

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

- - -

DATE: Wednesday - November 20th, 2019

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 Board of
2 Directors meeting, taken stenographically in the
3 above-entitled matter before Dominique R. Caputo.
4

5 BOARD MEMBERS PRESENT

6 MILTON L. SMITH, Chairman

7 GARY L. HILL, Vice Chairman/Secretary

8 PATRICIA BAILEY, Board Member

9 JOHN DEVLIN, Board Member, Treasurer

10 WILLIAM CHEATHAM, Alternate 2 Board Member

11 JOHN MCGETTIGAN, Alternate 1 Board Member
12
13

14 ALSO RESENT:

15 Bruce Ward, Executive Director
Atlantic City Municipal Utilities Authority
16

17 Claude Smith, Deputy Executive Director, Engineering
Atlantic City Municipal Utilities Authority
18

19 Kelley Williams, Executive Secretary
Atlantic City Municipal Utilities Authority
20

21 Anita Thapa, Assistant Director, Accounting & Finance
Atlantic City Municipal Utilities Authority
22

23 Fred Bor, Authority Solicitor

24 Atlantic City Municipal Utilities Authority
25

1 Andrew Weber, Labor Counsel

2 - - -

3 PROCEEDINGS

4 - - -

5 THE CHAIRMAN: Please come to order.
6 Adequate notice of this meeting has been provided as
7 required by law by mailing to the Press a list of
8 the regular scheduled meeting, November the 20th,
9 2019 at 401 North Virginia Avenue, Conference Room,
10 Atlantic City, New Jersey.

11 A copy of said notice was sent to
12 City Clerk to be posted.

13 All of the aforesaid complies with
14 chapter 231 of the Laws of 1975 known at the "Open
15 Public Meeting Laws." Roll call.

16 MR. BOR: Mr. Cheatham.

17 MR. CHEATHAM: Present.

18 MR. BOR: Mr. McGettigan.

19 MR. MCGETTIGAN: Here.

20 MR. BOR: Ms. Bailey.

21 MS. BAILEY: Here.

22 MR. BOR: Mr. Devlin.

23 MR. DEVLIN: Good morning. Here.

24 MR. BOR: Mr. Hill.

25 MR. HILL: Here.

1 MR. BOR: Mr. Smith.

2 THE CHAIRMAN: Here.

3 MR. BOR: The record should reflect
4 Ms. Langford is not present and as a result,
5 alternate John McGettigan will step up in her place.

6 THE CHAIRMAN: Will you lead us, Mr.
7 Cheatham, in the flag solute.

8 - - -

9 (Whereupon the Pledge of Allegiance
10 was recited.)

11 - - -

12 THE CHAIRMAN: Okay. Bruce, let's
13 take care of the public portion.

14 MR. WARD: We have two guests. I
15 know we have a gentleman from 9 a (2). That would
16 be Blaine Avenue. That's for an abatement,
17 resolution 9 a (2). Sir, would you state your name
18 for the record, please?

19 MR. BORINO: Stephen Borino.

20 MR. WARD: And you are with the
21 company that operates 1921 LLC?

22 MR. BORINO: Yes, sir.

23 MR. WARD: Okay. Sir, was there a
24 leak on that property?

25 MR. BORINO: Yes, sir.

1 MR. WARD: And was that leak resolved
2 by a plumber?

3 MR. BORINO: Yes, it was.

4 MR. WARD: Okay. Is this your first
5 abatement, sir?

6 MR. BORINO: For this property, yes.

7 MR. WARD: Okay. Any questions,
8 Board? The abatement request is for \$968.54.

9 THE CHAIRMAN: Move it.

10 MR. HILL: Second.

11 MS. BAILEY: Second.

12 MR. BOR: Mr. McGettigan.

13 MR. MCGETTIGAN: Yes.

14 MR. BOR: Ms. Bailey.

15 MS. BAILEY: Yes.

16 MR. BOR: Mr. Devlin.

17 MR. DEVLIN: Yes.

18 MR. BOR: Mr. Hill.

19 MR. HILL: Yes.

20 MR. BOR: And Mr. Smith.

21 THE CHAIRMAN: Yes.

22 MR. BOR: Carries.

23 MR. WARD: And sir, your name?

24 MR. DEVLIN: John E. Devlin, Jr.

25 MR. DEVLIN: He's paying his water

1 bill. Are you paying your water bill?

2 MR. DEVLIN: I did.

3 THE CHAIRMAN: Bruce, explain to him
4 where to go and get his--

5 MR. WARD: Oh, I'm sorry. Yeah, if
6 you go back to customer service--

7 MR. DEVLIN: Okay. Thank you so
8 much.

9 MR. HILL: Thank you.

10 MR. WARD: Can we hold off on
11 executive minutes because I did not bring them down.
12 They are upstairs.

13 THE CHAIRMAN: Yes, no problem.

14 MR. WARD: Let me say that we had an
15 individual who got sick on the job, had to go to the
16 medical center and is still in inpatient. Any
17 details about that, we can talk about it in closed
18 session if you have any questions.

19 Okay. We are happy that two of our
20 employees have passed a first level licensure test,
21 that would be Greg Gallo and Donald Laye on a treatment
22 test. And again, I would like to give kudos to Nick
23 Mancuso who has been very, very upfront on helping
24 our employees get motivated and get into classes and
25 get licensed.

1 We are happy to report that our 2020
2 budget has been approved by the State of New Jersey.
3 And we are going to proceed with the public notice
4 this month and next month. And then also we had a
5 meeting with the OEM, the Office of Emergency
6 Management of the City which the City has called as
7 well as the state, all of the assets in the City to
8 cooperate for snow removal.

9 So that would be us, the CRDA,
10 present also was the Sewage Department as well as
11 the Housing Authority, Atlantic City Medical Center,
12 Richard Stockton College. So there is going to be a
13 coordinated plan that all of the major assets in the
14 city are going to work together for snow removal
15 starting with the most critical streets first.

16 And the City is going to provide the
17 ACMUA with plow blades for our trucks. Also they
18 are going to provide training. What is also going
19 to be required is a shared services agreement so we
20 are covered in terms of liability. So I just wanted
21 to bring you up to date on that.

22 MR. DEVLIN: Only because I am new to
23 the board, who plowed our snow before?

24 MR. WARD: Well, we take care of our
25 own building. We just take care of our private lots

1 and our private property, but we never went out into
2 the streets, into the city streets.

3 THE CHAIRMAN: Well, the City took
4 care of it previously.

5 MR. DEVLIN: Why now? I mean, it
6 seems like it's more--

7 MR. WARD: The City and the State are
8 asking to coordinate in a way that's not happened in
9 the past.

10 MR. DEVLIN: And I'll tell you why
11 because I used to be a plow driver. Not only is it
12 obviously liability, but extra expense is going to
13 be-- it's going to be very expensive for this MUA.

14 MS. BAILEY: They are paying. The
15 City is paying.

16 MR. DEVLIN: The City is paying 100
17 percent?

18 THE CHAIRMAN: The City, yeah. The
19 City has got that, John.

20 MR. WARD: No. The City is providing
21 plows. They are not paying for the time. Now, the
22 other thing is--

23 THE CHAIRMAN: Well, slow down. Are
24 we going to be responsible for paying someone to--

25 MR. DEVLIN: A plow is worth like two

1 grand.

2 MR. WARD: We are not paying for the
3 plows.

4 MR. HILL: Right.

5 THE CHAIRMAN: I'm just talking about
6 for the help. I mean, for the time they are
7 working, are-- is the MUA going to be responsible or
8 is the City going to be responsible for the wages?

9 MR. WARD: The wages we are picking
10 up.

11 MR. HILL: Oh, wow.

12 THE CHAIRMAN: Oh, see, I wasn't
13 aware of that.

14 MR. HILL: No.

15 THE CHAIRMAN: Initially, I wasn't
16 aware of that.

17 MR. WARD: No. I mean, this is a
18 brand new-- this is a brand new idea coming out of
19 the state and trying to pull all the assets
20 together. Now, the other thing--

21 THE CHAIRMAN: Well, they are dipping
22 into our assets is what I'm saying. They are
23 dipping into our budget money. I mean, I don't
24 disagree with everybody getting together and doing
25 everything they can to keep the city streets good,

1 well, but I don't think we should have to pay for
2 that. That's just my personal opinion.

3 MR. DEVLIN: And we are using our
4 vehicles?

5 THE CHAIRMAN: Yeah, our vehicles
6 but--

7 MR. DEVLIN: I mean, wear and tear on
8 our vehicles with the salt. I mean, I believe it's
9 great, don't get me wrong. But I think that's not--
10 that's not even a tradeoff.

11 MR. WEBER: This is probably subject
12 to closed session. I heard that it was a shared
13 service agreement.

14 MS. BAILEY: Me too.

15 THE CHAIRMAN: That's what I thought
16 too.

17 MR. WEBER: So in order to negotiate,
18 we are going to negotiate--

19 MS. BAILEY: The terms--

20 MR. WEBER: Exactly. So we may want
21 to go into closed session to talk about what terms
22 and concerns we have because these are very
23 legitimate by the way. But I think it's something
24 that, you know--

25 MR. DEVLIN: I agree with you, but a

1 shared service can be interpreted in a lot of
2 different ways. My understanding is shared services
3 is everybody gets together and buys a piece of
4 equipment and then we use that--

5 MR. WEBER: Well, that's the reason
6 why we take it in closed session. What you would
7 want Bruce to do is to go back and say look--

8 MR. DEVLIN: He's got enough to do.

9 MR. HILL: Yeah, exactly.

10 MR. DEVLIN: We are going to have a
11 snowfall, we are going to have leaky pipes. Like
12 now--

13 MR. HILL: Frozen pipes--

14 MR. BOR: Well, you also have the
15 issue to consider of do you use special licenses to
16 drive that.

17 MR. WARD: I don't think so. It's
18 not a CDL.

19 MR. BOR: We might have to give a
20 heads-up to our liability insurance carriers that
21 our drivers are now driving other vehicles.

22 MS. BAILEY: All right. We'll talk
23 about it in closed session.

24 MR. WARD: Okay. Also the MBCA has
25 what I believe is an annual kickoff for the

1 beginning of the year. Gary, will the mayor also--

2 MR. HILL: The mayor is, yes. The
3 mayor is now added to the new flyer. The new mayor
4 has been added to the new flyer.

5 And of course, we have Lieutenant
6 Governor will be there giving a report on the
7 executive committee and the keynote is Matt Doherty
8 from the CRDA with plans for 2020.

9 MR. WARD: All right. A special day
10 on Wednesday, November the 13th, one of the coldest
11 days of 2019 was the honor of the dedication of
12 William K. Cheatham's life. And we have a
13 resolution on board today to celebrate the
14 distinction of our beloved commissioner.

15 Okay. Director's forum. Any issues
16 from directors to bring to the board at this point?
17 Okay.

18 We heard from the public. So old
19 business we need to accept proposals for security
20 contract and that would be resolution 8 a (1). And
21 this would be our continuing security provider in
22 the tri-county.

23 MR. HILL: Did we have any other bids
24 for this?

25 MR. WARD: Yes, and it was way out of

1 line.

2 MR. HILL: I'm just asking. So this
3 is our-- this is the company that we used before?

4 MR. WARD: Yes.

5 THE CHAIRMAN: The one that we are
6 using now, yeah. And we are satisfied with them.

7 MR. DEVLIN: What does that contract
8 entail, Bruce? Security as far as what?

9 MR. WARD: Staying overnight when the
10 building is closed, they also move around the City
11 in terms of watching some of our plates, make sure
12 our plates are down, if any of our cones are moved,
13 things like that.

14 MR. DEVLIN: And they monitor cameras
15 or things like that?

16 MR. WARD: Yeah.

17 MR. DEVLIN: May I see a copy of that
18 when you get a chance?

19 MR. WARD: You want to see a copy of
20 the contract?

21 MR. DEVLIN: No today, but when you--

22 MR. WARD: Sure.

23 MR. DEVLIN: Thank you, sir.

24 MS. BAILEY: Is this specifically
25 night shift? It's a night shift contract?

1 MR. DEVLIN: It's just night shift?

2 MR. WARD: Night shift, yes.

3 MR. DEVLIN: Understood.

4 MR. BOR: So which one do you want to
5 vote on? 8 a (1).

6 MR. DEVLIN: Move it.

7 MR. BOR: Want to move 8 a (1)?

8 MR. DEVLIN: Yeah, move it. That's
9 fine. I just-- if I could for my own--

10 MR. BOR: Is there a motion for 8 a
11 (1)?

12 MS. BAILEY: Motion.

13 MR. DEVLIN: I'll second.

14 MR. BOR: Mr. McGettigan.

15 MR. MCGETTIGAN: Yes.

16 MR. BOR: Ms. Bailey.

17 MS. BAILEY: Yes.

18 MR. BOR: Mr. Devlin.

19 MR. DEVLIN: Yes.

20 MR. BOR: Mr. Hill.

21 MR. HILL: Yes.

22 MR. BOR: And Mr. Smith.

23 THE CHAIRMAN: Yes.

24 MR. BOR: Carries.

25 MR. WARD: 8 b, insurance general

1 liability, public officials, cyber. And 8 d (1),
2 the sole bidder.

3 MR. HILL: I'll move it.

4 MR. SMITH: Is this a resolution for
5 acceptance or is this a resolution for--

6 MS. BAILEY: Just to receive a bid.

7 MR. HILL: Is to get bids, right.

8 MS. BAILEY: Just to receive a bid we
9 have.

10 MR. HILL: Oh, all right.

11 MR. BOR: Mr. Hill, did you move it?

12 MR. HILL: I did. Yes.

13 MR. BOR: B 1.

14 MS. BAILEY: It's not a resolution.
15 It's just that we are going to be receiving it.

16 MR. HILL: Oh, so it would be the
17 next meeting which is December, right? End of the
18 year.

19 THE BOARD MEMBER: Bruce, did we add
20 that one piece--

21 MR. WARD: Yes, we did.

22 THE BOARD MEMBER: Did you add that
23 to Syracuse?

24 MR. WARD: Yes.

25 THE BOARD MEMBER: Thank you, sir.

1 MR. SMITH: That's something we have
2 to evaluate as well too, in regards to what that
3 particular policy covers. So we still have to
4 evaluate that. Okay.

5 MR. WARD: Okay. Budget hearings.
6 Our budget hearings are November 26th and Thursday
7 December 5th and that would, of course, take into
8 consideration rules, rates, connection fee. And I
9 think I want to give kudos to Anita who came up with
10 a budget to maintain our current v structure.

11 D 1 liquid sodium hypochlorite.
12 That's going to be Miracle Chemical. We just turned
13 down a revised resolution. And that's 8 d (1).

14 MR. BOR: Is there a motion on d (1)
15 to accept the bid?

16 MR. DEVLIN: I'll make the motion to
17 that.

18 MR. HILL: Second.

19 MR. BOR: Okay. Mr. McGettigan.

20 MR. MCGETTIGAN: Yes.

21 MR. BOR: Ms. Bailey.

22 MS. BAILEY: Yes.

23 MR. BOR: Mr. Devlin.

24 MR. DEVLIN: Yes.

25 MR. BOR: Mr. Hill.

1 MR. HILL: Yes.

2 MR. BOR: And Mr. Smith.

3 THE CHAIRMAN: Yes.

4 MR. WARD: 8 e (1). This is a power
5 purchase agreement which was on cause from last
6 board meeting. I checked in with Commissioner
7 Devlin. He gave me the go ahead.

8 MR. DEVLIN: Yes. Thank you, Bruce.

9 MS. BAILEY: Move it.

10 THE CHAIRMAN: Second.

11 MR. BOR: Mr. McGettigan.

12 MR. MCGETTIGAN: Yes.

13 MR. BOR: Ms. Bailey.

14 MS. BAILEY: Yes.

15 MR. BOR: Mr. Devlin.

16 MR. DEVLIN: Yes.

17 MR. BOR: Mr. Hill.

18 MR. HILL: Yes.

19 MR. BOR: And Mr. Smith.

20 THE CHAIRMAN: Yes.

21 MR. BOR: New business.

22 MR. WARD: Okay. If you want to do
23 the abatements unnecessary to appear, that would be
24 6 and 7. Motion? Do 6 and 7 together?

25 MR. DEVLIN: Motion. Yes.

1 MR. HILL: Second.

2 MR. BOR: Mr. McGettigan.

3 MR. MCGETTIGAN: Yes.

4 MR. BOR: Ms. Bailey.

5 MS. BAILEY: Yes.

6 MR. BOR: Mr. Devlin.

7 MR. DEVLIN: Yes.

8 MR. BOR: Mr. Hill.

9 MR. HILL: Yes.

10 MR. BOR: And Mr. Smith.

11 THE CHAIRMAN: Yes.

12 MR. BOR: And Mr. Ward, we're just

13 going to carry the--

14 MR. HILL: I guess we have to.

15 MR. BOR: -- necessary to appears?

16 MR. WARD: Yes, we always do. Okay.

17 Request for qualifications b 1, 2 and 3 has to go

18 out for authority solicitor labor counsel.

19 MS. BAILEY: So these are received

20 already?

21 MR. WARD: Pardon me?

22 MR. HILL: No.

23 MR. WARD: No. This is to go out.

24 MS. BAILEY: Right. That's what I

25 thought. Okay.

1 MR. DEVLIN: Do they have to go out
2 for RFQ?

3 MR. WARD: Yes.

4 MR. DEVLIN: By law they have to go
5 out?

6 MR. WARD: Yes.

7 MR. DEVLIN: Or we have to reappoint
8 them every year?

9 MR. WARD: We have to reappoint every
10 year annually.

11 MR. DEVLIN: I get that, but do we
12 have to put our RFQ out by law?

13 MR. BOR: Mr. Ward and I discussed
14 this. We think technically by law it's a
15 professional service contract where you would not
16 need an RFQ every year. That doesn't mean the board
17 can't vote down one--

18 MR. DEVLIN: Correct.

19 MR. BOR: -- and nominate another.

20 MR. WEBER: Well, truthfully, I
21 haven't really looked at the statute. This is the
22 first I'm hearing it. Professional service
23 agreement is an exception to the bidding laws. And
24 so, I don't know whether they actually have to go
25 out and do an RFQ.

1 MR. DEVLIN: Right.

2 MR. WEBER: You do have to, you
3 know-- I don't think you can just go appoint--

4 MR. WARD: So how do you give notice
5 to the public professionals that there is a
6 opportunity to submit the qualifications?

7 MR. WEBER: Well, I guess the
8 questions is whether you need to do that or not.

9 MR. DEVLIN: Right. I mean, on the
10 school district side, you know, especially-- I mean,
11 it just gets redundant. And it's a lot of work year
12 after year.

13 THE CHAIRMAN: Well, if we go out, I
14 would appreciate the personnel committee to be aware
15 of the people that are applying for the job because
16 last year I wasn't aware of anything that--
17 pertaining to solicitor or whatever. I do remember
18 that much, but the personnel committee was kept in
19 the dark on those last ones. I assume that's why
20 that question is being asked now.

21 MR. DEVLIN: Well, I wasn't here last
22 year. But I will say--

23 THE CHAIRMAN: I'm just trying to
24 school you on that one.

25 MR. DEVLIN: Yeah. I appreciate

1 that. Thank you. And with that being said, it
2 definitely, from what I saw sitting in the audience,
3 it wasn't really very transparent because again, on
4 the school board side, I hate comparing this, is
5 that we look at the RFQs. The board members look at
6 the RFQs before we go to--

7 MS. BAILEY: Right. Right.

8 MR. DEVLIN: So either way-- and then
9 we also decide on the school board side is that we
10 do reappoint every year, but we always-- don't
11 always go out for RFQ every year.

12 MS. THAPA: It has been always the
13 history of this.

14 MR. DEVLIN: Always doing the same
15 thing doesn't mean it's always right either. Trust
16 me, we went through the same thing on the school
17 board side. But again, it's open to--

18 MS. BAILEY: It's open to
19 interpretation.

20 MR. DEVLIN: Absolutely.

21 MR. WARD: We actually bring them
22 into the board. We bring the proposals into the
23 board. The board takes a look at it, we have a
24 conversation and we select.

25 THE CHAIRMAN: Well, I got to say

1 that didn't happen last year.

2 MR. WARD: It certainly did,
3 absolutely. We brought everything in and there was
4 discussion--

5 THE CHAIRMAN: RFQs was not presented
6 to the personnel committee last year.

7 MR. WARD: Not to the personnel
8 committee, to the full board.

9 MR. BOR: You mean like on the day
10 the vote took place?

11 MR. WARD: Yeah.

12 MS. BAILEY: But nothing prior. What
13 we do as a committee, we set time aside. It should
14 be prior.

15 MR. HILL: It should be prior.

16 MR. DEVLIN: Absolutely.

17 THE CHAIRMAN: I think it should be
18 presented to the personnel committee on the
19 personnel committee meeting, and as we always do
20 with most of those things, and then present it to
21 the whole board.

22 MS. BAILEY: Right.

23 THE CHAIRMAN: That's what I'm
24 saying.

25 MS. BAILEY: And I agree. I agree.

1 I agree with that.

2 MR. DEVLIN: Okay. I mean, what are
3 your thoughts as a board? Do we need to go out for
4 RFQ every year? I mean, what does it cost us?

5 THE CHAIRMAN: I mean, it's been
6 acceptable, John. I understand where you are coming
7 from, but I just want to do the legal thing and the
8 right thing.

9 MR. DEVLIN: Well, it is legal.

10 THE CHAIRMAN: Okay. That's all I'm
11 requiring.

12 MR. DEVLIN: Okay. I'm just
13 inquiring. I wasn't part of that last year.

14 MR. BOR: Well, if I may, during the
15 last 11 years signing with Bruce's predecessor, he
16 always went out for an RFQ. The question was raised
17 numerous times by me and by Matthews, by that
18 predecessor, but we did it anyway because the end
19 result was nearly the same because you still have
20 the right if you have no RFQ for the board to vote
21 down one of the nominees and nominate somebody new.

22 MR. WEBER: I would agree with that.

23 MR. BOR: So you always get to the
24 same point.

25 MR. WEBER: So I think the practice

1 is that we do it.

2 MR. BOR: The practice has been an
3 RFQ. I think the only concern of the state was that
4 the vote to approve the next year's solicitor has to
5 be the same month that he is going to expire. I
6 guess with us, what is it? January? The end of
7 January?

8 MR. HILL: January.

9 MS. BAILEY: I like the move that we
10 put up RFQ, but the processes be re-examined that is
11 to say that we bring it before the board earlier
12 meaning the personnel committee earlier and then it
13 be reviewed.

14 MR. BOR: So in order to avoid the
15 problem we had that one time, Mr. Weber, I guess
16 since our terms are over at the end of February, is
17 that right?

18 MR. WARD: February 21.

19 MR. BOR: 21. So that means the vote
20 up or down or for a new person on the RFQ should be
21 at the February meeting; is that right?

22 MR. HILL: At the reorganization
23 meeting.

24 MS. BAILEY: Right. Correct.

25 MR. BOR: So even if the meeting is

1 before.

2 MR. HILL: So you meet in January.

3 MR. BOR: And then vote on it in
4 February?

5 MS. BAILEY: Yes. Yes. Okay?

6 MR. DEVLIN: I'm good, absolutely.
7 No argument from me.

8 MS. BAILEY: Okay.

9 MR. DEVLIN: Thank you, Ms. Bailey.

10 MR. BOR: We need a motion to--

11 MR. HILL: Do we need to amend that
12 motion at all? No?

13 MR. BOR: Well, we're just changing
14 it procedurally.

15 MR. HILL: So procedurally we don't
16 have to--

17 MR. BOR: So the motion says that--
18 the motion says that-- originally it says it will go
19 to the purchasing committee whenever that is. So we
20 are just substituting--

21 MR. HILL: Personnel.

22 MR. BOR: -- the personnel committee.
23 So when we get the results of the--

24 MR. HILL: Exactly.

25 MR. BOR: -- our RFQ personnel rather

1 than the purchasing committee.

2 MR. HILL: Right.

3 MR. BOR: We are just substituting
4 that one word.

5 THE CHAIRMAN: Move it with the
6 amendment.

7 MS. WILLIAMS: So you want this
8 amendment to personnel--

9 MR. BOR: Yes. Just change the word
10 from purchasing to personnel.

11 MS. WILLIAMS: Purchasing to
12 personnel. Okay. Thank you.

13 THE BOARD MEMBER: Motion.

14 MR. BOR: I hear a motion. I don't
15 hear a second.

16 MR. HILL: Second. I second.

17 MR. BOR: Mr. McGettigan.

18 MR. MCGETTIGAN: Yes.

19 MR. BOR: Ms. Bailey.

20 MS. BAILEY: Yes.

21 MR. BOR: Mr. Devlin.

22 MR. DEVLIN: Yes.

23 MR. BOR: Mr. Hill.

24 MR. HILL: Yes.

25 MR. BOR: And Mr. Smith.

1 THE CHAIRMAN: Yes.

2 MR. WARD: Okay. Leave of absence,
3 Jean Valeus, resolution 9 c (1) unpaid leave of
4 absence.

5 THE CHAIRMAN: He's on unpaid now;
6 isn't he?

7 MR. WARD: Yes.

8 THE CHAIRMAN: Move it.

9 MS. BAILEY: Second.

10 MR. BOR: Mr. McGettigan.

11 MR. MCGETTIGAN: Yes.

12 MR. BOR: Ms. Bailey.

13 MS. BAILEY: Yes.

14 MR. BOR: Mr. Devlin.

15 MR. DEVLIN: Yes.

16 MR. BOR: Mr. Hill.

17 MR. HILL: Yes.

18 MR. BOR: Mr. Smith.

19 THE CHAIRMAN: Yes.

20 MS. THAPA: The question is like what
21 do we do as far as the health contribution because
22 we have no policy or anything yet. We do send a
23 letter to the--

24 THE CHAIRMAN: But it has been the
25 policy to pay their insurance until they're--

1 MS. THAPA: Yes.

2 THE CHAIRMAN: --until they are
3 back--

4 MS. THAPA: We only send the invoice,
5 but sometimes they don't respond to us at all
6 until--

7 THE CHAIRMAN: Who do you send the
8 invoice to, Anita?

9 MS. THAPA: To the employees, to
10 their address.

11 THE CHAIRMAN: Shouldn't it be sent
12 to the people that are paying them? They are like--
13 what is that where they are off on disability? They
14 are getting disability.

15 MS. THAPA: I'm talking about the
16 employee health, the health contribution.

17 THE CHAIRMAN: Well, we paid for them
18 until it's resolved.

19 MS. THAPA: The employees are also
20 responsible for their portion. And that was like
21 kind of like if they are out longer like that was--

22 THE CHAIRMAN: Can I have a point of
23 clarity? Is this employee out on workers' comp and
24 a leave of absence or just workers' comp?

25 MS. THAPA: It's kind of complicated.

1 The workers' comp has been-- he's been on the
2 workers' comp. The accident was on the workers'
3 comp from a couple of years ago back. He's having a
4 lot of surgeries, but workers' comp is paying for
5 it.

6 MS. BAILEY: Okay. So he's workers'
7 comp.

8 MR. SMITH: Yes. The leave of
9 absence is due to the workers' comp.

10 MS. BAILEY: The workers' comp.
11 Okay. All right.

12 MS. THAPA: But the question is the
13 health contribution, like when--

14 THE CHAIRMAN: I talked to him last
15 month. And he said he's having a lot of problems
16 and he's having operations. And this is one of the
17 reasons why I didn't want to cut him off completely.

18 MS. THAPA: But we don't--

19 THE CHAIRMAN: That's what I'm
20 saying. I don't think we ever did that to an
21 employee.

22 MS. THAPA: Like our--

23 THE CHAIRMAN: I recommend that we
24 pay for the guy's time until his situation is
25 approved.

1 MS. THAPA: Yes. Yes.

2 THE CHAIRMAN: I mean, I don't want
3 him to be protected from both places. I don't--

4 MS. THAPA: The portion is not only
5 him. Like when people are out, you know, the
6 employee contribution, the employee, they have to
7 pay their portion. It's not as much as the employer
8 pays, obviously not. I guess there are a couple
9 people out and that balance, they haven't paid it.

10 THE CHAIRMAN: Maybe I don't
11 understand.

12 MS. BAILEY: I understand her
13 question. And I think that's a question for the
14 personnel policy that you guys are working on, that
15 we create a policy because workers' comp is workers'
16 comp. We don't touch that.

17 THE CHAIRMAN: Correct.

18 MS. BAILEY: But when you are talking
19 about other employees who take leave of absence and
20 are out for six, seven months and don't pay their
21 share, we need something in writing to address that.

22 So I just think that we should leave
23 that with the personnel policy people who are
24 working on that. That's something to make a note
25 of. And we need to address that.

1 THE CHAIRMAN: Agreed. Agreed.

2 MR. WARD: D, removal of tax liens,
3 Atlantic City foreclosure properties.

4 MS. BAILEY: Explain that to me.

5 MR. WARD: Yeah. It's a scary list
6 for the members of this community, but that is the
7 list. And once the properties go to foreclosure,
8 our liens disappear. So this is-- Atlantic City,
9 Flint Michigan and Trenton are one, two and three
10 nationally in terms of per capita foreclosure. I
11 have that statistic.

12 THE CHAIRMAN: When the taxes are
13 collected by the City, don't they collect?

14 MR. WARD: These properties are
15 foreclosed.

16 THE CHAIRMAN: They are already all
17 foreclosed. Okay. I understand. Explain that to
18 me once more.

19 MR. WARD: The list of properties are
20 foreclosed.

21 THE CHAIRMAN: Are foreclosed.

22 MR. WARD: The liens, the tax liens
23 and water liens are all wiped out.

24 THE CHAIRMAN: Yeah. I understood
25 that, but the thing is I was under the assumption

1 that any money the City collected, they also
2 collected our water bill or our money and would send
3 it to us. But maybe I'm wrong about that.

4 MR. WARD: No, you're right. It's
5 just that the liens were present. Had someone
6 purchased that property--

7 THE CHAIRMAN: Purchased. I got
8 that. I got that. We would have gotten it. Yes, I
9 got that.

10 MR. HILL: Now we get nothing.

11 THE CHAIRMAN: Nothing.

12 MR. HILL: Because we are foreclosed.

13 THE CHAIRMAN: Correct. I got that.

14 MR. HILL: I'll move it.

15 THE CHAIRMAN: Second.

16 MR. BOR: Mr. McGettigan.

17 MR. MCGETTIGAN: Yes.

18 MR. BOR: Ms. Bailey.

19 MS. BAILEY: Yes.

20 MR. BOR: Mr. Devlin.

21 MR. DEVLIN: Yes.

22 MR. BOR: Mr. Hill.

23 MR. HILL: Yes.

24 MR. BOR: And Mr. Smith.

25 THE CHAIRMAN: Yes.

1 MR. WARD: Okay. And e, our old
2 water service accounts, delinquent balances. We
3 need to write those off. Anita, how far back are
4 some of these accounts?

5 MS. THAPA: Probably like-- I guess
6 there's a new order on the property now.

7 MR. WARD: Decades old.

8 MR. BOR: All right. Is there a
9 motion?

10 MR. HILL: Motion.

11 THE CHAIRMAN: Second.

12 MR. BOR: Mr. McGettigan.

13 MR. MCGETTIGAN: Yes.

14 MR. BOR: Ms. Bailey.

15 MS. BAILEY: Yes.

16 MR. BOR: Mr. Devlin.

17 MR. DEVLIN: Yes.

18 MR. BOR: Mr. Hill.

19 MR. HILL: Yes.

20 MR. BOR: Mr. Smith.

21 THE CHAIRMAN: Yes.

22 MR. WARD: Monthly bills

23 THE CHAIRMAN: Move them.

24 MR. HILL: Second.

25 MR. BOR: Mr. McGettigan.

1 MR. MCGETTIGAN: Yes.

2 MR. BOR: Ms. Bailey.

3 MS. BAILEY: Yes.

4 MR. BOR: Mr. Devlin.

5 MR. DEVLIN: Yes.

6 MR. BOR: Mr. Hill.

7 MR. HILL: Yes.

8 MR. BOR: Mr. Smith.

9 THE CHAIRMAN: Yes. Let's take a
10 five minute break, please.

11 MS. BAILEY: Excuse me. Can I just
12 say something real fast?

13 THE CHAIRMAN: Of course.

14 MS. BAILEY: I just want to make you
15 guys aware. So you understand the situation that
16 happened in Pleasantville with the little boy?

17 THE CHAIRMAN: Yes.

18 MS. BAILEY: Well, the little boy
19 just passed away.

20 THE CHAIRMAN: The one that was shot?

21 MS. BAILEY: Yes.

22 THE CHAIRMAN: I'm sorry to hear
23 that.

24 MS. BAILEY: We were just informed.
25 So please keep that family in your thoughts.

1 THE CHAIRMAN: How old was the kid?
2 Ten years old?

3 MS. BAILEY: Ten years old.

4 MR. HILL: Oh, dear God. That is
5 horrible news.

6 THE CHAIRMAN: I'm sorry to hear
7 that.

8 MR. BOR: Okay. We can go off the
9 record.

10 - - -

11 Closed session began at 10:30 a.m.

12 - - -

13 Public session back on at 11:25 a.m.

14 - - -

15 MR. WARD: Okay. We are back in
16 session. We need to return to item number four.

17 MR. BOR: Well, before we do that,
18 just something we forgot to do, we went into
19 executive session without a motion. So if we could
20 just have a quick motion as if it was prior to.

21 MS. BAILEY: We did. I motioned it.

22 THE CHAIRMAN: And I seconded it. I
23 thought I seconded it also.

24 MR. BOR: I stand corrected then.
25 Okay. We now have a copy of the executive session

1 minutes in addition to the regular minutes. And if
2 the board members have any comments, let's hear. If
3 not, is there a motion to approve both regular and
4 executive session minutes?

5 MS. BAILEY: Motion.

6 THE CHAIRMAN: Second.

7 MR. BOR: Mr. McGettigan.

8 MR. MCGETTIGAN: Yes.

9 MR. BOR: Ms. Bailey.

10 MS. BAILEY: Yes.

11 MR. BOR: Mr. Devlin.

12 MR. DEVLIN: Yes.

13 MR. BOR: Mr. Hill.

14 MR. HILL: Abstain.

15 MR. BOR: And Mr. Smith.

16 THE CHAIRMAN: Yes.

17 MR. WARD: Okay. And I would like to
18 read into the record agenda number 5 b. And this is
19 by all members of the board.

20 Whereas, Mr. William K. Cheatham has
21 dedicated his life to support for the good and
22 welfare of the City of Atlantic City.

23 And whereas, with enduring passion,
24 William K. Cheatham has served as Scout Commissioner
25 of the Boy Scouts of America, Treasurer of Atlantic

1 City Renaissance, Program Chair of United Way,
2 Atlantic City Boy's Club, Atlantic County Board of
3 Public Transportation, Atlantic County Big Brothers
4 and Sisters, President of the Board of Trustees of
5 the Atlantic City Library, Chairman of the Atlantic
6 City Shade Tree Committee among other distinctions.

7 And whereas, while managing his time
8 to support causes for the benefit of Atlantic City,
9 William K. Cheatham supported his family working for
10 the Atlantic City Convention and Visitor's
11 Authority, the South Jersey Transportation Authority
12 and held a Key License with the NJ Casino Control
13 Commission.

14 And whereas, among the many
15 distinctions set forth hereinabove, William K.
16 Cheatham is a dedicated Board Member of the Atlantic
17 City Municipal Utilities Authority.

18 And whereas, the City of Atlantic
19 City, by way of Ordinance No. 27 of 2019, recognized
20 William K. Cheatham's contributions to the quality
21 of life in this community by naming the corner of
22 Maryland and Atlantic Avenues "William K. Cheatham's
23 Block" with a ceremony held on Wednesday, November
24 13, 2019.

25 And now therefore be it resolved, by

1 the Board of Directors of the Atlantic City
2 Municipal Utilities Authority, with sincerest
3 enthusiasm, joins with the City of Atlantic City to
4 express its heartfelt gratitude to William K.
5 Cheatham for the well honored recognition of the
6 significant contributions he has made to the
7 citizens of Atlantic City.

8 And furthermore be it resolved, that
9 the Board of Directors or the Atlantic City
10 Municipal Utilities Authority wish its dedicated
11 member, Mr. William K. Cheatham, the very best in
12 good health, and welfare in years to come.

13 THE CHAIRMAN: Amen. Now I know why
14 they call your Mr. Atlantic City. Motion.

15 MR. HILL: Second.

16 MR. BOR: Multiple seconds in honor
17 of Mr. Cheatham. Mr. McGettigan.

18 MR. MCGETTIGAN: Yes.

19 MR. BOR: Ms. Bailey.

20 MS. BAILEY: Yes.

21 MR. BOR: Mr. Devlin.

22 MR. DEVLIN: Yes. Thank you.

23 MR. BOR: Mr. Hill.

24 MR. HILL: Yes.

25 MR. BOR: And Mr. Smith.

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THE CHAIRMAN: Yes.

MR. BOR: Pass.

MS. BAILEY: Do we need a motion to adjourn?

MR. BOR: Yeah. Hearing no objection?

THE CHAIRMAN: We are adjourned.

- - -

Concluded at 11:29 a.m.

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C E R T I F I C A T I O N

- - -

I, Dominique R. Caputo, Court Reporter and Notary Public, certify that the foregoing is a true and accurate transcript of the foregoing deposition, that the witness was first sworn at the time, place and on the date herein set forth.

I further certify that I am neither attorney nor counsel for, not related to, nor employed by any of the parties to the action in which this deposition was taken; further, that I am not a relative or employee of any attorney or any counsel employed in this case, nor am I financially interested in this action.

Dominique R. Caputo
Court Reporter and
Notary Public
License Number: 30XT00004900

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