



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 September 16, 2020 commencing at 10:00am, there being present:

CHAIRMAN	John Devlin
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	Milton L. Smith (not present)
BOARD MEMBER	Nynell Langford
BOARD MEMBER	Patricia Bailey
BOARD MEMBER, ALTERNATE # 1	William K. Cheatham
BOARD MEMBER, ALTERNATE # 2	Vacant

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 September 16, 2020 Board Meeting.

Upon Motion, This Resolution was APPROVED as Read.


NYNELL LANGFORD, ACTING VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

WHEREAS, Gary Hill, Vice President and, Secretary of the Atlantic City Municipal Utilities Authority (ACMUA) will not be in attendance at the Board Meeting of October 21, 2020, and

WHEREAS, Gary Hill, Vice President, and Secretary of the ACMUA who is designated to sign Resolutions approved by the Board of Directors, and

WHEREAS, given Mr. Hill's upcoming absence, the Board wishes to temporarily appoint another Board member to serve as Vice President, and Secretary to permit the ACMUA's business affairs to proceed,

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority hereby appoints Board Member Nynell Langford, to serve as Temporary Vice President, and Secretary for the October 21, 2020 Board Meeting, and

BE IT FURTHER RESOLVED, that the Board of Directors of the Atlantic City Municipal Utilities Authority hereby authorize Nynell Langford to sign all Board approved matters during this temporary appointment which such matters shall have the full force and effect of the Atlantic City Municipal Utilities Authorities.

Upon Motion, This Resolution was APPROVED as Read.

NYNELL LANGFORD, ACTING 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 GREER LIME COMPANY, 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 October 13, 2020 be and the said bid is hereby ACCEPTED, the said GREER LIME COMPANY . 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 GREER LIME COMPANY, 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 September 16, 2020 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 2020 Budget Acct. No. 01-20-202-542-410, Chemicals and Gases, to satisfy the aforesaid award of contract in the amount of SIXTY ONE THOUSAND ONE HUNDRED FOURTY FIVE DOLLARS AND FIFTY CENTS (\$61,145.50).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ


NYNELL LANGFORD, ACTING VICE CHAIRMAN, SEC'Y

2021 AUTHORITY BUDGET RESOLUTION

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

(Name)

FISCAL YEAR: **FROM:** January 1, 2021 **TO:** December 31, 2021

WHEREAS, the Annual Budget and Capital Budget for the Atlantic City Municipal Utilities Authority for the fiscal year beginning January 1, 2021, and ending December 31, 2021, has been presented before the governing body of the Atlantic City Municipal Utilities Authority at its open public meeting of October 21, 2020; and

WHEREAS, the schedule of rents, fees and other charges, shown on Budget Page F-2 in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves shown on Budget Page F-4, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program shown on Capital Budget Page CB-3, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Atlantic City Municipal Utilities Authority, at an open public meeting held on October 21, 2020, that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Atlantic City Municipal Utilities Authority for the fiscal year beginning, January 1, 2021, and ending, December 31, 2021, is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Atlantic City Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 16, 2020.


(Secretary's Signature)

October 21, 2020
(Date)

Governing Body Member:	Recorded Vote		
	Aye	Nay	Abstain
Patricia A. Bailey	☒	☐	☐
Gary L. Hill	☐	☐	☒
Nynell Langford	☒	☐	☐
Milton L. Smith	☒	☐	☐
John A. Devlin	☒	☐	☐
William K. Cheatham #1	☒	☐	☐



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 on Tuesday, November 24, 2020 and Thursday, December 3, 2020 at 10:00 A.M., Public Hearings will be held at the Atlantic City Municipal Utilities Authority, located at 401 N. Virginia Avenue to discuss the proposed changes to the Rules, Rates and Regulations, which include rates, the connection fee and other miscellaneous changes.

BE IT FURTHER RESOLVED, that the Public Hearings will also be for the purpose of discussing the 2021 Atlantic City Municipal Utilities Authority Budget; and

BE IT FURTHER RESOLVED, that a copy of the Proposed Budget and Proposed Rules, Rates and Regulations are available for review at the Offices of the Atlantic City Municipal Utilities Authority.

BE IT FURTHER RESOLVED, that a copy of this Resolution and Notice of these hearings shall be published twice in The Press.

Upon Motion, This Resolution was ADOPTED as Read.


NYNEIL LANGFORD, ACTING 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/Proposals and Experience this day submitted by the Executive Director for providing Professional Legal Services in connection with the item listed herein below be and the said document is hereby APPROVED and ADOPTED:

1. AUTHORITY SOLICITOR

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/Proposals and Experience in the form of Advertisement for the undertaking herein set forth; and

BE IT FURTHER RESOLVED, that said State of Qualifications/Proposals and Experience will be received and presented at a meeting of the Personnel Committee Meeting of the Atlantic City Municipal Utilities Authority to be held TUESDAY, NOVEMBER 10, 2020 at 10:00AM.

Upon Motion, This Resolution was APPROVED and Read.


NYNELL LANGFORD, ACTING 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/Proposals and Experience this day submitted by the Executive Director for providing Professional Legal Services in connection with the item listed herein below be and the said document is hereby APPROVED and ADOPTED:

1. LABOR COUNSEL

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/Proposals and Experience in the form of Advertisement for the undertaking herein set forth; and

BE IT FURTHER RESOLVED, that said State of Qualifications/Proposals and Experience will be received and presented at a meeting of the Personnel Committee Meeting of the Atlantic City Municipal Utilities Authority to be held TUESDAY, NOVEMBER 10, 2020 at 10:00AM.

Upon Motion, This Resolution was APPROVED and Read.

NYNELL LANGFORD, ACTING VICE CHAIRMAN/ SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ANNUAL MAINTENANCE CONTRACT ON AUXILIARY POWER GENERATOR ENGINES AT WATER TREATMENT PLANT / PUMPING STATION FACILITY

BY ALL MEMBERS OF THE BOARD

WHEREAS, the Atlantic City Municipal Utilities Authority (The Authority) has a need to acquire an Annual Maintenance Contract for Auxiliary Power Generator Engines at the ACMUA Water Treatment Plant/Pumping Station Facility as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20p.5; and

WHEREAS, The Authority has determined and certified in writing that the value of the acquisition will not exceed \$17,500; and

WHEREAS, PENN POWERS SYSTEMS has submitted a QUOTE indication they will provide the Annual Maintenance Contract for Auxiliary Power Generator Engines at the AMCUA Water Treatment Plant/Pumping Station Facility for \$15,334.00; and

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Atlantic City Municipal Utilities Authority authorizes the Acting Deputy Executive Director of enter into a contract with PENN POWERS SYSTEMS as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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

BE IT FURTHER RESOLVED, that a Certificate from the Assistant Director of Accounting & Finance of the Atlantic City Municipal Utilities Authority be attached to this Resolution showing the availability of funds and specifying the line item appropriation from 2020 Account No. 01-20-202-604-451 entitled 'PLANT OPERATIONS: REPAIRS & MAINTENANCE" in the sum of FIFTEEN THOUSAND THREE HUNDRED AND THIRTY FOUR DOLLARS AND NO CENTS (\$15,334.00).

Upon Motion This Resolution Was APPROVED As Read.



NYNELL LANGFORD ACTING VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

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

WHEREAS, the Atlantic City Municipal Utilities Authority has been using Aclara meter transmission unit for more than ten (10) years; and

WHEREAS, the Atlantic City Municipal Utilities Authority intends on maintaining uniformity with their meter transmission unit equipment; and

WHEREAS, Aclara Automatic Meter Reading (AMR) Meter Transmission Unit (MTU) is a proprietary equipment; and

WHEREAS, the Authority is in need of acquiring Meter Transmission Units (MTU’s) to replace expired and non-functional Meter Transmission Units (MTU’s) throughout its distribution system; and

WHEREAS, with the replacement of Meter Transmission Units (MTU’s), the Authority expects to improve its billing efficiency, provide greater customer service, reduce operational and maintenance cost, provide time synchronized scheduled reading and transmission ,and on demand, real time meter reads; and

WHEREAS, the Department of Environmental Protection Engineering reviewer department requires an approved resolution from the Authority’s Board of Directors for sole source purchases; and

WHEREAS, the Atlantic City Municipal Utilities Authority has filed an application with the New Jersey Department of Environmental Protection and the New Jersey Infrastructure Bank for Project No. S340439-04 – Water Meter and MTU Replacement; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Atlantic City Municipal Utilities Authority hereby certify that the foregoing is a true copy of the resolution adopted by the Atlantic City Municipal Utilities Authority at a Board Meeting duly held on Wednesday, October 21, 2020.



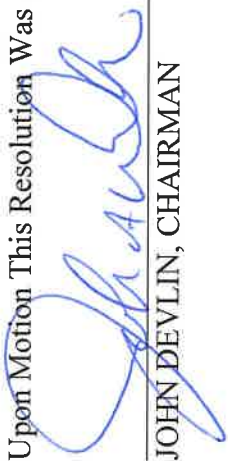
Atlantic City Municipal Utilities Authority
RESOLUTION

PAGE 2 OF 2:

Governing Body Member:	Recorded Vote:		
	Aye	Nay	Abstain
John Devlin	X		
Gary L. Hill			
Milton L. Smith	X		
Patricia A. Bailey	X		
Nynell Langford	X		

NOW THEREFORE BE IT RESOLVED, that the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to the resolution.

Upon Motion This Resolution Was Approved As Read.


JOHN DEVLIN, CHAIRMAN

ATTEST:


NYNELL LANGFORD, ACTING VICE CHAIRMAN/ SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

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

WHEREAS, the Atlantic City Municipal Utilities Authority has been using Sensus meters for more than sixty (60) years; and

WHEREAS, the Atlantic City Municipal Utilities Authority intends on maintaining uniformity with their metering equipment; and

WHEREAS, Sensus water meters are a proprietary equipment; and

WHEREAS, the Authority is in need of acquiring various size meters to replace expired and non-functional water meters throughout its distribution system; and

WHEREAS, with the replacement of meters, the Authority expects to improve its billing efficiency, provide greater customer service, reduce operational and maintenance cost, and provide more sustainable flow accuracy to our customers; and

WHEREAS, the Department of Environmental Protection Engineering reviewer department requires an approved resolution from the Authority’s Board of Directors for sole source purchases; and

WHEREAS, the Atlantic City Municipal Utilities Authority has filed an application with the New Jersey Department of Environmental Protection and the New Jersey Infrastructure Bank for Project No. S340439-04 – Water Meter and MTU Replacement; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Atlantic City Municipal Utilities Authority hereby certify that the foregoing is a true copy of a resolution adopted by Atlantic City Municipal Utilities Authority at a Board Meeting duly held on Wednesday, October 21st, 2020.



Atlantic City Municipal Utilities Authority

RESOLUTION

PAGE 2 OF 2:

Governing Body
Member:

	Recorded Vote:		
	Aye	Nay	Abstain
John Devlin	X		
Gary L. Hill			
Milton L. Smith	X		
Patricia A. Bailey	X		
Nynell Langford	X		

Absent			
	X		

NOW THEREFORE BE IT RESOLVED, that the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to the resolution.

Upon Motion This Resolution Was Approved As Read.


JOHN DEVLIN, CHAIRMAN

ATTEST:


NYNELL LANGFORD, ACTING VICE CHAIRMAN/ SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

AUTHORIZING ACQUISITION OF PROPRIETARY SOFTWARE (ACLARAONE) SOFTWARE SOLUTION FOR THE MANAGEMENT OF THE ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY ADVANCED METERING INFRASTRUCTURE (AMI) SYSTEM

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA or the "Authority") owns and operates the Water Department in the City of Atlantic City, New Jersey; and

WHEREAS, pursuant to N.J.S.A. 40A: 11-5(1) (dd) the Atlantic City Municipal Utilities Authority may, by resolution and without advertising for bids, purchase goods or services for the support, maintenance and acquisition of proprietary software and maintenance; and

WHEREAS, the Authority is in need of acquiring software upgrade (Hosting) to the latest version of Aclara's software platform (AclaraONE) as well as migration of the on premise software application to a new Aclara hosted environment (Cloud), and

WHEREAS, the current on premise NCC system will sunset after the end of this year 2020, and

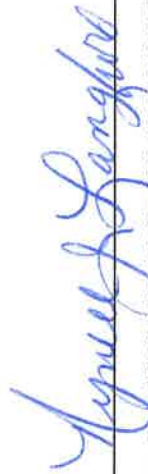
WHEREAS, Aclara Technologies LLC has provided the Authority with a "sole source" letter dated July 7th, 2020 (see attached), and

WHEREAS, Aclara has provided a quote number: Q-15784-1, dated October 12th, 2020 and expiring December 11th, 2020 in the amount of \$26,000.00 for a one (1) time implementation fee and \$21,700 for a one (1) year service and maintenance fee, and

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Atlantic City Municipal Utilities Authority hereby approve the quotation by Aclara Technologies, LLC for the implementation and service maintenance, and

BE IT FURTHER RESOLVED that a Certificate from the Assistant Director of Financing and Accounting of the ACMUA is attached to this Resolution showing the availability of funds and specifying the line item appropriation from the 2020 Capital Budget Account# C-04-10-310-815-512, Computer Equipment, to satisfy the aforesaid cost of the AclaraONE host system.

Upon Motion This Resolution Was Approved As Read.



NYNELL LANGFORD, 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 MARY INGRAM, Water Account No. 344501-0, located at 143 South Ocean Avenue., experienced miscellaneous water leaks causing the additional consumption of 141,400 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 THOUSAND SIX HUNDRED FIFTY NINE DOLLARS AND SEVENTY THREE CENTS (\$2,659.73) 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.



NYNELLE LANGFORD, ACTING VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the United States Department of the Interior, U.S. Geological Survey is desirous of entering into a Joint Funding Agreement with the Atlantic City Municipal Utilities Authority (MUA) to confirm their negotiations to continue water resources investigations with the MUA; and

WHEREAS, this order is a requirement outlined in a recent Inspector General Report of the Federal/State Cooperative Program; and

WHEREAS, the work cannot be continued or started until USGS received an executed Joint Funding Agreement from the MUA; and

WHEREAS, attached hereto and made apart of Exhibit A, the U.S. Department of the Interior, U.S. Geological Survey, Joint Funding Agreement between the parties; and

WHEREAS, it has been determined to be in the best interest of the MUA, as well as the USGS to enter into this Agreement; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the Authority execute the necessary documents in order to effectuate said Joint Funding Agreement with USGS from October 1, 2020 to September 30, 2021 in the amount of \$24,520.00; and

BE IT FURTHER RESOLVED, that Authority is hereby given to the Chairman of the Board to execute such Joint Funding Agreement and for the Executive Director of the MUA to execute the necessary documents in order to pay any and/or all fees or payments as stated in exhibit A.

Upon Motion, This Resolution was APPROVED as Read.

NYNELL LANGFORD, ACTING VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

Agenda No: 9 h (1)
Resolution No: 132
Date: October 21, 2020

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 19, 2020 through February 17, 2021 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 08401, is so licensed by the State of New Jersey and recognized by the Transcription community; and

WHEREAS, funds have exceeded the contract cost of \$10,000.00 due to the expediting of the Board Meeting transcripts within 72 hours required by the State of New Jersey (DCA); 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, Suite 511, Atlantic City, New Jersey 08401, is hereby retained to provide Transcription services to keep an account of the ACMUA's Board Meeting, Special Meetings and Public Hearings.
2. Change Order # 1 in the amount of \$10,000.00 is needed to provide the continuation of stenographic services to report for the ACMUA for the remaining of the contract.
3. 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.
4. NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the original agreement of February 19, 2020 by and between Atlantic City Municipal Utilities Authority and Atlantic City Court Reporting Services, LLC., 1125 Atlantic Avenue, Suite 511, Atlantic City, New Jersey 08401 is hereby amended to include a sum not to exceed \$10,000.00 for stenographic services.

Upon Motion, This Resolution was ADOPTED as read.

NYNELL LANGFORD, ACTING 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) this day submitted by the Executive Director for the following:

1. GENERAL LIABILITY, EXCESS UMBRELLA, EQUIPMENT BREAKDOWN, AUTOMOBILE AND PROPERTY
2. PUBLIC OFFICIALS LIABILITY
3. CYBER LIABILITY AND INFORMATION SECURITY

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's Acting Executive Director to advertise the RFP in the form of Advertisement for the undertaking hereinabove set forth, the said Proposals to be received by Claude Smith, located at 401 North Virginia Avenue, Atlantic City, NJ 08401 to be held on WEDNESDAY, NOVEMBER 10, 2020, at 11:00 AM.

Upon Motion, This Resolution was APPROVED as Read.


NYNELL LANGFORD, ACTING VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority ("ACMUA") is desirous of obtaining proposals for Automobile Liability, General Liability, Crime, Mobile Equipment, Property/Boiler and Machinery and Umbrella Liability Insurance; and

WHEREAS, the Atlantic City Municipal Utilities Authority ("ACMUA") is also desirous of obtaining proposals for Workmen's Compensation Insurance; and

WHEREAS, the Atlantic City Municipal Utilities Authority ("ACMUA") is also desirous of obtaining proposals for Public Officials Liability Insurance; and

WHEREAS, the Authority is required to designate an Administrative Official for the Authority, as this is an extraordinary, unspecifiable service ("EUS"); and

WHEREAS, "EUS" is defined as "services which are specialized and qualitative in nature requiring expertise, extensive training, and proven reputation in the field of endeavor", N.J.S.A. 40A:11-2(7); and

WHEREAS, it has been deemed appropriate that this Administrative Official to the "ACMUA" shall be Claude Smith, Acting Executive Director.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the "ACMUA" that Claude Smith, Acting Executive Director, is hereby designated as the Administrative Official responsible for soliciting the proposals for the aforementioned insurance coverage for the Authority.

BE IT FURTHER RESOLVED, that Claude Smith is hereby authorized, upon receipt of the insurance proposals, to submit the requisite certification of extraordinary unspecifiable services to the Board of Directors of the "ACMUA".

Upon Motion, This Resolution was APPROVED as Read.


NYNELL LANGFORD, ACTING 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 SEVEN HUNDRED FIFTEEN THOUSAND SIX HUNDRED TWENTY TWO DOLLARS AND FORTY CENTS. (\$715,622.40); 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.



NYNELL LANGFORD, ACTING 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.


NYNELL LANGFORD, ACTING VICE CHAIRMAN/SECRETARY



Agenda No:
Resolution No: 137
Date: October 21, 2020

Atlantic City Municipal Utilities Authority

RESOLUTION

RATIFYING SETTLEMENT WITH A FORMER ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY EMPLOYEE AND AUTHORIZATION EXECUTION OF A SETTLEMENT AGREEMENT IN THE SUM OF \$3,000

WHEREAS a former employee (referred in the minutes of Executive Session of the Atlantic City Municipal Utility Authority (“ACMUA”)) made certain claims against the Authority; and

WHEREAS, the Authority has denied any wrongdoing or liability; and

WHEREAS The Authority and the former employee have reached an amicable settlement which was approved by the Board of Directors of the Atlantic City Municipal Utilities Authority at its board meeting of September 16, 2020; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority at its regular meeting held on October 21, 2020 hereby accepts and approves the terms of the settlement agreement and release as attached in Exhibit A hereinto; and

BE IT FURTHER RESOLVED that the Acting Executive Director of the Atlantic City Municipal Utilities Authority is hereby authorized to execute the settlement and release authorize payment of \$3,000 to Kurkowski Law LLC., 1252 NJ-109, Cape May, New Jersey 08204 Attorney’s Trust Account on behalf of the former employee.

Upon Motion This Resolution was APPROVED as Read.

BY: _____
JOHN DEVLIN, CHAIRMAN

ATTEST: _____
NYNELLE LANGFORD, ACTING VICE CHAIRMAN/SECRETARY