

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

- - -

DATE: Wednesday - December 16, 2020

COMMENCING AT 10:00 a.m.

ATLANTIC CITY MUNICIPAL AUTHORITY

401 NORTH VIRGINIA AVENUE

ATLANTIC CITY, NEW JERSEY 08404

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1 Computer-aided transcript of the
 2 Board of Directors meeting, taken
 3 stenographically remotely, per agreement, via
 4 Zoom, in the above-captioned matter before
 5 Catherine T. McLaughlin.

6
 7 BOARD MEMBERS:

- 8 JOHN DEVLIN, Chairman (remote)
- 9 GARY L. HILL, Vice Chairman/Secretary (remote)
- 10 PATRICIA BAILEY, Board member
- 11 NYNELL LANGFORD, Board Member (remote)
- 12 MILTON L. SMITH, Board Member (via telephone)
- 13 WILLIAM CHEATHAM, Board Member (via telephone)

14 ALSO PRESENT:

15 Anita Thapa, Executive Secretary
 16 Atlantic City Municipal Utilities Authority

17 Fred Bor, Solicitor
 18 Atlantic City Municipal Utilities Authority

19 Andrew Weber, Labor Counsel (remote)
 20 Atlantic City Municipal Utilities Authority

21 Michael Riley, Counsel (remote)
 22 Atlantic City Municipal Utilities Authority

23 Claude E. Smith, Acting Executive Director
 24 Atlantic City Municipal Utilities Authority

25 Nicholas Mancuso, Acting Deputy Exe. Director
 Atlantic City Municipal Utilities Authority

Vince Polistina (remote)

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PROCEEDING

MR. BOR: Chairman Devlin? Do you have a copy of the opening statement?

THE CHAIRMAN: No.

MR. BOR: If not, I'll read it as though we incorporated it.

THE CHAIRMAN: If you could for the record, Fred, because I'm looking for it now, I don't have it on me.

MR. BOR: Okay. Is it okay if I read it and you incorporate it as though you said it?

THE CHAIRMAN: Please.

MR. BOR: Okay. Adequate notice of this meeting has been provided as required by law by mailing to the Press of Atlantic City a list of all the regularly scheduled meetings for December 16th, 2020 at 401 North Virginia Avenue, conference room, Atlantic City, New Jersey. A copy of said notice was sent to the City Clerk to be posted.

All of the aforesaid complies with Chapter 231 of the Laws of 1975 known as the

1 Open Public Meetings Law.

2 And I take it, Mr. Chairman, you
3 incorporate what I've just read as if you were
4 here?

5 THE CHAIRMAN: That's correct.

6 MR. BOR: Thank you. Roll call.

7 Mr. Cheatham? Excuse me. Let me go
8 in the right order.

9 Ms. Bailey?

10 MS. BAILEY: Here.

11 MR. BOR: Mr. Cheatham?

12 MR. CHEATHAM: Present.

13 MR. BOR: And Mr. Hill?

14 MR. HILL: Here.

15 MR. BOR: Ms. Langford?

16 MS. LANGFORD: Here.

17 MR. BOR: Mr. Smith?

18 MR. M. SMITH: Here.

19 MR. BOR: And Mr. Devlin?

20 THE CHAIRMAN: Here, here.

21 MR. BOR: And Mr. Devlin. There is
22 now a quorum and we're ready to proceed.

23 Flag salute.

24 - - -

25 (Whereupon, the Pledge of Allegiance

1 was recited.)

2 - - -

3 THE CHAIRMAN: Thank you.

4 MR. BOR: And moving right along, I
5 take it board members have received the
6 regular and executive session minutes for
7 November, and as unless there's any issues, is
8 there a motion to receive?

9 THE CHAIRMAN: Motion.

10 MS. BAILEY: Second.

11 MR. BOR: Ms. Bailey.

12 MS. BAILEY: Yes.

13 MR. BOR: Mr. Cheatham.

14 MR. CHEATHAM: Yes.

15 MR. BOR: Mr. Hill.

16 MR. HILL: Yes.

17 MR. BOR: And Ms. Langford.

18 MS. LANGFORD: Yes.

19 MR. BOR: Mr. Smith.

20 MR. M. SMITH: Yes.

21 MR. BOR: And Mr. Devlin, Chairman
22 Devlin.

23 THE CHAIRMAN: Yes.

24 MR. BOR: Regular and executive
25 session minutes have been approved. Executive

1 director's report. Mr. Smith.

2 MR. SMITH: Just, first and foremost,
3 I'd just like to inform the board and the
4 group that our secretary, Charylindra
5 McIntosh, has actually returned to work. Of
6 course, she was out on the medical, of course,
7 for a period of time. But she's not back to
8 full strength as yet, but she's back to work.
9 So I just want to inform you that that
10 particular occurrence is on its way in
11 reference to her being back to work, and
12 hoping to work full switch for her position
13 again.

14 Personal committee meeting.
15 Documentation list. All that documentation
16 was actually sent. Unless someone has a
17 comment or any particular reason for making
18 any comments they can go ahead and do so, but
19 all that documentation was actually sent out.

20 And as for reports, should be a part
21 of your package. Also the cash management
22 should be part of your package as well. Also
23 the balance adjustments should be a part of
24 your packages.

25 Anita, if you want to speak a little

1 bit on the delinquency/shutoffs report you can
2 do so.

3 MS. THAPA: Actually, we're not doing
4 anything per orders of the governor. We are
5 also not going to do anything until March
6 2021.

7 MR. SMITH: Okay. And we did have a
8 kick-off meeting with H2M at our special
9 engineer committee meeting. Mr. Polistina
10 actually did send out a little report on what
11 was actually done. I'm assuming everyone did
12 receive that, all the board members.

13 MR. HILL: Mr. Chairman?

14 THE CHAIRMAN: Gary.

15 MR. HILL: One item I'd like to
16 discuss in closed session, nothing major, but
17 I just want to talk about it. It relates to
18 H2M. Just a recommendation for Mr. Polistina,
19 as well as H2M, I think we need to follow up
20 on soon. Okay?

21 THE CHAIRMAN: Very good. Thanks,
22 Gary.

23 MR. SMITH: Very good.

24 MR. BOR: Any director forum? Any
25 contribution by a director?

1 Hearing none, all business and public
2 participation, since we're by Zoom, and we
3 have not gotten any emails to the executive
4 director from any persons who wish to
5 communicate any information for which we would
6 then, Mr. Smith would then reply to, I think
7 we received none. And, consequently, we're
8 ready to move on to old business, which would
9 be to accept bids, which would be a. (1).

10 THE CHAIRMAN: Motion.

11 MR. HILL: Second.

12 MR. BOR: Ms. Bailey.

13 MS. BAILEY: Yes.

14 MR. BOR: Mr. Cheatham.

15 MR. CHEATHAM: Yes.

16 MR. BOR: Mr. Hill.

17 MR. HILL: Yes.

18 MR. BOR: Ms. Langford.

19 MS. LANGFORD: Yes.

20 MR. BOR: Mr. Smith.

21 MR. M. SMITH: Abstain.

22 MR. BOR: And Chairman Devlin.

23 THE CHAIRMAN: Yes.

24 MR. BOR: 8. a. (1) is accepted.

25 8. b. 2021 budget. Mr. Smith, any

1 comments?

2 MR. SMITH: We actually did offer our
3 public forum, which, of course, no one
4 actually attended, and there was no opposition
5 to the budget that was actually named; so,
6 therefore, I consider it to be substantial
7 enough to actually follow through with it.

8 MR. BOR: Need a motion on 8. b.
9 Anyone wish to move 8. b.?

10 THE CHAIRMAN: Me. I'll make a
11 motion.

12 MR. HILL: Second.

13 MR. BOR: Ms. Bailey.

14 MS. BAILEY: Yes.

15 MR. BOR: And Mr. Cheatham.

16 MR. CHEATHAM: Yes.

17 MR. BOR: Mr. Hill.

18 MR. HILL: Yes.

19 MR. BOR: And Ms. Langford.

20 MS. LANGFORD: Yes.

21 MR. BOR: Mr. Smith.

22 MR. SMITH: Yes.

23 MR. BOR: And Chairman Devlin.

24 THE CHAIRMAN: Yes.

25 MR. BOR: 8. b. approved. And the

1 budget adjustments. Mr. Smith.

2 MS. THAPA: Excuse me. 8. b. (1), (2)
3 and (3).

4 MR. BOR: c. is included under.

5 MR. SMITH: Budget adjustment.

6 THE CHAIRMAN: I guess we need a
7 separate motion?

8 MS. THAPA: No. 8. b. (1) is separate
9 and (2) is separate. Are we doing (1), (2),
10 (3) together?

11 MR. BOR: Motion was b. (1), (2) and
12 (3). I guess we need a separate resolution
13 for c?

14 THE CHAIRMAN: I guess we do.

15 MR. HILL: Just a point of interest
16 for Anita. When Ms. Bailey and I worked with
17 you, the c. adjustment, is it just moving the
18 numbers around where we talked about?

19 MS. THAPA: Yes. This is for 2020
20 budget. (Inaudible.)

21 MR. HILL: Got it. Got it. Okay,
22 thank you.

23 MR. SMITH: So that's what it is then.

24 MR. HILL: Yeah.

25 MS. BAILEY: Then it would be

1 separate.

2 MR. BOR: Yeah, separate. Is there a
3 motion?

4 (Simultaneous cross talk.)

5 MR. BOR: Is there a motion on 8. c.?

6 MS. BAILEY: 8. c., the adjustment.
7 Motion.

8 MR. BOR: That's the adjustment.

9 MS. BAILEY: Motion.

10 MR. BOR: Any second?

11 MR. HILL: Second.

12 MR. BOR: Ms. Bailey.

13 MS. BAILEY: Yes.

14 MR. BOR: Mr. Cheatham.

15 MR. CHEATHAM: Yes.

16 MR. BOR: Mr. Hill.

17 MR. HILL: Yes.

18 MR. BOR: And Ms. Langford.

19 MS. LANGFORD: Yes.

20 MR. BOR: Mr. Smith.

21 MR. SMITH: Yes.

22 MR. BOR: And Chairman Devlin.

23 THE CHAIRMAN: Yes.

24 MR. BOR: 8. d., which is this letter
25 review.

1 MR. SMITH: That's just a workers'
2 comp contract that we do on a regular
3 consistent basis every year. The contract
4 amount 146,956. If there's any adjustment,
5 we'll actually look into that. If we need to
6 amend, we'll do so. But at the present time,
7 this is the figures that we received for the
8 workers' comp insurance.

9 MS. BAILEY: What's the (inaudible)
10 level?

11 MR. SMITH: This is by New Jersey
12 Manufacturers, yes. This is by New Jersey
13 Manufacturers.

14 MR. BOR: Is there a motion on d.
15 Insurance?

16 MR. SMITH: We have to take this out.

17 MS. BAILEY: Yeah.

18 MR. SMITH: This part.

19 MS. BAILEY: Can I say something?

20 (Simultaneous cross talk.)

21 MS. BAILEY: It says: Signed by D.
22 Grugor (phonetic).

23 MR. BOR: For the insurance?

24 MS. BAILEY: Yes.

25 MR. BOR: Okay.

1 MR. SMITH: So we need to have that
2 modified.

3 MR. BOR: Modified. And I believe we
4 need the motion on Insurance, d. Any
5 movements?

6 MS. BAILEY: Oh, motion. [NO SECOND]

7 MR. BOR: Okay. Ms. Bailey.

8 MS. BAILEY: Yes.

9 MR. BOR: Mr. Cheatham.

10 MR. CHEATHAM: Yes.

11 MR. BOR: Mr. Hill.

12 MR. HILL: Yes.

13 MR. BOR: And Ms. Langford.

14 MS. LANGFORD: Yes.

15 MR. BOR: Mr. Smith.

16 MR. SMITH: S. Smith, yes.

17 MR. BOR: And Mr. Chairman?

18 THE CHAIRMAN: Yes.

19 (Simultaneous cross talk.)

20 MR. BOR: Okay. The next item was
21 reported out of personnel committee. A
22 contract, if approved now by the board, will
23 be upstairs and ready to execute, if approved
24 today.

25 The only reason the deputy executive

1 director is on there, not the other person is
2 because this is a change of position, as
3 opposed to the three others who are just
4 embodying their present role and salary.

5 So the resolution you have before you
6 is the elevation as recommended by personnel
7 of Nick Mancuso from acting deputy executive
8 director of operations to deputy executive
9 director, as the resolution indicates, and the
10 pay will be \$110,000, and contracts are
11 upstairs. And if the board approves this
12 resolution, contracts will be executed.

13 Is there a motion to approve?

14 MR. HILL: Motion.

15 THE CHAIRMAN: Second.

16 MR. BOR: Ms. Bailey.

17 MS. BAILEY: Abstain.

18 MR. BOR: And Mr. Cheatham.

19 MR. CHEATHAM: Yes.

20 MR. BOR: Mr. Hill.

21 MR. HILL: Yes.

22 MR. BOR: And Ms. Langford.

23 MS. LANGFORD: Yes.

24 MR. BOR: Mr. Smith.

25 MR. SMITH: Yes.

1 MR. BOR: And Mr. Devlin, Chairman
2 Devlin.

3 THE CHAIRMAN: Yes.

4 MR. BOR: Okay. Next, special
5 counsel, Mr. Riley, good morning.

6 MR. RILEY: Good morning.

7 MR. BOR: And would you like to
8 communicate the status on your end?

9 MR. RILEY: Sure. As you folks know,
10 the last four, five months or so have been
11 dealing primarily with the exchange of
12 discovery. And many times I've mentioned to
13 you the vibe of the discovery and the parties
14 that are involved and how they're handling
15 these discovery obligations.

16 Now, after quite a number of
17 depositions and a number of document dumps
18 back and forth, both paper and electronic,
19 there's now beginning to occur that what you
20 would expect would occur, which would be
21 motions being filed, complaints about
22 deficiencies in discovery and lining up
23 experts.

24 It's now becoming, now, instead of a
25 paper exchange, a discovery exchange issue,

1 it's now become a more of a contentious
2 exercise to see who's going to get the
3 information they need.

4 The bottom line is that, in the next
5 six months or so, I can explain to you what
6 else is going to be happening in the next six
7 months. But, unfortunately, you're going to
8 be seeing my face a lot more because there's
9 going to be a lot more controversy between,
10 particularly, defendants we have in our case.

11 We have all the heavy defendants. We
12 have 3M. We have the top, the numbers that
13 everybody is looking at. We have the federal
14 government, which is causing us a significant
15 problem towards discovery purposes.

16 What they've managed to do is, they
17 reduced most of their discovery to paper
18 discovery and spread it out throughout the
19 entire country. So there are repositories
20 dealing with our issue in several different
21 states, so it's caused some degree of
22 consternation.

23 The other issue which has now become
24 formulated and is of great interest to us is
25 the court management orders in terms of how to

1 define the bellwether cases, who's going to go
2 first and where. And that's becoming a big
3 controversy, obviously, because the water
4 suppliers, and there's about 35 of them, all
5 want to get to the front of the line.

6 So the judge has to sort of moderate
7 that and come up with the right formula as to
8 how that's going to work. So that's going to
9 be a big issue that I'll be reporting to you
10 during the next several months.

11 We've also gotten, received discovery
12 requests for our information. We initially
13 answered the discovery requests about maybe
14 six, eight months ago.

15 Now, because the point of the pen is
16 getting a little sharper, they want more
17 information. I have a list of the
18 information. I'll be talking to the folks on
19 engineering about the plan to get the
20 necessary data, so that we can hold up our end
21 of the relationship we have in this
22 litigation.

23 You know, we're parties and, you know,
24 we have a responsibility to respond to
25 discovery, and that's what we're going to be

1 doing, so I'll keep you informed of that.

2 So things have been sort of quiet on
3 the discussion, you know, frontier, but now
4 it's getting hot and heavy and we're getting
5 into some of the deeper issues. And there's
6 going to be a lot of highly technical issues
7 in the next six months, too, as to chemistry
8 and biology and a whole range of different
9 topics.

10 So, I think we can comfortably say
11 we're almost at the beginning of the -- the
12 end of the beginning, now that the real hard
13 work is going to start, when we start going
14 through all the documents, coming up with the
15 issues, and being prepared to take the case
16 back to Camden and try it, which it will be
17 down the road a ways, but it's coming.

18 So, any questions, I'll be glad to
19 answer them. But I think the COVID situation,
20 obviously, has caused some delays, but I think
21 the system is reacting well to it and they can
22 proceed further with discovery, even in remote
23 locations.

24 THE CHAIRMAN: Do you have any issues
25 working in Camden?

1 MR. RILEY: Me? No. (Laughter all
2 around.)

3 THE CHAIRMAN: Come on. You better
4 know to say that.

5 MR. RILEY: In fact, you know, the
6 folks that work down there, the guys in blue
7 jackets, CSOs, overtime cops.

8 MR. CHAIRMAN: Yeah.

9 MR. RILEY: They were trying to
10 convince me to open up an office on the third
11 floor in the federal courthouse because I was
12 there, Tracy and I were there so often, that
13 we could just set up a little kitchenette and
14 just, you know, hang out there. But we turned
15 down that very generous offer. We're there
16 all the time, you know that.

17 THE CHAIRMAN: I was just kidding. I
18 thought you'd get a laugh out of that.

19 MR. RILEY: Yeah, when it comes to
20 Camden I'm always ready to laugh.

21 MR. HILL: Mr. Riley?

22 MR. RILEY: Yes.

23 MR. HILL: More of a comment than a
24 question. Due to our meeting with H2M and
25 Vince Polistina, our consulting engineer, I'm

1 assume -- they asked about making sure Mr.
2 Riley and them are somehow connected, because
3 of numbers.

4 MR. RILEY: Right.

5 MR. HILL: Stages on our procedure.
6 So I don't know, Michael, if you've done that
7 yet. We only had the meeting last week, so.

8 MR. RILEY: Well, I've had a couple --
9 well, a couple conversations with Claude and
10 with Polistina, and I had a meeting with Tom,
11 which I thought was fruitful. I'm going to
12 hang on, and when we go to executive session I
13 have some thoughts about H2M issues.

14 MR. HILL: Okay.

15 MR. RILEY: So we can talk about that.

16 MR. HILL: That's fine. As long as
17 you're in communication.

18 MR. RILEY: Yes, I am. Yup.

19 MR. HILL: Okay.

20 MR. BOR: All right, next item,
21 Mr. Polistina, you're with us. Any comments
22 under special engineering.

23 MR. POLISTINA: No, thanks, Fred, not
24 under special engineering. I gave you the
25 email update, and I guess we'll talk more in

1 closed about the situation.

2 I can follow up and inform you, we
3 have started initial conversation with the
4 Department of Environmental Protection. We
5 expect in the very beginning of next year to
6 be talking some technical details with them on
7 the situation. And, so, just wanted to let
8 you know that that is in process as well.

9 Thanks to the engineering committee
10 for having the special meeting and getting it
11 kicked off. Obviously, it's going to be a
12 focus of the authority for the next year, and
13 I just want to make sure everybody knows we're
14 moving and we will be providing monthly
15 updates on the status and where we're going.

16 MR. BOR: All right, thank you.

17 MR. POLISTINA: Thank you.

18 MR. BOR: All right, h., if I may have
19 the floor for a few moments concerning the
20 sewerage company agreement.

21 The short version is that many, many
22 years, and I have letters going back to 1990
23 with Mr. Goldfein (phonetic), and there was
24 never an understanding or a contract on the
25 exchange of monies from the sewer company to

1 us in exchange for me being provided them
2 certain information that was necessary for
3 something of their business.

4 In 2016, Mr. Moore did negotiate with
5 Mr. Wood of Fox Rothschild an agreement that
6 was to be for the amount of \$20,000 a year to
7 go up five percent for two years, and then
8 thereafter, after the two years, the increase
9 would be based on CPI.

10 Now, those who know, CPI is virtually
11 none, maybe two percent, sometimes even less.
12 So that was unacceptable to me and to Claude
13 and to John, and it became the opportune time
14 to attempt to renegotiate with Atlantic City
15 Sewerage Company.

16 So Mr. Wood and I began discussions,
17 that could have been a couple of weeks ago,
18 that have been extensive, to put the least,
19 sometimes as late as 10:30 in the evening.

20 And there are many issues that
21 occurred that could not be resolved by the
22 resolution I have here, and that is the extent
23 of our cost for our infrastructure, other
24 items that you couldn't quantify in a short
25 term.

1 So what Eric and I did, Eric Wood of
2 Fox Rothschild, instead of doing that, we
3 thought the best way going forward was just to
4 quantify it in terms of numbers.

5 And as you can see by the resolution,
6 the proposed resolution mwe presently get
7 22,5, or 22.9, something like that a year,
8 which is woefully inadequate. And I
9 negotiated, as you could see in the
10 resolution, I double -- more than double that
11 for 2021, up to 45,000; and thereafter, the
12 next year, up to 47,5; and then after that to
13 49; and then to 51,376.

14 MR. SMITH: You put the fourth year on
15 there as well?

16 MR. BOR: Yeah. Yeah, no, during the
17 third year is when we have to come to some
18 conclusion or we go to arbitration.

19 MS. BAILEY: Do you have four year as
20 well?

21 MR. SMITH: I didn't want a four year.

22 MS. BAILEY: (Inaudible.)

23 MR. BOR: Well, no, the way it's
24 written for the third year, if we can't reach
25 an agreement on numbers going forward, during

1 the third year, an arbitration will be
2 scheduled for an Atlantic County judge to get
3 into it from us and from them on what a fair
4 rate would be going forward. Because no one
5 really knows other than numbers at this point.

6 So if this resolution is approved,
7 what it net means is a net revenue increase to
8 us over the three or four years, depending
9 whether the arbitration takes place, up to a
10 hundred thousand dollars. Just this year, for
11 example, then additional revenue of close to
12 25,000, and over the course, close to a
13 hundred thousand.

14 And, also, the resolution includes
15 that during the third year -- during the
16 course of this, the parties are going to try
17 to work out a formula or methodology so that
18 we don't just negotiate numbers like we did
19 here between Fox Rothschild and myself, and
20 that the parties will talk and try to develop
21 a methodology.

22 I'm not terribly sanguine that will
23 result in something that everybody can agree
24 with, and that's why Mr. Wood and I said,
25 look, during the third year, if we cannot

1 agree on some methodology going forward, we're
2 going to submit it to a Superior Court for a
3 binding arbitration, at which time we and they
4 will put forth more specifics on what
5 infrastructure costs us, when phone calls get
6 made, add it to adjust the number at that
7 point.

8 So before I was bringing to the board
9 today, I had to make sure from Mr. Wood that,
10 if the board approved it today, that we have
11 their approval.

12 And in a letter dated December 15th, I
13 believe everybody has a copy, Mr. Wood has
14 confirmed on behalf of sewer company that, if
15 we approved this resolution, that they on
16 behalf of the sewer company, they will also
17 approve it as to its terms immediately. And
18 if that's approved by us, and we have approval
19 and confirmation by then, then the exchange of
20 information can go forward.

21 So, any questions on it? (Pause.)

22 MR. HILL: Good job, Fred.

23 MR. BOR: I'm sorry?

24 MR. HILL: Good job, Fred.

25 MR. BOR: Oh, thank you. I think that

1 (inaudible) to a hundred thousand dollars
2 more, and -- and I know there's been
3 discussions between Mr. Smith and I maybe in
4 the future it should be more because of the
5 cost of the software and infrastructure. But
6 this time we couldn't quantify that or develop
7 it into a resource number.

8 So it came down to, as if often does
9 with lawyers, just numbers. And that's how we
10 reached these numbers. Numbers are just a
11 result of compromise after compromise after
12 compromise. So I think it's satisfactory.

13 MR. SMITH: I have a question about
14 that.

15 MR. BOR: Yeah, go ahead.

16 MR. SMITH: If after 2023, after the
17 expiration of 2023, if you want to call it the
18 agreement, then why put a fourth year in there
19 as a percent increase --

20 MR. BOR: If there was no agreement.

21 MS. BAILEY: Mm-hmm.

22 MR. BOR: If the parties don't work
23 out a methodology.

24 MR. SMITH: But are we actually
25 committed to this fourth year then? Is that

1 the case?

2 MR. BOR: No. If, and during the
3 third year, we can't reach agreement, we go to
4 the arbitration. And since something has to
5 happen -- because arbitration could take
6 months and months and months.

7 MS. BAILEY: Mm-hmm.

8 MR. BOR: Then that additional 51,000
9 will kick in until the arbitrator decides what
10 the true number should be.

11 MS. BAILEY: I understand what you
12 did.

13 MR. BOR: Yeah. In other words, once
14 it goes to arbitration, it takes almost a
15 year.

16 MS. BAILEY: Correct.

17 MR. BOR: So Eric and I thought it
18 would be a good idea --

19 MS. BAILEY: (Inaudible) to protect
20 ourselves.

21 MR. BOR: Right. Protect ourselves
22 for the year that's in purgatory, if I could
23 use the word, but arbitration could take a
24 long time. We wanted to make sure we had
25 income revenue flow in during the year when it

1 goes to arbitration. As you can see, it's
2 during '23 when it goes to arbitration.

3 MS. BAILEY: Yes, I saw that there,
4 yes.

5 MR. BOR: So '24 may never happen, if
6 we reach the agreement, or if the judge does.

7 Now, if there's any other questions or
8 if there's none, my suggestion is, if we
9 approve this, since we have the letter from
10 Fox Rothschild, that the director then is to
11 start the flow from Edmunds and get us back on
12 track.

13 And. For Ms. Thapa, that's expected
14 as of January 1st, they want the new \$45,000.

15 MS. THAPA: Okay. And we bill them
16 quarterly. So, I guess --

17 MR. BOR: Quarterly, yeah, we bill
18 them quarterly, and, you know, exactly.

19 So the resolution, everyone has a copy
20 of it, if anyone has any other questions, talk
21 to me. If not, is there a motion on that
22 resolution?

23 MR. SMITH: I think that that third
24 line is supposed to be three percent. I think
25 there was actually four percent.

1 MR. BOR: Under the third line, strike
2 it. The third line, it says four.

3 MR. SMITH: And the resolution itself,
4 it says three percent.

5 MS. BAILEY: Yeah.

6 MR. SMITH: And it should actually be
7 four percent.

8 MR. BOR: No, it's three then four,
9 the numbers.

10 MR. SMITH: That's not how the email
11 actually came across.

12 MR. BOR: Oh, the --

13 MR. SMITH: The email says four
14 percent increase over 47,5. Yeah, the email
15 came across at four percent increase over 47,5
16 for 2023 or 49,4.

17 MR. BOR: Well, I was under the
18 impression Eric and I agreed three then four.
19 If you want I could call him and see if he'll
20 change three to four, the difference to four
21 being three and four \$200.

22 MR. SMITH: Let me make sure, yeah.
23 'Cause this is the latest one, December 15,
24 2020. But ones prior to that was actually
25 three percent for 2023 and also three percent

1 for 2024.

2 But the latter part of the email, or
3 the latest email, I should say, was four
4 percent increase over 47,5 for 2023, or 49,4;
5 and then four percent increase over 49,4 for
6 2024, 51,3.

7 MR. BOR: You have, before we vote on
8 it, Mr. Smith, is, the four to be three, in
9 your opinion, on 47,5 and the four on the
10 49,4.

11 MR. SMITH: Repeat that, please.

12 MR. BOR: Yeah. So when you see four
13 and four, your preface, and I thought it was
14 three and four not four and four. But I'm
15 going to confirm that before we vote on it
16 with Mr. Wood, who's waiting for my call.

17 All right. So, if approved, the
18 resolution will be modified that the third
19 criteria, instead of four percent increase
20 over 47,5, it'll be three percent. Got it?

21 MR. SMITH: That's not -- okay.
22 The -- I'm looking at the email, and I'm
23 scrolling off of the email.

24 MR. BOR: Okay.

25 MR. SMITH: So instead of it actually

1 being three percent, is it supposed to have
2 been four percent, based on your agreement
3 (inaudible)?

4 MR. BOR: Well, we'll get
5 clarification. In other words, your question
6 was whether the third category should be three
7 instead of four. Right?

8 MR. SMITH: Well, then that should
9 four instead of three. It'd be four instead
10 of three.

11 MR. BOR: On the fourth category.

12 MR. SMITH: For a third -- for the
13 third year of the agreement, which, it says
14 three percent increase over 47,5 for calendar
15 year 2023 --

16 MR. BOR: Okay.

17 MR. SMITH: Or forty-eight nine point
18 five.

19 MR. BOR: Okay.

20 MR. SMITH: But in the email it says
21 four percent increase over 47,5 for 2023.

22 MR. BOR: Okay.

23 MR. SMITH: For 49,4.

24 MR. BOR: Well, so you're suggesting
25 you'd like to see four and four. I'll call

1 Mr. Wood and get clarification on that. You
2 imagine you're talking about a couple hundred
3 dollars.

4 MR. SMITH: I understand.

5 MR. BOR: Okay.

6 MR. SMITH: But I just realized that
7 there was a discrepancy in regards to what was
8 sent and what's actually in the --

9 MR. BOR: I'm going to ask, for the year,
10 four and four is acceptable. And we'll hold
11 off vote until Mr. Wood calls me back. He's
12 waiting for my call, so we'll get the answer
13 to that. So we'll vote on that just a little
14 later.

15 And next is new business.

16 Actually, to move expeditiously,
17 I'll call Mr. Wood with the importance of this
18 resolution, see if we can get the answer.

19 (Mr. Bor not present.)

20 MR. SMITH: For the abatements
21 necessary to appear, of course, there's no
22 public participation, so we can actually move
23 that particular abatement, Resolution 9 a (1).
24 This is for Chelsea Village, LLC, and the
25 total amount for that particular abatement is

1 \$2,212.06. Motion.

2 MS. BAILEY: Motion.

3 MR. SMITH: Still didn't get that.

4 MR. HILL: Second.

5 MR. SMITH: I don't have his list in
6 front of me. If I go out of order, please
7 forgive me.

8 (Simultaneous cross talk.)

9 MR. SMITH: Patricia Bailey.

10 MS. BAILEY: Yes.

11 MR. SMITH: Mr. William Cheatham.

12 MR. CHEATHAM: Yes.

13 MR. SMITH: Ms. Langford.

14 MS. LANGFORD: Yes.

15 MR. SMITH: Mr. Hill.

16 MR. HILL: Yes.

17 MR. SMITH: Mr. Smith.

18 MR. M. SMITH: I vote yes.

19 MR. SMITH: And Mr. Devlin. John?

20 THE REPORTER: You're muted.

21 MR. SMITH: He's muted, John.

22 THE CHAIRMAN: I apologize. Yes. I
23 got it. Thank you.

24 MR. SMITH: So Polyaluminum Chloride
25 Chemical Resolution 9 b (1), this is just a

1 request for proposal for us to go out for bid
2 on this particular chemical.

3 MR. HILL: I'll move it.

4 MS. BAILEY: Second.

5 MR. SMITH: All again. Patricia
6 Bailey.

7 MS. BAILEY: Yes.

8 MR. SMITH: William Cheatham.

9 MR. CHEATHAM: Yes.

10 MR. SMITH: Ms. Langford.

11 MS. LANGFORD: Yes.

12 MR. SMITH: Mr. Hill.

13 MR. HILL: Yes.

14 MR. SMITH: Mr. Smith.

15 MR. M. SMITH: Yes.

16 MR. SMITH: And Mr. Devlin.

17 THE CHAIRMAN: Yes.

18 MR. SMITH: Utility location and
19 mark-out services, 9 b (2), this particular
20 services is actually being provided, fire.
21 Once we decided to amend, to actually "ease
22 that contract, that agreement we had to go to
23 an official resolution for us to go out for a
24 bid for this particular services, it is
25 something that we do, we will do internally,

1 and, actually we're doing it through a company
2 for this particular type of services, and it's
3 for mark-outs, when they mark out the streets
4 when we call in for any particular location or
5 for service or services that might be in close
6 proximity of where we're working. Motion.

7 THE CHAIRMAN: Motion.

8 MR. HILL: Second.

9 MR. SMITH: Thank you. Ms. Bailey.

10 MS. BAILEY: Yes.

11 MR. SMITH: William Cheatham.

12 MR. CHEATHAM: Yes.

13 MR. SMITH: Ms. Langford.

14 MS. LANGFORD: Yes.

15 MR. SMITH: Mr. Hill.

16 MR. HILL: Yes.

17 MR. SMITH: Mr. Smith.

18 MR. M. SMITH: Yes.

19 MR. SMITH: And Mr. Devlin.

20 THE CHAIRMAN: Yes.

21 MR. SMITH: Thank you. 9 c.,
22 structural engineering services. (1) J.E.
23 Rosenkratz. This particular resolution is for
24 our plant location. The old pump room
25 station, which is now being used utilized as a

1 storage location, we had some failure of our
2 concrete sealant. And we did initial
3 observation inspection on it and decided that
4 we need to do some additional structural
5 observation or investigation into it.

6 (Mr. Bor present.)

7 MR. SMITH: Mr. Polistina was kind
8 enough to locate a company which is very much
9 local for doing this particular services. And
10 that service is for \$9,750, not to exceed
11 \$17,500. Upon this resolution being passed,
12 of course, we'll start the additional
13 evaluation. You should have actually received
14 (inaudible) and services agreement with your
15 packet. That outlines what will be done and
16 what the cost of that will actually be. Any
17 questions?

18 MR. HILL: Just a comment. Just a
19 comment. I know this engineering service
20 company, too. They are local. They do a lot
21 of work in the region, and it's a reliable
22 company.

23 MR. SMITH: Thank you.

24 MS. BAILEY: Thank you.

25 MR. SMITH: Any other questions or

1 comments?

2 MR. HILL: I'll move the resolution.

3 MR. SMITH: Thank you. Second?

4 THE CHAIRMAN: I'll second that.

5 MR. SMITH: Thank you.

6 MR. BOR: 9 c.?

7 MR. SMITH: Yes.

8 (Simultaneous cross talk.)

9 MR. BOR: Is there a second?

10 MR. SMITH: Yes.

11 MR. BOR: Ms. Bailey.

12 MS. BAILEY: Yes.

13 MR. BOR: Mr. Cheatham.

14 MR. CHEATHAM: Yes.

15 MR. BOR: Mr. Hill.

16 MR. HILL: Yes.

17 MR. BOR: Ms. Langford.

18 MS. LANGFORD: Yes.

19 MR. BOR: Mr. Smith.

20 MR. M. SMITH: Yes.

21 MR. BOR: And Mr. Devlin.

22 THE CHAIRMAN: Yes.

23 MR. BOR: Okay. Just for the record,
24 I just spoke to Mr. Wood over at Fox
25 Rothschild and asked him whether he'd be open

1 to having that third year at four percent as
2 well as the fourth year, although he was under
3 the impression it was three.

4 So he's calling his folks there,
5 calling me back. And I indicated to him, if
6 they move up to four and four, that we're
7 prepared to move forward with the resolution,
8 as soon as he's calling me back. And we'll
9 know the answer before the end of the day.

10 THE CHAIRMAN: Fred.

11 MR. BOR: Yes?

12 THE CHAIRMAN: Quick question.

13 Because I was going through some emails.
14 Originally, did you have an original agreement
15 with the sewerage company? 'Cause these
16 numbers don't look right to me.

17 I know we had a little discussion, it
18 went through, and then there was questions on
19 the agreement, and then I got another email
20 from you saying that they backed away from the
21 agreement. What was their original one?

22 MR. BOR: Well, there are multiple
23 pathways on both sides on this deal. I almost
24 don't even remember the originals.

25 The original embodied an email to

1 everybody. They backed off on it. They are
2 of the belief that the contract of 2016 still
3 prevailed with the CPI. I didn't want any
4 part of that.

5 And, so, this has been a very, very
6 back-and-forth process. But at least what you
7 have in front of you is the result of a long
8 negotiating process. And, again, we're
9 waiting to see if he'll agree to four and four
10 instead of three and four.

11 So it did change, you're quite right,
12 Chairman. They didn't agree, we didn't agree.
13 It's been a process.

14 THE CHAIRMAN: Okay.

15 MR. BOR: Now, the alternative is, we
16 should we shouldn't go -- we can pare this
17 down. The only downside to that is the belief
18 is that Fox Rothschild will seek to continue
19 to and amend the contract that the board
20 entered into in 2016, which said it's 20,000,
21 five percent the next two years, and CPI, and
22 their exact words are "thereafter."

23 So they're of the belief, it could be
24 a bluff, is that thereafter means after 2018
25 ad infinitum forever should only be CPI. That

1 would be your worst possible outcome.

2 But being a good lawyer, he's saying
3 that's the direction he would go if they had
4 to. But, again, if he was that serious about
5 it, he wouldn't be offering, you know this.

6 So, and when Mr. Wood calls me back,
7 I'll report whether he will agree to the four
8 and four. And, if so, board votes its
9 conscious.

10 THE CHAIRMAN: Okay. Moving forward.

11 MS. BAILEY: Can I just ask one
12 question? That last email you sent assumes
13 that they had already agreed to the four and
14 four.

15 MR. SMITH: Yes, is that -- correct,
16 exactly. That was my interpretation.

17 MS. BAILEY: Okay.

18 MR. BOR: I think as I explained
19 (inaudible) you get into these things with law
20 firms even if you're talking about tons and
21 tons of money. You seem uptight over a couple
22 of hundred dollars. I have a hunch he'll call
23 me back and say four and four works.

24 MS. BAILEY: Okay.

25 MR. BOR: But I'll wait for his call.

1 MS. BAILEY: Okay.

2 (Simultaneous cross talk.)

3 MR. BOR: Payroll and account
4 services, that's Resolution 9. d. Any
5 comments, Mr. Smith?

6 MR. SMITH: This was typical for what
7 we do with action data.

8 MR. BOR: Yeah, we do this every year.

9 MR. SMITH: Every year, correct.

10 MR. BOR: So there's a motion on d. --

11 MS. BAILEY: No. Excuse me. They
12 didn't give the dollar amounts, so, it's just
13 to be removed from this.

14 MR. SMITH: You want to --

15 MS. BAILEY: Yes.

16 MR. SMITH: Okay. So the dollar
17 amount is not the correct dollar amount?

18 MS. BAILEY: ADS?

19 MR. SMITH: Yes. It actually has a
20 dollar amount. Hold on. That's not it.
21 Sorry.

22 MS. THAPA: No, there should be no
23 resolution there for 9. d.

24 MS. BAILEY: It is.

25 MR. SMITH: Yeah, you're right. So we

1 strike that from the agenda.

2 MS. THAPA: Yes.

3 MS. BAILEY: Yes.

4 MR. SMITH: Okay.

5 (Simultaneous cross talk.)

6 MR. SMITH: So we did not get the
7 information for the cost on that particular
8 services so we're going to remove that from
9 the agenda.

10 MR. BOR: I got an answer from Mr.
11 Wood already.

12 Is it okay to go forward with the four
13 percent with the understanding that if it's
14 approved in their letter and the materials can
15 be cut loose today?

16 (Simultaneous cross talk.)

17 MR. BOR: So, you saved his client a
18 couple hundred dollars, right? So the
19 resolution as appears if front of everybody
20 the four and four then will be correct, right?

21 MR. SMITH: Sure.

22 MR. BOR: And the rest of the language
23 in it is the same.

24 So if there's a motion to approve the
25 resolution between the authority and the sewer

1 authority, after review and discussion and the
2 confirmation that the third year will be four,
3 not three with that, is there a motion on
4 that?

5 MR. SMITH: You have to --

6 THE CHAIRMAN: Motion.

7 MR. SMITH: You have to call
8 (inaudible.) Resolution on this particular
9 (inaudible.)

10 MR. BOR: Do you have a number for
11 it?

12 MR. SMITH: It's 8.

13 (Simultaneous cross talk.)

14 MS. THAPA: 8. h.

15 MR. BOR: 8. h resolution number.

16 MR. SMITH: You need a vote.

17 MS. THAPA: Move as amended.

18 MR. BOR: Yeah, move it as --

19 MS. BAILEY: Move it as amended.

20 (Simultaneous cross talk.)

21 MR. BOR: The one you have in front of
22 you is four and four.

23 MS. BAILEY: No, not that.

24 MR. BOR: The three, four. Okay.

25 And, so, this is the third year, is four, and

1 fourth year is also four.

2 MS. BAILEY: Okay.

3 MR. BOR: And that's been confirmed by
4 Mr. Wood as of text. Is there a notion to
5 approve the resolution between the authority
6 and the sewerage authority?

7 THE CHAIRMAN: Motion.

8 MR. HILL: Second.

9 MR. BOR: Ms. Bailey.

10 MS. BAILEY: Yes.

11 MR. BOR: Mr. Cheatham.

12 MR. CHEATHAM: Yes.

13 MR. BOR: Mr. Hill.

14 MR. HILL: Yes.

15 MR. BOR: Ms. Langford.

16 MS. LANGFORD: Yes.

17 MR. BOR: Mr. Smith.

18 MR. M. SMITH: Yes.

19 MR. BOR: And Mr. Devlin.

20 THE CHAIRMAN: Yes.

21 MR. BOR: And the record should
22 reflect we do have the approval from the
23 sewerage authority.

24 (Simultaneous cross talk.)

25 MR. BOR: Next item.

1 MR. SMITH: 9. e.

2 MR. BOR: 9. e. Employee assistance
3 program. We've done this before.

4 MR. SMITH: Yes.

5 MR. BOR: Every year.

6 MR. SMITH: This is every year.

7 MR. BOR: And if after review, is
8 there a motion?

9 MR. SMITH: This is our contract for
10 (inaudible) services inaudible.

11 MS. BAILEY: Motion.

12 MR. HILL: Second.

13 MR. BOR: Ms. Bailey.

14 MS. BAILEY: Yes.

15 MR. BOR: Mr. Cheatham.

16 MR. CHEATHAM: Yes.

17 MR. BOR: Mr. Hill.

18 MR. HILL: Yes.

19 MR. BOR: Ms. Langford.

20 MS. LANGFORD: Yes.

21 MR. BOR: Mr. Smith.

22 MR. M. SMITH: Yes.

23 MR. BOR: And Mr. Devlin.

24 THE CHAIRMAN: Yes.

25 MR. BOR: Next is continuing

1 disclosure reporting services for Phoenix.
2 Mr. Smith, anything you'd like to elucidate on
3 that?

4 MR. SMITH: I think this is something
5 that we have done on a continuous basis
6 As well as on a yearly basis. This is not
7 compatible with the (inaudible) contract that
8 we currently have that Phoenix supplies. This
9 is something completely different.

10 As you can see, the monetary costs for
11 these, of this particular service is a
12 thousand fifteen. And, of course, if there's
13 any additional standard obligations there is
14 additional charges for that.

15 So this is just for this particular
16 type of a service that is provided, which is a
17 the continued disclosure on our bond.

18 MR. HILL: I'll move it.

19 THE CHAIRMAN: I'll second.

20 MR. BOR: Ms. Bailey.

21 MS. BAILEY: Yes.

22 MR. BOR: Mr. Cheatham.

23 MR. CHEATHAM: Yes.

24 MR. BOR: Mr. Hill.

25 MR. HILL: Yes.

1 MR. BOR: Ms. Langford.

2 MS. LANGFORD: Yes.

3 MR. BOR: Mr. Smith.

4 MR. M. SMITH: Yes.

5 MR. BOR: And Mr. Devlin.

6 THE CHAIRMAN: Yes.

7 MR. BOR: Carries. Service agreement.

8 MR. SMITH: Actually, municipal liens.

9 MR. BOR: Oh, I'm sorry.

10 (Simultaneous cross talk.)

11 MR. BOR: Will be 9 (g).

12 MR. SMITH: Does anybody have any
13 questions on that? Are there any questions?

14 MS. THAPA: Part C, are those
15 properties that are all foreclosure? And how
16 is the foreclosure -- and the balances and
17 also prior names. Obviously we (inaudible)
18 collect it and they advise us to write down
19 the balance, right, write off the balance.

20 MS. BAILEY: Oh, okay.

21 MS. THAPA: So the total is like
22 21,000 of the remaining balance, and about
23 3600 on current account balances.

24 MS. BAILEY: So does the record have
25 the right result?

1 MS. THAPA: Yes.

2 (Simultaneous cross talk.)

3 MR. SMITH: It's shown in the
4 (inaudible.)

5 MS. BAILEY: In the (inaudible)
6 agreement.

7 (Simultaneous cross talk.)

8 MR. SMITH: It's shown in the
9 attachment as well, too.

10 MS. THAPA: I saw that.

11 MR. MANCUSO: Well, this (inaudible)
12 service agreement is pretty straightforward,
13 everybody. It's 161 South Tennessee. They
14 need a four-inch fire line service. We have
15 multiple quotes from contractors.

16 (Simultaneous cross talk.)

17 MR. MANCUSO: Of course, (inaudible)
18 markup is 15 percent on that, so it's pretty
19 straightforward.

20 MS. THAPA: It is a vote on that last
21 one.

22 MR. HILL: Nick.

23 MR. MANCUSO: Yes, sir?

24 MR. HILL: So this is in the orange
25 loop area?

1 MS. THAPA: Tennessee Avenue.

2 (Simultaneous cross talk.)

3 MR. MANCUSO: Yes, that's correct.

4 161 South Tennessee, so, absolutely.

5 MR. HILL: Okay. Thank you.

6 MS. THAPA: And they didn't vote on
7 the last resolution.

8 MR. HILL: We didn't, no.

9 MS. THAPA: On the (inaudible)
10 collection.

11 (Simultaneous cross talk.)

12 MR. BOR: So we have 9(g) to vote on
13 first and then this service agreement. Is
14 there a motion on 9(g), municipal liens
15 write-off?

16 THE CHAIRMAN: Motion.

17 MR. HILL: Second.

18 MR. BOR: Ms. Bailey.

19 MS. BAILEY: Abstain.

20 MR. BOR: Mr. Cheatham.

21 MR. CHEATHAM: No.

22 MR. BOR: Mr. Hill.

23 MR. HILL: Yes.

24 MR. BOR: Ms. Langford.

25 MS. LANGFORD: Yes.

1 MR. BOR: Mr. Smith.

2 MR. M. SMITH: Yes.

3 MR. BOR: And Mr. Devlin.

4 THE CHAIRMAN: Yes.

5 MR. BOR: And then on the service
6 agreement, which would be 9 h, is there a
7 motion?

8 MS. BAILEY: Motion.

9 MR. HILL: Second.

10 MR. BOR: Ms. Bailey.

11 MS. BAILEY: Yes.

12 MR. BOR: Mr. Cheatham.

13 MR. CHEATHAM: Yes.

14 MR. BOR: Mr. Hill.

15 MR. HILL: Yes.

16 MR. BOR: Ms. Langford.

17 MS. LANGFORD: Yes.

18 MR. BOR: Mr. Smith.

19 MR. M. SMITH: Yes.

20 MR. BOR: And Chairman Devlin.

21 THE CHAIRMAN: Yes.

22 MR. BOR: Monthly bills, is there a
23 motion?

24 THE CHAIRMAN: Motion.

25 MR. SMITH: Second?

1 MR. BOR: Is there a second?
2 MR. SMITH: Need a second.
3 MS. BAILEY: Second.
4 MR. BOR: Ms. Bailey.
5 MS. BAILEY: Yes.
6 MR. BOR: Mr. Cheatham.
7 MR. CHEATHAM: Yes.
8 MR. BOR: Mr. Hill.
9 MR. HILL: Yes.
10 MR. BOR: Ms. Langford.
11 MS. LANGFORD: Yes.
12 MR. BOR: Mr. Smith.
13 MR. M. SMITH: Yes.
14 MR. BOR: And Mr. Devlin.
15 THE CHAIRMAN: Yes.
16 MR. BOR: Executive session. Is there
17 a motion to go into executive session?
18 THE CHAIRMAN: Motion.
19 MR. HILL: Second.
20 MR. BOR: Ms. Bailey.
21 MS. BAILEY: Yes.
22 MR. BOR: Mr. Cheatham.
23 MR. CHEATHAM: Yes.
24 MR. BOR: Mr. Hill.
25 MR. HILL: Yes.

1 MR. BOR: Ms. Langford.

2 MS. LANGFORD: Yes.

3 MR. BOR: Mr. Smith.

4 MR. M. SMITH: Yes.

5 MR. BOR: And Mr. Devlin.

6 THE CHAIRMAN: Yes.

7 MR. BOR: Motion to go into executive
8 session. Any objection to that?

9 We're going into executive session.

10 ---

11 (Executive session began at 10:53
12 a.m.)

13 ---

14 (Public session resumed at 11:34 a.m.)

15 ---

16 THE CHAIRMAN: What else we got, guys?

17 MR. SMITH: That will actually be it.

18 THE CHAIRMAN: Happy holidays.

19 MR. BOR: Is there a motion to
20 adjourn?

21 THE CHAIRMAN: Motion.

22 MR. SMITH: Hold on. Mike has the
23 floor.

24 MR. RILEY: Just briefly, I just want
25 to ask John if he can work on that tree a

1 little bit behind him. (Laughter all around.)

2 (Simultaneous cross talk.)

3 MR. RILEY: In terms of curiosity, I
4 mean, I know there's basically a two-step
5 issue with this PFAS treatment. I mean,
6 engineering companies, you got good ones and
7 you got not-so-good ones, and H2M is
8 apparently supposed to be excellent.

9 The question I have, really, and I
10 haven't been able to resolve in my own mind,
11 is, what is the technology, the preferred
12 technology, given our unique situation?

13 I mean, up in Brick they had a single
14 source of water that was either a creek or a
15 small river that they dealt with. We're
16 dealing with a really wide area with varying
17 characteristics, and I don't know, and I don't
18 profess to know.

19 So I'm asking you guys, is, what about
20 the issue -- what technology is going to serve
21 us the best in the most economic way? That's
22 one part of the issue.

23 The second part of the issue, I hate
24 to talk like a lawyer, but that's what I am,
25 and I have to look at damages. We're going to

1 develop damages. And we're going to be in a
2 position to prove them. And I'm sure a
3 company like H2M would be a good partner to
4 work with us on doing exactly that.

5 But I guess I need to know, and I
6 don't know, what is the technology that's the
7 most effective way to solve our unique
8 problem? Because when you look at most of the
9 PFAS cases around the country, they don't have
10 the widespread issues that we have.

11 I mean, they'll have particularly on
12 Air Force facilities and naval facilities
13 where they use a lot of firefighting stuff,
14 it's fairly localized, but ours isn't. Ours
15 is spread over a large area, and a lot of
16 water. The volume of water we're dealing is
17 with much greater than they dealt with at
18 Brick or anything else.

19 I'm not saying that because I know
20 anything, I'm saying it because I don't know.
21 And I'm curious, maybe sometime Vince and I
22 can talk about it, who's watching the
23 (inaudible) technology what are the other
24 options that may fit our set of facts maybe
25 better than somebody else?

1 Like I said, look, I'm just a lawyer.
2 I'm not an engineer. I did college and that's
3 that.

4 (Simultaneous cross talk.)

5 MR. RILEY: Maybe we can talk to Vince
6 and make sure we're on board and we're right
7 about the technology that we're going to
8 be referring to.

9 MR. POLISTINA: Absolutely. And we
10 did talk about that (inaudible) and we'll talk
11 offline.

12 MR. RILEY: That's fine, that's fine.
13 We don't want to bore these guys any more than
14 we already do.

15 MR. POLISTINA: We're on top of that
16 aspect of it.

17 MR. RILEY: Good conversation.

18 MR. POLISTINA: Good, thanks.

19 MR. BOR: I think we had a motion to
20 adjourn already, and I think there was no
21 objection to adjournment.

22 MS. BAILEY: No.

23 MR. BOR: Seeing no hands and hearing
24 no voices, meeting is adjourned.

25 (Meeting concluded at 11:37 a.m.)

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C E R T I F I C A T E

I, Catherine T. McLaughlin, a
Certified Court Reporter and Notary Public of
the State of New Jersey, do hereby certify
that the preceding is a true and accurate
computer-aided transcript of the proceedings
as taken to the best of my ability
stenographically by and before me remotely at
the time and date hereinbefore set forth.

I DO FURTHER CERTIFY that I am
neither a relative nor employee, nor attorney
or counsel to any parties involved; that I am
neither related to nor employed by any such
attorney or counsel; and that I am not
interested in the event nor outcome of this
action.

CATHERINE T. McLAUGHLIN, CCR

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