

Computer-aided transcript of the
Directors meeting taken stenographically in the
Above-entitled matter before Jacqueline Gibson

CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

- - -

Date: Friday - October 22, 2021

COMMENCING AT 09:45 a.m.

ATLANTIC CITY MUNICIPAL AUTHORITY
401 NORTH VIRGINIA AVENUE
ATLANTIC CITY, NEW JERSEY

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1 Board Members:

2

3 John Devlin: Chairman (present)

4 Mr. Gary Hill: Vice Chairman (present)

5 Mike Armstrong: Executive Director (present)

6 Claude Smith: Deputy Executive Director of Engineering

7 Mr. Mohammed Dedar: (Present)

8 Mr. Glenn Banfield: (Zoom)

9 Mr. Gonzalez: (Zoom)

10 - - -

11 COUNSEL PRESENT

12 Fredric Bor, Authority Solicitor: Counsel for Atlantic City

13 Municipal Utilities Authority (present)

14 Andrew Weber, Esquire: Counsel for Atlantic City

15 Municipal Utilities Labor Authority (present)

16 Mike Riley, Esquire: Special counsel (present)

17 - - -

18 ALSO PRESENT:

19 Anita Thapa: Assistant Director of Accounting & Finance

20 (Zoom)

21 Kelley Williams: Executive Secretary (present)

22 Stella Johnson: Secretary (present)

23

24

25

1 Mr. Devlin: Mr. Banfield are you there?

2 Mr. Banfield: Yes.

3 Mr. Devlin: Did you want to make a comment?

4 Mr. Banfield: No, but are we going to discuss the
5 secretary?

6 Mr. Smith: We held the secretary to the next
7 meeting because Nynell is not here. We will do it at
8 the next meeting.

9 Mr. Banfield: Okay.

10 Mr. Devlin: Good morning. This is the opening
11 statement of October 22, 2021. Adequate notice of this
12 meeting has been provided as required by law. By
13 mailing to the press of Atlantic City a list of
14 regulatory scheduled meetings October 22, 2021, at 401
15 North Virginia Avenue, conference room, in Atlantic
16 City, New Jersey.

17 A copy of said notice was sent to the City Clerk to
18 be posted. All fore said complies with Chapter 231 of
19 the laws of 1975 known as the open public meetings law,
20 Fred.

21 Mr. Bor: Yes. Roll call.

22 Mr. Bor: Mr. Banfield?

23 Mr. Banfield: Yes.

24 Mr. Bor: Mr. Dedar?

25 Mr. Dedar: Yes.

1 Mr. Bor: Mr. Hill?

2 Mr. Hill: Yes.

3 Mr. Bor: Ms. Langford I understand will not be
4 with us.

5 Mr. Devlin: Yes. And maybe we should call her.

6 Mr. Bor: All right. We will call her if
7 necessary.

8 (Flag salute)

9 Mr. Devlin: Michael, do we have any e-mails or
10 calls or public participation?

11 Mr. Armstrong: No. Not that I am aware of.

12 Mr. Devlin: Fred.

13 Mr. Bor: Back to number 4 and you just inquired of
14 the Director and there is no call-ins either
15 telephonically or by e-mail to address vis-à-vis public
16 participate, number 5.

17 If the board members have received the minutes and
18 if there is any discussion let's hear it, if not is
19 there a motion to approve the minutes?

20 Mr. Devlin: Motion.

21 Mr. Hill: Second.

22 Mr. Bor: Mr. Banfield?

23 Mr. Banfield: Yes.

24 Mr. Bor: Mr. Dedar?

25 Mr. Dedar: Yes.

1 Mr. Bor: Mr. Hill?

2 Mr. Hill: Yes.

3 Mr. Bor: Mr. Devlin?

4 Mr. Devlin: Yes and thank you.

5 Mr. Bor: The minutes are approved that being
6 number 5.

7 Mr. Armstrong: Does that include both executive
8 and regular minutes?

9 Mr. Bor: Excuse me, if I did not say that includes
10 both regular and executive session minutes, can we get a
11 revote on the regular and executive session minutes?

12 Mr. Devlin: Motion.

13 Mr. Hill: Second.

14 Mr. Bor: Mr. Banfield?

15 Mr. Banfield: Yes.

16 Mr. Bor: Mr. Dedar?

17 Mr. Dedar: Yes.

18 Mr. Bor: Mr. Hill?

19 Mr. Hill: Yes.

20 Mr. Bor: Mr. Devlin?

21 Mr. Devlin: Yes.

22 Mr. Armstrong: Mr. Banfield does not have a copy
23 of this.

24 Mr. Devlin: If you do not have a copy then Mr.
25 Armstrong is correct. Would you like to abstain from

1 receiving the minutes from the last meeting?

2 Mr. Armstrong: The executive session.

3 Mr. Devlin: The executive session.

4 Mr. Banfield: Yes. I abstain.

5 Mr. Bor: So Mr. Banfield, your approval is for the
6 regular meeting minutes and not the executive session.

7 Mr. Banfield: Yes.

8 Mr. Bor: Mr. Hill?

9 Mr. Hill: Yes.

10 Mr. Bor: Mr. Devlin?

11 Mr. Devlin: Yes.

12 Mr. Bor: Through a vote the minutes were approved,
13 Mr. Chairman.

14 Mr. Devlin: Just quick. Me and Mr. Armstrong had
15 a conversation regarding the "E" signatures and docuSign
16 and know they are just a few. Mike, do you have
17 anything to add to that? I know that we spoke.

18 Mr. Armstrong: No. I am going to speak in
19 executive session.

20 Mr. Devlin: I don't have anything else. Does
21 anybody have anything to speak on? Fred.

22 Mr. Bor: With regard to number 7. Mr. Gallagher
23 and I have fairly regular discussions about the appeal
24 and the last communication was about a week or two ago.

25 Where we reviewed the brief of the other side and

1 in his opinion he thought that a lot of these are a
2 fairly weak briefs. So, he is leaning on optimism and
3 of course as the board knows, if we are successful it
4 could mean a deep six figure benefit to the Authority
5 going forward.

6 He is still unclear whether he can get reciprocal.
7 My guess he will not be able to get that going back
8 reciprocal, but even if we are successful going forward
9 if would be a huge benefit for us

10 Mr. Devlin: And that is something that a former
11 state monitor was pushing for too. That was actually
12 his idea. Rob Long remember?

13 Mr. Bor: Well, Rob was the one that first put into
14 my mind, how come you guys are paying taxes in
15 Pleasantville and Egg Harbor. So, this has come to
16 fruition and we are on appeal and hopefully we are
17 successful.

18 Now, with regard to the resolution concerning the
19 amendment. We may recall initially Mr. Gallagher was
20 hired on November 18, 2020 to process the appeals and
21 the approval was for him to receive 150 dollars an hour,
22 but not to exceed \$15,000. I am informed by Anita that
23 he is either there or just below based on his present
24 invoice.

25 So, we are asking the board to continue the

1 relationship, but to move the 15 to 20 thousand and it
2 is only a \$5,000 differential, but my preference is to
3 amend, if we have to, rather than to give to long of a
4 leash. Because lawyers tend to bill what they can.

5 From my standpoint I would rather move it from 15
6 to 20 and if he goes over that and he is doing a good
7 job and progressing we could always revisit it.

8 So that resolution would continue under number 143
9 except move the ceiling from 15 to \$20,000 and if there
10 is any discussion then let's hear it.

11 Mr. Devlin: When is the hearing? I know he was
12 having a hearing.

13 Mr. Bor: Well, as far as he understands there will
14 not be oral argument. Although he hopes there is. It's
15 with the appellate division now and my theory is and
16 Mike says too, you never know when they are going to
17 hear it, but at least there is no more to do.

18 No amendment to the briefs or other things that we
19 have to do like we do in the law division. So, the
20 briefs are in and we are awaiting.

21 Mr. Armstrong: They are at about a year now. I
22 just argued before them.

23 Mr. Bor: The appellate is hearing oral arguments?

24 Mr. Riley: Yes, and they are moving the cases now.

25 Mr. Bor: Moving them. Thankfully. Well, it is

1 unlike the law division where you have a million and one
2 different motions and that kind of thing.

3 Mr. Armstrong: Mr. Dedar.

4 Mr. Dedar: Mr. Bor, you said that Mr. Gallagher
5 wants to raise \$15,000 up to \$20,000.

6 Mr. Bor: Yes, the board approved 15.

7 Mr. Dedar: But, is there any progress from his
8 side? If we are going from 15 to \$20,000 then we need
9 progress. Like has he worked before with this?

10 Mr. Bor: Yes, he has been before the tax court.
11 He was unsuccessful there.

12 Mr. Devlin: Why don't you bring him into the next
13 meeting for all the board members.

14 Mr. Bor: Yes. You can call him now or bring him
15 in for an update.

16 Mr. Devlin: We can bring him in or call him for an
17 update.

18 Mr. Bor: So if you want to hold this off until the
19 next meeting --

20 Mr. Devlin: Why don't we call him when we have a
21 chance that way he can speak to the board members.

22 Mr. Bor: I think that it is a great idea to have
23 him call or come in. So, what is the boards pleasure?
24 Do you want to try to get him on the phone now or hold
25 off this resolution?

1 Mr. Devlin: Why don't we get him on the phone now.
2 Unless it interrupts the order of things. I would just
3 like to hear for myself and maybe some questions for new
4 board members.

5 Mr. Bor: Sounds great. Let's do that. Do you
6 have his number -- Mr. Gallagher -- and does anybody
7 have it? I think that I might. That is a great idea
8 Mr. Dedar, to hear exactly what he is doing.

9 Mr. Gallagher: Hello. What's up.

10 Mr. Bor: We are about to vote on a modification of
11 your fee structure and a couple of board members would
12 like an update directly from you. You are on speaker
13 now. Could you update us exactly where you are with the
14 appellate division?

15 Mr. Devlin: How are you doing Mr. Gallagher?

16 Mr. Bor: John just said, how are you doing and you
17 are on speaker now.

18 Mr. Gallagher: I am in Florida right now.

19 Mr. Bor: Sorry. We are just waiting for a
20 decision right now. I am feeling pretty confident about
21 what we wrote. So what we are doing is waiting for the
22 appellate division right now.

23 Mr. Bor: Do you have an anticipate timetable right
24 now, Dan?

25 Mr. Gallagher: Well, shortly. It has been a fast

1 turn around with the appellate division. Obviously,
2 they have not had a lot to look at because things caught
3 up with COVID. Turn around stuff is fairly quick with
4 the appellate division so, I anticipate something within
5 the next month or two.

6 Mr. Devlin: Sorry to interrupt your holiday. Can
7 you do a soft solid and get with Fred and Fred will get
8 with you? So, come in because we have a couple of new
9 board members that were not here at the start of this.

10 Also a we have a new ED. So, is that something
11 that you can do and just give us a brief update. Maybe
12 15 to 20 minutes and bring us up to speed with a
13 one-on-one.

14 Mr. Gallagher: Absolutely. My office is right in
15 town.

16 Mr. Bor: Dan, I will let you know when the
17 December meeting is and you can make arrangements to
18 come in and review the status of the appeal.

19 Mr. Gallagher: That is no problem.

20 Mr. Bor: Does any new members of the board or the
21 ED have any questions for Dan of the appeal?

22 Mr. Armstrong: Thank you, Dan.

23 Mr. Bor: Hearing none, Dan enjoy your vacation and
24 whatever you are doing down there.

25 Mr. Gallagher: Thank you guys

1 Mr. Bor: Thank you and see you soon. What is the
2 boards pleasure? Do you want to vote on this or wait
3 until we hear him? It is only for a \$5,000 increase.

4 Mr. Devlin: I would push voting for it and then
5 follow up with him.

6 Mr. Bor: Okay. Is there a motion on 7a2?

7 Mr. Devlin: Motion.

8 Mr. Hill: Second.

9 Mr. Bor: Mr. Banfield?

10 Ms. Thapa: Can I speak on that just for the
11 balances?

12 Mr. Devlin: We are in the middle of a vote. We
13 can't talk at this point. There is a motion on the
14 floor and there is a second. So, we have to vote on it.

15 Ms. Thapa: Okay.

16 Mr. Devlin: We can amend it once it is voted on,
17 but the motion is in progress. Motion second and Fred
18 call the vote.

19 Mr. Bor: Mr. Banfield?

20 Mr. Banfield: Yes.

21 Mr. Bor: Mr. Dedar?

22 Mr. Dedar: Yes.

23 Mr. Bor: Mr. Hill?

24 Mr. Hill: Yes.

25 Mr. Bor: Mr. Devlin?

1 Mr. Devlin: Yes.

2 Mr. Bor: Then 7a passes. I think Anita reviewed
3 with me the past invoice of how close he was to his last
4 15.

5 Ms. Thapa: We already spent \$15,000. So, we have
6 an outstanding invoice of \$14,000. So, even with this
7 \$20,000 only \$6,000 will remain.

8 Mr. Bor: That is the reason that I suggested the
9 motion. Because we are kind of at the end of 15 by
10 thousands so.

11 Mr. Armstrong: We need to clarify. Initially when
12 presented it was \$5,000 more than the original \$15,000
13 and it is not.

14 Mr. Bor: We are just moving the ceiling to
15 \$15,000.

16 Mr. Hill: No, that is not what she just said.

17 Mr. Armstrong: We are short, but we can amend
18 that.

19 Mr. Devlin: We can't do that, but we can amend it
20 after. We are in the middle of a vote and we just had
21 that issue.

22 Mr. Armstrong: How do you want to handle this
23 vote? Mike and Fred, how do you want to handle this?

24 Mr. Smith: We have to amend.

25 Mr. Devlin: That is easy. What else can we vote

1 on?

2 Mr. Armstrong: Then you have to redo the motion to
3 say that it is a new \$20,000 increase.

4 Mr. Devlin: Thank you. Fair enough, Fred.

5 Mr. Bor: It is a new \$20,000.

6 Mr. Hill: Exactly, because we are thousands off
7 the contract.

8 Mr. Devlin: Okay.

9 Mr. Bor: The language is pretty clear, but let's
10 do it again. So, with regard to 7a2 the resolution is
11 to set a ceiling not to exceed \$20,000.

12 Mr. Devlin: We have to rescind the last vote
13 first.

14 Mr. Bor: Is there a motion to rescind the last
15 vote?

16 Mr. Devlin: Motion to rescind.

17 Mr. Bor: The motion is to rescind the previous
18 motion of 7a2.

19 Mr. Devlin: Motion by Devlin and second by Hill.

20 Mr. Bor: Mr. Banfield?

21 Mr. Banfield: Yes.

22 Mr. Bor: Mr. Dedar?

23 Mr. Dedar: Yes.

24 Mr. Bor: Mr. Hill?

25 Mr. Hill: Yes.

1 Mr. Bor: Mr. Devlin?

2 Mr. Devlin: Yes.

3 Mr. Bor: Now, a new motion to increase his
4 ceiling.

5 Mr. Devlin: Motion.

6 Mr. Hill: Second.

7 Mr. Bor: Mr. Banfield?

8 Mr. Banfield: Yes.

9 Mr. Bor: Mr. Dedar?

10 Mr. Dedar: Yes.

11 Mr. Bor: Mr. Hill?

12 Mr. Hill: Yes.

13 Mr. Smith: That is the same wording to increase
14 with a new amount by \$20,000. It is just to increased
15 by \$20,000 so the total would be \$35,000. If that is
16 what I am understanding. It is an additional \$20,000.

17 Mr. Devlin: I though that is what we are voting
18 on.

19 Mr. Smith: He said to increase.

20 Mr. Bor: Let's get some clarification. I know he
21 was a thousand dollars short on the 15. So, my view and
22 it can go either way is just to move it up 5. So, that
23 way he has \$6,000 left or move it up another 20.
24 Meaning his total is 35.

25 My original resolution was 5 more. Than if we have

1 to amend that in a couple of months we can amend it. We
2 want to increase the ceiling to 20 rather than the
3 ceiling of 35.

4 Mr. Dedar: You need to make sure because you said
5 15 to \$20,000 including the increase. It is like a
6 \$5,000 difference and we are talking about another 20
7 and that would make it \$35,000

8 Mr. Claude: Which one is he recommending?

9 Mr. Bor: He is recommending to increase by 5 for a
10 total of 20 and then come back in a couple of months, if
11 we have to rather then increase it to 20 and move to 35

12 Ms. Thapa: I just want to make everyone aware that
13 we have \$14,000 balance left. Outstanding balance.

14 Mr. Hill: So, he already exceed \$15,000.

15 Mr. Devlin: That is why we need to do at least
16 \$20,000.

17 Mr. Bor: I am sorry. I thought regarding paying
18 invoices of 14 that we only have a thousand to go.

19 Mr. Devlin: It can be confusing, but I get it now.

20 Mr. Bor: So, the second motion is to increase it
21 by \$20,000 to a total of \$35,000.

22 Mr. Devlin: Okay. Fred, make sure the motion is
23 clear that we are increasing it by \$20,000 and not
24 increasing by \$5,000.

25 Mr. Bor: Okay. So, the motion for 7a2 will be

1 amended and we have already rescinded the first one to
2 increase by 5. So, the resolution now is to increase
3 the total from \$15,000 to \$35,000 an increase of
4 \$20,000.

5 Mr. Devlin: Motion.

6 Mr. Hill: Second.

7 Mr. Bor: Mr. Banfield?

8 Mr. Banfield: Yes.

9 Mr. Bor: Mr. Dedar?

10 Mr. Dedar: Yes.

11 Mr. Bor: Mr. Hill?

12 Mr. Hill: Yes.

13 Mr. Bor: Mr. Devlin?

14 Mr. Devlin: Yes.

15 Mr. Bor: My bad. I misinterpreted what Anita told
16 me. That is my report. The committee report
17 engineering.

18 Mr. Devlin: Gary.

19 Mr. Hill: Now, it is my time to shine. We have
20 been very busy and we meet every week. Every Wednesday
21 with the team and H2M. I can see a nice flyer of some
22 of the work that they do. We had a few supply issues,
23 which everyone in the United States has.

24 We are kind of working around that and we are
25 moving forward and a lot of work has been done at our

1 project. Claude can give us a quick update. It is a
2 little complicated, but now that all the contracts are
3 signed and delivered we are moving forward with supplies
4 and chemicals that we need.

5 So, far and knock on wood, so far so good, but we
6 did have some supply issues which is common. Claude
7 would you like to?

8 Mr. Smith: Sure. Good morning everyone. Just an
9 update for the progress that we are actually making with
10 the PFAS. We are still moving along at a pretty rapid
11 pace. That is the best that we can do in order to
12 fulfill the schedule that has been presented to us for
13 PFAS.

14 Like Gary mentioned we are having issues. Well,
15 the contractors were having issues with the nature of
16 the fittings, which are a 90 degree elbow of the
17 construction for the piping system. The piping
18 treatment that is being done.

19 Of course, we normally spec domestic products as
20 opposed to foreign products and of course sometimes when
21 you do spec domestic products as opposed to foreign
22 products they are a little bit harder to obtain, but
23 eventually they were able to obtain it. So, they are
24 moving forward with that particular tree configuration
25 that they are doing.

1 We are expecting delivery of the granulated
2 activated carbon or GAC on November 8 and 9th, and that
3 will complete carbon delivery that we need for the six
4 vessels that are at the location. Then of course they
5 are going to have start doing some back washing.

6 Well, that is in the future because they still have
7 to complete the work that they are doing on the well in
8 terms of changing out the column and get the
9 configuration done for the insulation of the piping for
10 the connection to the vessels from the well itself, but
11 again we are moving forward and doing the best that we
12 can regarding that.

13 We also have in addition to that work that is going
14 on and this is part of the PFAS as well and that is the
15 insulation of the horizontal drilling conduit for the
16 electrical work that we need to do for the complete loop
17 connection of the electrical wiring up at that location.
18 That should be starting sometime soon.

19 As a matter of fact, that should be starting
20 November 1st. There will be a little overlap of work
21 being done simultaneously, but at the same time we will
22 coordinate as best that we can to make sure that neither
23 of the contractors are compromised as far as work that
24 needs to be done.

25 Upon the conduit being installed of course we have

1 to come back and start looking at installing all of the
2 electrical and that is something that we will have to
3 talk about later in regards to pricing and the
4 methodology and how we go about doing that work, but
5 just for everyone's peace of mind we are moving ahead
6 with that as best that we can.

7 Like I said, sampling will be schedule for next
8 month to see pretty much where we are in order for the
9 PFAS compliancy and that is pretty much it.

10 Mr. Devlin: Who is the Petrongolo?

11 Mr. Smith: Petrongolo Water Contractor are doing
12 the water replacement.

13 Mr. Hill: There is also something on here for
14 TIGG, which is on our project list.

15 Mr. Smith: Yes.

16 Mr. Devlin: How about Philip Ross?

17 Mr. Hill: Philip Ross is one of our contractors.

18 Mr. Smith: Phillip Ross or PR is part of the PFAS
19 and TIGG is also part of the PFAS and Petrongolo is
20 actually doing one of our water-main replacement.

21 You should also probably see one under Lafayette as
22 you are going through your signatures, and that is also
23 for water-main replacement.

24 Mr. Devlin: I am aware of them.

25 Mr. Hill: Mr. Chairman, I just want to say that

1 Claude and I went and got an award at H2M for the MUA
2 working together. Working for the project which is very
3 nice. From what I am understanding and I was away, it
4 is a very important award for the City. They get State
5 recognition. Does anyone want to comment?

6 Mr. Armstrong: This is really nice of them, and
7 they are going to be providing us with pictures and we
8 actually took pictures with them and they will be
9 provided to us.

10 Mr. Hill: We should put them on the website.

11 Mr. Devlin: When I first got here I said, we
12 should get a little trophy case. There are a lot of
13 cool stuff around and to have some at the plant.

14 I just think that maybe at the boards expense maybe
15 get a trophy case or glass case for stuff like that and
16 there is some really cool stuff around this area.

17 We have some old time plaques that they have at the
18 plant and they have value. If the board is good with it
19 we can put it out there.

20 Mr. Hill: I also wanted to say that during the
21 process of this project and bringing everybody in they
22 have been taking photos and we got a report. Not a
23 report, but a video thing of all the things which we can
24 use eventually down the road. For the public's input
25 this is what we did. I suggested that the work that we

1 did at our work session meeting we had that eventually
2 we should show it to City Council and make sure they
3 know that we are not sitting here doing nothing.

4 This is what we are doing and this is where the
5 money is going and also for the State and of course the
6 State will get a copy of that, but it is really
7 interesting thing to see the scope of this project. So
8 that is something we can do down the line.

9 Mr. Smith: Someone did mention that.

10 Mr. Hill: Yes. Put it on the website.

11 Mr. Smith: And we have a web page now.

12 Mr. Hill: Michael, did you have anything?

13 Mr. Armstrong: Yes. Just a couple of things. I
14 have been involved since the beginning and it is
15 remarkable to me the level of cooperation that we are
16 seeing. Remember at the time we were all worried about
17 how we are going to get this under way.

18 Mr. Hill: And that is the key.

19 Mr. Riley: That is the key. The project manager
20 that runs our meeting every week is like no nonsense and
21 very bright and very talented person. As a lawyer
22 watching all of these engineers and listening, it make
23 my head explode.

24 We are in really good hands on this and I think
25 both locally and nationally this project has some

1 significance because of the size of it and the quality
2 of the work that has been done by our technical
3 engineering staff. I am impressed and Michael has done
4 a lot of construction work in his career and I have not,
5 but I sit back and I listen and to me it is truly
6 impressive and it make your realize that once you get
7 the right people in the right spot you can fix anything
8 and I think that is where we are.

9 Mr. Hill: We are trying to address that. We are
10 lucky to have this and we have our consultant Mr.
11 Palladino and Michael looking over as our attorneys for
12 the contracts. So everybody is working together with
13 our plant manager. So Michael is right it is really a
14 big project and Claude should be very happy.

15 Mr. Smith: I just want to add to that. I know
16 that Gary did speak about that, of course, the
17 recognition that we received, but I just want to make us
18 understand from the construction and engineer aspect of
19 it that this is good recognition for the Authority in
20 regards of this being presented at the award because of
21 the fact that they are really showcasing projects that
22 are going on throughout New Jersey and it is of
23 significance and it does mean a lot.

24 It is a plug for us to be a part of this and to be
25 recognized as well too and not just engineers, but what

1 we have been doing in regards to getting this particular
2 project done.

3 Mr. Armstrong: I just want everybody to understand
4 that the work is being done, but when we finish this
5 project the work will just begin. This is just a
6 temporary fix. The real work will begin in coming up
7 with the money to build the plant and Claude told me the
8 other day that even though this puts us in place we have
9 no idea how long it will last.

10 Mr. Devlin: No offense. That is why I encourage
11 board members to go out to the plant because until you
12 see that and how old that it is and the infrastructure.
13 That changed my opinion.

14 Mr. Smith: I will address that with a different
15 issue.

16 Mr. Devlin: Mr. Banfield, what happen to our
17 personnel meeting?

18 Mr. Armstrong: I can update you on the personnel
19 committee meeting and where we left off. We were
20 supposed to get all the job descriptions and compile
21 them for the personnel committee members and we did
22 that.

23 We provided it to Mr. Banfield and we provided it
24 to Nynell and the volume of it was so significant. It
25 is more than 150 pages and no one was able to get though

1 it on time to have a meaningful discussion about it

2 Mr. Devlin: I did not get my copy yet.

3 Mr. Smith: I e-mailed it.

4 Mr. Devlin: Mike, let's go forward and make sure
5 we have a personnel meeting prior to the next meeting.

6 Mr. Smith: We did actually have a meeting.

7 Mr. Devlin: Ms. Nynell or someone said --

8 Mr. Smith: No. It was moved to another date, but
9 we still had it prior to the meeting.

10 Mr. Devlin: Thank you.

11 Mr. Hill: Claude, maybe we should send TIGG and
12 Ross an e-mail that their checks will be distributed.

13 Mr. Smith: Gary, the question arose earlier in
14 regards to whether or not the invoices were received and
15 we confirmed with them, with H2M, so that they could
16 relay that message to them. So we don't have to.

17 Mr. Hill: I just don't want any delays.

18 Mr. Bor: If I may Mr. Chairman, on that personnel
19 committee the Director is correct we actually convened
20 and it appeared as if this piece of document that
21 everyone needed to review and now it was distributed and
22 I believe Mike had another commitment to.

23 So they are ready to roll and they did not have a
24 lot of time either. I think we are moving it to next
25 week.

1 Mr. Smith: I think we are waiting for everyone to
2 get through the documents and then reschedule it.

3 Mr. Bor: Just one thing because we have more on
4 the table. We have two matters pending at the DEP for
5 the underground storage tank for the Fluoride. I am in
6 weekly touch with W. Taylor who is the coordinator of
7 the AVR program and I just indicated to her ten days ago
8 why are things not happening.

9 She said we are trying to reorganize the AVR
10 section and we had some people leave in anticipation of
11 the election and I said, are we filed and docketed and
12 she said, yes, and it was forwarded to set up the
13 program, but that is the reason for the delay.

14 The important thing is that we are filed and
15 docketed and we will see where that goes. Number 9, Mr.
16 Director.

17 Mr. Devlin: Andy, do you have anything for
18 personnel?

19 Mr. Weber: In close session.

20 Mr. Armstrong: I have a few items. One of them we
21 just talked about the award. It appears that the MBCA
22 it is their 30th anniversary awards gala and it is
23 coming up on November 9th. It is something that I
24 understand is done every year. There are some people
25 here that would like to attend.

1 Mr. Devlin: Can we just get a big table for
2 everyone.

3 Mr. Hill: We are honoring this year and it is
4 30th celebration and the MBCA has been a member forever.
5 Claude, do you remember all of the things that we have
6 done. We are honoring the casino industry of New Jersey
7 and of course the casino industry is our biggest
8 customer. We all know that.

9 It would be great to show some support for the
10 industry as well, and I appreciate it. Thank you.

11 Mr. Smith: Would a table seat ten?

12 Mr. Hill: Ten.

13 Mr. Armstrong: Just in terms of members the table
14 seats ten? Because at least four people here want to
15 go. If the head count is --

16 Mr. Hill: I can do 12 if you need it.

17 Mr. Armstrong: Okay. Should we approve up to 12,
18 just in case?

19 Mr. Devlin: Yes.

20 Mr. Armstrong: Mr. Banfield, are you interested in
21 attending?

22 Mr. Banfield: Yes.

23 Mr. Armstrong: So the next thing is and we
24 mentioned it earlier is the ability of utilizing certain
25 software like docuSign. Since I got here I found that

1 it was a problem getting certain types of accounts and
2 certain types of software. Most software companies are
3 moving on certain subscription plans and you need a
4 credit card in order to have that plan.

5 We had a problem and Kelley has been trying since
6 February to get an Amazon account. We thought we could
7 eventually get one, but they told us we needed a credit
8 card.

9 So it has been a problem and I am going to talk to
10 Anita and in order to get a credit card the rules have
11 changed somewhat. You are not supposed to use store
12 credit cards and we having been using that as a credit
13 card. The only part that is approved is what is called
14 a P-Card, and when I looked into it and did research
15 most municipalities have it and agencies and colleges
16 have it.

17 So it would be great for us to get it, but we have
18 to start with the process of having a finance policy
19 that deals with P-Cards and that should be in your
20 resolution packet, the P-Card policy and once you adopt
21 that we then have to provide that resolution to the
22 division of finance and get approval of that P-Card and
23 it is still a process. In order to get it started we
24 have to approve this resolution.

25 Mr. Devlin: This places us into the 21st century.

1 Mr. Armstrong: If there could be a motion.

2 Mr. Bor: Do you mean on 9B?

3 Mr. Armstrong: Yes.

4 Mr. Devlin: Motion.

5 Mr. Hill: Second.

6 Mr. Bor: Mr. Banfield?

7 Mr. Banfield: Yes.

8 Mr. Bor: Mr. Dedar?

9 Mr. Dedar: Yes.

10 Mr. Bor: Mr. Hill?

11 Mr. Hill: Yes.

12 Mr. Bor: Mr. Devlin?

13 Mr. Devlin: Yes.

14 Mr. Bor: 9b carries. I think we accidently looked
15 over 8b1.

16 Mr. Armstrong: I assumed you were holding it until
17 Nynell came back.

18 Mr. Hill: We did not vote on that yet.

19 Mr. Armstrong: We can just hold that.

20 Mr. Bor: We can hold that because we have to do
21 that eventually.

22 Mr. Devlin: So hold until the next board meeting?

23 Mr. Armstrong: Yes. I have a couple more items.
24 Just house keeping items. The next board meeting in
25 November is scheduled for the 17th and that is the

1 municipalities. We were thinking about doing it on the
2 19th at 10 o'clock and that is a Friday. If that is
3 okay?

4 Mr. Bor: So it will be the 19th of November. We
5 don't need a motion because we changed this Wednesday
6 without a motion.

7 Mr. Armstrong: Do you vote on your original dates?

8 Mr. Hill: Yes.

9 Mr. Bor: Motion to conduct our November meeting on
10 the 19th instead of the 17th at 10 a.m. board office.

11 Mr. Devlin: Motion.

12 Mr. Hill: Second.

13 Mr. Bor: Mr. Banfield?

14 Mr. Banfield: Is that a Friday?

15 Mr. Bor: Yes.

16 Mr. Banfield: Yes.

17 Mr. Bor: Mr. Dedar?

18 Mr. Dedar: Yes.

19 Mr. Bor: Mr. Hill?

20 Mr. Hill: Yes.

21 Mr. Bor: Mr. Devlin?

22 Mr. Devlin: Yes.

23 Mr. Armstrong: The insurance is huge for our RPs
24 and we were authorized to go out in August and that is
25 not gonna happen because it indicates the level of

1 insurance and we don't have anyone to review it for us
2 for the type of insurance that we need. So myself and
3 Kelley did research and quite honestly I have never seen
4 it done that way. It was given to me to review and I am
5 not qualify in my opinion to review the coverage.

6 So in our research and my experience is that you
7 hire a broker first. Then the broker reviews and gives
8 you consultation with the levels of coverage that you
9 need. We have obtained several RQs from several places
10 and that is how everybody else does it.

11 They go to a broker first and I am not comfortable
12 with reviewing the insurance coverage and making a
13 decision that this is what is needed. Time is of the
14 essence now because it renews at the end of the year.

15 Mr. Devlin: Two things. One, is I think when I
16 first got here we had a guy and we paid him thousand and
17 thousands of dollars and everybody was against it so we
18 eliminated it.

19 Mr. Armstrong: To be honest they learned.

20 Mr. Devlin: Even with the old ED that was one of
21 the first things that we got rid of. Who do we have
22 now? Who is our broker?

23 Mr. Smith: We don't have a broker.

24 Mr. Devlin: Who do we go to? Are we talking about
25 workers' comp?

1 Mr. Smith: Don't forget that when the elimination
2 was done Brengle which was the actual broker that did
3 the review and compiling of the proposal to send out and
4 was actually elected to have Fred do the review of the
5 insurance policies.

6 Of course last year we still had to send the
7 package out because at that particular time it was close
8 to the time period that we had to renew our policy. So
9 we did actually send the policy out and we got prices
10 back and forth.

11 Of course, Mr. Armstrong said, we really and truly
12 needed to have someone apart from internal or someone
13 that is experience or qualified to review those
14 policies.

15 Mr. Devlin: Who do we make our checks payable to
16 for our insurance? What broker?

17 Mr. Smith: Well, Siracusa is the one, but he is
18 the one that presents the insurance policies to us in
19 regards to the amounts and what the coverage is. He
20 might be a broker, but not necessarily lobbying on behalf
21 of the Authority for receiving proposals or putting out
22 proposals.

23 Mr. Devlin: I thought that guy was excessive and
24 everyone did to in doing RPs. Can we do an RP to hire a
25 broker?

1 Mr. Armstrong: I think you have to do an RP to
2 hire a broker. Just like we do for financial advisers,
3 attorneys or anybody else on our behalf.

4 Mr. Hill: Why do I think that the name was
5 Brengle.

6 Mr. Armstrong: It is William Brengle.

7 Mr. Devlin: From a layman it seems like a lot of
8 money, but if you say we need it. I thought once we
9 hired a broker Siracusa he would come in and he is
10 pretty good at it.

11 Mr. Armstrong: Do we want to rescind the original
12 resolution saying that we have to put out coverage, but
13 yet we have to do an RQ4 for the broker instead.

14 Now, the thing that came up was the timeframe that
15 we have for when the policy cancelled and we have about
16 70 days so. We have to try to do this quickly and bring
17 in someone and have them have time to review and put
18 themselves out a proposal. So it may require a special
19 meeting in between.

20 Mr. Devlin: I don't think you are gonna have a
21 problem with that.

22 Mr. Armstrong: I just wanted to let you know.

23 Mr. Devlin: If you need a special meeting let me
24 know.

25 Mr. Armstrong: Okay.

1 Mr. Devlin: I will do a motion.

2 Mr. Hill: Second.

3 Mr. Bor: What is the motion?

4 Mr. Armstrong: To initially rescind the first
5 resolution. To eliminate the request for RPs.

6 Mr. Bor: That was a while back.

7 Mr. Armstrong: August 25th.

8 Mr. Devlin: Of this year?

9 Mr. Armstrong: Yes. Resolution number -- do you
10 know fellows?

11 Ms. Williams: Resolution 105 is it?

12 Mr. Hill: So Mike, I just want to make clear that
13 we are canceling the resolution that would have gone out
14 for the insurance until we get a broker?

15 Mr. Armstrong: Yes.

16 Mr. Hill: Okay. Because I always remember that it
17 was November or December.

18 Mr. Armstrong: Correct.

19 Mr. Bor: Is the August 25th to obtain an RP for a
20 broker?

21 Mr. Armstrong: No. We never had one for the
22 broker.

23 Mr. Devlin: How did we get that guy from the past?

24 Mr. Smith: Well, he has been with the Authority
25 for a number of years and I think his bill was about

1 \$7,000 for the year.

2 Mr. Devlin: I am in the wrong business.

3 Mr. Hill: He has been here as long as I have and I
4 am old.

5 Mr. Armstrong: Another thing you might want to
6 look at is many times they don't even charge you. They
7 get the money when they do the contract and they get a
8 percentage. They don't charge at all.

9 Mr. Devlin: If you need it Mike I am all in.

10 Mr. Bor: We have a general rescind of the August
11 25th resolution and then start from scratch at the next
12 meeting.

13 Mr. Armstrong: No. You are going to rescind that
14 one and then we need another motion to put out a new RQ
15 for a broker.

16 Mr. Bor: So I have before me resolution number 105
17 dated August 25, 2021 and the recommendation of our ED
18 is to rescind that motion. Is there a motion to do so
19 and a second?

20 Mr. Devlin: Motion.

21 Mr. Hill: Second.

22 Mr. Bor: Mr. Banfield?

23 Mr. Banfield: Yes.

24 Mr. Bor: Mr. Dedar?

25 Mr. Dedar: Yes.

1 Mr. Bor: Mr. Hill?

2 Mr. Hill: Yes.

3 Mr. Bor: Mr. Devlin?

4 Mr. Devlin: Yes.

5 Mr. Bor: Now, that is so rescinded. Now, a
6 separate RFP to appoint an insurance broker to assist us
7 with the analysis of our policies. If there is a motion
8 on that I will hear it.

9 Mr. Devlin: Motion.

10 Mr. Hill: Second.

11 Mr. Bor: Mr. Banfield?

12 Mr. Banfield: Yes.

13 Mr. Bor: Mr. Dedar?

14 Mr. Dedar: Yes.

15 Mr. Bor: Mr. Hill?

16 Mr. Hill: Yes.

17 Mr. Bor: Mr. Devlin?

18 Mr. Devlin: Yes.

19 Mr. Bor: It so passes.

20 Mr. Armstrong: Okay. The only last thing that I
21 have and Mr. Chairman, you brought this up a few times
22 at the meeting is the issues that we are having with
23 respect to the plant. With respect to emergency repairs
24 and the emergency to the PFAS. I went out there myself
25 with Claude and WRM and try to get a handle on why are

1 these things happening and a lot of it has to do with it
2 being an old facility.

3 So one of the things that came up was that we can
4 have an engineering firm that monitors and reviews all
5 of the maintenance issues out there and write an
6 assessment.

7 It has been my experience and it was tested in
8 Willingboro, Alaimo & Associates handles that and we
9 don't deal -- it was my experience that they come and
10 report and talk about issues before they arise and Mike
11 can attest to that and we don't have that here.

12 Mr. Devlin: Does that not fall under Anthony
13 Palumbi? Is that his name?

14 Mr. Armstrong: He is not an engineer though. As a
15 matter of fact when I met with Anthony and some of it
16 does, but when I met with him and that is why we have
17 WMR to assist him and they talk about software that can
18 tract, but he also asked himself for an engineering
19 firm. That is why we brought H2M in.

20 They indicated they could assist in the regard. In
21 my opinion it is absolutely necessary. When you get out
22 there Anthony is going to respond by saying I need to
23 order parts. The engineer is gonna say it is time to
24 stop ordering parts and it is time to buy the new car.
25 Do you know what I mean or is there something new out

1 there. See what else you can do. There are
2 alternatives. There are cheaper ways to go. I think at
3 some point we need to engage an engineering firm to
4 check things and I know that Vince does to, but to the
5 extent that H2M -- I know that we have to do an RP, but
6 given their background and experience we had them
7 assemble a meeting because we were dealing with PFAS and
8 he has some emergency issues related to PFAS and we also
9 had to look at that. So it does not effect us.

10 That they can help us right away so that is does
11 not interfere with the progress that we are making, but
12 they did submit something indicated they would be able
13 to send to us.

14 I told Claude that it should go out in an RP and
15 let everyone know the response if we get a more
16 competitive price.

17 Mr. Devlin: So what would the title of that be?
18 Engineering firm like an engineering consultant?

19 Mr. Armstrong? Engineering, yes.

20 Mr. Devlin: Is there a policy on doing that now?

21 Mr. Armstrong: Well ---

22 Mr. Devlin: And he is just doing that one project?

23 Mr. Armstrong: No. His expertise is not, as I
24 understand it, and that is why he bought in H2M. He
25 himself told us. He can apply for it if he believes it

1 too.

2 Mr. Devlin: I got you and Mike one of the things
3 too from what I think that we have done over the past
4 decades and it is nobody's fault in this room and that
5 we are putting Band-Aids on things.

6 Instead of buying a generator that is water proof
7 or salt proof because we have a ton of erosion here they
8 have a compressor, and I was wondering, and I looked and
9 it is totally rusted and I am like guys. And the City
10 falls on this too.

11 We buy just the bare minimum. They don't have the
12 warranty package and that mind set and I explained to
13 even Claude that saving that money means we are saving
14 pennies, but losing dollars and one day we are gonna
15 fall on our face

16 Mr. Armstrong: That is what I am worried about.

17 Mr. Devlin: Back-up generators and you know well
18 they are from prior World War 11, and I mean they are
19 cool that they are still working, but come on man.

20 So I think as a board and as an administration we
21 need to work together to really do some structural
22 renovations. I mean even to the buildings. Some of
23 them boards, I mean, come on guys. I know that I hit it
24 hard with security, but I think overall the
25 infrastructure out there -- I mean they have that one

1 tower that has not been used since the 80s. It is
2 crazy.

3 Mr. Armstrong: When you consider the fact that we
4 have to build a new plant anyway I think it is important
5 to have an assessment. They know what we need to do
6 with respect to that. So they may say okay we put a
7 Band-Aid on this because we know down the road we have
8 to get a new car anyway.

9 So they have that knowledge, but that is what an
10 engineering firm is supposed to do. They are supposed to
11 tell you whether or not it worth fixing.

12 Mr. Devlin: We don't do that now.

13 Mr. Armstrong: The thing that really scares me is
14 the fact that now we can't get parts. We have to have
15 them specifically fabricated and it takes a year. The
16 only solution I am aware of if we keep doing that that
17 means we have to get extra parts fabricated. One has to
18 be in the process --

19 Mr. Hill: Spares on the shelf.

20 Mr. Armstrong: They are expensive because they are
21 being specifically fabricated for us because they no
22 longer make parts.

23 Mr. Devlin: That is crazy. Just going out there I
24 want everybody to do that. Those engines alone and the
25 backup generators Mac does not even make them.

1 Mr. Armstrong: 1940s. When me and Vince were out
2 there he said that the guy told him I am the last person
3 around to fix these engines.

4 Mr. Devlin: The Johnson & Johnson towers that guy?

5 Mr. Armstrong: One guy and he said if anything
6 happens to me nobody else around --

7 Mr. Devlin: It is crazy. We put Band-Aids on
8 things and we need to change that mindset. I don't
9 think anybody on the board will give you pushback for
10 doing a major infrastructure.

11 Mr. Hill: So that we can put this forward for our
12 next meeting? Or can it go to our engineering and
13 maintenance. It is common practice; right?

14 Mr. Weber: I was just going to say that all MUAs
15 have some kind of engineering person whether it is a
16 consultant engineer which most of them do. The bigger
17 ones will have an in-house engineer, but that is
18 expensive hiring and that normally includes staff.

19 Mr. Devlin: Yes. We are not doing that.

20 Mr. Weber: So the most effective way is to be paid
21 through an RFP. Some firm that understands MUAs. They
22 know what to look for and you call on them a lot.

23 Mr. Smith: And they should report and come to the
24 meeting.

25 Mr. Devlin: Is this something that can be put off

1 until the next meeting? The only reason I say that is
2 because we are missing a board member and I would like
3 to think on it.

4 Mr. Armstrong: I think it is urgent. It is an RP
5 and no way to get around it to another meeting.

6 Mr. Hill: It is still going to take time to get
7 the RPs out.

8 Mr. Armstrong: Right.

9 Mr. Hill: It is gonna take at least six weeks.

10 Mr. Devlin: Can't we get one?

11 Mr. Weber: I have one.

12 Mr. Hill: And can't you get Vince to help you with
13 that since he is our in-house consultant?

14 Mr. Weber: Well, I have seen what other MUAs have
15 done and I have multiple ones.

16 Mr. Devlin: Who do you guys use in Willingboro?
17 Do you use Alaimo?

18 Mr. Weber: We use Alaimo, but actually we get
19 involved in some speciality areas too with consultant
20 engineers. It is according to what your five-year plan
21 looks like. One of your main issues here in Atlantic
22 City --

23 Mr. Devlin: We know it is PFAS. What is our
24 five-year plan?

25 Mr. Armstrong: I just happen to put it at my desk.

1 Mr. Devlin: Just shoot it to me when you have it.

2 Mr. Smith: Well, put it this way, I was about to
3 tell you or say to them that the catalyses or the
4 driving force right now in regards to where we go and
5 how we get there is PFAS. No matter how you look at it.
6 Okay.

7 Like you mentioned before our plant facility is
8 ancient and old. It has not been maintained correctly
9 over the years, and we are aware of that, and we are
10 pretty much, right now, on a string in regards to our
11 operation for the treatment plant facility.

12 So when you say what is our five-year plan maybe
13 you should say what is our one-year plan. Okay.

14 Mr. Devlin: We know our one-year plan and it is
15 PFAS.

16 Mr. Smith: The reason I say the one-year plan is
17 because of the fact that our facility is old and it is
18 so old. Okay. We have to more that likely revamp that
19 entire treatment plant. Not be sarcastic.

20 Mr. Devlin: No. I agree with you.

21 Mr. Smith: In terms of our one-year plan because
22 one year down the road we are looking at trying to have
23 a new treatment facility that can facilitate.

24 Mr. Devlin: One year down the road you are
25 thinking?

1 Mr. Armstrong: We may have to.

2 Mr. Devlin: Let me ask you this, City wise,
3 because I know we have some of the oldest pipes. I have
4 seen it myself, but I also heard around from different
5 entities. What is our plan?

6 Mr. Smith: We have a yearly replacement plan in
7 regards to water-main replacement. As a matter of fact,
8 I am gonna let you kind of segway into that because I
9 saw the chart that you have.

10 Because of the fact that we are doing yearly
11 replacements this is something that is required by the
12 Water Quality Accountability Act. We have to do at
13 least a mile of water-main replacement on a yearly
14 basis.

15 We have been doing replacements, as a matter of
16 fact, you just mentioned about the who was that check
17 for and so forth. That was one of the companies that is
18 currently working for us to do the water-main
19 replacement.

20 Of course next year and every year following we
21 actually have to have some sort of work being done. We
22 are now in the process of getting some information to
23 the City of Atlantic City and working in conjunction
24 with them to do some water-main replacement and I will
25 let Mike talk a little bit more about that aspect of it,

1 but we are proactively doing work on a consistent basis.

2 Mr. Armstrong: We were just contacted by the City
3 because there are some funds available.

4 Mr. Devlin: That was my next question.

5 Mr. Armstrong: It goes to the City, but they see
6 money allocated for water, but they have to go through
7 us to get the money because it benefits both us and we
8 are talking potentially millions that we will have in
9 savings and they will have in savings and here is why.

10 The money because it has to go through the City
11 they can't get it because it is earmarked for water so
12 they have to utilize us to replace our pipes, but the
13 City will not have to pay those fees because the money
14 will account for replacement of the pipes and also pay
15 you.

16 So they contacted us and we had at least two
17 meetings with them. They are going to use their grant
18 writer whose going to get the funds, and get the
19 application in ahead of time. We just have to
20 coordinate with them. These are the streets we are
21 coordinate with and they are going to make it happen in
22 terms of the money.

23 So we are talking millions of dollars in savings
24 for us and million of dollars in saving for the City and
25 that is one. While I had him I spoke to the grant

1 writer and I heard that he is really good Tim Vertullo
2 (sic) and I talked to Anthony Swan and I said we want
3 you to find money for us for PFAS as well.

4 So we may be coming back for a separate proposal to
5 do that next month because I also provided him with two
6 other links related to money that is earmarked for water
7 utilities authority and an infrastructure.

8 And two, there is a bill that has passed congress
9 for over a billion dollars and it is earmarked just for
10 PFAS. So when it goes to the senate it is likely that
11 it will pass and he sees that as being a benefit to the
12 City. Maybe we can fix other roads as well, but I doubt
13 it because it is mostly PFAS related, but maybe he will
14 help us in that regard.

15 I think what has happened to be honest with you
16 initially they said they were going to package it
17 together, and then they came back and said that he would
18 give us a separate code and the reason for that is that
19 the City does not benefit from PFAS and it does not mean
20 that you open up any roads and why should the City have
21 the expense of utilizing his service.

22 Mr. Hill: Just to back up. Well, not back up, but
23 to solidify what Claude just said the grant writer that
24 he is speaking about is a member of MBCA and will be at
25 that dinner we just talked about. He has done amazing

1 work for the City of Atlantic City and Mr. Gonzalez
2 probably knows Jim R and the association and he is very
3 good. MBCA is one of the groups that writes letters of
4 support for his projects, if it is Duck Town or Mid Town
5 which is a big project going on that we are involved in.

6 Now, we would do the same thing for the MUA and the
7 water. So he is very very successful most of the time
8 and I am sure Mr. Gonzalez would agree. I mean, he
9 can't guarantee every single grant, but if indeed that
10 happens and we use him I just know that he has been very
11 successful for the Atlantic City recently.

12 In fact he just got money grant for ACCC for their
13 big project that they are doing this month for the wind
14 station at the training center. That would be great if
15 we could pull him in and use him.

16 Mr. Bor: So essentially the City pulls him in and
17 once approved by the City they have to develop a
18 mechanism to get it to us.

19 Mr. Armstrong: That the first thing I was talking
20 about with respect to the replacement to our
21 infrastructure, but PFAS is a separate issue. If they
22 don't see anything in it for them they are gonna come
23 back --

24 Mr. Devlin: The grant writers they get a piece of
25 the grant. Is that how it works?

1 Mr. Smith: I don't know how it works. If anybody
2 else knows how it works.

3 Mr. Hill: It is either you pay them a fee or they
4 get a percent and I don't know which agreement it is.

5 Mr. Claude: I have seen it as a fee.

6 Mr. Armstrong: Depends on how much work they do.

7 Mr. Devlin: Before I forget everyone we need to
8 make that motion, Mike.

9 Mr. Bor: So we are at 9c engineering maintenance
10 contract be send an RFP to go out for an engineering
11 maintenance contract. If there is no discussion is
12 there a motion?

13 Mr. Devlin: Motion, 9c1.

14 Mr. Hill: Second.

15 Mr. Bor: Mr. Banfield?

16 Mr. Banfield: Yes.

17 Mr. Bor: Mr. Dedar?

18 Mr. Dedar: Yes.

19 Mr. Bor: Mr. Hill?

20 Mr. Hill: Yes.

21 Mr. Bor: Mr. Devlin?

22 Mr. Devlin: Yes.

23 Mr. Bor: Approved.

24 Mr. Smith: That is all that I have.

25 Mr. Riley: We are talking about a lot of money. A

1 year ago when the court in South Carolina the Federal
2 courts in South Carolina handed the discovery and
3 production over, which meant that the defendant, the
4 huge multinational corporations that we are dealing with
5 handed us their discovery for the plaintiff.

6 Everything was going along fine, and we thought
7 until about three weeks ago, at which point, it was
8 determined by the plaintiff's executive committee, which
9 sort of runs the plaintiff's side of the show, that 3M
10 and Dupont and a couple of others have misrepresented
11 what they produced.

12 They have been ignoring court orders and they have
13 been essentially lying to the court and this has caused
14 quit a stir, as you might expect. Just so you know in
15 terms of the content of this, at this point right now,
16 there are four million documents that have been
17 presented in discovery totaling about 27 million pages
18 of discovery. The firm is flying down there and it is
19 about time.

20 Let's back up for a second. I told you about 3M
21 and how they got involved with PFAS 35 or 40 years ago.
22 They lied about their research. They hired a prominent
23 chemist to go around the country saying there was
24 research done and it is perfectly fine. He was on the
25 payroll and these guys are dirty guys. We know that

1 Dupont has spun off corporations to avoid liability.
2 They have taken the patents for PFAS and put it in new
3 corporations so when we hit them we see essentially no
4 assets, but the point is this, now, this has been a very
5 well run and choreograph piece of litigation. The guys
6 that we work with in California they have one hundred
7 people that work with them to go through and read all of
8 this stuff. Okay.

9 This is a massive undertaking. The point is this
10 once this comes together and it will. Once we determine
11 that they lied to the court and misrepresented what they
12 were supposed to do. Once things get squared away
13 things are going to start to move and we can start
14 looking at some number that can finance what we are
15 talking about.

16 I am sitting back here and listening and I am
17 sweating bullets because I am thinking we have to come
18 up with 25 or 30 million dollars; right.

19 Mr. Armstrong: Claude says 50.

20 Mr. Riley: So we have a lot money that we have to
21 be able to generate and everything was going smoothly up
22 until literally three weeks ago when they were
23 determined that they were flat out lying.

24 Mr. Armstrong: Was that determined?

25 Mr. Riley: Yes. I mean the representation were

1 made by the plaintiff's counsel and there is evidence of
2 it and of course the response of these lawyers from the
3 huge law firms that represent Dupont and 3M, they are
4 offended that their integrity would be questioned.

5 Boeing did the same thing and the maker of
6 cigarettes. They said smoke Lucky Strikes and it is
7 good for your health. So we are in the same kind of
8 world, but the PFAS thing is ongoing and there was
9 discovery request made for us to hear our case.

10 So it is moving along and once the judge
11 straightens out this mess and it is a funny thing when
12 you read his transcripts of the meeting, and I listened
13 to a number of them, he has that soft South Carolina
14 accent. So you think he is an okay guy until he let's
15 loose on somebody. Okay, but in any event I wanted to
16 bring you up to speed on that because I have said in the
17 past that discovery is on going and the train is off the
18 tract and it has to be straighten out.

19 Mr. Devlin: Thanks Mike.

20 Mr. Claude: Just something else I wanted to point
21 out to the board or everyone. Mike has mentioned on
22 several occasions, Dark Waters, and it brings me back to
23 what he just mentioned or what he just said that brings
24 me back to that particular movie. I would strongly
25 recommend that you watch that movie. If you had not

1 watched it you need to really watch that.

2 Mr. Devlin: Mike.

3 Mr. Riley: I am done.

4 Mr. Bor: I guess we are up to old business.

5 Mr. Claude: No. We are up to D.

6 Mr. Bor: That is all we have under executive
7 director report?

8 Mr. Claude: Unless there is any questions with
9 respect to 9d.

10 Mr. Bor: Do we have anything for 9d. Anita's
11 report.

12 Mr. Claude: Anita, do you have anything to report
13 under d?

14 Mr. Devlin: Are we doing shutoffs?

15 Mr. Thapa: No. No, shutoffs and that is per the
16 governors orders. We could do the shutoff, but they are
17 also saying that we have to give our customer time to
18 make a payment plan.

19 There will be no lien as well this year. So we
20 will start penalizing our customer January because I
21 think the memorandum was lifted in July so December will
22 be six months. So January will process our penalty and
23 then shutoff will start in April.

24 If you have any questions about the finance report.

25 Mr. Hill: Anita, we just signed some big checks

1 for the PFAS project today and I don't remember the cap
2 that we had approved four million or three and half
3 million something like that. Could you just send to me
4 where we are? Did we spend all the money? We could not
5 have spent all the money yet.

6 Ms. Thapa: The cash management is attached to the
7 financial report.

8 Mr. Hill: I am talking about the project money.

9 Mr. Thapa: Oh, for PFAS?

10 Mr. Hill: Yes.

11 Mr. Smith: The items that you are seeing for PFAS
12 was a part of the proposal which we received and did not
13 exceed that three million.

14 Mr. Hill: My point is that we are still under.

15 Mr. Claude: Yes. I know we could possible face a
16 change order. We are still under that threshold.

17 Mr. Armstrong: Anita, do you know how much was
18 paid so far?

19 Mr. Thapa: It is with different vendors.

20 Mr. Hill: Phillip Ross, TIGG, Calgon.

21 Mr. Smith: How much is spent already?

22 Ms. Thapa: Calgon has already spent, I believe.

23 Mr. Armstrong: If you don't remember ---

24 Mr. Hill: I don't want to take up the time. I
25 just want to be sure we are very clear on how much we

1 have spent for this project because we know we have to
2 spend money. We already agreed on that. I was just
3 curious and if you could just give to me a short report.

4 Ms. Thapa: Like I mention Claude, I have those
5 invoices so now we are staring to see it. That is why
6 October is the big one almost 2.4 million there. As you
7 noticed the past few months the bills were about 6 to 7
8 hundred and now, I mean, the other projects like the
9 water main projects the bill are often included there,
10 but I believe the carbon vessels those are -- the total
11 contract was almost about 2 hundred and 93 thousand that
12 is what we spent on it if I am correct here.

13 Mr. Armstrong: Anita, we don't need -- if you
14 could give it to us later.

15 Ms. Thapa: Sure.

16 Mr. Armstrong: When you know.

17 Mr. Hill: I just want to make sure that we all are
18 within our budget. In a week or by next Wednesday would
19 be all right.

20 Ms. Thapa: All right.

21 Mr. Devlin: Anybody else, questions for finance
22 report? Cash management report and adjustments,
23 anybody? Old business Claude, is that you?

24 Mr. Smith: Yes. This is typical for utility road
25 openings. We just put out a proposal and received

1 proposal responses for utility road openings and the
2 resolution is in your packet.

3 Mr. Devlin: Is that 10a?

4 Mr. Smith: Yes, 10a1 is for the repair of utility
5 road openings.

6 Mr. Hill: I move 10a.

7 Mr. Devlin: And 10b

8 Mr. Bor: 10b was already addressed.

9 Mr. Devlin: Motion by Mr. Hill second by Mr.
10 Devlin.

11 Mr. Bor: Mr. Banfield?

12 Mr. Williams: He has disappeared.

13 Mr. Bor: Then we have a quorum. Mr. Dedar?

14 Mr. Dedar: Yes.

15 Mr. Bor: Mr. Hill?

16 Mr. Hill: Yes.

17 Mr. Bor: Mr. Devlin?

18 Mr. Devlin: Yes.

19 Mr. Bor: Approved. Under new business. I take it
20 that 1 and 2 are is not necessary to appear and as usual
21 we take those as a group.

22 Mr. Devlin: Motion by Mr. Hill second by Mr.
23 Dedar.

24 Mr. Bor: Mr. Banfield?

25 Mr. Smith: He is still not there. He had a

1 doctors appointment.

2 Mr. Bor: Mr. Dedar?

3 Mr. Dedar: Yes.

4 Mr. Bor: Mr. Hill?

5 Mr. Hill: Yes.

6 Mr. Hill: Where is your generator?

7 Mr. Smith: Answer is yes and at the upper well
8 field location. There are 17 generators that are part
9 of the --

10 Mr. Devlin: Wasn't that Johnson Towers too?

11 Mr. Smith: No. Penn Powers was the one that
12 actually did this last year so up to now. So they are
13 the ones that currently have the contrat, but we are
14 putting it back out --

15 Mr. Devlin: What was last years contract general
16 maintenance.

17 Mr. Smith: It was preventive maintenance with some
18 general maintenance, basically.

19 Mr. Devlin: And what was that cost like?

20 Mr. Smith: It was just under 17 thousand.

21 Mr. Bor: This highlights Mr. Chairman, maintenance
22 contract Band-Aid.

23 Mr. Smith: No. It is not a Band-Aid. This is a
24 necessity.

25 Mr. Bor: Band-Aid meaning maintenance and that if

1 something is wrong --

2 Mr. Devlin: You have to be proactive with that.

3 Mr. Smith: This is preventive maintenance.

4 Mr. Devlin: That is what we like to hear. We do
5 not like to hear emergency. Emergency means more money.
6 You have our support on this.

7 Mr. Smith: Preventive it point out pretty much
8 what you have to get done and then you might have to
9 spend more money.

10 Mr. Hill: I will move 1d1.

11 Mr. Devlin: I will second that.

12 Mr. Bor: Mr. Banfield? Mr. Dedar?

13 Mr. Dedar: Yes.

14 Mr. Bor: Mr. Hill?

15 Mr. Hill: Yes.

16 Mr. Bor: Mr. Devlin?

17 Mr. Devlin: Yes.

18 Mr. Bor: Quorum approved.

19 Mr. Devlin: Budget, Anita. We have a presentation
20 here.

21 Ms. Thapa: So today we are presenting the 2022
22 annual budget, which is due to the Division of Local
23 Government Services on or before November 1. We held
24 two budget committee meetings on October 7 and October
25 15 with budget committee members which included Mr.

1 Dedar and Mr. Banfield, Mr. Armstrong, and Claude Smith,
2 and myself.

3 I also have provided a brief summary of the budget
4 along with complete budget which is almost 70 to 80
5 pages there in the board package.

6 The 2022 budget reflects Total Revenue of \$16.9
7 million and total appropriation of \$17.6 million
8 including \$737 thousand to the municipal appropriation
9 to the City.

10 Out total anticipated revenue for 2022 is \$16.9
11 million, which is about 8.5% increase as compared to
12 2021.

13 The total operating expenses amount to about \$14.7
14 million, and non-operating expenses are anticipated to
15 be about 2.9 million.

16 The non-operating expense includes, as again
17 mentioned, municipality appropriation payment to the
18 City, which is about 5% of our total operating
19 appropriations, as mentioned before the amount is \$737
20 thousand.

21 This also includes renewal and replacement reserve,
22 which is estimated at \$2 million. And that \$2 million
23 we will definitely need to utilize for our capital
24 projects.

25 The 2022 Rates are attached to the budget. We are

1 proposing about a 5% increase in flat rate and a 2%
2 increase in excess rate. Obviously, we were hesitant to
3 increase it, but this is really necessary for the
4 capital improvement costs which the main one we do is
5 PFAS.

6 A residential flat fee will increase by \$1.05 a
7 quarter from \$62.25 per quarter that was the 2021 flat
8 fee and it will go up \$65.50 per quarter and that is per
9 unit.

10 So any water usage exceeding 2500 cubic feet per
11 quarter, that is the allowance for our customers, will
12 be charged at \$3.837 per 100 cubic feet for residential
13 customers and also the access rate is also \$2.837 for
14 all businesses and customers as well.

15 From this increase we are, we will generating
16 addition revenue of \$534.000 from the 2022 annual rate
17 increase. We also expect an increase in 10% in water
18 usages especially as the businesses were not quite open
19 and they are opening at full capacity.

20 Any variances over and under 10% for each
21 appropriation budget line time are explained on Page N-1
22 in the budget document. Those are all explained in
23 those pages there. The good news is our outstanding
24 principal balance on the Authority's debt is about \$7
25 million, and the outstanding interest balance is about

1 \$495 thousand. We have made our last payment on the
2 2012 Refunding Bond this year, and also this year, we
3 recently refinanced our 2007 Bond Series. Therefore,
4 our ratings are withdrawn since the Authority rate bonds
5 are no longer outstanding. We only have four loans with
6 the New Jersey Infrastructure Bank and a private loan
7 with Fulton Bank. Hopefully, this will provide a
8 positive direction for us when we have borrowing or
9 bonding for our major capital projects in 2022.

10 So now the Capital budget, obviously, this year
11 capital budget for 2022 is projected to be \$43 million
12 800 hundred thousand. That is quite a lot.

13 As we all know the Authority is facing challenges
14 for PFAS regulation. We expect the cost for the
15 upgrades of our treatment plant to reduce or remove PFAS
16 contamination somewhere between 30-50 million. We have
17 already started a short-term remedy to treat PFAS --

18 Mr. Hill: She just froze.

19 (Video Interference)

20 Mr. Armstrong: Anita, can you come down here you
21 keep freezing. Can you come down stairs.

22 Ms. Thapa: Yes.

23 Mr. Hill: Just for the capital.

24 (Crosstalk)

25 Ms. Johnson: Mr. Banfield is trying to call in.

1 He had internet issues.

2 Mr. Smith: Okay.

3 Mr. Bor: Claude, do you have any comments on 11d1?
4 The resolution.

5 Mr. Smith: Yes. We can actually discuss that.
6 Just a brief summary. These are equipment that is
7 needed at the plant for doing an analysis of the water
8 during the treatment process itself. There was several
9 equipment that was being purchased and some maintenance
10 that needed to be done on that equipment and that
11 incorporates all that particular work that needs to be
12 done.

13 The company Hach is actually part of the State
14 contract on the contractor list. So they have already
15 been bided and certified to present this particular
16 equipment for purchase, I guess, you heard the process
17 and now you want the resolution. It is \$66,692.81.

18 Mr. Devlin: And that is for?

19 Mr. Smith: It is for equipment as well as some
20 maintenance as well.

21 Mr. Devlin: And you done that before?

22 Mr. Smith: The equipment -- the equipment, these
23 equipment are always on properties. They are new
24 equipment that they are purchasing to do the analysis.
25 That the requirements that the State regulations

1 requires them to do. Of course maintenance on some of
2 the existing equipment that is actually out there and
3 already part of the Hach system.

4 Mr. Devlin: Motion on 11d1.

5 Mr. Hill: Second.

6 Mr. Bor: Mr. Banfield?

7 Mr. Devlin: He is on the phone. Did he call in?

8 Mr. Johnson: No, he is gonna try to call in on the
9 phone number.

10 Mr. Bor: Well, until he does we have our quorum.

11 Mr. Bor: Mr. Dedar?

12 Mr. Dedar: Yes.

13 Mr. Bor: Mr. Hill

14 Mr. Hill: Yes.

15 Mr. Bor: Then 11d1 is approved. We have Anita
16 here.

17 Mr. Devlin: Anita, can you finish up.

18 Ms. Thapa: Yes, just Mike and Claude had mentioned
19 about our main capital is PFAS and other capital that
20 Claude had mentioned the water mains equipment that we
21 expect to buy. Every year the cost goes up. And we are
22 also doing the meter replacement. We are still
23 expecting some borrowing from New Jersey Infrastructure
24 Bank for DEP.

25 We have not heard any thing on that. We have to

1 kind of start with that anyway and then other main
2 projects we will be seeing in 2022 is the cradle
3 replacement projects that may cost around somewhere
4 between \$1.7 million. Obviously, those projects are
5 going to take time so we did kind of spend it in two or
6 three years.

7 I think that is about it, as far as the capital
8 projects, we are presenting the capital budget \$43
9 million and that is mainly because of the fact \$30
10 million is included in PFAS. We had to borrow the money
11 as you know.

12 Mr. Hill: Right.

13 Ms. Thapa: Mr. Armstrong and Mr. Claude is looking
14 into the grant money so we can make a rescue plan.

15 Mr. Banfield: Can you hear me?

16 Mr. Hill: Yes.

17 Mr. Banfield: Thank you. Go ahead.

18 Ms. Thapa: So I will let Mr. Dedar and Mr.
19 Banfield know since they are new to the board, if they
20 have any comments?

21 Mr. Dedar: No. So far I checked it out because
22 they gave me 70 pages and it was a very nice experience.
23 So far I don't have that many questions.

24 Mr. Devlin: If you have any questions in the
25 future you can call Anita. She picks up the phone every

1 time.

2 Mr. Dedar: Right.

3 Ms. Thapa: So that is it.

4 Mr. Hill: If we accept this now, if I remember
5 correctly, from being on the committee we have to do a
6 public hearing and then a final for the grant.

7 Mr. Bor: Yes. That is included in the next
8 resolution.

9 Mr. Hill: Do we need the chairman of that
10 committee to put his two cents in. Should we get him or
11 move forward.

12 Mr. Devlin: I am in favor of that.

13 Mr. Hill: Glenn, are you there?

14 Mr. Banfield: Yes.

15 Mr. Hill: Since you worked on the budget with
16 Anita and I have been on that committee for many years.
17 How do you feel about this just before we vote on it and
18 authorizing it. It is the best that we can do and it is
19 what it is in my opinion.

20 Mr. Banfield: Yes, I talked to Anita about that
21 and she confirmed with me that they were splitting up in
22 two parts. So I accepted that.

23 Mr. Hill: Okay. Thank you.

24 Mr. Bor: So I take it then we can move on to
25 number 1, 2, and 3 under 11c altogether. Is there a

1 motion to approve 11c1 and 11c2 and 11c3 taken as a
2 whole.

3 Mr. Devlin: Mr. Dedar, do you want to make a
4 motion on that? I apologize I was under anesthesia few
5 days ago.

6 Mr. Bor: We do have a second, Mr. Banfield?

7 Mr. Banfield: Yes.

8 Mr. Bor: Mr. Dedar?

9 Mr. Dedar: Yes.

10 Mr. Bor: Mr. Hill?

11 Mr. Hill: Yes.

12 Mr. Bor: Mr. Devlin?

13 Mr. Devlin: Yes.

14 Mr. Hill: Second.

15 Mr. Bor: Motion approved. We still need "E" the
16 Joint Funding Agreement.

17 (Cross talk)

18 Mr. Devlin: We have one more resolution and it is
19 11e.

20 Mr. Bor: It is 11e1. If I recall this is a yearly
21 thing and we are not quite sure why we have to.

22 Mr. Smith: It is a reoccurring cost.

23 Mr. Bor: Do you have a cost on that?

24 Mr. Smith: It is \$26.125.

25 Mr. Bor: And every year we pay.

1 Mr. Smith: Yes. It is under miscellaneous
2 services that they do at the reservoir that we don't
3 necessarily -- excuse me.

4 Mr. Dedar: \$25 thousand.

5 Mr. Smith: \$26 thousand

6 Mr. Devlin: So you have to pay the Feds?

7 Mr. Smith: Yes.

8 Mr. Devlin: I will make a motion on 11e1 John
9 Devlin.

10 Mr. Hill: Second.

11 Mr. Bor: Mr. Banfield?

12 Mr. Banfield: Yes.

13 Mr. Bor: Mr. Dedar?

14 Mr. Dedar: Yes.

15 Mr. Bor: Mr. Hill?

16 Mr. Hill: Abstain.

17 Mr. Bor: Mr. Devlin?

18 Mr. Devlin: Yes.

19 Mr. Bor: Monthly bills. Any discussion? Would
20 anyone like to make a motion?

21 Mr. Hill: Motion to accept.

22 Mr. Devlin: Second.

23 Mr. Bor: Mr. Banfield?

24 Mr. Banfield: Yes.

25 Mr. Bor: Mr. Dedar?

1 Mr. Dedar: Yes.

2 Mr. Bor: Mr. Hill?

3 Mr. Hill: Yes.

4 Mr. Bor: Mr. Devlin?

5 Mr. Devlin: Yes.

6 Mr. Bor: Is there a motion to go into executive
7 session?

8 Mr. Devlin: Motion and Andy how much time?

9 Mr. Weber: I will be short. This is just an
10 orientation of the contracts of the contracts.

11 Mr. Bor: Mr. Banfield?

12 Mr. Banfield: Yes.

13 Mr. Bor: Mr. Dedar?

14 Mr. Dedar: Yes.

15 Mr. Bor: Mr. Hill?

16 Mr. Hill: Yes.

17 Mr. Bor: Mr. Devlin?

18 Mr. Devlin: Yes.

19 (Meeting adjourned)

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