

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

REGULAR MEETING

Wednesday - August 25, 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 10:09 a.m., there being
7 present:

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11 BOARD MEMBERS PRESENT:

12 ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY:

13
14 JOHN DEVLIN
Chairman

15
16 GLENN BANFIELD
Board Member

17
18 GARY L. HILL
Vice Chairman/Secretary

19
20 NYNELL LANGFORD
Board Member

21
22 MOHAMMED DEDAR
Treasurer
23 (Present via Zoom)

24
25

1 PROFESSIONALS TO THE BOARD FOR THIS HEARING:

2

3 MICHAEL ARMSTRONG, ESQUIRE

4

5 FREDRIC BOR, ESQUIRE
Authority Solicitor

6

7 VINCENT POLISTINA
Polistina & Associates

8

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13 ALSO PRESENT FOR THE ATLANTIC CITY MUNICIPAL
14 UTILITIES AUTHORITY:

15

16 CLAUDE SMITH
Deputy Executive Director, Engineering

17

18 KELLEY WILLIAMS

19

20 STELLA JOHNSON

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22 ANITA THAPA

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PRESENT FOR THE STATE OF NEW JERSEY:

PHILIP GONZALEZ

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1 [COURT REPORTER'S NOTE:

2 CERTAIN PARTICIPANTS TO THIS
3 PUBLIC HEARING WERE APPEARING VIA THE
4 VIDEOCONFERENCE SOFTWARE PROGRAM ZOOM.
5 THOSE PRESENT VIA ZOOM WILL BE DELINEATED
6 AS SUCH ON THE APPEARANCE PAGE OF THIS
7 TRANSCRIPT.

8 THE COURT REPORTER WILL
9 ACKNOWLEDGE WITHIN THIS TRANSCRIPT ANY
10 POOR INTERNET CONNECTION AND
11 VIDEOCONFERENCE PLATFORM CUTOUPS WHERE
12 THE PUBLIC HEARING DID NOT CEASE.]

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15
16 (Time noted: 10:09 a.m.)

17
18 JOHN DEVLIN: Good morning,
19 everybody.

20 August 25th, 2021.

21 Opening statement. Adequate notice
22 of this meeting has been provided, as required
23 by law, by mailing to The Press of Atlantic City
24 a list of regularly-scheduled meetings.

25 August 25th, 2021, at 401 North

1 Virginia Avenue, conference room, Atlantic City,
2 New Jersey.

3 A copy of said notice was sent to
4 the city clerk to be posted.

5 All the aforesaid complies with
6 Chapter 231 of the laws of 1975, known as Open
7 Public Meetings Law.

8 Fred?

9 FREDRIC BOR: Yes.

10 Roll call. Mr. Banfield?

11 GLENN BANFIELD: Here.

12 FREDRIC BOR: Dadar? Mr. --

13 MOHAMMED DADAR: Yes, sir.

14 FREDRIC BOR: Yes. Good morning.

15 Mr. Hill?

16 GARY HILL: Here.

17 FREDRIC BOR: Hi, Gary.

18 Ms. Nynell Langford?

19 NYNELL LANGFORD: Here.

20 FREDRIC BOR: And Chairman Devlin.

21 JOHN DEVLIN: Here.

22 Thanks, Fred.

23 FREDRIC BOR: Here. Present.

24 Quorum. Present.

25 Flag salute.

1 (The salute to the flag of the
2 United States of America was recited at
3 this time.)

4 JOHN DEVLIN: Thank you.

5 We've got roll call. Did we do
6 roll call?

7 FREDRIC BOR: Public participation.

8 JOHN DEVLIN: Do we have any public
9 participation?

10 STELLA JOHNSON: No.

11 JOHN DEVLIN: Stella, any emails,
12 any --

13 FREDRIC BOR: Any emails,
14 communications from the public?

15 STELLA JOHNSON: No.

16 FREDRIC BOR: None?

17 JOHN DEVLIN: None.

18 FREDRIC BOR: There being none, --

19 JOHN DEVLIN: Fred, --

20 FREDRIC BOR: -- minutes?

21 JOHN DEVLIN: -- before we get
22 started, I just want to make a little, brief
23 statement.

24 I was talking to a couple members.
25 And I also want to say, these

1 meetings are getting a little bit out of
2 control.

3 As chairman, I'm just gonna say
4 we're gonna conduct these meetings in an orderly
5 fashion. We're gonna go by "Robert" [pronounced
6 incorrectly] Rules of Order. We've been cutting
7 each other off. Let's all respect each other.

8 I --

9 For one, I don't have anything
10 personal about anybody in this room.

11 I do hold some personal things when
12 it comes to water of Atlantic City. That's why
13 I'm here.

14 So, again, I'm the chair. If you
15 want to speak, let me recognize you.

16 Between Zoom and everything else,
17 it's gonna be complicated.

18 Again, let's respect each other. I
19 know there's different personalities from
20 different parts of the state in this room, and
21 we have to all come together as a -- as a group,
22 collectively.

23 So, I don't want to say too much
24 more on that. Let's just keep it respectable.
25 Mind the chair. That's my job until whenever

1 I'm relieved.

2 So, Fred.

3 FREDRIC BOR: Yes. Thank you,
4 Chair.

5 Assuming members -- or
6 commissioners have received copies of the
7 minutes, if there's any discussion, let's hear
8 it from any commissioner. If not, is there a
9 motion to approve the minutes?

10 JOHN DEVLIN: Motion.

11 GLENN BANFIELD: I'll second.

12 FREDRIC BOR: Mr. Banfield?

13 GLENN BANFIELD: Yes.

14 FREDRIC BOR: Dadar?

15 MOHAMMED DADAR: Yes, sir.

16 FREDRIC BOR: Hill?

17 GARY HILL: Yes.

18 FREDRIC BOR: Ms. Langford?

19 NYNELL LANGFORD: Yes.

20 FREDRIC BOR: John Devlin,
21 chairman.

22 JOHN DEVLIN: Here. Thank you.

23 FREDRIC BOR: Approved.

24 JOHN DEVLIN: We do have --

25 Miss --

1 Since Miss Bailey's time expired --
2 She was the treasurer. We're gonna
3 need to appoint a treasurer.

4 Any motions for a treasurer, and --
5 FREDRIC BOR: Well -- well, right
6 now, you're the chair. Gary is vice chair.

7 JOHN DEVLIN: Right.

8 FREDRIC BOR: The secretary --

9 JOHN DEVLIN: Is --

10 GARY HILL: Mr. Chairman?

11 FREDRIC BOR: Yes.

12 JOHN DEVLIN: Yes, Gary.

13 GARY HILL: I'd like to nominate
14 Mr. Banfield for the position of treasurer.

15 It's not that difficult, Bill,
16 really. Anita does all the work.

17 JOHN DEVLIN: He did it all -- he
18 did it these --

19 GLENN BANFIELD: No. I thought
20 about it after you --

21 JOHN DEVLIN: Okay. I'll second.

22 FREDRIC BOR: Okay. Any
23 discussion?

24 If none, Mr. Dadar?

25 MOHAMMED DADAR: Yes.

1 FREDRIC BOR: And Mr. Hill?

2 GARY HILL: Yes.

3 FREDRIC BOR: Ms. Langford?

4 NYNELL LANGFORD: Yes.

5 FREDRIC BOR: Chairman Devlin?

6 JOHN DEVLIN: Yes. Thank you

7 FREDRIC BOR: Approved.

8 Congratulations, Mr. Banfield.

9 GLENN BANFIELD: Thank you.

10 FREDRIC BOR: Next is the

11 Authority's --

12 I have no specific report. There
13 -- there's some items that Claude and I are
14 working through regarding Aclara and there's
15 some issues pertaining to fluoride that the
16 executive director and I have been communicating
17 about. And I'm waiting for a telephone call
18 back from a representative of the DEP on the
19 whole issue of fluoride.

20 GLENN BANFIELD: Excuse me. I'm
21 sorry.

22 JOHN DEVLIN: Take your time.

23 GLENN BANFIELD: I'll turn it off.

24 JOHN DEVLIN: No problem.

25 FREDRIC BOR: It's a -- just very,

1 very briefly, it's a fairly complicated issue
2 that relates, somewhat, to the statutes of
3 New Jersey, the Safe Water Drinking Act, which
4 does not include fluoride as part of the
5 contaminants identified therein. And yet, we
6 had the DEP that wants us to engage in some
7 degree of compliance.

8 But, before we go into a full
9 report, if it's okay with the executive
10 director, I've got a telephone call waiting from
11 them and, as indicated in a conference yesterday
12 between Mr. Armstrong and I, if we can't get
13 relief, we are gonna go to the dispute
14 resolution portion of DEP in lieu of a formal
15 hearing.

16 DEP, as well as most agencies, has
17 a dispute resolution. The chair of that for DEP
18 is someone named Linda Taylor, I think -- I
19 think her name is.

20 So, I've already reached out to
21 her. Because I think the difference of opinion
22 on the fluoride issue is amenable to discussions
23 with the appropriate representatives rather than
24 a full hearing.

25 And if the executive director

1 agrees, I'll follow through in dispute
2 resolution and report back just as soon as I
3 know more.

4 JOHN DEVLIN: Mr. Armstrong, do you
5 have a comment on that?

6 MICHAEL ARMSTRONG: No. I agree.

7 JOHN DEVLIN: Thank you, sir.

8 FREDRIC BOR: Thank you.

9 Committee reports? Anything from
10 engineering?

11 JOHN DEVLIN: Hi, Gary.

12 FREDRIC BOR: Hi, Gary.

13 JOHN DEVLIN: You've got the spot
14 for an hour, Gar.

15 GARY HILL: Oh. No, no, no. We're
16 not gonna need an hour.

17 I just wanted to update the full
18 board on our progress with PFAS.

19 As we all know, it's a very serious
20 problem.

21 We are very proactive in
22 cooperation with the DEP, H2M, Vince Polistina,
23 and the State of New Jersey. And we have made
24 sure that everybody is informed of our progress,
25 problems and costs.

1 Right now, we're okay with
2 budget-wise at this point.

3 But, we do meet every Wednesday.
4 We have another meeting at 1:30 with our core
5 team. And we -- we try to deal with as many
6 agenda items as we can.

7 I'm gonna turn it over to Claude in
8 a minute. And I'm sure he's gonna speak about
9 our progress, especially now that we're getting
10 near Labor Day.

11 We do have some things, I believe,
12 on the agenda that we need to deal with. Not
13 too many issues.

14 I do want to know about the PRI
15 construction schedule. I don't think I got that
16 yet, Claude. Is that still being in the works?

17 CLAUDE SMITH: You are correct,
18 Gary. That's still in the works. We have not
19 received a schedule as yet. We know that's
20 something that's actually being worked on right
21 --

22 GARY HILL: Right.

23 CLAUDE SMITH: As per the last
24 meeting that we had, we know that A.C. Schultes
25 was actually on site doing some -- some work,

1 which we need to get some additional details on
2 that particular scenario.

3 So far, that's about the only work
4 that's actually being done in regards to the
5 PFAS situation, in terms of, like, installation
6 or construction.

7 There's another aspect of it which
8 Vince -- Vince Polistina and myself are actually
9 working on, which is to get the conduit
10 installed for the electrical work for the -- the
11 -- the -- the connectivity of the electrical
12 cabling that's actually there that runs from one
13 particular well site to another.

14 But, in regards to the -- the full
15 PFAS situation, that -- that is ongoing. We're
16 just moving along as -- the best that we can as
17 -- in a -- in a timely manner as we can and
18 trying to work out all the different
19 complications, if you want to call it that, with
20 different contractors. Because we have at least
21 two contractors that are working simultaneously,
22 and we have to coordinate that all as we go
23 along to make sure that we're getting everything
24 done in a timely fashion in the coordinated
25 fashion.

1 GARY HILL: I did -- I did want to
2 mention also those contracts are being reviewed
3 with a major construction firm, as -- as he --
4 as Claude mentioned, by Michael Riley, and we
5 really -- we want to keep everything on the
6 straight and narrow so the state is happy with
7 everything and we are as an authority, that
8 we're covered.

9 So, those contracts, even though
10 they're big numbers, we are getting them
11 reviewed by our legal counsel, just so everybody
12 else has an idea about that.

13 And Mr. Dadar sits on that
14 committee with me, and I appreciate his help.

15 Mr. Armstrong is there.

16 I -- I have to say, Michael is very
17 good at designating what we need to deal with to
18 whoever it is, if it's the electrical problem or
19 whatever. So, I appreciate Mr. Armstrong's
20 input as much as we all, you know, participate.

21 Again, and a lot of this is way
22 beyond me, way beyond Mr. Dadar. Some of this
23 stuff is -- is a little complicated. So, we
24 need our experts. That's why we hired H2M as
25 our consultant for that.

1 I appreciate that we have a
2 positive frame. And that's what we want to
3 continue to do.

4 Anybody have a question?

5 JOHN DEVLIN: Uh-uh.

6 GARY HILL: Thank you.

7 JOHN DEVLIN: Thank you, Gar.

8 I think he got everything out.

9 Right?

10 VINCENT POLISTINA: Claude -- I'm
11 sorry -- do you want to mention the
12 interconnection with Ventnor, the emergency
13 interconnection that --

14 CLAUDE SMITH: I think we could.
15 Yes. We could.

16 [Indiscernible - overtalking]

17 VINCENT POLISTINA: Just so
18 everybody here is aware that we have some --

19 CLAUDE SMITH: Yes, we could,
20 definitely.

21 Ventnor --

22 Ernie Gratz, which is the licensed
23 operator for Ventnor -- Ventnor City, last week
24 they had a well that actually went down. And in
25 the process of actually repairing that

1 particular well, they did call us.

2 We do have a interconnection with
3 -- with Ventnor. And they did call us up to
4 actually open up that interconnection.

5 We can actually serve Ventnor, of
6 course, because of the fact of our capacity and
7 -- and our ability to produce the water at a
8 much higher rate than they do.

9 So, they did ask us to assist them
10 in terms of providing some water if they needed
11 it on an on-need basis.

12 They have taken some water from us.
13 Of course, it will become -- it will come at a
14 cost, of course, but, at the same time, they are
15 expecting to probably have their well situation
16 resolved probably by the end of this week or,
17 maybe, next week.

18 Once -- once they have their well
19 repaired, that particular interconnection will
20 be closed again and it would only be opened on a
21 necessity type of basis if and when necessary.
22 That's all.

23 FREDRIC BOR: Claude, I -- I don't
24 know how many years ago already, but, as you
25 recall, I was the one, along with counsel for

1 Ventnor, to negotiate the interconnection
2 agreement. Was there a time frame that --

3 Do we have to renew that? I just
4 don't recall it.

5 CLAUDE SMITH: Well, put it --
6 You -- you mean in -- in terms of
7 an agreement with them?

8 FREDRIC BOR: Yeah. I --
9 It was, actually, --

10 CLAUDE SMITH: I can't --

11 FREDRIC BOR: -- a formal
12 agreement.

13 CLAUDE SMITH: I don't -- I don't
14 have any -- any knowledge of -- of -- of what
15 the formal agreement actually says. If it's --
16 that's something that you want to revisit as
17 legal -- legal counsel, you can actually do so.

18 But, again, that interconnection
19 was done several years ago.

20 FREDRIC BOR: Yeah. I know.

21 CLAUDE SMITH: It is -- it is very
22 rarely used because of the fact that if -- only
23 if and when they're in a crisis situation, it is
24 actually utilized, but otherwise, it's closed on
25 -- on both sides.

1 FREDRIC BOR: Well, importantly,
2 they pay for it.

3 CLAUDE SMITH: Of course they do.

4 FREDRIC BOR: They pay for the
5 usage.

6 CLAUDE SMITH: Of course.

7 FREDRIC BOR: And it's -- it
8 certainly would be a little unfair if they were
9 down and their well is not to use the
10 interconnection. So, as long as they pay for
11 it, I --

12 CLAUDE SMITH: Of course.

13 FREDRIC BOR: -- I think we're in
14 good shape.

15 But, I'll -- I'll see if I could
16 dig up that contract just to make sure that
17 there's not a term on it that we have to renew.

18 CLAUDE SMITH: Right.

19 Of course, there is a charge that
20 comes along with the usage of the water --

21 FREDRIC BOR: Yeah.

22 CLAUDE SMITH: -- from us.

23 Definitely.

24 It is monitored via -- via meter.

25 FREDRIC BOR: Yeah.

1 CLAUDE SMITH: So, we do know what
2 the usage is or will be.

3 GLENN BANFIELD: Mr. Chairman, I
4 have a question.

5 JOHN DEVLIN: Yes, sir.

6 GLENN BANFIELD: Do we have any
7 other interconnections with other
8 municipalities?

9 CLAUDE SMITH: No. There might --
10 And I have to double-check on that
11 particular one. Because at one particular time,
12 we were trying to have a interconnection with --
13 with --

14 FREDRIC BOR: Brigantine.

15 CLAUDE SMITH: -- with Brigantine.

16 GLENN BANFIELD: Mm-hmm.

17 CLAUDE SMITH: And, of course, you
18 know, having a interconnection that goes across
19 a bridge or goes across the waterways is -- is
20 very, very costly.

21 But, of course, our closest
22 neighbor is actually Ventnor.

23 GLENN BANFIELD: Right.

24 CLAUDE SMITH: And we do have an
25 interconnection with them.

1 [Indiscernible - overtalking]

2 VINCENT POLISTINA: And New Jersey
3 American Water?

4 CLAUDE SMITH: No.

5 VINCENT POLISTINA: We're still
6 going with New Jersey American; just not used?

7 CLAUDE SMITH: That's been
8 disconnected for quite some time.

9 VINCENT POLISTINA: That's over
10 physically?

11 CLAUDE SMITH: Yes. That's been
12 physically disconnected for quite some time.
13 Yeah. That's why I didn't mention it.

14 VINCENT POLISTINA: Okay. Yeah.
15 That's what I -- I thought.

16 CLAUDE SMITH: Yeah. We -- we --
17 As per what Mr. Polistina is
18 actually saying, we had a interconnection with
19 New Jersey American at the plant facility in
20 Pleasantville that one particular time. And
21 that's been disconnected --

22 GLENN BANFIELD: Mm-hmm.

23 CLAUDE SMITH: -- and we no longer
24 have a interconnection with them.

25 They were buying water from us.

1 GLENN BANFIELD: Okay. Thank you.

2 MICHAEL ARMSTRONG: Can -- can
3 Ventnor supply it in the reverse; to us?

4 CLAUDE SMITH: They could, but not
5 to the capacity that we would need it for.

6 MICHAEL ARMSTRONG: Okay.

7 JOHN DEVLIN: Fred?

8 FREDRIC BOR: Yeah. Personnel
9 committee.

10 JOHN DEVLIN: Real quick.

11 FREDRIC BOR: Yeah.

12 JOHN DEVLIN: Being that we didn't
13 have a personnel committee --

14 NYNELLE LANGFORD: Uh-uh.

15 JOHN DEVLIN: Okay. And we have a
16 --

17 NYNELLE LANGFORD: We have a board
18 secretary --

19 JOHN DEVLIN: Yeah.

20 NYNELLE LANGFORD: -- that we need
21 to --

22 JOHN DEVLIN: Discuss?

23 NYNELLE LANGFORD: -- we need to
24 discuss --

25 JOHN DEVLIN: So --

1 NYNELLE LANGFORD: -- and complete
2 that.

3 We had -- what was that -- I think
4 it was five applicants.

5 JOHN DEVLIN: Mm-hmm.

6 NYNELLE LANGFORD: About five.

7 So, we need to --

8 JOHN DEVLIN: Right.

9 NYNELLE LANGFORD: Because it's just
10 been hanging out there too long.

11 JOHN DEVLIN: Mr. Armstrong, was
12 there a reason why --

13 Did you have anything? Because I
14 think Stella told me there was nothing for the
15 personnel agenda.

16 MICHAEL ARMSTRONG: What --

17 JOHN DEVLIN: There was nothing for
18 personnel?

19 MICHAEL ARMSTRONG: Other than what
20 I have under me. I have a -- just an
21 announcement of a new hire for something myself.

22 JOHN DEVLIN: Is it --

23 I'm sorry. Oh. So, is she hired
24 now? She's hired now?

25 MICHAEL ARMSTRONG: Yes.

1 JOHN DEVLIN: And it didn't go
2 through the personnel committee?

3 MICHAEL ARMSTRONG: We discussed
4 it. It was fine.

5 JOHN DEVLIN: In the personnel
6 committee?

7 MICHAEL ARMSTRONG: Mm-hmm.

8 JOHN DEVLIN: We didn't have one.
9 So --

10 MICHAEL ARMSTRONG: No. We --
11 This has been going on for months.

12 NYNELLE LANGFORD: This one --
13 Is this Marylou's replacement?

14 MICHAEL ARMSTRONG: Correct.
15 We had a few personnel meetings.

16 JOHN DEVLIN: Yeah.

17 MICHAEL ARMSTRONG: There were two
18 openings.

19 I discussed that we were in the
20 process of receiving applications and
21 interviewing.

22 JOHN DEVLIN: I --

23 MICHAEL ARMSTRONG: But, this has
24 actually been going on for about three, four
25 months.

1 JOHN DEVLIN: You did discuss that
2 on personnel, Nynell?

3 NYNELLE LANGFORD: The -- the
4 subject came up. I -- I never knew of the
5 actual applicants for that, but they -- the
6 subject of the accounts for Marylou's
7 replacement --

8 JOHN DEVLIN: Okay.

9 NYNELLE LANGFORD: -- has come up.
10 But, I didn't see who --
11 Not that --

12 Maybe I didn't need to see who --

13 JOHN DEVLIN: Right.

14 NYNELLE LANGFORD: -- all applied,
15 but --

16 JOHN DEVLIN: Well, I think I --

17 FREDRIC BOR: You just want to make
18 certain.

19 [Indiscernible - overtalking]

20 JOHN DEVLIN: Yeah. I -- I would
21 like the personnel to just look at the protocol,
22 at least. That's what we do. And ask.

23 I mean, it's your hire, but we --
24 we have to vote on it and I'm --

25 NYNELLE LANGFORD: Are there any

1 other positions that are out there, that are
2 hanging out there, Mike, that we're --

3 MICHAEL ARMSTRONG: There is the
4 account clerk and there is also the -- we're in
5 the process of interviewing for the manager of
6 the --

7 CLAUDE SMITH: Distribution.

8 MICHAEL ARMSTRONG: Distribution
9 manager.

10 NYNELL LANGFORD: Distribution.

11 MICHAEL ARMSTRONG: These are
12 fills, these are backfills.

13 JOHN DEVLIN: No. I --

14 No -- no --

15 The problem --

16 MICHAEL ARMSTRONG: I'm not clear
17 --

18 JOHN DEVLIN: And --

19 MICHAEL ARMSTRONG: -- when you say
20 you have to vote on it.

21 JOHN DEVLIN: So --

22 Well, we have to vote on the
23 agenda. We -- we have to vote on hiring.
24 Correct?

25 MICHAEL ARMSTRONG: No. It's a

1 FYI.

2 NYNELL LANGFORD: So, these are
3 just --

4 We don't vote. These are just
5 replace --

6 MICHAEL ARMSTRONG: Yeah.

7 NYNELL LANGFORD: Okay.

8 MICHAEL ARMSTRONG: It's not
9 creating any position. I'm not asking that a --

10 JOHN DEVLIN: Right.

11 MICHAEL ARMSTRONG: -- position be
12 established.

13 CLAUDE SMITH: Plus, you're not
14 [indiscernible - low speaking voice].

15 JOHN DEVLIN: I'm -- I'm confused.

16 FREDRIC BOR: Well, usually --
17 usually, in past personnel --

18 THE COURT REPORTER: I didn't hear
19 any of that.

20 FREDRIC BOR: Oh. I'm sorry. Go
21 ahead.

22 THE COURT REPORTER: Say it again?

23 CLAUDE SMITH: I was just saying
24 something to him.

25 THE COURT REPORTER: I understand

1 that. But, if it's a public thing, I have to
2 write it down. So, could you repeat it, please?

3 CLAUDE SMITH: I said we have to
4 talk about labor as well as [indiscernible - low
5 speaking voice].

6 NYNELLE LANGFORD: As far as hiring
7 --

8 CLAUDE SMITH: Correct.

9 NYNELLE LANGFORD: -- replacing,
10 hiring?

11 JOHN DEVLIN: Replace. Yeah.

12 Oh, you guys have got to be down a
13 bunch of [indiscernible - low speaking voice].
14 No problem with that. I just --

15 Since I've been here, we've always
16 voted on --

17 And I understand that just -- we're
18 not -- it's a -- not a new position. But, my
19 past experience has always been we still vote on
20 said -- said hire. Do you know what I mean?

21 Like we're actually voting on this
22 today. Right? Correct?

23 MICHAEL ARMSTRONG: No. It's FYI.

24 JOHN DEVLIN: What's that mean,
25 "FYI"?

1 MICHAEL ARMSTRONG: I'm just
2 letting you know that a person has been hired.

3 JOHN DEVLIN: Okay.

4 MICHAEL ARMSTRONG: Because they're
5 already hired.

6 JOHN DEVLIN: So, we --

7 Is that -- is that how we always do
8 it? I'm confused.

9 FREDRIC BOR: Well, in the -- in
10 the past, you --

11 NYNELLE LANGFORD: For --

12 [Indiscernible - overtalking]

13 FREDRIC BOR: In the past,
14 personnel used to review in similar situations
15 and make a recommendation.

16 JOHN DEVLIN: Right.

17 FREDRIC BOR: Even with the
18 Authority's solicitor and labor counsel,
19 personnel makes recommendations. And then, at a
20 meeting, makes its recommendation. And then the
21 board, in our absence, of course, deliberates
22 and then makes a -- a vote when we come back.

23 So, I --

24 NYNELLE LANGFORD: So, I'm confused.

25 Is it --

1 JOHN DEVLIN: Right.

2 MICHAEL ARMSTRONG: So am I.

3 NYNELLE LANGFORD: I'm just --

4 I just want clarity as the
5 personnel person.

6 Is it the director's prerogative --

7 JOHN DEVLIN: Yes.

8 NYNELLE LANGFORD: -- and right to
9 just say these -- these positions are vacant and
10 these are the applicants that came in and this
11 is the person, or does it have to come before
12 the committee, then from the committee to the
13 board?

14 JOHN DEVLIN: So --

15 MICHAEL ARMSTRONG: Go ahead.

16 [Indiscernible - overtalking]

17 JOHN DEVLIN: So, this is a
18 position that we're backfilling. No problem.

19 NYNELLE LANGFORD: Mm-hmm. Mm-hmm.

20 JOHN DEVLIN: My understanding,
21 when I used to be chair, was it would be
22 presented into --

23 NYNELLE LANGFORD: The committee.

24 JOHN DEVLIN: -- the committee.

25 NYNELLE LANGFORD: From the

1 director.

2 JOHN DEVLIN: Here's the --
3 All right. Just like we do across
4 the hall --

5 NYNELLE LANGFORD: Mm-hmm.

6 JOHN DEVLIN: -- over at the school
7 district.

8 We have a superintendent. He
9 hires. He reports back to the personnel
10 committee.

11 NYNELLE LANGFORD: Mm-hmm.

12 JOHN DEVLIN: And if we have a
13 question, then --

14 You know, what's her background,
15 does she live in Atlantic City.

16 NYNELLE LANGFORD: So, before that
17 person is hired, --

18 JOHN DEVLIN: That's how we usually
19 did it.

20 NYNELLE LANGFORD: -- that is a
21 question that has -- you're saying, takes place.

22 JOHN DEVLIN: Yeah. It's his --
23 it's the ED's --

24 He's the appointing authority.
25 Right?

1 NYNELL LANGFORD: Right.

2 JOHN DEVLIN: So --

3 But, it -- it's always been my
4 experience that we review hires through the
5 personnel committee.

6 And we used to do protocols when I
7 was chairperson of a --

8 So that I was confused. When we
9 didn't have a personnel committee, you had told
10 me that.

11 NYNELL LANGFORD: Mm-hmm.

12 JOHN DEVLIN: And Stella said the
13 city had -- MUA had nothing to act on.

14 MICHAEL ARMSTRONG: Let -- let me
15 just explain.

16 I'm familiar with the board of edu
17 -- the way the board of education proceeds.

18 JOHN DEVLIN: Thank you.

19 MICHAEL ARMSTRONG: That's entirely
20 different. That's by statute.

21 There's a statute that says that
22 the -- the superintendent makes recommendations
23 to the board and the board approves those
24 recommendations.

25 JOHN DEVLIN: Right.

1 MICHAEL ARMSTRONG: That is not in
2 the statute with respect to utilities. That is
3 not in the statute with respect to any other
4 board.

5 My experience with representing
6 ten, 15 boards over the last 30 years is it's
7 not done that way. That the administrative
8 person -- even with the cities, the business
9 administrator hires, and no hires -- if you talk
10 to the city, no hires come before council, okay,
11 for council's approval. This administrator does
12 the hiring.

13 Same situation if the mayor makes a
14 recommendation. It's the business administrator
15 who ultimately makes a decision. That's how it
16 is with every board.

17 JOHN DEVLIN: Okay.

18 MICHAEL ARMSTRONG: Housing
19 authorities, every place I've ever been at.

20 And even if you start to look at
21 the AEA-suggested guidelines on how utilities
22 authorities run, all decisions with respect to
23 administration are made by the executive
24 director.

25 My contract is consistent with the

1 AEA. It says in there supervise, administrate
2 -- or administration. If you want --

3 I know, at some point, we're gonna
4 talk about it.

5 JOHN DEVLIN: Okay.

6 MICHAEL ARMSTRONG: We can go into
7 it.

8 But, it's with the AEA.

9 GLENN BANFIELD: So, to --
10 Excuse me.

11 JOHN DEVLIN: Yes, sir.

12 GLENN BANFIELD: Mr. Chairman.

13 JOHN DEVLIN: Yes, sir.

14 GLENN BANFIELD: So -- so, for --
15 for further under -- understanding, like, say,
16 you -- you -- it will go by your protocol, like
17 the type of protocol --

18 Like -- like you said, like we
19 wanted more people from Atlantic City to be
20 hired or the residents --

21 JOHN DEVLIN: Well --

22 GLENN BANFIELD: -- or --
23 If they qualified.

24 MICHAEL ARMSTRONG: That's a
25 policy. And that's --

1 I agree with that. That is a
2 policy decision.

3 GLENN BANFIELD: Okay.

4 JOHN DEVLIN: So --

5 MICHAEL ARMSTRONG: And I --

6 And there's nothing wrong with
7 recommendations. I agree with you. I mean, --

8 JOHN DEVLIN: Yeah.

9 MICHAEL ARMSTRONG: -- welcome, but
10 -- I welcome recommendations.

11 But, what --

12 Ultimately, when we're working here
13 every day, in terms of understanding the
14 qualifications and what is needed, the decision,
15 I don't see how --

16 JOHN DEVLIN: We're not trying to
17 take your decision away, Mike.

18 MICHAEL ARMSTRONG: No. I'm not
19 saying --

20 JOHN DEVLIN: You've got me just
21 totally --

22 MICHAEL ARMSTRONG: I'm not saying
23 that. I'm not saying that.

24 JOHN DEVLIN: I was just saying --

25 MICHAEL ARMSTRONG: I'm -- I'm just

1 -- I'm not saying that.

2 I'm just saying that I just don't
3 understand, from my experience, how a board can
4 make that decision not being in the day-to-day
5 grind every day with the -- what's needed and
6 the employees, day-to-day, understanding the
7 job, the title, all of those things.

8 Even in a meeting that occurs, you
9 know, one or two hours a month.

10 We're here every day, 40 hours a
11 week, making those determinations.

12 JOHN DEVLIN: Yeah.

13 MICHAEL ARMSTRONG: Keeping up with
14 the -- you know, the requirements, the
15 compliance and everything that's necessary.

16 And we're doing the direct
17 interviewing. We're meeting the people, having
18 contact. We're understanding their
19 qualifications, their communications in person.

20 So, I -- I've never seen it that
21 way anywhere.

22 And I, you know, would suggest that
23 you're welcome to look at any other board, you
24 know, around.

25 FREDRIC BOR: Well, are you

1 indicating there's a difference between a
2 statutory appointment as opposed to an in-house
3 appointment?

4 MICHAEL ARMSTRONG: With the school
5 board. The school board is --

6 FREDRIC BOR: Well, I'm talking
7 about with the MUA.

8 MICHAEL ARMSTRONG: I'm not sure I
9 understand.

10 FREDRIC BOR: For example, the
11 executive director, Authority solicitor, we're
12 all by statute.

13 MICHAEL ARMSTRONG: Correct.

14 FREDRIC BOR: We've got to have
15 them. And that happens.

16 MICHAEL ARMSTRONG: Oh, yeah.

17 FREDRIC BOR: So, in that
18 situation, we normally have it reviewed by
19 personnel, and they make a recommendation and
20 the board deliberates it.

21 MICHAEL ARMSTRONG: Okay. Mm-hmm.

22 FREDRIC BOR: So, boards do make
23 decisions on hires if they're statutory, as I
24 understand it.

25 MICHAEL ARMSTRONG: Right. And I

1 agree with you.

2 FREDRIC BOR: For example, when you
3 were hired, we went through a process of a
4 search committee. And eventually, the board
5 voted in your -- in your favor because you're a
6 statutory --

7 MICHAEL ARMSTRONG: Mm-hmm.

8 FREDRIC BOR: -- appointment.

9 So, are we saying we're, going
10 forward, working, that, if it's a statutory
11 appointment, it's got to be approved by the
12 board, but, if not, it's within your purview?

13 MICHAEL ARMSTRONG: I wouldn't say
14 a general -- that we generally, because then you
15 can have the power in a statute. And you pass
16 that power along, contractually, as well. Okay?

17 In -- in other words, if you have
18 the power to hire a particular individual and
19 then you say, in a contract with the executive
20 director, that I'm giving you that authority to
21 do that hire, then you've already passed that
22 along, contractually.

23 The distinction that I was making
24 with respect to the school board is that it's
25 clear in the school board --

1 I've seen this before, where I've
2 represented municipalities and people from the
3 school board come over and they have issue with
4 the fact that the township administrator is now
5 bringing hires to the council because they're
6 familiar with the practices at the school board.

7 But, it's clear. It's in the
8 statute that the superintendent -- the chairman
9 is correct. The superintendent has to make
10 recommendations.

11 You get a list. You get a list, --

12 JOHN DEVLIN: Yeah.

13 MICHAEL ARMSTRONG: -- and there's
14 recommendations on it.

15 Then you have to approve the list
16 of the suggested hires.

17 And then, also, if he want to
18 terminate somebody.

19 But, it's a list, and you have to
20 approve the list.

21 But, that's in the statute. That's
22 different.

23 FREDRIC BOR: Well, a statute is
24 different than --

25 Well, I guess, board secretary is

1 not in the statute.

2 MICHAEL ARMSTRONG: It is in the
3 statute.

4 FREDRIC BOR: Board -- board
5 secretary?

6 MICHAEL ARMSTRONG: Mm-hmm.

7 FREDRIC BOR: Okay. So, if it's in
8 the statute and we're dealing with statutory
9 appointments have to be approved by the board,
10 how come this one is not being approved by the
11 board?

12 MICHAEL ARMSTRONG: It's not a --
13 it's not a statutory appointment.

14 FREDRIC BOR: I thought you just
15 said board secretary is a statutory.

16 MICHAEL ARMSTRONG: We weren't
17 talking about --

18 We were talking about the --
19 I thought we were still talking
20 about the --

21 JOHN DEVLIN: Yeah. We're talking
22 about the --

23 MICHAEL ARMSTRONG: -- hiring of --

24 NYNELL LANGFORD: The replacement
25 of the account --

1 [Indiscernible - overtalking]

2 JOHN DEVLIN: I don't think the
3 question is that we need an accounts payable
4 clerk. I see it for myself.

5 And I don't question your hiring
6 tactics or hiring procedures. I just want to be
7 -- make sure that we, as a board and as
8 commissioners, are doing our due diligence.
9 That's all.

10 MICHAEL ARMSTRONG: Mm-hmm.

11 JOHN DEVLIN: I don't question
12 anything else.

13 You can ask Claude. Whatever --
14 When I check personnel, anytime you
15 needed a hire, then I always give you the green
16 light, as far as --

17 CLAUDE SMITH: Or we discuss it.

18 JOHN DEVLIN: Yeah.

19 So, that -- that was it.

20 I -- I don't like doing things --

21 And, you know, I'm not in that
22 committee and I'm not the chair on that
23 committee or even on the committee anymore.

24 So, when I heard there wasn't a
25 personnel committee and we -- we have hirings --

1 I don't know -- I just question it.

2 But, if Mrs. Langford --

3 MICHAEL ARMSTRONG: We discuss it.
4 I mean, there's no secret. It's, like,
5 everything that we're doing in the process is
6 discussed.

7 So, there's always the opportunity
8 for board input about anything that we're doing.
9 We make it available.

10 We -- we talked about these two
11 positions. If you recall, I mentioned that, you
12 know, in the -- actually, to you, in a few
13 weeks, that we were gonna be putting out the
14 distribution manager's position. And we've done
15 that. And, you know, we received one résumé so
16 far, and we interviewed that person this week.
17 But, we didn't --

18 JOHN DEVLIN: Distribution manager
19 is replacing? Is that a replacing position?

20 MICHAEL ARMSTRONG: Yes. All of
21 these are backfills. Because the state is not
22 permitting us to create any new positions.
23 They're only allowing us to do backfills.

24 So, we're -- we're --

25 If someone left the position, then

1 we're able to fill the position as is.

2 JOHN DEVLIN: And who left that
3 position?

4 MICHAEL ARMSTRONG: Who is --

5 NYNELLE LANGFORD: Kevin, Kevin --

6 CLAUDE SMITH: Kevin -- Kevin
7 Jennings -- I mean. Sorry. Kevin Jordan.

8 JOHN DEVLIN: He retired? Did he
9 retire?

10 CLAUDE SMITH: Kevin's the one that
11 left.

12 JOHN DEVLIN: Oh. Gotcha.

13 NYNELLE LANGFORD: So, my question,
14 as personnel chairperson on August 25th, from
15 this point, what are we doing and how are we
16 doing it? Because I'm still confused --

17 JOHN DEVLIN: Mm-hmm.

18 NYNELLE LANGFORD: -- at this --
19 You know, I hear what's being said,
20 but what is the final direction on how it's
21 gonna be or not? That's what I want to know.
22 Just so I know how to navigate or, you know --

23 JOHN DEVLIN: It's a shame we don't
24 have Andy here, too.

25 NYNELLE LANGFORD: -- or, you know,

1 you know, --

2 So, that's -- that's -- that's my
3 question. Is it the way the executive director
4 is saying, you know, this is how it is and what
5 it is, is it the way that it was? What is it
6 today? Like, going forward, what -- what is it?

7 JOHN DEVLIN: Well, --

8 NYNELLE LANGFORD: I need to know.

9 JOHN DEVLIN: -- I think this would
10 be privy for And -- I'm sorry -- Andy to be
11 here. So...

12 NYNELLE LANGFORD: The labor
13 attorney?

14 JOHN DEVLIN: You know, I think
15 that would be more --

16 That's what we pay him for.

17 I guess we can revisit it. I don't
18 have a problem moving forward and --

19 NYNELLE LANGFORD: And maybe, in the
20 next personnel committee, Mike, we'll -- you
21 know, one-on-one or --

22 MICHAEL ARMSTRONG: I think that's
23 appropriate.

24 NYNELLE LANGFORD: -- you know, with
25 the committee, you know, Glenn -- not --

1 MICHAEL ARMSTRONG: I think that's
2 what the --

3 NYNELLE LANGFORD: -- one-on-one,
4 but as a group, --

5 MICHAEL ARMSTRONG: Right.

6 NYNELLE LANGFORD: -- just come up
7 with some type of consensus so we're --

8 JOHN DEVLIN: Are you sending that
9 to --

10 NYNELLE LANGFORD: -- we're all on
11 the same page, --

12 MICHAEL ARMSTRONG: Right. I
13 agree.

14 NYNELLE LANGFORD: -- you know,
15 knowing what it is or isn't or how it's gonna be
16 done or not.

17 MICHAEL ARMSTRONG: I agree.

18 NYNELLE LANGFORD: So, maybe that's
19 what I need.

20 FREDRIC BOR: I guess,
21 Commissioner Langford, one of your --

22 I'm -- I'm reading between the
23 lines that your concern is what's the point of
24 even giving you the résumés for review at
25 personnel committee if your recommendation is

1 just -- is -- is the director has the power just
2 to appoint the person. Why go through the
3 review of résumé process.

4 NYNELL LANGFORD: Yeah. And just
5 being clear on, you know, which ones are or
6 aren't, you know.

7 Like board secretary. That's, you
8 know --

9 JOHN DEVLIN: That us.

10 NYNELL LANGFORD: Yeah. It -- it's
11 us.

12 JOHN DEVLIN: And that's stat --

13 NYNELL LANGFORD: So, it's coming
14 double light. I need to know the red light, the
15 green light. But, being stuck on the yellow
16 light, for me, is the issue I have. So, it's
17 like --

18 JOHN DEVLIN: All right.

19 NYNELL LANGFORD: -- do you stop or
20 do you go.

21 GLENN BANFIELD: And would
22 distribution manager fall under the -- the --

23 JOHN DEVLIN: Statute?

24 GLENN BANFIELD: -- statute?

25 NYNELL LANGFORD: So, that would

1 just be --

2 JOHN DEVLIN: Fred?

3 No?

4 FREDRIC BOR: No?

5 JOHN DEVLIN: Mike says no.

6 GLENN BANFIELD: No?

7 FREDRIC BOR: Distribution manager

8 --

9 JOHN DEVLIN: I mean, that's a big

10 position here. Like, I --

11 GLENN BANFIELD: That's what --

12 that's what --

13 [Indiscernible - overtalking]

14 JOHN DEVLIN: -- I -- I would like

15 to, you know --

16 GLENN BANFIELD: That's what I

17 thought; if --

18 You know, distribution manager. I

19 thought, like, any type of --

20 JOHN DEVLIN: That's --

21 GLENN BANFIELD: You know.

22 JOHN DEVLIN: That's a big -- big

23 position here.

24 GLENN BANFIELD: Yeah.

25 JOHN DEVLIN: Lynell, I know I

1 tested you.

2 Where are we at with the Table of
3 Organization? You were working with Mike?

4 NYNELLE LANGFORD: Yeah.

5 MICHAEL ARMSTRONG: I did send it
6 over.

7 NYNELLE LANGFORD: Yeah. Mike sent
8 a copy of several charts from the past and, I
9 guess, what is present at this point.

10 MICHAEL ARMSTRONG: Mm-hmm.

11 NYNELLE LANGFORD: What the actual
12 one is going to be for now, for us, that's what
13 you -- you're in need of. Like what is it now.

14 JOHN DEVLIN: Right. We're --

15 I mean, I think I've been --

16 Well, since I was chair, we need
17 that chart as a -- as a board here. I mean, --

18 NYNELLE LANGFORD: So, I do have
19 copies --

20 JOHN DEVLIN: -- where are we at
21 with it?

22 I mean, it's been --

23 MICHAEL ARMSTRONG: I turned it
24 over.

25 NYNELLE LANGFORD: Yeah. I have --

1 JOHN DEVLIN: Which --

2 NYNELLE LANGFORD: -- copies of the
3 ones.

4 So...

5 JOHN DEVLIN: I have those, too.

6 NYNELLE LANGFORD: You have all the
7 ones that, --

8 JOHN DEVLIN: Yeah.

9 NYNELLE LANGFORD: -- yeah, I
10 received.

11 So...

12 JOHN DEVLIN: Do you have one now
13 that we can vote on?

14 MICHAEL ARMSTRONG: No.

15 JOHN DEVLIN: We don't have one --
16 So, we're not acting --

17 What are we acting on right now?

18 MICHAEL ARMSTRONG: There's nothing
19 on the agenda with respect to that.

20 JOHN DEVLIN: I couldn't hear you.

21 MICHAEL ARMSTRONG: There's nothing
22 on the agenda --

23 JOHN DEVLIN: Right. What I'm
24 saying is, where are we going to be with this
25 Table of Organization?

1 MICHAEL ARMSTRONG: I -- I turned
2 it over to the --

3 JOHN DEVLIN: Oh. You have one
4 now? You have an up to "dated" [pronounced
5 incorrectly] one?

6 NYNELLE LANGFORD: The -- the final
7 one?

8 MICHAEL ARMSTRONG: No;

9 NYNELLE LANGFORD: No. It's the --
10 the -- the several ones, the ones you sent, --

11 MICHAEL ARMSTRONG: Right.

12 NYNELLE LANGFORD: -- the same --
13 You have the same ones I have. So,
14 that's what he sent me.

15 JOHN DEVLIN: Right.

16 NYNELLE LANGFORD: You have them.

17 MICHAEL ARMSTRONG: It was supposed
18 to --

19 I sent it for discussion at the
20 meeting. We didn't have the meeting to discuss
21 it. And we --

22 I guess, it moves to the agenda for
23 September.

24 I sent it over a month ago.

25 NYNELLE LANGFORD: But, what we are

1 in need of is a final -- like a final one.

2 JOHN DEVLIN: Right.

3 NYNELLE LANGFORD: Like just saying,
4 okay, this is --

5 JOHN DEVLIN: That's correct.

6 NYNELLE LANGFORD: -- the --

7 JOHN DEVLIN: I mean, every
8 organization has it.

9 NYNELLE LANGFORD: This is the
10 chart.

11 JOHN DEVLIN: That's -- that's the
12 most important thing.

13 NYNELLE LANGFORD: So, that's what
14 we're in need of. Just one.

15 JOHN DEVLIN: Right. Because now
16 we're talking about hiring a distribution
17 manager that --

18 NYNELLE LANGFORD: Is it --

19 JOHN DEVLIN: -- we haven't had in
20 a year or more.

21 MICHAEL ARMSTRONG: No. But, the
22 whole --

23 My understanding was that we wanted
24 to start with the ones that we had and discuss
25 them as a committee.

1 NYNELLE LANGFORD: The -- the
2 previous charts.

3 MICHAEL ARMSTRONG: Yes.

4 NYNELLE LANGFORD: Mm-hmm.

5 MICHAEL ARMSTRONG: That was my
6 understanding. We were gonna receive them.

7 And I think Mr. Banfield wasn't
8 here yet. You -- you were just coming on and --

9 So, we sent out the emails. And we
10 were gonna look at all of the versions and come
11 up with some discussion and then create -- we
12 discussed creating a committee so that we can
13 get input from people and -- that we thought had
14 -- would have relevant knowledge to create the
15 appropriate chart.

16 NYNELLE LANGFORD: The actual chart.

17 MICHAEL ARMSTRONG: Yeah.

18 NYNELLE LANGFORD: Okay.

19 MICHAEL ARMSTRONG: But, we -- we
20 wanted to start with having all of the charts.
21 Because the --

22 To me, when you start to have
23 discussions about who should -- the hierarchy
24 with respect to operations, you should have
25 people who have that experience as part of that

1 committee to give the input, you know.

2 So, that's where the direction was
3 going.

4 That's what I said before. We
5 would have labor counsel involved. We're gonna
6 have --

7 JOHN DEVLIN: That's -- that's --
8 I'm with you, but let's get it --

9 NYNELL LANGFORD: Get it done?

10 JOHN DEVLIN: -- let's do it.

11 I mean, we've been talking about it
12 for a long time. Since -- since you've been
13 here and prior.

14 NYNELL LANGFORD: Mm-hmm.

15 JOHN DEVLIN: But, let's --
16 We have got nothing. So...

17 NYNELL LANGFORD: So, I'm -- I'm --
18 I'm on point with let's get it done.

19 But, again, as a layperson, I need
20 direction on different departments, what's
21 needed versus what's not. So, I --

22 JOHN DEVLIN: Fred, can you assist
23 her with that, too? Can you assist her?

24 NYNELL LANGFORD: Yeah. I -- I
25 need, you know --

1 [Indiscernible - overtalking]

2 JOHN DEVLIN: Yeah. It's -- it's
3 -- it's --

4 NYNELLE LANGFORD: You know, like a
5 distribution --

6 You know, we -- we --

7 JOHN DEVLIN: I'm surprised --
8 Right.

9 NYNELLE LANGFORD: Yeah. We haven't
10 had one, so it -- if it's been running, --

11 JOHN DEVLIN: Right.

12 NYNELLE LANGFORD: -- now we do need
13 one.

14 To me, it's let's -- what we need,
15 what we don't.

16 MICHAEL ARMSTRONG: Right.

17 NYNELLE LANGFORD: But, I need input
18 from people with expertise that can say this is
19 definitely mandatory, this is what --

20 Even though we haven't had it, --

21 JOHN DEVLIN: So --

22 NYNELLE LANGFORD: -- we -- we need
23 it.

24 JOHN DEVLIN: Nynelle, you have
25 copies, I have copies.

1 NYNELL LANGFORD: Mm-hmm.

2 JOHN DEVLIN: Mr. Banfield, because
3 you're on the committee, do you have those
4 copies?

5 GLENN BANFIELD: No, I don't.

6 JOHN DEVLIN: Can you make sure
7 Mr. Banfield --

8 MICHAEL ARMSTRONG: They -- they
9 were part of the --

10 GLENN BANFIELD: Were they part --

11 NYNELL LANGFORD: Yeah. But, you
12 can't even open it. It's several -- several --

13 JOHN DEVLIN: Yeah. Can you guys
14 review it a little bit on your own time and
15 then, September, can we hit -- hit it hard,
16 please?

17 NYNELL LANGFORD: Yeah. Yeah.

18 No. Let's get it -- let's get it
19 done.

20 GLENN BANFIELD: Was this a hard
21 copy that I received, email?

22 MICHAEL ARMSTRONG: Email.

23 NYNELL LANGFORD: Email.

24 MICHAEL ARMSTRONG: Do you want --
25 [Indiscernible - overtalking]

1 GLENN BANFIELD: Oh. Or not.
2 Because I thought that's what ya'll was talking
3 about, a hard copy.

4 JOHN DEVLIN: I mean, it's just --

5 GLENN BANFIELD: No. I'll -- I'll
6 go through it again.

7 JOHN DEVLIN: I've seen those --

8 GLENN BANFIELD: Is that the one
9 with Mr. -- or that Mike's -- or Andy's --
10 Was that the --
11 It was a organizational chart.
12 Right?

13 MICHAEL ARMSTRONG: Yes.

14 JOHN DEVLIN: Yes.

15 GLENN BANFIELD: Okay. Yeah.

16 MICHAEL ARMSTRONG: But, it was
17 multiple organizational charts, --

18 GLENN BANFIELD: Yeah. Okay.

19 MICHAEL ARMSTRONG: -- different
20 versions.

21 GLENN BANFIELD: Yeah. I did look
22 --

23 Yeah.

24 JOHN DEVLIN: We have one that --

25 CLAUDE SMITH: If you'd -- if -- if

1 you'd like to get copies of it, a hard copy, we
2 -- we could do so and send it to you.

3 GLENN BANFIELD: Okay.

4 NYNELLE LANGFORD: And you know
5 what?

6 MICHAEL ARMSTRONG: Is that easier?

7 GLENN BANFIELD: Yeah.

8 NYNELLE LANGFORD: And it's probably
9 better, because, one, you're looking at it on
10 the screen and you go to the next one. You
11 almost need to have it in front of you as
12 comparison.

13 [Indiscernible - overtalking]

14 JOHN DEVLIN: Yeah. So --

15 NYNELLE LANGFORD: So, for me, hard
16 copies, you can look and see and decide.

17 But, it needs to be done, --

18 JOHN DEVLIN: So --

19 NYNELLE LANGFORD: -- a final draft.

20 JOHN DEVLIN: Right.

21 Do you have one that --

22 GLENN BANFIELD: Yeah. Yeah.

23 Because that's the problem I was having; between
24 --

25 JOHN DEVLIN: Yeah.

1 GLENN BANFIELD: -- look and seeing
2 what -- which ones were different and similar.

3 JOHN DEVLIN: Can -- can you get
4 him some hard copies for --

5 CLAUDE SMITH: That's what he just
6 said. We can get him hard copies.

7 JOHN DEVLIN: Beautiful.

8 CLAUDE SMITH: We'll get both of
9 you hard copies.

10 GLENN BANFIELD: Thank you.

11 JOHN DEVLIN: My -- my question is,
12 are we still acting on the one that was voted on
13 years ago? Because when I first came on the
14 board, I asked for a Table of Organization, and
15 I think it was Bruce -- Bruce Orr was here. He
16 was, like -- he was like nobody else told you a
17 Table of Organization? No, nobody got --

18 That's fine. I got one that was
19 older.

20 NYNELL LANGFORD: So, that was in
21 2019?

22 JOHN DEVLIN: I think it was older
23 than that.

24 NYNELL LANGFORD: Maybe 2018, 2019.

25 JOHN DEVLIN: I think --

1 Yeah. It was -- it was an old one,
2 but that was voted on.

3 So, we're still acting on that?

4 MICHAEL ARMSTRONG: (Nods head in
5 the affirmative.)

6 CLAUDE SMITH: You're acting -- or
7 saw on the one that's more current, if you want
8 to call it that.

9 JOHN DEVLIN: Did we vote on that
10 one?

11 CLAUDE SMITH: That's the one that
12 you did?

13 JOHN DEVLIN: No. We never voted
14 on that one, Claude. We're still on the old
15 one. I know which one you're talking about.

16 CLAUDE SMITH: Okay.

17 JOHN DEVLIN: The one you worked
18 with.

19 CLAUDE SMITH: Correct.

20 JOHN DEVLIN: Right. We never
21 voted on that. So...

22 All right. You know, I --

23 If we could, let's move forward on
24 that in September.

25 NYNELL LANGFORD: Yeah.

1 What's the next meeting? When's
2 the next meeting? September --

3 JOHN DEVLIN: Is that the --

4 KELLEY WILLIAMS: It should be the
5 15th, I believe, September 15th or the 18th.

6 JOHN DEVLIN: 18 --

7 Let me see.

8 MICHAEL ARMSTRONG: That's the
9 board meeting.

10 You mean the personnel --

11 [Indiscernible - overtalking]

12 You mean the personnel committee.

13 Right?

14 KELLEY WILLIAMS: Personnel or the
15 --

16 STELLA JOHNSON: Both. So...

17 [Indiscernible - overtalking]

18 MICHAEL ARMSTRONG: We switched it
19 to the week after the --

20 [Indiscernible - overtalking]

21 CLAUDE SMITH: It would be the 8th.

22 MICHAEL ARMSTRONG: Yeah.

23 STELLA JOHNSON: We switched it.
24 It was September the 2nd. Right?

25 NYNELL LANGFORD: September 8th.

1 MICHAEL JOHNSON: Right.

2 NYNELLE LANGFORD: Okay.

3 KELLEY WILLIAMS: But, the board
4 meeting should be September 15th or the 18th?

5 [Indiscernible - overtalking]

6 NYNELLE LANGFORD: Fifteenth.

7 KELLEY WILLIAMS: Okay.

8 NYNELLE LANGFORD: Okay.

9 CLAUDE SMITH: The personnel is the
10 18th.

11 JOHN DEVLIN: Okay. Fred.

12 FREDRIC BOR: Executive director's
13 report.

14 GLENN BANFIELD: Excuse me. I'm
15 sorry. Is that gonna be Zoom or the --

16 That's --

17 JOHN DEVLIN: Either. It -- it's
18 up to the chair. Whatever -- whatever works for
19 you guys.

20 NYNELLE LANGFORD: What's that?
21 Personnel?

22 JOHN DEVLIN: Personnel.

23 MICHAEL ARMSTRONG: Are you done
24 with the board secretary?

25 NYNELLE LANGFORD: We need you to be

1 in person.

2 GLENN BANFIELD: Okay.

3 JOHN DEVLIN: Oh. Right. Can we
4 discuss that in closed session today, guys? I
5 think that would be more professional. If you
6 don't mind.

7 MICHAEL ARMSTRONG: The --

8 We --

9 For my item number 9, a new hire we
10 just discussed, the new hire is the account
11 clerk, Rupa Ale. She has a background --

12 Do you want to talk a little about
13 Rupa?

14 ANITA THAPA: Okay. So, the girl
15 was -- was hired as account clerk. I think it
16 was in August -- the first week of August --
17 here.

18 So, she's kind of replacing another
19 account clerk because she was -- she kind of
20 resigned back in, probably, I would say, March
21 of this year, March of 2021.

22 We weren't --

23 Since we were closed to the public,
24 so we didn't really hire [indiscernible - low
25 speaking voice], but as the people are out --

1 There's two people -- two employees
2 out on -- on medical leave.

3 So, we -- we definitely need a --
4 help here.

5 JOHN DEVLIN: Mm-hmm.

6 ANITA THAPA: So, we -- we decided
7 to, you know, hire Rupa.

8 There was a couple of -- let's see.
9 There's quite a few application that we received
10 under account clerk, and she was the best
11 qualified one. She -- she had a accounting
12 background. Unfortunately, it wasn't from this
13 country; it was from -- I guess, the --
14 different country -- nationality, a different
15 country there.

16 But, within the two weeks, she's
17 catch quickly.

18 Stella also kind of trained her,
19 and she's -- she's what we expected for the
20 position now.

21 So, so far, it's working out very
22 well. [Indiscernible - low speaking voice]

23 ...who really needed help in that
24 department. She's helping her a lot, along with
25 Stella. Stella was a great help as well.

1 So, that's -- that's it.

2 JOHN DEVLIN: Thank you.

3 MICHAEL ARMSTRONG: The only other
4 thing that I have that -- that's not on here but
5 I wanted to mention it to you is, with respect
6 to --

7 Mr. Chairman, you asked that we
8 look into the security assessment out at the
9 plant. And --

10 JOHN DEVLIN: Yes.

11 MICHAEL ARMSTRONG: -- we took it a
12 step further and we looked into it here at the
13 distribution center.

14 We've met with several individuals.
15 Atlantic County Prosecutor's Office; Agent
16 Joseph McFadden. We met with a Andrew Smith, a
17 representative of the U.S. Department of
18 Homeland Security. A Sean Gorman, a
19 representative of the New Jersey Department of
20 Homeland Security. And two other individuals.
21 One representative of -- of the State Police
22 Department. Also, a representative of their
23 division of homeland security. And they
24 provided us with an enormous amount of
25 information, said that they could --

1 Mr. McFadden indicated that he was
2 the one who actually prepared the original
3 report and that they can expand on that with
4 other resources, significant resources that they
5 have now, at no cost to the Authority.

6 In fact, I invited Mr. McFadden to
7 come out and speak to the board --

8 JOHN DEVLIN: Good.

9 MICHAEL ARMSTRONG: -- in
10 September.

11 And he's gonna come out. I don't
12 think we're gonna have all four or five
13 individuals, but he's gonna give you --

14 Oh. By the way, the Atlantic City
15 Police Department is gonna be a part of this,
16 but they weren't able to make our meeting which
17 we had right in this conference room.

18 But, they plan to put a program
19 together and do an assessment of both this
20 facility and, also, the plant and even, maybe,
21 look at the reservoir.

22 CLAUDE SMITH: Yes.

23 MICHAEL ARMSTRONG: Okay. So,
24 they're gonna come. Mr. McFadden, at the very
25 least, is gonna come to the next board meeting

1 and speak to --

2 CLAUDE SMITH: As well as the
3 [indiscernible - low speaking voice] lines --

4 JOHN DEVLIN: Right.

5 CLAUDE SMITH: -- for the two --
6 the two --

7 MICHAEL ARMSTRONG: Oh. Yes.

8 CLAUDE SMITH: -- the two
9 [indiscernible - low speaking voice] pipelines
10 --

11 JOHN DEVLIN: Yeah. He --

12 I know the previous ED was in
13 communication with him. And I know
14 Mr. McFadden. I used to work with him. He was
15 a cop here.

16 I just make --

17 I -- I want -- I want to make sure
18 they exceed our expectations. That's all.

19 I mean, it's great it's no cost to
20 the district, and I'm very happy with that. By
21 the same token, it's like you get what you pay
22 for kind of thing.

23 And we have talked to Mr. McFadden
24 years ago. I don't know. And that report --

25 I don't know. I -- I would like to

1 talk to him, see what he says.

2 MICHAEL ARMSTRONG: Okay.

3 JOHN DEVLIN: And if the board
4 decided maybe they want to do something more, we
5 can discuss that.

6 Mike?

7 MICHAEL ARMSTRONG: That's it.

8 That's it.

9 JOHN DEVLIN: Thank you, sir.

10 [Indiscernible - overtalking]

11 Fred?

12 FREDRIC BOR: Yeah. I just had one
13 question about the accounts clerk,
14 Mr. Armstrong. That was a replacement, wasn't
15 it?

16 MICHAEL ARMSTRONG: Yes.

17 NYNELL LANGFORD: Yes.

18 FREDRIC BOR: Okay. Because you
19 have down here a new hire, and, of course, I
20 think we're prohibited by the state on new
21 hires.

22 JOHN DEVLIN: Yes. It says new
23 hire.

24 FREDRIC BOR: But, we can do
25 replacements.

1 Is that what we're saying?

2 MICHAEL ARMSTRONG: No. That --
3 that --

4 It --

5 I don't think it means --

6 It just means she's a new hire to
7 the Authority. That's all.

8 FREDRIC BOR: Okay. But, it's
9 truly a replacement. Okay.

10 MICHAEL ARMSTRONG: Yes.

11 JOHN DEVLIN: Fred?

12 FREDRIC BOR: Deputy executive
13 director of engineering. None.

14 Account --

15 CLAUDE SMITH: Actually, I do have
16 one --

17 FREDRIC BOR: Okay. Go ahead.

18 CLAUDE SMITH: -- one -- one thing
19 that I'd like to actually just inform the board
20 about.

21 In compliance, an asset report was
22 actually done on June 22nd of this year.

23 [Indiscernible - background
24 overtalking]

25 That's where the state actually

1 comes out and they go through an inspection of
2 the plant facility in -- in total.

3 We did get the report back.
4 There's a few -- a few concerns that they have
5 that we definitely need to -- to address. And
6 we have to address those issues by -- by the
7 11th of September to make sure that we are
8 satisfactory in regards to the concerns that
9 they have or the violations that they think we
10 might actually have.

11 So, just -- just to inform the
12 board that that --

13 FREDRIC BOR: Are you referring to
14 the fluoride issue?

15 CLAUDE SMITH: No. That's --

16 FREDRIC BOR: Oh.

17 CLAUDE SMITH: No.

18 FREDRIC BOR: Not --

19 CLAUDE SMITH: It was -- it was
20 mentioned -- it was mentioned in the report.
21 Yes, it was mentioned in the report. Correct.

22 And that's where the discussion
23 with you and Mike actually came about because of
24 the fact that it was actually mentioned.

25 FREDRIC BOR: And I think, with the

1 UST, we originally asked for a hearing. And if
2 you guys agree, I think it's much better to
3 transfer that into dispute resolution. It's
4 less costly, less timing. It's more amicable.
5 It's kind of like an EDR.

6 CLAUDE SMITH: Mm-hmm.

7 MICHAEL ARMSTRONG: It's a
8 different process he's talking about. This is
9 totally different.

10 FREDRIC BOR: Yeah. I -- I -- I
11 know.

12 But, even with USTs, I filed an
13 appeal. And I think we should switch that over
14 to dispute resolution.

15 There's a whole atmosphere --

16 I'm sure you've been to them. It's
17 a whole lot more amenable to working out a
18 resolution.

19 So, if you guys agree, I'll switch
20 that over from an actual adjudicatory hearing to
21 a dispute resolution. It works better.

22 MICHAEL ARMSTRONG: Okay.

23 FREDRIC BOR: Okay?

24 CLAUDE SMITH: Okay.

25 FREDRIC BOR: Thank you.

1 JOHN DEVLIN: Can I see that; the
2 security report? I just want to take a look at
3 it. I have one. I just want to make sure it's
4 the same one. Thank you, sir.

5 MICHAEL ARMSTRONG: Okay.

6 FREDRIC BOR: Okay. If that's all
7 Claude has, accounting and finance.

8 ANITA THAPA: Okay. So, the
9 financial report, cash management and balance
10 adjustments are attached with the board package.

11 If you have any questions, please
12 let me know. I can be [indiscernible - low
13 speaking voice] at any time.

14 And as far as the shutoffs, we are
15 not doing it. It looks like you -- we're
16 probably not gonna do it this year because --
17 mainly due to the COVID-19 situation.

18 But, the list --

19 JOHN DEVLIN: I just paid my bill.

20 ANITA THAPA: -- is just available,
21 just to --

22 [Indiscernible - overtalking]

23 JOHN DEVLIN: It pays the bill off.

24 ANITA THAPA: -- so that the

25 [Indiscernible - overtalking]

1 -- under accounts.

2 JOHN DEVLIN: Thank you.

3 What's the state saying as far as
4 shutoffs? Are they --

5 MICHAEL ARMSTRONG: There was just
6 an email provided that there are gonna be some
7 federal funds provided for people that can't pay
8 their bills. So, at least that balances it with
9 the Authority and we don't -- we can't shut them
10 off until we get some funds in exchange.

11 JOHN DEVLIN: Okay.

12 MICHAEL ARMSTRONG: That was the
13 [indiscernible - low speaking voice].

14 JOHN DEVLIN: Mike, is there --

15 GLENN BANFIELD: Excuse me.

16 Do they have to be so many --

17 How far back do they have to be?

18 MICHAEL ARMSTRONG: It --

19 We --

20 I just got the email. I haven't
21 look at the criteria yet.

22 GLENN BANFIELD: Okay.

23 MICHAEL ARMSTRONG: But, it's
24 something that just --

25 ANITA THAPA: It's 60 days.

1 MICHAEL ARMSTRONG: Sixty days?

2 GLENN BANFIELD: Sixty days?

3 MICHAEL ARMSTRONG: Yeah.

4 ANITA THAPA: But, it's just the --

5 The -- the kind of -- kind of

6 confusion on that program is, like, how do we

7 know the customers are low income from the low

8 income household or how -- how -- how would you

9 know they are struggling to pay. So, that's

10 another --

11 JOHN DEVLIN: I just paid my bill

12 in full.

13 Mike, real quick on this. This is

14 the up-to-date one?

15 CLAUDE SMITH: No.

16 JOHN DEVLIN: No, it's not?

17 CLAUDE SMITH: No, it's not.

18 That's the old one.

19 JOHN DEVLIN: What's the up --

20 Where's the up-to-date one?

21 CLAUDE SMITH: It hasn't been done

22 yet.

23 JOHN DEVLIN: Since 2012?

24 CLAUDE SMITH: Yeah. That's the --

25 that's the --

1 MICHAEL ARMSTRONG: That is the one
2 she said.

3 CLAUDE SMITH: Yeah. That's the
4 one that was actually going back to 2012.
5 Correct.

6 JOHN DEVLIN: What is --

7 CLAUDE SMITH: We're -- we're in
8 the process of getting to do the actual report.

9 JOHN DEVLIN: I got -- No, no. I
10 got it.

11 Do we have to do this yearly or
12 annually or every five years? How does that
13 work? What's the statute or what -- what --
14 what do we have --

15 What guides us?

16 I mean, for me, and that's my
17 background, it's probably much -- the most
18 important piece of document.

19 CLAUDE SMITH: Well, you can
20 probably tell us, then, if that's the case.

21 JOHN DEVLIN: I'm -- I'm sorry?

22 CLAUDE SMITH: I -- I said, you
23 could probably tell us, then, if that's --

24 JOHN DEVLIN: I don't know. I'm
25 asking you. You know, I can --

1 CLAUDE SMITH: Because I -- I --

2 JOHN DEVLIN: -- quote you what it
3 is from the school district's side, but, I mean,
4 I don't know on the ACMUA side.

5 What is the -- what is our
6 requirement to have this done?

7 I mean, 2012. That's ten years.

8 MICHAEL ARMSTRONG: We could
9 probably find --

10 JOHN DEVLIN: And I'm not putting
11 it on you, Mike. I'm just --

12 MICHAEL ARMSTRONG: Yeah. I mean,
13 we could find out --

14 JOHN DEVLIN: I'm passionate about
15 this.

16 MICHAEL ARMSTRONG: If -- if you
17 don't mind, maybe we can ask all those questions
18 when -- you know, when they come.

19 JOHN DEVLIN: And when --

20 And they're coming --

21 So, we've got to wait another month
22 for it? Just curious. I thought there was --

23 MICHAEL ARMSTRONG: To be -- to be
24 honest, there's nothing we can do.

25 When we talked to them about their

1 timeline, he talked -- took us through the
2 process of how they pulled the team together,
3 they scheduled --

4 We thought they were actually
5 coming to do the inspection that day and stuff.

6 [Indiscernible - overtalking]

7 He said it's not how it works. He
8 came to meet with us and lay it out. They bring
9 the team together, they -- they -- they create
10 the security zones, identify the security zones.
11 They go out, they do their tours. It's -- it's
12 pretty extensive, you know.

13 And I don't think what you're
14 seeing there is a good example of what you're
15 gonna see moving forward. You almost dismiss --

16 JOHN DEVLIN: Well, Mike wrote --
17 Mike wrote this. I mean --

18 [Indiscernible - overtalking]

19 CLAUDE SMITH: That -- that was
20 back then, in 2012, as I mentioned.

21 MICHAEL ARMSTRONG: Yeah.

22 CLAUDE SMITH: But, he --

23 [Indiscernible - overtalking]

24 JOHN DEVLIN: He told me that. I
25 spoke to him.

1 CLAUDE SMITH: Yeah. Even to the
2 point where [indiscernible - low speaking voice]
3 we have a questionnaire that we definitely have
4 to resubmit to them in regards to the -- the --
5 the -- the -- the inspection itself.

6 MICHAEL ARMSTRONG: Mm-hmm.

7 CLAUDE SMITH: And then they'll
8 formulate the team, like -- like -- like Mike
9 did mention, to actually come out and do the
10 different inspections at the different
11 locations. So...

12 JOHN DEVLIN: And that's cool.

13 And they're gonna give us
14 recommendations to improve?

15 CLAUDE SMITH: Well, that -- that
16 does have recommendations. Correct?

17 JOHN DEVLIN: I didn't read it
18 thoroughly.

19 CLAUDE SMITH: It's a --
20 It -- it -- it would be probably
21 something similar --

22 [Indiscernible - overtalking]

23 JOHN DEVLIN: I didn't get past
24 2012.

25 CLAUDE SMITH: -- or -- or

1 expanding upon that in regards to the
2 recommendations --

3 JOHN DEVLIN: So --

4 CLAUDE SMITH: -- and the -- and
5 what the findings actually are.

6 JOHN DEVLIN: All right. I'm just
7 a layman, but I know, just from my -- what I've
8 seen, you know, we definitely need some
9 improvement.

10 Are we gonna act on those
11 improvements that they suggest?

12 MICHAEL ARMSTRONG: Absolutely.

13 JOHN DEVLIN: Just --

14 Some probably costly.

15 Thank you, sir.

16 Can you email it to me, Mike?

17 MICHAEL ARMSTRONG: You can have
18 that one, if you want.

19 JOHN DEVLIN: Oh. No, because I
20 have so much other crap.

21 MICHAEL ARMSTRONG: Okay.

22 JOHN DEVLIN: But, just when you
23 get a shot and email it over.

24 MICHAEL ARMSTRONG: Okay.

25 JOHN DEVLIN: Fred? Anything else

1 out of you?

2 FREDRIC BOR: Yes.

3 JOHN DEVLIN: Anything else?

4 FREDRIC BOR: Old business. We
5 have 10(a)(1), to accept the bid of the
6 horizontal directional drilling. Resolution
7 10(a)(1).

8 JOHN DEVLIN: Motion.

9 GARY HILL: Second.

10 FREDRIC BOR: Mr. Banfield?

11 GLENN BANFIELD: Yes.

12 FREDRIC BOR: Mr. Dadar?

13 MOHAMMED DADAR: Yes.

14 FREDRIC BOR: Mr. Hill?

15 GARY HILL: Yes.

16 FREDRIC BOR: Miss Langford?

17 NYNELL LANGFORD: Yes.

18 FREDRIC BOR: Mr. -- Chairman

19 Devlin?

20 JOHN DEVLIN: Yes.

21 FREDRIC BOR: 10(a)(1) is approved.

22 10(a)(2), the Dennis Lagoon

23 Crossing. Resolution 10(a)(2).

24 JOHN DEVLIN: I'll make a motion.

25 GLENN BANFIELD: I'll second.

1 FREDRIC BOR: Mr. Banfield?

2 GLENN BANFIELD: Yes.

3 FREDRIC BOR: Mr. Dadar?

4 MOHAMMED DADAR: Yes.

5 FREDRIC BOR: Mr. Hill?

6 GARY HILL: Yes.

7 FREDRIC BOR: Miss Langford?

8 NYNELLE LANGFORD: Yes.

9 FREDRIC BOR: And Chairman.

10 JOHN DEVLIN: Yes.

11 FREDRIC BOR: Resolicit bids.

12 Now, Claude, I -- I take it, on
13 (b) (1), since I'm kind of involved, too, we're
14 going out again to try to do our best to get
15 fluoride into this Authority. Even though we
16 really don't have to, we're still trying to get
17 it.

18 CLAUDE SMITH: Okay. Well, yes.
19 We are trying to actually put this back out to
20 bid because of the fact that --

21 The time frame that we had prior --
22 [Vincent Polistina left the
23 conference room at this time and did not
24 return.]

25 See 'ya, Vince.

1 VINCENT POLISTINA: See 'ya.

2 Thanks.

3 CLAUDE SMITH: -- the time period
4 that we had prior to actually put -- solicited
5 actually -- actually had expired.

6 So, we are gonna put it back out
7 with a -- a longer time frame so we actually
8 receive some bids, if any at all.

9 FREDRIC BOR: Yeah. Well, also, if
10 and when I'm in a discussion with the DEP at the
11 hearing, it will be good that they know that
12 we're trying to get it.

13 CLAUDE SMITH: That's correct.

14 FREDRIC BOR: So, I -- I agree with
15 going out for a bid again on it, even if we
16 don't get any replies.

17 So, is there a motion on (b)(1)
18 regarding fluoride?

19 JOHN DEVLIN: I'll motion that.

20 NYNELL LANGFORD: Second.

21 FREDRIC BOR: Mr. Banfield?

22 GLENN BANFIELD: Yes.

23 FREDRIC BOR: Mr. Dadar?

24 MOHAMMED DADAR: Yes.

25 FREDRIC BOR: Mr. Hill?

1 GARY HILL: Yes.

2 FREDRIC BOR: Miss Langford?

3 NYNELLE LANGFORD: Yes.

4 FREDRIC BOR: Chairman Devlin?

5 JOHN DEVLIN: Yes.

6 FREDRIC BOR: And resoliciting bids
7 on utility locating markout services.

8 This is also one Claude and I kind
9 of worked on to tighten it up a little bit. And
10 I think if the -- if Claude and the director
11 agree, it's ready to go before the board for a
12 resolution.

13 So, is there a motion on 10(b)(2)?

14 GARY HILL: Question. Question?

15 CLAUDE SMITH: Could you recognize
16 him?

17 FREDRIC BOR: Yes. Gary.

18 GARY HILL: Question on that.

19 Do we have any bids on this or --

20 I know it says we're going back
21 out. Did we have a bid and it was too high?

22 CLAUDE SMITH: Gary, we had a bid
23 from several months ago, and it had red lines in
24 it. It had -- had red lines in it in regards to
25 what the contractor put in as a part of the

1 submittal of the proposal. That was a question
2 that we were discussing with -- with Fred.

3 We rejected that particular bid
4 because of the red line.

5 So, because of the fact that we
6 didn't necessarily accept that because of the
7 red line, we put it back out for bid.

8 GARY HILL: Okay. Thank you.

9 CLAUDE SMITH: Okay. Good.

10 GARY HILL: Thank you.

11 FREDRIC BOR: Motion on (b)(2).

12 GARY HILL: I'll move 10(b)(2).

13 JOHN DEVLIN: I'll second.

14 FREDRIC BOR: Thank you.

15 Mr. Banfield?

16 GLENN BANFIELD: Yes.

17 FREDRIC BOR: Mr. Dadar?

18 MOHAMMED DADAR: Yes.

19 FREDRIC BOR: Thank you.

20 Mr. Hill?

21 GARY HILL: Yes.

22 FREDRIC BOR: Miss Langford?

23 NYNELLE LANGFORD: Yes.

24 FREDRIC BOR: Chairman.

25 JOHN DEVLIN: Yes.

1 Mr. Smith, --

2 CLAUDE SMITH: Yes.

3 JOHN DEVLIN: We did this before on
4 10(b)(2)? We've done it in the past?

5 CLAUDE SMITH: 10(b)(2)?

6 JOHN DEVLIN: Yeah.

7 CLAUDE SMITH: When you said "in
8 the past," we --

9 JOHN DEVLIN: I'm just curious.
10 Like what cost -- what's the kind of costs are
11 we looking at on that?

12 I mean, I'm -- I'm in favor, but --

13 CLAUDE SMITH: No. We --

14 No. We didn't do this in the past
15 because we were actually, at one time --

16 [Indiscernible - overtalking]

17 JOHN DEVLIN: It saves money,
18 actually.

19 CLAUDE SMITH: We were actually --

20 With the -- with the [indiscernible
21 - low speaking voice] of the security system --
22 security services that we had and, on top of it,
23 with the lack of personnel that we had, we were
24 actually doing some of these markouts when they
25 were called in for. So, we actually decided

1 that --

2 Of course, last year, we went -- we
3 did not go out for a bid process. We went out
4 for a -- a pricing process, where we did
5 actually utilize a -- locating services to at
6 least administer the particular type of services
7 that we needed.

8 So, this -- this --

9 When we put it out a couple months
10 ago, that was the official or first official
11 proposal that we put out for this particular
12 services.

13 JOHN DEVLIN: Okay. Thank you.

14 CLAUDE SMITH: Sure.

15 FREDRIC BOR: Did we just vote on
16 it already?

17 JOHN DEVLIN: Yeah. We didn't vote
18 on it yet.

19 Did we vote on it?

20 CLAUDE SMITH: I think --

21 NYNELLE LANGFORD: Mm-hmm.

22 [Indiscernible - overtalking]

23 GLENN BANFIELD: Yes.

24 NYNELLE LANGFORD: Yes.

25 JOHN DEVLIN: Thank you.

1 FREDRIC BOR: But, Chairman, are
2 you satisfied with the explanation?

3 JOHN DEVLIN: Yes, I am. Thank
4 you.

5 FREDRIC BOR: Okay.

6 JOHN DEVLIN: Thanks, Fred.

7 FREDRIC BOR: So, we need not
8 revote.

9 So, (b)(2) has been approved.
10 New business.

11 JOHN DEVLIN: Abatements.

12 FREDRIC BOR: No need to appear.
13 So, on 11(a)(1) and (2), there's no need to
14 appear.

15 Is there a motion?

16 JOHN DEVLIN: I'll motion it.

17 GLENN BANFIELD: I'll second.

18 FREDRIC BOR: Mr. Banfield?

19 GLENN BANFIELD: Yes.

20 FREDRIC BOR: Mr. Dadar?

21 JOHN DEVLIN: He's not there.

22 Mr. Dadar?

23 CLAUDE SMITH: He's on mute.

24 JOHN DEVLIN: Okay. Keep going.

25 FREDRIC BOR: Well, we -- we can

1 still vote.

2 Mr. Hill? Mr. Hill?

3 GLENN BANFIELD: He froze.

4 GARY HILL: Yes.

5 JOHN DEVLIN: Yes. Thank you.

6 FREDRIC BOR: Miss Langford?

7 NYNELLE LANGFORD: Yes.

8 FREDRIC BOR: And Mr. Devlin?

9 JOHN DEVLIN: Yes.

10 FREDRIC BOR: Okay. 11(a)(1) and
11 (2) is approved.

12 Next is request for RFP.

13 Mr. Director, do you just want to
14 explain exactly why we're doing this? I know
15 why. I mean why for the board.

16 CLAUDE SMITH: This is -- this is a
17 general -- general insurance that we go out for
18 every year. This is no different from what
19 we've done in the past.

20 JOHN DEVLIN: Who has that now?
21 What company?

22 CLAUDE SMITH: Siracusa.

23 JOHN DEVLIN: Okay. I remember
24 that. Yep.

25 MICHAEL ARMSTRONG: The policies

1 have been expired.

2 JOHN DEVLIN: Yep.

3 CLAUDE SMITH: Yes.

4 JOHN DEVLIN: I remember the
5 [indiscernible - low speaking voice].

6 And cyber liability? Who handles
7 that now? Because I remember that was a big
8 discussion a couple years back.

9 CLAUDE SMITH: It's -- it's also
10 handled through Siracusa --

11 JOHN DEVLIN: Siracusa does?

12 CLAUDE SMITH: -- through --
13 through a -- of course, a third party.

14 JOHN DEVLIN: Well, do you
15 remember, when we sat here with the former
16 executive director, he was saying that Siracusa
17 couldn't handle it or something like that?

18 MICHAEL ARMSTRONG: The way it
19 looks, when I reviewed the policy, is that they
20 have a joint agreement with another company.

21 JOHN DEVLIN: Okay. But, it still
22 falls under --

23 CLAUDE SMITH: Right. It still
24 falls under their umbrella in regards to the
25 cyber security, --

1 JOHN DEVLIN: Okay. Copy that.

2 Copy that.

3 CLAUDE SMITH: -- about the package
4 that they actually provide us with.

5 MICHAEL; ARMSTRONG: I think they
6 --

7 JOHN DEVLIN: I mean, it's needed.

8 MICHAEL ARMSTRONG: Yeah. I think
9 they bid it together, like as a joint-venture.

10 JOHN DEVLIN: Okay. Thank you.
11 It's definitely needed.

12 FREDRIC BOR: And we need a motion
13 on --

14 JOHN DEVLIN: I'll motion that.

15 FREDRIC BOR: Okay.

16 GARY HILL: Second.

17 FREDRIC BOR: Mr. Banfield?

18 GLENN BANFIELD: Yes.

19 FREDRIC BOR: Mr. Dadar?

20 Mr. Dadar?

21 JOHN DEVLIN: It looks like he's
22 frozen.

23 FREDRIC BOR: It looks like he's in
24 a car.

25 JOHN DEVLIN: Go ahead, Fred.

1 FREDRIC BOR: Mr. Hill?

2 GARY HILL: Yes.

3 FREDRIC BOR: Miss Langford?

4 NYNELLE LANGFORD: Yes.

5 FREDRIC BOR: Mr. Devlin?

6 JOHN DEVLIN: Yes.

7 Mr. Dadar?

8 MOHAMMED DADAR: Yes.

9 JOHN DEVLIN: Okay.

10 FREDRIC BOR: Thank you.

11 MOHAMMED DADAR: Yes.

12 JOHN DEVLIN: Thank you.

13 Emergency repair.

14 Claude, do you want to explain?

15 CLAUDE SMITH: This is a six-inch
16 Godwin pump that's over at the plant that,
17 apparently, is not functioning at the moment and
18 does need repair.

19 There is estimates received on this
20 particular pump. It was, of course, on a pretty
21 high cost amount. But, this is the only Godwin
22 -- only large pump that they have at the plant
23 that needs to be on standby for emergency
24 service or any particular storm situations that
25 we might have or any flooding that might occur

1 that we need to have this pump on hand.

2 Is the cost --

3 Hold on a second.

4 You can probably pull the page and
5 see. It's 11 (c) (1).

6 It was brought to the board because
7 of the fact of the cost. It's over \$12,000 for
8 actually doing the repair on this particular
9 pump.

10 JOHN DEVLIN: Fred --

11 CLAUDE SMITH: This is --

12 JOHN DEVLIN: Claude, what makes
13 this emergency? Is it broken now?

14 CLAUDE SMITH: The pump is -- yes.
15 The pump is --

16 JOHN DEVLIN: When did it break?

17 CLAUDE SMITH: I'm not quite sure.

18 JOHN DEVLIN: He said he --

19 MICHAEL ARMSTRONG: This is from
20 the -- the plant that we visited?

21 CLAUDE SMITH: Yeah.

22 MICHAEL ARMSTRONG: Here -- here's
23 the back story on this. This actually broke --
24 broke over a year ago. Anthony and --

25 CLAUDE SMITH: No. That's not

1 this.

2 MICHAEL ARMSTRONG: That's not
3 this?

4 CLAUDE SMITH: No. That's not --

5 MICHAEL ARMSTRONG: This is a
6 different one?

7 CLAUDE SMITH: Yeah.

8 MICHAEL ARMSTRONG: Oh. That's the
9 next one. Okay.

10 CLAUDE SMITH: This is different.
11 Yeah.

12 JOHN DEVLIN: Okay. We have
13 another broken pump?

14 CLAUDE SMITH: Excuse me?

15 JOHN DEVLIN: We have another
16 broken pump, too?

17 CLAUDE SMITH: No. No. That's
18 something different I was actually talking
19 about.

20 [Indiscernible - overtalking]

21 That's the shaft, which is the next
22 one that's coming up.

23 [Indiscernible - overtalking]

24 MICHAEL ARMSTRONG: Yeah. Yeah.

25 JOHN DEVLIN: So --

1 All right. All right. So, going
2 back to this pump, I'm just wondering if I saw
3 it myself.

4 CLAUDE SMITH: We -- we -- we only
5 respond to things like this when we receive that
6 information. And exactly when it might have
7 actually broken, I -- I don't know, I don't
8 recall.

9 But, I'm -- I'm actually putting
10 through the request because of the fact that
11 it's been indicated to us that they do need it.

12 And I -- I do know that this is
13 something which is of an essential equipment,
14 because -- in case of. And you never do know.
15 We're still in hurricane season. We still can
16 have flooding. We can still have a hurricane.

17 JOHN DEVLIN: We're in the middle
18 of a hurricane season.

19 CLAUDE SMITH: Yeah.

20 JOHN DEVLIN: Absolutely.

21 CLAUDE SMITH: Yeah.

22 JOHN DEVLIN: No. My -- my
23 question was two-fold, kind of.

24 CLAUDE SMITH: Mm-hmm.

25 JOHN DEVLIN: When I see

1 "emergency," I always think --

2 MICHAEL ARMSTRONG: Yeah.

3 [Indiscernible - overtalking]

4 JOHN DEVLIN: You know, and
5 emergencies happen. I get it. But, are we
6 doing services on -- you know, doing --

7 Do we have monthly service or
8 yearly service on these?

9 CLAUDE SMITH: Well, that -- that
10 question you'd have -- we'd have to at least
11 pose to the plant manager.

12 MICHAEL ARMSTRONG: And we are.

13 JOHN DEVLIN: Yeah. I --

14 MICHAEL ARMSTRONG: We're having a
15 meeting on that.

16 [Indiscernible - overtalking]

17 JOHN DEVLIN: I mean, I'll --

18 CLAUDE SMITH: ...that particular
19 type of thing.

20 JOHN DEVLIN: -- be honest with
21 you.

22 You guys --

23 This is the first one we've had in
24 a while, but I remember it was like every month
25 an emergency. Guys, come on. Like --

1 CLAUDE SMITH: Yeah. I know.

2 JOHN DEVLIN: Are we doing
3 maintenance? If they're not doing maintenance,
4 you've got to step on their toes and say hey,
5 you know.

6 CLAUDE SMITH: Well, we -- we are
7 trying to get to the bottom of the line and
8 solve that as well, too, --

9 JOHN DEVLIN: Yeah. I mean --

10 CLAUDE SMITH: -- in regards to
11 what maintenance --

12 JOHN DEVLIN: I mean, things
13 happen.

14 CLAUDE SMITH: -- and what does
15 that maintenance entail.

16 JOHN DEVLIN: I mean --

17 Mm-hmm.

18 CLAUDE SMITH: Because of the fact
19 that, you know, like anything else, you know,
20 whether or not it's equipment or -- or -- or
21 operations, yes, it does need maintenance.

22 JOHN DEVLIN: Right.

23 CLAUDE SMITH: And it -- if it's
24 not being done, then, therefore, we know that's
25 something that needs to start.

1 JOHN DEVLIN: Yeah.

2 MICHAEL ARMSTRONG: And we are
3 addressing it, --

4 JOHN DEVLIN: And again, does --

5 MICHAEL ARMSTRONG: -- just so you
6 know, that we -- we are aware of it.

7 It's in a -- a compliance report.
8 We've met out at the plant and discussed the
9 issues. And we're gonna be meeting tomorrow out
10 at the plant to --

11 And we have a list of maintenance
12 issues that we're going to be discussing with
13 maintenance so that this -- this doesn't happen,
14 because it becomes quite costly.

15 JOHN DEVLIN: Right. An emergency
16 call, you know.

17 MICHAEL ARMSTRONG: Yeah. There's
18 always emergency --

19 JOHN DEVLIN: When they have
20 emergency calls.

21 Now, I know we had this discussion
22 years ago, and I was -- I put the same question.
23 I thought it was, like, are we doing --

24 Because you remember. It was a
25 heated --

1 It was like every -- every month it
2 was --

3 I mean, we understand as a -- as a
4 body --

5 CLAUDE SMITH: When we -- when we
6 have emergencies on the distribution side, it's
7 a little bit different, because when you have a
8 -- a water main break --

9 [Unknown voice breaking in on one
10 of the participants via Zoom]

11 JOHN DEVLIN: Can we mute them,
12 please?

13 MICHAEL ARMSTRONG: She did -- just
14 did.

15 JOHN DEVLIN: Thank you.

16 CLAUDE SMITH: When you -- when you
17 have a -- emergency situations on the
18 distribution side, whereabouts you have a water
19 main break, --

20 JOHN DEVLIN: Sure.

21 CLAUDE SMITH: -- verse --

22 And -- and so --

23 -- a significant water main break,
24 we have to act on an emergency-type basis, --

25 JOHN DEVLIN: I get that, --

1 CLAUDE SMITH: -- which -- which --

2 JOHN DEVLIN: -- totally get that.

3 CLAUDE SMITH: -- were some of the
4 ones that you actually received back then.

5 But, in a situation like this, when
6 you're talking about equipment that is supposed
7 to be maintained -- or should be maintained, and
8 if it's not being maintained, that's just a
9 different story.

10 JOHN DEVLIN: Right.

11 CLAUDE SMITH: So, you know, we
12 just have to handle it as it comes along in
13 regards to what's considered an emergency.

14 JOHN DEVLIN: Okay. Thank you.

15 And what --

16 Also, emergency purchase of this
17 tank?

18 CLAUDE SMITH: This is a drive
19 shaft of a tank. Apparently -- this is what
20 Mike was alluding to -- is that when we --

21 This -- this particular
22 sedimentation tank that needs this particular
23 drive shaft. Now, they have a right angled
24 pipe, and that actually comes down to this
25 particular drive shaft. And apparently, they've

1 been having breakage off this particular drive
2 shaft over the years.

3 We were informed that, you know,
4 this particular operation of the drive shaft can
5 break anywhere -- you know, twice to four times
6 a year.

7 This -- this sedimentation tank
8 number four has been out of service for
9 approximately two years because of the fact
10 that, I guess, they didn't act upon it or they
11 were trying to make repairs and whatever repairs
12 were being done, it was not being -- it was not
13 actually maintaining that particular repair.

14 This KRS company, quote, unquote,
15 was able to manufacturer a -- a drive shaft that
16 was -- that is actually proprietary to that
17 particular tank operation.

18 JOHN DEVLIN: Mm-hmm.

19 CLAUDE SMITH: And it -- it is a
20 drive shaft that is not -- does not have any
21 lead base in it or any lead fill in it or any --
22 I guess they were talking about oil in it as
23 well, too.

24 So, this is -- this particular one
25 is almost like an experimental drive shaft that

1 they're gonna be -- that will be utilized to
2 correct the problems that they've been having.

3 Apparently, this cost is over
4 \$24,000. And, of course, we had to bring it to
5 the board to get that particular approval to
6 purchase this particular material -- or
7 equipment.

8 JOHN DEVLIN: Motion.

9 FREDRIC BOR: Now, I guess we have
10 to do separate ones; one for the emergency
11 repair, which is 11(c)(1).

12 CLAUDE SMITH: That's correct.

13 JOHN DEVLIN: I'll make a motion on
14 that.

15 FREDRIC BOR: I need a second.

16 NYNELL LANGFORD: Second.

17 FREDRIC BOR: Mr. Banfield?

18 GLENN BANFIELD: Yes.

19 FREDRIC BOR: Mr. Dadar?

20 MOHAMMED DADAR: Yes.

21 FREDRIC BOR: Mr. Hill?

22 JOHN DEVLIN: Ut-oh.

23 CLAUDE SMITH: Gary's also muted.

24 GARY HILL: Yes.

25 FREDRIC BOR: Is that --

1 Who just said yes?

2 JOHN DEVLIN: Gary.

3 [Indiscernible - overtalking]

4 FREDRIC BOR: Oh. Gary.

5 Thank you, Gary.

6 Mr. Dadar?

7 GLENN BANFIELD: You have to unmute
8 him.

9 FREDRIC BOR: He's on mute again.

10 MOHAMMED DEDAR: Yes.

11 FREDRIC BOR: Thank you.

12 Miss Langford?

13 NYNELL LANGFORD: Yes.

14 FREDRIC BOR: Mr. Devlin?

15 JOHN DEVLIN: Yes.

16 FREDRIC BOR: It passes.

17 And then let's move over to the D,
18 emergency purchase, sedimentation tank. Is
19 there a motion on that?

20 JOHN DEVLIN: I'll say a motion.

21 GLENN BANFIELD: I'll second.

22 FREDRIC BOR: Mr. Banfield?

23 GLENN BANFIELD: Yes.

24 FREDRIC BOR: Mr. Dadar?

25 Mr. Dadar?

1 MOHAMMED DADAR: Yes, sir.

2 FREDRIC BOR: Thank you.

3 Mr. Hill?

4 GARY HILL: Yes.

5 FREDRIC BOR: And Ms. Langford?

6 NYNELLE LANGFORD: Yes.

7 FREDRIC BOR: Mr. Devlin?

8 JOHN DEVLIN: Yes.

9 FREDRIC BOR: The next item is
10 12(a), monthly bills. If there are no
11 discussions by any commissioners, is there a
12 motion?

13 JOHN DEVLIN: Pay them. Motion.
14 Pay them.

15 GLENN BANFIELD: Second.

16 FREDRIC BOR: Mr. Banfield?

17 GLENN BANFIELD: Yes.

18 FREDRIC BOR: Mr. Dadar? Monthly
19 bills.

20 JOHN DEVLIN: Pay our people.

21 MOHAMMED DADAR: Yes.

22 FREDRIC BOR: Thank you.

23 Mr. Hill?

24 GARY HILL: Yes.

25 FREDRIC BOR: And Ms. Langford?

1 NYNELL LANGFORD: Yes.

2 FREDRIC BOR: Mr. Devlin?

3 JOHN DEVLIN: Yes.

4 FREDRIC BOR: Monthly bills.

5 Is there a motion to go into
6 executive session?

7 JOHN DEVLIN: Motion.

8 GLENN BANFIELD: Second.

9 FREDRIC BOR: Mr. Banfield?

10 GLENN BANFIELD: Yeah.

11 FREDRIC BOR: Mr. Dadar?

12 MOHAMMED DADAR: Yes.

13 FREDRIC BOR: Thank you.

14 Mr. Hill?

15 GARY HILL: Yes.

16 FREDRIC BOR: Miss Langford?

17 NYNELL LANGFORD: Yes.

18 FREDRIC BOR: Mr. Devlin?

19 JOHN DEVLIN: Yes.

20 FREDRIC BOR: Approved.

21 Take five?

22 JOHN DEVLIN: Take five.

23 FREDRIC BOR: Okay.

24

25 (This public hearing concluded at

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11:10 a.m.)

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