

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
BOARD OF DIRECTORS MEETING

DATE: WEDNESDAY, JUNE 16, 2021

COMMENCING AT: 10:04 a.m.

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
401 NORTH VIRGINIA AVENUE
ATLANTIC CITY, NEW JERSEY 08401

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TRANSCRIPT of the proceedings in the
above-entitled matter taken via the
Zoom platform on the above date, commencing
at 10:04 a.m., by Michelle Palamarchuk,
Certified Court Reporter of the State of New
Jersey License NO. 30X100237600

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1 IN PERSON AND REMOTE APPEARANCES:

2 BOARD MEMBERS:

3 JOHN DEVLIN, Chairman (in person)

4 GARY L. HILL, Vice Chairman/Secretary

5 NYNELL LANGFORD, Board Member

6 WILLIAM CHEATHAM, Board Member (in person)

7 GLENN BANFIELD, Board Member (in person)

8

9 ALSO PRESENT:

10 Michael Armstrong, Director

11 Stella Johnson, Executive Secretary (in person)

12 Fred Bor, Solicitor (in person)

13 Claude E. Smith, Acting Executive Director

14 Mohammed Dedar, Commissioner (in person)

15 Tracy Riley, Special Counsel

16 Vincent Polistina, Polistina & Associates

17 James Roberts, H2M Architects

18 Stephanie Decotiis, H2M Architects

19 Pat Cole, H2m Architects

20 Anita Thapa, ACMUA Senior Accountant

21 Bryan Morris, Phoenix Advisors

22 Jason Capizzi, Bond Counsel

23

24

25

1 MR. BOR: Opening statement.

2 THE CHAIRMAN: Adequate notice
3 of this meeting has been provided as
4 required by law by mailing to The
5 Press a list of the regularly
6 scheduled meeting of June 16, 2021,
7 at 401 North Virginia Avenue
8 Conference Room, Atlantic City, New
9 Jersey. A copy of said notice was
10 sent to the City Clerk to be posted.

11 All of the aforesaid complies
12 with Chapter 231 of the laws of the
13 1975 Act known as Open Public Meeting
14 Law.

15 Fred.

16 MR. BOR: Now, we already did
17 the preliminary roll call for the
18 purposes of the court reporter, but
19 since it should be subsequent to the
20 Call to Order, I'll quickly do the
21 roll call.

22 Mr. Banfield.

23 MR. BANFIELD: Here.

24 MR. BOR: Mr. Dedar.

25 MR. DEDAR: Yes.

1 MR. BOR: Mr. Hill.

2 MR. HILL: Here.

3 MR. BOR: Ms. Langford.

4 MS. LANGFORD: Here.

5 MR. BOR: Chairman Devlin.

6 THE CHAIRMAN: Good morning.

7 MR. BOR: Mr. Cheatham.

8 MR. CHEATHAM: Here.

9 MR. BOR: Quorum is present.

10 Flag salute.

11 - - -

12 (Whereupon, the Pledge of Allegiance was
13 recited.)

14 - - -

15 MR. BOR: I believe,
16 Mr. Chairman, the first order of
17 business is to approve the Minutes of
18 the Special Meeting of May 5th,
19 Regular of May 19th and Special of
20 June 1st.

21 Would you like to do all three
22 together, Mr. Chairman?

23 THE CHAIRMAN: Yes, I'll make a
24 motion.

25 MR. BOR: Before it's seconded,

1 has everyone had adequate time to
2 review the Minutes? Is there any
3 discussion or comments about it?

4 (No response.)

5 MR. BOR: Hearing none, I need a
6 second.

7 MR. HILL: Second.

8 MR. BOR: Mr. Banfield.

9 MR. BANFIELD: Good morning.
10 Yes.

11 MR. BOR: Thank you.

12 Mr. Dedar.

13 MR. DEDAR: Yes.

14 MR. BOR: And Mr. Hill.

15 MR. HILL: Yes.

16 MR. BOR: Ms. Langford.

17 MS. LANGFORD: Yes.

18 MR. BOR: Chairman Devlin.

19 THE CHAIRMAN: Yes. Thank you.

20 MR. BOR: So 4(a), (b) and (c)
21 are approved.

22 MR. HILL: Mr. Chairman, may I
23 make one comment or one question
24 please?

25 THE CHAIRMAN: Go ahead, Mike.

1 MR. HILL: Considering we just
2 passed all of this, we just approved
3 (a), (b) and (c), maybe Mr. Armstrong
4 knows, has the State approved any of
5 our past Minutes that you're aware
6 of?

7 MR. ARMSTRONG: Yes, as of the
8 15th day -- actually, 14th day of the
9 last meeting they did approve all of
10 the Minutes --

11 MR. HILL: Thank you. Because
12 especially the Special Meeting, you
13 know, all that information, that's
14 what I wanted to know. Thank you.

15 MR. ARMSTRONG: You're welcome.

16 MR. BOR: And any comment from
17 the Chairman?

18 THE CHAIRMAN: I have some
19 comments. Nothing pertinent at all.
20 I'll speak about it over the course.

21 MR. BOR: I have nothing
22 specific from the Authority's
23 Solicitor Report.

24 And that being so, Number 7 is
25 Committee Reports, Engineering.

1 Gary do you want to tell us
2 about that.

3 MR. HILL: Well, we've been very
4 busy and I want to thank our
5 consultant, Mr. Polistina, and the
6 H2M company that we have employed.
7 Also a lot of work by Anita, who we
8 need to go to for money, after today,
9 in particular, and of course, our
10 internal staff.

11 We have been very busy. There
12 are some things that are general
13 maintenance that we do every year.
14 We're going to go through that. The
15 water main replacements, the Albany
16 Avenue and I'm sure Claude, I believe
17 is there.

18 Claude, can you do one and two
19 for us, since those are kind every
20 year. Not every year, but general
21 business.

22 MR. SMITH: Absolutely.

23 Just to the give an update in
24 regards to our water main replacement
25 projects that are ongoing or will be

1 starting or commencing some time
2 soon, the Chelsea Heights location is
3 definitely going to be commencing
4 soon. We had our kick-off meeting a
5 couple of weeks ago and the
6 contractor is supposed to be starting
7 some time next week or some time
8 around that time period.

9 The other project, which is the
10 New York Avenue location, or water
11 main replacement, that's already been
12 contracted out. Contracts have been
13 sent out. We're waiting for
14 contracts to be returned so we can
15 also have a kick-off meeting or
16 preconstruction meeting to commence
17 that particular work as well, too.

18 The other water main replacement
19 project, which is the Venice Lagoon
20 Project, and for those of you that
21 have actually been on the board for a
22 while know that's been ongoing for
23 about maybe three years for us to get
24 started. We had some hold up in
25 regards to permitting through the

1 State, but we did cut a check for
2 that particular permit and we're
3 going to be issuing advertisement for
4 going out for bid or for proposals
5 pretty much after this particular
6 board meeting is over, once the
7 approval is actually received. So
8 we're going to be moving forward with
9 that particular project for the
10 Venice Lagoon Water Main Replacement
11 Project.

12 Like you mentioned, Gary, Albany
13 Avenue has been on the books again
14 for an extended period of time. We
15 are finally reaching, I guess, the
16 goal line of having that particular
17 project completed. It will commence
18 next week, Monday. We're making all
19 the preliminary arrangements now to
20 make sure that we are prepared for
21 the contractor to be present next
22 week to start doing the
23 pressurization and disinfection and
24 flushing of that water main, of
25 course, and taking samples to make

1 sure that we are within the
2 regulations of the DEP for putting
3 that line back into service.

4 UNIDENTIFIED SPEAKER: And,
5 Fred, please let me know when that's
6 completed since I was involved in
7 that contract, just so I can mark it
8 as resolved totally and can
9 communicate both with the State and
10 with the Director that it's over
11 with. Just let me know when the
12 pressure is over.

13 MR. SMITH: That's fine.

14 MR. HILL: Thank you, Claude.
15 And this is an internal kind of
16 housekeeping thing. As we all got
17 notified, I do want to say that I
18 want to thank Ms. Bailey, of course,
19 for serving so long and especially on
20 my Engineering Committee. This last
21 year has been just unbelievable and
22 very busy and she did a great job.

23 And, of course, I already
24 outreached to our Chairman. I'm
25 assuming, Mr. Chairman, you'll be

1 appointing somebody new to that
2 committee plus an alternate, correct,
3 Mr. Chairman?

4 THE CHAIRMAN: Yep. I got your
5 email, Gary, and I spoke to Mr. Dedar
6 who is here today and I'll know by
7 probably end of day.

8 MR. HILL: Okay. Very good.
9 The reason I am just bringing this up
10 again, not because we can move
11 forward, is as I told H2M, we meet
12 every Wednesday including today at
13 1:30 for workshop with our internal
14 team, H2M, Vince Polistina, and
15 whoever else we need. Sometimes the
16 State monitor, as well. I will not
17 be available next Wednesday. I am
18 flying that day, so we're going to
19 have to have -- unless H2M and you
20 want to move it a day, we can do that
21 to Tuesday or something. But it's up
22 to you guys, whatever you want to do.
23 But I will not be available at all
24 next Wednesday. We can talk about
25 that at 1:30, if you'd like. But I

1 just wanted to make sure, and I know
2 our Chairman will be following up.

3 So to that point, we should go
4 to Number 3 on the agenda. That's
5 why we have H2M with us, in
6 particular. Maybe Vince, if you
7 don't mind, would you kind of kick it
8 off as a review, because some of the
9 action we're asking to do following
10 this in Number 8, purchases and so
11 forth, is all based on the
12 information the rest of the board, I
13 really think it's important that the
14 rest of the board, Mr. Dedar,
15 Mr. Banfield -- Ms. Langford got off
16 my committee, I'm not taking that
17 personally. You have your own hands
18 full -- but anyway, I just want to
19 make sure the whole board knows
20 because this is very important and
21 expensive.

22 Mr. Polistina.

23 MR. POLISTINA: Thank you,
24 Mr. Hill. I think for the Wednesday
25 meetings we should probably move it,

1 Gary. You've been driving the bus
2 this entire time, so it's good to
3 have your involvement if we can just
4 get another date for that, first of
5 all.

6 Secondly, I don't know if Claude
7 wants to you jump in. Claude and I
8 met with Calvi Electric last week on
9 Item (c) there. We had a good
10 meeting with them. Kind of discussed
11 some of the issues with the
12 electrical systems out at the Upper
13 Wellfield.

14 We also, Claude, myself, a
15 representative from Calvi again and
16 representatives from Arthur Henry met
17 at the Upper Wellfield yesterday out
18 in the field. We're hoping that we
19 can get some pricing from Arthur
20 Henry. I think we have gotten some
21 pricing from Arthur Henry to do some
22 mark-out of some utility location
23 services that we need to verify where
24 all the electric, the communications
25 systems, and the water main are in

1 the field.

2 And then ultimately in order to
3 get that electric line replaced
4 between a couple of the wells, we're
5 thinking the best way to go would be
6 for Arthur Henry to drill some
7 conduit out at the site so we can
8 then run new electric lines. There's
9 a break -- it was a direct burial
10 electric system that was installed
11 out at the Upper Wellfield -- there
12 is a break in that system between a
13 couple of the well locations. We
14 need to reinstall that.

15 So we think the best way to go
16 would be for Arthur Henry to drill a
17 new conduit for us and then Calvi
18 would be able to pull new electric
19 feeding.

20 So that work is ongoing. I
21 think Claude may want to jump in
22 because I think there's an
23 authorization or some discussion at
24 least for the work for Arthur Henry
25 somewhere in the neighborhood of

1 \$6,500 for Arthur Henry to go out
2 there and do the utility mark-out
3 services that we need in order to
4 verify where everything is.

5 In terms of PFAS, I'll bounce
6 that over to H2M. Obviously, Gary,
7 you mentioned we have been extremely
8 busy. H2M has been working multiple
9 different fronts with the DEP
10 regulatory side, with our staff and
11 us trying to get this moved along.

12 And so I'll turn it over to
13 either Claude or Jim or Pat or
14 whoever is on it and wants to kind of
15 update on either the electric or the
16 PFAS situation. They are working
17 every single day trying to get this
18 to a position where we can maintain
19 compliance.

20 MR. SMITH: I'll just comment on
21 the electrical aspect of it. Just to
22 segue off of what Vince just said,
23 and, of course, Pat and Jim can
24 actually comment more on the PFAS
25 scenario.

1 Like Vince says, we actually did
2 get a pricing for actually doing the
3 ground penetrating radar to
4 definitely locate where our utilities
5 actually are out at the wells, the
6 well location.

7 Normally, you would call for a
8 mark-out, but because of the fact of
9 the location of the property and this
10 being Federal property, we can't get,
11 of course, a utility company to come
12 out and do the mark-out. So we are
13 looking to acquire Arthur Henry
14 through a third party to do the
15 ground penetrating radar so we can at
16 least locate where our particular
17 utilities actually are out there so
18 we can make plans for doing this
19 particular conduit for the electrical
20 tie-in and closing the loop at that
21 location where it needs to be
22 maintained.

23 That cost, like Vince mentioned,
24 was \$6,500. So we just want to
25 inform the board of what we're doing

1 and what moves we're making to try to
2 make this PFAS situation a reality
3 for us to meet.

4 MR. HILL: Mr. Smith, if I could
5 just interrupt you for a minute.

6 One of the biggest questions if
7 not concerns that all of us have on
8 that committee is the time structure.
9 And Stephanie from H2M keeps us all
10 very structured on our time frames,
11 and I'm sure they're going to talk
12 about that. That's why we've had
13 that Special Meeting.

14 For the electrical issues
15 between Arthur Henry and Calvi, do we
16 have an idea of time so our time line
17 is not impeded.

18 MR. SMITH: Well, that's what
19 we're trying to get to right now,
20 Gary, with regard to a timeline. And
21 that's the reason why we met so
22 promptly to try and get this
23 particular identification of what's
24 there and to at least start
25 strategizing in terms of how we're

1 going to approach inputting this
2 particular conduit at that location.

3 MR. HILL: Okay.

4 MR. SMITH: I don't know if most
5 of you are familiar with the Upper
6 Wellfields up at the Tech Center, but
7 we have a very narrow roadway and at
8 the same time our embankment is --
9 the reservoir on one side or the
10 waterway on one side and on the other
11 side is a fence line. So we have a
12 very narrow location that we have to
13 put this particular new conduit in
14 the pathway from one well location to
15 the next to make sure that we are
16 doing our due diligence of not
17 interrupting or interfering with any
18 of the other utilities that are in
19 that location.

20 MR. HILL: Very good. Pat and
21 Jim, are you ready? Update.

22 MR. COLE: Good morning to
23 everyone. Pat Cole here from H2M. I
24 think that the group is
25 characterizing the situation pretty

1 darn correctly. Everyone, you know,
2 involved as a stakeholder within the
3 subset of purchases and ensuing
4 engineering starting, of course, with
5 Claude and through Vince's
6 leadership, we have been busy bees.

7 There has been regular outreach
8 I would say at a minimum on a weekly
9 basis but sometimes on a daily basis
10 with the folks at water systems
11 engineering within the Division of
12 Water Supply at DEP. They have
13 indeed to this date have been
14 partners to us and I think are really
15 strongly supporting kind of the
16 effort to expedite.

17 The intent behind the overall
18 effort right now is to, of course, to
19 create a framework to rapidly treat
20 with fluorinate in the MUA drinking
21 water stream.

22 Let's say that the primary
23 effort or the most thoroughly
24 documented effort since the last time
25 that we spoke to the board has been

1 the solicitation of bids for
2 equipment, for specialized equipment
3 in this particular set of reactor
4 vessels and accessories for the three
5 well stations that as a group we had
6 raised up as the most valuable
7 candidates for specialized treatment
8 just to help support this effort.

9 And so in the outreach to
10 vendors and pricing process, we were
11 able to solicit interest in bids from
12 several different qualified firms.
13 And I'm not sure as to the structure
14 or timing appropriateness of it, but
15 in deferring to Director Armstrong,
16 part of what we'd like to do is raise
17 to the board the possibility of
18 taking official action to authorize
19 expenditures to go acquire those
20 reactor vessels and their accessories
21 from the firm that we deem to be the
22 lowest responsible bidder.

23 MR. ARMSTRONG: Yes. With
24 respect to that, there are two
25 Resolutions on the agenda. One is

1 for the purchase of those vessels,
2 those reactor vessels. And the other
3 is for the extension of the contract
4 to purchase the granulated carbon.

5 If you could indicate for the
6 board the reason for having this to
7 be an emergency. I know you provided
8 a letter, and I'm not sure if
9 everyone on the board had an
10 opportunity to read the letter, but
11 if you can spell out at least for the
12 record as well the reason and the
13 need to have this done on an emergent
14 basis, which doesn't leave us time to
15 go through a formal bidding process,
16 the board would appreciate that.

17 MR. ROBERTS: Pat, if I could
18 just jump in for half a second, Pat.
19 For the court reporter, my name is
20 Jim Roberts. I'm a senior vice
21 president with H2M and Stephanie and
22 Pat and myself are leading the team
23 that are working with the MUA.

24 And just briefly to echo what
25 Gary mentioned earlier, and we're

1 very grateful for the recognition,
2 Gary.

3 But the team with Vince and the
4 operations folks and your board, your
5 board leadership has really been
6 focusing on setting the path and the
7 schedule for getting the MUA to a
8 place where we can be compliant and
9 be certain that we can meet all the
10 regulatory pieces.

11 So we've laid out a number of
12 issues that needed to be addressed
13 sooner. We're doing many things
14 concurrently and what we just alluded
15 to were a series of items that start
16 to move us and preposition us for the
17 ultimate goal of getting compliance
18 and getting all these systems in
19 place.

20 So there were three sort of
21 discrete pieces that we spent a lot
22 of time on in the last couple weeks.
23 The first was activating the contract
24 that the MUA had already with a
25 carbon supply vendor to provide

1 media, filter media for the existing
2 plant. That helps in terms of moving
3 the ability of treatment forward. So
4 that has already been initiated.

5 And I'm not certain, and maybe
6 Stephanie can jump in a little bit
7 later and talk to whether the
8 delivery has happened, but it
9 certainly was moving forward and was
10 being scheduled.

11 The second major piece in terms
12 of timeline and schedule that was
13 critical to us was the procurement of
14 what we call the reactor vessel. So
15 large manufactured vessels with a
16 long lead time with the approval of
17 the board committee and Director
18 Armstrong, we solicited almost a mini
19 bid from three qualified vendors that
20 we've had a lot of dealings with on
21 these vessels, received pricing to
22 preposition the MUA to be able to
23 move forward with potentially
24 procuring those long lead time items
25 and getting them sort of moving

1 independent of some of our other
2 design work.

3 And then the third piece that
4 we've also identified is the ability
5 to utilize that existing contract for
6 filter media to provide media for
7 those vessels when those vessels came
8 on.

9 So those were the three sort of
10 large discrete issues that at least
11 from the financial side were going to
12 be brought before the board as part
13 of this.

14 And Pat, just with that as the
15 backdrop, if there's any other detail
16 that sort of feeds into that, I'll
17 stop talking and let you make me look
18 good because that's what you do best.

19 MR. COLE: No. Director and
20 board members, I think that what you
21 just got was a more succinct version
22 of what I was going to tell you.

23 Director Armstrong, specific to
24 your question, the criticality or the
25 point that is driving a schedule

1 criticality of our requesting the MUA
2 to authorize us to rapidly acquire
3 this equipment is more than anything
4 else public health. That is the
5 primary driver of the entire project.
6 What we are attempting to do is
7 mitigate the effects of a specific
8 class and family of drinking water
9 contaminants on the MUA's consumers.

10 And in that regard there are a
11 specific set of metrics, in
12 particularly a compliance framework
13 that's been established by the State
14 of New Jersey through a detailed and
15 science-based human health
16 evaluation. Human Health and
17 Toxicology came up with a set of
18 standard and to put it succinctly,
19 we're attempting to take every
20 potential step and use every tool
21 that's available to us from the
22 standpoint of equipment and the time
23 resources that we have this year to
24 allow the MUA to achieve those
25 compliance standards.

1 The normal local public contract
2 law frames the bidding process in New
3 Jersey. We're dealing with a public
4 agency here. I would venture to say
5 that many, if not all, of our
6 participants here are familiar with
7 the fact that it is intentionally
8 slow and considered. There's a
9 reason behind that. It's a valid
10 reason and typically it is to make
11 sure that the process of public
12 purchasing is itself a slowly
13 considered one, that all variables
14 are taken into account.

15 Based on the team that is
16 serving you between Mr. Polistina's
17 office and our office, we are making
18 ever attempt to mitigate the typical
19 risks in public contracting by
20 narrowing down the set of variables
21 and tightly jacketing the scope of
22 requests for funding authorization to
23 acquire only a specific set of
24 equipment that is necessary to serve
25 the intended purpose on this project.

1 MR. HILL: May I interrupt you
2 Pat, one minute. Of course, the rest
3 of the board -- one minute, Pat --
4 this emergency thing that we are
5 considering, for the rest of the
6 board members, was overviewed by
7 Riley & Riley. We just didn't decide
8 to do this on the information from
9 H2M or even Mr. Polistina.

10 And, Tracy, if you have any
11 other thing to add to that, but this
12 is the right way of doing it for an
13 emergency situation, correct, Tracy?

14 MS. RILEY: That is correct,
15 Gary.

16 MR. HILL: I wanted the other
17 board members to be aware of this.
18 We didn't just decide this. It was
19 reviewed by our Special Counsel.

20 MS. RILEY: Absolutely.

21 MR. HILL: I'm sorry, Pat.

22 MR. COLE: No apologies
23 necessary, and I do appreciate the
24 context, Gary.

25 I was just coming up to the two

1 critical pieces, public health and
2 expediting the time frame in which
3 critical equipment acquisition could
4 occur.

5 I'd be glad to answer any more
6 questions either, Director, that you
7 might have or that the board members
8 might have about the process that we
9 undertook. We strive to be complete
10 on behalf of the MUA.

11 MR. ARMSTRONG: Unless the board
12 has any more questions, I would just
13 say with respect to -- once we go
14 into the details of the contract,
15 that maybe the solicitor could
16 comment as to whether or not it may
17 be necessary to go into Closed
18 Session because it does -- those two
19 Resolutions would involve entering
20 into contracts, especially with
21 Calgon.

22 MR. BOR: Mr. Director, are you
23 referring to 8(a)(1) and (2)?

24 MR. ARMSTRONG: Correct.

25 MR. BOR: So those will be in

1 Closed Session.

2 MR. ARMSTRONG: I think in the
3 interest of transparency and the fact
4 that we're moving on an emergent
5 basis, as much as we can let the
6 public know out in the open, but to
7 the extent we get into details about
8 negotiations or contract terms, we
9 may want to consider going into
10 closed session.

11 MR. BOR: Better play it on the
12 safe side, so 8(a)(1) and (2) we'll
13 do in closed.

14 How about (b), Mr. Director, do
15 you want that in Closed or can we
16 vote on that private sale?

17 MR. ARMSTRONG: With respect to
18 8(b), I think that's still something
19 that we can talk about in Open.
20 You're talking about the Accounting
21 and Finance Refunding of Water System
22 Revenue Bonds?

23 MR. BOR: Yes. Okay, then, so
24 we'll do that in Open.

25 Do you have any comments on it

1 before the board considers it?

2 MR. ARMSTRONG: When we get
3 there. I don't think we're there
4 yet. But as soon as we get there, we
5 have Jason Capizzi, our bond counsel,
6 and we also have, I believe, a couple
7 representative from Phoenix Advisors
8 here that we will at some point have
9 a conversation after we conclude our
10 discussions on PFAS and we can make a
11 determination if it's necessary to go
12 into Closed Session.

13 MS. DECOTIIS: Excuse me,
14 Mr. Chairman and Mr. Director, I have
15 one piece that I'd like to add to
16 kind of complete the frame for the
17 PFAS.

18 My name is Stephanie DeCotiis.
19 I'm from H2M. I'm part of the team
20 with Pat and Jim. And the one piece
21 that will be forthcoming that's not
22 on today's agenda for discussion but
23 I wanted to close the loop with all
24 of you.

25 So you've heard Pat and Jim talk

1 about the purchase of the vessels
2 themselves, the purchase of the media
3 to go inside the vessels and the
4 media to go inside your existing
5 filters. The last piece of this and
6 that we may want to consider the
7 final bit, is a contractor to install
8 all of this equipment.

9 So the prepurchase of the
10 vessels that is on your agenda today
11 from TIG and that mini bid that Jim
12 referred to is just for the purchase
13 and delivery of that equipment.
14 There is a separate contract that I
15 am working on currently to actually
16 go to public bid for the installation
17 of your prepurchased equipment and
18 then the minor piping modifications
19 and electrical upgrades that we would
20 need to do in order to actually put
21 these units in service.

22 So while that is not on the
23 agenda today, I wanted to complete
24 the circle so that you understood
25 fully the intent of you're going to

1 purchase the vessels in advance for
2 all those reasons that Pat gave you
3 regarding public health and the need
4 for advancing their purchase because
5 of long lead times, but then separate
6 from that we have the traditional
7 sort of installation contract where
8 somebody would come in to receive
9 that equipment, install it at each of
10 the appropriate well sites, and
11 connect it to your system.

12 MR. ARMSTRONG: Stephanie, if
13 I'm not mistaken, you're asking for
14 board permission today to have the
15 Authority go out, allow the Authority
16 to go out and solicit those bids; is
17 that correct?

18 MS. DECOTIIS: Yes,
19 Mr. Director. I intend to have the
20 documents ready for advertisement by
21 next week. So if the board would be
22 able to act today and give me
23 permission to advertise, I would
24 appreciate that.

25 MR. ARMSTRONG: Is there a cost,

1 some general cost estimate that you
2 could provide to the board that would
3 give them some idea of what you
4 anticipate this cost to be for the
5 installation?

6 MS. DECOTIIS: So it's all based
7 off of the Alternatives Analysis
8 Report that our firm had previously
9 provided and so I could break out the
10 vessels, the engineering estimate
11 that was in the Alternatives Analysis
12 Report was actually a little bit
13 higher than the pricing that you
14 received through the little mini bid
15 process that we did. But we would be
16 on the order of 1.5 to 2 million for
17 the installation contract but that's
18 an order of magnitude number, and I
19 could break it out in more detail it.

20 MR. ROBERTS: Sure. While the
21 rest of the conversation is moving
22 along, we have to pull out the bits
23 and pieces and we'll hone that number
24 for you quickly.

25 Just for the rest of the board's

1 sake. Stephanie, I believe you just
2 alluded to a differential, but that
3 was actually a cost savings from our
4 original estimate not a higher
5 number; is that correct? Our
6 estimate was a little bit more
7 conservative than the values that we
8 actually got in; am I correct?

9 MS. DECOTIIS: Yes, you are
10 correct. There are actually two
11 pieces, the pricing that you have for
12 carbon under your existing contract
13 with Calgon is quite good and better
14 than the number that we used in our
15 estimate for the cost of the media
16 itself, and also the pricing for the
17 vessels came in below what our
18 estimate was, as well.

19 So you're ahead of the game so
20 far.

21 MR. ARMSTRONG: And this falls
22 within, I think for the board's
23 perspective, this falls within that
24 three million dollar number that we
25 had already previously budgeted for?

1 MS. DECOTIIS: Yes.

2 MR. ARMSTRONG: Okay. Thanks.

3 So I just want to make sure
4 that, Fred, that we at some point
5 have some board action with respect
6 to what Stephanie is requesting.

7 MR. BOR: Yes. Thanks, Mike.

8 Well, there is no reason we
9 can't have an application before the
10 board right now to go out for an RFP
11 for the installation process. That's
12 our first step. So I see no reason
13 why it can't be an add-on at this
14 time, unless you have any objection
15 to that.

16 MR. ARMSTRONG: No, none at all.

17 MR. BOR: Okay. Then I'll hear
18 a motion.

19 THE CHAIRMAN: Motion.

20 MR. BOR: To go out for an RFP
21 for the installation that Stephanie
22 has just described.

23 Is there a second?

24 MR. HILL: Second.

25 MR. BOR: Mr. Banfield.

1 MR. HILL: He left.

2 MR. BOR: Mr. Hill.

3 MR. HILL: Yes.

4 MR. BOR: Excuse me. Mr. Dedar
5 should have been second.

6 MR. DEDAR: Yes.

7 MR. BOR: Ms. Langford.

8 MS. LANGFORD: Yes.

9 MR. BOR: And Mr. Devlin.

10 THE CHAIRMAN: And Mr. Cheatham.
11 Mr. Dedar is gone.

12 MR. BOR: Then Mr. Cheatham has
13 an alternate vote.

14 MR. CHEATHAM: Yes.

15 MR. BOR: And votes yes.

16 THE CHAIRMAN: And I vote yes.

17 MR. BOR: And The Chairman votes
18 yes.

19 So the RFP is approved,
20 Mr. Chairman -- excuse me, Mr.
21 Director and Stephanie.

22 MS. DECOTIIS: Thank you all for
23 your swift action.

24 MR. BOR: Thank you. You're
25 welcome.

1 MR. SMITH: Just an update on
2 the GAC delivery that Jim did
3 mention. We did receive that
4 delivery. That delivery was received
5 last week, Friday. Of course, it was
6 washed to take out the fines and
7 sulfur and probably was used to
8 probably take apart a portion of the
9 sample that was due for the second
10 period.

11 MR. BOR: Mr. Director, it seems
12 as if we are jumping a little bit on
13 the reports. Are we completed, all
14 items under Number Seven? I take it
15 we have.

16 MR. ARMSTRONG: Yes.

17 MR. BOR: And Number 8(a)(1) and
18 (2) are going to be discussed in
19 Closed Session.

20 And at the suggestion of the
21 Director, (b), accounting and
22 financial will be in Closed Session
23 also. That would be financial
24 reports would be the next item.

25 MR. ARMSTRONG: (B), I'm going

1 to leave it up to Anita and Jason to
2 determine whether or not that's -- I
3 don't think that in general needs to
4 be in Closed Session.

5 MR. BOR: We'll stick with Open
6 Session on accounting and finance.

7 And who is here to speak on
8 that?

9 MR. ARMSTRONG: Anita is going
10 to start off.

11 MR. BOR: Anita, the floor is
12 yours.

13 MS. THAPA: Hi. And good
14 morning to all. You know we adopted,
15 the board adopted Bond Resolution
16 Number 61 at the last board meeting,
17 May 16, as to authorize issuance of
18 refunding of 2007 bond series, which
19 is in the amount not to exceed
20 5 million. Initially we were kind of
21 looking to refund the bond through
22 the public offering. However, as we
23 know, our bond rating is still not at
24 an investment grade. Therefore,
25 investigators are kind of looking for

1 the higher bond insurance premium.
2 With the higher bond insurance cost,
3 the refunding through public offering
4 is not as attractive as we initially
5 thought it would be. Therefore,
6 that's why we are presenting today
7 the Resolution for the private sale
8 of refunding bonds for the board
9 approval.

10 Like, Mr. Armstrong said, we
11 have a professional here, Jason
12 Capizzi our bond counselor and our
13 financial advisor Bryan Morris from
14 Phoenix, and also I believe Bryan
15 Bradley is also here who is
16 underwriter from RBC. I would like
17 to thank them for taking time and to
18 join today's meeting.

19 They are here to give more
20 detail and update on the status on
21 this refunding and also answer any
22 questions that the board would like
23 to ask questions.

24 So I guess Jason or Bryan, if
25 you would like to go, you can explain

1 to them, please.

2 MR. CAPIZZI:

3 MR. CAPIZZI: Sure. Thanks,
4 Anita.

5 THE CHAIRMAN: Good morning.

6 MR. CAPIZZI: Good morning. So
7 just to echo what Anita said, what's
8 proposed right now is a refunding of
9 bonds that were initially issued or
10 originally issued in 2007. The
11 refunding quite simply is like a
12 refinance. The purpose of this
13 transaction is to get savings for the
14 Authority and within certain
15 parameters issued by the local
16 finance board, the transaction will
17 not proceed unless you receive at
18 least three percent net present value
19 savings.

20 Under the MUA law, there's two
21 methods of sale that we can do,
22 either a public sale or a private
23 sale. Private just means a
24 negotiated sale. You're going to
25 pick the purchaser.

1 And I'll let Bryan Morris speak
2 more, but the financing team had
3 evaluated both options and presented
4 their findings to the Authority for
5 consideration, and this is the
6 recommended way to proceed and the
7 Resolution presented to you today is
8 the next step in that process.

9 Bryan Morris.

10 MR. MORRIS: Thanks, Jason. And
11 hello, everyone. Good morning.
12 Thanks for having us at the meeting
13 today. My name is Bryan Morris with
14 Phoenix Advisors, the municipal
15 advisor to the Authority.

16 So as was previously mentioned,
17 we did explore two different options
18 to refinance these bonds. The public
19 sale route and a private sale route.
20 What became clear when we exploring
21 the public sale route, is just
22 because of the Authority's current
23 bond rating and the issues we are
24 running into with securing the bond
25 insurance, it just became clear that

1 the savings were not going to be
2 really as attractive as we felt they
3 should be under that method.

4 So what we did was we reached
5 out to a couple banks that purchase
6 these direct loans from municipal
7 issuers frequently. Some of them
8 included banks that the Authority has
9 a depository relationship with, so
10 they have a little extra incentive to
11 buy the bonds.

12 So we are currently talking to
13 about three or four different banks
14 and trying to just gauge their
15 interest and see who will offer the
16 most advantageous rate and proposal
17 to the Authority because, of course,
18 our goal is to maximize savings to
19 the Authority by getting the best
20 deal possible.

21 So we have those discussions
22 ongoing with a couple of different
23 banks. It's clear that the level of
24 savings we can expect are
25 significantly higher than the public

1 sale route. So our recommendation
2 would be to move toward with a direct
3 purchase route and the Resolution
4 that you have in front of you today
5 would allow the Chairman and
6 Executive Director to engage with a
7 bank once we have all the proposals
8 on the table and deem one to be the
9 most advantageous.

10 And just kind of a timing thing,
11 once these banks kind of put forward
12 a rate and offer a term sheet, you
13 know, we don't have a huge window of
14 opportunity in which to act on, so we
15 want to make sure we can lock in the
16 best terms when they are presented.

17 Anything else, Jason or any
18 other questions?

19 MR. BOR: Thank you, Jason and
20 Bryan. This is Fred Bor.

21 It's your recommendation to the
22 board that the Resolution regarding
23 refunding should be if there's any
24 discussion -- if no discussion,
25 should be voted upon today?

1 MR. MORRIS: Yes.

2 MR. CAPIZZI: Yes.

3 MR. MORRIS: Is that okay with
4 members of the board?

5 MR. BOR: Thanks for the
6 presentation.

7 THE CHAIRMAN: Appreciate the
8 presentation and the issuance of the
9 report.

10 MR. BOR: So I need a motion for
11 8(a), Refunding of Water System.

12 Stella just pointed out to me it
13 should be 8(b)(1), it's a typo. As
14 long as we are on the same page, it's
15 for the Refunding of Water System
16 Revenue Bonds.

17 MR. HILL: I'll move the
18 Resolution. Gary Hill.

19 MR. DEDAR: Second.

20 MR. BOR: Thank you for the
21 second, Mr. Dader.

22 Mr. Banfield is not present. So
23 Mr. Dedar.

24 MR. DEDAR: Yes.

25 MR. BOR: And Mr. Hill.

1 MR. HILL: Yes.

2 MR. BOR: Ms. Langford.

3 MS. LANGFORD: Yes.

4 MR. BOR: Mr. Cheatham.

5 MR. CHEATHAM: Yes.

6 MR. BOR: And Chairman Devlin.

7 THE CHAIRMAN: Yes. Thank you.

8 MR. BOR: 8(b) the refunding, is
9 approved.

10 MR. CAPIZZI: Thank you, very
11 much, everyone.

12 MR. MORRIS: Thank you for your
13 time, everyone.

14 MR. BOR: Moving on to the
15 Financial Reports, Mr. Director or
16 Anita.

17 MR. ARMSTRONG: Since Anita has
18 the floor, I'll let her continue with
19 the Financial Reports.

20 Go ahead, Anita.

21 MS. THAPA: The Financial
22 Reports, they were given, you know,
23 presented there. If you have any
24 questions you can -- if you have any
25 questions, please let me know.

1 As far as, I would like to talk
2 about the shutoffs and the penalties.
3 I know, I guess, Govenor Murphy had
4 extended -- I mean lifted the shutoff
5 and probably penalty as well, so I
6 would like to get approval from the
7 board -- or at least to, I guess to
8 process the penalty so that we can --
9 because right now, I guess from
10 October we haven't penalized any
11 customer for nonpayment; right? So
12 I'm not sure whether we can even lien
13 this year. Last year we were not
14 able to lien any outstanding water
15 balances, so I'm not sure how the
16 board would feel.

17 I was thinking to process the
18 penalty for any outstanding balances
19 in July. And the shutoff probably
20 starting August. So if the board
21 feels there are any recommendations,
22 I guess, if you can advise me here.

23 MR. HILL: Mr. Chairman, just a
24 question or a comment. I understand
25 what the Governor did, and he's

1 giving a window. Anita, would we be
2 notifying our delinquent customers in
3 advance before we start this? We're
4 not just going to start this. I want
5 to make sure we don't do that.

6 MS. THAPA: No. No. We have
7 been on the regular bill, we have
8 been notifying them saying that we
9 will do this in the future. So we
10 haven't specifically set the date, a
11 shutoff date but, yes, once we send
12 the delinquent, we will provide the
13 date as well to the customers. And
14 those are for those that haven't paid
15 for at least two quarters or three
16 quarters. Or especially there are
17 some customers, they haven't paid for
18 almost a year, as well.

19 MR. HILL: Right. I got it.

20 MR. ARMSTRONG: So what you are
21 asking for, Anita, is the
22 authorization?

23 MS. THAPA: Yes, if we can move
24 forward with the penalty in July and
25 possibly shutoffs starting in August.

1 MR. BOR: What you are
2 suggesting, Anita, is that there be a
3 proposed Resolution to do so at
4 July's meeting?

5 MS. THAPA: I don't think that
6 we would need any kind of resolution,
7 this is just operation-wise. We had
8 to stop it because of the Order, the
9 State's Order, and I'm just
10 requesting how the board will feel if
11 we start the process again. Because
12 I'm sure we will get lots of calls,
13 as well.

14 MR. BOR: Did we stop shutoffs
15 administratively before? Was it an
16 administrative decision?

17 MR. ARMSTRONG: She's saying it
18 was done based on the Govenor's
19 Order.

20 MR. BOR: So we now have the
21 authority to commence shutoffs again
22 in August, is that what you're
23 indicating, Anita?

24 MS. THAPA: Yes.

25 MR. BOR: So it would just be a

1 straw vote basically from the board
2 whether they agree with that
3 analysis?

4 MS. THAPA: Correct.

5 MR. ARMSTRONG: This morning, I
6 think it should reflect that the
7 Governor has lifted his Order and
8 she's asking that the penalties, that
9 she be allowed to implement the
10 penalties starting in July and also
11 the shutoff take place as early as
12 August.

13 Is that correct, Anita?

14 MS. THAPA: Yes.

15 MR. BOR: So, Mr. Director, it's
16 not in the form of a Resolution since
17 there wasn't one previously.

18 MR. ARMSTRONG: No.

19 MS. THAPA: No.

20 MR. HILL: Was there a motion
21 previously?

22 MS. THAPA: No.

23 MR. BOR: We don't need one.

24 Do any members of the board want
25 to comment on the shutoff issue to

1 Anita?

2 If not, is there any objection
3 to Anita's proposal to commence the
4 shutoffs again pursuant to the
5 Govenor's direction?

6 (No response.)

7 MR. ARMSTRONG: And
8 implementation of the penalty.

9 MR. BOR: And implementation, of
10 course. Thank you, Mike.

11 It sounds like a green light for
12 you, Anita.

13 MS. THAPA: Okay. And also, I
14 don't know if Mr. Armstrong would
15 like to bring this up or not about
16 the opening to the public.

17 MR. ARMSTRONG: Oh, yeah. We
18 had a conversation but we were
19 discussing it amongst employees about
20 coming up with a date where we're
21 going to actually open up again with
22 the public and we wanted to -- I know
23 the board indicated that the board
24 meetings were going to be opened up
25 to the public starting in July. So

1 given that a lot of other businesses,
2 the Governor has relaxed the mask
3 rule, I just wanted to have the board
4 maybe start to think about coming up
5 with some ideas about when you want
6 to be fully open to the public again.

7 We're collecting data with
8 respect to our employees and who's
9 been vaccinated. I was hoping to
10 have that information available to
11 you by today so that at the same time
12 when we do open up we will make sure
13 that at least a good number of our
14 employees are protected through
15 vaccination or other means.

16 So it may be best for us to
17 raise this at the next meeting and
18 then we'll have that information
19 complete. We'll have some ideas
20 about strategy and how we can
21 continue to make sure that the
22 members who are working at the MUA
23 are still safe.

24 Unless you want to talk about
25 some general ideas of when you want

1 to plan to do it. I'm thinking
2 discuss it at the July meeting with a
3 target date of August 1st, if that's
4 okay with the board, and then we'll
5 have all the data and everything
6 complete to provide to you.

7 MR. HILL: I'm good with that.

8 MR. BOR: Any board member wish
9 to raise any issue with regard to
10 that proposal by the Director?

11 THE CHAIRMAN: Sounds good.

12 MR. BOR: All right, Mike, you
13 got it.

14 MR. ARMSTRONG: I have two
15 things that have come up -- actually
16 one this morning and one yesterday.

17 One is the State has recognized
18 Juneteenth as a State holiday. The
19 City, the Mayor has indicated that he
20 is now recognizing it as I believe as
21 of yesterday. The City is closed,
22 all other state and local business,
23 well not private businesses but I
24 know all state and local agencies
25 throughout the State of New Jersey

1 are now closed.

2 I would like to present to the
3 board that we remain consistent and
4 that we allow our employees to have
5 Friday off and recognize Juneteenth
6 as well.

7 THE CHAIRMAN: Mike, there's
8 questions from the board. Can you
9 explain to us exactly what that is.

10 MR. ARMSTRONG: It's
11 recognizing -- the State, Murphy,
12 through legislation has recognized
13 the date that the slaves were freed
14 in 1865 as a State holiday.

15 There is actually legislation
16 pending, was pending in the Senate,
17 it was just passed in the Senate to
18 make it a Federal holiday and it's
19 now on its way over to Congress.
20 Everybody anticipates that it's going
21 to be a federal holiday as well.

22 Claude provided me with
23 information today as well where the
24 State now actually recognizes it as a
25 State holiday and they list it in

1 their list of State holidays.
2 Practically every county, local
3 government and State agency, even the
4 County Courts are closed on Friday.

5 UNIDENTIFIED SPEAKER: What
6 holiday is it?

7 THE CHAIRMAN: He just said it.
8 So it's a holiday recognizing 1865,
9 the free emancipation.

10 MR. ARMSTRONG: And it's my
11 understanding that you've always
12 remained consistent with whatever the
13 state holidays are.

14 THE CHAIRMAN: Mike, that's
15 fine. I'm good with it. What about
16 the essential employees?

17 MR. ARMSTRONG: I spoke to
18 Claude about that. You have a
19 general policy that essential
20 workers -- it seems to be consistent
21 with the State policy that essential
22 workers get paid overtime if they
23 work on a holiday. That's
24 essentially the difference when I
25 looked into it.

1 And I just got this information
2 this morning, but Claude and I spent
3 about an hour looking into it, to see
4 how it impacted our employees. But
5 as long as it falls into being a
6 recognized holiday, essential workers
7 get time and a half; am I correct,
8 Claude?

9 MR. SMITH: That's time and a
10 half plus regular time, and it would
11 only apply to the operators that are
12 actually working on that particular
13 day. All other staff would just be
14 receiving holiday pay.

15 MR. ARMSTRONG: And we'll
16 probably have to -- if we could get,
17 you know, a motion and we'll follow
18 up with a Resolution, because the
19 holiday is this Friday, so I would
20 like to have something to follow in
21 writing that says that, you know,
22 this is going to be the new policy.
23 But if we can at least get a motion
24 in the meantime, we'll follow up with
25 a Resolution.

1 MR. HILL: I'd be happy to make
2 the motion.

3 THE CHAIRMAN: I'll second that.

4 MR. BOR: We have a second.

5 Mr. Dedar.

6 MR. DEDAR: Yes.

7 MR. BOR: Mr. Hill.

8 MR. HILL: Yes.

9 MR. BOR: Ms. Langford.

10 MS. LANGFORD: Yes.

11 MR. BOR: Mr. Cheatham.

12 MR. CHEATHAM: Yes.

13 MR. BOR: Mr. Devlin.

14 THE CHAIRMAN: Yes.

15 MR. BOR: So passed.

16 MR. ARMSTRONG: The last item
17 that I have is -- there was indicated
18 to us that a person attempted to
19 trespass at the plant. There was an
20 opening in the fence and the person
21 was caught climbing between the
22 fence. And when he was confronted,
23 he indicated that he was just -- he
24 was taking a shortcut across the
25 property.

1 MR. SMITH: Mike, can I make a
2 correction? Actually, there's an
3 opening in the gate itself.

4 MR. ARMSTRONG: Oh, the gate.

5 MR. SMITH: They actually
6 squeezed through that particular gate
7 opening.

8 And I'll let you continue.

9 MR. ARMSTRONG: If you know a
10 little bit more than i --

11 MR. SMITH: Oh, no, no. That's
12 the only thing I wanted to mention.

13 MR. ARMSTRONG: Okay.

14 So this individual squeezed
15 through a gate. And after he
16 squeezed through the gate, he was
17 confronted by one of the employees.
18 He said he was attempting to just --
19 to make a shortcut across the
20 property. But then when they went
21 back and they looked at the camera
22 system, it appeared that this
23 individual had been doing more than
24 that. He had been peering into the
25 windows of some vehicles.

1 So the police were called. And
2 during the conversation that I was
3 having with the plant manager on
4 Monday when he was explaining it to
5 me, the police actually arrived.

6 So he gave me an email this
7 morning updating me with respect to
8 their collecting and going back to
9 see if the cameras picked this
10 individual up or any other
11 individuals attempting to come onto
12 the property in the past.

13 So I just wanted to make the
14 board aware of that. I do have some
15 information. I was provided with
16 some information by Mr. Gonzalez with
17 respect to those entities that can do
18 the free risk assessments. I'm going
19 to look into that to see if there's
20 anything that we can do and have
21 these individuals come out and the
22 tighten up the property.

23 But the system appeared to work
24 in these circumstances that we have,
25 but maybe there is some tweaks that

1 can be made.

2 THE CHAIRMAN: Mike, I don't
3 want to sound like a broken record,
4 but this is something since I've been
5 on the board I've asked for a risk
6 assessment. These entities that you
7 talked about, we actually visited
8 them a few years back with the former
9 E.D. and, again, this is not a first
10 time offense. We're having issues.

11 I take it upon myself. I did my
12 due diligence and went out to the
13 plant, and from the employees there,
14 they have people getting into the
15 plant. The fences have been
16 compromised. There's part of the
17 fence where you can swim under. So
18 it's not hard to get there. I've
19 actually went in myself to see if I
20 can enter. It's very easy. We have
21 no checks and balances. There is
22 nobody that checks you at the gate
23 there. There isn't a gate anymore.
24 The camera system prior to you
25 being here, I met with Claude out

1 there. You know, I really think,
2 guys, and I'll put my police hat on
3 for five seconds, you know we're
4 cherry hot if you look at any of the
5 data. Prior to my retirement I went
6 to a state police school in Sea Girt
7 and we are cherry hot. And this is
8 not a new subject here.

9 Terrorism today isn't bombs. It
10 could be bombs, but it's expanded.
11 Municipal governments are cherry hot.
12 Atlantic City is cherry hot. There
13 has been threats here.

14 We need to act on this. I know,
15 Mike, we talked about this last month
16 and you said you were going to talk
17 to Mr. Gonzalez. I'm not putting
18 this on you. I know you've got a lot
19 on your table, but we need to act on
20 this. We can't wait until somebody
21 gets hurt or damage is done. We
22 can't wait until somebody does some
23 real damage to our water. You know,
24 we're not being proactive, we're
25 being reactive.

1 Calling the cops is great. I
2 was one. I walked the beat here for
3 18 years. Municipal police don't
4 have that kind of -- those kind of
5 tools in their toolbox. We need to
6 spend the money and get a risk
7 assessment done to these buildings.
8 We have employees here that we are
9 liable for. We have water that we
10 are liable for.

11 Once again, there's entities out
12 there that will do it. We've met
13 with them. As a matter of fact, one
14 of them is a retired Atlantic City
15 police detective. He covers from
16 Maine to Virginia, and he's one guy.
17 We need to spend the money -- and
18 Mike, as I know you have, go out to
19 that plant. You know, it's like
20 walking back into the 18th Century.
21 The gates are all broken and rusted.
22 There's nobody at the front gate out
23 there. Anybody can come up. If a
24 motivated bad guy wanted to put some
25 explosives in his car, he could drive

1 up to the door and walk away and that
2 bomb can go off later and nobody
3 would know anything about it.

4 So, you know, I gave this speech
5 not just to you, Mike, I gave it to
6 Claude, I gave it to Bruce prior to
7 that. We need to act. And this is
8 nothing new here.

9 If you talk to the State Police,
10 which I have, we are -- Atlantic City
11 itself is cherry hot.
12 Municipalities, utilities are on the
13 top of the terrorism list right now.
14 I think they're tied right now with
15 trains.

16 So this is something, you know,
17 I really want to revisit. I mean, I
18 don't want to say we're going to have
19 this conversation in July. I would
20 like to in July, you know, if I have
21 to reach out to Mr. Gonzalez, which I
22 can, and get this rolling or start a
23 committee to get this rolling, I will
24 happily volunteer to do that. But we
25 really need to act. I know we have a

1 lot on our plate right now, guys, but
2 if something were to happen, where
3 we're at right now, we're reactive,
4 we're not proactive.

5 MR. ARMSTRONG: I know we --

6 THE CHAIRMAN: Hold on for one
7 second, Mike.

8 I also know we canceled that
9 security contract we have here.
10 Again, who's monitoring these cameras
11 we just spent a hundred grand on?
12 Who's monitoring them?

13 I know I set up a meeting with
14 Claude and the Chief of Police so
15 that our cameras can be monitored by
16 the Atlantic City Police Department,
17 no cost to the Utility. We need to
18 start, outside of making sure our
19 water is flowing, we have to make
20 sure that water continues to flow
21 safely. We have to give our
22 employees that peace of mind knowing
23 that they're coming to a safe
24 environment here, and we're not.
25 We're not doing that. We're failing,

1 guys. We got egg on our face, and
2 when the roof falls in, we're going
3 to be here and I'm going to be
4 pumping by fist saying, Hey, I told
5 you so.

6 MR. ARMSTRONG: I know I
7 provided you with the risk assessment
8 report per your request. I'll take a
9 look at that, see how old it is,
10 where we are and, you know, I'm
11 definitely going to take a look at
12 this next week and we'll see where we
13 go from there. And then I'll make
14 some suggestions based on the risk
15 report.

16 It should, based on what we've
17 done, we made a lot of progress with
18 PFAS and the meetings we've had.
19 There's still a lot of other stuff
20 that's going on, and I must admit
21 that appears to be emergent as well.
22 But I will take a look and read the
23 report and see what could be down in
24 the interim to get this moving along.

25 THE CHAIRMAN: And I actually

1 spoke with the plant manager some
2 time back. They had actually had
3 somebody come into the plant. They
4 caught somebody in the plant. So
5 these instances are escalating and I
6 don't want anything to happen. I
7 don't want any vandalism at the
8 minor, and I don't want anybody to
9 get hurt at the top of the scale
10 here. So, you know, I really think
11 we got to put some effort into this.

12 I've read that report. And,
13 Mike, I've read them. I was the
14 President of the School board at one
15 point. I've read theirs. I'm pretty
16 good, I'm pretty astute at it. The
17 report here I was not -- and actually
18 had somebody from the field look at
19 it -- it's not up to par, and even
20 the recommendations that they
21 recommend, we didn't do.

22 So having a report is great. If
23 we don't act on those recommendations
24 from professionals, you know, we're
25 dead in the water.

1 So I will happily volunteer or
2 set up a committee to assist you to
3 move this forward, and I can reach
4 out to Mr. Gonzalez and see who the
5 State recommends.

6 But, you know, you have to
7 remember, too, I know you told us
8 it's free, and I love free things,
9 but sometimes you get what you pay
10 for. We might have to reach outside
11 of the box, and I'll speak to Mr.
12 Gonzalez directly and get some
13 assistance in here that's very, very
14 desperately needed.

15 Thanks, Mike.

16 MR. ARMSTRONG: I have no
17 additional items. So if you want to
18 move to the next item.

19 MR. BOR: I believe we have a
20 cash management balance adjustment.
21 Anita already addressed the shutoffs.

22 THE CHAIRMAN: I thought she
23 said unless there were questions with
24 respect to those balances, cash
25 management and balance adjustments.

1 I didn't hear any questions.

2 MR. BOR: And I don't hear any
3 issues from any board members.

4 So with regard to Item Number 9,
5 just for the record, we don't appear
6 to have any public participation and
7 I take it, Mr. Director, you have not
8 received any emails from any member
9 of the public requesting information
10 to be read to us today?

11 MR. ARMSTRONG: No.

12 MR. BOR: Assuming not, Number
13 10, New Business, is the RFP for
14 Venice Lagoon. If there's any
15 questions or if anyone wishes to
16 discuss it, the floor is yours.

17 (No response.)

18 MR. BOR: If not, then I will
19 hear a motion.

20 THE CHAIRMAN: I have a motion.

21 MR. DEDAR: Second.

22 THE CHAIRMAN: Second by
23 Mr. Dedar.

24 MR. BOR: Thank you. Mr. Dedar.

25 MR. DEDAR: Yes.

1 MR. BOR: And Mr. Hill.

2 MR. HILL: Yes.

3 MR. BOR: Ms. Langford.

4 MS. LANGFORD: Yes.

5 MR. BOR: And Mr. Cheatham.

6 MR. CHEATHAM: You know, I'm
7 voting on what now?

8 THE CHAIRMAN: Number Ten,
9 proposals for the Venice Lagoon water
10 main crossing 2021. Number ten.
11 The second page.

12 MR. CHEATHAM: Is it going to be
13 repaired?

14 THE CHAIRMAN: Mr. Cheatham has
15 a question regarding Resolution
16 Number Ten.

17 MR. SMITH: All right, Mr.
18 Cheatham.

19 MR. CHEATHAM: Is this going to
20 be repaired? Is that what we're
21 talking about, referring to?

22 MR. SMITH: It's a new line that
23 we're running across Venice Lagoon
24 adjacent to the bridge on Route 30
25 from the Venice Park side over to the

1 other side of the waterway.

2 MR. CHEATHAM: Is this a
3 permanent solution to the problem?

4 MR. SMITH: You say is it
5 permanent. It's adding an additional
6 line to the connectivity from one
7 side to the next for redundancy.
8 It's in place of a line that was
9 there before that is no longer
10 functional.

11 MR. CHEATHAM: No longer
12 functional?

13 MR. SMITH: Correct.

14 MR. CHEATHAM: Well, you know,
15 gentlemen, I've always been a person
16 that's always thought our water was
17 truly the best in the state. I still
18 believe that. But when I'm sitting
19 here listening to you gentlemen
20 discuss this problem, the solution to
21 it, you know, it seems as if we have
22 enacted something in the past to put
23 us in this position in the first
24 place, because this water was the
25 best in the state. Now we have let

1 ourselves sit back and do nothing for
2 quite a while and now all of a sudden
3 we have all these emergency
4 situations to get ourselves out of
5 this mess here.

6 I'm mad about it because I never
7 went on that tour that I was supposed
8 to go on. You didn't call me --

9 THE CHAIRMAN: We didn't do any
10 tours because of COVID, Mr. Cheatham.
11 We stopped doing tours.

12 MR. CHEATHAM: See, everybody
13 uses that as an excuse --

14 THE CHAIRMAN: I'm not making an
15 excuse.

16 MR. CHEATHAM: -- to put things
17 aside. This COVID thing is getting
18 on my nerves. Number one, you know,
19 we've had epidemics in this world
20 ever since there's been a world. You
21 guys are making it like it's
22 something oh, totally different.
23 There ain't nothing different. And
24 we need to face the fact that we've
25 been neglecting doing things that we

1 should be on the ball with.

2 I still think we need to do more
3 than we're doing. We better do it in
4 a hurry because this mess but hairs
5 in the face. This is real bad. Real
6 bad, gentlemen. This was the best
7 water in the state and all of a
8 sudden we've got nothing.

9 MR. BOR: Mr. Cheatham, how are
10 you casting your vote for 10(a),
11 Venice Lagoon Crossing?

12 MR. CHEATHAM: It is a permanent
13 solution to the problem now?

14 MR. BOR: Claude can answer
15 that, I can't.

16 MR. SMITH: Like I said,
17 Mr. Cheatham, this is a redundancy in
18 the line connecting from one side of
19 Venice Park over to the other side of
20 the Venice Lagoon location for the
21 distribution of services or water
22 main services for that area.

23 The line that was actually there
24 is no longer available to be used and
25 we are replacing a line that was

1 there prior with this new line. This
2 is not an emergency. This is
3 something that we've been working on
4 for a significant period of time
5 because of the fact that we needed
6 certain permitting from the State.
7 We finally received that particular
8 permit and permitting that we have
9 been waiting for, for a number of
10 years and we're moving ahead with
11 this particular project.

12 MR. ARMSTRONG: And this is a
13 permanent solution, Mr. Cheatham, to
14 that problem with that line.

15 MR. HILL: And, Mr. Cheatham,
16 this also was not just an emergency
17 now. Mr. Mancuso brought this up
18 years ago. We've been working on
19 this for quite a long time. As
20 Mr. Smith said, we finally got the
21 approval to move forward.

22 MR. SMITH: Actually, Gary, this
23 goes back to Garth Moyle's time
24 period.

25 MR. HILL: Really, that long?

1 MR. SMITH: And Garth has been
2 gone for a number of years. This is
3 not something that Mr. Mancuso
4 actually brought to our attention,
5 this is something that even after
6 Garth had actually retired, I've been
7 working on to get permitting for this
8 particular project. So this is not
9 something that we've been delinquent
10 in regards to doing, it's the fact
11 that the permitting we've been
12 requesting and trying to receive from
13 the State. I'll give Mr. Polistina
14 some credit as well, too, because
15 after he did make a phone call or
16 two, we were able to get some
17 movement on getting this particular
18 permit. The permit was not cheap. I
19 chuckle about it because of the fact
20 I had no idea that this particular
21 permit would be that costly. But
22 because of the fact that we have
23 taken care of that permit, now we are
24 able to move forward with this
25 particular solution.

1 Yes, it is a permanent solution.
2 Thank you, Michael. It is a
3 permanent solution.

4 MR. CHEATHAM: Thank you.

5 THE CHAIRMAN: We need your
6 vote, Mr. Cheatham.

7 MR. CHEATHAM: Yes.

8 MR. BOR: Okay. Mr. Cheatham
9 indicates his vote is yes. And I
10 think the only other presenting vote
11 on that particular motion was Mr.
12 Devlin.

13 THE CHAIRMAN: Yes.

14 MR. BOR: That being the case,
15 10(a)(a) is approved.

16 Monthly bills. If they've been
17 reviewed by members of the board, is
18 there a motion.

19 THE CHAIRMAN: Any questions?

20 MR. HILL: I'll move it.

21 THE CHAIRMAN: Second.

22 MR. BOR: Thank you.

23 Mr. Dedar.

24 MR. DEDAR: Yes, sir.

25 MR. BOR: Mr. Hill.

1 MR. HILL: Yes.

2 MR. BOR: Ms. Langford.

3 MS. LANGFORD: Yes.

4 MR. BOR: Mr. Cheatham?

5 MR. CHEATHAM: Yes.

6 MR. BOR: And Chairman Devlin.

7 THE CHAIRMAN: Yes.

8 MR. BOR: Approved.

9 Is there a motion to go into
10 Executive Session?

11 THE CHAIRMAN: Motion.

12 MR. DEDAR: Second.

13 MR. BOR: Mr. Dedar.

14 MR. DEDAR: Yes.

15 MR. BOR: Mr. Hill.

16 MR. HILL: Yes.

17 MR. BOR: Ms. Langford.

18 MS. LANGFORD: Yes.

19 MR. BOR: Mr. Devlin.

20 THE CHAIRMAN: Yes.

21 MR. BOR: Excuse me, Mr.
22 Cheatham.

23 MR. CHEATHAM: Yes.

24 MR. BOR: Okay. Five minute
25 break.

1 THE CHAIRMAN: No, let's go.

2 Let's roll.

3 - - -

4 (Whereupon, the board enters
5 Executive Session at 11:12 a.m.)

6 - - -

7 THE CHAIRMAN: We need a motion
8 to go back into Open.

9 Motion.

10 MR. BOR: We have a motion by
11 Chairman Devlin.

12 MR. DEDAR: Second.

13 THE CHAIRMAN: Second by Mr.
14 Dedar.

15 MR. BOR: Mr. Dedar.

16 MR. DEDAR: Yes, sir.

17 MR. BOR: And Mr. Hill.

18 MR. HILL: Yes.

19 MR. BOR: Ms. Langford.

20 MS. LANGFORD: Yes.

21 MR. BOR: Mr. Cheatham.

22 MR. CHEATHAM: Yes.

23 MR. BOR: Mr. Devlin.

24 THE CHAIRMAN: Yes.

25 - - -

1 (Whereupon, the board resumes Open
2 Session at 11:21 a.m.)

3 - - -

4 MR. BOR: Back into Open.

5 I believe, Mr. Director, we have
6 two motions to act on. I believe one
7 of our participants had a statement
8 to the make prior to that.

9 MR. ARMSTRONG: Stephanie, you
10 can speak.

11 MS. DECOTIIS: Thank you.

12 Mr. Director, Mr. Chairman,
13 regarding the purchase of the GAC
14 vessels that is on today's agenda,
15 just to be clear, the process that we
16 went through, we solicited pricing
17 from three vendors. We received
18 pricing from two. Of those two, the
19 price difference was approximately
20 \$300,000.

21 So that the total price of the
22 recommended vendor is the 1.2 plus
23 ten percent, which is part of the
24 letter that we recommended to you,
25 which is the price that we're asking

1 you to authorize today.

2 And then regarding this price,
3 this is within the estimates that we
4 had received and an excellent price
5 for this type of purchase.

6 MR. ARMSTRONG: So it's your
7 opinion it is a reasonable estimate?

8 MS. DECOTIIS: Yes, per our
9 recommendation, we recommend you move
10 forward. This is reasonable and in
11 line with our expectations.

12 MR. ARMSTRONG: Thank you, very
13 much.

14 THE CHAIRMAN: We have a
15 question on the floor.

16 Mr. Dedar.

17 MR. DEDAR: As Stephanie just
18 explained, could you tell me a little
19 bit about the 1.2 million plus ten
20 percent, what is the ten percent?

21 MS. DECOTIIS: Yes. We had
22 recommended you authorize an
23 additional ten percent just due to
24 the rapid deployment here. There's
25 typically instances where there's

1 unforeseen conditions, and we wanted
2 to have you well prepared to react to
3 those rapidly.

4 MR. BOR: Thank you, Mr. Dedar.
5 Thank you, Stephanie.

6 Any other discussions on the
7 8(a)(1) emergency purchase?

8 MR. HILL: I'll move it.

9 THE CHAIRMAN: Motion by Mr.
10 Hill. We need a second.

11 MR. DEDAR: Second.

12 THE CHAIRMAN: Second by Mr.
13 Dedar.

14 MR. BOR: Yes. Mr. Dedar.

15 MR. DEDAR: Yes, sir.

16 MR. BOR: Mr. Hill.

17 MR. HILL: Yes.

18 MR. BOR: Ms. Langford.

19 MS. LANGFORD: Yes.

20 MR. BOR: Mr. Cheatham.

21 MR. CHEATHAM: Yes.

22 MR. BOR: And Chairman Devlin.

23 THE CHAIRMAN: Here.

24 MR. BOR: 8(a)(1) passes.

25 8(a)(2), emergency purchase

1 vessels.

2 Is there a motion.

3 THE CHAIRMAN: I'll motion.

4 Chairman Devlin, motion.

5 MR. DEDAR: Second.

6 THE CHAIRMAN: Second by Mr.

7 Dedar.

8 MR. BOR: Mr. Dedar.

9 MR. DEDAR: Yes.

10 MR. BOR: Mr. Hill.

11 MR. HILL: Yes.

12 MR. BOR: Ms. Langford.

13 MS. LANGFORD: Yes.

14 MR. BOR: Mr. Cheatham.

15 MR. CHEATHAM: Yes.

16 MR. BOR: And Mr. Devlin?

17 THE CHAIRMAN: Yes.

18 MR. BOR: So noted and approved.

19 I have nothing else on my agenda, Mr.

20 Director. Do you?

21 MR. ARMSTRONG: No.

22 THE CHAIRMAN: Mr. Armstrong,

23 I'm getting some interest right here

24 from the boardroom. Mr. Cheatham and

25 Mr. Dedar, and I believe

1 Mr. Banfield, he's also a new board
2 member -- I know you got a lot of
3 your plate -- can we organize maybe a
4 walk-through of the plant. And I
5 took it a couple years back. I
6 really appreciated it. I'll even do
7 it again, if I could.

8 Could we organize something like
9 that? And feel free, if any other
10 board members would like to do the
11 tour of the plant, see how the water
12 is really made.

13 MR. ARMSTRONG: That's a good
14 idea. I was actually planning
15 something for that, the State monitor
16 as well, to do both the distribution
17 and the plant.

18 If we could coordinate, if it's
19 easier to do it all at once, I would
20 include, you know, the Distribution
21 Center where we work and also the
22 plant. And I believe there's some
23 smaller locations. Claude could talk
24 about that. I don't know if it's
25 worth visiting. I know that there

1 are some locations where there are
2 some valves.

3 MR. SMITH: The Upper Wellfield
4 would definitely be of interest as
5 well too because that's pretty much
6 where a good portion or predominantly
7 where our water actually comes from
8 in regards to the distribution into
9 our system. So the Upper Wellfield
10 which is up at the FAA Tech Center
11 location, definitely that would be a
12 site to visit as well.

13 MR. ARMSTRONG: And with the
14 board's permission, I could try to
15 coordinate to do this. The City did
16 something similar for the State
17 monitors, and they employed a jitney.
18 We could bring the new board members,
19 along with the State, anybody else
20 who would want to come, and we could
21 do the tour. This would be a good
22 time to do it, especially in light of
23 the discussions about PFAS so you can
24 get an idea, because I didn't really
25 understand what was going on until

1 Claude took me out there, and I had
2 an idea. So when we talk about it,
3 they could visualize it. It makes a
4 little more sense when you actually
5 see it.

6 THE CHAIRMAN: Mike, can you
7 organize that or do you want me to go
8 through --

9 MR. ARMSTRONG: Yes. I was
10 already starting it for the State,
11 anyway.

12 THE CHAIRMAN: All right. I'll
13 coordinate with you by the end of the
14 week. I'll get names to you.

15 MR. ARMSTRONG: Okay.

16 THE CHAIRMAN: And we'll figure
17 it out.

18 MR. ARMSTRONG: And then we can
19 also incorporate the risk assessment.
20 Maybe go out, you know, while we're
21 there, have some discussions about
22 that as well.

23 THE CHAIRMAN: Excellent. Good
24 idea.

25 MR. DEDAR: Thank you,

1 Mr. Chairman. Thank you,
2 Mr. Director.

3 MR. BOR: There being no further
4 business, is there a motion to
5 adjourn?

6 THE CHAIRMAN: Motion.

7 MR. DEDAR: Second.

8 MR. BOR: Mr. Dedar.

9 MR. DEDAR: Yes.

10 MR. BOR: Mr. Hill.

11 MR. HILL: Yes.

12 MR. BOR: Ms. Langford?

13 MS. LANGFORD: Yes.

14 MR. BOR: Mr. Cheatham.

15 MR. CHEATHAM: Yes.

16 MR. BOR: Mr. Devlin.

17 THE CHAIRMAN: Yes.

18 MR. BOR: Thank you. It passes.

19 Everyone stay well. See you soon.

20 - - -

21 (Whereupon, the board meeting adjourned at
22 11:27 a.m.)

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C E R T I F I C A T E

I, Michelle Palamarchuk, RPR, RMR, and Certified Court Reporter of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I do further certify that I am neither of counsel nor attorney for any party in this action, and that I am not interested in the event nor outcome of this litigation.

MICHELLE PALAMARCHUK, RPR, RMR, CRR
LICENSE NO. 30X100237600

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