Agenda No. Board Minutes
Resolution No. 24
Date February 27, 2019

ATLANTIC CITY • MUNICIPAL UTILITIES AUTHORITY • 1978

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 January 16, 2019 commencing at 10:00am, there being present:

CHAIRMAN	Milton L. Smith
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	John McGettigan (not present)
BOARD MEMBER	Nynell Langford
BOARD MEMBER, ALTERNATE #1	Patricia Bailey
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 Dominique Caputo, Certified Court Reporter for the January 16, 2019 Board Meeting.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 5 a
Resolution No. 25
Date February 27, 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 MILTON L. SMITH is hereby elected as CHAIRMAN of the Board for the term expiring FEBRUARY 1, 2020.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 5 b
Resolution No. 26
Date February 27, 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 GARY L. HILL is hereby elected as VICE CHAIRMAN/SECRETARY of the Board for the term expiring FEBRUARY 1, 2020.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 5 c
Resolution No. 27
Date February 27, 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 JOHN DEVLIN is hereby elected as TREASURER of the Board for the term expiring FEBRUARY 1, 2020.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No.5 g
Resolution No. 28
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Board of Directors and the staff of the Atlantic City Municipal Utilities Authority remain devastated by the recent tragic passing of our beloved co- worker and dearest friend, Demond T. Tally, and

WHEREAS, Demond was a long time resident of Atlantic City and 1992 graduate of Egg Harbor Township High School, and

WHEREAS, Demond joined the staff of the Atlantic City Municipal Utilities Authority in October of 2011 at the entry position of Laborer I, and

WHEREAS, Demond quickly recognized the opportunity to build a career in the water industry and began the quest to study and qualify for upper ranks, and

WHEREAS, Demond enrolled for coursework which he attended after work hours and passed the certifying examination for Water Repairer in 2014, and

WHEREAS, as Water Repairer, Demond became the Authority's lead staff member to install and adjust water meters to function effectively with the Authority's wireless computerized billing systems, and

WHEREAS, Demond continued his studies at Rowan College and successfully completed the Advanced Water Operations Parts I & II Program December 2018, and

WHEREAS, following his Advanced Water Operations Certification less than sixty days ago, Demond was scheduled to begin his new assignment of Water Operator Apprentice beginning March 1, 2019, and

WHEREAS, while it was well known throughout the Authority that Demond was a **"Rising Star,"** Demond was well liked by all and exemplified the model of a team player and friend, and

WHEREAS, Demond's prior volunteer service as a Coach to youth football laid a broad foundation toward his affection for his community and his embracing character, and

WHEREAS, the entire Atlantic City Municipal Utilities family will sadly miss his kind and enduring smile he gave unconditionally day after day,

NOW THEREFORE, The Atlantic City Municipal Utilities Authority joins with the greater Atlantic City community to extend our heartfelt condolences to the family of Demond T. Tally and extend our wish for comfort and care during your time of grief and sorrow, and

FURTHERMORE BE IT RESOLVED, it is our wish that the life of Demond T. Tally shall serve as a beacon for the youth and families of the Atlantic City community to strive for excellence and compassion in all you desire to achieve and to do so with love of life and concern for your neighbor as Demond so gracefully demonstrated for all.

Upon Motion ,This Resolution was APPROVED as Read.

MILTON L. SMITH, CHAIRMAN

Agenda No.5 d
Resolution No. 29
Date February 27, 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 will hold its regular meetings on the THIRD WEDNESDAY of each month for the remainder of the calendar year of 2019; and

BE IT RESOLVED, the following dates are the scheduled meetings of the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY at 10:00 A.M., in the Conference Room, located at 401 N. Virginia Avenue, Atlantic City, New Jersey;

MARCH 20, 2019	SEPTEMBER 18, 2019
APRIL 17, 2019	OCTOBER 16, 2019
MAY 15, 2019	NOVEMBER 20, 2019
JUNE 19, 2019	DECEMBER 18, 2019
JULY 17, 2019	JANUARY 15, 2020
AUGUST 21, 2019	FEBRUARY 19, 2020

and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published at least twice in The Press.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 5 e
Resolution No. 30
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Local Fiscal Affairs Law (N.J.S.A. 40A:5-1 et seq., as amended and supplemental) requires that the Atlantic City Municipal Utilities Authority have a Cash Management Plan ("Cash Manager Plan") delineating compliance with the requirements of the Local Fiscal Affairs Law; and

WHEREAS, N.J.S.A. 40A:5-14(e) requires that the Assistant Director of Accounting & Finance report on a monthly basis the type, maturity and yield on investments.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority, County of Atlantic, New Jersey that the Cash Management Plan for February 20, 2019 through and including February 19, 2020 is hereby approved as on file with the Municipal Clerk of the City of Atlantic City.

Upon Motion, this Resolution was APPROVED as Read

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 10 a (3)
Resolution No. 31
Date February 27, 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 GARY & PATRICA HEM, Water Account No.144801-0, located at 120 North Massachusetts Ave., experienced miscellaneous water leaks causing the additional consumption of 47,960 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 EIGHT HUNDRED TWENTY TWO DOLLARS AND THIRTY NINE CENTS ($822.39) 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. 10 a (1)
Resolution No. 32
Date February 27, 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 DEKBON COMMUNITY DEVELOPMENT CORP., Water Account No.954301-0, located at 707 North Michigan Avenue., experienced miscellaneous water leaks causing the additional consumption of 42,930 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 SEVEN HUNDRED EIGHTY FOUR DOLLARS AND FOUR CENTS ($784.04) 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. 10 a (2)
Resolution No. 33
Date February 27, 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 HIEU NGUYEN, Water Account No. 669501-0, located at 14 North Morris Avenue., experienced miscellaneous water leaks causing the additional consumption of 10,505 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 DOLLARS AND SEVENTY THREE CENTS ($200.73) 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 (1)
Resolution No. 34
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, there exists a need by the Atlantic City Municipal Utilities Authority for Transcription Services to provide stenographic services to report for the ACMUA for a twelve (12) month period from February 27, 2019 through February 19, 2020 for an account of the ACMUA's Board Meeting, Special Meetings and Public Hearings; and

WHEREAS, such specialized Transcription Services can only be provided by a recognized Transcription firm licensed in the State of New Jersey; and

WHEREAS, Atlantic City Court Reporting , LLC, 1125 Atlantic Avenue, Suite 511, Atlantic City, New Jersey, is so licensed by the State of New Jersey and recognized by the Transcription community; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the local Public Contracts Law (N.J.S.A. 40A:11-1, et,seq.) requires that notice with respect to contracts for professional services awarded without competitive bids must be made available for public inspection;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority as follows:

1. The Transcription Services of Atlantic City Reporting, LLC, 1125 Atlantic Avenue, Atlantic City, New Jersey, is hereby retained to provide Transcription services to keep an account of the ACMUA's Board Meeting, Special Meetings and Public Hearings.

2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1) (a), because it is for services performed by persons authorized by law to practice a recognized profession.

3. The fee for this service shall be $160.00 per appearance, subject to a contract maximum of $10,000.00.

4. Payment of the fee shall be made upon the presentation of a voucher by submission of Atlantic City Court Reporting, LLC.

5. Attached hereto and made a part hereof is a copy of the proposed contract to be entered into between the Authority and Atlantic City Court Reporting, LLC, and the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to the attached agreement.

6. A copy of this Resolution, as well as the contract, shall be placed on file with the office of the Atlantic City Municipal Utilities Authority.

7. A notice, in accordance with the Local Public Contract Law of New Jersey, in the form attached shall be published in The Press at least once.

Upon Motion, This Resolution was ADOPTED as read.

GARY L. HILL, V ICE CHAIRMAN/SECRETARY

Agenda No.9 b (1)
Resolution No. 35
Date: February 27, 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 bid of CARMEUSE LIME & STONE, INC., a corporation of the State of Pennsylvania, for Furnishing and Delivering HIGH CALCIUM HYDRATED LIME to the Pumping Station of the Atlantic City Municipal Utilities Authority located at 1151 N. Main Street, Pleasantville, NJ, which bid was received and publicly opened and read at a meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority held February 14, 2019, be and the said bid is hereby ACCEPTED, the said CARMEUSE LIME & STONE, INC. being the lowest responsible bidder for the said undertaking; and

BE IT FURTHER RESOLVED, that authority be and it is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest a contract to be entered into between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and the said CARMEUSE LIME & STONE, INC., for Furnishing and Delivering HIGH CALCIUM HYDRATED LIME to the Pumping Station of the Authority, Located at 1151 N. Main Street, Pleasantville, NJ, as aforesaid in strict accordance with the specifications approved and adopted by the said Board on January16, 2019 the said contract to be approved as to form and execution by the Authority Solicitor; and

BE IT FURTHER RESOLVED, that a Certificate from the Comptroller of the Atlantic City Municipal Utilities Authority be attached to this Resolution showing the availability of funds and specifying the line item appropriation from 2019 Budget Acct. No. 9-01-20-202-542-410, Chemicals and Gases, to satisfy the aforesaid award of contract in the amount of FIFTY NINE THOUSAND SEVEN HUNDRED FOURTY EIGHT DOLLARS ($59,748.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN, SEC'Y

Agenda No. 9 c (1)
Resolution No. 36
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Board of Directors of the City of Atlantic City Municipal Utilities Authority of which bids were received and publicly opened and read at a meeting of the Purchasing Board held on January 8, 2019 for the project entitled 'FURNISHING AND DELIVERING FIRE HYDRANTS, STAINLESS STEEL REPAIR CLAMPS AND CAST IRON FITTINGS', for the use of the said Water Department; and

WHEREAS, the Bid of the THREE (3) CONTRACTORS listed below for the item numbers and total amounts shown opposite thereto in strict compliance with the forms of advertisement and proposal form the specifications and instructions to bidders therefore, approved and adopted by the Board of Directors on January 16, 2019; and

WHEREAS, it has become necessary to amend Resolution #4 for the original project entitled 'FURNISHING AND DELIVERING FIRE HYDRANTS, STAINLESS STEEL REPAIR CLAMPS AND CAST IRON FITTINGS, and

THEREFORE BE IT RESOLVED, that the FOLLOWING BIDS are HEREBY AMMENDED as follows and authority is hereby given to the Chairman to execute and the Vice Chairman/Secretary to attest to this amended agreement to be entered into between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and accepted as amended and adopted by the Board of Directors on February 27, 2019 the said contracts and required accompanying performance bonds to be approved as to form and execution by the Solicitor of the Atlantic City Municipal Utilities Authority:

CONTRACTOR	ITEM NUMBERS	TOTAL AWARD
1. CORE & MAIN LP. Berlin, NJ	1a,1b,1c,1d,1g,1h,1i 2a,2b,2c,2d,2e,2f,2g,5, 6a,6b,6c,6e,6f,6g,8n,9c,9j, 9l,9m,10a,11d,11f,	$ 32,695.00
2. Water Works Supply Co. Pompton Plains, NJ	3a,3b,3c,3e,3f,4a,4b,4c,4e,7b, 10b,10c,11b,11c	$ 144,951.61
3. FERGUSON WATERWORKS	7c,7d,8a,8b,8d,8e,8f,8g,8h,8i 9a,9b,9d,9e,9f,9h,9i,9n,9o,9p 9q,9r,9s,9t,9u,10e	$ 8,912.02
	Grand Total All Awards:	$ 186,558.63

and

BE IT FURTHER RESOLVED, that a certificate from the Comptroller of the Atlantic City Municipal Utilities Authority has been attached to this Resolution showing the availability of funds from 2019 Capital Account No. X-04-20-340-850-426/2019 in the total sum of ONE HUNDRED EIGHTY SIX THOUSAND FIVE HUNDRED FIFTY EIGHT DOLLARS AND SIXTY THREE CENTS ($186,558.63).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 10 b (1)
Resolution No.37
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

RESOLUTION OF THE ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW (*N.J.S.A* 40A:11-5.(1)(a)(i)) IN CONNECTION WITH THE BOARD'S RENEWABLE ENERGY PROGRAM , THE TERMINATION OF THE 2018 RFQ PROCESS AND THE ISSUANCE OF A COMPETATIVE CONTRACTING REQUEST FOR PROPOSALS FOR A SOLAR POWER PURCHASE AGREEMENT

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority Board of Commissioners ("Board") desires to further its Renewable Energy Program ("Program") by issuing a Request for Proposals ("RFP") seeking proposals from solar developers to fund, install, own, operate and maintain photovoltaic energy systems, including floating systems; and

WHEREAS, under the Program, solar panels, including any related electrical modifications or other work required or convenient for the installation of solar projects will be installed on or at certain Board-owned facilities, including reservoirs (collectively, the "Facilities"); and

WHEREAS, the Board previously authorized the issuance of a Request for Qualifications ("RFQ") in an effort to determine the level of market interest in pursuing a floating renewable energy project; and

WHEREAS, a significant amount of time has passed since the time that responses to the RFQ were received by the Board; and

WHEREAS, law and regulations concerning solar development which were not in place at the time of the RFQ, including a community solar structure, are now in the process of being developed and implemented by the Board of Public Utilities; and

WHEREAS, the Board desires to retain a legal advisor to assist it with the development and administration of its Program, the RFP and the contracting associated therewith; and

WHEREAS, the Board desires to retain Ryan J. Scerbo, Esq., DeCotiis, FirtzPatrick, Cole & Giblin, LLP ("DeCotiis"), to provide special legal services to the Board in connection with its Program in accordance with the terms of DeCotiis' proposal attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, pursuant to law, specifically, *N.J.S.A.* 40A:11-5(1)(a)(i), the Board is authorized to award contracts for professional services without public bidding; and

NOW THEREFORE BE IT RESOLVED, by the Board of the Atlantic City Municipal Utilities Authority that:

1. The Executive Director is hereby authorized and directed to enter into a Professional Service Agreement with DeCotiis in accordance with DeCotiis' proposal attached hereto and made a part hereof as **Exhibit A**.

Agenda No. 10 b (1)
Resolution No. 37
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

2. The Executive Director, working with DeCotiis, and Gabel Associates is hereby authorized and directed to develop, issue and administer a competitive contracting request for proposals seeking proposals from solar developers for the implementation of the Board's Program.

3. The Executive Director is hereby authorized and directed, working with DeCotiis and Gabel, to terminate the RFQ process and notify any respondents thereto concerning same and about the forthcoming RFP.

4. The Executive Director is hereby authorized and directed to include in the request for proposals a requirement that the successful respondent reimburse the Board for all costs associated with the development and implementation of the Program.

Upon Motion This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 10 b (2)
Resolution No. 38
Date February 27, 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 Request for Qualifications and Experience this day submitted by the Executive Director for a Vendor Contract to Install and Maintain Vending Machines at the Atlantic City Municipal Utilities Authority's Administration Building and Water Treatment Plant Facility in connection with the item listed herein below be and the said document is hereby APPROVED and ADOPTED:

1. VENDING SERVICES

and

BE IT FURTHER RESOLVED, that authority be and it is hereby given to the Authority Executive Director to advertise for such Statements of Qualifications and Experience in the form of Advertisement for the undertaking herein set forth; and

BE IT FURTHER RESOLVED, that said State of Qualifications and Experience will be received and publicly opened and read at a meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority to be held TUESDAY, APRIL 9, 2019 at 11:00AM.

Upon Motion, This Resolution was APPROVED and Read.

GARY L. HILL VICE CHAIRMAN/SECRETARY

Agenda No. 10 c (1)
Resolution No 39
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority and C. ABBONIZIO CONTRACTORS, INC., a corporate of the State of New Jersey, P.O. Box 315, Sewell, New Jersey 08080, entered into an agreement July 26, 2018 to FURNISH AND INSTALL PRE-FABRICATED POST LIME SYSTEM, for the use of said Water Department.

WHEREAS, the Board of Directors adopted Resolution No. 118 on July 18, 2018 and awarded a contract to C. ABBONIZIO CONTRACTORS, INC; and

WHEREAS, the original contract required the successful bidder to entirely complete the work within 180 calendar days after the date of the written notice to proceed; and

WHEREAS, the written notice to proceed was issued to the contractor on August 27th, 2018, authorizing the contractor to proceed with construction; and

WHEREAS, the established date for the completion of all works related to said project was calculated to be February 22, 2019; and

WHEREAS, the contractor has commenced and completed the fabrication of the pre-fabricated lime silo and said fabrication submittals resulted in 8 -10 weeks and delivery will take 14 – 16 weeks after drawing approvals; and

WHEREAS, the physical construction and installation of the pre-fabricated lime silo will take several more weeks to complete and more necessary time is need; and

WHEREAS, C. ABBONIZIO CONTRACTORS, INC. is requesting an additional 42 days to complete the work on April 5, 2019 as stated in the attached Exhibit A; and

WHEREAS, change order No. 1 is to award additional time as a time extension to complete the work at no additional cost to the contract; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that Change Order No. 1 for the hereinabove contract is HEREBY APPROVED for time extension, which will add zero dollars ($0) to C. ABBONIZIO INC. contract; and

BE IT FURTHER RESOLVED, that Authority is hereby given to Claude Smith, Deputy Executive Director of Engineering, to accept such Change Order and sign same and he is empowered to execute such further documents as may be necessary to effectuate Change Order No. 1; and

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 10 d (1)
Resolution No. 40
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority and BUCHART HORN, 2A Eves Drive, Suite 110, Marlton, New Jersey entered into an Agreement on November 19, 2013 for engineering services in connection with Well #19, Diesel Fuel Spill for the Atlantic City Municipal Utilities Authority; and

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

WHEREAS, the recommended remedial action for the Well #19 case is Monitored Natural Attenuation (MNA), and to proceed with MNA as the remedial action, it is necessary to monitor the groundwater conditions over a period of eight (8) consecutive calendar quarters; and

WHEREAS, the State of New Jersey Department of Environmental Protection Site Remediation Waste Management Program has established a Classification Exception Area/Well Restriction Area (CEA/WRA) for the spill site; and

WHEREAS, the CEA/WRA is for an indeterminate duration, attainment of the Ground Water Quality Standards must be confirmed through groundwater sampling within 180 days after the expiration date, pursuant to N.J.A.C. 7:26C-7.9(f)

WHEREAS, attached hereto is Exhibit A of the proposed quarterly groundwater monitoring recommended work required by the MUA, which was not anticipated; and

WHEREAS, the cost of this work shall increase the contract price by FIFTY ONE THOUSAND EIGHT HUNDRED and TWENTY DOLLARS ($51,820.00); and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the original agreement of November 19, 2013 by and between the Atlantic City Municipal Utilities Authority and BUCHART HORN, 2A Eves Drive, Suite 110, Marlton, 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 $51,820.00.

Upon Motion, This Resolution was ADOPTED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 10 e (1)
Resolution No. 41
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts is responsible for ensuring compliance with the statue and regulations; and

WHEREAS, all public agencies that award contracts to goods and services vendors and/or construction contractors are required to comply with N.J.S.A. 10:5-31 et seq. and its implementing regulations at N.J.A.C. 17:27-1.1 et seq.; and

WHEREAS, the Atlantic City Municipal Utilities Authority ("ACMUA") is desirous of being in compliance with the State of New Jersey Department of the Treasury, Division of Contract Compliance & Equal Opportunity Office pertaining to Public Contracts; and

WHEREAS, the Authority is required to designate a Public Agency Compliance Officer (PACO) in compliance with procurement and contracting responsibilities; and

WHEREAS, it has been deemed appropriate that this Public Agency Compliance Officer to the "ACMUA" shall be G. Bruce Ward, Executive Director.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the "ACMUA" that G. Bruce Ward, Executive Director is hereby designated as the Public Agency Compliance Officer responsible as the point of contact for all matters concerning implementation an administration; and

BE IT FURTHER RESOLVED, that G. Bruce Ward is hereby authorized, upon receipt of contracts to ensure that the MUA is in compliance of the statue pertaining to Equal Employment Opportunity in accordance with the State of New Jersey Department of the Treasury for the Authority.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 10 f (1)
Resolution No. 42
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, at a regular meeting of the Board of Directors of the Atlantic City Municipal Utilities Authority, duly called and held at it's office on the 27th day of February 2019, at which a quorum was present and acting throughout, the following resolution was adopted, all as appear on the minutes of the meeting.

WHEREAS, that FULTON BANK OF NEW JERSEY (the "Bank") is hereby designated as depository and that a checking and/or interest-bearing and/or time deposit account be opened in the name of the Atlantic City Municipal Utilities Authority with said depository.

WHEREAS, that the following individuals shall be the authorized as specified on the attached:

Milton L. Smith	-	Chairman
Gary L. Hill	-	Vice Chairman/Secretary
John Devlin	-	Treasurer
Patricia Bailey	-	Board Member
Nynell Langford	-	Board Member

WHEREAS, that the Bank may rely on a certification by the Chairman and Vice Chairman/Secretary as to the names, titles and signatures of present and future officers of Atlantic City Municipal Utilities Authority and as to these and any future resolutions of this organization, and that the foregoing resolutions shall remain in full force and effect until written notice of their amendment or rescission shall have been received by the Bank, and that the receipt of such notice shall not affect any action taken by the Bank prior thereto. That any authorized signers will be automatically authorized to sign alone and without countersignature unless otherwise indicated.

NOW THEREFORE BE IT RESOLVED, that any accounts opened hereunder or other relationships authorized hereunder shall be subject to the rules, regulations, and policies of the Bank relating thereto.

BE IT FURTHER RESOLVED, that the Chairman and Vice Chairman/Secretary of Atlantic City Municipal Utilities Authority do hereby certify that the individuals named and authorized above hold the titles indicated above.

Upon Motion, This Resolution was ADOPTED as read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

ATTEST:

MILTON L. SMITH, CHAIRMAN

SEAL

Agenda No. 10 g (1)
Resolution No. 43
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, there exists a need by the Atlantic City Municipal Utilities Authority for insurance consulting services to represent said ACMUA for a twelve (12) month period from March 1, 2019 through February 19, 2020, for a review of the existing insurance program, and to negotiate renewal of this program; and

WHEREAS, such specialized insurance consulting services can only be provided by a recognized insurance firm licensed in the State of New Jersey; and

WHEREAS, WEB Insurance Consultants Inc., PMB 244, 1385 Highway 35, Middletown, New Jersey, is so licensed by the State of New Jersey and recognized by the insurance community; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the local Public Contracts Law (N.J.S.A. 40A:11-1, et,seq.) requires that notice with respect to contracts for professional services awarded without competitive bids must be made available for public inspection;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority as follows:

1. The insurance consulting firm of WEB Insurance Consultant, Inc., PMB 244, 1385 Highway 35, Middletown, New Jersey is hereby retained to provide insurance consulting services for a review of the existing insurance program, and to negotiate the renewal of this program.

2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1) (a), because it is for services performed by persons authorized by law to practice a recognized profession.

3. The fee for this service shall be $155.00 per consultant hour, subject to a contract maximum of $7,500.00.

4. Payment of the fee shall be made upon the presentation of a voucher by submission of WEB Insurance Consultants, Inc.

5. Attached hereto and made a part hereof is a copy of the proposed contract to be entered into between the Authority and WEB Insurance Consultants, Inc. and the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to the attached agreement.

Agenda No. 10 g (1)
Resolution No. 43
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

6. As a condition of this contract, William E. Brengel shall be available to answer questions when called upon at the December 2018 Engineering Committee Meeting and the December 2018 Board of Directors Meeting.

7. A copy of this Resolution, as well as the contract, shall be placed on file with the office of the Atlantic City Municipal Utilities Authority.

8. A notice, in accordance with the Local Public Contract Law of New Jersey, in the form attached shall be published in The Press at least once.

Upon Motion, This Resolution was ADOPTED as read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No. 10 h
Resolution No. 44
Date February 27, 2019

Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

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

WHEREAS, the Authority has historically found that it is in its best interest to purchase various items and services from the State of New Jersey, Department of the Treasury, Division of Purchase and Property Statewide Contract List, hereinafter referred to as (the State Contract List);

NOW THEREFORE BE IT RESOLVED, by the Authority Board of Directors that the Authority has said Board's approval to purchase the referenced listed items from the State Contract List of Vendors listed on Attachment "A" hereto;

BE IT FURTHER RESOLVED, that said State Contract List of Vendors shall be amended as needed via further Resolutions from the Authority Board of Directors.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECRETARY

Agenda No 11 a
Resolution No. 45
Date February 27, 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 FIVE HUNDRED EIGHTY FIVE THOUSAND SEVEN HUNDRED NINETY TWO DOLLARS AND SEVENTY NINE CENTS. ($585,792.79); 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. 12
Resolution No. 46
Date February 27, 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.

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GARY L. HILL, VICE CHAIRMAN/SECRETARY