

ATLANTIC CITY
MUNICIPAL UTILITIES AUTHORITY

TRANSCRIPT OF REMOTE PROCEEDINGS

RE: SPECIAL MEETING OF THE
ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
OPEN SESSION

November 7, 2023

COMMENCING AT 10:01 a.m.

VIA ZOOM VIDEOCONFERENCE

BOARD MEMBERS PRESENT:

GARY L. HILL, Chairman
MOHAMMED DEDAR, Vice Chairman/Deputy
MICHAEL ARMSTRONG, Executive Director
INDIA STILL, Deputy Executive Director
BRUCE WARD, Solicitor
JOHN ECCLES, JR.
NYNELL LANGFORD
STEPHANIE DAVIES, Alternate #1
SAYED KAUSAR, Alternate #2

ALSO PRESENT:

WASTELLA JOHNSON, Board Secretary
ANITA THAPA
WES SWAIN, City Administrator
MICHAEL RILEY, ESQUIRE, Board Attorney
GRETEL LEE, ESQUIRE

STENOGRAPHICALLY REPORTED BY:

WENDY L. WALINSKI, RPR, NJ CCR

- - -

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1 CHAIRMAN HILL: Good morning,
2 everybody.

3 MR. ECCLES: Good morning.

4 CHAIRMAN HILL: Adequate notice of
5 this special meeting has been provided as required
6 by law by mailing to The Press a list of the
7 regularly scheduled meeting of the board of
8 directors, including the notice of special meeting
9 scheduled for November 7th, 2023, at 401 North
10 Virginia Avenue, Conference Room, Atlantic City, New
11 Jersey. A copy of said notice was sent to the City
12 Clerk to be posted. All of the aforesaid complies
13 with Chapter 231 of the Laws of 1975, commonly known
14 as the Open Public Meetings Law.

15 And we'll do our roll call.

16 MS. JOHNSON: Mr. Hill?

17 CHAIRMAN HILL: Present.

18 MS. JOHNSON: Mr. Dedar?

19 MR. DEDAR: Yes.

20 MS. JOHNSON: Mr. -- uh-huh. Mr.
21 Banfield is currently absent.

22 Ms. Langford?

23 MS. LANGFORD: Here.

24 MS. JOHNSON: Mr. Eccles?

25 MR. ECCLES: Here.

1 MS. JOHNSON: Ms. Davies?

2 MS. DAVIES: Yes.

3 MS. JOHNSON: And Mr. Kausar?

4 MR. KAUSAR: Yes.

5 CHAIRMAN HILL: Thank you. Flag
6 salute. Mr. Dedar, could you lead us please?

7 (The Pledge of Allegiance is
8 recited.)

9 MR. WARD: Thank you.

10 MR. DEDAR: You're welcome.

11 CHAIRMAN HILL: Thank you. I just
12 wanted to thank everybody for taking time out of
13 their busy schedules for this special meeting. We
14 have some vital issues we want to go over. Most of
15 them will be in closed session, but we -- I
16 appreciate your taking the time.

17 And, of course, everybody is aware we
18 moved the regular scheduled November meeting because
19 of the League of Municipalities to Friday of that
20 week, so just take note of that. I know Stella sent
21 out a reminder.

22 Mr. Ward, I know you have things to
23 say later, but would you like to give any report
24 now?

25 MR. WARD: No. Let's -- let's talk

1 in closed session.

2 CHAIRMAN HILL: Exactly.

3 Mr. Armstrong, I know you have things
4 to say later. Would you like to make any statements
5 now?

6 Mr. Armstrong?

7 THE COURT REPORTER: You're on mute,
8 Mr. Armstrong.

9 MR. ARMSTRONG: Sorry. No.
10 Everything I have is for closed session.

11 CHAIRMAN HILL: Right. I assumed.

12 Then we'll move right along to 7 on
13 the agenda. There's one or two items we can deal
14 with before we can go into executive session. So
15 let's do 7 a, this is the hiring of a district
16 manager of operations -- yeah, distribution manager
17 of operations. This would be 7 a (1). If you
18 looked at the resolution already, I think it's
19 pretty self-explanatory.

20 Stella, could you read the
21 resolution, please?

22 MS. JOHNSON: Yes. Distribution
23 manager, operations.

24 Whereas, there exists a need for a
25 distribution manager in connection with the MUA,

1 including the responsibility to assist the deputy
2 executive director of operations in carrying out
3 policies and the general management of all phases of
4 the authority. They shall be responsible for
5 interpreting and putting into effect all policies of
6 the authority;

7 Whereas, it's been determined that
8 such position can be performed by Shane Gederberg.

9 Shane Gederberg is hereby retained as
10 distribution manager to assist the deputy executive
11 director of carrying -- of operations in carrying
12 out policies and the general management of all
13 phases of the authority at a starting salary of
14 \$100,000.

15 CHAIRMAN HILL: And I know we
16 discussed this last board meeting and we had input
17 from our personnel committee and Cliff, as well. So
18 do we have any questions or...

19 MR. ARMSTRONG: Just for the -- just
20 for the record, the state has approved this hire, as
21 well.

22 CHAIRMAN HILL: Right.

23 Any board member have a question?
24 This is a new hiree. He's going to help Cliff out,
25 and we're trying to get back up to a really more

1 professional working number.

2 So hearing none, I'll accept a
3 motion.

4 MR. ECCLES: I'll make the motion.

5 CHAIRMAN HILL: Thank you.

6 And a second?

7 MR. DEDAR: Second.

8 CHAIRMAN HILL: Thank you.

9 Roll call.

10 MS. JOHNSON: Mr. Hill?

11 CHAIRMAN HILL: Yes.

12 MS. JOHNSON: Mr. Dedar?

13 MR. DEDAR: Yes.

14 MS. JOHNSON: Ms. Langford?

15 MS. LANGFORD: Yes.

16 MS. JOHNSON: Mr. Eccles?

17 MR. ECCLES: Yes.

18 MS. JOHNSON: And Ms. Davies?

19 MS. DAVIES: Yes.

20 CHAIRMAN HILL: Thank you.

21 Moving on to 7 b. I believe we're
22 switching a company. We're going to void our one
23 resolution and bring on a new resolution providing
24 services for us from Hunter Carrier Services. So
25 this will be 7 b (1).

1 Could we read the resolution, please?

2 MS. JOHNSON: Rescinding resolution
3 number 23-108 dated August 16th, 2023 to VOIP
4 Networks and awarding a contract to Hunter Carrier
5 Services, LLC for the overhaul of communication
6 equipment, software, and services.

7 Whereas, on August 16th, the board
8 approved resolution number 108 of 2023 to award a
9 contract to VOIP Network;

10 Whereas, the Authority Solicitor and
11 other staff were unsuccessful in reaching an
12 agreement with VOIP Network;

13 Whereas, the IT department of the
14 City of Atlantic City withdrew its support and
15 recommendation of VOIP Networks as the preferred
16 vendor for overhauling the telecommunications system
17 of the authority;

18 Whereas, the IT Department of the
19 City of Atlantic City recommended the state contract
20 vendor Hunter Carrier Services, LLC to provide the
21 telecommunication equipment and services;

22 Whereas, Hunter Carrier has submitted
23 a quote in the amount of \$24,416.20 for equipment
24 covering the administration building, the water
25 treatment plant, and a monthly reoccurring service

1 activation charge of \$493.68 per month, and an
2 optional annual service maintenance fee of \$3,640;

3 Whereas, the contracts for the supply
4 of a product or service for voice, data,
5 transmission, or switching services may be entered
6 into for a term not to exceed five years.

7 Now therefore be it resolved, by the
8 board of directors of the MUA, that they hereby
9 rescind the contract awarded to VOIP Network on
10 August 16th through resolution number 23-108 and
11 that a contract may be awarded to Hunter up to a
12 term of five years or successive one or two-year
13 terms, or a combination thereof, for a contract
14 price not to exceed \$71,097, which includes the cost
15 of equipment, optional annual service, maintenance,
16 support, and a contingency fee of 2500 for the
17 purpose of potential additional equipment or
18 services needed based on the quoted price.

19 CHAIRMAN HILL: Okay. So I'm -- so
20 obviously, the City recommended something, Mr.
21 Armstrong; correct? We voted to accept that, but
22 then they figured out they couldn't do the job or
23 didn't want to do the job, and now we have the new
24 one? Is that basically it in a nutshell?

25 MR. ARMSTRONG: That's it. That's

1 correct.

2 CHAIRMAN HILL: Okay.

3 MR. ARMSTRONG: India's been working
4 more specifically with this.

5 CHAIRMAN HILL: That was my next
6 question, who was the one that's going to be working
7 with this company? That's India?

8 MR. WARD: Yes. And India has also
9 emailed me to plug into also this contract.

10 CHAIRMAN HILL: Okay. So you'll
11 review that a little bit, Bruce?

12 MR. WARD: Yes. Uh-huh, with India.

13 CHAIRMAN HILL: Very good. I thought
14 she was the lead on that. Very good.

15 Anybody else have a question besides
16 me?

17 MR. DEDAR: Yes, Mr. Chairman. So
18 is --

19 CHAIRMAN HILL: Go ahead, Mr. Dedar.

20 MR. DEDAR: Is it five years you say
21 is 71,000 plus something is for the IT professional
22 people?

23 MS. STILL: I'm sorry? It's -- so
24 it's --

25 MR. DEDAR: The five years?

1 MS. STILL: Yes. That covers the
2 total five years if we do the annual maintenance fee
3 every year, so...

4 MR. DEDAR: It's only for maintenance
5 or all...

6 MS. STILL: So there's -- it's
7 broken -- yes. It's broken down into the equipment
8 cost, right, and then after that, there's an --
9 there's a monthly charge, right, to access the
10 Internet for the -- for the IT, and then there's
11 also a maintenance charge for 3,000 plus annually
12 that the City IT department says we should have.
13 They said that -- we consulted with them and asked
14 them if that was going to be necessary given that --

15 CHAIRMAN HILL: Right.

16 MS. STILL: -- they are doing a lot
17 of work for us, and they said absolutely and that
18 the City has the same agreement with Hunter.

19 MR. DEDAR: But we are using the same
20 company right now, whatever we are -- MUA is using
21 the same company? That's correct? We are going to
22 the same company; right?

23 MS. STILL: Correct.

24 MR. DEDAR: Okay.

25 MS. JOHNSON: Excuse me, Mr. Hill.

1 There's someone on the line, Greta Lee (sic).

2 Can you inform us who you are?

3 Greta Lee?

4 CHAIRMAN HILL: Good morning.

5 MS. JOHNSON: Did someone invite

6 Greta Lee on -- on the meeting today?

7 CHAIRMAN HILL: Could she be the

8 California --

9 MR. RILEY: No. No. It's not her.

10 MS. JOHNSON: Greta?

11 CHAIRMAN HILL: Hello?

12 MS. LEE: Hi there. Sorry about
13 that. I couldn't get my -- my microphone working.

14 Yes. I'm with Sher Edling. I was waiting for
15 Stephanie Biehl for our presentation later, so...

16 MS. JOHNSON: You're with whom?

17 MS. LEE: Sher Edling.

18 MR. WARD: That's the law firm for
19 the PFAS.

20 MR. ARMSTRONG: Yeah. Stella --

21 CHAIRMAN HILL: That's what I
22 thought. Okay. Just hold on, Greta. We're not
23 there yet.

24 MS. LEE: All right. Sounds good.

25 CHAIRMAN HILL: But thank you.

1 MR. ARMSTRONG: Actually, Mike Riley
2 is going to text Stephanie at the time when he
3 thinks she should join in because we have a few
4 minor matters to resolve, Greta, before the -- we
5 get into that discussion.

6 MS. LEE: Sounds good. I will be in
7 contact with her, and I can hop back on when the
8 time is right.

9 CHAIRMAN HILL: Very good. Thank
10 you.

11 MR. ARMSTRONG: Okay. Yeah. Look
12 for a text -- tell her to look for a text from Mike
13 Riley.

14 MS. LEE: Will do. Thank you.

15 MR. ARMSTRONG: You're welcome.

16 MS. JOHNSON: And, Mr. Hill, also,
17 too, we should have a public portion that wasn't on
18 the agenda.

19 CHAIRMAN HILL: Yeah. I saw that. I
20 was going to bring that up after this.

21 I guess -- well, let's - let's move
22 on this resolution, and then we'll go to public.
23 Okay? We did have one or --

24 MS. JOHNSON: Yes.

25 CHAIRMAN HILL: We had one or two

1 questions from Mr. Dedar on this changing over the
2 contract, voiding and going to Hunter.

3 Anybody else have a question?

4 India, anything else you wanted to
5 share about this? But it seems basically we're just
6 using another company the City recommended.

7 MS. STILL: Correct.

8 CHAIRMAN HILL: Or the state
9 recommended.

10 MS. STILL: Right. The City
11 recommended the first vendor, as well.

12 CHAIRMAN HILL: Right.

13 MS. STILL: And we just couldn't get
14 to a resolution on the terms of the contract and so
15 the City withdrew their support for that --

16 CHAIRMAN HILL: Right.

17 MS. STILL: -- company and
18 recommended that we just use the same service that
19 the City's using currently.

20 CHAIRMAN HILL: Okay. Very good.

21 Okay. I will move that resolution.

22 Can I have a second?

23 MR. ECCLES: I'll second it.

24 CHAIRMAN HILL: Thank you.

25 Roll call.

1 MS. JOHNSON: Yes. Mr. Hill?

2 CHAIRMAN HILL: Yes.

3 MS. JOHNSON: Mr. Dedar?

4 MR. DEDAR: Yes.

5 MS. JOHNSON: Ms. Langford?

6 MS. LANGFORD: Yes.

7 MS. JOHNSON: Mr. Eccles?

8 MR. ECCLES: Yes.

9 MS. JOHNSON: And Ms. Davies?

10 MS. DAVIES: Yes.

11 CHAIRMAN HILL: We want to open up to
12 public participation. If there's anybody who has
13 called in that would like to participate at the
14 special meeting, now would be the opportunity.

15 Do we have anybody?

16 MS. JOHNSON: No, we do not.

17 CHAIRMAN HILL: Okay. Then we'll
18 close public participation.

19 We'll move on to moving into
20 executive session. We will be discussing PFAS
21 litigation, a 2514 Fairmount Avenue issue.

22 So I'll accept -- or we should read
23 the resolution to go into closed, please.

24 MS. JOHNSON: Basically it's
25 approving to enter into closed session.

1 CHAIRMAN HILL: Very good.

2 Can I have a motion?

3 MR. DEDAR: Motion.

4 CHAIRMAN HILL: Thank you.

5 And a second?

6 MR. ECCLES: I'll second it.

7 CHAIRMAN HILL: Thank you.

8 Roll call.

9 MS. JOHNSON: Mr. Hill?

10 CHAIRMAN HILL: Yes.

11 MS. JOHNSON: Mr. Dedar?

12 MR. DEDAR: Yes.

13 MS. JOHNSON: Ms. Langford?

14 MS. LANGFORD: Yes.

15 MS. JOHNSON: Mr. Eccles?

16 MR. ECCLES: Yes.

17 MS. JOHNSON: And Ms. Davies?

18 Okay. You're on mute. Ms. Davies?

19 MS. DAVIES: Yes.

20 CHAIRMAN HILL: Thank you.

21 Okay. We'll take a second here, and

22 I guess we'll start --

23 Michael, which one do you want to

24 start with?

25 MR. ARMSTRONG: I think you should do

1 the 25 --

2 CHAIRMAN HILL: I think we should do
3 Fairmount; right?

4 MR. ARMSTRONG: Yes.

5 CHAIRMAN HILL: Yeah. Okay. Very
6 good.

7 MS. JOHNSON: Okay. We're going to
8 go into -- we're going to go into --

9 CHAIRMAN HILL: Right.

10 MS. JOHNSON: Okay. I'm going to
11 create --

12 Okay. They've changed things again.

13 CHAIRMAN HILL: I know.

14 MS. JOHNSON: They have changed this
15 thing again. One second. Let me see. Where is the
16 breakout room at? There it is.

17 Okay.

18 - - -

19 (Whereupon, the closed session was
20 excerpted.)

21 - - -

22 CHAIRMAN HILL: We just left the
23 executive session on November 7th of the special
24 board meeting. And I'm looking for a motion to exit
25 that executive session officially.

1 Could you read that?

2 MS. JOHNSON: Yes.

3 Mr. Hill?

4 CHAIRMAN HILL: Yes.

5 MS. JOHNSON: Mr. Dedar?

6 MR. DEDAR: Yes.

7 MS. JOHNSON: Ms. Langford?

8 MS. LANGFORD: Yes.

9 MS. JOHNSON: Mr. Eccles?

10 MR. ECCLES: Yes.

11 MS. JOHNSON: And Ms. Davies?

12 MS. DAVIES: Yes.

13 CHAIRMAN HILL: Thank you.

14 And we're going to be going now into
15 a motion to return to the open session of our board
16 meeting for November 7th.

17 Can I have a motion?

18 MR. DEDAR: Motion.

19 CHAIRMAN HILL: Thank you.

20 MS. JOHNSON: Mr. Hill?

21 CHAIRMAN HILL: Yes.

22 MS. JOHNSON: Mr. Dedar?

23 MR. DEDAR: Yes.

24 MS. JOHNSON: Ms. Langford?

25 MS. LANGFORD: Yes.

1 MS. JOHNSON: Mr. Eccles?

2 MR. ECCLES: Yes.

3 MS. JOHNSON: And Ms. Davies?

4 MS. DAVIES: Yes.

5 CHAIRMAN HILL: Thank you.

6 So we have one resolution we're going
7 to be putting together to conclude today's meeting.
8 And this will be -- and Mr. Ward can help us with
9 this -- to authorize the firm of Sher Edling to
10 participate in the PFAS litigation for the Atlantic
11 City MUA to participate with the settlement that
12 they have presented.

13 MR. ARMSTRONG: No. That's -- no.
14 What you want to say --

15 CHAIRMAN HILL: Go ahead.

16 MR. ARMSTRONG: -- approve --

17 MR. WARD: Approve the discussion.

18 CHAIRMAN HILL: Discussion, right.
19 That we are going to -- we're authorizing them to
20 move forward on the discussions for the litigation;
21 correct?

22 MR. ARMSTRONG: Yeah, as -- as
23 discussed in closed session.

24 CHAIRMAN HILL: As discussed in
25 closed session, right.

1 Okay. Can I have a motion?

2 MR. ECCLES: I'll make a motion.

3 CHAIRMAN HILL: I'll second.

4 Roll call.

5 MS. JOHNSON: Mr. Hill?

6 CHAIRMAN HILL: Yes.

7 MS. JOHNSON: Mr. Dedar?

8 MR. DEDAR: Yes.

9 MS. JOHNSON: Ms. Langford?

10 MS. LANGFORD: Yes.

11 MS. JOHNSON: Mr. Eccles?

12 MR. ECCLES: Yes.

13 MS. JOHNSON: And Ms. Davies?

14 MS. DAVIES: Yes.

15 CHAIRMAN HILL: Thank you.

16 As we go to adjournment, I want to
17 thank everybody for their time, especially on this
18 special meeting. A lot of important things today.

19 We will see you all in about a week,
20 and we'll go from there. Engineering committee is
21 tomorrow, so some of you I will see again.

22 Thank you very much.

23 Motion to adjourn.

24 MS. DAVIES: Motion.

25 CHAIRMAN HILL: Second?

1 MR. DEDAR: Second.

2 CHAIRMAN HILL: Roll call.

3 MS. JOHNSON: Mr. Hill?

4 CHAIRMAN HILL: Yes.

5 MS. JOHNSON: Dedar?

6 MR. DEDAR: Yes.

7 MS. JOHNSON: Langford?

8 MS. LANGFORD: Yes.

9 MS. JOHNSON: Eccles?

10 MR. ECCLES: Yes.

11 MS. JOHNSON: And Davies?

12 MS. DAVIES: Yes.

13 CHAIRMAN HILL: Thank you very much.

14 Thank you, Stella.

15 MR. ARMSTRONG: Have a good day.

16 MS. JOHNSON: You're welcome.

17 - - -

18 (Whereupon, the special meeting

19 concluded at approximately 11:52 a.m.)

20 - - -

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CERTIFICATE

I, WENDY L. WALINSKI, a Notary Public and Certified Shorthand Reporter of the State of New Jersey, do hereby certify that the foregoing is a verbatim transcript of the proceedings as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

Wendy Walinski

WENDY L. WALINSKI, CCR
Notary Number: 2203614
Notary Expiration: 8/3/27
CCR Number: XI02025
Dated: November 10, 2023

LAWYER'S NOTES

1			
2	PAGE	LINE	
3	----	----	-----
4	----	----	-----
5	----	----	-----
6	----	----	-----
7	----	----	-----
8	----	----	-----
9	----	----	-----
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11	----	----	-----
12	----	----	-----
13	----	----	-----
14	----	----	-----
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17	----	----	-----
18	----	----	-----
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A			
ability 21:9	annually 10:11	awarding 7:4	2:15 6:9 13:25 15:8 19:4 20:2
absent 2:21	anybody 9:15 13:3 14:12,15	aware 3:17	called 14:13
absolutely 10:17	appreciate 3:16	a.m 1:6 20:19	Carrier 6:24 7:4,20,22
accept 6:2 8:21 14:22	approve 18:16,17	B	carrying 5:2,11,11
access 10:9	approved 5:20 7:8	b 6:21,25	CCR 1:20 21:20,21
action 21:12,15	approving 14:25	back 5:25 12:7	CERTIFICATE 21:1
activation 8:1	approximately 20:19	Banfield 2:21	Certified 21:4
additional 8:17	Armstrong 1:10 4:3,6,8,9 5:19 8:21,25 9:3 11:20	based 8:18	certify 21:5,10
Adequate 2:4	12:1,11,15 15:25	basically 8:24 13:5 14:24	Chairman 1:9 2:1,4,17 3:5,11 4:2,11 5:15,22 6:5,8 6:11,20 8:19 9:2,5 9:10,13,17,19 10:15 11:4,7,11,21,25 12:9,19,25 13:8,12 13:16,20,24 14:2,11 14:17 15:1,4,7,10 15:20 16:2,5,9,13 16:22 17:4,13,19,21 18:5,15,18,24 19:3 19:6,15,25 20:2,4 20:13
adjourn 19:23	16:4 18:13,16,22 20:15	believe 6:21	Chairman/Deputy 1:9
administration 7:24	asked 10:13	best 21:8	changed 16:12,14
Administrator 1:16	assist 5:1,10	Biehl 11:15	changing 13:1
aforsaid 2:12	assumed 4:11	bit 9:11	Chapter 2:13
agenda 4:13 12:18	Atlantic 1:1,4 2:10 7:14,19 18:10	board 1:8,15,17 2:7 5:16,23 7:7 8:8 16:24 17:15	charge 8:1 10:9,11
agreement 7:12 10:18	attorney 1:17 21:11,14	breakout 16:16	City 1:1,4,16 2:10,11 7:14 7:14,19,19 8:20 10:12,18 13:6,10,15 18:11
ahead 9:19 18:15	August 7:3,7 8:10	bring 6:23 12:20	City's
ajournment 19:16	authority 1:1,4 5:4,6,13 7:10 7:17	broken 10:7,7	
Allegiance 3:7	authorize 18:9	Bruce 1:11 9:11	
Alternate 1:12,13	authorizing 18:19	building 7:24	
amount 7:23	Avenue 2:10 14:21	busy 3:13	
ANITA 1:16	award 7:8	C	
annual 8:2,15 10:2	awarded 8:9,11	California 11:8	
		call	

13:19	correct	7:13,18 10:12	7:6,21,23 8:15,17
Clerk	8:21 9:1 10:21,23	deputy	10:7
2:12	13:7 18:21	1:10 5:1,10	especially
Cliff	cost	determined	19:17
5:17,24	8:14 10:8	5:7	ESQUIRE
close	counsel	director	1:17,17
14:18	21:12,14	1:10,10 5:2,11	everybody
closed	course	directors	2:2 3:12,17 19:17
3:15 4:1,10 14:23,25	3:17	2:8 8:8	Exactly
16:19 18:23,25	COURT	discussed	4:2
combination	4:7	5:16 18:23,24	exceed
8:13	covering	discussing	8:6,14
COMMENCING	7:24	14:20	excerpted
1:6	covers	discussion	16:20
committee	10:1	12:5 18:17,18	Excuse
5:17 19:20	create	discussions	10:25
commonly	16:11	18:20	executive
2:13	currently	distribution	1:10,10 4:14 5:2,10
communication	2:21 13:19	4:16,22,25 5:10	14:20 16:23,25
7:5		district	exists
company	D	4:15	4:24
6:22 9:7 10:20,21,22	data	doing	exit
13:6,17	8:4	10:16	16:24
complies	date	E	Expiration
2:12	21:8	Eccles	21:21
conclude	dated	1:11 2:3,24,25 6:4,16	F
18:7	7:3 21:22	6:17 13:23 14:7,8	Fairmount
concluded	Davies	15:6,15,16 17:9,10	14:21 16:3
20:19	1:12 3:1,2 6:18,19	18:1,2 19:2,11,12	fee
Conference	14:9,10 15:17,18,19	20:9,10	8:2,16 10:2
2:10	17:11,12 18:3,4	Edling	figured
connection	19:13,14,24 20:11	11:14,17 18:9	8:22
4:25	20:12	effect	financially
consulted	day	5:5	21:14
10:13	20:15	emailed	firm
contact	deal	9:9	11:18 18:9
12:7	4:13	employee	first
contingency	Dedar	21:11,13	13:11
8:16	1:9 2:18,19 3:6,10	Engineering	five
contract	6:7,12,13 9:17,19	19:20	8:6,12 9:20,25 10:2
7:4,9,19 8:9,11,13	9:20,25 10:4,19,24	enter	Flag
9:9 13:2,14	13:1 14:3,4 15:3,11	14:25	3:5
contracts	15:12 17:5,6,18,22	entered	foregoing
8:3	17:23 19:7,8 20:1,5	8:5	21:5
copy	20:6	equipment	forth
2:11	department		

21:8 forward 18:20 Friday 3:19 FURTHER 21:10	hereinbefore 21:8 Hi 11:12 Hill 1:9 2:1,4,16,17 3:5 3:11 4:2,11 5:15,22 6:5,8,10,11,20 8:19 9:2,5,10,13,19 10:15,25 11:4,7,11 11:21,25 12:9,16,19 12:25 13:8,12,16,20 13:24 14:1,2,11,17 15:1,4,7,9,10,20 16:2,5,9,13,22 17:3 17:4,13,19,20,21 18:5,15,18,24 19:3 19:5,6,15,25 20:2,3 20:4,13	input 5:16 interested 21:15 Internet 10:10 interpreting 5:5 invite 11:5 issue 14:21 issues 3:14 items 4:13	16:13 known 2:13
<hr/> G <hr/>		<hr/> J <hr/>	<hr/> L <hr/>
GARY 1:9 Gederberg 5:8,9 general 5:3,12 give 3:23 given 10:14 go 3:14 4:14 9:19 12:22 14:23 16:8,8 18:15 19:16,20 going 5:24 6:22 9:6 10:14 10:21 12:2,20 13:2 16:7,8,10 17:14,14 18:6,19 good 2:1,3 9:13,14 11:4,24 12:6,9 13:20 15:1 16:6 20:15 Greta 11:1,3,6,10,22 12:4 GRETEL 1:17 guess 12:21 15:22	hire 5:20 hiree 5:24 hiring 4:15 hold 11:22 hop 12:7 Hunter 6:24 7:4,20,22 8:11 10:18 13:2	Jersey 2:11 21:5 job 8:22,23 JOHN 1:11 JOHNSON 1:15 2:16,18,20,24 3:1,3 4:22 6:10,12 6:14,16,18 7:2 10:25 11:5,10,16 12:16,24 14:1,3,5,7 14:9,16,24 15:9,11 15:13,15,17 16:7,10 16:14 17:2,5,7,9,11 17:20,22,24 18:1,3 19:5,7,9,11,13 20:3 20:5,7,9,11,16 join 12:3 JR 1:11	L 1:9,20 21:3,20 Langford 1:12 2:22,23 6:14,15 14:5,6 15:13,14 17:7,8,24,25 19:9 19:10 20:7,8 law 2:6,14 11:18 Laws 2:13 LAWYER'S 22:1 lead 3:6 9:14 League 3:19 Lee 1:17 11:1,3,6,12,17 11:24 12:6,14 left 16:22 LEGAL 1:21 let's 3:25,25 4:15 12:21 12:21 line 11:1 22:2 list 2:6 litigation 14:21 18:10,20 little 9:11 LLC 7:5,20 look 12:11,12 looked 4:18
<hr/> H <hr/>	<hr/> I <hr/>	<hr/> K <hr/>	
hearing 6:2 Hello 11:11 help 5:24 18:8	important 19:18 includes 8:14 including 2:8 5:1 India 1:10 9:7,8,12 13:4 India's 9:3 inform 11:2	Kausar 1:13 3:3,4 know 3:20,22 4:3 5:15	

looking 16:24	6:3,4 15:2,3 16:24 17:15,17,18 19:1,2 19:23,24	2:4,8,11	9:22
lot 10:16 19:18	move 4:12 12:21 13:21 14:19 18:20	November 1:6 2:9 3:18 16:23 17:16 21:22	performed 5:8
<hr/> M <hr/>	moved 3:18	number 6:1 7:3,8 8:10 21:20 21:21	personnel 5:17
MAGNA 1:21	moving 6:21 14:19	nutshell 8:24	PFAS 11:19 14:20 18:10
mailing 2:6	MUA 4:25 8:8 10:20 18:11	NYNELL 1:12	phases 5:3,13
maintenance 8:2,15 10:2,4,11	MUNICIPAL 1:1,4	<hr/> O <hr/>	place 21:7
management 5:3,12	Municipalities 3:19	obviously 8:20	plant 7:25
manager 4:16,16,23,25 5:10	mute 4:7 15:18	officially 16:25	please 3:6 4:21 7:1 14:23
matters 12:4	<hr/> N <hr/>	Okay 8:19 9:2,10 10:24 11:22 12:11,23 13:20,21 14:17 15:18,21 16:5,7,10 16:12,17 19:1	Pledge 3:7
meeting 1:3 2:5,7,8 3:13,18 5:16 11:6 14:14 16:24 17:16 18:7 19:18 20:18	necessary 10:14	open 1:5 2:14 14:11 17:15	plug 9:9
Meetings 2:14	need 4:24	operations 4:16,17,23 5:2,11	plus 9:21 10:11
member 5:23	needed 8:18	opportunity 14:14	policies 5:3,5,12
MEMBERS 1:8	neither 21:11,13	optional 8:2,15	portion 12:17
Michael 1:10,17 15:23	Network 7:9,12 8:9	overhaul 7:5	position 5:8
microphone 11:13	Networks 7:4,15	overhauling 7:16	posted 2:12
Mike 12:1,12	new 2:10 5:24 6:23 8:23 21:4	<hr/> P <hr/>	potential 8:17
minor 12:4	NJ 1:20	PAGE 22:2	preferred 7:15
MOHAMMED 1:9	North 2:9	participate 14:13 18:10,11	Present 1:8,14 2:17
month 8:1	Notary 21:3,20,21	participation 14:12,18	presentation 11:15
monthly 7:25 10:9	note 3:20	parties 21:12	presented 18:12
morning 2:1,3 11:4	NOTES 22:1	people	Press 2:6
motion	notice		pretty 4:19
			price 8:14,18
			proceedings

1:2 21:6 product 8:4 professional 6:1 9:21 provide 7:20 provided 2:5 providing 6:23 public 2:14 12:17,22 14:12 14:18 21:3 purpose 8:17 putting 5:5 18:7	3:18 regularly 2:7 relative 21:11,13 reminder 3:21 REMOTE 1:2 reoccurring 7:25 report 3:23 REPORTED 1:19 Reporter 4:7 21:4 required 2:5 rescind 8:9 Rescinding 7:2 resolution 4:18,21 6:23,23 7:1,2 7:8 8:10 12:22 13:14,21 14:23 18:6 resolve 12:4 resolved 8:7 responsibility 5:1 responsible 5:4 retained 5:9 return 17:15 review 9:11 right 4:11,12 5:22 10:8,9 10:15,20,22 11:24 12:8 13:10,12,16 16:3,9 18:18,25	Riley 1:17 11:9 12:1,13 roll 2:15 6:9 13:25 15:8 19:4 20:2 room 2:10 16:16 RPR 1:20 <hr/> S <hr/> salary 5:13 salute 3:6 saw 12:19 SAYED 1:13 says 10:12 scheduled 2:7,9 3:18 schedules 3:13 second 6:6,7 13:22,23 15:5,6 15:21 16:15 19:3,25 20:1 Secretary 1:15 see 16:15 19:19,21 self-explanatory 4:19 sent 2:11 3:20 service 7:25 8:2,4,15 13:18 services 1:21 6:24,24 7:5,6,20 7:21 8:5,18 session 1:5 3:15 4:1,10,14 14:20,25 16:19,23 16:25 17:15 18:23	18:25 set 21:8 settlement 18:11 Shane 5:8,9 share 13:5 Sher 11:14,17 18:9 Shorthand 21:4 sic 11:1 software 7:6 Solicitor 1:11 7:10 sorry 4:9 9:23 11:12 Sounds 11:24 12:6 special 1:3 2:5,8 3:13 14:14 16:23 19:18 20:18 specifically 9:4 staff 7:11 start 15:22,24 starting 5:13 state 5:20 7:19 13:8 21:4 statements 4:4 Stella 3:20 4:20 11:20 20:14 stenographically 1:19 21:7 Stephanie 1:12 11:15 12:2 submitted
<hr/> Q <hr/> question 5:23 9:6,15 13:3 questions 5:18 13:1 quote 7:23 quoted 8:18			
<hr/> R <hr/> reaching 7:11 read 4:20 7:1 14:22 17:1 really 5:25 recited 3:8 recommendation 7:15 recommended 7:19 8:20 13:6,9,11 13:18 record 5:20 regular			

7:22 successive 8:12 supply 8:3 support 7:14 8:16 13:15 SWAIN 1:16 switching 6:22 8:5 system 7:16	3:22 4:3 16:12 19:18 think 4:18 15:25 16:2 thinks 12:3 thought 9:13 11:22 time 3:12,16 12:2,8 19:17 21:7 today 11:6 19:18 today's 18:7 tomorrow 19:21 total 10:2 transcript 1:2 21:6 transmission 8:5 treatment 7:25 trying 5:25 two 4:13 12:25 two-year 8:12	Vice 1:9 VIDEOCONFER... 1:7 Virginia 2:10 vital 3:14 voice 8:4 void 6:22 voiding 13:2 VOIP 7:3,9,12,15 8:9 voted 8:21	we'll 2:15 4:12 12:22 14:17,19 15:21,22 19:20 we're 5:25 6:21,22 11:22 13:5 16:7,8 17:14 18:6,19 withdrew 7:14 13:15 work 10:17 working 6:1 9:3,6 11:13 www.MagnaLS.com 1:22
<hr/> T <hr/>		<hr/> W <hr/>	<hr/> X <hr/>
take 3:20 15:21 taken 21:6 talk 3:25 telecommunication 7:21 telecommunications 7:16 tell 12:12 term 8:6,12 terms 8:13 13:14 text 12:2,12,12 thank 3:5,9,11,12 6:5,8,20 11:25 12:9,14 13:24 15:4,7,20 17:13,19 18:5 19:15,17,22 20:13,14 THAPA 1:16 thereof 8:13 thing 16:15 things	tomorrow 19:21 total 10:2 transcript 1:2 21:6 transmission 8:5 treatment 7:25 trying 5:25 two 4:13 12:25 two-year 8:12	waiting 11:14 WALINSKI 1:20 21:3,20 want 3:14 8:23 14:11 15:23 18:14 19:16 wanted 3:12 13:4 Ward 1:11 3:9,22,25 9:8,12 11:18 18:8,17 wasn't 12:17 WASTELLA 1:15 water 7:24 week 3:20 19:19 welcome 3:10 12:15 20:16 WENDY 1:20 21:3,20 WES 1:16	YI02025 21:21
	<hr/> U <hr/>		<hr/> Y <hr/>
	uh-huh 2:20 9:12 unsuccessful 7:11 use 13:18 UTILITIES 1:1,4		yeah 4:16 11:20 12:11,19 16:5 18:22 year 10:3 years 8:6,12 9:20,25 10:2
	<hr/> V <hr/>		<hr/> Z <hr/>
	vendor 7:16,20 13:11 verbatim 21:6		ZOOM 1:7
			<hr/> \$ <hr/>
			\$100,000 5:14 \$24,416.20 7:23 \$3,640 8:2 \$493.68 8:1 \$71,097 8:14

#	6		
#1	624-6221		
1:12	1:22		
#2			
1:13			
	7		
1	7		
1	1:6 4:12,15,17 6:21		
4:17 6:25	6:25		
10	7th		
21:22	2:9 16:23 17:16		
10:01	71,000		
1:6	9:21		
108			
7:8	8		
11:52	8/3/27		
20:19	21:21		
16th	866		
7:3,7 8:10	1:22		
1975			
2:13			
2			
2023			
1:6 2:9 7:3,8 21:22			
2203614			
21:20			
23-108			
7:3 8:10			
231			
2:13			
25			
16:1			
2500			
8:16			
2514			
14:21			
3			
3,000			
10:11			
4			
401			
2:9			