Agenda No. BOARD MINUTES
Resolution No. 123
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority held their regularly scheduled Board Meeting on July 17, 2019 commencing at 10:00am, there being present:

CHAIRMAN	Milton L. Smith
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	John Devlin
BOARD MEMBER	Nynell Langford
BOARD MEMBER	Patricia Bailey
BOARD MEMBER, ALTERNATE # 1	John McGettigan
BOARD MEMBER, ALTERNATE # 2	William Cheatham

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that this Resolution hereby approves the transcript minutes reported by Gena Nardone, Certified Court Reporter for the July 17, 2019 Board Meeting.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 9 a (2)
Resolution No. 124
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Resolution #395 of 1994 provides for Rules, Rates & Regulations governing the assessment and collection of water rates and charges for the Water Department of the Atlantic City Municipal Utilities Authority; and

WHEREAS, Section 5 (d) of said Resolution provides that the Board of Directors, by Resolution, may approve adjustment of such charges; and

WHEREAS, the property owned by CHAN KUI WONG, Water Account No.850101-0, located at 115 North Raleigh Avenue., experienced miscellaneous water leaks causing the additional consumption of 61,045 cubic feet of water; and

NOW THEREFORE BE IT RESOLVED, that the previous water service charges be adjusted; and

BE IT FURTHER RESOLVED, that the charges totaling ONE THOUSAND TWO HUNDRED FOUR DOLLARS AND SISTEEN CENTS ($1,204.16) are HEREBY ABATED from the accounts receivable ledgers of the Authority; and

BE IT FURTHER RESOLVED, that this abatement is conditioned upon payment of all outstanding balances on all accounts after the abatement is applied, within thirty (30) days.

BE IT FURTHER RESOLVED, the customer may elect to pay off the account balances via installment payment plan. If this option is chosen, the abatement is contingent upon the following:

1. That the installment plans are signed and the initial payment made within thirty (30) days of the date of the Board Meeting;

2. That the installment payments are made as scheduled;

3. That all current charges on the account are paid promptly (within thirty (30) days) of the billing, until such a time that all balances due have been paid relative to this account.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 9 a (3)
Resolution No.125
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Resolution #395 of 1994 provides for Rules, Rates & Regulations governing the assessment and collection of water rates and charges for the Water Department of the Atlantic City Municipal Utilities Authority; and

WHEREAS, Section 5 (d) of said Resolution provides that the Board of Directors, by Resolution, may approve adjustment of such charges; and

WHEREAS, the property owned by JOSEPH TOTH, Water Account No.930201-0, located at 1015 North Ohio Avenue., experienced miscellaneous water leaks causing the additional consumption of 230,200 cubic feet of water; and

NOW THEREFORE BE IT RESOLVED, that the previous water service charges be adjusted; and

BE IT FURTHER RESOLVED, that the charges totaling FOUR THOUSAND SIX HUNDRED SEVENTY EIGHT DOLLARS AND THIRTY CENTS ($4,678.30) are HEREBY ABATED from the accounts receivable ledgers of the Authority; and

BE IT FURTHER RESOLVED, that this abatement is conditioned upon payment of all outstanding balances on all accounts after the abatement is applied, within thirty (30) days.

BE IT FURTHER RESOLVED, the customer may elect to pay off the account balances via installment payment plan. If this option is chosen, the abatement is contingent upon the following:

1. That the installment plans are signed and the initial payment made within thirty (30) days of the date of the Board Meeting;

2. That the installment payments are made as scheduled;

3. That all current charges on the account are paid promptly (within thirty (30) days) of the billing, until such a time that all balances due have been paid relative to this account.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 9 a (4)
Resolution No. 126
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Resolution #395 of 1994 provides for Rules, Rates & Regulations governing the assessment and collection of water rates and charges for the Water Department of the Atlantic City Municipal Utilities Authority; and

WHEREAS, Section 5 (d) of said Resolution provides that the Board of Directors, by Resolution, may approve adjustment of such charges; and

WHEREAS, the property owned by BARRY L. LEVINE, Water Account No.46901-0, located at 207 Oriental Avenue, experienced miscellaneous water leaks causing the additional consumption of 58,720 cubic feet of water; and

NOW THEREFORE BE IT RESOLVED, that the previous water service charges be adjusted; and

BE IT FURTHER RESOLVED, that the charges totaling ONE THOUSAND TWO HUNDRED FIFTY FIVE DOLLARS AND SEVENTY SIX CENTS ($1,255.76) are HEREBY ABATED from the accounts receivable ledgers of the Authority; and

BE IT FURTHER RESOLVED, that this abatement is conditioned upon payment of all outstanding balances on all accounts after the abatement is applied, within thirty (30) days.

BE IT FURTHER RESOLVED, the customer may elect to pay off the account balances via installment payment plan. If this option is chosen, the abatement is contingent upon the following:

1. That the installment plans are signed and the initial payment made within thirty (30) days of the date of the Board Meeting;

2. That the installment payments are made as scheduled;

3. That all current charges on the account are paid promptly (within thirty (30) days) of the billing, until such a time that all balances due have been paid relative to this account.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 8 a (1)
Resolution No. 127
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the Advertisement, Proposal Form and the Specifications and Instructions to Bidders this day are resubmitted by the Executive Director to FURNISH AND DELIVER F.O.B. the Distribution System Maintenance Facility and the Treatment Plant Facility of the Authority, located at 401 N. Virginia Avenue, Atlantic City, NJ, and 1151 Main Street Pleasantville, N.J., the following vehicle(s):

(2) 2020 Ford Transit Connects XL Van Long Wheelbase No Windows

- White exterior and Black Vinyl Seats
- Slide Doors right and left side of vehicle.
- Rear Doors Swing Out and No Glass Windows
- No glass behind driver.
- Shelving space on back wall in cargo area with draws.
- Bottom Shelve Drawer full width of back wall (must be allowed to open as two single draws) width 15" x depth 14".
- Next Shelve Drawer (above bottom drawer) full width of back wall with a depth of 4" (must be allowed to open as two single drawers).
- Next Shelve Drawers full width of back wall 5X5 individual drawers.
- Left side in cargo area place needed to secure a 5gal. (14x10) gas container.
- Right side in Cargo area place is need to secure a 2" water pump (21x16) with area to hang water suction and discharge hoses.
- Back up Camera

(1) KNAPHEIDE 2020 Ford Super Duty F-350 DRW XL 2WD Reg. Cab 145" WB 60" CA & Chassis model # KC108H2094J

- White Standard Paint

Furnish and Install the Following New Ford F-350, Gas Powered with 60" Cab to Axle Measurement

- (1) 9ft KUVcc Utility Body with High Top Canopy, White
- (1) Install kit for Ford
- (1) Set pf LED Compartment Strip Lighting to be installed
- (1) Kit, Receiver Hitch with Maximum Trailer Weight of 12,00lbs. Maximum Tongue weight is 2,400lbs. and 2.5" Receiver Tube (class V)
- (1) Galava Grip Bumper PHR with Pintle Hook Recessed
- (1) Directional LED Safety Light Bar mounted at the Top/rear of Vehicle
- (1) Interior Body Ladder Rack Mounting Kit (street side)
- (1) Yellow Beacon Strobe Light, Mounted front/top of vehicle for 360 degree view
- (1) Trailer Plug 7 Pin
- (1) Grab Handle each side of bumpers
- (1) Jack hammer Holder rear compartment (street side)
- (1) Spare Tire & Jack

(1) 2020 Ford F-350 Chassis Cab Dump Truck

- Standard equipment per specifications
- Regular Cab R2 Wheel Drive
- Plug, 7 Prong Flat Trailer
- Pintle hook with 2" Ball
- White exterior and Black Vinyl Seats

Directional LED Safety Light Bar mounted at the Top of Vehicles be and the said documents are hereby APPROVED AND ADOPTED; and

BE IT FURTHER RESOLVED, that authority be and is hereby given to the Authority Executive Director to re-advertise for bids in the form of advertisement for the undertaking hereinabove set forth, the said bids to be received and publicly opened and read at a meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority to be held on Tuesday, September 10, 2019.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 8 a (2)
Resolution No.128
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority and FRIEDMAN, LLP, 327 Central Avenue, Linwood, New Jersey, entered into an Agreement on August 15, 2018 for Accountant and Auditing services for the Atlantic City Municipal Utilities Authority; and

WHEREAS, it has become necessary for FRIEDMAN, LLP to perform additional services which were not contemplated in the original agreement thereto; and

WHEREAS, the additional work is the result of additional auditing procedures required under GASB 68, Accounting & Financial Reporting for Pensions, and documentation and redevelopment of inventory procedures for on-site inventory field testing; and

WHEREAS, attached hereto is Exhibit A of the proposed additional work that is being required; and

WHEREAS, the cost of this work shall increase the contract price by $25,000.00; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the original agreement of August 15, 2018 by and between the Atlantic City Municipal Utilities Authority and FRIEDMAN, LLP, 327 Central Avenue, Linwood, New Jersey is hereby amended to permit the additional work to be performed as set forth in Exhibit A.

BE IT FURTHER RESOLVED, that the cost of this additional work shall increase the contract price by $25,000.00.

Upon Motion, This Resolution was ADOPTED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 9 a (5)
Resolution No. 129
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Resolution #395 of 1994 provides for Rules, Rates & Regulations governing the assessment and collection of water rates and charges for the Water Department of the Atlantic City Municipal Utilities Authority; and

WHEREAS, Section 5 (d) of said Resolution provides that the Board of Directors, by Resolution, may approve adjustment of such charges; and

WHEREAS, the property owned by CHARALIDIS EKATERINI, Water Account No.722701-0, located at 52 North Hartford Avenue., experienced miscellaneous water leaks causing the additional consumption of 12,160 cubic feet of water; and

NOW THEREFORE BE IT RESOLVED, that the previous water service charges be adjusted; and

BE IT FURTHER RESOLVED, that the charges totaling TWO HUNDRED TWENTY FOUR DOLLARS AND NINETY SIX CENTS ($224.96) are HEREBY ABATED from the accounts receivable ledgers of the Authority; and

BE IT FURTHER RESOLVED, that this abatement is conditioned upon payment of all outstanding balances on all accounts after the abatement is applied, within thirty (30) days.

BE IT FURTHER RESOLVED, the customer may elect to pay off the account balances via installment payment plan. If this option is chosen, the abatement is contingent upon the following:

1. That the installment plans are signed and the initial payment made within thirty (30) days of the date of the Board Meeting;

2. That the installment payments are made as scheduled;

3. That all current charges on the account are paid promptly (within thirty (30) days) of the billing, until such a time that all balances due have been paid relative to this account.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 9 b (1)
Resolution No. 130
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the Advertisement, Proposal Form and the Specifications and Instructions to Bidders this day submitted by the Deputy Executive Director of Operations to FURNISH, DELIVER AND INSTALL MISCELLANEOUS PLUMBING ALTERATIONS TO WATER SERVICES AT VARIOUS LOCATIONS, and the said documents are hereby APPROVED and ADOPTED; and

BE IT FURTHER RESOLVED, that authority be and is hereby given to the Authority Executive Director to solicit for bids in the form of the advertisement for the undertaking hereinabove set forth, the said bids to be received and publicly opened and read at a meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority to be held on Tuesday, September 10, 2019 at 11:00 a.m. prevailing time.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 9 b (2)
Resolution No. 131
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the Advertisement, Proposal Form and the Specifications and Instructions to Bidders this day submitted by the Deputy Executive Director of Engineering to FURNISH AND INSTALL REPLACEMENT WATER MAINS 2019 located at MAGELLAN AVE, LINCOLN AVE, NORTH ARKANSAS AVE, WINCHESTER AVE, ABERDEEN AVE, and TALLAHESSEE AVE; and

BE IT FURTHER RESOLVED, that authority be and is hereby given to the Authority Executive Director to advertise for bids in the form of advertisement for the undertaking hereinabove set forth, the said bids to be received and publicly opened and read at a special meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority to be held on Thursday, September 12, 2019, at 11:00 a.m. prevailing time.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SEC'Y

Agenda No. 9 c (1)
Resolution No. 132
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Board of Directors of the Atlantic City Municipal Utilities Authority is desirous of improving the MUA's goal to recruit, train and retain qualified Personnel; and

WHEREAS, there exists a need to perform difficult knowledgeable and responsible inspection duties of water main installation and replacement, service lateral installation as well as other related work for the Atlantic City Municipal Utilities Authority; and

WHEREAS, the Board of Directors of the Atlantic City Municipal Utilities Authority would like to create the following title:

Senior Water Inspector (Grade 6)

The Civil Service Commission job specification for this title is attached and made a part of this resolution; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the Authority will create the following title to be part of the Blue Collar Union:

1. Senior Water Inspector (Grade 6)

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 9 d (1)
Resolution No. 133
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of every authority to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Certified Public Accountant with the Authority Secretary pursuant to N.J.S.A. 40A:5A-15, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs: and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 50:30-6.5, a regulation requiring that the governing body of each authority shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the Annual Audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the government body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

> R.S. 52:27BB-52: A local officer or member of a local governing body who after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Governmental Services), under the provisions of this Article, shall be guilty of misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW THEREFORE BE IT RESOLVED, that the Chairman and members of the Atlantic City Municipal Utilities Authority hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said members to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON AUGUST 21, 2019.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 9 e (1)
Resolution No. 134
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBER OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA) owns and operates its own Water Department; and

WHEREAS, the ACMUA is a contracting unit subject to the Local Public Contracts Law (NJSA 40A:11-1 et seq: and

WHEREAS, the Executive Director, in consultation with staff, determined and declared that the need to install a VFD (Variable Frequency Drive) for each of the pumps at the Low Lift allowing for the pumping at variable rates to keep the water being treated uniform throughout the pretreatment process constitutes an emergency affecting the public health, safety or welfare; and

WHEREAS, the maintenance of the Water System is the responsibility of the said ACMUA; and

WHEREAS, it was found to be of an emergent matter to replace both VFDs in the Low Lift immediately as one has totally failed and the other's digital readout has failed so that local operation cannot be completed at this time; and

WHEREAS, the Atlantic City Municipal Utilities Authority in discharging its responsibilities to maintain the Authority Water System will have repairs provided by current contract of Calvi Electric of Atlantic City, that will provide the labor, tools, and equipment necessary to perform the emergency work described herein above; and

WHEREAS, the Local Public Contract Law, N.J.S.A. 40A:11-6 provides that advertising may be dispensed with in the event of an emergency; and

WHEREAS, public health and safety demands that the work be done immediately; and

WHEREAS, the Board of Directors of the Atlantic City Municipal Utilities Authority finds as a fact that an emergency does exist;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that G. Bruce Ward Executive Director be AUTHORIZED AND DIRECTED in the ordinary course of Authority business to secure certain materials, and supplies, to be furnished by Cooper Electric Supply Company, lowest quoted price for these materials and supplies; and

NOW THEREFORE BE IT RESOLVED, the purchase of VFDs from said supplier at a total cost not to exceed TWENTY THREE THOUSAND TWO HUNDRED NINETEEN DOLLARS AND SIXTY EIGHT CENTS ($23,219.68) and a Start up cost in the amount of ONE THOUSAND TWO HUNDRED DOLLARS ($1,200.00) for the purchase of the VFDs and to perform the installation work described above at ACMUA Treatment Plant Facility located in Pleasantville, NJ, with a total cost of TWENTY FOUR THOUSAND FOUR HUNDRED NINETEEN DOLLARS AND SIXTY EIGHT CENTS ($24,419.68), and

BE IT FURTHER RESOLVED, that a Certificate from the Deputy Executive Director of Finance of the ACMUA has been attached to this Resolution showing the availability of funds and specifying the line item appropriation form the 2019 Capital Budget Account # C-04-20-320-815-863, Emergency Capital Repairs, to satisfy the aforesaid cost of the installation of VFDs.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHARMAN/SEC'Y

Agenda No. 9 f (1)
Resolution No. 135
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to the Water Service Agreement by and between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY ("Authority"), a Municipal Corporation of the State of New Jersey, and 807 BALTIC LLC., a limited liability corporation in the State of New Jersey, with an address of 4019 Ocean Heights Avenue, Egg Harbor Township, NJ 08234, for property bounded by the 200 block of North Delaware Avenue on the east, the 800 block of Lexington Avenue on the north, and the 800 block of Baltic Avenue on the south, Block 415, lot 9, inclusive, and will connect to the public water supply system of the Authority for a Small Distillery Structure in the City of Atlantic City, NJ; and

BE IT FURTHER RESOLVED that a copy of this contract shall be made available in the Office of the Atlantic City Municipal Utilities Authority for public inspection.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 10 a
Resolution No. 136
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority has indebtedness to the following companies for services rendered;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the following bills are ACKNOWLEDGED and AUTHORIZED TO BE PAID in the amount of ONE MILLION TWENTY THOUSAND SIX HUNDRED TWENTY NINE DOLLARS AND SEVENTY FIVE CENTS. ($1,020,629.75); and

BE IT FURTHER RESOLVED, that the Comptroller of the Atlantic City Municipal Utilities Authority hereby certifies as to the availability of funds.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 11
Resolution No. 137
Date August 21, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD

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;

☐ 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.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority (ACMUA) will go into Closed Session and will re-convene after closing

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY