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ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

SPECIAL BOARD MEETING

Tuesday - June 1, 2021

Special board meeting 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

2	<p>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 10:08 a.m., there being 7 present: 8 9 10 11 BOARD MEMBERS PRESENT: 12 ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY: 13 14 JOHN DEVLIN (On cellular telephone) 15 Chairman 16 17 PATRICIA BAILEY Board Member 18 (On cellular telephone) Treasurer 19 20 GLENN BANFIELD Board Member 21 22 GARY L. HILL Board Member 23 Vice Chairman/Secretary 24 25</p>	4
3	<p>1 PROFESSIONALS TO THE BOARD FOR THIS HEARING: 2 3 FREDRIC BOR, ESQUIRE Authority Solicitor 4 5 VINCENT POLISTINA Polistina & Associates 6 7 MICHAEL RILEY, ESQUIRE (On cellular telephone) 8 Riley & Riley, Esquires 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	5
	<p>1 ALSO PRESENT FOR THE ATLANTIC CITY MUNICIPAL 2 UTILITIES AUTHORITY: 3 4 CLAUDE SMITH Deputy Executive Director, Engineering 5 6 KELLEY WILLIAMS Executive Secretary 7 8 STELLA JOHNSON Executive Secretary 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	
	<p>1 INDEX 2 3 WITNESS(ES) PAGE NO. 4 Opening Statement 5 By: John Devlin 7 6 7 Agenda Items 8 By: Fredric Bor 9 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	

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1 [COURT REPORTER'S NOTE:
 2 THIS SPECIAL BOARD MEETING WAS
 3 CONDUCTED VIA THE VIDEOCONFERENCE SOFTWARE
 4 PROGRAM ZOOM.
 5 DURING THE TIME OF THIS SPECIAL
 6 BOARD MEETING, THE STATE OF NEW JERSEY WAS
 7 UNDER LOCKDOWN RESTRICTION DUE TO THE
 8 COVID-19 PANDEMIC.
 9 ALL ATTENDEES TO THIS SPECIAL
 10 BOARD MEETING WERE PARTICIPATING FROM
 11 THEIR OWN WORKSPACE THROUGH THEIR COMPUTER
 12 OR CELLULAR TELEPHONE.
 13 THE COURT REPORTER WILL ACKNOWLEDGE
 14 WITHIN THIS TRANSCRIPT ANY POOR INTERNET
 15 CONNECTION AND VIDEOCONFERENCE PLATFORM
 16 CUTOUPS WHERE TESTIMONY DID NOT CEASE.]
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 18
 19
 20 (Time noted: 10:08 a.m.)
 21
 22 FREDRIC BOR: So, Chairman, open
 23 the meeting. We could proceed. We,
 24 clearly, have a quorum.
 25 JOHN DEVLIN: Thank you.

7

1 Thank you, everybody.
 2 June 1st, 2021. Opening statement.
 3 Adequate notice of this special
 4 meeting has been provided, as required by
 5 law, by mailing to The Press of Atlantic
 6 City --
 7 PATRICIA BAILEY: Good morning.
 8 JOHN DEVLIN: -- a list of --
 9 [Indiscernible - overtalking]
 10 -- The Press of Atlantic City a
 11 list of regularly-scheduled meetings of
 12 the board of directors, including the --
 13 [Indiscernible - overtalking]
 14 -- notice of a special meeting
 15 scheduled June 1st, 2021, at 401 North
 16 Virginia Avenue, conference room,
 17 Atlantic City, New Jersey.
 18 A copy of said notice was sent to
 19 the city clerk and posted.
 20 All -- all "foresaid" [pronounced
 21 incorrectly] copies -- complies with
 22 Chapter 231, Public Laws 1975, known as
 23 the open public meetings law.
 24 Fred?
 25 FREDRIC BOR: Yes.

8

1 Good morning.
 2 And roll call.
 3 Ms. Bailey? Pat?
 4 JOHN DEVLIN: You're muted, Pat.
 5 PATRICIA BAILEY: Here. I'm sorry.
 6 I was muted. Here.
 7 FREDRIC BOR: Okay. Thanks, Pat.
 8 PATRICIA BAILEY: Okay.
 9 FREDRIC BOR: And Mr. Banfield?
 10 GLENN BANFIELD: Here.
 11 FREDRIC BOR: Mr. Hill?
 12 GARY HILL: Here.
 13 FREDRIC BOR: Miss Langford?
 14 (No response.)
 15 Chairman Devlin?
 16 JOHN DEVLIN: I'm here. Thanks.
 17 FREDRIC BOR: Even with no response
 18 from Ms. Langford, we have -- do have a
 19 quorum.
 20 Mr. Cheatham?
 21 Mr. Mohammed -- Dedar?
 22 [Indiscernible - overtalking]
 23 Mr. Chairman, we can proceed with
 24 the flag salute, and then move on to the
 25 business of the day.

9

1 JOHN DEVLIN: Thank you, Fred.
 2 (The Pledge of Allegiance was
 3 recited at this time.)
 4 Thanks, everyone.
 5 Fred?
 6 FREDRIC BOR: Thank -- thank you.
 7 And happy Memorial Day to our two vets.
 8 PATRICIA BAILEY: Yes.
 9 FREDRIC BOR: That's the chairman
 10 and myself.
 11 JOHN DEVLIN: Thank you, guys.
 12 FREDRIC BOR: Okay. Now, Claude,
 13 are -- are you serving as executive
 14 director for -- just for this meeting?
 15 Claude?
 16 CLAUDE SMITH: I'm sorry. Yes.
 17 I'm filling in. Yes.
 18 FREDRIC BOR: Okay. The record
 19 should reflect that, in the absence of
 20 Mr. -- of our executive director, he has
 21 designated Mr. Smith to proceed with the
 22 business of the day.
 23 That being the case, I have no
 24 specific solicitor report.
 25 And if you would, Mr. Smith,

10	<p>1 although most of us are aware of why we're 2 here today, could you just give a -- a 3 short recitation of the proposed 4 resolution? 5 CLAUDE SMITH: Yeah. 6 I'm -- I'm assuming everyone 7 actually received the resolution this 8 morning in regards to what we're trying to 9 accomplish here in regards to the purchase 10 of the granulate -- GAC or Granulated 11 Activated Carbon for our filter beds at 12 the treatment plant. 13 As per the recommendation and as 14 per trying to meet our PFOS MCLs, we are 15 in the process of trying to get this 16 particular material to replenish our 17 filter beds at our treatment plant. 18 Of course, this is imperative for 19 us to do so to at least try and meet the 20 standards that we're looking to acquire 21 for the "M cell" [pronounced incorrectly] 22 -- MCLs for this second -- second quarter 23 for our testing that needs to be done. 24 And this is something that we need to do 25 immediately.</p>	12	<p>1 be the case, if we were -- had gone with 2 the cost from 2020 to 2021. 3 As per the contract that was 4 actually sent -- well, I guess, the 5 agreement that was actually sent to us, 6 the total to replace all five filter beds 7 was 372 -- \$372,000. But, of course, 8 we're -- we're -- we're requesting a -- a 9 -- a total of \$400,000 -- or for -- not -- 10 for the contract not to exceed \$400,000 11 because of the fact that there might be 12 some "excedence" [pronounced incorrectly] 13 of the -- the five -- 50,000 dollar -- 14 pounds of -- of Granulated Activated 15 Carbon for each filter bed. 16 With that said, you know, you can 17 look at the resolution a little bit 18 further if you need to, and we can proceed 19 with actually approving of the resolution. 20 FREDRIC BOR: Thank you, Mr. Smith. 21 Also, for the record, I would note 22 that Miss Thapa has submitted a 23 certificate, confirming the availability 24 of funds within our budget, -- 25 GARY HILL: Right.</p>
11	<p>1 The resolution is self-explanatory. 2 If you read through it, it -- it -- it 3 kind of covers everything that, I think, 4 needed to be covered in regards to the 5 purchasing of the -- of the -- of the GAC. 6 What -- what we had left over from 7 -- 8 What funding we had left over from 9 2020 that we did not necessarily use and 10 what the current cost would actually be. 11 If I want to give you some figures 12 based on -- 13 The -- the cost of -- of the 20 -- 14 2020 unit costs for the filter -- I mean, 15 the GAC for the plant was a dollar 43 16 cents. 17 So, it went up by -- by -- by three 18 cents. 19 So, it -- it is now a dollar 49 20 based on, of course, the -- the -- the 21 pricing that we received from -- from 22 Calgon. That is the distributor for that 23 particular -- that particular product. 24 We're talking about, like, an -- an 25 additional \$3,000 per filter bed if that</p>	13	<p>1 FREDRIC BOR: -- as required. 2 PATRICIA BAILEY: Yes. 3 [Indiscernible - overtalking] 4 GARY HILL: Mr. Chairman, I just 5 wanted to make a comment. 6 I know Miss Bailey and the chairman 7 were aware, but for Mr. Banfield, we had 8 intense meetings with H2M, our consultants 9 here, as well as Mr. Polistina. Last 10 week, we had two meetings, in fact. 11 And this is why we made this an 12 emergency meeting. We could have -- 13 probably have done it a little bit 14 earlier, but we wanted to make sure 15 everything was transparent, that we were 16 doing this the right way. 17 This is something imperatively we 18 need to do and move forward very quickly 19 on. That's why we're doing this now, 20 Glenn. 21 I did go over that with the 22 chairman. And Miss Bailey sits on the 23 committee. But, I wanted you to be -- 24 PATRICIA BAILEY: Yes. 25 GARY HILL: -- aware of that.</p>

14

1 Do you have a question, Glenn?
 2 GLENN BANFIELD: No, I don't. I
 3 have no questions.
 4 GARY HILL: Thank you.
 5 [Indiscernible - overtalking]
 6 Mr. Polis -- Mr. Polistina, did you
 7 want to add anything?
 8 I think Claude summed it up pretty
 9 well.
 10 [Indiscernible - overtalking]
 11 And you -- I know you -- you put
 12 some input in the numbers.
 13 VINCENT POLISTINA: I did. But,
 14 Claude gave you the summary.
 15 GARY HILL: Okay.
 16 VINCENT POLISTINA: We're --
 17 For the second quarter results,
 18 we're trying to get the carbon replaced in
 19 the existing beds. It's imperative to do
 20 it quickly. And so this special meeting
 21 is necessary to get it awarded.
 22 GARY HILL: Thank you for that on
 23 the record.
 24 PATRICIA BAILEY: Thank you.
 25 FREDRIC BOR: Thank you, Gary.

15

1 And before we vote on Resolution
 2 6(a)(1), I will also add, being on the
 3 sidelines, the tremendous job Gary and
 4 Vince did in its -- in their -- in their
 5 interaction to get this set to where we
 6 are right now. Hats off, guys.
 7 And unless there's any other
 8 further discussion, is there a motion on
 9 6(a)(1)?
 10 PATRICIA BAILEY: Motion.
 11 GARY HILL: Second.
 12 [Indiscernible - overtalking]
 13 PATRICIA BAILEY: Commissioner
 14 Bailey.
 15 FREDRIC BOR: Thank you, Pat.
 16 Ms. Bailey?
 17 PATRICIA BAILEY: Yes.
 18 FREDRIC BOR: Mr. Banfield?
 19 GLENN BANFIELD: Yes.
 20 FREDRIC BOR: Thank you, Glenn.
 21 Mr. Hill?
 22 GARY HILL: Yes.
 23 FREDRIC BOR: Miss Langford, I
 24 believe, is not present.
 25 And Mr. Devlin?

16

1 JOHN DEVLIN: Yes. Thanks, guys.
 2 FREDRIC BOR: The 6(a)(1) passes.
 3 Now, I am not sure, unless you have
 4 anything, Glenn, for a need to go into
 5 executive session. Do you?
 6 GLENN BANFIELD: No, I don't.
 7 FREDRIC BOR: And, Claude, any --
 8 do you have any reason to go into
 9 executive session?
 10 CLAUDE SMITH: No. There's no
 11 further matters to be discussed. No, I do
 12 not.
 13 FREDRIC BOR: That -- that being
 14 the case, is there a motion to adjourn
 15 today's emergency meeting?
 16 JOHN DEVLIN: Motion. John Devlin.
 17 Chairman.
 18 And thank you, everybody.
 19 PATRICIA BAILEY: Second.
 20 [Indiscernible - overtalking]
 21 GARY HILL: Second. Gary Hill.
 22 Vice chairman.
 23 FREDRIC BOR: And then, quickly,
 24 Ms. Bailey?
 25 PATRICIA BAILEY: Yes.

17

1 FREDRIC BOR: Mr. Banfield?
 2 GLENN BANFIELD: Yes.
 3 FREDRIC BOR: Mr. Hill?
 4 GARY HILL: Yes.
 5 FREDRIC BOR: Mr. Devlin?
 6 JOHN DEVLIN: Yes.
 7 FREDRIC BOR: Thank you.
 8 Meeting is adjourned. And thank
 9 you, everyone, for their assistance and
 10 input.
 11 GARY HILL: Thank you.
 12 FREDRIC BOR: Thank you.
 13 GARY HILL: Claude --
 14 Go -- go -- go order the stuff,
 15 Claude.
 16 PATRICIA BAILEY: Yes. Yes.
 17 GARY HILL: They're on top of it.
 18 They're on top of it.
 19 PATRICIA BAILEY: Yes.
 20 CLAUDE SMITH: Thank you, everyone,
 21 for actually participating, and thanks for
 22 -- for making this actually go through. I
 23 appreciate it.
 24 [Indiscernible - overtalking]
 25 FREDRIC BOR: And, Claude, thank

1 you very much for pinch-hitting for
 2 Mr. Armstrong.
 3 PATRICIA BAILEY: Yes. Yes. Yes.
 4 Thank you.
 5 Thanks, guys. Have a great day.
 6 FREDRIC BOR: Okay. Thank you.
 7
 8 (This special board meeting
 9 concluded at 10:17 a.m.)
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1 CERTIFICATION
 2
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 9 Certified Shorthand Reporter (CSR),
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