



## 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 December 19, 2018 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 December 19, 2018 Board Meeting.

Upon Motion, This Resolution was APPROVED as Read.

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GARY L. HILL, VICE CHAIRMAN/SECRETARY



## Atlantic City Municipal Utilities Authority

# RESOLUTION

BY ALL MEMBERS OF THE BOARD:

**WHEREAS, Edmond "Ed" Colanzi** became a Board Member of the Atlantic City Municipal Utilities Authority in 1995 and,

**WHEREAS,** prior to joining the Atlantic City Municipal Utilities Authority, Ed began his career in public service in the Atlantic City Tax Office, and

**WHEREAS,** in 1976 Ed sought and won a seat as a City Commissioner serving from 1976 through 1982, and

**WHEREAS,** as City Commissioner, Ed fought for legalized gaming in Atlantic City and served on many Committees and Boards in support of initiatives and progress for the City of Atlantic City, and

**WHEREAS,** the Atlantic City Municipal Utilities Authority was a key beneficiary of Mr. Colanzi's experience and knowledge, and

**WHEREAS,** Ed attended every Board and Committee meeting while in his later years, with his health declining, and

**WHEREAS,** sadly, Ed passed away January 1, 2019 leaving a rich legacy of service to the City of Atlantic City, and

**WHEREAS,** Ed leaves his wife, **Kathleen "Kaye"** to mourn his loss along with the Board Members and staff of the Atlantic Municipal Utilities Authority,

**NOW THEREFORE BE IT FURTHER RESOLVED,** the Board of Directors of the Atlantic City Municipal Utilities Authority hereby extends our sincere condolences to the family of Edmond Colanzi, and express our deepest gratitude for the years of service Ed provided to the Authority, to the citizens, and businesses of Atlantic City.

Upon Motion this Resolution was APPROVED As Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



## 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 ACLARA TECHNOLOGIES, LLC, a limited liability company organized and existing under the laws of the State of Ohio, to FURNISH & INSTALL ACLARA LICENSED SOFTWARE MAINTENANCE SERVICES, which bid was received and publicly opened and read at a meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority held on January 8, 2019, be and the same bid is hereby ACCEPTED, the said ACLARA TECHNOLOGIES, LLC, 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 be entered into between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and said ACLARA TECHNOLOGIES, LLC., as aforesaid in strict accordance with the specifications approved and adopted by the said Board on December 19, 2018, 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 Capital Account No. C-04-20-340-815-421 for DCU's upgrade/T-Board 4G in the sum of THIRTY FOUR THOUSAND DOLLARS FIVE HUNDRED FORTY FOUR AND NO CENTS (\$34,544.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECRETARY



## 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 (ACMUA) that bids were received and publicly opened and read at a meeting of the Purchasing Board held Tuesday, January 8, 2019 for FURNISHING AND DELIVERING FIRE HYDRANTS, STAINLESS STEEL REPAIR CLAMPS AND CAST IRON FITTINGS, for use of the said Water Department; and

BE IT FURTHER RESOLVED, that the FOLLOWING BIDS are HEREBY ACCEPTED and authority be and is hereby given to the Chairman to execute and the Vice Chairman/Secretary to attest an agreement to be entered into between the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and 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 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:

| <u>CONTRACTOR</u>                               | <u>ITEM NUMBERS</u>                                                                  | <u>TOTAL AWARD</u> |
|-------------------------------------------------|--------------------------------------------------------------------------------------|--------------------|
| 1. CORE & MAIN LP.<br>Berlin, NJ                | 2a,2b,2c,2d,2e,2f,2g,5,<br>6a,6b,6c,6e,6f,6g,8n,9c,9j,<br>9l,9m,10a,11d,11f,         | \$ 28,789.00       |
| 2. Water Works Supply Co.<br>Pompton Plains, NJ | 1a,1b,1c,1d,1g,1h,1i, 3a,<br>3b,3c,3e,3f,4a,4b,4c,4e,7b,<br>10b,10c,11b,11c          | \$ 148,231.71      |
| 3. FERGUSON WATERWORKS                          | 7c,7d,8a,8b,8d,8e,8f,8g,8h,8i<br>9a,9b,9d,9e,9f,9h,9i,9n,9o,9p<br>9q,9r,9s,9t,9u,10e | \$ 8,912.02        |
| and                                             | Grand Total All Awards:                                                              | \$ 185,932.73      |

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 FIVE THOUSAND NINE HUNDRED THIRTY TWO DOLLARS AND SEVENTY THREE CENTS (\$185,932.73).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECRETARY



## Atlantic City Municipal Utilities Authority

# RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, on January 13, 1988 by Resolution #6 of 1988, the Board of Directors of the Atlantic City Municipal Utilities Authority adopted the Rules, Rates and Regulations on the Authority; and

WHEREAS, it is necessary to amend the Rules, Rates and Regulations and/or add as attached.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the above mentioned Sections are hereby amended as attached:

BE IT RESOLVED, that the effective date of these regulations shall be January 1, 2019.

Upon Motion, This Resolution was APPROVED as Read.



GARY L. HILL, VICE CHAIRMAN/SECRETARY



## Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, on May 8, 1985 by Resolution #77 of 1985, the Board of Directors of the Atlantic City Municipal Utilities Authority adopted the Rules, Rates and Regulations on the Authority; and

WHEREAS, in the aforementioned Resolution, the connection fee formulation was set out in detail for calendar years 1981 through 2018; and

WHEREAS, it is necessary to amend Section 1.f.8. of the aforementioned Resolution #77 of 1985 to add the connection fee formula for the current calendar year, 2019.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the aforementioned Resolution #77 of 1985 at Section 1.f.8. is hereby amended to include the following :

2019: \$19.9722/gallons per day

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



## Atlantic City Municipal Utilities Authority

# RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Board of Directors of the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY holds its regular Board Meetings on the THIRD WEDNESDAY of each month for the remainder of the calendar year of 2019 at 10:00AM; and

WHEREAS, the Board of Directors of the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY has rescheduled its day for their FEBRUARY 20, 2019 Board Meeting to WEDNESDAY, FEBRUARY 27, 2019 at 10:00 AM; and

BE IT RESOLVED, that the regular scheduled meetings of the ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY will be held in the Conference Room, located at 401 North Virginia Avenue, Atlantic City, New Jersey;

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

Upon Motion, This Resolution was APPROVED as Read.

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GARY L. HILL, VICE CHAIRMAN/SECRETARY



## 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 MING CHEN, Water Account No.712501-0, located at 5 North Providence Avenue., experienced miscellaneous water leaks causing the additional consumption of 26,600 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 HUNDRED FOURTY FIVE DOLLARS AND NINETY FIVE CENTS (\$445.95) 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



## 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 RICKY HONG., Water Account No.517001-0, located at 2323 Arctic Avenue., experienced miscellaneous water leaks causing the additional consumption of 24,530 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 HUNDRED FOURTY SIX DOLLARS AND TWENTY ONE CENTS (\$446.21) 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



## 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 RAJU M. ROB., Water Account No.756501-0, located at 449 North Fairmount Avenue., experienced miscellaneous water leaks causing the additional consumption of 25,110 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 HUNDRED FOURTY SEVEN DOLLARS AND TEN CENTS (\$447.10) 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



## 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 ZAKIR HOSSAIN., Water Account No.612401-0, located at 2621 Fairmount Avenue., experienced miscellaneous water leaks causing the additional consumption of 10,495 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 HUNDRED EIGHTY FIVE DOLLARS AND SEVENTY NINE CENTS (\$185.79) 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



## 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 LAITH REHANI, Water Account No.956801-0, located at 807 North Michigan Avenue., experienced miscellaneous water leaks causing the additional consumption of 30,780 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 FIVE HUNDRED TWENTY ONE DOLLARS AND SEVENTY ONE CENTS (\$521.71) 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



## 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 TOM J. SUBRANNI ESQ., Water Account No.422901-0, located at 1624 Pacific Avenue., experienced miscellaneous water leaks causing the additional consumption of 26,130 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 HUNDRED FOURTY NINE DOLLARS AND THIRTEEN CENTS (\$449.13) 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



## 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 providing Transcription Services in connection with the item listed herein below be and the said document is hereby APPROVED and ADOPTED:

1. TRANSCRIPT STENOGRAPHER

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, FEBRUARY 12, 2019 at 11:00AM.

Upon Motion, This Resolution was APPROVED and Read.

GARY L. HILL VICE CHAIRMAN/SECRETARY



## 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 a Request for Proposals (RFP) Form and the Specifications and Instructions to Bidders this day submitted by the Executive Director of the MUA for CONSTRUCTION SERVICES FOR ROOF REPLACEMENT AND WALL PANEL REHABILITATION AT THE ADMINISTRATION FACILITY for the MUA, be and the said documents are hereby APPROVED and ADOPTED; and

BE IT FURTHER RESOLVED, that authority be and it is hereby given to the Authority Executive Director to advertise for Request for Proposals (RFP) in the form of Advertisement for the undertaking hereinabove set forth, the said Request for Proposals (RFP) 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 WEDNESDAY, MARCH 12, 2019 at 11:00AM.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



## 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, Specifications and Instructions to Bidders this day submitted by the Deputy Executive Director of Operations for FURNISHING AND DELIVERING HIGH CALCIUM HYDRATED LIME, be and the said documents are hereby APPROVED AND ADOPTED; and

BE IT FURTHER RESOLVED, that authority be and it 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 meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority to be held on Tuesday, February 12, 2019 at 11:00 a.m. prevailing time.

UPON MOTION, THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SEC'Y



## Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, there exists the need for specialized professional services for the Atlantic City Municipal Utilities Authority to perform the following:

CONSTRUCTION ADMINISTRATION SERVICES FOR  
ROOF REPLACEMENT & WALL PANEL REHABILITATION  
AT THE  
ADMINISTRATION BUILDING  
and

WHEREAS, REMUS ARCHITECTURE, LLC. is so recognized by the architect community and is so licensed by the State of New Jersey; and

WHEREAS, the scope of services to be performed shall be broken down into the forementioned category; and

WHEREAS, the total amount of work to be included in this contract shall not exceed the sum of \$17,450.00; and

WHEREAS, funds are available for this purpose;

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

1. The Atlantic City Municipal Utilities Authority and REMUS ARCHITECTURE, LLC. shall enter into an Agreement which will set forth in detail the specific responsibilities of the parties and the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to this Contract.
2. The cost of the services shall not exceed the sum of \$17,450.00 and shall be based upon the provisions of the cost proposal included in the Agreement.
3. 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.
4. 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.
5. A notice in accordance with the Local Public Contracts law of New Jersey in the form attached shall be published in The Press at least once.

Upon Motion, This Resolution was APPROVED as Read.

  
GARY L. HILL, VICE CHAIRMAN/SECRETARY



## Atlantic City Municipal Utilities Authority

# RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, it has been deemed to be in the best interest of the employees of the Atlantic City Municipal Utilities Authority, that periodically the Board of Directors grant unpaid leave of absences for need to certain employees; and

WHEREAS, a request has been made by Craig Seymour, employee of the Atlantic City Municipal Utilities Authority for an unpaid leave of absence; and

WHEREAS, a request has been made by Mariano Rivera, employee of the Atlantic City Municipal Utilities Authority for an unpaid leave of absence; and

WHEREAS, a request has been made by Osvaldo Varela, employee of the Atlantic City Municipal Utilities Authority for an unpaid leave of absence; and

WHEREAS, a request has been made by William Stanley, employee of the Atlantic City Municipal Utilities Authority for an unpaid leave of absence; and

WHEREAS, it has been deemed in the best interest of the Atlantic City Municipal Utilities Authority to grant the aforementioned employee unpaid leave of absence.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that Craig Seymour, an employee of the Atlantic City Municipal Utilities Authority, is formally granted an unpaid leave of absence from January 16, 2019 until March 20, 2019; however, the time frame may be expanded by further action by the Board of Directors.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that Mariano Rivera, an employee of the Atlantic City Municipal Utilities Authority, is formally granted an unpaid leave of absence from January 16, 2019 until March 20, 2019; however, the time frame may be expanded by further action by the Board of Directors.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that Osvaldo Varela, an employee of the Atlantic City Municipal Utilities Authority, is formally granted an unpaid leave of absence from January 16, 2019 until March 20, 2019; however, the time frame may be expanded by further action by the Board of Directors.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that William Stanley, an employee of the Atlantic City Municipal Utilities Authority, is formally granted an unpaid leave of absence from January 16, 2019 until March 20, 2019; however, the time frame may be expanded by further action by the Board of Directors.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



## 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 TWENTY SIX THOUSAND NINE HUNDRED FORTY DOLLARS AND FIVE CENTS. (\$526,940.05); 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



## 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



## Atlantic City Municipal Utilities Authority

# RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA) is in need of legal counsel to represent said Authority; and

WHEREAS, the legal services to be performed can only be so performed by a licensed attorney in the State of New Jersey; and

WHEREAS, funds are or will be available for this service in the budget of the Atlantic City Municipal Utilities Authority; and

WHEREAS, the Local Public Contract 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 publicly advertised;

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

1. OFFICES OF RILEY & RILEY is hereby appointed as Attorney for the Atlantic City Municipal Utilities Authority from February 27, 2019 through February 19, 2020.
2. The ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and OFFICES OF RILEY & RILEY shall enter into a contract, which will set out in detail the specific responsibilities of both parties, and the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to this Agreement.
3. OFFICES OF RILEY & RILEY is hereby retained to provide specialized Legal Services as follows:
  - a. To attend all meetings of the Board and prepare all Resolutions and memoranda relative thereto.
  - b. To represent the Authority before any Federal, State or Local Government proceedings, whether they be administrative or quasi-judicial.
  - c. To provide services as specified in the attached contract.
4. The cost of services shall be \$65,000.00 per year for the term of the contract.
5. This 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.
6. A copy of this resolution as well as the Contract shall be placed on file in the office of the Atlantic City Municipal Utilities Authority, Atlantic City, New Jersey.
7. A Notice in accordance with the Local Public Contracts Law of New Jersey shall be published in The Press at least once.

Upon Motion, This Resolution was ADOPTED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



## Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA) is in need of legal counsel to represent said Authority; and

WHEREAS, the legal services to be performed can only be so performed by a licensed attorney in the State of New Jersey; and

WHEREAS, funds are or will be available for this service in the budget of the Atlantic City Municipal Utilities Authority; and

WHEREAS, the Local Public Contract 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 publicly advertised;

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

1. ANDREW WEBER, ESQ. is hereby appointed as Labor Counsel for the Atlantic City Municipal Utilities Authority for a period of one (1) year beginning February 27, 2019 through February 19, 2020.
2. The ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and ANDREW WEBER, ESQ. shall enter into a contract, which will set out in detail the specific responsibilities of both parties, and the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to this Agreement.
3. ANDREW WEBER, ESQ. is hereby retained to provide specialized Labor Counsel Services as follows:
  - a. To represent the ACMUA in ongoing and prospective litigation.
  - b. To represent the ACMUA in all matters before the Public Employment Relations Commission ("PERC"), and all labor matters before the courts, administrative agencies and arbitrators;
  - c. To represent the ACMUA in negotiations of Collective Bargaining Agreements with public employee organizations or groups;
  - d. To render advice and consultation concerning matters pertaining to labor law and or labor relations and collective bargaining as requested; and
  - e. To render any other services relating to the field of Labor Relations as may be requested and approved by the Board of Directors of the ACMUA.
4. The cost of services for litigation and as Labor Counsel shall be \$35,000.00 per year for the term of the contract.
5. This 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.
6. A copy of this resolution as well as the Contract shall be placed on file in the office of the Atlantic City Municipal Utilities Authority, Atlantic City, New Jersey.



## Atlantic City Municipal Utilities Authority **RESOLUTION**

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7. A Notice in accordance with the Local Public Contracts Law of New Jersey shall be published in The Press at least once.

Upon Motion, This Resolution was ADOPTED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



## Atlantic City Municipal Utilities Authority

# RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority ("ACMUA") has a distinguished record of providing highest quality drinking water, exceptional customer service and cost conscious pricing to the citizens and businesses of Atlantic City, and

WHEREAS, the ACMUA receives its raw water from a combination of surface and subsurface supplies which enters a treatment process and thus distributed to the citizens and businesses in Atlantic City, and

WHEREAS, the ACMUA's nine subsurface wells and run-off from the ACMUA's two surface reservoirs yields from property owned and operated by the FAA Technical Center and Atlantic City International Airport, and

WHEREAS, the FAA Technical Center property was used since the 1960s by various military and aviation research projects to test fire suppression and retardant foams containing various chemical compounds, and

WHEREAS, the FAA Technical Center engaged the TRC Engineering firm which confirmed that fire test foams deployed at FAA property contained hazardous substances referred to as polyfluoroalkyl substances "PFAS" and

WHEREAS, certain of the test foams utilized at the FAA Technical Center have been identified in the soil at their property and thus, have migrated into the ACMUA raw water supply,

WHEREAS, the ACMUA has been notified by the NJ Department of Environmental Protection ("DEP") that a new Maximum Content Level ("MCL") for PFAS in drinking water will be established for all drinking water purveyors during 2019, and

WHEREAS, ACMUA's current water treatment processes will fall below compliance of the new MCL for PFAS and will require a substantial investment of technical and capital investment to come into compliance with the proposed DEP Regulations, and

WHEREAS, the ACMUA has engaged the Law Firm of DeCotiis Fitzpatrick, et al, to represent the ACMUA for claims against the FAA Technical Center, Federal Government and the various military installations that were responsible for the deployment of the subject contamination, and

WHEREAS, the Decotiis firm shall pursue entities responsible for the discharge of said contamination, and

WHEREAS, the ACMUA has reviewed legal efforts designed to force the manufacturers of the subject contaminants to be held responsible for their role in distributing products known to be harmful, and



## Atlantic City Municipal Utilities Authority

# RESOLUTION

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WHEREAS, such legal efforts against manufacturers have resulted in significant awards to public entities that have suffered the costs associated with contamination of drinking water supplies, and

WHEREAS, the ACMUA has conducted a preview with the Law Firm of Sher Edling, LLP of San Francisco which maintains a national representation with Environmental Litigation, and

WHEREAS, Sher Edling, LLP's sole practice is Environmental Litigation with the focus of pursuing corporate manufacturers of contaminants, and

WHEREAS, the ACMUA has negotiated with Sher Edling, LLP to represent the ACMUA on a Contingency Basis, and

WHEREAS, as a client engaged on a Contingency Basis, the ACMUA will recover a percentage of every court award Sher Edling, LLP secures for the ACMUA, and

WHEREAS, the ACMUA will not pay for services but will retain the negotiated recovery,

NOW THEREFORE BE IT RESOLVED , by the Board of Directors of the Atlantic City Municipal Utilities Authority hereby authorizes the Executive Director to execute an agreement with Sher Edling, LLP to represent the ACMUA on a Contingency Basis for claims to be brought against manufacturers of contaminants affecting the water supply of the ACMUA.

Upon Motion, This Resolution was APPROVED as Read.

  
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GARY L. HILL, VICE CHAIRMAN/SECRETARY