



Atlantic City Municipal Utilities Authority

AGENDA

For the Regular Meeting of the
Atlantic City Municipal Utilities Authority

OCTOBER 21, 2020

There will be a Regular Meeting of the Atlantic City Municipal Utilities Authority held on 21st day of October, 2020 at the Conference Room of the Atlantic City Municipal Utilities Authority, 401 North Virginia Avenue, Atlantic City, New Jersey.

The Agenda for this Meeting is as follows:

1. CALL TO ORDER –OPMA NOTICE - OPENING STATEMENT

2. ROLL CALL

Mrs. Patricia Bailey X Mr. Gary L. Hill A Mrs. Nynell Langford X Mr. Milton L. Smith X

Mr. John Devlin X

Alternates: Mr. William K. Cheatham X Vacant

3. FLAG OF SALUTE

4. APPROVAL OF REGULAR AND EXECUTIVE SESSION MINUTES

5. EXECUTIVE DIRECTOR'S REPORT

- a. Personnel Committee Meeting
- b. Financial Reports
- c. Cash Management
- d. Balance Adjustments
- e. Retirees Recognition
 - (1) Robert Jordan
 - (2) Dale Archie
 - (3) William Stanley

6. DIRECTOR'S FORUM

- a. Acting Vice Chairman/Secretary – Res. 6 a (1)
 - (1) Nynell Langford

7. **PUBLIC PARTICIPATION – (VIA TELEPHONICALLY OR EMAIL)**

8. OLD BUSINESS

- a. Accept Bids:
 - (1) High Calcium Hydrated Lime – Res. 8 a (1)
- b. 2021 Budget
 - (1) Budget Authorization – Res. 8 b (1)
 - (2) Public Hearings Tuesday, November 24, 2020 & December 3, 2020 - Res. 8 b (2)

9. NEW BUSINESS

- a. Request for Proposals/Qualifications:
 - (1) Authority Solicitor – Res. 9 a (1)
 - (2) Labor Counsel – Res. 9 a (2)
- b. Non-Fair and Open Contract
 - (1) Annual Maintenance on Auxiliary Power Generator Engines
At Water Treatment Plant Facility – Res. 9 b (1)
- c. Replace Expired and Non- Functional Meter Transmission Units (MTU's) – Res. 9 c (1)

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- (1) Aclara Automatic Meter Reading (AMR)
 - d. Replace Expired and Non-Functional Water Meters – Res. 9 d (1)
 - (1) Sensus Water Meters
 - e. Acquisition of Proprietary Software Solution – Res. 9 e (1)
 - For ACMUA’s Advanced Metering Infrastructure (AMI)
 - (1) Aclara Technologies, LLC.
 - f. Abatements – **NECESSARY TO APPEAR – (NO PUBLIC PARTICIPATION DUE TO COVID-19)**
 - (1) Mary Ingram – 143 South Ocean Avenue – Account # 344501 -0 – Res. 9 f (1)
 - g . Joint Funding Agreement – Res. 9 g (1)
 - (1) USGS
 - h. Transcription Services – Change Order #1 –Res. 9 h (1)
 - (1) Atlantic City Court Reporting
 - i. Insurance Proposals:
 - (1) General Liability, Public Officials Liability, Cyber Liability – Res. 9 i (1)
And Information Security Insurance Companies
 - (2) Administrative Official – Res. 9 i (2)
10. a. Monthly Bills – Res. 10 a
11. EXECUTIVE SESSION
Motion to enter Executive Session- 11

RESOLUTION 2020 AUTHORIZING EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Board of the Atlantic City Municipal Utilities Authority “ACMUA” has deemed it necessary to go into closed session to discuss certain matters which are exempt from the Public; and

WHEREAS, the regular meeting of this Board will reconvene at the conclusion of closed session.

NOW, THEREFORE, BE IT RESOLVED that the Board of DIRECTORS of the ACMUA, in the City of Atlantic City, County of Atlantic, and State of New Jersey will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

- Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion of public (Provision _____);
- Any matter in which the release of information would impair a right to receive funds from the federal government;
- Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;
- Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees for representatives of employees of the public body (Specify contract: negotiations with bargaining units);
- Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;
- Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;
- Any investigations of violations or possible violations of the law;

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- Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party.
- Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If contract negotiation the nature of the contract and interested party) (Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Authority's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact);
- Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected in writing that such matter or matter be discussed at public meeting; Subject to the balancing of the public's interest and the employee's privacy right under South Jersey Publishing, 124 N.J. 478, the employee(s) and nature of discussion is _____;
- Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party of the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED that the DIRECTORS hereby declare that its discussion of the aforementioned subject(s) may be made public at a time when the Solicitor advises the Board that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the ACMUA or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Board, for the aforementioned reasons, hereby declares that the public is excluded from the portion or the meeting during which the above discussion shall take place and here by directs the ACMUA to take the appropriate action to effectuate the terms of this resolution.

I, Claude Smith do hereby certify the above to be a true and correct copy of a resolution to be adopted by the ACMUA at this meeting held on the 21st day of October, 20 20 .

12. MOTION TO RETURN TO OPEN SESSION

13. ADJOURNMENT

Submitted by: Claude Smith, Acting Executive Director
Atlantic City Municipal
Utilities Authority