

REGULAR MEETING OF THE
ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

- - -

MAY 15, 2019

- - -

HELD AT: 401 NORTH VIRGINIA AVENUE
ATLANTIC CITY, NEW JERSEY

PRESENT:

MILTON L. SMITH, CHAIR
GARY HILL, VICE CHAIR/SECRETARY
NYNELL LANGFORD, BOARD MEMBER
JOHN McGETTIGAN, BOARD MEMBER/ALT #1
PATRICIA BAILEY, BOARD MEMBER

ANDREW WEBER, ESQUIRE
FREDERIC L. BOR, ESQUIRE

G. BRUCE WARD, EXECUTIVE DIRECTOR
CLAUDE SMITH, DIRECTOR OF ENGINEERING
ANITA THAPA, DIRECTOR, FINANCE & ACCOUNTING
KELLEY WILLIAMS, EXECUTIVE SECRETARY

REPORTED BY:

TERESA L. DEMONTE, CCR

* * *

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1 (Whereupon, the proceedings commenced
2 at approximately 10:00 a.m.)

3 - - -

4 CHAIRMAN SMITH: Adequate notice of
5 this meeting has been provided as required by
6 law by method of the press a list of the regular
7 scheduled meeting of the board of directors,
8 including the notice of the regular meeting
9 scheduled for May 15, 2019 at 401 North Virginia
10 Avenue, conference room, Atlantic City, New
11 Jersey.

12 Copy of said notice was sent to the
13 city clerk to be posted. All of the aforesaid
14 complies with Chapter 231 of the laws of 1975
15 known as Open Public Meeting laws.

16 Roll call, please.

17 MR. BOR: Ms. Bailey

18 MS. BAILEY: Here

19 MR. BOR: Ms. Langford?

20 MS. LANGFORD: Here.

21 MR. BOR: Mr. Hill?

22 MR. HILL: Here.

23 MR. BOR: Mr. Smith?

24 MR. SMITH: Here.

25 And for the record we don't have

1 Mr. Devlin here so with everyone's permission,
2 we'll have Mr. McGettigan as first alternate
3 vote. In the event Mr. Devlin comes late, we'll
4 just make the modification on the record.

5 Mr. McGettigan, you're voting as
6 first alternate.

7 MR. MCGETTIGAN: Fine.

8 CHAIRMAN SMITH: Rise, salute please.
9 Lead us, Ms. BAILEY?

10 MS. BAILEY: Yes.

11 (Whereupon, there was the flag salute
12 by all.)

13 MR. WARD: I have the executive
14 minutes but, remember, you called me to request
15 something real quick and I came down.

16 MR. BOR: We can approve the minutes
17 after the executive session.

18 MR. WARD: Let's see, we have three
19 members of the public here. Mr. Chairman, did
20 you want to --

21 CHAIRMAN SMITH: Yes. Let's address
22 them as soon as possible.

23 MR. WARD: Let's take care of them.
24 Mr. James Tran here?

25 MR. TRAN: Yes.

1 MR. WARD: Good morning. Your
2 Resolution Number 8a(1) for an abatement. Sir,
3 did you have a leak in your property?

4 MR. TRAN: Yes.

5 MR. WARD: Was that leak repaired?

6 MR. TRAN: Yes.

7 MR. WARD: Is this your first
8 abatement request?

9 MR. TRAN: Yes.

10 MR. WARD: Board members 8a(1).

11 MR. HILL: So it's \$1,059

12 MR. WARD: Yeah, \$1,059.29.

13 CHAIRMAN SMITH: Move it.

14 MR. HILL: Second.

15 MR. BOR: Mr. McGettigan?

16 MR. MCGETTIGAN: Yes.

17 MR. BOR: Ms. BAILEY?

18 MS. BAILEY: Yes.

19 MR. BOR: Ms. Langford?

20 MS. LANGFORD: Yes.

21 MR. BOR: Mr. Hill?

22 MR. HILL: Yes

23 MR. BOR: Mr. Smith?

24 MR. SMITH: Yes

25 MR. BOR: Carries.

1 MR. WARD: Mr. Tran, your abatement
2 is approved. Any questions you have in terms of
3 the adjustment, customer service can help you.
4 Okay?

5 MR. TRAN: Thank you.

6 MR. WARD: You're welcome.

7 MR. HILL: That's all. You're done.

8 MR. TRAN: Thank you.

9 MR. WARD: Friends of Jean Webster
10 here? Good morning, sir, your name for the
11 record?

12 MR. SCOTLAND: John Scotland.

13 MR. WARD: Resolution 8(a)2, Friends
14 of Jean Webster, requesting abatement for
15 \$678.48.

16 Sir, did the property have a leak?

17 MR. SCOTLAND: Yes.

18 MR. WARD: Causing additional
19 consumption, and was the leak repaired?

20 MR. SCOTLAND: Yes.

21 MR. WARD: It's your first abatement
22 request?

23 MR. SCOTLAND: Yes.

24 MR. WARD: Questions, Board?

25 CHAIRMAN SMITH: Move it.

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: Ms. Langford?

7 MS. LANGFORD: Yes.

8 MR. BOR: Mr. Hill.

9 MR. HILL: Yes.

10 MR. BOR: Mr. Smith?

11 MR. SMITH: Yes.

12 MR. BOR: Carries.

13 CHAIRMAN SMITH: Keep up the good
14 work over there.

15 MR. WARD: Same thing, any questions
16 you have, customer service can help you.
17 Your name, please.

18 MS. SCANLON: Sharon Scanlon.

19 MR. WARD: Are you here for an
20 abatement?

21 MS. SCANLON: Yes, for my husband.

22 MR. WARD: And that's 8(a)3, Michael
23 Scanlon?

24 MS. SCANLON: Yes.

25 MR. WARD: Okay. For that property

1 was there a leak?

2 MS. SCANLON: Yes.

3 MR. WARD: And that leak was
4 repaired?

5 MS. SCANLON: Yes, it was.

6 MR. WARD: Is this your first
7 abatement request?

8 MS. SCANLON: Yes.

9 MR. WARD: Board members, this
10 abatement is for \$905.94.

11 MR. HILL: Move it.

12 MS. BAILEY: Second.

13 MR. BOR: Mr. McGettigan?

14 MR. MCGETTIGAN: Yes.

15 MR. BOR: Ms. BAILEY:

16 MS. BAILEY: Yes.

17 MR. BOR: Ms. Langford?

18 MS. LANGFORD: Yes.

19 MR. BOR: Mr. Hill?

20 MR. HILL: Yes.

21 MR. BOR: Mr. Smith?

22 MR. SMITH: Yes.

23 MR. BOR: Carries.

24 MR. WARD: The abatement is approved.

25 Any questions, they can help you at customer

1 service.

2 MS. BAILEY: The Jean Webster
3 property, she can't move into that property or
4 something, right?

5 CHAIRMAN SMITH: I think they moved
6 to --

7 MS. BAILEY: It was something going
8 on with the City where they were supposed to
9 move and the all of a sudden, the City wouldn't
10 let them move into the property.

11 CHAIRMAN SMITH: They're not at the
12 property they used to be at.

13 MS. BAILEY: No, this is the
14 Pennsylvania Avenue property. Is this the old
15 church or Saint Monica's?

16 MR. HILL: Saint Monica's you're
17 talking about. They're not moving it there.

18 MS. BAILEY: They're not moving to
19 Saint Monica's?

20 MR. HILL: Right, that I'm aware of.
21 This is the original one.

22 MS. BAILEY: Right. Okay.

23 MR. WARD: And this was for North
24 Pennsylvania Avenue, which would have been Saint
25 Monica's Church.

1 MS. BAILEY: That's what I was trying
2 to clarify in my mind.

3 MR. HILL: I thought this is
4 Pennsylvania so -- no, North Pennsylvania
5 Avenue, which is Saint Monica's.

6 MS. BAILEY: Which side are we
7 talking about?

8 MR. HILL: A different side. I guess
9 they own that.

10 CHAIRMAN SMITH: Where did they move
11 to?

12 MR. HILL: I don't think they moved
13 yet.

14 MS. BAILEY: Something came up with
15 the City.

16 MR. HILL: But they were still
17 probably in there and doing work.

18 MS. BAILEY: I was just making sure
19 which property they're using.

20 MR. WARD: Let's move on, five,
21 executive director's report. I think on thing
22 we're happy about is perhaps the freeze is over
23 and we might be able to --

24 CHAIRMAN SMITH: You sure?

25 MR. WARD: Well, we hope. We hope

1 the freeze is over. It's May the 15th, so
2 otherwise things are moving along. We will
3 have work done on the roof and the raft of the
4 building. Technicians have been in during the
5 rest of their inspections. Of course, we had
6 that rain that slowed things up, but we should
7 be before moving along forward.

8 You have the minutes of personal
9 committee meeting, financial reports and
10 shutoffs.

11 Any questions on those?

12 MS. BAILEY: I have a question.

13 CHAIRMAN SMITH: Excuse me for a
14 minute, Pat. I don't know if you read the
15 letter, the handwritten letter from the lady
16 that had her water shut off?

17 MS. BAILEY: Yes.

18 CHAIRMAN SMITH: She congratulated
19 our staff for being very kind to her. I just
20 wanted to see that our employees got a voice, so
21 to speak, for what they did for her.

22 MR. HILL: Helped her out?

23 CHAIRMAN SMITH: Yes. Excuse me,
24 Pat, go ahead.

25 MS. BAILEY: Just clarifying, and I

1 think I'm clear on it, what you're doing with
2 the employee --

3 MR. HILL: Craig Seymour.

4 MS. BAILEY: Yeah, Craig Seymour.

5 MR. HILL: I guess we'll talk about
6 that in closed session.

7 CHAIRMAN SMITH: Closed session,
8 yeah. It has to be dealing with the employee.

9 MR. BOR: Director's forum. Okay.
10 Public taken care of, so new business, we have
11 abatements unnecessary to appear, and that would
12 be 8(a)4 and 5. Want to take them together?

13 CHAIRMAN SMITH: Yes.

14 MR. BOR: I think it's 1420 North
15 Arkansas Avenue, 1507 North Ohio Avenue and 1622
16 West Riverside Drive. Any questions?

17 MR. HILL: I'll move four and five.

18 MR. BOR: Second on that?

19 MR. MCGETTIGAN: Second.

20 MR. BOR: Moving four five together
21 Mr. McGettigan?

22 MR. MCGETTIGAN: Yes.

23 MR. BOR: Ms. Bailey?

24 MS. BAILEY: Yes.

25 MR. BOR: Ms. Langford?

1 MS. LANGFORD: Yes.

2 MR. BOR: Mr. Hill?

3 MR. HILL: Yes.

4 MR. BOR: And Mr. Smith?

5 MR. SMITH: Yes.

6 MR. BOR: Carries.

7 Okay. Resolution 8(b)1. This is to
8 go out for qualifications for an engineering
9 firm to assist us with the floating solar plan.
10 Now, let me explain what's going on.

11 We have a floating solar plan to
12 install floating solar array on the lower
13 reservoir. We have now been advised by the
14 Department of Environmental Protection that the
15 lower reservoir is an on-stream feature with an
16 flue vial floodway.

17 What it means is that instead of it
18 being a stagnant lake, the water actually flows
19 and flows its way to the ocean. There is a
20 regulation that nothing can be built on a
21 floodway. However, we have built a dam on the
22 floodway. There is something built on the
23 floodway, the dam which we monitor, which we
24 have to have an inspection annually, so forth
25 and so on.

1 So, here's the situation, the DEP
2 will need to hear from us and an engineering
3 firm to give them some satisfaction to override
4 this. And I can tell you now the industry
5 standard for floating solar is that the moorings
6 can withstand winds of 130 miles per hour.

7 Now, also in our experience, when a
8 tree blows over and falls into the reservoir and
9 stops at the edge of the dam, it's our staff
10 that goes out and removes it. So, we think we
11 can convince the DEP that there is no chance
12 that a mass of floating solar units could blow
13 off and thereby stop the flow of water to create
14 a flood, which is their concern. It's just that
15 our solar engineer -- excuse me -- our solar
16 consultant, our solar attorney, requests that we
17 have an engineer to help us to make that
18 statement.

19 I do not to think this is an
20 expensive undertaking. I think it's a very
21 small undertaking to get an engineer to
22 understand what we need, put together a small
23 document and go with us to the DEP to explain
24 this.

25 MR. HILL: Question, maybe Mr. Smith

1 or yourself? I'm assuming, is it a specialized
2 field? I mean, is there a lot of engineers that
3 can do this is or any engineer can do this?

4 MR. BOR: Actually, I think the
5 engineering firm that we would hope for would be
6 one that has a good experience with the DEP,
7 good interactive experience.

8 MR. HILL: Right. Relationship, so
9 to speak. So, is that part of the RFP, we put
10 that in there or somehow we know that?

11 MR. BOR: I haven't drawn the RFP up
12 yet.

13 MR. HILL: But when we do that, we
14 should make sure.

15 MR. BOR: DEP testimonial
16 experience.

17 MR. HILL: Right. That's kind of
18 what I was saying. I guess I'm not even sure if
19 we're allowed to put it in, but at least we know
20 what we're looking for.

21 CHAIRMAN SMITH: But we do have our
22 engineer.

23 MR. SMITH: That would not be my
24 relationship with the DEP, to put something like
25 that through.

1 MR. BOR: And I also think they have
2 to have a licensed engineer to put on the
3 record.

4 MR. HILL: So, we're just voting on
5 going out?

6 MR. BOR: That's all. We have it
7 approved. We're voting on going out, I have to
8 bring qualifications, going out for
9 qualifications. I'll bring the qualifications
10 in, make the recommendations, and go forward.

11 MR. HILL: Very good. I'll move it.

12 CHAIRMAN SMITH: Second.

13 MR. BOR: Mr. McGettigan?

14 MR. MCGETTIGAN: Yes.

15 MR. BOR: Ms. Bailey?

16 MS. BAILEY: Yes

17 MR. BOR: Ms. Langford?

18 MS. LANGFORD: Yes.

19 MR. BOR: Mr. Hill?

20 MR. HILL: Yes.

21 MR. BOR: Mr. Smith?

22 MR. SMITH: Yes.

23 MR. BOR: B (1) carries.

24 8b(2) vehicles.

25 MR. WARD: We've had some issues

1 keeping up with our fleet. Number 1, our fleet
2 is aging. Number 2, we have a demand for
3 additional vehicles to support the water quality
4 accountability act. Now, at this juncture we're
5 looking at what the state bid lists and purchase
6 borough provides. And what it provides for are
7 specifications that have been drawn up by the
8 State that are pretty much cast in stone in
9 terms of vehicles that can be purchased off
10 that. And what happens is that there are
11 specifications on the bid list that we don't
12 need.

13 In other words, if we want an F350,
14 an F350 from the State comes with a snowplow.
15 We don't need a snowplow, that's an accessory we
16 don't need. But, the other thing is that, we
17 can't buy off of the vendor's lot. So, Winner
18 Ford and another Ford place, we can't just go
19 buy a vehicle off the lot, but they have
20 vehicles on the lot that fit our needs. But,
21 we can't buy that vehicle.

22 So what that means is that to go off
23 of the State bid list, they take an order and
24 send that order to Detroit, and Detroit has to
25 configure that vehicle for that particular

1 customer. And that's a 14-week ordeal. And it
2 sometimes takes longer. So what we're looking
3 at is the possibility to go out for a bid which
4 would allow us to go directly to the vendor and
5 buy, and that's all this is.

6 MS. BAILEY: Is that more likely
7 below the bid threshold. Is that below the bid?

8 MR. BOR: There's no vehicle below
9 the bid threshold that we can buy.

10 MR. WARD: it's interesting because I
11 also thought about the scheme of going below the
12 bid threshold with a down payment, and financing
13 the rest, but that didn't work either.

14 CHAIRMAN SMITH: didn't we authorize
15 the plant manager to go?

16 MR. BOR: The planter manager has a
17 relationship with the vendor that he wants to
18 get his vehicles from. And he's going after
19 that but, in other words, the vendor said he's
20 going to speed up the delivery but those would
21 be --

22 CHAIRMAN SMITH: That was the purpose
23 of getting it quicker from a local vendor.

24 MS. HILL: But is that local vendor
25 on the State vendor list?

1 MR. WARD: That local vendor is on
2 the State vendor list and that local vendor
3 promised that he could speed them up. Now,
4 that's the plan.

5 But, in terms of the yard, all this
6 is, is a belt and a pair of suspenders. We're
7 looking at every opportunity to acquire the
8 vehicles that we need as soon as possible. So,
9 this we may not use, we may still have to go to
10 the State list if we can convince the vendor to
11 push the 14 weeks and compress it, if we can do
12 that.

13 MR. BOR: Mr. Ward, Bruce and I
14 discussed this whole issue of the putting down
15 payment of 75 and paying off the difference. I
16 reached out to the State purchasing, I could
17 find nothing. And I talked to them
18 anonymously because it's a little unusual
19 situation. Did you learn something that
20 definitely we can --

21 MR. WARD: The purchasing officer
22 advised me that the cost of the vehicle is above
23 the threshold, so I can't use the bid threshold
24 as my entry into financing a vehicle.

25 MR. BOR: So we got the answer.

1 MR. WARD: It's \$45,000, we can't do
2 it.

3 MR. HILL: Just a quick question.
4 Anita, didn't we have a line item for vehicles?

5 MS. LANGFORD: Yes, we do.

6 MR. HILL: I just want to make sure.
7 Remember, Pat, we looked at it?

8 MS. BAILEY: Yes.

9 MR. WARD: So, again, this is an
10 alternative or catchphrase if we cannot get
11 secure in a reasonable time the vehicles we need
12 for the yard.

13 MR. HILL: I'll move it.

14 CHAIRMAN SMITH: Second.

15 MR. BOR: Mr. McGettigan?

16 MR. MCGETTIGAN: Yes.

17 MR. BOR: Ms. Bailey?

18 MS. BAILEY: Yes.

19 MR. BOR: Ms. Langford?

20 MS. LANGFORD: Yes.

21 MR. BOR: Mr. Hill?

22 MR. HILL: Yes.

23 MR. BOR: Mr. Smith?

24 MR. SMITH: yes.

25 MR. BOR: It carries.

1 CHAIRMAN SMITH: Before we go any
2 further, we have a guest over here.

3 MR. HILL: I didn't even see him.

4 MR. BOR: Your name for the record,
5 sir?

6 MR. REARDON: Sean Reardon.

7 Thanks for the Board for allowing me
8 to address them.

9 I wanted to come back in here and
10 continue with kind of a discussion that we had
11 had in the past. I reached out to Kevin, who
12 works here. He actually said this is going kind
13 of going above him, that this would get handled
14 at the Board. so I came back.

15 One of the things I just want to
16 mention before maybe we can have some progress
17 made, because this is the fourth time I've been
18 here. Last time I was here I was handed this
19 piece of paper and it reads my properties. It's
20 just kind of disconcerting -- concerning to me
21 because on here it's okay, okay, okay, okay, and
22 I don't own some of these properties. Matter of
23 fact, two of them on there, I actually paid this
24 authority a good portion of money, it's a torn-
25 down property so I paid a good portion of this

1 to have the water disconnected and so forth.
2 You guys are actually sending me a piece of
3 paper showing there's two or three apartments on
4 there and it's okay, and why is it only being
5 charged for one unit here.

6 I closed this is account out over a
7 year ago.

8 I'm just kind of confused, because I
9 think that coming here as a resident and a
10 customer to this, and having something like this
11 thrown at me when I'm just here to talk about
12 one thing, it almost challenged my account. I
13 felt almost belittled and a little bit bullied.
14 I felt having coming here for something to try
15 to get it solved and having this thrown at me,
16 which really doesn't actually have a whole lot
17 of truth or research to it. It felt like, you
18 want to challenge us, so here's what we do to
19 you. So, I just wanted to throw that out there.

20 And, secondly, before anything else,
21 I am running for Fourth Board Counsel in this
22 City. And the reason that I even came in here
23 to start with, when I was analyzing the budget
24 here, I know the water company has been a big
25 discussion. And I love certain things you guys

1 are doing. I just read about the Bader Field
2 project going on, I think that's great.

3 I really just came in here to support
4 the residence of the City and my movement of
5 what I'm doing. I haven't seen other Councilmen
6 in here and there was obviously a large rate
7 increase. That's what I talked about first when
8 I was in here.

9 So, I'm just trying to stay, you
10 know, on top of what's going on. I'm not here
11 to push anybody's buttons. I'm just here to try
12 to learn a little bit and also try to stay
13 involved with what's going on. So, that leads
14 me to really where I wanted to get to, which is
15 the property that I came to talk about, I passed
16 out this same handout that was given to me. I
17 know I brought this for a reason, because this
18 is your guy's rate schedule. And exactly here
19 is what I've been speaking about, and I really
20 haven't been able to get a clear answer. And I
21 think all I'm saying, I mean, we as a group here
22 could figure out what I'm saying real quick,
23 because it's just one plus one equals two.

24 I would just love the opportunity for
25 four minutes, if we can sit here and get this

1 cleared out, and then I can stop bringing it up
2 and you guys can go forward with your meeting.

3 Just for anybody who doesn't
4 understand, I own a property that is a mixed-use
5 property. And, according to your rate schedule,
6 there's a \$95 fee the second you have mixed-use.
7 And that's okay. But, what it reads as, it will
8 be plus \$61 per dwelling unit as defined in
9 residential. This is your guys' use for mixed-
10 use.

11 Well, when you just go over to the
12 residential, okay, it just says, dwelling units,
13 one or two, the rate is \$61. Now, if you get to
14 three, you start paying an additional.

15 I only have two. And on the sheet
16 that you gave me, it says that I only have two.
17 I'm being charged for three. So, that's my
18 issue, I'm just trying to get that figured out.
19 The rates have gone up. And now when they go up
20 and you're getting charged an extra \$61 a
21 quarter, I also know I'm incorrectly charged,
22 because I have a lot of other accounts. There's
23 always extra, you know, during the course. This
24 account has never had extra, because I'm being
25 charged an extra \$61.

1 So, there's an allowance with a
2 residential \$61 account. I not near it, I know
3 I'm paying extra.

4 I'm not here to collect years' worth
5 of this account being over-billed, which is
6 really what it's been, I'm just here to move it
7 forward. If I can just have this corrected? I
8 think it's really something in the system, how
9 it's being recorded. And I'd just like to get
10 that solved.

11 CHAIRMAN SMITH: So what do you think
12 we owe you?

13 MR. HILL: He's not even asking for
14 that.

15 MR. REARDON: Sir, truthfully,
16 whatever the quarterly rate was for however long
17 this property's been in the system would be the
18 answer. But, if I can just go forward having
19 this corrected in the system, I'm happy.

20 MR. BOR: Do you have your calendar?

21 MR. REARDON: Yes, sir, in my phone.

22 MR. BOR: What day next week would
23 you be available for a meeting with the
24 appropriate staff that can sit with you and your
25 account.

1 MR. REARDON: Monday, Tuesday,
2 Wednesday.

3 MR. BOR: Nita, you here Monday?

4 MS. LANGFORD: Probably not on
5 Monday. The thing is, we have to change the
6 whole system going forward with this, it's not
7 fair for other customers.

8 CHAIRMAN SMITH: Listen, we're not
9 interested in that right now.

10 MR. HILL: That's a second issue.

11 CHAIRMAN SMITH: Yes.

12 MR. BOR: Yes. The issue is when can
13 we as an operating group meet with this
14 gentleman to go over his accounts to clarify how
15 his accounts are being charged?

16 MS. LANGFORD: Tuesday.

17 MR. BOR: Are you available Tuesday,
18 sir?

19 MR. REARDON: Yes, sir.

20 MS. WILLIAMS: That's May 21st.

21 MR. BOR: That's May 21st. That's a
22 bad day, I have the Lieutenant Governor coming
23 here. If can we go to Wednesday? Wednesday I
24 have open.

25 MR. REARDON: Okay.

1 MR. BOR: 10:00 a.m.?

2 MR. REARDON: Sure, Wednesday,
3 10:00 a.m.

4 MR. BOR: 10:00 a.m., Nita?

5 MS. LANGFORD: Yes.

6 MR. BOR: I'm going to put you in for
7 a meeting because, again, I want you to have the
8 opportunity to work with and speak with the
9 appropriate people who can understand what's
10 going on and can fix whatever in the system
11 needs to be fixed. Okay?

12 MR. HILL: That's what it sounds like
13 to me, it's a system glitch.

14 MR. REARDON: It's actually, just so
15 you guys understand, because probably a lot of
16 you won't be there, it's either just a system
17 error, how things were inputted, or it's the way
18 your verbiage, you're wording is written in your
19 rate schedule. You might be trying to bill for
20 one thing but you're saying something else.

21 I would say it's just how it's
22 recorded in the system is really what I think.
23 So, thanks again.

24 CHAIRMAN SMITH: Kelley, put it in my
25 calendar.

1 MR. SMITH: Did you get a time?

2 CHAIRMAN SMITH: 10:00 a.m.

3 Wednesday. That's the 22nd.

4 MS. LANGFORD: If one of the Board
5 members can come and see our system, if
6 possible, because the system is right. I
7 checked it.

8 CHAIRMAN SMITH: Well, we can rely on
9 the director.

10 MR. BOR: Let's have our meeting and
11 let's resolve what we can resolve because,
12 again, I think he's coming in here talking about
13 specific details, and that's just not the
14 Board's issue right now. It really is not. You
15 guys don't have the actual details and the
16 account in front of you. And I always try to
17 encourage this guy to come in for a meeting.

18 MR. HILL: I know you gave him that
19 advice last month.

20 MR. BOR: I gave him that advice last
21 board meeting, but to keep coming to the board
22 meeting doesn't --

23 CHAIRMAN SMITH: He's seeking
24 publicity. In other words, he's got an agenda.

25 MR. BOR: He's running for counsel.

1 CHAIRMAN SMITH: Exactly. That's my
2 opinion only.

3 MR. BOR: Me, too.

4 Now we know 8c(1) PolyAluminum
5 Chloride. Mr. Smith, did you want to --

6 MR. SMITH: That's just going out for
7 bid numbers.

8 MR. BOR: Any questions?

9 CHAIRMAN SMITH: I'll move it.

10 MR. MCGETTIGAN: Second.

11 MR. BOR: Okay. Mr. McGettigan?

12 MR. MCGETTIGAN: Yes.

13 MR. BOR: Ms. Bailey:

14 MS. BAILEY: Yes.

15 MR. BOR: Ms. Langford?

16 MS. LANGFORD: Yes.

17 MR. BOR: Mr. Hill?

18 MR. HILL: Yes.

19 MR. BOR: C(2) repairs to Well Number
20 12. Mr. Smith, any comment on that?

21 MR. SMITH: Same thing, just going
22 out for bid.

23 MR. HILL: Move it.

24 MS. BAILEY: Second.

25 MR. BOR: Mr. McGettigan?

1 MR. MCGETTIGAN: Yes.

2 MR. BOR: Ms. Bailey?

3 MS. BAILEY: Yes.

4 MR. BOR: Ms. Langford?

5 MS. LANGFORD: Yes.

6 MR. BOR: Mr. Hill?

7 MR. HILL: Yes.

8 MR. BOR: Mr. Smith?

9 MR. SMITH: Yes.

10 MR. BOR: Carries.

11 Okay. And pre-fabricated post treatment lime,
12 Number d(1) and that is a change order for
13 Buhart Horn.

14 MR. HILL: Clarification.

15 MR. SMITH: Yes. Apparently this is
16 a contract which is actually being furnished
17 through Buhart Horn. Prior to, regards
18 departure, this was probably back in 2016 when
19 they made the agreement, there was some
20 additional soil boring that needed to be done
21 apart from the initial bore that was actually
22 completed. There was additional cost for doing
23 the soil bore at the location where the
24 prefabricated lime settlement would be erected,
25 and the cost was actually given to Garth at that

1 particular time. He approved it. The only
2 thing that they didn't actually do was actually
3 go through a resolution to actually approve that
4 cost.

5 MR. HILL: Excuse me. Mr. Moyle is
6 it?

7 MR. SMITH: Yeah, Mr. Moyle.

8 MS. BAILEY: Mr. Moyle indicated a
9 request.

10 MR. HILL: And it was never added to
11 the original contract, that's what you're
12 saying?

13 MR. SMITH: It was never added to the
14 original contract but it was already paid out to
15 the engineer for the work that was already
16 completed.

17 CHAIRMAN SMITH: I didn't grasp
18 that. Are you saying we already paid for it?

19 MR. HILL: No. This change was made
20 a while ago but it was never part of the
21 original contract and we never passed resolution
22 to include it into the original contract.

23 CHAIRMAN SMITH: It's additional
24 monies.

25 MS. BAILEY: \$4,264.

1 MR. HILL: Yes. And cleaning up the
2 resolution and the paperwork that was never
3 done, I think.

4 MR. SMITH: Correct.

5 MR. BOR: So, it's not a fresh
6 change order?

7 MR. HILL: It's not. We already
8 approved it, we just never bid it. It's over a
9 year old.

10 CHARIMAN SMITH: Yes. Garth has been
11 gone longer than that.

12 MR. HILL: They brought this up,
13 obviously?

14 MR. SMITH: Yes. My dealings with
15 them and going back and forth, I asked them to
16 send me all the paperwork, which, if you look at
17 it, it's got all the attachments. You'll see
18 pretty much the correspondence that took place
19 back then and the payment that was actually made
20 and the reason why.

21 MR. HILL: Because we know they're
22 struggling so much.

23 MR. BOR: Yes. So we're moving
24 motion on d (1), Change Order Number 1. Is
25 there a motion?

1 MR. HILL: Yes. Motion.
2 Ms. BAILEY: Second.
3 MR. BOR: Mr. McGettigan?
4 MR. MCGETTIGAN: yes.
5 MR. BOR: Ms. Bailey?
6 MS. BAILEY: Yes.
7 MR. BOR: Ms. Langford?
8 MS. LANGFORD: Yes.
9 MR. BOR: Mr. Hill?
10 MR. HILL: Yes.
11 MR. BOR: Mr. Smith?
12 MR. SMITH: yes.
13 MR. BOR: Carries. 9(a), monthly
14 bills?
15 CHAIRMAN SMITH: Move, pay the
16 monthly bills.
17 MR. HILL: Second.
18 MR. BOR: Mr. McGettigan?
19 MR. MCGETTIGAN: Yes.
20 MR. BOR: Ms. Bailey?
21 MS. BAILEY: Yes.
22 MR. BOR: Ms. Langford?
23 MS. LANGFORD: Yes.
24 MR. BOR: Mr. Hill?
25 MR. HILL: Yes.

1 MR. BOR: Mr. Smith?

2 MR. SMITH: Yes.

3 MR. BOR: Make a motion to enter
4 executive session

5 MR. HILL: Second.

6 CHAIRMAN SMITH: There's no
7 objection, we'll move to executive session.

8 (Whereupon, the Board entered
9 Executive Session from 10:31 a.m. to 11:13 a.m.)

10 CHAIRMAN SMITH: Okay. Back on the
11 record.

12 We have the Executive Session minutes
13 from the April board meeting?

14 MR. BOR: Yes. The Board will be
15 kind enough to go back to Number 4 and Board
16 members have received the Executive Session
17 minutes and, if there are any discussions, if
18 not we need a motion to approve the regular and
19 executive session minutes Number 4.

20 MR. HILL: I'll move it.

21 CHAIRMAN SMITH: Second.

22 MR. BOR: Mr. McGettigan?

23 MR. MCGETTIGAN: Yes.

24 MR. BOR: Ms. Bailey?

25 MS. BAILEY: Yes.

1 MR. BOR: Ms. Langford?

2 MS. LANGFORD: Yes.

3 MR. BOR: Mr. Hill?

4 MR. HILL: Yes.

5 MR. BOR: Mr. Smith?

6 MR. SMITH: Yes.

7 MR. HILL: The contract.

8 MR. BOR: Okay. And how do you want
9 that framed, Andy?

10 MR. WEBER: Resolution approving a
11 collective bargaining unit between the ACMUA and
12 AFSCME and AFSCME New Jersey Council 3974A. And
13 we also have the one for -- I'm sorry.

14 MR. BOR: Want the approvals
15 together, Andy?

16 MR. WEBER: Yes, we can approve them
17 together.

18 And Local 2302A for a term of six
19 years, commencing January 1, 2015 and expiring
20 on December 31, 2020.

21 MR. HILL: Move.

22 MR. BOR: Mr. McGettigan?

23 MR. MCGETTIGAN: Yes

24 MR. BOR: Ms. Bailey?

25 MS. BAILEY: Yes.

1 MR. BOR: Ms. Langford.

2 MS. LANGFORD: Yes.

3 MR. BOR: Mr. Hill?

4 MR. HILL: Yes.

5 MR. BOR: Mr. Smith?

6 MR. SMITH: Yes.

7 MR. BOR: Carries.

8 MS. BAILEY: Motion to adjourn.

9 MR. HILL: Second.

10 MR. BOR: No objections.

11 CHAIRMAN SMITH: We're adjourned.

12 - - -

13 (Whereupon, the proceedings adjourned
14 at 11:16 a.m.)

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

I, TERESA L. DEMONTE, a Certified Court Reporter and Notary Public of the State of New Jersey, do hereby certify that I reported the deposition on the date and time previously mentioned, that the reading and signing of the deposition were waived by counsel for the respective parties, that the foregoing is a true and accurate transcript of the stenographic notes of testimony taken by me in the above-captioned matter.

I further certify that I am not the attorney or counsel for any of the parties, nor a relative or employee of any counsel or party connected with the action, nor financially interested in said action.

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