



# 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 of 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 FORTY ONE THOUSAND THREE HUNDRED FIFTY ONE DOLLARS AND FIFTY SEVEN CENTS. (\$541,351.57); 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 Board of Directors of the Atlantic City Municipal Utilities Authority desires to promote Kevin Jennings to the position of Assistant Distribution Manager with an increase to his base salary; and

WHEREAS, the Board of Directors and Management acknowledges that the best interest of the Authority, as well as its customers of the Atlantic City Municipal Utilities Authority has been better served by the aforementioned employee; and

WHEREAS, Kevin Jennings meets the qualifications and currently holds a NJDEP Water Distribution W2 license; and

WHEREAS, it has been determined by the Authority that Kevin Jennings is entitled to a promotion and an increase in salary; and

NOW THEREFORE BE IT RESOLVED, that the annual salary of Kevin Jennings will be increased to \$80,500.00, effective September 28, 2020, when Kevin Jennings receives his W3 license issued by the NJDEP Water Distribution, his salary will increase to \$82,500.00.

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 and POLISTINA & ASSOCIATES, LLC, 6684 Washington Avenue, Egg Harbor Township, NJ 08234 entered into an agreement on May 22, 2020 for CONSULTING ENGINEERING SERVICES for the Atlantic City Municipal Utilities Authority; and

WHEREAS, an upset figure was not established upon execution of said agreement; and

WHEREAS, payment shall be made upon presentation of the appropriate ACMUA invoices; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the original agreement of May 22, 2020 by and between the Atlantic City Municipal Utilities Authority and POLISTINA & ASSOCIATES, LLC., 6684 Washington Avenue, Egg Harbor Township, NJ 08234 is hereby amended to include a sum not to exceed FIFTY THOUSAND DOLLARS (\$50,000) for Consulting Engineering Services; and

BE IT FURTHER RESOLVED that a certificate from the Assistant Director of Finance and Accounting of the ACMUA is attached to this Resolution showing the availability of funds and specifying the line item appropriation from the 2020 ACMUA Water Administration Engineering Budget Account 0120-201-591-930 to satisfy the aforesaid cost for Consulting Engineering Services.

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, certain Change Orders are necessary for the completion of the contract awarded to LAFAYETTE UTILITY CONSTRUCTION CO. INC. located at 9 Atlantic Avenue Egg Harbor Township, New Jersey 08234, to REPAIR OF UTILITY ROAD OPENINGS, which contract was ACCEPTED at the regularly scheduled Authority Board Meeting on August 15, 2018, and assigned the Authority Contract # 18-00134, and

WHEREAS, the aforesaid Change Order #1 is in the best interest of the Atlantic City Municipal Utilities Authority for additional site services and meeting rendered by the engineer during the construction phases for REPAIR OF UTILITY ROAD OPENINGS REPAIR OF UTILITY ROAD OPENINGS; and

WHEREAS, Change Order #1 is in the amount THREE THOUSAND NINE HUNDRED SEVENTY FOUR DOLLARS AND FIFTY TWO CENTS (\$3,974.52) which shall increase the current contract amount to THREE HUNDRED THIRTY THOUSAND FOURTY DOLLARS AND TWENTY SEVEN CENTS (\$330,040.27);

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that Change Order No. 1 for the hereinabove referenced contract is HEREBY APPROVED, pursuant to the attached documents; and

BE IT FURTHER RESOLVED that a certificate from the Assistant Director of Finance of the Atlantic City Municipal Utilities Authority has been attached to this Resolution showing the availability of funds and specifying in the line item appropriation from the 2020 Capital Budget Account # 01-20-203-604-431, REPAIR OF UTILITY ROAD OPENINGS, to satisfy the aforesaid cost of the work, bringing the total amount of this contract THREE HUNDRED THIRTY THOUSAND FOURTY DOLLARS AND TWENTY SEVEN CENTS (\$330,040.27).

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:

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, October 13, 2020 at 11:00 a.m. prevailing time.

UPON MOTION, THIS RESOLUTION WAS APPROVED AS READ

GARY L. HILL, VICE CHAIRMAN/SECY



## 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 ALEXANDER SMITH, Water Account No.393301-0, located at 204 North New York Avenue., experienced miscellaneous water leaks causing the additional consumption of 13,200 cubic feet of water; and

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

BE IT FURTHER RESOLVED, that the charges totaling TWO HUNDRED FORTY EIGHT DOLLARS AND TWENTY NINE CENTS (\$248.29) 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 THUAN PHAM, Water Account No.549601-0, located at 28 North Florida Avenue., experienced miscellaneous water leaks causing the additional consumption of 22,900 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 THIRTY DOLLARS AND SEVENTY FIVE CENTS (\$430.75) 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, there exists a need by the Atlantic City Municipal Utilities Authority for Municipal Advisory Services to perform services for a twelve (12) month period from September 16, 2020 through September 16, 2021; and

WHEREAS, Phoenix Advisors, LLC, 625 Farnsworth Avenue, Bordentown, NJ 08505 provides such professional services and is willing to accept an appointment by the Atlantic City Municipal Utilities Authority to provide such services until the expiration of the Agreement; and

WHEREAS, the parties desire hereby to set forth the terms and conditions under which Phoenix Advisors, LLC will act as the Municipal Advisory for the Atlantic City Municipal Utilities Authority.

NOW THEREFORE BE IT RESOLVED, that the parties hereto in consideration of mutual covenants herein contained and other good and valuable consideration, each intending to be legally bound, hereby agree as follows:

1. Phoenix Advisors, LLC will perform, Municipal Advisory Services more fully described in attached transaction compensation not to exceed FIFTY THOUSAND DOLLARS (\$50,000.00) for term set forth herein.
2. The Atlantic City Municipal Utilities Authority will compensate Phoenix Advisors, LLC for Municipal Advisory Services, in the sum as follows:
  - (a). Bond Issuance - \$9,500.00 plus \$0.50 per \$1,000.00 issued
  - (b). Note Issuance - \$1,500.00 plus \$0.20 per \$1,000.00 issued
  - (c). Hourly rates – Chief Executive Officer - \$195.00 per hour  
Senior Managing Director/Managing Director/Director - \$175.00 per hour  
Associate/Analyst - \$95.00 per hour
3. This Agreement may not be modified and/or amended except by written agreement signed by both parties.
4. This Agreement shall be construed in accordance with and governed by the laws of the State of New Jersey.

BE IT FURTHER RESOLVED, that the Atlantic City Municipal Utilities Authority has caused this Agreement to be duly executed by its authorized representative, and Phoenix Advisors, LLC has caused this Agreement to be duly executed by an authorized party as of the day and year first above written, and 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 ACMUA General Administration and Other Professional Account #01-10-100-591-990 to satisfy the aforesaid cost of Municipal Advisory Services.

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 City of Atlantic City Municipal Utilities Authority that the bid of ARTHUR R. HENRY, INC., a corporation of the State of New Jersey, to FURNISH, DELIVER AND INSTALL REPAIRS TO UTILITY ROAD OPENINGS, which bid was received and publicly opened and read at a meeting of the Purchasing Board held on September 9, 2020, be and the said bid is hereby ACCEPTED, the said ARTHUR R. HENRY, INC., being the lowest responsible bidder for the said undertaking; and

BE IT FURTHER RESOLVED, that authority be and it is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest a contract be entered into between ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and said ARTHUR R. HENRY, INC. as aforesaid in strict accordance with the specifications approved and adopted by the said Board on August 19, 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 Assistant Director of Accounting & Finance of the Atlantic City Municipal Utilities Authority be attached to this Resolution, certifying the availability of funds and specifying the line item appropriation from 2020 Budget Account No. 01-20-203-604-431 to satisfy the aforesaid award of contract in the amount of THREE HUNDRED TWENTY ONE THOUSAND, FOUR HUNDRED ONE DOLLAR AND FIFTY FIVE CENTS (\$321,401.55).

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 August 19, 2020 commencing at 10:00am, there being present:

CHAIRMAN	John Devlin
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	Milton L. Smith
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 Lisa Ciboldi, Certified Court Reporter for the August 19, 2020 Board Meeting.

Upon Motion, This Resolution was APPROVED as Read.

GARY L. HILL, VICE CHAIRMAN/SECRETARY