

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

Wednesday, September 20, 2017

G. Bruce Ward, Executive Director
Garth Moyle, Deputy Executive Director
Fredric L. Bor, Esquire, Board Solicitor
Andrew Weber, Esquire
Claude Smith, Engineer
Anita Thapa, Assistant Director Accounting & Finance
Kelley Williams, Board Administrator

B E F O R E:

Milton L. Smith, Chairman
Gary L. Hill, Vice Chairman/Secretary
John McGettigan, Treasurer
William Lea, Board Member
Edmund J. Colanzi, Board Member
William K. Cheatham, Alternate
Patricia Bailey, Alternate

TAKEN BEFORE: JACQUELINE M. ZARRILLO,
Certified Court Reporter of the State of New Jersey,
License No. XI01786, at the ATLANTIC CITY MUNICIPAL
UTILITIES AUTHORITY, 401 North Virginia Avenue,
Atlantic City, New Jersey 08404, commencing
at 10:05 a.m.

JACQUELINE M. ZARRILLO, CCR
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I N D E X

| <u>PUBLIC</u> | <u>PAGE</u> |
|-------------------|-------------|
| Thomas Carrington | 8 |
| Tim Breslin | 11 |

ATLANTIC CITY MUA

1 MR. SMITH: Adequate notice of this
2 meeting has been provided, as required by law, by
3 mailing to the Press a list of the regularly
4 scheduled meetings of the Board of Directors,
5 including the notice of the regular meeting scheduled
6 September 20, 2017, at 401 North Virginia Avenue,
7 conference room, Atlantic City, New Jersey. Copy of
8 said notice was sent to city clerk to be posted. All
9 of the aforesaid complies with Chapter 231 of the
10 laws of 1975, known as open public meeting laws.

11 Roll call?

12 MR. BOR: Mr. Cheatham?

13 MR. CHEATHAM: Present.

14 MR. BOR: Ms. Bailey?

15 MS. BAILEY: Present.

16 MR. BOR: Mr. Lea?

17 MR. LEA: Here.

18 MR. BOR: Colanzi?

19 MR. COLANZI: Here.

20 MR. BOR: McGettigan?

21 MR. MCGETTIGAN: Here.

22 MR. BOR: Hill?

23 MR. HILL: Here.

24 MR. BOR: Smith?

25 MR. SMITH: Here.

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1 MR. BOR: Quorum.

2 MR. SMITH: Lead us in the flag salute.

3 (Flag Salute.)

4 MR. SMITH: Thank you, Mr. Cheatham.

5 MR. CHEATHAM: You're welcome.

6 MR. BOR: And gentlemen, if is there a
7 motion on the minutes of the last meeting?

8 MR. SMITH: No objections, move them.

9 MR. HILL: Second.

10 MR. BOR: Mr. Lea?

11 MR. LEA: Yes.

12 MR. BOR: Colanzi?

13 MR. COLANZI: Yes.

14 MR. BOR: McGettigan?

15 MR. MCGETTIGAN: Yes.

16 MR. BOR: Hill?

17 MR. HILL: Yes.

18 MR. BOR: Smith?

19 MR. SMITH: Yes.

20 MR. BOR: Carries. Mr. Director?

21 MR. WARD: Good morning, Board members
22 and staff.

23 MR. HILL: I'm sorry.

24 MR. SMITH: I'm sorry, Bruce, excuse me
25 for one minute. While this is on my mind, I got to

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1 ask, I got to ask Andy a question that deals with
2 hiring. The last guy that we just had come in had to
3 go back, come back and get papers and get reprinted.
4 Can we pass a resolution or amendment so that would
5 be correct if we can hire a guy while he's waiting
6 for his background to come in, with the intentions if
7 it comes foul, he has to relinquish his position? Is
8 that possible, Andy? That was the question I wanted
9 to ask you, because I don't want to hire somebody,
10 bring a bad person in, and he's already in and we
11 can't get him out.

12 MR. WEBER: I suppose if it's
13 specifically set forth in a document that he signs.

14 MR. SMITH: That's what I'm asking you
15 to draw up for me.

16 MR. WEBER: Then I would think that's
17 okay to do that.

18 MR. SMITH: I wanted your legal
19 opinion. That's about the guy I talked about a week
20 ago.

21 MR. WARD: Thomas?

22 MR. SMITH: No, Thomas is okay.

23 MR. WARD: Speed?

24 MR. SMITH: African guy I called you
25 about last week.

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1 MR. WARD: I just don't remember the
2 name.

3 MR. SMITH: Neither can I, isn't that
4 something? But he came in, got his papers to get
5 fingerprinted and they gave him the wrong papers, so
6 that took another week, another week, another week,
7 so I'm trying to get this guy hired for over at the
8 plant there on the condition that he has a clean
9 record, and I'm positive he does. I known him for
10 years.

11 MR. WEBER: I assume he gets his blood
12 out -- the drug test, I'm sorry, the drug test.

13 MR. SMITH: Yeah, I agree, because this
14 guy, I known him for ten years.

15 MR. WEBER: Sometimes it takes a while
16 for it to come back, blah, blah, blah.

17 MR. SMITH: I wanted you to have that,
18 so I don't want to hear anything about it later.

19 Go ahead, Bruce.

20 MR. WARD: Good morning to Board
21 members and staff. No correspondence to report
22 significant. Personnel committee meeting, minutes
23 are attached. Any questions? Financial report, shut
24 offs? I noticed on the shut offs that a couple of
25 churches are listed. I want to make sure that I make

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1 a phone call to those churches to make sure that
2 their business agents are catching up with their
3 bills. That would be a embarrassment.

4 MR. SMITH: A suggestion. Please don't
5 cut off any church in the city without --

6 MR. WARD: That's what I just said.

7 MR. SMITH: -- without them being
8 notified.

9 MR. WARD: They get noticed. They get
10 the physical notice.

11 MR. SMITH: I know that even if they
12 don't come in, we don't shut them off until the Board
13 talks to them.

14 MR. WARD: Engineering committee
15 meeting. I don't know that there were notes on that.
16 Director's Forum, anything from the Directors?

17 MR. SMITH: Unless any Board member has
18 anything they want to say? Okay, move on.

19 MR. WARD: Members of the public, any
20 members of the public have anything to bring before
21 the Board?

22 MR. SMITH: We got two people.

23 MR. WARD: One is coming up on the
24 agenda. He has an abatement and that would be
25 Mr. Carrington.

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1 MS. WILLIAMS: That would be on the
2 second page.

3 MR. WARD: That would be 9.f(1).

4 MR. SMITH: Come on up, Mr. Carrington,
5 please.

6 MR. CARRINGTON: Up to where?

7 MR. SMITH: The side here. If it's
8 difficult for you, stay there. We can holler at you
9 from there. Have you ever had an abatement before?

10 MR. CARRINGTON: No.

11 MR. SMITH: How much is it for, Bruce?

12 MR. WARD: I don't think I have it.

13 MS. THAPA: \$667.

14 MS. WILLIAMS: \$667, \$667.11.

15 MR. CARRINGTON: What was that about,
16 how much?

17 MS. WILLIAMS: \$667.11.

18 MR. SMITH: Before we say anything,
19 we're going to move it and give you what you need,
20 unless you got something you want to say?

21 MR. CARRINGTON: The amount quoted was
22 less than what I -- the bills I received. I had a
23 \$500 bill, I paid 500 and some dollars I paid earlier
24 this spring and I have an 800 and some dollar bill
25 that's due October 15th, I believe.

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1 MR. WARD: Have you had a plumber to
2 inspect your property?

3 MR. CARRINGTON: Yeah, they had to come
4 out three times. The first came out May 1st and they
5 replaced the line from the house to the meter, and
6 the meter still kept running. Well, they said it was
7 fixed.

8 The second time they came out, they
9 said they found another leak that was going through a
10 foundation wall and it was leaking in there. And
11 they said they fixed that, but the meter still was
12 running. Every time I call, they would say they
13 fixed it. But when I called the city, he said the
14 meter was still running.

15 So I called and I spoke to the owner of
16 the plumbing company and complained that, you know,
17 they had been out twice and the meter still is
18 running and there is still a leak. So he came out
19 with his crew and finally found the leak going to --
20 that was buried underground, going to my garage.

21 MR. WARD: Three leaks?

22 MR. CARRINGTON: Apparently, I don't
23 know. They said it was three leaks. All I know, I
24 had to -- I spent over almost \$3,000 in plumbing
25 bills with the -- in order to find whatever leaks

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1 that were there, and these are the bills that they
2 gave me.

3 The last time, because when the owner
4 came out he said, We're not going to charge you.
5 We're going to try and hunt for the leak, but they
6 ended up charging me \$150 because for the materials
7 that was used.

8 MR. SMITH: What relief are you seeking
9 from us? What are you asking for?

10 MR. CARRINGTON: As much as possible.

11 MR. SMITH: Good answer.

12 MR. BOR: We can't pay for his repairs,
13 just the abatement.

14 MR. SMITH: What is the abatement?

15 MR. HILL: \$667.11.

16 MR. SMITH: I have no problem with it.

17 MR. HILL: I'll move it.

18 MR. SMITH: Second.

19 MR. BOR: Mr. Lea?

20 MR. LEA: Yes.

21 MR. BOR: Colanzi?

22 MR. COLANZI: Yes.

23 MR. BOR: McGettigan?

24 MR. MCGETTIGAN: Yes.

25 MR. BOR: Hill?

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1 MR. HILL: Yes.

2 MR. BOR: Smith?

3 MR. SMITH: Yes.

4 MR. BOR: Approved.

5 MR. SMITH: We're going to give you a
6 \$667 rebate, but he doesn't get cash, he just get --

7 MS. THAPA: Rebate. Account is 859.

8 MR. SMITH: So we'll deduct the 600.

9 MS. THAPA: And the balance would be
10 \$192.11.

11 MR. SMITH: Okay.

12 MR. CARRINGTON: Thank you.

13 MR. SMITH: You're welcome, sir.

14 MR. WARD: Tim Breslin, from Rio
15 Supply.

16 MR. SMITH: What is your name, sir?

17 MR. BRESLIN: Tim Breslin. We
18 distribute Neptune water meters. We might want to
19 see the status of the bid that we presented. If it's
20 getting rebid, before I present our letter, I don't
21 want to bring that in if it's going to get rebid
22 anyway.

23 MR. WARD: We'll have to have Garth in
24 there for that.

25 MR. HILL: Why don't you wait a few

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1 minutes until the director of operations is in,
2 because we didn't get there yet.

3 MR. BRESLIN: That's fine.

4 MR. SMITH: We want to get you guys out
5 of here instead of keep you around.

6 MR. WARD: We'll have to hold off on
7 8.a(1) until we get Garth back.

8 MR. HILL: Right. Why don't we move to
9 8 --

10 MR. WARD: 8.a(2) water service
11 laterals, resolution 8.a(2).

12 MR. HILL: Weco.

13 MR. SMITH: Where is Garth?

14 MR. WEBER: Garth?

15 MS. WILLIAMS: He was here. Let me
16 call him.

17 MR. SMITH: See if you can locate him.

18 MS. THAPA: I told Sarah to call him.

19 MS. WILLIAMS: Thank you.

20 MR. HILL: It's over \$100,000 less.

21 MR. WARD: Yeah, in the bidding I
22 thought that was a big jump.

23 MR. HILL: Yeah, it's like a \$100,000
24 difference.

25 MR. WARD: Weco to Lafayette.

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1 MR. HILL: So I'll move that.

2 MS. WILLIAMS: He's here.

3 MR. BOR: Is there a second on 8.a(2)?

4 MR. MCGETTIGAN: I'll see if it's all
5 right with Garth.

6 MR. HILL: We're on 8.a(2), big change.

7 MR. MCGETTIGAN: Weco, is the bid okay?

8 MR. MOYLE: Yeah, it's actually less
9 than it was before.

10 MS. BAILEY: \$100,000 less than --

11 MR. MOYLE: They had a competition from
12 Lafayette.

13 MR. HILL: It's okay?

14 MR. MCGETTIGAN: Second.

15 MR. BOR: Mr. Lea?

16 MR. LEA: Yes.

17 MR. BOR: Colanzi?

18 MR. COLANZI: Yes.

19 MR. BOR: McGettigan?

20 MR. MCGETTIGAN: Yes.

21 MR. BOR: Hill?

22 MR. HILL: Yes.

23 MR. BOR: Smith?

24 MR. SMITH: Yes.

25 MR. BOR: 8.a(2) is passed.

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1 MR. WARD: We can go back to 8.a(1),
2 water meters and repair parts. There is a request to
3 amend a current contract, which is a two-year
4 contract. There is permission for that contract to
5 go five years. 8.a(1) is here?

6 MS. WILLIAMS: Yes.

7 MR. WARD: That's where I'm at.
8 Mr. Solicitor, you have the reference?

9 MR. BOR: Thanks for your
10 correspondence, Garth. I had a chance to review
11 40A:11-4.2, which indicates that contracts can go up
12 to five years. So the present contract is two, so
13 the point would be to try to increase, not a new
14 contract, but increase it three more years to reach
15 the five year maximum.

16 MR. MOYLE: There is still a lot of
17 money in it and they're going to hold the prices.

18 MR. BOR: And this is one there was no
19 other bids.

20 MR. MOYLE: No, we rejected the bids, I
21 thought.

22 MR. BOR: All I can indicate is the
23 statute I reviewed allows up to five years for this
24 type of contract. They've already had two, so rather
25 than a new contract, it would be appropriate to amend

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1 the two, three more years, which is the maximum
2 allowed by Title 40A:11-4.2.

3 MR. MOYLE: All right. Very good, very
4 good.

5 MR. BOR: We need a separate motion.

6 MR. MOYLE: I have to get everything
7 together and redo it and then it will be at next
8 month's meeting.

9 MR. SMITH: This gentleman is here on
10 that. I can't recollect --

11 MR. MOYLE: He's with Rio Supply.

12 MR. BOR: He's the two-year person?

13 MS. THAPA: No.

14 MR. SMITH: Have you talked with this
15 man?

16 MR. MOYLE: Yeah, absolutely.

17 MR. SMITH: And you're satisfied with
18 him?

19 MR. MOYLE: I talked with him Monday.

20 MS. BAILEY: From my understanding,
21 we're rejecting the bids that we put out earlier
22 because we want to extend the contract on the present
23 contractor.

24 MR. MOYLE: Yeah, also too, if you saw,
25 the bids actually came in a little higher so, you

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1 know.

2 MS. BAILEY: So it's our best interest
3 to extend what we have.

4 MR. MOYLE: Like 12 or 10 percent
5 higher, so we'd like to extend the prices.

6 MS. BAILEY: Of what we have now?

7 MR. MOYLE: Yes.

8 MS. BAILEY: And what you quoted, the
9 statute allows us to do that?

10 MR. BOR: It's not a new one. It's an
11 extension of the two to five, because the statute
12 allows it to be for five years.

13 MR. COLANZI: How much is the more, how
14 much? What is the number for this in dollars?

15 MR. MOYLE: What was the original? I
16 mean, again, in two years we used less than 150,000
17 of that, so -- and that was all small meters, mainly.
18 There is no development in town obviously and --

19 MR. COLANZI: If we pass this today --

20 MR. MOYLE: What we did, if you passed
21 the rejection, that's what we do today, and then I go
22 and write the paperwork and have it ready for next
23 month.

24 MR. WARD: To extend the amendment?

25 MR. MOYLE: We extend the current

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1 contract next month.

2 MS. THAPA: Which is with --

3 MR. MOYLE: Right now, rejection of the
4 bid.

5 MR. BOR: Is there a motion to reject
6 the bid, 8.a(1)?

7 MR. SMITH: I'm not clear.

8 MR. HILL: Nor am I.

9 MR. SMITH: What are we doing?

10 MR. MOYLE: Today we're rejecting two
11 bids. That's what we're doing today. That's really
12 it.

13 MR. SMITH: Okay.

14 MR. MOYLE: Next month I will have
15 something, you know.

16 MR. SMITH: Are we accepting his bid?

17 MR. MOYLE: We're rejecting his bid.
18 We're rejecting Core and Main, we're rejecting their
19 bid and Rio's bid.

20 MR. SMITH: Are they going to have to
21 resubmit?

22 MR. MOYLE: No, maybe not. I'm told we
23 could extend this current contract if we choose, and
24 again, it's up to you guys if you want to or not.

25 MR. SMITH: That's what I was

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1 wondering. How come we can't extend his contract?

2 MR. MOYLE: It's not his contract,
3 number one. I don't have anything prepared because I
4 just found out.

5 MR. SMITH: That's what I'm saying.

6 MR. MOYLE: That we're allowed to do
7 it.

8 MR. SMITH: I wanted to understand what
9 we're doing.

10 MR. MOYLE: Step one is reject the
11 bids, which is perfectly within any rights. The
12 Authority doesn't need a reason, but the reason was,
13 it was higher than the last bid, so --

14 MR. BRESLIN: We were \$110,000 low on
15 the bid that came out and I kind of feel like we're
16 getting pushed out with that bid being extended and
17 not given an opportunity to meet the spec in the bid
18 that was currently put out, which I'm assuming is the
19 same as the one that was put out two years ago.

20 MR. MOYLE: The reason they were under,
21 10,000 lower, which the large meters we don't buy
22 came in a lot lower, three or four grand a clip less,
23 because a lot of them don't have stringers, but the
24 small meters we use, because we're using
25 three-quarters and the five-eighths by three-quarters.

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1 The other guy was \$30 less a meter when you consider,
2 as you say, nobody is going to buy a 10-inch meter in
3 this town because you can't afford to pay the sewer
4 company. Nobody is going to buy an eight-inch meter
5 in this town for the same reason. They're running
6 away from six-inch meters if we can and we've already
7 got several in stock of these large meters; we don't
8 need any.

9 MR. SMITH: My concern is for the MUA,
10 doing the right thing for the MUA.

11 MR. MOYLE: Again, if you reject them
12 now, there is no harm any way, number one, and then
13 we can discuss it.

14 MR. SMITH: That's what I'm saying. I
15 wanted to know what was going on and I wasn't aware.
16 I thought the engineer was aware of what was -- what
17 we have here. That's why I was questioning it.

18 MS. BAILEY: The bid that just went out
19 that they responded to, was that bid geared to small
20 meters more so than large meters?

21 MR. BRESLIN: No. No, it's --

22 MR. MOYLE: It's the standard bid. The
23 numbers are what we are. The way it's worked, if the
24 bids are awarded, that if we buy more than what's in
25 the small meters, it doesn't matter because it's the

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1 same price. As long as there is money in the
2 account, we can use it and, you know, it's again, we
3 should discuss this. There is no doubt about it, but
4 for now, all we need to do is reject the bid, which
5 is perfectly legal. And if you disagree with what I
6 say, then you disagree with what I say and we move on
7 from there.

8 MR. SMITH: The thing is, we're going
9 to reject the bid, this bid, and are we going to have
10 to accept new bids?

11 MR. MOYLE: As I say, we'll discuss
12 that.

13 MR. BOR: One option, if I may
14 interject, since the gentleman from Rio has some
15 concerns, we certainly have a right to reject and
16 during this month when we're considering amending the
17 old one, he can either have he or his counsel
18 communicate with me or the Director on if he
19 disagrees with the process of amending the old
20 two-year one. So gives him a month to --

21 MR. SMITH: I was under -- the person
22 here, he has been waiting patiently. He's been
23 jumping out of his seat. He wants to say something.
24 Is that appropriate or not?

25 MR. HILL: Sure.

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1 MR. BRESLIN: I received an e-mail from
2 Garth when we came in \$110,000. Low historically
3 doesn't award by line item and it seems that's the
4 direction you're going, considering the bid, you put
5 all those products in the bid. You can't pick and
6 choose what you want to award the bid on. Based on
7 that price would be the total number of everything
8 that's in the bid. If that was the case, why not go
9 out just strictly for residential bid, strictly for
10 commercial bid?

11 And then we're stuck in a position
12 where we're \$110,000 low, meet the spec and then it
13 becomes an issue and we're getting pushed out because
14 of existing bids getting extended for three years.

15 MR. MOYLE: When you sent the bid in,
16 there was no information. I had to guess what bid
17 you were giving.

18 MR. BRESLIN: There was no request for
19 information.

20 MR. MOYLE: As I understand, the meters
21 don't have strainers, so they don't meet it.

22 MR. BRESLIN: Should I -- I have
23 e-mails included with it, where I asked to have an
24 opportunity to give a presentation. I was told it
25 wasn't needed because I made my decision already and

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1 I think that you bid a T-10 meter.

2 Like I said, I think we're getting
3 pushed out completely and not given a fair
4 opportunity to get your guy's business, which if
5 that's the case, go out, go out for a sole source
6 bid, go out for the bid and take it to the state, but
7 the system that you're running, there is no need for
8 a sole source bid. You have all different meters in
9 your system already.

10 MR. SMITH: What's the Board's
11 decision?

12 MR. HILL: Fred, what's the --

13 MR. BOR: Two separate issues involved
14 here. There is the one is, do we have the unbridled
15 right to reject if we choose? Garth is recommending
16 the fact that we do, can reject it if we want to.
17 Although this gentleman disagrees.

18 But my legal position is to be dealt
19 with next month and that is whether we can amend the
20 prior two-year contract going to five, because the
21 statute says you can award that type of contract for
22 up to five years.

23 MR. SMITH: Excuse me, I want to
24 resolve this now. I'm not talking about next month.
25 I have to go along with Garth.

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1 MR. BOR: Me too. I'm going along with
2 Garth, that we have the power to reject it if we
3 choose. And like I said, if the next month if the
4 gentleman from Rio wants to have his attorney
5 interact with me whether we can amend the five years,
6 I would certainly be open to discuss that.

7 MR. SMITH: It's a little clearer for
8 me now.

9 MR. MCGETTIGAN: Yes.

10 MR. SMITH: I want to do the right
11 thing by you and our Board, I mean our company, so
12 we're not trying to exclude you, but I have to listen
13 to the Deputy Director.

14 MR. BRESLIN: I understand that.
15 That's what happening.

16 MR. WARD: There is also a contractor
17 of system uniformity, in that our staff, once they
18 become familiar with a certain brand of meter, that
19 we don't have 16 different types of meters on the
20 street.

21 MR. SMITH: Understood. So I'll make a
22 motion to accept the rejection.

23 MR. MCGETTIGAN: Second.

24 MR. BOR: Mr. Lea?

25 MR. LEA: Yes.

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1 MR. BOR: Colanzi?

2 MR. COLANZI: Yes.

3 MR. BOR: McGettigan?

4 MR. MCGETTIGAN: Yes.

5 MR. BOR: Hill?

6 MR. HILL: Abstain.

7 MR. BOR: Smith?

8 MR. SMITH: Yes.

9 MR. WARD: We're at the engineering
10 report, Mr. Smith.

11 MR. CLAUDE SMITH: Just hand these out
12 as I go along.

13 Good morning. This is on the Basin B
14 floating cover replacement. The contractor, Layfield
15 Corp., has mobilized and started doing work on the
16 replacement of the Basin B cover. So far they've
17 done a few things in regards to the repair of the
18 basin. Some concrete repair work is actually
19 currently being done. First and foremost they
20 removed the existing cover and dismantled that.
21 Anchor bolts are being put in on the top portion of
22 the cover. The chafing strip is actually being put
23 in and currently they're working on the perimeter in
24 terms of moving the expansion joints to replace that.

25 We're going to be meeting with the

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1 engineer today, PS&S, just to go over repair and the
2 other work that needs to be done. We'll hopefully be
3 done in another two weeks.

4 In regards to replacing the cover, no
5 submittals of any requests for payment has been done
6 as yet, so probably that would be done at the end of
7 the contract and that's it. Any questions? You can
8 look at the pictures. Pretty much it shows you some
9 of the work that's being done now. For a
10 100-year-old basin, that's in good shape.

11 MS. BAILEY: Where is it located?

12 MR. CLAUDE SMITH: At the plant.

13 MR. HILL: I was wondering if I could
14 go back to Director's Forum?

15 MR. SMITH: Of course.

16 MR. HILL: I wanted to make a public
17 announcement. I wanted to salute the MUA and
18 particularly the staff and the workers and Garth for
19 the work they did. There was an emergency situation
20 Miss America weekend on Pacific Avenue in front of
21 Boardwalk Hall, and it could have caused a lot of
22 problems, a lot of trouble. They addressed it as
23 quickly and as accurately as they could and should
24 and did. And then there was some follow-up concerns
25 by the CRDA, which had nothing to do with the MUA and

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1 they addressed those concerns as well right away.
2 And I wanted to thank the MUA for handling that and
3 Boardwalk Hall and Pacific Avenue was Miss America
4 weekend and everybody was all in a flurry. So thank
5 you for handling that.

6 MR. CLAUDE SMITH: Just one other thing
7 in regards to engineering. It's not something that
8 was actually on the agenda, but we did discuss the
9 last time, the one-year inspection was going to be
10 done, is actually being performed today. If you look
11 out the window, you will probably see a truck out
12 there. The guys are already up on the tower on top
13 of the tank. It's done by a remote operating
14 vehicle. They're not physically going into the tank
15 to actually do the inspection; it's being done by a
16 vehicle.

17 MS. BAILEY: Interesting.

18 MR. WARD: Okay. New Business, 9.a(1),
19 New Jersey Water Quality Accountability Act
20 propounded by the New Jersey Department of
21 Environmental Protection. It will require all water
22 service providers to provide for an asset management
23 plan and also a cyber security plan. I would ask for
24 a resolution to go out for certain firms to assist us
25 in this regard. This is coming on us pretty fast,

ATLANTIC CITY MUA

1 but we're not rushing to put out the RFP yet. We're
2 going to take our time to put the RFP together, but
3 we wanted to get started on this. There are a couple
4 of dates of production that occurred, February 2018,
5 that we need to be ready to respond to.

6 MR. HILL: Is this just for risk
7 assessment or security?

8 MR. WARD: I think risk assessment is
9 the right term. It's an asset management. It
10 involves a plan to look at your core assets to see
11 that they have a sustainability plan attached to
12 them, things that we have, for example, to maintain
13 power, our generators, things like that have a cycle
14 for maintenance and so forth and so on. They want to
15 see a plan that is put together in writing.

16 Now the cyber security, we definitely
17 use a small organization here that's pretty good in
18 terms of working out our particular internal
19 features, but we have to have further discuss as to
20 what our vulnerability is in terms of cyber access
21 from, you know, hackers that are looking to disrupt.
22 And this is something that the state is imposing on
23 us, so we have to get ready.

24 MR. HILL: So are these two separate?

25 MR. WARD: They're part of the same

ATLANTIC CITY MUA

1 accountability act. So they're two separate prongs.
2 One is look at your assets.

3 MR. HILL: We could use somebody for
4 the asset management and --

5 MR. WARD: And somebody separate.

6 MR. HILL: That's what I was asking.

7 MR. WARD: Just --

8 MR. HILL: They might not have the same
9 expertise.

10 MS. BAILEY: Two separate professional
11 consulting firms.

12 MR. HILL: That's what I was trying to
13 get at.

14 MR. SMITH: Was this by the -- I
15 thought they were getting rid of that, the president
16 was getting rid of that.

17 MR. WARD: No, this is state, the state
18 department of environmental protection.

19 MR. BOR: Are we voting, motion on
20 9.a(1) and (2) together?

21 MR. WARD: Distribution is a separate
22 one.

23 MR. CLAUDE SMITH: Just a quick
24 comment. Several years ago we did do an asset
25 management report. This is several years back, but I

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1 would recommend that we go back and look at that to
2 combine, if you're going to be putting out the RFQ in
3 regards to this asset management request or report
4 that you need to do, but we did have one done several
5 years back.

6 MR. WARD: And it may have to simply be
7 updated.

8 MR. CLAUDE SMITH: Correct.

9 MR. SMITH: Who checks to see if we're
10 in compliance?

11 MR. WARD: Turn it into the state.

12 MR. SMITH: And the state comes in and
13 checks?

14 MR. WARD: They look at the talent and
15 the certifications of the people that have inspected
16 and signed off on it, so I don't know that they're
17 going to come down and inspect, but they see a
18 certain engineer has signed off on the plan and that
19 engineer's license is on that signature. That's
20 generally the way these things go.

21 MR. SMITH: It's my concern they're
22 asking us to spend money and do something that maybe
23 we don't need to do. That's all I'm concerned.

24 MR. WARD: It's called an unfunded
25 mandate and those things happen very frequently in

ATLANTIC CITY MUA

1 government coming down on Authorities.

2 MR. SMITH: Okay.

3 MR. HILL: I'll move it.

4 MR. BOR: 9.a(1).

5 MR. MCGETTIGAN: Second.

6 MR. BOR: Mr. Lea?

7 MR. LEA: Yes.

8 MR. BOR: Colanzi?

9 MR. COLANZI: Yes.

10 MR. BOR: McGettigan?

11 MR. MCGETTIGAN: Yes.

12 MR. BOR: Hill?

13 MR. HILL: Yes.

14 MR. BOR: Smith?

15 MR. SMITH: Yes.

16 MR. WARD: And next is 9.a(2), to go

17 out for requests for contract services for the

18 distribution yard.

19 MR. MCGETTIGAN: What service contract?

20 MR. WARD: It's generally security.

21 MR. MCGETTIGAN: Is it a blanket?

22 MR. WARD: That's the security company
23 that comes in after we're closed. They answer our
24 phone calls. If there is an emergency in the street,
25 they will go out and let us know if we have to bring

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1 in staff on off hours. We have this as a regular
2 basis and we go out, there is generally a couple of
3 companies that come in and many cases they keep the
4 same personnel if the company changes.

5 MR. HILL: Who do we have now?

6 MR. MOYLE: For what?

7 MR. WARD: Security.

8 MS. WILLIAMS: We have Tri-County now.

9 MR. HILL: Allied did it for a while
10 and then Tri-County.

11 MR. MOYLE: It's two years already?

12 MR. HILL: Wow.

13 MS. THAPA: Usually we had two years,
14 but last contract we only had one year.

15 MR. MCGETTIGAN: So what are you guys
16 up for, one year?

17 MR. MOYLE: We can do it again.

18 MR. MCGETTIGAN: Everything is a
19 one-year basis.

20 MR. WARD: We were in a different
21 environment then.

22 MR. MOYLE: We could do up to five.

23 MR. SMITH: I'll stick with the
24 one-year contract.

25 MS. BAILEY: You can do a one-year with

ATLANTIC CITY MUA

1 the caveat that it can be extended for another 12 or
2 24 months at the time, Garth?

3 MR. MOYLE: We've done that. You can
4 do that with the cleaning contract if they hold their
5 prices.

6 MS. BAILEY: Okay, that would be good.
7 You can do a one-year --

8 MR. MOYLE: And mutual agreement --

9 MS. BAILEY: -- that we can extend for
10 another 24 months.

11 MR. SMITH: Are we satisfied with the
12 company that we have now?

13 MR. MOYLE: They're good enough for me.

14 MR. SMITH: I hope they reapply or
15 rebid and, you know, we could use them. I don't have
16 a problem with them so we need a motion.

17 MR. WARD: Motion to go out for bids.

18 MR. SMITH: Move it.

19 MR. MCGETTIGAN: Second.

20 MR. BOR: Mr. Lea?

21 MR. LEA: Yes.

22 MR. BOR: Colanzi?

23 MR. COLANZI: Yes.

24 MR. BOR: McGettigan?

25 MR. MCGETTIGAN: Yes.

ATLANTIC CITY MUA

1 MR. BOR: Hill?

2 MR. HILL: Yes.

3 MR. BOR: Smith?

4 MR. SMITH: Yes.

5 MR. WARD: This would be 9.b(1),
6 resolution to go out for preventive and emergency
7 maintenance. This is the SCADA system and CCTV
8 systems.

9 MS. BAILEY: That would be for five
10 years, Mr. Ward?

11 MR. WARD: Yes.

12 MR. MOYLE: Yes, it is and I think it
13 just names the -- there is an upset number for the
14 first year of eight grand, I believe, through
15 calendar year 2018.

16 It's almost time to redo the SCADA
17 system. It's getting old.

18 MR. MCGETTIGAN: We're not talking
19 about the SCADA system.

20 MR. MOYLE: Just the maintenance on it.

21 MR. MCGETTIGAN: So I'll move it.

22 MR. HILL: Second.

23 MR. BOR: Mr. Lea?

24 MR. LEA: Yes.

25 MR. BOR: Colanzi?

ATLANTIC CITY MUA

1 MR. COLANZI: Yes.
2 MR. BOR: McGettigan?
3 MR. MCGETTIGAN: Yes.
4 MR. BOR: Hill?
5 MR. HILL: Yes.
6 MR. BOR: Smith?
7 MR. SMITH: Yes.
8 MR. BOR: Carries.
9 MR. WARD: 9.c(1), bids for liquid
10 sodium hypochlorite.
11 MR. MCGETTIGAN: I'll move it.
12 MR. SMITH: Second.
13 MR. BOR: Mr. Lea?
14 MR. LEA: Yes.
15 MR. BOR: Colanzi?
16 MR. COLANZI: Yes.
17 MR. BOR: McGettigan?
18 MR. MCGETTIGAN: Yes.
19 MR. BOR: Hill?
20 MR. HILL: Yes.
21 MR. BOR: Smith?
22 MR. SMITH: Yes.
23 MR. WARD: 9.d(1), (2), (3) and (4),
24 service agreements for the Island Campus
25 Redevelopment Urban Renewal Associates. This of

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1 course is the Stockton College.

2 MR. MOYLE: I tried to talk them out of
3 this one and they wouldn't do it. But it is what, we
4 put a new eight-inch main Trenton Avenue between
5 Atlantic and Ventnor and went right by what's going
6 to be the academic building behind it. Instead of
7 bringing what's called a Siamese connection, their
8 fire connection close to the hydrant on Trenton
9 Avenue 50 feet, they wanted their own hydrant. It's
10 probably going to run 150, 200 feet on the property.
11 We'll put in to put in an f and a valve, and we ran
12 12 feet of six-inch pipe to the curb. They're
13 willing to go pick it up and put a hydrant on the
14 property, so it's only going to serve the property.
15 It's a private fire service \$300 in the quarter plus
16 any increases in the future. I tried to talk them
17 out of it, but they had to have it now. They get to
18 pay for it every quarter. It's a pretty good
19 investment because in a year or two it's going to be
20 turning a profit for the MUA.

21 MR. MCGETTIGAN: That's the whole total
22 rewrite?

23 MR. MOYLE: That was all that's
24 covered.

25 MR. MCGETTIGAN: I'll move it.

ATLANTIC CITY MUA

1 MR. BOR: So we're moving d(1), (2) (3)
2 and (4) together.

3 MR. SMITH: Second.

4 MR. BOR: Mr. Lea?

5 MR. LEA: Yes.

6 MR. BOR: Colanzi?

7 MR. COLANZI: Yes.

8 MR. BOR: McGettigan?

9 MR. MCGETTIGAN: Yes.

10 MR. BOR: Hill?

11 MR. HILL: Yes.

12 MR. BOR: Smith?

13 MR. SMITH: Yes.

14 MR. BOR: Carries.

15 MR. WARD: Replace GE radio units,
16 install auto drain valve, resolution 9.e(1).

17 MR. SMITH: Move it.

18 MR. MCGETTIGAN: Second.

19 MR. BOR: Mr. Lea?

20 MR. LEA: Yes.

21 MR. BOR: Colanzi?

22 MR. COLANZI: Yes.

23 MR. BOR: McGettigan?

24 MR. MCGETTIGAN: Yes.

25 MR. BOR: Hill?

ATLANTIC CITY MUA

1 MR. HILL: Yes.

2 MR. BOR: Smith?

3 MR. SMITH: Yes.

4 MR. MOYLE: There was no resolution
5 needed. This is like 1,500.

6 MR. BOR: Yeah, it's just replacing.

7 MR. MOYLE: I don't know why we did it.

8 MR. HILL: Well, we did it. We saw
9 your signature on it.

10 MR. BOR: We did the abatement.

11 MR. WARD: G, leave of absence, Craig
12 Seymour, 9.g(1).

13 MR. MOYLE: He's on his own time.

14 MR. SMITH: I thought he was gone.

15 MR. MOYLE: He's been gone a long time.

16 MR. SMITH: I thought we were rid of
17 this guy.

18 MR. MOYLE: He ran out of time probably
19 four or five months ago, probably. He was going to
20 be out into December at least or maybe through
21 December.

22 MS. BAILEY: August 3rd to December.

23 MR. SMITH: We're not paying this guy,
24 are we?

25 MR. MOYLE: What?

ATLANTIC CITY MUA

1 MR. SMITH: We're not paying this guy?

2 MR. MOYLE: No, no, he might be on
3 temporary disability.

4 MR. SMITH: What about his insurance?
5 Are we paying that? We're still paying that?

6 MR. MOYLE: Yes. I think the new rule
7 is the MUA continues to pay the insurance for two
8 years after they run out of time, I believe. You
9 remember the one guy that was out almost five years?

10 MR. SMITH: Yeah.

11 MS. BAILEY: Whatever his insurance
12 contribution is, is he liable for that?

13 MR. MOYLE: Yes.

14 MS. BAILEY: We pay the basic, but he
15 pays the contribution?

16 MR. MOYLE: We pay it all and he might
17 have to when he comes back.

18 MR. CHEATHAM: Suppose he don't come
19 back?

20 MR. MOYLE: Then we're probably stuck.
21 That's probably why it was limited. This predates
22 the two years, predates the four years ago, so five
23 years ago now, that they have to start contributing
24 to insurance.

25 MS. THAPA: We do send him invoices.

ATLANTIC CITY MUA

1 MS. BAILEY: That he knows that he's
2 being --

3 MS. THAPA: We send the invoices, but
4 most of the time they don't pay. Usually if they --
5 we collect if they come back. Scott Haynes, he left.
6 He didn't pay it and we tried to collect it, but
7 wasn't successful.

8 MR. BOR: Motion on g(1)?

9 MR. MCGETTIGAN: Yes, move it.

10 MR. HILL: Second.

11 MR. BOR: Mr. Lea?

12 MR. LEA: Yes.

13 MR. BOR: Colanzi?

14 MR. COLANZI: Yes.

15 MR. BOR: McGettigan?

16 MR. MCGETTIGAN: Yes.

17 MR. BOR: Hill?

18 MR. HILL: Yes.

19 MR. BOR: Smith?

20 MR. SMITH: Yes.

21 MR. BOR: G(1) carries.

22 MR. WARD: 10.a, monthly bills.

23 MR. SMITH: Move them.

24 MR. MCGETTIGAN: Second.

25 MR. BOR: Mr. Lea?

ATLANTIC CITY MUA

1 MR. LEA: Yes.

2 MR. BOR: Colanzi.

3 MR. COLANZI: Yes?

4 MR. BOR: McGettigan?

5 MR. MCGETTIGAN: Yes.

6 MR. BOR: Hill?

7 MR. HILL: Yes.

8 MR. BOR: Smith?

9 MR. SMITH: Yes.

10 MR. WARD: Executive Session.

11 MR. SMITH: Take a five-minute break.

12 (Closed Session from

13 10:50 a.m. to 11:30 a.m.)

14 MR. WARD: We're back in session. We
15 had an Executive Session and we discussed some
16 concerns about the cleaning contract and we'll take a
17 further look into that.

18 It was also a discussion about the
19 potential of the ACMUA having a relationship with a
20 new brewer coming into the City of Atlantic City
21 DeWalt Brewery and we're further figuring out the
22 level of detail that would be required to achieve
23 that.

24 Mr. Moyle reported on the discussion of
25 water meters and the bids that came in that were less

ATLANTIC CITY MUA

1 than detailed with respect to the Authority's
2 requirement. Mr. Moyle also reported the discussion
3 he had with the sewer company in terms of the
4 replacement of laterals, and his conversation with
5 the sewer company revealed that they had a fire
6 service, which is going to have to be resolved
7 because it was not on our Authority books.

8 And finally, we had some discussion on
9 the plumbing contract and our discussion on city
10 matters. The labor counsel also reported on his back
11 and forth interaction with City of Atlantic City and
12 that concluded our meeting.

13 MR. SMITH: Looking for adjournment.

14 MR. HILL: Motion.

15 MR. BOR: Hearing no objection.

16 MR. SMITH: We're adjourned.

17 (The meeting adjourned at 11:35 a.m.)
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C E R T I F I C A T E

I, JACQUELINE M. ZARRILLO, a Certified Court Reporter of the State of New Jersey, do hereby 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.

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DATED: October 2, 2017

| | | | | |
|--|---|--|---|--|
| \$ | 3 | account [2] - 11:7, 20:2 | 25:17 | 24:16 |
| \$100,000 [3] - 12:20, 12:23, 13:10 | 3 [2] - 34:23, 36:1 | accountability [1] - 28:1 | answer [2] - 10:11, 30:23 | basin [2] - 24:18, 25:10 |
| \$110,000 [3] - 18:14, 21:2, 21:12 | 3rd [1] - 37:22 | Accountability [1] - 26:19 | anyway [1] - 11:22 | basis [2] - 31:2, 31:19 |
| \$150 [1] - 10:6 | 4 | Accounting [1] - 1:9 | appropriate [2] - 14:25, 20:24 | become [1] - 23:18 |
| \$192.11 [1] - 11:10 | 4 [2] - 34:23, 36:2 | accurately [1] - 25:23 | approved [1] - 11:4 | becomes [1] - 21:13 |
| \$3,000 [1] - 9:24 | 401 [2] - 1:18, 3:6 | achieve [1] - 40:22 | assessment [2] - 27:7, 27:8 | BEFORE [1] - 1:17 |
| \$30 [1] - 19:1 | 40A:11-4.2 [2] - 14:11, 15:2 | ACMUA [1] - 40:19 | asset [5] - 26:22, 27:9, 28:4, 28:24, 29:3 | behind [1] - 35:6 |
| \$300 [1] - 35:15 | 5 | act [1] - 28:1 | assets [2] - 27:10, 28:2 | best [1] - 16:2 |
| \$500 [1] - 8:23 | 50 [1] - 35:9 | Act [1] - 26:19 | assist [1] - 26:24 | between [1] - 35:4 |
| \$667 [3] - 8:13, 8:14, 11:6 | 500 [1] - 8:23 | action [2] - 42:8, 42:10 | Assistant [1] - 1:9 | bid [30] - 11:19, 13:7, 17:4, 17:6, 17:16, 17:17, 17:19, 18:13, 18:15, 18:16, 18:17, 19:18, 19:19, 19:22, 20:4, 20:9, 21:4, 21:5, 21:6, 21:8, 21:9, 21:10, 21:15, 21:16, 22:1, 22:6, 22:8 |
| \$667.11 [3] - 8:14, 8:17, 10:15 | 6 | addressed [2] - 25:22, 26:1 | Associates [1] - 34:25 | bidding [1] - 12:21 |
| 0 | 600 [1] - 11:8 | adequate [1] - 3:1 | assume [1] - 6:11 | bids [12] - 14:19, 14:20, 15:21, 15:25, 17:11, 18:11, 19:24, 20:10, 21:14, 32:17, 34:9, 40:25 |
| 08225 [1] - 1:24 | 609 [1] - 1:25 | adjoined [2] - 41:16, 41:17 | assuming [1] - 18:18 | big [2] - 12:22, 13:6 |
| 08404 [1] - 1:19 | 8 | adjournalment [1] - 41:13 | Atlantic [5] - 1:19, 3:7, 35:5, 40:20, 41:11 | bill [2] - 8:23, 8:24 |
| 1 | 8 [2] - 2:3, 12:9 | Administrator [1] - 1:9 | ATLANTIC [2] - 1:1, 1:18 | bills [5] - 7:3, 8:22, 9:25, 10:1, 39:22 |
| 1,500 [1] - 37:5 | 8.a(1) [4] - 12:7, 14:1, 14:5, 17:6 | afford [1] - 19:3 | attached [2] - 6:23, 27:11 | blah [3] - 6:16 |
| 10 [1] - 16:4 | 8.a(2) [4] - 12:10, 13:3, 13:6, 13:25 | afforesaid [1] - 3:9 | attorney [3] - 23:4, 42:7, 42:9 | blanket [1] - 30:21 |
| 10,000 [1] - 18:21 | 8.a(2) [1] - 12:11 | African [1] - 5:24 | August [1] - 37:22 | blood [1] - 6:11 |
| 10-inch [1] - 19:2 | 800 [1] - 8:24 | agenda [2] - 7:24, 26:8 | Authorities [1] - 30:1 | BOARD [1] - 1:1 |
| 10.a [1] - 39:22 | 859 [1] - 11:7 | agents [1] - 7:2 | Authority [2] - 18:12, 41:7 | Board [11] - 1:7, 1:9, 1:13, 1:14, 3:4, 4:21, 6:20, 7:12, 7:17, 7:21, 23:11 |
| 100-year-old [1] - 25:10 | 9 | ago [6] - 5:20, 18:19, 28:24, 37:19, 38:22, 38:23 | AUTHORITY [2] - 1:1, 1:18 | Board's [1] - 22:10 |
| 10:05 [1] - 1:19 | 9.a(1) [2] - 26:18, 28:20 | agree [1] - 6:13 | Authority's [1] - 41:1 | Boardwalk [2] - 25:21, 26:3 |
| 10:50 [1] - 40:13 | 9.a(1) [1] - 30:4 | agreement [1] - 32:8 | auto [1] - 36:16 | bolts [1] - 24:21 |
| 11 [1] - 2:4 | 9.a(2) [1] - 30:16 | agreements [1] - 34:24 | Avenue [6] - 1:18, 3:6, 25:20, 26:3, 35:4, 35:9 | books [1] - 41:7 |
| 11:30 [1] - 40:13 | 9.b(1) [1] - 33:5 | ahead [1] - 6:19 | award [3] - 21:3, 21:6, 22:21 | Bor [1] - 1:7 |
| 11:35 [1] - 41:17 | 9.c(1) [1] - 34:9 | Allied [1] - 31:9 | awarded [1] - 19:24 | BOR [94] - 3:12, 3:14, 3:16, 3:18, 3:20, 3:22, 3:24, 4:1, 4:6, 4:10, 4:12, 4:14, 4:16, 4:18, 4:20, 10:12, 10:19, 10:21, 10:23, 10:25, 11:2, 11:4, 13:3, 13:15, 13:17, 13:19, 13:21, 13:23, 13:25, 14:9, 14:18, 14:22, 15:5, 15:12, 16:10, 17:5, 20:13, 22:13, 23:1, 23:24, 24:1, 24:3, 24:5, 24:7, 28:19, |
| 12 [3] - 16:4, 32:1, 35:12 | 9.d(1) [1] - 34:23 | allowed [2] - 15:2, 18:6 | aware [2] - 19:15, 19:16 | |
| 150 [1] - 35:10 | 9.e(1) [1] - 36:16 | allows [3] - 14:23, 16:9, 16:12 | B | |
| 150,000 [1] - 16:16 | 9.f(1) [1] - 8:3 | almost [3] - 9:24, 33:16, 38:9 | background [1] - 5:6 | |
| 15th [1] - 8:25 | 9.g(1) [1] - 37:12 | Alternate [2] - 1:14, 1:15 | bad [1] - 5:10 | |
| 16 [1] - 23:19 | A | amend [4] - 14:3, 14:25, 22:19, 23:5 | Bailey [2] - 1:15, 3:14 | |
| 1724 [1] - 1:24 | a.m [4] - 1:19, 40:13, 41:17 | amending [2] - 20:16, 20:19 | BAILEY [18] - 3:15, 13:10, 15:20, 16:2, 16:6, 16:8, 19:18, 25:11, 26:17, 28:10, 31:25, 32:6, 32:9, 33:9, 37:22, 38:11, 38:14, 39:1 | |
| 1975 [1] - 3:10 | abatement [5] - 7:24, 8:9, 10:13, 10:14, 37:10 | amendment [2] - 5:4, 16:24 | balance [1] - 11:9 | |
| 1st [1] - 9:4 | absence [1] - 37:11 | America [2] - 25:20, 26:3 | based [1] - 21:6 | |
| 2 | absolutely [1] - 15:16 | amount [1] - 8:21 | basic [1] - 38:14 | |
| 2 [4] - 28:20, 34:23, 36:1, 42:18 | abstain [1] - 24:6 | anchor [1] - 24:21 | Basin [2] - 24:13, | |
| 20 [2] - 1:2, 3:6 | academic [1] - 35:6 | Andrew [1] - 1:8 | | |
| 200 [1] - 35:10 | accept [2] - 20:10, 23:22 | Andy [2] - 5:1, 5:8 | | |
| 2017 [3] - 1:2, 3:6, 42:18 | accepting [1] - 17:16 | Anita [1] - 1:9 | | |
| 2018 [2] - 27:4, 33:15 | access [1] - 27:20 | announcement [1] - | | |
| 231 [1] - 3:9 | | | | |
| 24 [2] - 32:2, 32:10 | | | | |
| 287-2593 [1] - 1:25 | | | | |

| | | | | |
|--|--|--|---|---|
| <p>30:4, 30:6, 30:8, 30:10, 30:12, 30:14, 32:20, 32:22, 32:24, 33:1, 33:3, 33:23, 33:25, 34:2, 34:4, 34:6, 34:8, 34:13, 34:15, 34:17, 34:19, 34:21, 36:1, 36:4, 36:6, 36:8, 36:10, 36:12, 36:14, 36:19, 36:21, 36:23, 36:25, 37:2, 37:6, 37:10, 39:8, 39:11, 39:13, 39:15, 39:17, 39:19, 39:21, 39:25, 40:2, 40:4, 40:6, 40:8, 41:15 brand [1] - 23:18 break [1] - 40:11 Breslin [3] - 2:4, 11:14, 11:17 BRESLIN [8] - 11:17, 12:3, 18:14, 19:21, 21:1, 21:18, 21:22, 23:14 brewer [1] - 40:20 Brewery [1] - 40:21 bring [4] - 5:10, 7:20, 11:21, 30:25 bringing [1] - 35:7 Bruce [4] - 1:6, 4:24, 6:19, 8:11 building [1] - 35:6 buried [1] - 9:20 business [2] - 7:2, 22:4 Business [1] - 26:18 buy [4] - 18:21, 19:2, 19:4, 19:24</p> | <p>CCTV [1] - 33:7 certain [3] - 23:18, 26:24, 29:18 certainly [2] - 20:15, 23:6 certifications [1] - 29:15 Certified [3] - 1:17, 42:4, 42:16 CERTIFIED [1] - 1:23 certify [1] - 42:6 chafing [1] - 24:22 Chairman [1] - 1:12 Chairman/Secretary [1] - 1:12 chance [1] - 14:10 change [1] - 13:6 changes [1] - 31:4 Chapter [1] - 3:9 charge [1] - 10:4 charging [1] - 10:6 CHEATHAM [3] - 3:13, 4:5, 38:18 Cheatham [3] - 1:14, 3:12, 4:4 checks [2] - 29:9, 29:13 choose [4] - 17:23, 21:6, 22:15, 23:3 church [1] - 7:5 churches [2] - 6:25, 7:1 City [6] - 1:19, 3:7, 40:20, 41:11 CITY [2] - 1:1, 1:18 city [4] - 3:8, 7:5, 9:13, 41:9 CLAUDE [5] - 24:11, 25:12, 26:6, 28:23, 29:8 Claude [1] - 1:8 clean [1] - 6:8 cleaning [2] - 32:4, 40:16 clear [1] - 17:7 clearer [1] - 23:7 clerk [1] - 3:8 clip [1] - 18:22 close [1] - 35:8 Closed [1] - 40:12 closed [1] - 30:23 COLANZI [15] - 3:19, 4:13, 10:22, 13:18, 16:13, 16:19, 24:2, 30:9, 32:23, 34:1, 34:16, 36:7, 36:22, 39:14, 40:3 Colanzi [14] - 1:14, 3:18, 4:12, 10:21,</p> | <p>13:17, 24:1, 30:8, 32:22, 33:25, 34:15, 36:6, 36:21, 39:13, 40:2 collect [2] - 39:5, 39:6 College [1] - 35:1 combine [1] - 29:2 coming [4] - 7:23, 26:25, 30:1, 40:20 commencing [1] - 1:19 comment [1] - 28:24 commercial [1] - 21:10 committee [2] - 6:22, 7:14 communicate [1] - 20:18 companies [1] - 31:3 company [8] - 9:16, 19:4, 23:11, 30:22, 31:4, 32:12, 41:3, 41:5 competition [1] - 13:11 complained [1] - 9:16 completely [1] - 22:3 compliance [1] - 29:10 complies [1] - 3:9 concern [2] - 19:9, 29:21 concerned [1] - 29:23 concerns [4] - 20:15, 25:24, 26:1, 40:16 concluded [1] - 41:12 concrete [1] - 24:18 condition [1] - 6:8 conference [1] - 3:7 connection [2] - 35:7, 35:8 consider [1] - 19:1 considering [2] - 20:16, 21:4 consulting [1] - 28:11 continues [1] - 38:7 contract [22] - 14:3, 14:4, 14:12, 14:14, 14:24, 14:25, 15:22, 17:1, 17:23, 18:1, 18:2, 22:20, 22:21, 25:7, 30:17, 30:19, 31:14, 31:24, 32:4, 40:16, 41:9 contractor [3] - 15:23, 23:16, 24:14 contracts [1] - 14:11 contributing [1] - 38:23</p> | <p>contribution [2] - 38:12, 38:15 conversation [1] - 41:4 copy [1] - 3:7 Core [1] - 17:18 core [1] - 27:10 Corp [1] - 24:15 correct [2] - 5:5, 29:8 correspondence [2] - 6:21, 14:10 counsel [4] - 20:17, 41:10, 42:7, 42:9 County [2] - 31:8, 31:10 couple [3] - 6:24, 27:3, 31:2 course [2] - 25:15, 35:1 COURT [1] - 1:23 Court [3] - 1:17, 42:5, 42:16 cover [5] - 24:14, 24:16, 24:20, 24:22, 25:4 covered [1] - 35:24 Craig [1] - 37:11 CRDA [1] - 25:25 crew [1] - 9:19 curb [1] - 35:12 current [3] - 14:3, 16:25, 17:23 cut [1] - 7:5 cyber [3] - 26:23, 27:16, 27:20 cycle [1] - 27:13</p> | <p>difference [1] - 12:24 different [3] - 22:8, 23:19, 31:20 difficult [1] - 8:8 direction [1] - 21:4 Director [5] - 1:6, 1:7, 1:9, 20:18, 23:13 director [2] - 4:20, 12:1 Director's [2] - 7:16, 25:14 DIRECTORS [1] - 1:1 Directors [2] - 3:4, 7:16 disability [1] - 38:3 disagree [2] - 20:5, 20:6 disagrees [2] - 20:19, 22:17 discus [1] - 27:19 discuss [5] - 19:13, 20:3, 20:11, 23:6, 26:8 discussed [1] - 40:15 discussion [5] - 40:18, 40:24, 41:2, 41:8, 41:9 dismantled [1] - 24:20 disrupt [1] - 27:21 curb [1] - 35:12 distribute [1] - 11:18 distribution [2] - 28:21, 30:18 document [1] - 5:13 dollar [1] - 8:24 dollars [2] - 8:23, 16:14 done [12] - 24:17, 24:19, 25:2, 25:3, 25:5, 25:6, 25:9, 26:10, 26:13, 26:15, 29:4, 32:3 doubt [1] - 20:3 down [2] - 29:17, 30:1 drain [1] - 36:16 draw [1] - 5:15 drug [2] - 6:12 due [1] - 8:25 during [1] - 20:16</p> |
| C | | | D | |
| <p>calendar [1] - 33:15 Campus [1] - 34:24 carries [4] - 4:20, 34:8, 36:14, 39:21 CARRINGTON [8] - 8:6, 8:10, 8:15, 8:21, 9:3, 9:22, 10:10, 11:12 Carrington [3] - 2:3, 7:25, 8:4 case [2] - 21:8, 22:5 cases [1] - 31:3 cash [1] - 11:6 catching [1] - 7:2 caused [1] - 25:21 caveat [1] - 32:1 CCR [1] - 1:23</p> | <p>CLAUDE [5] - 24:11, 25:12, 26:6, 28:23, 29:8 Claude [1] - 1:8 clean [1] - 6:8 cleaning [2] - 32:4, 40:16 clear [1] - 17:7 clearer [1] - 23:7 clerk [1] - 3:8 clip [1] - 18:22 close [1] - 35:8 Closed [1] - 40:12 closed [1] - 30:23 COLANZI [15] - 3:19, 4:13, 10:22, 13:18, 16:13, 16:19, 24:2, 30:9, 32:23, 34:1, 34:16, 36:7, 36:22, 39:14, 40:3 Colanzi [14] - 1:14, 3:18, 4:12, 10:21,</p> | <p>13:17, 24:1, 30:8, 32:22, 33:25, 34:15, 36:6, 36:21, 39:13, 40:2 collect [2] - 39:5, 39:6 College [1] - 35:1 combine [1] - 29:2 coming [4] - 7:23, 26:25, 30:1, 40:20 commencing [1] - 1:19 comment [1] - 28:24 commercial [1] - 21:10 committee [2] - 6:22, 7:14 communicate [1] - 20:18 companies [1] - 31:3 company [8] - 9:16, 19:4, 23:11, 30:22, 31:4, 32:12, 41:3, 41:5 competition [1] - 13:11 complained [1] - 9:16 completely [1] - 22:3 compliance [1] - 29:10 complies [1] - 3:9 concern [2] - 19:9, 29:21 concerned [1] - 29:23 concerns [4] - 20:15, 25:24, 26:1, 40:16 concluded [1] - 41:12 concrete [1] - 24:18 condition [1] - 6:8 conference [1] - 3:7 connection [2] - 35:7, 35:8 consider [1] - 19:1 considering [2] - 20:16, 21:4 consulting [1] - 28:11 continues [1] - 38:7 contract [22] - 14:3, 14:4, 14:12, 14:14, 14:24, 14:25, 15:22, 17:1, 17:23, 18:1, 18:2, 22:20, 22:21, 25:7, 30:17, 30:19, 31:14, 31:24, 32:4, 40:16, 41:9 contractor [3] - 15:23, 23:16, 24:14 contracts [1] - 14:11 contributing [1] - 38:23</p> | <p>d(1 [1] - 36:1 DATED [1] - 42:18 dates [1] - 27:4 deals [1] - 5:1 dealt [1] - 22:18 December [3] - 37:20, 37:21, 37:22 decision [2] - 21:25, 22:11 deduct [1] - 11:8 definitely [1] - 27:16 Department [1] - 26:20 department [1] - 28:18 Deputy [2] - 1:7, 23:13 detail [1] - 40:22 detailed [1] - 41:1 development [1] - 16:18 DeWalt [1] - 40:21</p> | <p>d(1 [1] - 36:1 DATED [1] - 42:18 dates [1] - 27:4 deals [1] - 5:1 dealt [1] - 22:18 December [3] - 37:20, 37:21, 37:22 decision [2] - 21:25, 22:11 deduct [1] - 11:8 definitely [1] - 27:16 Department [1] - 26:20 department [1] - 28:18 Deputy [2] - 1:7, 23:13 detail [1] - 40:22 detailed [1] - 41:1 development [1] - 16:18 DeWalt [1] - 40:21</p> |
| C | | | D | E |
| <p>calendar [1] - 33:15 Campus [1] - 34:24 carries [4] - 4:20, 34:8, 36:14, 39:21 CARRINGTON [8] - 8:6, 8:10, 8:15, 8:21, 9:3, 9:22, 10:10, 11:12 Carrington [3] - 2:3, 7:25, 8:4 case [2] - 21:8, 22:5 cases [1] - 31:3 cash [1] - 11:6 catching [1] - 7:2 caused [1] - 25:21 caveat [1] - 32:1 CCR [1] - 1:23</p> | <p>CLAUDE [5] - 24:11, 25:12, 26:6, 28:23, 29:8 Claude [1] - 1:8 clean [1] - 6:8 cleaning [2] - 32:4, 40:16 clear [1] - 17:7 clearer [1] - 23:7 clerk [1] - 3:8 clip [1] - 18:22 close [1] - 35:8 Closed [1] - 40:12 closed [1] - 30:23 COLANZI [15] - 3:19, 4:13, 10:22, 13:18, 16:13, 16:19, 24:2, 30:9, 32:23, 34:1, 34:16, 36:7, 36:22, 39:14, 40:3 Colanzi [14] - 1:14, 3:18, 4:12, 10:21,</p> | <p>13:17, 24:1, 30:8, 32:22, 33:25, 34:15, 36:6, 36:21, 39:13, 40:2 collect [2] - 39:5, 39:6 College [1] - 35:1 combine [1] - 29:2 coming [4] - 7:23, 26:25, 30:1, 40:20 commencing [1] - 1:19 comment [1] - 28:24 commercial [1] - 21:10 committee [2] - 6:22, 7:14 communicate [1] - 20:18 companies [1] - 31:3 company [8] - 9:16, 19:4, 23:11, 30:22, 31:4, 32:12, 41:3, 41:5 competition [1] - 13:11 complained [1] - 9:16 completely [1] - 22:3 compliance [1] - 29:10 complies [1] - 3:9 concern [2] - 19:9, 29:21 concerned [1] - 29:23 concerns [4] - 20:15, 25:24, 26:1, 40:16 concluded [1] - 41:12 concrete [1] - 24:18 condition [1] - 6:8 conference [1] - 3:7 connection [2] - 35:7, 35:8 consider [1] - 19:1 considering [2] - 20:16, 21:4 consulting [1] - 28:11 continues [1] - 38:7 contract [22] - 14:3, 14:4, 14:12, 14:14, 14:24, 14:25, 15:22, 17:1, 17:23, 18:1, 18:2, 22:20, 22:21, 25:7, 30:17, 30:19, 31:14, 31:24, 32:4, 40:16, 41:9 contractor [3] - 15:23, 23:16, 24:14 contracts [1] - 14:11 contributing [1] - 38:23</p> | <p>d(1 [1] - 36:1 DATED [1] - 42:18 dates [1] - 27:4 deals [1] - 5:1 dealt [1] - 22:18 December [3] - 37:20, 37:21, 37:22 decision [2] - 21:25, 22:11 deduct [1] - 11:8 definitely [1] - 27:16 Department [1] - 26:20 department [1] - 28:18 Deputy [2] - 1:7, 23:13 detail [1] - 40:22 detailed [1] - 41:1 development [1] - 16:18 DeWalt [1] - 40:21</p> | <p>e-mail [1] - 21:1 e-mails [1] - 21:23 Edmund [1] - 1:14 eight [3] - 19:4, 33:14, 35:4 eight-inch [2] - 19:4, 35:4 eights [1] - 18:25</p> |

| | | | | |
|--|--|---|---|--|
| <p>either [1] - 20:17 embarrassment [1] - 7:3 emergency [3] - 25:19, 30:24, 33:6 employee [2] - 42:6, 42:8 end [1] - 25:6 ended [1] - 10:6 Engineer [1] - 1:8 engineer [3] - 19:16, 25:1, 29:18 engineer's [1] - 29:19 engineering [3] - 7:14, 24:9, 26:7 environment [1] - 31:21 Environmental [1] - 26:21 environmental [1] - 28:18 Esquire [2] - 1:7, 1:8 example [1] - 27:12 exclude [1] - 23:12 excuse [2] - 4:24, 22:23 Executive [4] - 1:6, 1:7, 40:10, 40:15 existing [2] - 21:14, 24:20 expansion [1] - 24:24 expertise [1] - 28:9 extend [8] - 15:22, 16:3, 16:5, 16:24, 16:25, 17:23, 18:1, 32:9 extended [3] - 18:16, 21:14, 32:1 extension [1] - 16:11</p> | <p>fire [3] - 35:8, 35:15, 41:5 firms [2] - 26:24, 28:11 first [3] - 9:4, 24:19, 33:14 five [16] - 14:5, 14:12, 14:15, 14:23, 16:11, 16:12, 18:25, 22:20, 22:22, 23:5, 31:22, 33:9, 37:19, 38:9, 38:22, 40:11 five-eighths [1] - 18:25 five-minute [1] - 40:11 fixed [3] - 9:7, 9:11, 9:13 flag [1] - 4:2 Flag [1] - 4:3 floating [1] - 24:14 flurry [1] - 26:4 follow [1] - 25:24 follow-up [1] - 25:24 foremost [1] - 24:19 forth [3] - 5:13, 27:14, 41:11 Forum [2] - 7:16, 25:14 foul [1] - 5:7 foundation [1] - 9:10 four [3] - 18:22, 37:19, 38:22 Fred [1] - 22:12 Fredric [1] - 1:7 frequently [1] - 29:25 front [1] - 25:20 future [1] - 35:16</p> | <p>guess [1] - 21:16 guy [11] - 5:2, 5:5, 5:19, 5:24, 6:7, 6:14, 19:1, 37:17, 37:23, 38:1, 38:9 guys [4] - 12:4, 17:24, 26:12, 31:15</p> | <p>I</p> <p>imposing [1] - 27:22 inch [4] - 19:4, 19:6, 35:4, 35:12 included [1] - 21:23 including [1] - 3:5 increase [2] - 14:13, 14:14 increases [1] - 35:16 indicate [1] - 14:22 indicates [1] - 14:11 information [2] - 21:16, 21:19 inspect [2] - 9:2, 29:17 inspected [1] - 29:15 inspection [2] - 26:9, 26:15 install [1] - 36:16 instead [2] - 12:5, 35:6 insurance [4] - 38:4, 38:7, 38:11, 38:24 intentions [1] - 5:6 interact [1] - 23:5 interaction [1] - 41:11 interest [1] - 16:2 interested [1] - 42:10 interesting [1] - 26:17 interject [1] - 20:14 internal [1] - 27:18 investment [1] - 35:19 invoices [2] - 38:25, 39:3 involved [1] - 22:13 involves [1] - 27:10 Island [1] - 34:24 issue [1] - 21:13 issues [1] - 22:13 item [1] - 21:3</p> | <p>Kelley [1] - 1:9 kept [1] - 9:6 kind [1] - 18:15 known [3] - 3:10, 6:9, 6:14 knows [1] - 39:1</p> |
| <p>F</p> <p>fact [1] - 22:16 fair [1] - 22:3 familiar [1] - 23:18 far [1] - 24:16 fast [1] - 26:25 features [1] - 27:19 February [1] - 27:4 feet [3] - 35:9, 35:10, 35:12 few [2] - 11:25, 24:17 figuring [1] - 40:21 finally [2] - 9:19, 41:8 Finance [1] - 1:9 financial [1] - 6:23 financially [1] - 42:10 fine [1] - 12:3 fingerprinted [1] - 6:5</p> | <p>G</p> <p>g(1 [2] - 39:8, 39:21 garage [1] - 9:20 Garth [13] - 1:7, 11:23, 12:7, 12:13, 12:14, 13:5, 14:10, 21:2, 22:15, 22:25, 23:2, 25:18, 32:2 Gary [1] - 1:12 GE [1] - 36:15 geared [1] - 19:19 generally [3] - 29:20, 30:20, 31:2 generators [1] - 27:13 gentleman [4] - 15:9, 20:14, 22:17, 23:4 gentlemen [1] - 4:6 given [2] - 18:17, 22:3 government [1] - 30:1 grand [2] - 18:22, 33:14</p> | <p>H</p> <p>hackers [1] - 27:21 Hall [2] - 25:21, 26:3 hand [1] - 24:11 handling [2] - 26:2, 26:5 harm [1] - 19:12 Haynes [1] - 39:5 hear [1] - 6:18 hearing [1] - 41:15 hereby [1] - 42:5 higher [3] - 15:25, 16:5, 18:13 HILL [44] - 3:23, 4:9, 4:17, 4:23, 10:15, 10:17, 11:1, 11:25, 12:8, 12:12, 12:20, 12:23, 13:1, 13:6, 13:13, 13:22, 17:8, 20:25, 22:12, 24:6, 25:13, 25:16, 27:6, 27:24, 28:3, 28:6, 28:8, 28:12, 30:3, 30:13, 31:5, 31:9, 31:12, 33:2, 33:22, 34:5, 34:20, 36:11, 37:1, 37:8, 39:10, 39:18, 40:7, 41:14 Hill [14] - 1:12, 3:22, 4:16, 10:25, 13:21, 24:5, 30:12, 33:1, 34:4, 34:19, 36:10, 36:25, 39:17, 40:6 hire [2] - 5:5, 5:9 hired [1] - 6:7 hiring [1] - 5:2 historically [1] - 21:2 hold [3] - 12:6, 14:17, 32:4 holler [1] - 8:8 hope [1] - 32:14 hopefully [1] - 25:2 hours [1] - 31:1 house [1] - 9:5 hunt [1] - 10:5 hydrant [3] - 35:8, 35:9, 35:13 hypochlorite [1] - 34:10</p> | <p>J</p> <p>JACQUELINE [4] - 1:17, 1:23, 42:4, 42:15 Jersey [6] - 1:17, 1:19, 3:7, 26:19, 26:20, 42:5 JERSEY [1] - 1:24 John [1] - 1:13 joints [1] - 24:24 jump [1] - 12:22 jumping [1] - 20:23</p> | <p>L</p> <p>labor [1] - 41:10 Lafayette [2] - 12:25, 13:12 large [3] - 18:21, 19:7, 19:20 last [7] - 4:7, 5:2, 5:25, 10:3, 18:13, 26:9, 31:14 laterals [2] - 12:11, 41:4 law [1] - 3:2 laws [2] - 3:10 Layfield [1] - 24:14 Lea [4] - 1:13, 3:16, 4:10, 10:19, 13:15, 23:24, 30:6, 32:20, 33:23, 34:13, 36:4, 36:19, 39:11, 39:25 LEA [13] - 3:17, 4:11, 10:20, 13:16, 23:25, 30:7, 32:21, 33:24, 34:14, 36:5, 36:20, 39:12, 40:1 lead [1] - 4:2 leak [4] - 9:9, 9:18, 9:19, 10:5 leaking [1] - 9:10 leaks [3] - 9:21, 9:23, 9:25 least [1] - 37:20 leave [1] - 37:11 left [1] - 39:5 legal [3] - 5:18, 20:5, 22:18 less [8] - 8:22, 12:20, 13:8, 13:10, 16:16, 18:22, 19:1, 40:25 letter [1] - 11:20 level [1] - 40:22 liable [1] - 38:12 license [1] - 29:19 License [2] - 1:18, 42:16 limited [1] - 38:21 line [2] - 9:5, 21:3 liquid [1] - 34:9 list [1] - 3:3 listed [1] - 6:25 listen [1] - 23:12 locate [1] - 12:17</p> |
| <p>K</p> <p>keep [2] - 12:5, 31:3</p> | | | | |

| | | | | |
|---|--|--|--|--|
| <p>located ^[1] - 25:11 look ^[7] - 25:8, 26:10, 27:10, 28:2, 29:1, 29:14, 40:17 looking ^[2] - 27:21, 41:13 low ^[3] - 18:14, 21:2, 21:12 lower ^[2] - 18:21, 18:22</p> | <p>member ^[1] - 7:17 Member ^[2] - 1:13, 1:14 members ^[4] - 4:21, 6:21, 7:19, 7:20 meter ^[10] - 9:5, 9:6, 9:11, 9:14, 9:17, 19:1, 19:2, 19:4, 22:1, 23:18 meters ^[14] - 11:18, 14:2, 16:17, 18:21, 18:24, 19:6, 19:7, 19:20, 19:25, 21:20, 22:8, 23:19, 40:25 might ^[4] - 11:18, 28:8, 38:2, 38:16 Milton ^[1] - 1:12 mind ^[1] - 4:25 minute ^[2] - 4:25, 40:11 minutes ^[3] - 4:7, 6:22, 12:1 Miss ^[2] - 25:20, 26:3 mobilized ^[1] - 24:15 Monday ^[1] - 15:19 money ^[3] - 14:17, 20:1, 29:22 month ^[8] - 16:23, 17:1, 17:14, 20:16, 20:20, 22:19, 22:24, 23:3 month's ^[1] - 15:8 monthly ^[1] - 39:22 months ^[3] - 32:2, 32:10, 37:19 morning ^[3] - 4:21, 6:20, 24:13 most ^[1] - 39:4 motion ^[9] - 4:7, 15:5, 17:5, 23:22, 28:19, 32:16, 32:17, 39:8, 41:14 move ^[15] - 4:8, 7:18, 8:19, 10:17, 12:8, 13:1, 20:6, 30:3, 32:18, 33:21, 34:11, 35:25, 36:17, 39:9, 39:23 moving ^[2] - 24:24, 36:1 MOYLE ^[51] - 13:8, 13:11, 14:16, 14:20, 15:3, 15:6, 15:11, 15:16, 15:19, 15:24, 16:4, 16:7, 16:15, 16:20, 16:25, 17:3, 17:10, 17:14, 17:17, 17:22, 18:2, 18:6, 18:10, 18:20, 19:11,</p> | <p>19:22, 20:11, 21:15, 21:20, 31:6, 31:11, 31:17, 31:22, 32:3, 32:8, 32:13, 33:12, 33:20, 35:2, 35:23, 37:4, 37:7, 37:13, 37:15, 37:18, 37:25, 38:2, 38:6, 38:13, 38:16, 38:20 Moyle ^[3] - 1:7, 40:24, 41:2 MR ^[419] - 3:1, 3:12, 3:13, 3:14, 3:16, 3:17, 3:18, 3:19, 3:20, 3:21, 3:22, 3:23, 3:24, 3:25, 4:1, 4:2, 4:4, 4:5, 4:6, 4:8, 4:9, 4:10, 4:11, 4:12, 4:13, 4:14, 4:15, 4:16, 4:17, 4:18, 4:19, 4:20, 4:21, 4:23, 4:24, 5:12, 5:14, 5:16, 5:18, 5:21, 5:22, 5:23, 5:24, 6:1, 6:3, 6:11, 6:13, 6:15, 6:17, 6:20, 7:4, 7:6, 7:7, 7:9, 7:11, 7:14, 7:17, 7:19, 7:22, 7:23, 8:3, 8:4, 8:6, 8:7, 8:10, 8:11, 8:12, 8:15, 8:18, 8:21, 9:1, 9:3, 9:21, 9:22, 10:8, 10:10, 10:11, 10:12, 10:14, 10:15, 10:16, 10:17, 10:18, 10:19, 10:20, 10:21, 10:22, 10:23, 10:24, 10:25, 11:1, 11:2, 11:3, 11:4, 11:5, 11:8, 11:11, 11:12, 11:13, 11:14, 11:16, 11:17, 11:23, 11:25, 12:3, 12:4, 12:6, 12:8, 12:10, 12:12, 12:13, 12:14, 12:17, 12:20, 12:21, 12:23, 12:25, 13:1, 13:3, 13:4, 13:6, 13:7, 13:8, 13:11, 13:13, 13:14, 13:15, 13:16, 13:17, 13:18, 13:19, 13:20, 13:21, 13:22, 13:23, 13:24, 13:25, 14:1, 14:7, 14:9, 14:16, 14:18, 14:20, 14:22, 15:3, 15:5, 15:6, 15:9, 15:11, 15:12, 15:14, 15:16, 15:17, 15:19, 15:24, 16:4, 16:7, 16:10, 16:13,</p> | <p>16:15, 16:19, 16:20, 16:24, 16:25, 17:3, 17:5, 17:7, 17:8, 17:9, 17:10, 17:13, 17:14, 17:16, 17:17, 17:20, 17:22, 17:25, 18:2, 18:5, 18:6, 18:8, 18:10, 18:14, 18:20, 19:9, 19:11, 19:14, 19:21, 19:22, 20:8, 20:11, 20:13, 20:21, 20:25, 21:1, 21:15, 21:18, 21:20, 21:22, 22:10, 22:12, 22:13, 22:23, 23:1, 23:7, 23:9, 23:10, 23:14, 23:16, 23:21, 23:23, 23:24, 23:25, 24:1, 24:2, 24:3, 24:4, 24:5, 24:6, 24:7, 24:8, 24:9, 24:11, 25:12, 25:13, 25:15, 25:16, 26:6, 26:18, 27:6, 27:8, 27:24, 27:25, 28:3, 28:5, 28:6, 28:7, 28:8, 28:12, 28:14, 28:17, 28:19, 28:21, 28:23, 29:6, 29:8, 29:9, 29:11, 29:12, 29:14, 29:21, 29:24, 30:2, 30:3, 30:4, 30:5, 30:6, 30:7, 30:8, 30:9, 30:10, 30:11, 30:12, 30:13, 30:14, 30:15, 30:16, 30:19, 30:20, 30:21, 30:22, 31:5, 31:6, 31:7, 31:9, 31:11, 31:12, 31:15, 31:17, 31:18, 31:20, 31:22, 31:23, 32:3, 32:8, 32:11, 32:13, 32:14, 32:17, 32:18, 32:19, 32:20, 32:21, 32:22, 32:23, 32:24, 32:25, 33:1, 33:2, 33:3, 33:4, 33:5, 33:11, 33:12, 33:18, 33:20, 33:21, 33:22, 33:23, 33:24, 33:25, 34:1, 34:2, 34:3, 34:4, 34:5, 34:6, 34:7, 34:8, 34:9, 34:11, 34:12, 34:13, 34:14, 34:15, 34:16, 34:17, 34:18, 34:19, 34:20, 34:21, 34:22, 34:23, 35:2, 35:21, 35:23, 35:25, 36:1, 36:3, 36:4, 36:5, 36:6,</p> | <p>36:7, 36:8, 36:9, 36:10, 36:11, 36:12, 36:13, 36:14, 36:15, 36:17, 36:18, 36:19, 36:20, 36:21, 36:22, 36:23, 36:24, 36:25, 37:1, 37:2, 37:3, 37:4, 37:6, 37:7, 37:8, 37:10, 37:11, 37:13, 37:14, 37:15, 37:16, 37:18, 37:23, 37:25, 38:1, 38:2, 38:4, 38:6, 38:10, 38:13, 38:16, 38:18, 38:20, 39:8, 39:9, 39:10, 39:11, 39:12, 39:13, 39:14, 39:15, 39:16, 39:17, 39:18, 39:19, 39:20, 39:21, 39:22, 39:23, 39:24, 39:25, 40:1, 40:2, 40:3, 40:4, 40:5, 40:6, 40:7, 40:8, 40:9, 40:10, 40:11, 40:14, 41:13, 41:14, 41:15, 41:16 MS ^[35] - 3:15, 8:1, 8:13, 8:14, 8:17, 11:7, 11:9, 12:15, 12:18, 12:19, 13:2, 13:10, 14:6, 15:13, 15:20, 16:2, 16:6, 16:8, 17:2, 19:18, 25:11, 26:17, 28:10, 31:8, 31:13, 31:25, 32:6, 32:9, 33:9, 37:22, 38:11, 38:14, 38:25, 39:1, 39:3 MUA ^[7] - 19:9, 19:10, 25:17, 25:25, 26:2, 35:20, 38:7 MUNICIPAL ^[2] - 1:1, 1:18 mutual ^[1] - 32:8</p> |
| | | N | | |
| | | | | <p>name ^[2] - 6:2, 11:16 names ^[1] - 33:13 need ^[10] - 8:19, 15:5, 18:12, 19:8, 20:4, 22:7, 27:5, 29:4, 29:23, 32:16 needed ^[2] - 21:25, 37:5 needs ^[1] - 25:2 Neptune ^[1] - 11:18 new ^[7] - 14:13, 14:25, 16:10, 20:10, 35:4, 38:6, 40:20</p> |

| | | | | |
|--|--|---|---|---|
| <p>New [7] - 1:17, 1:19, 3:7, 26:18, 26:19, 26:20, 42:5</p> <p>NEW [1] - 1:24</p> <p>next [8] - 15:7, 16:22, 17:1, 17:14, 22:19, 22:24, 23:3, 30:16</p> <p>nobody [2] - 19:2, 19:4</p> <p>North [2] - 1:18, 3:6</p> <p>NORTHFIELD [1] - 1:24</p> <p>notes [1] - 7:15</p> <p>nothing [1] - 25:25</p> <p>notice [4] - 3:1, 3:5, 3:8, 7:10</p> <p>noticed [2] - 6:24, 7:9</p> <p>notified [1] - 7:8</p> <p>number [5] - 16:14, 18:3, 19:12, 21:7, 33:13</p> <p>numbers [1] - 19:23</p> | <p>own [2] - 35:9, 37:13</p> <p>owner [2] - 9:15, 10:3</p> | <p>positive [1] - 6:9</p> <p>possible [2] - 5:8, 10:10</p> <p>posted [1] - 3:8</p> <p>potential [1] - 40:19</p> <p>power [2] - 23:2, 27:13</p> <p>predates [2] - 38:21, 38:22</p> <p>prepared [1] - 18:3</p> <p>present [3] - 11:20, 14:12, 15:22</p> <p>Present [2] - 3:13, 3:15</p> <p>presentation [1] - 21:24</p> <p>presented [1] - 11:19</p> <p>president [1] - 28:15</p> <p>Press [1] - 3:3</p> <p>pretty [4] - 25:8, 26:25, 27:17, 35:18</p> <p>preventive [1] - 33:6</p> <p>price [2] - 20:1, 21:7</p> <p>prices [3] - 14:17, 16:5, 32:5</p> <p>private [1] - 35:15</p> <p>problem [2] - 10:16, 32:16</p> <p>problems [1] - 25:22</p> <p>process [1] - 20:19</p> <p>production [1] - 27:4</p> <p>products [1] - 21:5</p> <p>professional [1] - 28:10</p> <p>profit [1] - 35:20</p> <p>prongs [1] - 28:1</p> <p>property [4] - 9:2, 35:10, 35:14</p> <p>propounded [1] - 26:20</p> <p>protection [1] - 28:18</p> <p>Protection [1] - 26:21</p> <p>provide [1] - 26:22</p> <p>provided [1] - 3:2</p> <p>providers [1] - 26:22</p> <p>PS&S [1] - 25:1</p> <p>PUBLIC [1] - 2:2</p> <p>public [4] - 3:10, 7:19, 7:20, 25:16</p> <p>pushed [3] - 18:16, 21:13, 22:3</p> <p>put [3] - 15:21, 18:18, 18:19, 21:4, 24:21, 24:22, 27:1, 27:2, 27:15, 35:4, 35:11, 35:13</p> <p>putting [1] - 29:2</p> | <p style="text-align: center;">Q</p> <p>Quality [1] - 26:19</p> <p>quarter [2] - 35:15, 35:18</p> <p>quarters [2] - 18:25</p> <p>questioning [1] - 19:17</p> <p>questions [2] - 6:23, 25:7</p> <p>quick [1] - 28:23</p> <p>quickly [1] - 25:23</p> <p>quorum [1] - 4:1</p> <p>quoted [2] - 8:21, 16:8</p> | <p>relinquish [1] - 5:7</p> <p>remember [2] - 6:1, 38:9</p> <p>remote [1] - 26:13</p> <p>removed [1] - 24:20</p> <p>Renewal [1] - 34:25</p> <p>repair [4] - 14:2, 24:17, 24:18, 25:1</p> <p>repairs [1] - 10:12</p> <p>replace [2] - 24:24, 36:15</p> <p>replaced [1] - 9:5</p> <p>replacement [3] - 24:14, 24:16, 41:4</p> <p>replacing [2] - 25:4, 37:6</p> <p>report [5] - 6:21, 6:23, 24:10, 28:25, 29:3</p> <p>reported [3] - 40:24, 41:2, 41:10</p> <p>REPORTER [1] - 1:23</p> <p>Reporter [3] - 1:17, 42:5, 42:16</p> <p>reprinted [1] - 5:3</p> <p>request [3] - 14:2, 21:18, 29:3</p> <p>requests [2] - 25:5, 30:17</p> <p>require [1] - 26:21</p> <p>required [2] - 3:2, 40:22</p> <p>requirement [1] - 41:2</p> <p>residential [1] - 21:9</p> <p>resolution [6] - 5:4, 12:11, 26:24, 33:6, 36:16, 37:4</p> <p>resolve [1] - 22:24</p> <p>resolved [1] - 41:6</p> <p>respect [1] - 41:1</p> <p>respond [1] - 27:5</p> <p>responded [1] - 19:19</p> <p>resubmit [1] - 17:21</p> <p>revealed [1] - 41:5</p> <p>review [1] - 14:10</p> <p>reviewed [1] - 14:23</p> <p>rewrite [1] - 35:22</p> <p>RFP [2] - 27:1, 27:2</p> <p>RFQ [1] - 29:2</p> <p>rid [3] - 28:15, 28:16, 37:16</p> <p>rights [1] - 18:11</p> <p>Rio [4] - 11:14, 15:11, 20:14, 23:4</p> <p>Rio's [1] - 17:19</p> <p>risk [2] - 27:6, 27:8</p> <p>ROAD [1] - 1:24</p> <p>roll [1] - 3:11</p> <p>room [1] - 3:7</p> |
| <p style="text-align: center;">O</p> <p>objection [1] - 41:15</p> <p>objections [1] - 4:8</p> <p>obviously [1] - 16:18</p> <p>occurred [1] - 27:4</p> <p>October [2] - 8:25, 42:18</p> <p>OF [1] - 1:1</p> <p>offs [2] - 6:24</p> <p>old [3] - 20:17, 20:19, 33:17</p> <p>once [1] - 23:17</p> <p>one [25] - 4:25, 7:23, 14:18, 16:10, 18:3, 18:10, 18:19, 19:12, 20:13, 20:17, 20:20, 22:14, 26:6, 26:9, 28:2, 28:22, 29:4, 31:14, 31:16, 31:19, 31:24, 31:25, 32:7, 35:3, 38:9</p> <p>one-year [5] - 26:9, 31:19, 31:24, 31:25, 32:7</p> <p>open [2] - 3:10, 23:6</p> <p>operating [1] - 26:13</p> <p>operations [1] - 12:1</p> <p>opinion [1] - 5:19</p> <p>opportunity [3] - 18:17, 21:24, 22:4</p> <p>option [1] - 20:13</p> <p>order [1] - 9:25</p> <p>organization [1] - 27:17</p> <p>original [1] - 16:15</p> | <p style="text-align: center;">P</p> <p>Pacific [2] - 25:20, 26:3</p> <p>PAGE [1] - 2:2</p> <p>page [1] - 8:2</p> <p>paid [2] - 8:23</p> <p>papers [3] - 5:3, 6:4, 6:5</p> <p>paperwork [1] - 16:22</p> <p>part [1] - 27:25</p> <p>particular [1] - 27:18</p> <p>particularly [1] - 25:18</p> <p>parties [1] - 42:7</p> <p>parts [1] - 14:2</p> <p>pass [2] - 5:4, 16:19</p> <p>passed [2] - 13:25, 16:20</p> <p>patiently [1] - 20:22</p> <p>Patricia [1] - 1:15</p> <p>pay [8] - 10:12, 19:3, 35:18, 38:7, 38:14, 38:16, 39:4, 39:6</p> <p>paying [4] - 37:23, 38:1, 38:5</p> <p>payment [1] - 25:5</p> <p>pays [1] - 38:15</p> <p>people [2] - 7:22, 29:15</p> <p>percent [1] - 16:4</p> <p>perfectly [2] - 18:11, 20:5</p> <p>performed [1] - 26:10</p> <p>perimeter [1] - 24:23</p> <p>permission [1] - 14:4</p> <p>person [3] - 5:10, 15:12, 20:21</p> <p>personnel [2] - 6:22, 31:4</p> <p>phone [2] - 7:1, 30:24</p> <p>physical [1] - 7:10</p> <p>physically [1] - 26:14</p> <p>pick [2] - 21:5, 35:13</p> <p>pictures [1] - 25:8</p> <p>pipe [1] - 35:12</p> <p>plan [6] - 26:23, 27:10, 27:11, 27:15, 29:18</p> <p>plant [2] - 6:8, 25:12</p> <p>plumber [1] - 9:1</p> <p>plumbing [3] - 9:16, 9:24, 41:9</p> <p>plus [1] - 35:15</p> <p>point [1] - 14:13</p> <p>portion [1] - 24:21</p> <p>position [3] - 5:7, 21:11, 22:18</p> | <p style="text-align: center;">R</p> <p>radio [1] - 36:15</p> <p>ran [2] - 35:11, 37:18</p> <p>rather [1] - 14:24</p> <p>reach [1] - 14:14</p> <p>ready [3] - 16:22, 27:5, 27:23</p> <p>really [1] - 17:11</p> <p>reapply [1] - 32:14</p> <p>reason [4] - 18:12, 18:20, 19:5</p> <p>rebate [2] - 11:6, 11:7</p> <p>rebid [3] - 11:20, 11:21, 32:15</p> <p>received [2] - 8:22, 21:1</p> <p>recollect [1] - 15:10</p> <p>recommend [1] - 29:1</p> <p>recommending [1] - 22:15</p> <p>record [1] - 6:9</p> <p>Redevelopment [1] - 34:25</p> <p>redo [2] - 15:7, 33:16</p> <p>reference [1] - 14:8</p> <p>regard [1] - 26:25</p> <p>regards [4] - 24:17, 25:4, 26:7, 29:3</p> <p>regular [2] - 3:5, 31:1</p> <p>regularly [1] - 3:3</p> <p>reject [9] - 17:5, 18:10, 19:11, 20:4, 20:9, 20:15, 22:15, 22:16, 23:2</p> <p>rejected [1] - 14:20</p> <p>rejecting [5] - 15:21, 17:10, 17:17, 17:18</p> <p>rejection [3] - 16:21, 17:3, 23:22</p> <p>relationship [1] - 40:19</p> <p>relative [2] - 42:6, 42:8</p> <p>relief [1] - 10:8</p> | | |

| | | | | |
|--|---|---|--|---|
| <p>rule [1] - 38:6</p> <p>run [2] - 35:10, 38:8</p> <p>running [6] - 9:6, 9:12, 9:14, 9:18, 19:5, 22:7</p> <p>rushing [1] - 27:1</p> | <p>Siamese [1] - 35:7</p> <p>side [1] - 8:7</p> <p>signature [2] - 29:19, 37:9</p> <p>signed [2] - 29:16, 29:18</p> <p>significant [1] - 6:22</p> <p>signs [1] - 5:13</p> <p>simply [1] - 29:6</p> <p>situation [1] - 25:19</p> <p>six [2] - 19:6, 35:12</p> <p>six-inch [2] - 19:6, 35:12</p> <p>small [5] - 16:17, 18:24, 19:19, 19:25, 27:17</p> <p>Smith [16] - 1:8, 1:12, 3:24, 4:18, 11:2, 13:23, 24:7, 24:10, 30:14, 33:3, 34:6, 34:21, 36:12, 37:2, 39:19, 40:8</p> <p>SMITH [95] - 3:1, 3:25, 4:2, 4:4, 4:8, 4:19, 4:24, 5:14, 5:18, 5:22, 5:24, 6:3, 6:13, 6:17, 7:4, 7:7, 7:11, 7:17, 7:22, 8:4, 8:7, 8:11, 8:18, 10:8, 10:11, 10:14, 10:16, 10:18, 11:3, 11:5, 11:8, 11:11, 11:13, 11:16, 12:4, 12:13, 12:17, 13:24, 15:9, 15:14, 15:17, 17:7, 17:9, 17:13, 17:16, 17:20, 17:25, 18:5, 18:8, 19:9, 19:14, 20:8, 20:21, 22:10, 22:23, 23:7, 23:10, 23:21, 24:8, 24:11, 25:12, 25:15, 26:6, 28:14, 28:23, 29:8, 29:9, 29:12, 29:21, 30:2, 30:15, 31:23, 32:11, 32:14, 32:18, 33:4, 34:7, 34:12, 34:22, 36:3, 36:13, 36:17, 37:3, 37:14, 37:16, 37:23, 38:1, 38:4, 38:10, 39:20, 39:23, 40:9, 40:11, 41:13, 41:16</p> <p>sodium [1] - 34:10</p> <p>sole [2] - 22:5, 22:8</p> <p>Solicitor [1] - 1:7</p> <p>solicitor [1] - 14:8</p> <p>sometimes [1] - 6:15</p> <p>sorry [3] - 4:23, 4:24, 6:12</p> | <p>source [2] - 22:5, 22:8</p> <p>spec [2] - 18:17, 21:12</p> <p>specifically [1] - 5:13</p> <p>speed [1] - 5:23</p> <p>spend [1] - 29:22</p> <p>spent [1] - 9:24</p> <p>spring [1] - 8:24</p> <p>staff [5] - 4:22, 6:21, 23:17, 25:18, 31:1</p> <p>standard [1] - 19:22</p> <p>start [1] - 38:23</p> <p>started [2] - 24:15, 27:3</p> <p>State [2] - 1:17, 42:5</p> <p>state [6] - 22:6, 27:22, 28:17, 29:11, 29:12</p> <p>status [1] - 11:19</p> <p>statute [4] - 14:23, 16:9, 16:11, 22:21</p> <p>stay [1] - 8:8</p> <p>step [1] - 18:10</p> <p>stick [1] - 31:23</p> <p>still [7] - 9:6, 9:11, 9:14, 9:17, 9:18, 14:16, 38:5</p> <p>stock [1] - 19:7</p> <p>Stockton [1] - 35:1</p> <p>strainers [1] - 21:21</p> <p>street [2] - 23:20, 30:24</p> <p>strictly [2] - 21:9</p> <p>stringers [1] - 18:23</p> <p>strip [1] - 24:22</p> <p>stuck [2] - 21:11, 38:20</p> <p>submittals [1] - 25:5</p> <p>successful [1] - 39:7</p> <p>suggestion [1] - 7:4</p> <p>Supply [2] - 11:15, 15:11</p> <p>suppose [2] - 5:12, 38:18</p> <p>sustainability [1] - 27:11</p> <p>system [6] - 22:7, 22:9, 23:17, 33:7, 33:17, 33:19</p> <p>systems [1] - 33:8</p> | <p>terms [4] - 24:24, 27:18, 27:20, 41:3</p> <p>test [2] - 6:12</p> <p>THAPA [9] - 8:13, 11:7, 11:9, 12:18, 15:13, 17:2, 31:13, 38:25, 39:3</p> <p>Thapa [1] - 1:9</p> <p>they've [2] - 14:24, 24:16</p> <p>Thomas [3] - 2:3, 5:21, 5:22</p> <p>three [9] - 9:4, 9:21, 9:23, 14:14, 15:1, 18:22, 18:25, 21:14</p> <p>three-quarters [2] - 18:25</p> <p>TILTON [1] - 1:24</p> <p>Tim [3] - 2:4, 11:14, 11:17</p> <p>Title [1] - 15:2</p> <p>today [6] - 16:19, 16:21, 17:10, 17:11, 25:1, 26:10</p> <p>together [5] - 15:7, 27:2, 27:15, 28:20, 36:2</p> <p>took [1] - 6:6</p> <p>top [2] - 24:21, 26:12</p> <p>total [2] - 21:7, 35:21</p> <p>tower [1] - 26:12</p> <p>town [3] - 16:18, 19:3, 19:5</p> <p>Treasurer [1] - 1:13</p> <p>Trenton [2] - 35:4, 35:8</p> <p>Tri [2] - 31:8, 31:10</p> <p>Tri-County [2] - 31:8, 31:10</p> <p>tried [3] - 35:2, 35:16, 39:6</p> <p>trouble [1] - 25:22</p> <p>truck [1] - 26:11</p> <p>try [2] - 10:5, 14:13</p> <p>trying [3] - 6:7, 23:12, 28:12</p> <p>turn [1] - 29:11</p> <p>turning [1] - 35:20</p> <p>twice [1] - 9:17</p> <p>two [22] - 7:22, 14:3, 14:12, 14:24, 15:1, 15:12, 16:11, 16:16, 17:10, 18:19, 20:20, 22:13, 22:20, 25:3, 27:24, 28:1, 28:10, 31:11, 31:13, 35:19, 38:7, 38:22</p> <p>two-year [4] - 14:3, 15:12, 20:20, 22:20</p> | <p>type [2] - 14:24, 22:21</p> <p>types [1] - 23:19</p> |
| U | | | | |
| <p>unbridled [1] - 22:14</p> <p>under [2] - 18:20, 20:21</p> <p>underground [1] - 9:20</p> <p>understood [1] - 23:21</p> <p>unfunded [1] - 29:24</p> <p>uniformity [1] - 23:17</p> <p>units [1] - 36:15</p> <p>unless [2] - 7:17, 8:20</p> <p>up [15] - 5:15, 7:2, 7:23, 8:4, 8:6, 10:6, 14:11, 14:23, 17:24, 22:22, 25:24, 26:12, 31:16, 31:22, 35:13</p> <p>updated [1] - 29:7</p> <p>upset [1] - 33:13</p> <p>Urban [1] - 34:25</p> <p>UTILITIES [2] - 1:1, 1:18</p> | | | | |
| V | | | | |
| <p>valve [2] - 35:11, 36:16</p> <p>vehicle [2] - 26:14, 26:16</p> <p>Ventnor [1] - 35:5</p> <p>Vice [1] - 1:12</p> <p>Virginia [2] - 1:18, 3:6</p> <p>voting [1] - 28:19</p> <p>vulnerability [1] - 27:20</p> | | | | |
| W | | | | |
| <p>wait [1] - 11:25</p> <p>waiting [2] - 5:5, 20:22</p> <p>wall [1] - 9:10</p> <p>wants [2] - 20:23, 23:4</p> <p>ward [1] - 33:10</p> <p>WARD [51] - 4:21, 5:21, 5:23, 6:1, 6:20, 7:6, 7:9, 7:14, 7:19, 7:23, 8:3, 8:12, 9:1, 9:21, 11:14, 11:23, 12:6, 12:10, 12:21, 12:25, 14:1, 14:7, 16:24, 23:16, 24:9, 26:18, 27:8, 27:25, 28:5, 28:7, 28:17, 28:21, 29:6, 29:11, 29:14, 29:24, 30:16, 30:20, 30:22, 31:7,</p> | | | | |
| T | | | | |
| <p>T-10 [1] - 22:1</p> <p>TAKEN [1] - 1:17</p> <p>talent [1] - 29:14</p> <p>talks [1] - 7:13</p> <p>tank [2] - 26:13, 26:14</p> <p>temporary [1] - 38:3</p> <p>ten [1] - 6:14</p> <p>term [1] - 27:9</p> | | | | |

| | |
|--|--|
| 31:20, 32:17, 33:5, 33:11, 34:9, 34:23, 36:15, 37:11, 39:22, 40:10, 40:14 Ward [1] - 1:6 Water [1] - 26:19 water [5] - 11:18, 12:10, 14:2, 26:21, 40:25 WEBER [5] - 5:12, 5:16, 6:11, 6:15, 12:14 Weber [1] - 1:8 Weco [3] - 12:12, 12:25, 13:7 Wednesday [1] - 1:2 week [5] - 5:19, 5:25, 6:6 weekend [2] - 25:20, 26:4 weeks [1] - 25:3 welcome [2] - 4:5, 11:13 whole [1] - 35:21 William [2] - 1:13, 1:14 WILLIAMS [8] - 8:1, 8:14, 8:17, 12:15, 12:19, 13:2, 14:6, 31:8 Williams [1] - 1:9 willing [1] - 35:13 window [1] - 26:11 wondering [2] - 18:1, 25:13 workers [1] - 25:18 wow [1] - 31:12 write [1] - 16:22 writing [1] - 27:15 | 31:13, 33:10, 38:8, 38:9, 38:22, 38:23 |
| Z | |
| | ZARRILLO [4] - 1:17, 1:23, 42:4, 42:15 |
| X | |
| XI01786 [1] - 1:18 XIO1786 [1] - 42:16 | |
| Y | |
| yard [1] - 30:18 year [15] - 14:3, 14:15, 15:12, 20:20, 22:20, 26:9, 31:14, 31:16, 31:19, 31:24, 31:25, 32:7, 33:14, 33:15, 35:19 years [24] - 6:10, 6:14, 14:5, 14:12, 14:14, 14:23, 15:1, 16:12, 16:16, 18:19, 21:14, 22:22, 23:5, 28:24, 28:25, 29:5, 31:11, | |