



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 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 NINETY THOUSAND SEVEN HUNDRED TWO DOLLARS AND THIRTY SEVEN CENTS. (\$590,702.37); 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, the Atlantic City Municipal Utilities Authority (ACMUA) owns and operates its own Water Department; and

WHEREAS, the ACMUA maintains certain machinery necessary for continuous treatment processes for the distribution of potable drinking water for the citizens and businesses of the City of Atlantic City; and

WHEREAS, Sedimentation Tank #1 was removed from service, due to issues with the Main Sprocket Drive; and

WHEREAS, the ACMUA has another Sedimentation Tank (#4) out of service; and

WHEREAS, the ACMUA staff tried to replace the broken sprockets on Sedimentation Tank #1 and return said tank back into service, but was unable to accomplish this task due to additional issues with frozen sprockets, broken brackets and bent sleeve on the shaft; and

WHEREAS, the ACMUA needs the volume and surface area for proper sedimentation of the treated water and to remove the buildup of flocculation within the Sedimentation Tanks and to meet the increased demands in the distribution; and

WHEREAS, this repair is deemed an Emergency which demands an appropriate and immediate attention; and

WHEREAS, the Plant Manager has identified KRS Services Inc., 1806 Route 206, Southampton, NJ 08088, a reputable, responsible and capable company to render the necessary Emergency Services to repair Sedimentation Tank #1; and

WHEREAS, the estimated cost for repairs to Sedimentation Tank #1 by KRS Services Inc. as set forth on the attached quotation for a total of NINETEEN THOUSAND, FOUR HUNDRED AND TWO DOLLARS AND THIRTY-THREE CENTS (\$19,402.33); and

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Atlantic City Municipal Utilities Authority hereby approves the quotation for Emergency Services from KRS Services Inc. and authorize the Plant Manager, Anthony Palombi to give Notice to Proceed to said contractor to render repairs to Sedimentation Tank #1 not to exceed the sum of NINETEEN THOUSAND, FOUR HUNDRED AND TWO DOLLARS AND THIRTY-THREE CENTS (\$19,402.33); and

BE IT FURTHER RESOLVED that a certificate from the Assistant Director of Financing and Accounting of the Atlantic City Municipal Utilities Authority is attached to this Resolution showing the availability of funds and specifying the line item appropriation from the 2020 ACMUA Capital Budget Account 04-20-320-815-863, Emergency Capital Repairs, to satisfy the aforesaid emergency repairs.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

GARY HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (the ACMUA) owns and operates the Water Department in the City of Atlantic City, NJ and

WHEREAS, the ACMUA has the responsibility of locating and marking out the location of its Water Mains throughout its Distribution System within the City of Atlantic City for routine and emergency contractual and non-contractual work within the City of Atlantic City; and

WHEREAS, the ACMUA could realize a savings by contracting the facility locating and marking services out to a qualified Locating Services Company; and

WHEREAS, the ACMUA is recommending contracting said services to USIC Locating Services, LLC, an Indiana Limited Liability Company with headquarters located at 9045 North River Road, Suite 300 Indianapolis, Indiana 46240 and a Satellite Office at 230 South Clinton Avenue, Unit 6F, South Plainfield, New Jersey; and

WHEREAS, USIC Locating Services, LLC has provided a Facilities Locating and Marking Services Contract, attached hereto as Exhibit A; and

WHEREAS, USIC will be responsible for providing the necessary labor and equipment to provide certain services relative to locating and marking the Authority's facilities in Atlantic City; and

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the ACMUA herby authorizes the Acting Executive Director to enter into an agreement with USIC and hereby approves retaining USIC Locating Services to provide Locating and Marking Services to the Atlantic City Municipal Utilities Authority for the remainder of the calendar year 2020 at cost not to exceed SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500), and shall be based upon the provisions of the proposed cost included in the contract. Details are listed as follows:

1. \$12.00 Per Ticket Received from the New Jersey One Call
2. \$75.00 Per Emergency (Normal Business & After Hour) Call Out Ticket
3. \$60.00 Project Price Tickets that Exceed 30 Minutes
4. \$275.00 Non-At Fault Damage Investigation Fee
5. \$2,000 USIC Restoration Liability

BE IT FURTHER RESOLVED that a Certificate from the Assistant Director of Finance and Accounting of the ACMUA has been attached to this Resolution showing the availability of funds to cover and specifying the line item appropriation from the 2020 ACMUA Budget Account# 01-20-201-581-890, to satisfy the aforesaid utility locating service.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ.

A blue ink signature of Gary L. Hill, Vice Chairman/Sec'y, written over a horizontal line.

GARY L. HILL, VICE CHAIRMAN/SEC'Y



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 2019 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 JULY 15, 2020.

GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority RESOLUTION

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4. A copy of this Resolution, the Contract, as well as the Business Entity Certification 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, there exists the need for specialized accounting services for the Atlantic City Municipal Utilities Authority as a non-fair open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 OR 20.5 as appropriate to perform the following:

ACCOUNTING AND AUDITING SERVICES

WHEREAS, MERCADIEN, LLC has submitted a proposal, received on June 24, 2020 indicating they will provide Accounting & Auditing Services for a flat fee of \$ 39,500.00 for audit year 2020; and

WHEREAS, MERCADIEN, LLC has completed and submitted a Business Entity Disclosure Certification, which certifies that MERCADIEN, LLC has not made any reportable contribution to a political or candidate committee in the City of Atlantic City in the previous one year, and that the contract will prohibit MERCADIEN, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, MERCADIEN, LLC is so recognized by the accounting 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 aforementioned category; and

WHEREAS, the total amount of work to be included in this contract shall not exceed the flat fee sum of \$39,500.00; 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 MERCADIEN, 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 flat fee sum of \$ 39,500.00 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.



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 MOHAMMED CHOWDHURY, Water Account No.732501-0, located at 3712 Winchester Avenue., experienced miscellaneous water leaks causing the additional consumption of 58,600 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 ONE THOUSAND ONE HUNDRED TWO DOLLARS AND TWENTY SEVEN CENTS (\$1,102.27) 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 LI QIN YUN, Water Account No.657001-0, located at 2925-29 Atlantic Avenue., experienced miscellaneous water leaks causing the additional consumption of 544,300 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 TEN THOUSAND TWO HUNDRED THIRTY EIGHT DOLLARS AND TWENTY EIGHTS CENTS (\$10,238.28) 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, the Atlantic City Municipal Utilities Authority held their regularly scheduled Board Meeting on June 19, 2020 commencing at 10:00am, there being present:

CHAIRMAN	John Devlin
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	Milton L. Smith (telephone)
BOARD MEMBER	Nynell Langford
BOARD MEMBER	Patricia Bailey
BOARD MEMBER, ALTERNATE # 1	Vacant
BOARD MEMBER, ALTERNATE # 2	William K. 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 R. Caputo, Certified Court Reporter for the June 19, 2020 Board Meeting.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY