

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

REGULAR MEETING

Wednesday - April 21, 2021

Public hearing in the
above-referenced matter, conducted at the
ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY, 401
North Virginia Avenue, Atlantic City, New
Jersey, before Karen A. Haworth, a New Jersey
Certified Court Reporter (CCR), nationally
certified Registered Professional Reporter
(RPR), nationally certified Certificate of Merit

1 holder (CM), nationally certified Certified
2 Realtime Reporter (CRR), a Delaware Certified
3 Shorthand Reporter (CSR), nationally certified
4 Certified LiveNote™ Reporter (CLR), and Notary
5 Public of the State of New Jersey, on the above
6 date, commencing at 10:14 a.m., there being
7 present:

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9
10
11 BOARD MEMBERS PRESENT:

12 ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY:

13
14 JOHN DEVLIN
Chairman

15
16 PATRICIA BAILEY
Treasurer

17
18 GLENN BANFIELD
Board Member

19
20 GARY L. HILL
Vice-Chairman/Secretary

21
22 NYNELL LANGFORD
Board Member

23
24 MOHAMMED DEDAR
Alternate 2 Board Member

25

1 APPEARANCES - CONTINUED:

2

3 WILLIAM CHEATHAM

4 Alternate 1 Board Member

5

6

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9

10 PROFESSIONALS TO THE BOARD FOR THIS HEARING:

11

12 MICHAEL ARMSTRONG, ESQUIRE
Executive Director

13

14 FREDRIC BOR, ESQUIRE
Authority Solicitor

15

16 ANDREW WEBER, ESQUIRE
Labor Counsel

17

18 VINCENT POLISTINA
Polistina & Associates

19

20 MICHAEL RILEY, ESQUIRE
Riley & Riley, Esquires

21

22

23

24

25

1 ALSO PRESENT FOR THE ATLANTIC CITY MUNICIPAL
2 UTILITIES AUTHORITY:

3

4 NICHOLAS MANCUSO

5 Acting Deputy Executive Director, Operations

6

7 CLAUDE SMITH

8 Deputy Executive Director, Engineering

9

10 KELLEY WILLIAMS, Executive Secretary

11

12 STELLA JOHNSON, Executive Secretary

13

14 ANITA THAPA

Assistant Director Accounting & Finance

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I N D E X

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[COURT REPORTER'S NOTE:

THIS PUBLIC HEARING WAS CONDUCTED
VIA THE VIDEOCONFERENCE SOFTWARE PROGRAM
ZOOM.

DURING THE TIME OF THIS
PUBLIC HEARING, THE STATE OF NEW JERSEY
WAS UNDER LOCKDOWN RESTRICTION DUE TO THE
COVID-19 PANDEMIC.

ALL ATTENDEES TO THIS PUBLIC
HEARING WERE PARTICIPATING FROM THEIR OWN
WORKSPACE THROUGH THEIR COMPUTER OR
CELLULAR TELEPHONE, WITH THE EXCEPTION OF
WILLIAM CHEATHAM, WHO WAS IN-PERSON AT THE
ACMUA OFFICES.

THE COURT REPORTER WILL
ACKNOWLEDGE WITHIN THIS TRANSCRIPT ANY
POOR INTERNET CONNECTION AND
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SPEAKING DID NOT CEASE.

FOR SPEAKER IDENTIFICATION
PURPOSES, THE COURT REPORTER DID HER
PROFESSIONAL BEST AT IDENTIFYING ALL
SPEAKERS WITHIN THIS TRANSCRIPT CORRECTLY,

1 AS THERE WERE MULTIPLE SPEAKERS IDENTIFIED
2 ON THE ZOOM SCREEN AS JUST A TELEPHONE
3 NUMBER.

4 IN ADDITION, SOME SPEAKERS LEFT
5 THEIR MICROPHONES ON DURING THE ENTIRE
6 MEETING, EVEN WHEN THEY WERE NOT SPEAKING,
7 WHICH CAUSED BACKGROUND NOISE AND THE ZOOM
8 SPEAKER IDENTIFICATION BOX MISTAKENLY
9 LIGHTING UP BECAUSE OF THE BACKGROUND
10 NOISE WHEN IT ULTIMATELY MIGHT HAVE BEEN
11 IDENTIFIED AS THE WRONG SPEAKER]

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15 (Time noted: 10:14 a.m.)

16
17

18 STELLA JOHNSON: Adequate notice
19 of this meeting has been provided, as required
20 by law, by mailing to the press a list of the
21 regularly-scheduled meetings, April 21st, 2021,
22 at 401 North Virginia Avenue, conference room
23 and Zoom in Atlantic City, New Jersey.

24 A copy of said notice was sent to
25 the city clerk to be posted.

26 All of the aforesaid complies with

1 Chapter 231 of the laws of 1975, known as the
2 Open Public Meetings law.

3 Mr. Bor?

4 FREDRIC BOR: Yes. Roll call.

5 Ms. Bailey?

6 PATRICIA BAILEY: Here.

7 FREDRIC BOR: Mr. Banfield?

8 GLENN BANFIELD: Here.

9 FREDRIC BOR: Mr. Hill?

10 GARY HILL: Here.

11 FREDRIC BOR: Ms. Langford?

12 NYNELLE LANGFORD: Here.

13 FREDRIC BOR: Mr. Cheatham --

14 WILLIAM CHEATHAM: Here.

15 FREDRIC BOR: -- is the alternate.

16 Mr. Dedar?

17 MOHAMMED DEDAR: Here.

18 FREDRIC BOR: And, finally,

19 Chairman Devlin.

20 There being a quorum, --

21 JOHN DEVLIN: Good morning.

22 FREDRIC BOR: -- we'll have a flag
23 salute.

24 (The flag salute was recited at
25 this time.)

1 KELLEY WILLIAMS: Thank you,
2 Mr. Cheatham.

3 FREDRIC BOR: Thank you.

4 With your indulgence, Mr. Chairman,
5 the next item is approval of the regular and
6 executive session minutes.

7 I trust they've been provided to
8 commissioners. And if there's any discussion,
9 let's do it now. If not, let's have a motion.

10 JOHN DEVLIN: Motion.

11 GARY HILL: Second.

12 FREDRIC BOR: Ms. Bailey?

13 PATRICIA BAILEY: Yes.

14 FREDRIC BOR: Mr. Banfield?

15 GLENN BANFIELD: Yes.

16 FREDRIC BOR: Mr. Hill?

17 GARY HILL: Yes.

18 FREDRIC BOR: Ms. Langford?

19 NYNELLE LANGFORD: Yes.

20 FREDRIC BOR: And Mr. Devlin?

21 JOHN DEVLIN: Yes.

22 FREDRIC BOR: Thank you. Minutes
23 approved.

24 The next item is director's report.
25 I'll -- I'll defer to you, Mr. Armstrong, on

1 those items.

2 MICHAEL ARMSTRONG: That's actually

3 --

4 You're looking at an old agenda.

5 That's actually --

6 FREDRIC BOR: Thank you. Yes.

7 MICHAEL ARMSTRONG: -- number 5.

8 It's the chairman's report. That

9 was --

10 JOHN DEVLIN: Thank you -- thank

11 you, Mike. Yeah. I got it.

12 So, a couple of things I just
13 wanted to review with the whole board. I did
14 speak to Mr. Armstrong on a couple of them.

15 But, A, I think we should recognize
16 Mr. Milton Smith in some kind of way; maybe a
17 plaque or something. He did serve 20 years and,
18 I think, over ten years as chairman.

19 If anybody has any input on that.
20 I -- I think he put a lot of time and effort
21 into this, did a nice job for us for a long
22 time.

23 So, if anybody has any opposition
24 or ideas about that, please let me know.

25 Anyone? No?

1 [Indiscernible - overtalking]

2 GARY HILL: I just think it's very
3 well --

4 PATRICIA BAILEY: I -- I agree,
5 John.

6 JOHN DEVLIN: Okay.

7 PATRICIA BAILEY: This is Pat.

8 I agree -- I agree that we need to
9 order a plaque --

10 [Indiscernible - overtalking]

11 JOHN DEVLIN: Is there some --

12 PATRICIA BAILEY: -- to honor
13 Mr. Smith.

14 JOHN DEVLIN: Or is there something
15 we can --

16 Fred, can we take lead on that and
17 -- and get it -- can we get a -- a plaque
18 together? If the Authority --

19 FREDRIC BOR: Yeah.

20 JOHN DEVLIN: -- can't purchase it,
21 I'll -- I would donate money towards it.

22 FREDRIC BOR: Yeah. We -- we've
23 had plaques before. So, if the board approves
24 the resolution, we should ascertain the cost.
25 And as long as the ED and the state are okay

1 with the cost, let's do it. He certainly
2 deserves it.

3 JOHN DEVLIN: Okay.

4 FREDRIC BOR: If it's rejected for
5 some reason, we can always take a resolution and
6 put it in a frame. Let's try it for the plaque,
7 if we can.

8 GARY HILL: Yes.

9 JOHN DEVLIN: Very good.

10 PATRICIA BAILEY: Thank you.

11 JOHN DEVLIN: Thank you.

12 FREDRIC BOR: Is there a motion?

13 JOHN DEVLIN: Yeah. I'll do --

14 FREDRIC BOR: Motion on 5(1)?

15 JOHN DEVLIN: I'll motion.

16 PATRICIA BAILEY: I'll second.

17 FREDRIC BOR: Ms. Bailey?

18 PATRICIA BAILEY: Yes.

19 FREDRIC BOR: Mr. Banfield?

20 GLENN BANFIELD: Yes.

21 FREDRIC BOR: Mr. Hill?

22 GARY HILL: Yes.

23 FREDRIC BOR: Ms. Langford?

24 NYNELLE LANGFORD: Yes.

25 FREDRIC BOR: Mr. Devlin?

1 JOHN DEVLIN: Yes. Thank you.

2 FREDRIC BOR: So --

3 And, Mr. --

4 JOHN DEVLIN: Yes.

5 FREDRIC BOR: -- Devlin, do you
6 want to speak on 5(b), the July 1st --

7 JOHN DEVLIN: Yeah. Sure.

8 5(b), any opposition or any
9 dialogue?

10 I just think that we're asking --
11 we're asking --

12 Can everybody put their phones on
13 mute so we can talk? I'm getting a lot of
14 background.

15 FREDRIC BOR: You'd be unmuted.

16 JOHN DEVLIN: Thank you.

17 So, I just think we -- we should be
18 back in person as it makes life a lot easier for
19 all of us. I know we've done this for a minute,
20 but I think we should have a in-person.

21 And, obviously, we'll have a
22 concession for Zoom. If anybody needs to Zoom
23 if they're not feeling up to it or can't make it
24 in, I think it's a nice option, but I think --

25 Let's make it a good effort to try

1 to get back and in-person.

2 Fred, do we need a motion and a
3 second or any discussion?

4 FREDRIC BOR: Yeah. Discussion, of
5 course.

6 But, I take it, Mr. Chairman,
7 you're indicating a return in person with the
8 option that any commissioners or witnesses to
9 wear masks or Zoom if they choose.

10 JOHN DEVLIN: Correct. All --
11 You know, following all CDC
12 guidelines, obviously.

13 FREDRIC BOR: Okay. So, it would
14 need a motion.

15 JOHN DEVLIN: Motion.

16 NYNELL LANGFORD: Second.

17 FREDRIC BOR: Ms. Bailey?
18 Ms. Bailey?

19 NICHOLAS MANCUSO: You're muted,
20 Ms. Bailey.

21 PATRICIA BAILEY: Yes.

22 FREDRIC BOR: Oh. Thank you.

23 Mr. Banfield?

24 GLENN BANFIELD: Yes.

25 FREDRIC BOR: Mr. Hill?

1 GARY HILL: Yes.

2 FREDRIC BOR: Ms. Langford?

3 NYNELL LANGFORD: Yes.

4 FREDRIC BOR: Mr. Devlin, 5(b) is
5 approved.

6 JOHN DEVLIN: Thank you.

7 FREDRIC BOR: With regard to 5 --

8 JOHN DEVLIN: Real quick --

9 FREDRIC BOR: -- I believe, --

10 JOHN DEVLIN: Yes.

11 FREDRIC BOR: -- Mr. Chairman, you
12 had some comments to bring to the board.

13 JOHN DEVLIN: Yeah. 5(c) and 5(d),
14 I just wanted to speak --

15 I -- I spoke briefly with
16 Mr. Armstrong regarding that. I just wanted to
17 bring it to the whole board's attention. And --
18 and -- and it's no secret. Since I've been on
19 the board, the emergency action plan, the
20 security plan for the -- not only the office,
21 but also the plant and the pipelines.

22 I -- I've discussed this in great
23 depth. I've actually --

24 I read the old --

25 As a matter of fact, Mike, if

1 you're listening, I didn't get that plan yet
2 that we had in place. If you could forward that
3 to me, I'd appreciate it. I did look at an old
4 one.

5 We're definitely behind the times,
6 guys.

7 I've done numerous walk-throughs of
8 the plant over the year and a half I've been
9 here. Absolutely nobody stopped me. You can,
10 basically, walk in over there.

11 You know, so we're really -- we're
12 really walking around -- you know, walking on
13 thin ice. It's --

14 You know, these are dangerous
15 times. And unfortunately, we have to expend
16 capital and resources to protect ourselves and
17 our water.

18 So, with that, Mike, if -- if you
19 -- if you could comment where we're at with
20 that. And I know you spoke to me. Will you
21 just tell the whole board where we're at with
22 that? Mr. Armstrong?

23 NICHOLAS MANCUSO: Mike, you're
24 muted, sir.

25 MICHAEL ARMSTRONG: Yeah. We're

1 with --

2 This is just one of the things that
3 are on our list.

4 Actually, we had a conversation
5 with the -- with the state about it. And the
6 state provided some information on how to get
7 this emergency action plan done at no cost
8 whatsoever.

9 And, you know, that, coupled with
10 some of the other things that we're responding
11 to that we see as quite urgent, we're gonna move
12 on that and try to move on the recommendation by
13 the state. The --

14 I had some concerns about that,
15 too, as well, but, you know, I think it's --
16 given that the state is involved and they're
17 recommending that we look at this option that
18 was provided to us that's free, I think we at
19 least have to explore that first.

20 Now, with respect to --

21 Do you want me to do --

22 JOHN DEVLIN: Yes, please.

23 MICHAEL ARMSTRONG: Well, I, you
24 know --

25 JOHN DEVLIN: Thanks, Mike.

1 [Indiscernible - overtalking]

2 Get to the second one.

3 MICHAEL ARMSTRONG: And I'll get --

4 I asked --

5 I'm gonna --

6 I didn't get a chance to ask Kelley

7 for that because, you know, she was out last

8 week and she just got back in this week. So,

9 I'll find out from her.

10 JOHN DEVLIN: Okay.

11 MICHAEL ARMSTRONG: I -- I'm not

12 sure if it's a -- one that's more -- that's

13 updated since the one that you have, though. I

14 don't know that there's any --

15 JOHN DEVLIN: That's okay.

16 Whatever one we have on file that we're

17 utilizing, can I have a copy of that?

18 MICHAEL ARMSTRONG: Sure.

19 JOHN DEVLIN: And -- and actually,

20 I would like all the board members to have one,

21 if we could, Mike.

22 MICHAEL ARMSTRONG: Sure. I'll get

23 it all -- get it out to you.

24 JOHN DEVLIN: Thank you, sir.

25 PATRICIA BAILEY: Mr. --

1 Mr. Armstrong, Ms. Bailey.

2 I'd just like to append to what
3 Mr. Devlin was just talking about. And I can
4 say he has been asking about security for a long
5 time.

6 Based on the conversation that we
7 were involved with on -- yesterday with
8 Mr. Heald, in engineering, whether -- where --
9 where Mr. Polombi brought up the security that
10 may be involved as we move forward with the
11 situation with H2M.

12 Whether the state has a free one or
13 not, I -- I do agree, especially after
14 Mr. Polombi made it clear that if we are moving
15 forward with the other issues regarding
16 contamination and so forth, that we move forward
17 with security.

18 So, I'm hoping that we would not
19 only look at a freebie, but we will also look at
20 whatever it's gonna take to secure the property,
21 now that we're getting involved with purchasing
22 and -- large amounts of equipment in order to --

23 JOHN DEVLIN: Mm-hmm.

24 PATRICIA BAILEY: -- confront the
25 issue with the PFAL.

1 JOHN DEVLIN: Right.

2 PATRICIA BAILEY: That's what I
3 wanted to add to the minutes.

4 GARY HILL: Thank you.

5 JOHN DEVLIN: Thank you,
6 Ms. Bailey.

7 PATRICIA BAILEY: Okay.

8 FREDRIC BOR: You make a good
9 point.

10 And, of course, Mr. Chair, C and D,
11 we need no resolution for the board.

12 JOHN DEVLIN: Great. I mean, I --
13 [Indiscernible - overtalking]

14 FREDRIC BOR: ...purposes.

15 JOHN DEVLIN: Yeah.

16 FREDRIC BOR: And I -- and I know
17 we'll get responses from Mr. Armstrong and
18 others.

19 JOHN DEVLIN: Mike, can you just
20 touch base? I know me and you spoke about it
21 directly. Can you just explain where you're at
22 to the whole board regarding our organizational
23 chart, sir?

24 MICHAEL ARMSTRONG: Well, actually,
25 I'm just trying to learn -- still learn the

1 organization and make a determination on what --
2 the best organizational chart to suggest based
3 on the starting point with the one that you
4 have.

5 Actually, some conversations I've
6 had with the state with respect to the
7 organizational chart, too, because one of the
8 conversations that I had with them is that I
9 don't want to, you know, create something and
10 it's suggested to the board and then the state,
11 you know, chops it up and decides that -- that
12 that's not going to work. So, to have them
13 involved, --

14 JOHN DEVLIN: Agreed.

15 MICHAEL ARMSTRONG: -- to the
16 extent that we can, early on.

17 But, I think I need more time to --
18 to really get to know the organization; how
19 things work, you know, why positions are in
20 certain places before I'm able to actually
21 suggest a organizational chart that I believe
22 will work. I am --

23 Andy gave me some organizational
24 charts, as labor counsel, and I'm going to
25 incorporate those. And I also got some off the

1 internet from other utilities authorities.

2 But, I think it's gonna take some
3 time to really understand how the organization
4 works before I'm able to --

5 JOHN DEVLIN: Yes.

6 MICHAEL ARMSTRONG: -- actually
7 suggest a chart.

8 JOHN DEVLIN: Thank you.

9 MICHAEL ARMSTRONG: Mm-hmm.

10 FREDRIC BOR: All right,
11 Mr. Chairman.

12 JOHN DEVLIN: Yeah. We're clear.
13 Move on, Fred.

14 FREDRIC BOR: Okay. Thank you,
15 sir.

16 On 6(a), the Atlantic Sewerage --
17 City Sewerage Company. This is a matter I think
18 we should deal with in closed session.

19 There were some issues that Claude
20 Smith and I discussed this morning that I
21 believe will satisfy Mr. Smith and, hopefully,
22 satisfy the sewer company through their
23 attorney, Eric Wood.

24 But, let's deal with that in closed
25 session, if everybody agrees.

1 MICHAEL ARMSTRONG: Fred, all of
2 yours seem to be closed session items. I don't
3 know if you want to --

4 GARY HILL: Right.

5 FREDRIC BOR: No. And I -- I think
6 the Stam (phonetic) property should also be
7 closed, for a multitude of reasons. I agree,
8 Michael.

9 MICHAEL ARMSTRONG: And item C as
10 well.

11 FREDRIC BOR: I might have an old
12 agenda. What's item C?

13 MICHAEL ARMSTRONG: Yeah. We -- we
14 said to you, you have -- you do have -- you have
15 a MOU between the city of Atlantic City and
16 ACMUA for water main replacement, --

17 FREDRIC BOR: Oh.

18 MICHAEL ARMSTRONG: -- New York
19 Avenue.

20 FREDRIC BOR: I have that as
21 executive director, number 2.

22 So, that should be moved up to
23 mine?

24 MICHAEL ARMSTRONG: Yeah. Because
25 --

1 GARY HILL: Right.

2 MICHAEL ARMSTRONG: -- it's an
3 agreement, it's a contract.

4 Yeah.

5 GARY HILL: It's 7(2), the old one.

6 MICHAEL ARMSTRONG: Right.

7 Yeah. There was a new agenda sent
8 out yesterday.

9 FREDRIC BOR: Oh. Well, if those
10 are the only two changes, then I guess I'm good.

11 MICHAEL ARMSTRONG: Yeah. Those
12 three items will be executive session.

13 FREDRIC BOR: Okay. The --

14 Yeah. Sewer, city-owned, and MOU.
15 Fine.

16 MICHAEL ARMSTRONG: Right.

17 FREDRIC BOR: Then the time's
18 yours, Mr. Armstrong, on executive director
19 report.

20 MICHAEL ARMSTRONG: Okay.
21 Personnel issues are foreclosed.

22 Item B(1) would be foreclosed, as
23 well as I understand that item B(2), with
24 respect to any discussions regarding H2M is
25 going to be held.

1 Is that correct, Claude? Claude?
2 Did we lose him?

3 Oh. We can't hear you, Claude.

4 CLAUDE SMITH: I'm sorry. I'm
5 sorry.

6 Yeah. Any resolutions in regards
7 to H2M will be tabled at this particular time.
8 But, we can definitely have a discussion.

9 Vince is on the line, if you'd like
10 to just give the -- the -- the board and other
11 members an update in regards to H2M and the
12 progress that they actually made in regards to
13 planning for our MCL PFOS satisfaction.

14 Gary, I -- I see you have your
15 "hands" up.

16 GARY HILL: Yeah. Before
17 Mr. Polistina updates the rest of the board,
18 Ms. Bailey, just so you know, since our meeting
19 yesterday, and then you left --

20 PATRICIA BAILEY: Yes.

21 GARY HILL: -- and then we had some
22 other information come in to us, which --

23 PATRICIA BAILEY: Okay.

24 GARY HILL: -- I can talk to you
25 off-line about.

1 PATRICIA BAILEY: Okay.

2 GARY HILL: So, maybe one or two of
3 those plans might be changed now.

4 PATRICIA BAILEY: Okay. Thanks,
5 Gary.

6 GARY HILL: I'll let Mr. Polistina
7 go from here for the rest of the board.

8 PATRICIA BAILEY: Got you.

9 VINCENT POLISTINA: Yeah. Thanks,
10 Gary.

11 So, the update on the -- this
12 situation is that the first step after the
13 meeting with the DEP was an alternatives
14 analysis to try to figure out which would be the
15 best treatment option.

16 PATRICIA BAILEY: Mm-hmm.

17 VINCENT POLISTINA: That draft memo
18 has been distributed. The engineering committee
19 has had a chance to take a look at it, maybe the
20 full board. That recommends "granulator" --
21 granular activated carbon as the preferred
22 treatment solution for this situation.

23 We need to secure some of these
24 units in order to get -- try to get them in
25 place as quickly as possible.

1 So, we did meet yesterday at the
2 engineering committee meeting, talked about some
3 steps that would need to be taken to get them in
4 place. Also talked about time frames and the
5 steps that would be taken in order to try to
6 have these facilities on-line by the end of
7 September.

8 I had a follow-up conversation with
9 H2M trying to identify the costs associated with
10 that, and we're going to meet at the engineering
11 committee level again next Monday, at
12 10 o'clock, to discuss with H2M the costs
13 associated with it, all the variables that we
14 need to factor into it, and then at the -- at
15 what -- what time frame it's going to take in
16 order to deal with the DEP, get them to accept
17 the alternatives analysis, and -- and then
18 authorize us to move forward.

19 So, next Monday, at 10 a.m. will
20 kind of be the next step with the engineering
21 committee again with H2M, and then we'll try to
22 make some decisions from there as to the best
23 way to approach it.

24 PATRICIA BAILEY: Okay. Okay.
25 Okay.

1 GARY HILL: Mr. Chairman, I just --
2 Hello. I just wanted --

3 JOHN DEVLIN: Go ahead. Go, Gary.

4 GARY HILL: I just wanted to say we
5 had a very good engineering meeting yesterday.
6 It was very in depth, but -- and long, but it
7 was -- it was a good meeting.

8 And I appreciate our consultant and
9 Mr. Armstrong's influence with some of the
10 documents. And Mr. Smith, Mr. Mancuso, all very
11 good participants.

12 PATRICIA BAILEY: Please.

13 GARY HILL: I wanted to make sure,
14 though, and maybe Mr. Armstrong can answer this.
15 Did the rest of the board members get the
16 analysis report that Pat and I did? If not, we
17 should send it to them.

18 PATRICIA BAILEY: Correct.

19 GARY HILL: I don't think so.

20 JOHN DEVLIN: And --

21 NICHOLAS MANCUSO: He's -- he's
22 muted again.

23 [Indiscernible - overtalking]

24 PATRICIA BAILEY: He -- he's on --
25 he's on mute. He's on mute.

1 MICHAEL ARMSTRONG: That -- that
2 report, I don't think, came from me. It came
3 from somebody else.

4 PATRICIA BAILEY: It came from
5 Claude. It came from Claude.

6 GARY HILL: It came from Claude.

7 CLAUDE SMITH: As a matter --
8 Gary, you -- you read my mind,
9 because I -- that -- that is exactly what -- I
10 was gonna suggest that.

11 GARY HILL: Thank you.

12 CLAUDE SMITH: Yeah. And I was
13 gonna, of course, inquire through yourself and
14 Pat because of the fact you are the two board
15 members that are part of engineering that the
16 other board members actually received the draft
17 package that was discussed in -- in -- in
18 engineering so they can see what's actually
19 going on.

20 GARY HILL: Thank you.

21 CLAUDE SMITH: So, with that being
22 said, I'll send it to the other board members.

23 GARY HILL: Pat, you have no
24 problem with that. Right?

25 PATRICIA BAILEY: No. No. I think

1 that's good. It --

2 GARY HILL: Okay.

3 PATRICIA BAILEY: It gave me such
4 clarity from a layman's standpoint.

5 GARY HILL: Of course.

6 PATRICIA BAILEY: So, no. Without
7 a doubt.

8 GARY HILL: Okay. Very good.
9 Thank you, Mr. Smith.

10 PATRICIA BAILEY: I think it should
11 be seen.

12 CLAUDE SMITH: The only thing,
13 Gary. As -- as a board member, I'd like to
14 express what kind of timeline we're dealing with
15 and --

16 PATRICIA BAILEY: Mm-hmm.

17 CLAUDE SMITH: -- and the
18 importance of this particular timeline in
19 regards to getting certain things completed with
20 a perspective of a decent time.

21 GARY HILL: Yes.

22 PATRICIA BAILEY: Yes.

23 GARY HILL: Like right away.

24 PATRICIA BAILEY: Right. Right.
25 Right.

1 [Indiscernible - overtalking]

2 No. No. I don't --

3 I don't think sharing it would hold
4 anything up; it will just make it more feasible
5 for them to understand what we're talking about
6 when you ask for --

7 GARY HILL: Right.

8 PATRICIA BAILEY: -- those dollars.
9 So, okay.

10 GARY HILL: Yeah. And -- and I
11 think things will be a little bit, maybe, more
12 clear, too, on Monday -- after Monday's meeting,
13 I'm hoping.

14 PATRICIA BAILEY: Okay. All right.
15 Thanks, Gary.

16 GARY HILL: Let's let everybody
17 look at it. And it's -- it's -- it's a little
18 complicated. It lets them look at it so at
19 least they're --

20 I just want to make sure we're in
21 transparency with the full board.

22 PATRICIA BAILEY: Yes.

23 VINCENT POLISTINA: Are you -- are
24 you giving homework?

25 GARY HILL: Yes.

1 PATRICIA BAILEY: Yes. Yes.

2 GARY HILL: I was a teacher for 12
3 years. So, yes.

4 FREDRIC BOR: Before Vince starts,
5 Gary, and --

6 Gary, are you there?

7 GARY HILL: Yeah.

8 FREDRIC BOR: As committee chair --
9 and it's also to Kell -- I am -- I'm also on the
10 engineering committee and have been for over ten
11 years, but, for some reason, I didn't get my
12 link yesterday.

13 So, if Kelley's listening or
14 Stella, just note, next meeting, don't forget to
15 send me my next link.

16 And if I'm not on for some reason,
17 Gary, call me.

18 GARY HILL: Not that I'm aware of,
19 but thank you.

20 [Indiscernible - overtalking]

21 There was nothing legal, really,
22 anyway. So...

23 PATRICIA BAILEY: Right. Right.

24 FREDRIC BOR: I'd still like to be
25 aboard.

1 [Indiscernible - overtalking]

2 GARY HILL: Yeah. It was more
3 technical than legal.

4 FREDRIC BOR: It would be nice to
5 be there.

6 GARY HILL: All right. Thank you,
7 Mr. Chairman.

8 FREDRIC BOR: All right. Operation
9 --

10 [Indiscernible - overtalking]

11 JOHN DEVLIN: You're welcome.

12 FREDRIC BOR: You know, all of 6 is
13 -- so, all of 6 is -- A, B and C will be closed
14 session.

15 We've dealt with 7(a).

16 And 7(b), is there anything more in
17 engineering, Mr. Chair?

18 MICHAEL ARMSTRONG: Only -- only
19 B(1) is gonna be in closed session.

20 GARY HILL: Right.

21 FREDRIC BOR: B(1)? Okay.

22 MICHAEL ARMSTRONG: Yes.

23 FREDRIC BOR: And, I guess, B(2) --
24 We cut off Vince. Right?

25 MICHAEL ARMSTRONG: We -- we just

1 resolved that.

2 FREDRIC BOR: Oh. Okay.

3 VINCENT POLISTINA: You didn't --
4 you didn't cut me off. That was kind of the
5 update. Monday, at 10 o'clock, will be another
6 engineering committee meeting. We'll make
7 decisions from there.

8 We may -- we may request a special
9 meeting or some advance time frame, depending on
10 the results of Monday, but we'll update
11 everybody after we talk Monday and make a
12 decision as to which we think is the best way to
13 go.

14 FREDRIC BOR: Sounds good.

15 [Indiscernible - overtalking]

16 And even though not specifically
17 identified, Mr. Riley is with us. And if the
18 chairman is okay, let's hear from Mr. Riley with
19 his update so we can move on with the next
20 agenda item.

21 MICHAEL RILEY: Yes.

22 JOHN DEVLIN: I agree with that.

23 MICHAEL RILEY: All right. Good
24 morning everyone.

25 Very quickly, of course, you know

1 we're -- we're moving through the discovery
2 phase. And it's becoming more and more
3 contentious between the parties, as you may --
4 might expect.

5 There's allegations that several of
6 the more well known defendants have been,
7 basically, misapplying and -- or losing certain
8 items of historic evidence which is very
9 important in terms of assessing liability as to
10 who's responsible for putting the stuff into the
11 stream of commerce.

12 So, the -- the once friendly
13 attitude between any of the parties has now
14 deteriorated. But, it's not -- it's not unusual
15 and it's certainly not unexpected. It's the
16 nature of the beast and it's certainly --

17 You're talking about billions of
18 dollars. It sometimes can bring out the worst
19 in people, believe it or not.

20 One thing I would like to request.
21 I -- I hear from -- hear Vince has got all of
22 the -- the -- the survey and everything. I
23 really would like to get a copy of that and kind
24 of be in step with things, because it comes --
25 so many times things come up in these

1 conversations with other lawyers in this case,
2 and sometimes I feel I -- I don't know exactly
3 what we're doing here. So, if I could get
4 copies of some of the items that "was" -- that
5 "was" discussed this morning, I'd appreciate it.

6 VINCENT POLISTINA: I can send it
7 to you, Mike, if you want, or Claude can.
8 Whatever. Whatever you want.

9 MICHAEL RILEY: Somebody.

10 [Indiscernible - overtalking]

11 I would appreciate it.

12 CLAUDE SMITH: Yeah. I can -- I
13 can -- I can send Mike a -- a copy of the
14 report. That's not a problem.

15 VINCENT POLISTINA: Okay.

16 MICHAEL RILEY: Good. Thank you.

17 FREDRIC BOR: Sure.

18 The next item goes to C -- 7(c),
19 operations.

20 Sub 1. Who would like to discuss
21 that item? Nick? Claude?

22 VINCENT POLISTINA: I'll have Nick
23 explain to you what's been going on with respect
24 to the water main break that we had.

25 Nick?

1 NICHOLAS MANCUSO: Good morning,
2 everyone.

3 So, this was a 20-inch water main
4 repair. It was actually an insertion valve. We
5 had to insert it to repair a leak that was just
6 on Pennsylvania Avenue, not but two blocks away
7 from our water tower.

8 Now, this was good and bad news.
9 The bad news, this came under the emergency
10 circumstance. The good news is, we budgeted for
11 three large water distribution valves to be
12 inserted throughout our system in 2021.

13 So, this kind of was a two birds
14 with one stone. We did obtain a valve on a
15 20-inch main that we crucially needed. It
16 helped us isolate that break and ultimately
17 repair it. So, not only did we repair the
18 break, but we got a valve out of it that was
19 really needed.

20 So, it was essential. It was an
21 emergency.

22 So, it is repaired. It's all back
23 in service. Things are up to par.

24 MICHAEL ARMSTRONG: Nick -- Nick,
25 do you want to talk about the flushing issue and

1 the suspension?

2 NICHOLAS MANCUSO: Sure.

3 So -- so, lately, our flushing
4 program has been going on throughout
5 Atlantic City and flushing in, really, like we
6 always have done.

7 And we've had some problems this
8 year. Some of the problems have been human
9 error, some of the problems have just simply
10 been the maintenance and the condition of our
11 distribution system.

12 So, Mike made a excellent call the
13 other day and he suspended the program.

14 And we're really gonna dive in and
15 try to explain to our employees what we've done
16 wrong and grow from it.

17 Also, some of the really, let's
18 call it, crucial areas of our system that are
19 already in distress. We really need to take
20 care and take our time when we're flushing these
21 areas.

22 So, this is an ongoing learning
23 process, some of which is human error, employee
24 error, some of which is just simply we have a
25 old distribution system and some of these

1 problems, no matter how good you are, they're --
2 they're gonna happen.

3 So, we did put a -- Mike did put a
4 hold on it, which was an excellent call.

5 MICHAEL ARMSTRONG: Okay. Unless
6 there's any other questions with respect to
7 that, Nick will speak to the AtlantiCare large
8 service agreement.

9 NICHOLAS MANCUSO: So, the
10 AtlantiCare, as you guys know, on Ohio and
11 Atlantic Avenue, AtlantiCare is building two
12 facilities; an AtlantiCare Urgent Care center
13 and an AtlantiCare kidney dialysis center.
14 These are two individual customers. They're
15 gonna be two new services to our system.
16 They're very large services.

17 So, as you know, the AtlantiCare
18 structure is gonna consume a lot of water. So,
19 the new service agreements have been prepared.
20 They've been sent to the customer. Till we
21 receive payment, we don't know when you'll put
22 them on the board's agenda. But, because of the
23 magnitude and because we're ongoing, I just
24 wanted to make sure that all the board members
25 knew we have two large new service agreements on

1 their way. Hopefully, they should be ready by
2 the next board agenda for you guys to ultimately
3 approve.

4 FREDRIC BOR: And then, Nick, as
5 usual, please send them to me for review.

6 NICHOLAS MANCUSO: Yes, sir. No
7 problem.

8 MICHAEL ARMSTRONG: With respect to
9 items D through G, which is financial reports,
10 cash management, balance adjustments, and
11 shutoffs, unless there are specific question --
12 questions related to those, I'll -- you know,
13 I'll defer that to Anita. But, unless there are
14 none, then we can move on to other agenda items,
15 to standard monthly issued documents.

16 FREDRIC BOR: Mike, before we move
17 on, the -- the -- item number C(1) is actually a
18 resolution. And --

19 MICHAEL ARMSTRONG: Exactly.

20 FREDRIC BOR: -- there was -- there
21 was no vote on it in regards to that particular
22 resolution.

23 GARY HILL: Yeah. We -- we need to
24 hear the emergency water main break resolution.

25 JOHN DEVLIN: Yeah.

1 GARY HILL: Yeah. I'd be happy to
2 move that.

3 FREDRIC BOR: 7(c). This is a
4 motion on 7(c).

5 If you --

6 PATRICIA BAILEY: Second. Second.

7 FREDRIC BOR: Ms. Bailey?

8 PATRICIA BAILEY: Yes.

9 GARY HILL: It's 7(c)(1).

10 FREDRIC BOR: Correct. At 7(c)(1).
11 Mr. Banfield? Mr. Banfield? Is he
12 on?

13 GLENN BANFIELD: Yes.

14 FREDRIC BOR: Oh. Thank you.
15 Mr. Hill?

16 GARY HILL: Yes. Yes.

17 FREDRIC BOR: Ms. Langford?
18 Ms. Langford?

19 NYNELL LANGFORD: Yes.

20 FREDRIC BOR: And Chairman Devlin?

21 JOHN DEVLIN: Yes.

22 Fred, thank you, but why is there
23 7(c)(1)? My agenda --

24 Does it have a 7(c)(2)? I -- I
25 don't want be --

1 FREDRIC BOR: I have --
2 Mine is identified as emergency
3 20-inch water main break, Garrison Enterprise.

4 JOHN DEVLIN: So, just 7 --
5 Shouldn't it be just 7(c)? Unless
6 there's a 2.

7 I'm just wondering if there's
8 another agenda with number 2 on there. That's
9 all.

10 GARY HILL: There is a (c)(2).

11 FREDRIC BOR: I -- I have the
12 latest, sent yesterday. I just --

13 JOHN DEVLIN: Yeah.

14 FREDRIC BOR: -- downloaded it.

15 I -- I -- actually, I had the one
16 from the day before.

17 And I think this motion is
18 identified on the latest as (c)(1), emergency
19 20-inch water main break, Garrison.

20 GARY HILL: That's it.

21 FREDRIC BOR: If everybody's on the
22 same page with that, we already had a motion and
23 a second. And, I believe, in the affirmative
24 was Ms. Bailey and Mr. Banfield.

25 Mr. Hill?

1 GARY HILL: Yes.

2 FREDRIC BOR: Ms. Langford.

3 NYNELL LANGFORD: Yes.

4 FREDRIC BOR: Mr. Devlin?

5 JOHN DEVLIN: Yes. Thank you.

6 FREDRIC BOR: Approved. (c) (1)

7 approved.

8 And at -- at the suggestion of our
9 ED, and I agree, and if there's no objection,
10 we're not going to have any additional
11 discussion on financial reports, cash
12 management, balance adjustments, or shutoffs.

13 Hearing none, is there any way to
14 tell if anyone is present for public
15 participation by telephone or email?

16 MICHAEL ARMSTRONG: I don't think
17 so, but I'll ask Kelley to confirm whether or
18 not there is someone.

19 FREDRIC BOR: Yeah. And, of
20 course, DCA would have that person send an email
21 to the ED. So...

22 KELLEY WILLIAMS: Fred, there --
23 there was no public participation.

24 The notice of meetings went out in
25 -- in the press. We have no emails or no one

1 called to come into the board meeting.

2 FREDRIC BOR: I just wanted to
3 confirm it on the record. Thank you, Kelley.

4 ANITA THAPA: And in addition, a
5 new agenda was sent out late last night.

6 KELLEY WILLIAMS: Yeah.

7 FREDRIC BOR: I had the old one. I
8 just downloaded the new, new one. So, thank you
9 very much.

10 Under --

11 JOHN DEVLIN: Hey, Fred, can I just
12 have a second, one second?

13 FREDRIC BOR: Yeah.

14 JOHN DEVLIN: Can we --

15 Is there any way we, like on
16 Fridays, that we can have the final agenda? And
17 -- and Ms. Bailey will back me up.

18 Normally, on the school board side,
19 after Friday, that -- that's it, unless there's
20 an emergency addition.

21 Because there's too many agendas
22 out there now. I'm -- I'm -- I'm on the old one
23 now.

24 Can we -- can we have something
25 here where Friday or -- if we need to make a

1 resolution or -- by Friday, let's have the last
2 and final agenda put out so we're not -- you
3 know, late last night and --

4 This is getting confusing, guys,
5 especially being remote here.

6 So, if we can move forward and --
7 by Friday evening, unless there's some emergency
8 -- Mike, you can call me, as the chairman, and
9 we can discuss it, but as of Friday, let's have
10 a final agenda given to our -- our members,
11 please.

12 MICHAEL ARMSTRONG: Yeah. The --
13 the issue was, I wasn't here Friday and we had
14 to move the engineering meeting to Monday, and
15 there were issues that were discussed on the
16 engineering meeting that we wanted to include on
17 the agenda.

18 JOHN DEVLIN: Very -- very
19 understandable, but can I --

20 Somebody, if it's not you, can you
21 have somebody delegated to speak with me
22 regarding that? Because I don't like to be in
23 the blind and -- during a, you know, a general
24 meeting. I want to be able to at least tell my
25 board members what's going on here.

1 MICHAEL ARMSTRONG: Okay. We'll
2 get you -- we'll try to get it to you as soon as
3 possible before the meeting.

4 JOHN DEVLIN: Great. Thank you,
5 sir.

6 FREDRIC BOR: Moving forward with
7 an agenda -- a final agenda Friday, before the
8 close of day or at night.

9 [Indiscernible - overtalking]

10 ANITA THAPA: May I say something
11 on the bill list, though?

12 FREDRIC BOR: Yeah.

13 ANITA THAPA: Hello?

14 FREDRIC BOR: Yes.

15 ANITA THAPA: Yes. I'm sorry.

16 I guess, one of the "delay" is
17 probably from the bill list. Because some of --
18 sometime, the -- the invoices came late -- comes
19 late.

20 So, if that's --

21 If the bill list can be -- can be
22 updated, that would be great. Otherwise, you
23 know, by --

24 Sometime, the board meeting is too
25 early and some of the bills, you know --

1 And then we have to wait for the
2 whole next month, and that might be a little bit
3 of issues on that one.

4 FREDRIC BOR: Well --

5 ANITA THAPA: So, if the bill list
6 can be updated later on, that would be great.

7 FREDRIC BOR: What we've done in
8 the past -- I'm sure everybody remembers -- is
9 we always had, like, a tentative agenda. We
10 knew bills would be added. We usually would get
11 that on a Thursday or so. That --

12 Would --

13 If we get the final on Monday
14 instead of Friday, Anita, does that work for you
15 in terms of getting last-minute bills on?

16 ANITA THAPA: Yeah -- yes. Monday
17 would be the -- probably, the best instead of
18 Friday.

19 FREDRIC BOR: Chairman, are you
20 okay with that; that being Monday instead of
21 Friday because of the add-on bills?

22 JOHN DEVLIN: Fred, we can
23 absolutely do any exceptions. I would just
24 consider it a -- a favor and I would appreciate
25 it, and I think the board members would

1 appreciate it, that the last agenda that's given
2 out, with the "exemption" of last-minute of
3 things that we discussed with the executive
4 director and myself prior to the meeting is
5 fine.

6 But, I don't want to get in the
7 habit of just, you know, adding five or six
8 last-minute items on a Monday night. Follow me?
9 I think that's fair. I don't think I'm asking
10 too much. I don't think the board's asking too
11 much of the administration to just do their best
12 to have everything sent by Friday. And then, if
13 something needs to be added, the ED could reach
14 out to me and we could work collectively and get
15 it done. That's no problem.

16 FREDRIC BOR: So --

17 But, the main thing, Mr. Chair, as
18 Anita said, is the bills would often come in
19 late.

20 So, you could do one of two ways;
21 have it by Friday, subject to any update of
22 billings that Anita will have sent out on Monday
23 afternoon, or have the whole --

24 JOHN DEVLIN: That's fine.

25 FREDRIC BOR: -- thing Monday

1 afternoon.

2 JOHN DEVLIN: That's fine, Fred.

3 FREDRIC BOR: Which one?

4 JOHN DEVLIN: I would like the
5 agenda to go out on Friday with the
6 understanding that there will be some addendums
7 to the agenda regarding finance.

8 FREDRIC BOR: Regard -- regarding
9 the bills.

10 And -- and -- and, of course, if
11 there was an urgent matter even not on there,
12 the chair and the -- and the ED could discuss
13 it. You can always add on many types of items
14 --

15 JOHN DEVLIN: That's correct.

16 FREDRIC BOR: -- to the agenda,
17 even at the end of the day.

18 JOHN DEVLIN: Anytime. My phone's
19 on 24/7.

20 FREDRIC BOR: And so is mine, as
21 you know.

22 Okay. So, on the old business, --
23 [Indiscernible - overtalking]

24 GARY HILL: Excuse me.

25 Mr. Banfield has a question.

1 FREDRIC BOR: Oh. I'm sorry.

2 GLENN BANFIELD: Very good. It's
3 -- it's going back to the -- the invoice for the
4 Garrison. I think Mr. Mancuso said Pennsylvania
5 Avenue. See, it says North Carolina. Which one
6 is it, North Carolina or Pennsylvania Avenue?

7 NICHOLAS MANCUSO: Well, the
8 insertion valve was put at North Carolina
9 Avenue.

10 GLENN BANFIELD: Mm-hmm.

11 NICHOLAS MANCUSO: We isolated from
12 North Carolina to the break that was on
13 Pennsylvania.

14 So, it's kind of both.

15 GLENN BANFIELD: Okay.

16 NICHOLAS MANCUSO: The valve was
17 inserted on North Carolina. The break that it
18 -- that we got shut down was on Pennsylvania.

19 GLENN BANFIELD: Okay. Thank you.

20 NICHOLAS MANCUSO: Yes, sir.

21 FREDRIC BOR: Okay. Thank you,
22 Commissioner Banfield.

23 If there's no objection, old
24 business. If any commissioners or other members
25 wish to speak on the water main replacement,

1 Resolution 9(a).

2 Claude?

3 THE COURT REPORTER: Excuse me.

4 Excuse me.

5 Could the person that's on 0021
6 mute themselves? Because every time you move a
7 piece of paper, you're coming up as a speaker.

8 ANDREW WEBER: How's that possible?

9 GARY HILL: That's you, Andy.

10 ANDREW WEBER: Yeah. Sorry. I
11 thought I was on mute.

12 THE COURT REPORTER: No. And every
13 time, as I said, you move something, you're
14 coming up as a speaker and I can't tell who is
15 speaking, actually.

16 ANDREW WEBER: Okay.

17 THE COURT REPORTER: Thank you.

18 ANDREW WEBER: I -- I am --

19 It says mute. I'm all right.

20 Okay.

21 [Indiscernible - overtalking]

22 FREDRIC BOR: Yeah. Andrew, it's
23 mute for you to talk, not for people to hear.

24 Okay. On 9(a) --

25 NICHOLAS MANCUSO: He's still not

1 mute.

2 FREDRIC BOR: He's still on mute?

3 NICHOLAS MANCUSO: There he is.

4 There he is.

5 FREDRIC BOR: Okay.

6 [Indiscernible - overtalking]

7 All right. So, 9(a). Mr. Mancuso
8 or Mr. Smith, any comments for --

9 [Indiscernible - overtalking]

10 CLAUDE SMITH: Yes. This -- this
11 -- this particular resolution is in regards to
12 the water main replacement over in the Chelsea
13 Heights area that incorporates a portion off
14 Pennsylvania Avenue as well as East Riverside
15 Drive.

16 The approval of the engineer letter
17 is attached to that particular resolution. And
18 all the -- all the "documentations" have been
19 reviewed and "is" satisfactory to that
20 particular contractor that did submit or is the
21 lowest responsible bidder. I -- I think you
22 have that information of that name in -- in
23 front of you. Guys?

24 GARY HILL: Yes.

25 CLAUDE SMITH: Yes. It's

1 Petrongolo. If I -- if I -- if I -- if I
2 pronounced it incorrectly, that's okay.

3 But, this is a contractor that we
4 have not dealt with prior, but, at the same
5 time, the "informations" that we have received
6 do highly regard this particular contractor as a
7 -- a -- a good contractor to work with.

8 So, we at least proceeded with a
9 notice to proceed to start this contract on.

10 In addition to that, this is --
11 somewhat incorporated some of the road
12 "restorational" work that the city of
13 Atlantic City is conducting. And we think we'll
14 be able to save some monies as well, too, with
15 this particular work that we're doing as opposed
16 to doing the road restoration for ourselves.

17 PATRICIA BAILEY: I have a
18 question. This is Pat.

19 So, the one million, 413 is what
20 we're committing to, but we still may save money
21 from this dollar figure or we may save money
22 additional?

23 CLAUDE SMITH: No. This --
24 The --

25 Not from this dollar figure. This

1 dollar figure is for the -- is -- is for the
2 water main replacement that this company will be
3 doing.

4 If there's a portion --

5 There might be a small portion here
6 that we did consider that we might do the
7 roadwork restorations for ourselves, but that's
8 --

9 PATRICIA BAILEY: Mm-hmm.

10 CLAUDE SMITH: -- to be decided
11 when we actually start talking a little bit more
12 with the city of Atlantic City.

13 PATRICIA BAILEY: Okay. Okay.
14 Okay. All right. So, we're moving the 1
15 million, 413.88.

16 CLAUDE SMITH: That's correct.

17 PATRICIA BAILEY: Okay.

18 FREDRIC BOR: Which is identified
19 as 9(a)(1).

20 And --

21 PATRICIA BAILEY: Yeah.

22 FREDRIC BOR: -- with Mr. Smith's
23 recommendation and discussion by
24 Commissioner Bailey, is there a motion on it?

25 GARY HILL: I'll -- I'll move it.

1 And we did discuss it at engineering. Yes.

2 [Indiscernible - overtalking]

3 PATRICIA BAILEY: I'll second it,
4 Gary.

5 FREDRIC BOR: Thank you.

6 Ms. Bailey?

7 PATRICIA BAILEY: Yes.

8 FREDRIC BOR: Mr. Banfield?

9 Mr. Banfield?

10 GLENN BANFIELD: Yes.

11 FREDRIC BOR: Thank you.

12 Mr. Hill?

13 GARY HILL: Yes.

14 FREDRIC BOR: Ms. Langford?

15 NYNELLE LANGFORD: Yes.

16 FREDRIC BOR: Chairman Devlin?

17 JOHN DEVLIN: Yes. Thank you.

18 FREDRIC BOR: Okay. The next item

19 on the agenda, if I may, Mr. Chairman, is B,

20 solicit items.

21 And does the ED, Claude or Nick
22 wish to speak to any of them? I'll also just
23 take them one at a time.

24 MICHAEL ARMSTRONG: There's a --

25 I'm -- I'm just gonna point out,

1 with the new agenda, there's a 10(a), which
2 talks about abatements. It's 10(a)(1).

3 PATRICIA BAILEY: Mm-hmm.

4 MICHAEL ARMSTRONG: It's an
5 abatement to Mr. Salvatore Pico -- Pic -- I'm
6 sorry -- Pic -- Piccolo, 131 Wilson Avenue.

7 Nick, are you familiar with this
8 one?

9 NICHOLAS MANCUSO: Yes.

10 So, 131 Wilson Avenue had a broken
11 water service on their side. So, in between the
12 meter that we're responsible for everything
13 behind, the customer is responsible for
14 everything in front of the meter.

15 So, from the meter, going into the
16 home, there was a leak underground on that
17 individual homeowner's service.

18 They did do a timely repair. It
19 was costly on their end. And they did use "X"
20 amount. And this is what the leak abatement is
21 for.

22 So, we do see these every now and
23 then, but the volume and the velocity and how
24 fast it was, this was a little bit bigger than
25 average. I think it came out to be just over a

1 \$500 leak abatement.

2 PATRICIA BAILEY: Correct.

3 FREDRIC BOR: Okay. And I --

4 The agenda I got last night did not
5 include 10. I don't know if anybody else --

6 But, certainly, it's been explained
7 properly by Mr. Mancuso.

8 And it's regarding Mr. "Salvago" --
9 Salvatore Piccolo.

10 PATRICIA BAILEY: Mm-hmm.

11 FREDRIC BOR: And if the board is
12 prepared, absent any more discussion, is there a
13 motion on that abatement?

14 PATRICIA BAILEY: Motion.

15 GARY HILL: Second.

16 FREDRIC BOR: Ms. Bailey?

17 PATRICIA BAILEY: Yes.

18 FREDRIC BOR: Mr. Banfield?

19 GLENN BANFIELD: Yes.

20 FREDRIC BOR: Thank you.

21 Mr. Hill?

22 GARY HILL: Yes.

23 FREDRIC BOR: Ms. Langford?

24 NYNELL LANGFORD: Yes.

25 FREDRIC BOR: Chairman Devlin?

1 JOHN DEVLIN: Yes, sir.

2 Somebody has their hand up, also.

3 Mr. Banfield had his hand up.

4 GLENN BANFIELD: Oh. I'm sorry.

5 I'm sorry. I should have "took" that down.

6 FREDRIC BOR: That's okay.

7 Now I believe we're all ready to go
8 on B, the items to solicit. That's correct?

9 MICHAEL ARMSTRONG: Yes.

10 FREDRIC BOR: And any comment from
11 any commissioners, ED or our staff on 1 through
12 5? We'll vote on them one at a time, of course,
13 but does anybody have anything to offer by way
14 of discussion on them? I think they're pretty
15 self-explanatory.

16 GARY HILL: I do have one thing.
17 Maybe Mr. Mancuso or -- could speak on number 5.
18 This is --

19 New York Avenue is a major project.
20 And we're gonna work with the city.

21 But, if you don't mind,
22 Mr. Chairman, if Mr. Mancuso could speak on that
23 one for the rest of the board.

24 CLAUDE SMITH: I'll speak on that
25 one.

1 MICHAEL ARMSTRONG: That is not a
2 --

3 I would hold that till it's at
4 closed session. That's actually under the --

5 GARY HILL: Right.

6 MICHAEL ARMSTRONG: -- solicitor's
7 report for --

8 [Indiscernible - overtalking]

9 GARY HILL: That's what I was gonna
10 suggest; if --

11 Because --

12 Yeah.

13 MICHAEL ARMSTRONG: It involves a
14 contract.

15 GARY HILL: Let's -- let's pull
16 that till closed, if we don't mind.

17 [Indiscernible - overtalking]

18 JOHN DEVLIN: Okay. Thank -- thank
19 you, Gary.

20 GARY HILL: Okay. Thank you.

21 FREDRIC BOR: B(5) off since B(5)
22 will be in closed session.

23 We're dealing 1 through 4. Does
24 anybody have comments? And, of course, we'll
25 move on them one at a time.

1 Hearing none, is there any motion
2 for number 1, janitorial service, administration
3 distribution building?

4 PATRICIA BAILEY: Motion.

5 NYNELLE LANGFORD: Second.

6 FREDRIC BOR: Ms. Bailey?

7 PATRICIA BAILEY: Yes.

8 FREDRIC BOR: Mr. Banfield?

9 GLENN BANFIELD: Yes.

10 FREDRIC BOR: Mr. Hill?

11 GARY HILL: Yes.

12 FREDRIC BOR: Ms. Langford?

13 NYNELLE LANGFORD: Yes.

14 FREDRIC BOR: And Chairman Devlin?

15 JOHN DEVLIN: Yes.

16 FREDRIC BOR: B(1) approved.

17 B(2). Janitorial service,
18 treatment plant facility building.

19 GARY HILL: I'll make a motion.

20 NYNELLE LANGFORD: Second.

21 FREDRIC BOR: Ms. Bailey?

22 PATRICIA BAILEY: Yes.

23 FREDRIC BOR: Mr. Banfield?

24 GLENN BANFIELD: Yes.

25 FREDRIC BOR: Mr. Hill?

1 GARY HILL: Yes.

2 FREDRIC BOR: Ms. Langford?

3 NYNELLE LANGFORD: Yes.

4 FREDRIC BOR: And Chairman Devlin?

5 JOHN DEVLIN: Yes, sir.

6 FREDRIC BOR: Okay. Item number 3.

7 Corrosion inhibitor chemical treatment.

8 Remember, these are just to solicit.

9 MICHAEL ARMSTRONG: Right.

10 PATRICIA BAILEY: Motion.

11 GARY HILL: Second.

12 FREDRIC BOR: Ms. Bailey?

13 PATRICIA BAILEY: Yes.

14 FREDRIC BOR: Mr. Banfield?

15 GLENN BANFIELD: Yes.

16 FREDRIC BOR: Mr. Hill?

17 GARY HILL: Yes.

18 FREDRIC BOR: Ms. Langford?

19 NYNELLE LANGFORD: Yes.

20 FREDRIC BOR: Chairman Devlin?

21 JOHN DEVLIN: Yes.

22 FREDRIC BOR: And the last item is
23 a Zeta Lyte polymer. Is there a motion on that?

24 NYNELLE LANGFORD: Motion.

25 GARY HILL: Second.

1 FREDRIC BOR: Ms. Bailey?
2 PATRICIA BAILEY: Yes.
3 FREDRIC BOR: Mr. Banfield?
4 GLENN BANFIELD: Yes.
5 FREDRIC BOR: Mr. Hill?
6 GARY HILL: Yes.
7 FREDRIC BOR: Ms. Langford?
8 NYNELLE LANGFORD: Yes.
9 FREDRIC BOR: And the chairman,
10 Devlin?
11 JOHN DEVLIN: Yes.
12 FREDRIC BOR: Okay. Next item, if
13 there's no objection, we'll move on with monthly
14 bills.
15 Anita has the most up-to-date one
16 posted. And if, after review or discussion, if
17 on -- if there's a motion, let's hear it.
18 GARY HILL: Move it.
19 PATRICIA BAILEY: Second.
20 FREDRIC BOR: Ms. Bailey?
21 PATRICIA BAILEY: Yes.
22 FREDRIC BOR: Mr. Banfield?
23 GLENN BANFIELD: Yes.
24 FREDRIC BOR: Mr. Hill?
25 GARY HILL: Yes.

1 FREDRIC BOR: Ms. Langford?

2 NYNELLE LANGFORD: Yes.

3 FREDRIC BOR: And Mr. Devlin?

4 Mr. Devlin, do you approve, sir?

5 JOHN DEVLIN: Yes, Fred. I

6 apologize. Yes, Fred.

7 FREDRIC BOR: No. I --

8 It's quite all right.

9 The next is moving into executive
10 session. Is there a motion?

11 JOHN DEVLIN: Motion.

12 NYNELLE LANGFORD: Second.

13 FREDRIC BOR: Any objections?

14 None heard.

15 Do you want to take a minute or
16 two, John, before we go into executive?

17 JOHN DEVLIN: That's fine.

18 Whatever you guys need.

19 FREDRIC BOR: Okay.

20 MICHAEL ARMSTRONG: Please.

21 (A recess was taken between 10:55
22 a.m. and 12:13 a.m. while the board
23 entered into executive session and then
24 returned on the record.)

25 FREDRIC BOR: I see we have the

1 court reporter.

2 Should I take a quick roll,
3 Mr. Devlin, --

4 PATRICIA BAILEY: Mm-hmm.

5 FREDRIC BOR: -- to make sure
6 everybody's here?

7 Ms. Bailey?

8 JOHN DEVLIN: Hold on, please.

9 PATRICIA BAILEY: Here.

10 FREDRIC BOR: Mr. Banfield?

11 GLENN BANFIELD: Here.

12 FREDRIC BOR: Thank you.

13 Mr. Hill?

14 GARY HILL: Here.

15 FREDRIC BOR: Ms. Langford?

16 NYNELL LANGFORD: Here.

17 FREDRIC BOR: And I know you're
18 there, Mr. Chairman.

19 JOHN DEVLIN: Thank you.

20 FREDRIC BOR: If -- if I may, there
21 are several motions I believe we have to make in
22 open session.

23 One of them relates, on our agenda,
24 to a proposal to issue RFQ for backup
25 engineering services for licensed operator.

1 It's under engineering. Mine is underneath
2 number 1.

3 [Indiscernible background noises
4 and music]

5 MICHAEL ARMSTRONG: All right.
6 Just before you do, you want to get that motion
7 to come out of executive session, just back it
8 on the record.

9 FREDRIC BOR: Are we out of
10 executive session? I thought we were --

11 JOHN DEVLIN: Motion. I have a
12 motion, Fred.

13 FREDRIC BOR: Okay.

14 PATRICIA BAILEY: Second. Second.

15 FREDRIC BOR: Hearing no
16 opposition, we're out of executive, into closed
17 -- into open session.

18 GARY HILL: Now.

19 FREDRIC BOR: Now we're in open.
20 And the court reporter is with us?

21 MICHAEL ARMSTRONG: Mm-hmm.

22 THE COURT REPORTER: Yes. I'm
23 here.

24 FREDRIC BOR: Okay. So, now we're
25 out of closed, into open session.

1 And I believe the first order of
2 business would be under engineering on the
3 agenda, the proposal to issue RFQ for backup
4 engineering services for licensed operator.

5 And if someone wants to make a
6 motion, we'll move on that.

7 PATRICIA BAILEY: Motion.

8 GARY HILL: Second.

9 FREDRIC BOR: Ms. Bailey?

10 PATRICIA BAILEY: Here --
11 Yes.

12 FREDRIC BOR: Mr. Banfield?

13 GLENN BANFIELD: Yes.

14 FREDRIC BOR: Mr. Hill?

15 GARY HILL: Yes.

16 FREDRIC BOR: Ms. Langford?

17 NYNELL LANGFORD: Yes.

18 FREDRIC BOR: And Mr. Devlin?

19 JOHN DEVLIN: Yes.

20 FREDRIC BOR: Okay. The second one
21 is in connection with the MOU between the city
22 and ourselves. The document would then have to
23 be executed, of course, by ourselves and -- I
24 believe the mayor is on there.

25 So, is there a motion to approve

1 the MOU --

2 GARY HILL: Motion --

3 FREDRIC BOR: --

4 [Indiscernible - overtalking]

5 GARY HILL: Motion to accept.

6 FREDRIC BOR: The MOU.

7 Is there a second?

8 JOHN DEVLIN: Second -- second,

9 Fred. John Devlin.

10 FREDRIC BOR: Good.

11 Ms. Bailey?

12 PATRICIA BAILEY: Yes.

13 FREDRIC BOR: Mr. Banfield?

14 GLENN BANFIELD: Yes.

15 FREDRIC BOR: Mr. Hill?

16 GARY HILL: Yes.

17 FREDRIC BOR: Ms. Langford?

18 NYNELL LANGFORD: Abstain.

19 FREDRIC BOR: Mr. Devlin?

20 JOHN DEVLIN: Yes.

21 FREDRIC BOR: Okay. The -- the

22 third one we have to do is a -- a motion to

23 amend the previously agreed upon, by way of

24 resolution, agreement with the Sewerage

25 Authority. And the amendment is subject to

1 approval by those folks. So, if we agree to
2 this, it's still subject to approval in its
3 exact language by the sewer authority.

4 And the motion would be that the
5 ACSC shall refrain from referring customers to
6 the Atlantic City MUA for sewerage company
7 billing questions. And importantly, prior to
8 executing such referral to the MUA, the sewer
9 folks shall use their best efforts to assist
10 their customers with the billing and assistance.

11 If approved by the board, it will
12 become letter H as an amendment to the
13 previously completed agreement.

14 So, the motion is, essentially, to
15 amend the sewerage agreement to include
16 paragraph H as I've just recited.

17 PATRICIA BAILEY: Motion.

18 JOHN DEVLIN: Second.

19 FREDRIC BOR: Ms. Bailey?

20 PATRICIA BAILEY: Yes.

21 FREDRIC BOR: Mr. Banfield?

22 GLENN BANFIELD: Yes.

23 FREDRIC BOR: Mr. Hill?

24 GARY HILL: Yes.

25 FREDRIC BOR: Ms. Langford?

1 NYNELL LANGFORD: Yes.

2 FREDRIC BOR: Mr. Devlin?

3 JOHN DEVLIN: Yes.

4 FREDRIC BOR: Now, remember, that's
5 approved. Remember, that becomes a nullity if
6 Mr. Wood, on behalf of the Sewerage Authority,
7 disagrees. If he agrees, I'll inform the ED.

8 And the third one is --

9 MICHAEL ARMSTRONG: Fourth. That's
10 the fourth, right, one.

11 FREDRIC BOR: Well, yeah. We had
12 the engineering, the MOU, the sewer.

13 Now, with the auction properties.
14 And the motion I'm proposing, subject to the
15 discussion, is to exempt the 19 property
16 purchasers from any fees other than present
17 connection fees to set up their water going
18 forward. It would only be for the 19 we've been
19 informed of. Not to exceed, I think it was
20 \$57,000 as of the last --

21 [Indiscernible background noise]

22 FREDRIC BOR: -- count.

23 JOHN DEVLIN: Motion.

24 FREDRIC BOR: And again, it's just
25 for this one only.

1 And I'll just indicate to the city
2 solicitor let's get over the hump, let's get
3 these properties developed and we're open to --

4 GARY HILL: Second.

5 [Indiscernible - overtalking]

6 FREDRIC BOR: Yes.

7 GARY HILL: Second.

8 FREDRIC BOR: Yes.

9 Ms. Bailey?

10 PATRICK BAILEY: Yes.

11 FREDRIC BOR: Mr. Banfield?

12 GLENN BANFIELD: Yes.

13 FREDRIC BOR: Mr. Hill?

14 GARY HILL: Yes. It's a good
15 start.

16 FREDRIC BOR: Ms. Langford?

17 NYNELL LANGFORD: Abstain.

18 FREDRIC BOR: And the Chairman.

19 JOHN DEVLIN: Yes.

20 FREDRIC BOR: Okay. I don't have
21 any other business, Mr. Armstrong.

22 MICHAEL ARMSTRONG: Did we do --

23 We did the MOU? You probably said
24 it, but I missed it.

25 FREDRIC BOR: We did the MOU for

1 the --

2 We did the MOU, and it was approved
3 by the board.

4 MICHAEL ARMSTRONG: New York
5 Avenue?

6 Okay. Good. That was the first
7 one. Okay.

8 All right. That's it.

9 FREDRIC BOR: Hearing no other
10 business, there's a motion to adjourn the
11 meeting?

12 CLAUDE SMITH: One second --

13 PATRICIA BAILEY: Motion.

14 CLAUDE SMITH: One second, guys. I
15 -- I just want to confirm that item B(5), that
16 we actually did do the acceptance of that
17 resolution consisting -- from that, Fred,
18 please?

19 PATRICIA BAILEY: Was that the New
20 York Avenue one?

21 CLAUDE SMITH: It -- it's actually
22 solicits. It's a part of the solicits. We have
23 actually tabled it to go into --

24 [Indiscernible - overtalking]

25 MICHAEL ARMSTRONG: That's right.

1 He's right.

2 CLAUDE SMITH: -- into closed
3 session.

4 PATRICIA BAILEY: Right. Right.

5 CLAUDE SMITH: So, I just want to
6 make for that --

7 That's actually been voted on as
8 well, too.

9 MICHAEL ARMSTRONG: Yeah. He's
10 right.

11 FREDRIC BOR: Which one was that,
12 Claude?

13 CLAUDE SMITH: It -- it's B(5).

14 MICHAEL ARMSTRONG: It goes with
15 the MOU --

16 CLAUDE SMITH: Oh, yeah.

17 MICHAEL ARMSTRONG: -- at New York
18 Avenue.

19 CLAUDE SMITH: It's separate --
20 it's separate from the MOU for --

21 GARY HILL: Oh. It is?

22 MICHAEL ARMSTRONG: Right.

23 CLAUDE SMITH: Right.

24 MICHAEL ARMSTRONG: Yes.

25 CLAUDE SMITH: Because we pulled

1 it. Okay. Well --

2 MICHAEL ARMSTRONG: Yes. It's
3 separate from the MOU.

4 GARY HILL: Gotcha.

5 PATRICIA BAILEY: Okay. Does it
6 need a motion?

7 CLAUDE SMITH: No. I --
8 We approved the MOU.

9 [Indiscernible - overtalking]

10 MICHAEL ARMSTRONG: No, no. I'm
11 just saying, it's a companion to the MOU.

12 GARY HILL: Exactly.

13 MICHAEL ARMSTRONG: So, we need to
14 do this resolution.

15 FREDRIC BOR: Okay. If there's no
16 other motions and, Mr. ED, if you agree, we can
17 move to close and adjourn the meeting.

18 MICHAEL ARMSTRONG: No, no. We
19 have to do --

20 PATRICIA BAILEY: No, no, no, no.

21 MICHAEL ARMSTRONG: We need a
22 resolution --

23 I'm sorry. We need a motion to
24 approve item B(5), which is a New York Avenue
25 water main replacement, --

1 GARY HILL: Right.

2 MICHAEL ARMSTRONG: -- a resolution

3 --

4 JOHN DEVLIN: Motion.

5 FREDRIC BOR: Oh. Separate and

6 apart --

7 JOHN DEVLIN: I make a motion.

8 FREDRIC BOR: Oh. Separate and

9 apart from the MOU.

10 GARY HILL: Second.

11 FREDRIC BOR: Right.

12 PATRICIA BAILEY: Second -- second

13 to John's motion. Second.

14 FREDRIC BOR: Okay.

15 JOHN DEVLIN: Thanks, Pat.

16 FREDRIC BOR: Ms. Bailey?

17 PATRICIA BAILEY: Yes.

18 FREDRIC BOR: Mr. Banfield?

19 GLENN BANFIELD: Yes.

20 FREDRIC BOR: Mr. Hill?

21 GARY HILL: Yes.

22 FREDRIC BOR: Ms. Langford?

23 NYNELL LANGFORD: Yes.

24 FREDRIC BOR: Mr. Devlin?

25 JOHN DEVLIN: Yes.

1 FREDRIC BOR: Yes -- yes, you're
2 right. They're two separate items. I
3 appreciate that.

4 JOHN DEVLIN: Thank you, Fred.

5 CLAUDE SMITH: Thank you, guys.

6 JOHN DEVLIN: Hey, before we close,
7 is everybody good with in-person July 1st,
8 coming in person with the option of doing Zoom
9 if -- if it --

10 PATRICIA BAILEY: Yes.

11 JOHN DEVLIN: -- if it comes to
12 that?

13 GARY HILL: Yes.

14 PATRICIA BAILEY: Yes. Yes, John.
15 Yes.

16 JOHN DEVLIN: Okay. Thank you.
17 Just wanted to -- just wanted to ask and see how
18 everybody felt about it.

19 PATRICIA BAILEY: Yeah.

20 JOHN DEVLIN: Thank you.

21 PATRICIA BAILEY: No. Thank you.

22 JOHN DEVLIN: Thank you, everybody,
23 for today.

24 PATRICIA BAILEY: Thank you. Yep.

25 JOHN DEVLIN: Thank you, everybody,

1 for today.

2 PATRICIA BAILEY: Okay.

3 GARY HILL: I'll see you Monday.

4 Thank you.

5 PATRICIA BAILEY: Okay. See you
6 Monday.

7 I'll come over and sign checks, and
8 then you've gotta come over and sign contracts.

9 GARY HILL: Pay those bills.

10 PATRICIA BAILEY: Okay. Bye-bye.

11 GARY HILL: Have a good day, guys.

12 JOHN DEVLIN: All right. Take
13 care, everybody.

14 PATRICIA BAILEY: All right. Have
15 a good day, everybody.

16 FREDRIC BOR: Stay well, everybody.

17

18 (This public hearing concluded at
19 12:20 p.m.)

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