 MR. SMITH: We're doing a one-year
25 contract.

1 MS. THAPA: Usually it's two.

2 MR. SMITH: We do it with a year with
3 an option to go into a second year.

4 MRS. BAILEY: Okay. All right. So
5 this is their second year?

6 MR. SMITH: Tri-County?

7 MS. WILLIAMS: Yes. It's their
8 second year.

9 MRS. BAILEY: Okay.

10 MR. WARD: That's 9a1.

11 MR. HILL: Move it.

12 MRS. BAILEY: Second.

13 MR. BOR: Mr. Mcgettigan.

14 MR. MCGETTIGAN: Yes.

15 MR. BOR: Mrs. Bailey.

16 MRS. BAILEY: Yes.

17 MR. BOR: Mrs. Langford.

18 MRS. LANGFORD: Yes.

19 MR. BOR: Mr. Hill.

20 MR. HILL: Yes.

21 MR. BOR: Mr. Smith.

22 THE CHAIRMAN: Yes.

23 MR. WARD: All right. 9a2, audit
24 and budget review services. Ms. Thapa will be
25 discussing her interaction with the Friedman Firm

1 and where we could go, where we should go.

2 MS. THAPA: So as you see in the
3 packet, the audit fee, their proposal is 50,500. It
4 is an increase of 11,500.

5 MR. HILL: What's the increase?

6 MS. THAPA: 11,500 from our prior
7 year contract. We do know that our change -- it
8 changed in the past month. After my inquiry, it is
9 kind of a quite expensive audit for the size of an
10 Authority like ours. I know this year they spent
11 quite a bit of time because of these GASB
12 situations.

13 But then I kind of don't understand,
14 as you see on the forum, most of the GASB are
15 already -- for especially for the health and the
16 pension, they should have already known. So I
17 shouldn't expect any changed order. But they did it
18 anyway.

19 But the main other issues was the
20 PFAS chemicals. I did not expect this much increase
21 because I was expecting not the same number of hours
22 we spent for the next year audit process. So my
23 recommendation, and just to do our due diligence, is
24 to go out for advertisement for our fee just to see
25 what other local companies offer. So that's my

1 recommendation.

2 We do have -- even though he's not
3 here, Kelley does have two resolutions, one to accept
4 this current company or to offer the advertisement.

5 MRS. BAILEY: Can I ask you a
6 question? Looking at this -- and we all know about
7 the -- most of us know about the GASB. When they
8 billed us, did they bill us itemized so you see how
9 much they charge for the GASB fees and how much they
10 charge for the PFAS fees?

11 MS. THAPA: They kind of did it. But
12 they included everything in my final portion and the
13 hours, which he did respond. But at that time -- at
14 that time I didn't have too much -- we didn't have
15 too much time because of the audit due date. So I
16 did portion it. I did put the emails -- her response
17 on the emails from the last. I mean, it's still
18 questionable, the 25,000 change order. But she did
19 explain. She did pu t-- as requested, she put all
20 the hours on the invoice.

21 MRS. BAILEY: So, Mr. Ward, if we
22 went out for a bid, they have a right to bid? Just
23 like anybody else, they can bid to get it back?

24 MR. WARD: Absolutely.

25 MS. THAPA: They did kind of reduce

1 5,000. The original proposal was 55,000. And they
2 did go down 5,000. Now it's 55 -- 50,500.

3 MR. BOR: If we request for bid, I
4 have a hunch they'll lower it more.

5 MRS. BAILEY: Me too. That's what I
6 said. We need to at least try that.

7 MR. HILL: Right.

8 MRS. BAILEY: To me we should
9 consider to go out for bids. And like I said, let
10 them know that we know they are not the only ones.

11 MR. WARD: And again, I respect the
12 continuity over a few years of a firm that gets to
13 know us and know exactly, you know, what to look
14 for. But at the same time, we want to make sure
15 that we avoid some of the conflicts that occurred in
16 the past with another local auditing company which
17 is why I wanted to bring this to our attention.

18 MS. THAPA: I mean, this is a
19 professional services.

20 MR. WARD: It is a professional
21 service so we can--

22 MRS. BAILEY: Do what we want pretty
23 much.

24 MR. WARD: Yes.

25 MRS. BAILEY: But I agree though that

1 if we see what's out there, we'll get a lower
2 number.

3 MR. HILL: But could we negotiate --
4 have a conversation before?

5 MRS. BAILEY: Can we do that legally?

6 MR. HILL: I don't know. Can we?

7 MR. BOR: Yes.

8 THE CHAIRMAN: We did have -- the
9 change order was 25,000. I was suspecting -- that
10 was a very large change order for us to have to pay
11 additional \$25,000 from the original contract.
12 Although, they said something about PFAS was the
13 reason.

14 MR. HILL: Yes, they did.

15 THE CHAIRMAN: But anyway. Let's --

16 MR. HILL: Can we pull this and talk
17 about it in executive session?

18 THE CHAIRMAN: Yes. That is possible
19 also, but we should go out for a bid.

20 MR. HILL: Yes.

21 THE CHAIRMAN: But I agree with you.

22 MRS. BAILEY: Okay. So we are going
23 to pull it?

24 THE CHAIRMAN: Pull it.

25 MR. HILL: Just for now.

1 MR. WARD: Yes. This was only a
2 discussion.

3 MS. THAPA: But if we decided we have
4 to do this -- this is a time sensitive issue.

5 MR. WARD: Okay. 9b1 and 2, the
6 necessary to appear have not appeared. So they will
7 be put on the back burner. We have the unnecessary
8 to appear which would be 9b3 , 4 and 5. We can
9 group them together.

10 MRS. BAILEY: Okay. So those are the
11 unnecessary to appear.

12 MR. WARD: Unnecessary. Yes.

13 MRS. BAILEY: I have a motion that we
14 move the unnecessary to appear.

15 MR. HILL: Second.

16 MR. BOR: Mr. McGettigan.

17 MR. MCGETTIGAN: Yes.

18 MR. BOR: Ms. Bailey.

19 MRS. BAILEY: Yes.

20 MR. BOR: Ms. Langford.

21 MRS. LANGFORD: Yes.

22 MR. BOR: Mr. Hill.

23 MR. HILL: Yes.

24 MR. BOR: Mr. Smith.

25 THE CHAIRMAN: Yes.

1 MR. WARD: Okay. And for C, request
2 to go out for water service laterals. This is to go
3 out for bid.

4 MR. HILL: Move it.

5 MR. WARD: Is there a second?

6 MRS. BAILEY: Second.

7 MR. BOR: Mr. McGettigan.

8 MR. MCGETTIGAN: Yes.

9 MR. BOR: Mrs. Bailey.

10 MRS. BAILEY: Yes.

11 MR. BOR: Mrs. Langford.

12 MRS. LANGFORD: Yes.

13 MR. BOR: Mr. Hill.

14 MR. HILL: Yes.

15 MR. BOR: Mr. Smith.

16 THE CHAIRMAN: Yes.

17 MR. BOR: Carries.

18 MR. WARD: Insurance proposals, D,
19 for general liability, public liability, to go out
20 again. I want to make clear that we have added in
21 our criteria cyber security insurance.

22 MRS. BAILEY: Who has that now?

23 MR. WARD: Siracusa has the insurance
24 now. But this would bring us to our consultant
25 which is the Briarwood Firm.

1 MRS. BAILEY: Okay.

2 MR. WARD: To help to sort through
3 the proposals.

4 MRS. BAILEY: Would the cyber
5 security be added to the policy?

6 THE BOARD MEMBER: It's added to the
7 proposal, but it's a freestanding policy.

8 MR. WARD: So that is 9D1. Motion?

9 MRS. BAILEY: Motion.

10 MR. HILL: Second.

11 MR. BOR: Mr. McGettigan.

12 MR. MCGETTIGAN: Yes.

13 MR. BOR: Mrs. Bailey.

14 MRS. BAILEY: Yes.

15 MR. BOR: Mrs. Langford.

16 MRS. LANGFORD: Yes.

17 MR. BOR: Mr. Hill.

18 MR. HILL: Yes.

19 MR. BOR: Mr. Smith.

20 THE CHAIRMAN: Yes.

21 MR. WARD: 9d2, this would be the
22 appointment of Anita Thapa.

23 MS. WILLIAMS: No. Mr. Ward, we
24 changed that.

25 MR. WARD: Oh, you did? I'm sorry.

1 MS. WILLIAMS: Yes. It's going to be
2 Claude instead.

3 MR. WARD: It's going to be Claude.

4 MS. WILLIAMS: Yes.

5 MR. WARD: He's the insurance
6 official. Okay. So with that correction, it will
7 be Claude.

8 THE CHAIRMAN: Well, have you found
9 the guy that's been missing that's in charge of
10 the -- getting these insurance policies together?

11 THE BOARD MEMBER: Yes.

12 THE CHAIRMAN: What's his name again?
13 I can't remember.

14 MR. SMITH: Bill Brengle.

15 THE CHAIRMAN: Yes.

16 MR. SMITH: William Brengle.

17 THE CHAIRMAN: Yes.

18 MR. SMITH: Yes. I did get in touch
19 with him.

20 THE CHAIRMAN: You said you did
21 speak?

22 MR. SMITH: Yes, we did speak. We
23 have spoken on a couple of occasions.

24 THE CHAIRMAN: And he's still
25 representing us for \$7-10,000 a year?

1 MR. SMITH: Whatever his -- whatever
2 his rates are, the number of hours he put in for
3 that timeframe. It's not to exceed 7.

4 THE CHAIRMAN: Okay. I recall that.
5 Move it.

6 MR. BOR: We're moving on
7 administrative official appointment of Claude Smith.

8 MR. HILL: Second.

9 THE CHAIRMAN: Yes.

10 MR. BOR: Mr. McGettigan.

11 MR. MCGETTIGAN: Yes.

12 MR. BOR: Mrs. Bailey.

13 MRS. BAILEY: Yes.

14 MR. BOR: Mrs. Langford.

15 MRS. LANGFORD: Yes.

16 MR. BOR: Mr. Hill.

17 MR. HILL: Yes.

18 MR. BOR: Mr. Smith.

19 THE CHAIRMAN: Yes.

20 MR. WARD: And again, our annual
21 assessment from the United States Department of
22 Geologic Services, we have to pay \$22,850.

23 MRS. BAILEY: What do they do for us?

24 MR. HILL: What exactly?

25 MR. WARD: They do maps and they make

1 the maps available on the internet.

2 MRS. BAILEY: But seriously though,
3 if we go to the internet, there are maps posted?

4 MR. SMITH: You can go to the state
5 website and find maps. I personally don't know what
6 they do.

7 MRS. BAILEY: Okay.

8 MR. WEBER: You don't have a choice.

9 MRS. BAILEY: Well, my question was
10 answered. We don't have a choice.

11 MR. WEBER: You are required to do
12 it.

13 MR. BOR: All right. Is there a
14 motion on e1?

15 MRS. BAILEY: Motion.

16 THE CHAIRMAN: Second.

17 MR. BOR: Mr. McGettigan.

18 MR. MCGETTIGAN: Yes.

19 MR. BOR: Mrs. Bailey.

20 MRS. BAILEY: Yes.

21 MR. BOR: Mrs. Langford.

22 MRS. LANGFORD: Yes.

23 MR. BOR: Mr. Hill.

24 MR. HILL: Yes.

25 MR. BOR: Mr. Smith.

1 THE CHAIRMAN: Yes.

2 MR. WARD: Okay. Resolution 9f1,
3 leave of absence. Raymond Chapman. 9f1.

4 MRS. BAILEY: Unpaid leave?

5 THE BOARD MEMBER: Yes.

6 THE CHAIRMAN: Move it.

7 MR. HILL: Second.

8 MR. BOR: Mr. McGettigan.

9 MR. MCGETTIGAN: Yes.

10 MR. BOR: Mrs. Bailey.

11 MRS. BAILEY: Yes.

12 MR. BOR: Mrs. Langford.

13 MRS. LANGFORD: Yes.

14 MR. BOR: Mr. Hill.

15 MR. HILL: Yes.

16 MR. BOR: Mr. Smith.

17 THE CHAIRMAN: Yes.

18 MR. WARD: 10 a, Monthly bills.

19 THE CHAIRMAN: Move it.

20 MR. HILL: Second.

21 MR. BOR: Mr. McGettigan.

22 MR. MCGETTIGAN: Yes.

23 MR. BOR: Mrs. Bailey.

24 MRS. BAILEY: Yes.

25 MR. BOR: Mrs. Langford.

1 MRS. LANGFORD: Yes.
2 MR. BOR: Mr. Hill.
3 MR. HILL: Yes.
4 MR. BOR: Mr. Smith.
5 THE CHAIRMAN: Yes.
6 MR. WARD: Is there a motion to go
7 into executive session?
8 MRS. BAILEY: Motion.
9 MR. HILL: Second.
10 MR. BOR: Mr. McGettigan.
11 MR. MCGETTIGAN: Yes.
12 MR. BOR: Mrs. Bailey.
13 MRS. BAILEY: Yes.
14 MR. BOR: Mrs. Langford.
15 MRS. LANGFORD: Yes.
16 MR. BOR: Mr. Hill.
17 MR. HILL: Yes.
18 MR. BOR: Mr. Smith.
19 THE CHAIRMAN: Yes.
20 - - -
21 Closed session began at 10:34 a.m.
22 - - -
23 Back in Public Session at 11:20 a.m.
24 - - -
25 MR. WARD: We're back from closed

1 session. And the Board decided that it would go out
2 for bid for auditing services. So a bid will be
3 solicited for orders for the next term.

4 MRS. BAILEY: So we need to move that
5 as a resolution? We're going out for bid.

6 THE BOARD MEMBER: Yes. We're going
7 out for bid.

8 MRS. BAILEY: Motion to go out to
9 bid.

10 MR. BOR: Also, just let the record
11 reflect that Ms. Langford had another engagement and
12 Mr. Cheatham is now a voting member. Mr. Cheatham.

13 MR. CHEATHAM: Yes.

14 MR. BOR: Mr. McGettigan.

15 MR. MCGETTIGAN: Yes.

16 MR. BOR: Mrs. Bailey.

17 MRS. BAILEY: Yes.

18 MR. BOR: Mr. Hill.

19 MR. HILL: Yes.

20 MR. BOR: Mr. Smith.

21 THE CHAIRMAN: Yes.

22 MR. BOR: Carries.

23 MR. WARD: So we also discussed the
24 labor vote for the Blue Collar Union. And the Blue
25 Collar Union has been certified as the Government

1 Workers' Union. Mr. Weber has provided me with
2 certification of that.

3 The Board has discussed three
4 employees having what is described as deficiencies
5 in salary, historical deficiencies. And the Board
6 is prepared to adjust the salaries of the following:
7 Afroza Parveen, adjusted salary to 58,500 annual.
8 Anita Thapa, adjusted salary 91,000 annual. And
9 Anthony Polombi, adjusted salary 105,680.

10 THE BOARD MEMBER: Effective
11 immediately.

12 MR. WARD: Yes. And these will be
13 effective as of resolution.

14 THE BOARD MEMBER: There's a
15 resolution on it?

16 THE BOARD MEMBER: Yes. We do need a
17 resolution on it.

18 MR. HILL: I make a motion to accept
19 that.

20 MR. BOR: All three deficiencies, Mr.
21 Hill?

22 MR. HILL: Yes.

23 MR. BOR: Is there a second?

24 MRS. BAILEY: I second.

25 MR. BOR: Mr. Cheatham.

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MR. CHEATHAM: Yes.

MR. BOR: Mr. McGettigan.

MR. MCGETTIGAN: Yes.

MR. BOR: Mrs. Bailey.

MRS. BAILEY: Yes.

MR. BOR: Mr. Hill.

MR. HILL: Yes.

MR. BOR: Mr. Smith.

THE CHAIRMAN: Yes.

MR. BOR: Carries.

MR. WARD: Nothing further.

THE BOARD MEMBER: That's it.

THE CHAIRMAN: Motion to adjourn.

MR. BOR: Hearing no objection.

THE CHAIRMAN: We're adjourned.

- - -

Meeting concluded at 11:22 a.m.

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C E R T I F I C A T I O N

- - -

I, Dominique R. Caputo, Court Reporter and Notary Public, certify that the foregoing is a true and accurate transcript of the foregoing deposition, that the witness was first sworn at the time, place and on the date herein set forth.

I further certify that I am neither attorney nor counsel for, not related to, nor employed by any of the parties to the action in which this deposition was taken; further, that I am not a relative or employee of any attorney or any counsel employed in this case, nor am I financially interested in this action.

Dominique R. Caputo
Court Reporter and
Notary Public
License Number: 30XT00004900

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