



# Atlantic City Municipal Utilities Authority RESOLUTION

## Resolution to Amend the 2017 Approved Budget Prior to Adoption

BY ALL MEMBERS OF THE BOARD:

**WHEREAS**, the Atlantic City Municipal Utilities Authority has approved the 2017 Authority Budget on October 19, 2016 and

**WHEREAS**, the Atlantic City Municipal Utilities Authority finds it necessary to amend the 2017 approved Authority Budget, as follows:

<u>Anticipated Revenue:</u>	<u>From</u>	<u>To</u>
<u>Operating Revenues:</u>		
Service Charges:		
Residential	\$5,530,029	\$5,638,697
Business/Commercial	\$1,865,656	\$1,897,500
Industrial	\$6,717,209	\$6,829,754
Intergovernmental	\$242,902	\$247,507
Other	<u>\$770,694</u>	<u>\$49,580</u>
Total Service Charges	\$15,126,490	\$14,663,038
Total Operating Revenues	\$15,160,662	\$14,697,210
Total Anticipated Revenues	\$15,226,746	\$14,763,294
<u>Budgeted Appropriations:</u>		
<u>Operating Appropriations:</u>		
Cost of Providing Services (COP)-Personnel	\$2,982,691	\$2,982,693
Fringe Benefits		
Cost of Providing Services (COP) -Other		
Chemicals	\$598,725	\$653,725
Repairs and Maintenance	\$713,555	\$708,555
Miscellaneous COP	\$645,447	\$638,446
Total COP- Other	\$3,198,529	\$3,241,528
Total Cost of Providing Services	\$9,470,675	\$9,513,676
Total Operating Appropriations	\$13,627,830	\$13,670,831
<u>Non- Operating Appropriations</u>		
Renewal and Replacement Reserve	\$1,203,035	\$696,582
Municipality/County Appropriation	\$681,392	\$683,542
Total Non- Operating Appropriations	<u>\$2,280,308</u>	<u>\$1,776,005</u>
<b>Total Operating &amp; Non- Operating Appropriations &amp; Accumulated Deficit \$15,908,138</b>		<b>\$15,446,836</b>
Unrestricted Net Position Utilized:		
Municipality/County Appropriation ( R-3a)		
Other ( R-3b)		
<b>Less: Total Unrestricted Net Assets Utilized</b>	<b><u>\$681,392</u></b>	<b><u>\$683,542</u></b>
<b>Net Total Appropriations</b>	<b><u>\$15,226,746</u></b>	<b><u>\$14,763,294</u></b>



# Atlantic City Municipal Utilities Authority RESOLUTION

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the 2017 Authority's Budget is hereby amended as detailed above, and

**BE IT FURTHER RESOLVED**, that the Vice Chairman/Secretary is hereby directed to submit a copy of this Resolution to the Director of Local Government Services for approval as part of the Authority's 2017 Budget.

Adopted this 28th day of November 2016

  
\_\_\_\_\_  
Gary L. Hill, Vice Chairman/Secretary

Governing Body  
Members:

Milton L. Smith, Chairman	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Gary L. Hill, Vice Chairman Secretary	X			
John J. McGettigan, Treasurer	X			
Edmund J. Colanzi, Board Member	X			X
William Lea, Board Member	X			



# Atlantic City Municipal Utilities Authority

## RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, by N.J.S.A. 10:4-6 et. seq. allows a Municipal Utilities Authority to enter into Executive Session for the purposes of discussing Personnel matters, Litigation and Contract Negotiations; and


WHEREAS, the Atlantic City Municipal Utilities Authority (MUA) has a need to discuss the following:

- a. Litigation, Personnel, Contract Negotiations and Security
  - (1) Board Honorarium
  - (2) Authority Solicitor
  - (3) Labor Counsel
  - (4) Special Legal Counsel

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority (MUA) will go into Closed Session at: 10:17AM for approximately Thirty (30) Minutes ; and

BE IT FURTHER RESOLVED, that immediately after the Closed Session, the Atlantic City Municipal Utilities Authority (MUA) will present the findings of the Closed Session on a date and time when the findings will be available.

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 (MUA) is desirous of honoring the Board of Directors for their dedicated service; and

WHEREAS, a monetary gift of THREE THOUSAND DOLLARS AND NO CENTS (\$3,000.00) would be appropriate for their service and dedication of (5) years or more to the Atlantic City Municipal Utilities Authority; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that a monetary gift of THREE THOUSAND DOLLARS AND NO CENTS (\$3,000.00) will be awarded to the Board of Directors in December 2016.

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

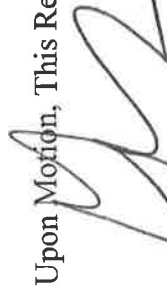
WHEREAS, funds are or will be available for this service in the budget of the Atlantic City Municipal Utilities Authority; and

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. FRED BOR, ESQ. is hereby appointed as Attorney for the Atlantic City Municipal Utilities Authority from February 15, 2017 through February 21, 2018.
2. The ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and FRED BOR, 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. FRED BOR, ESQ. 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 15, 2017 through February 21, 2018.
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**  
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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 (“Authority”) continues its dedication to provide the highest quality drinking water to the residents and businesses of the City of Atlantic City, and

WHEREAS, the Authority has determined that it will require a strategy to address the severe financial challenges facing the City of Atlantic City which thereby threatens the Authority’s existence, and

WHEREAS, the Authority circulated an RFQ to engage “Special Legal Counsel to assist the Authority to plan and implement an appropriate strategy, and

WHEREAS, the Law Firm of Porzio Bromberg & Newman P.C. has demonstrated that it has the particular ability to assist the Authority to develop and implement a strategic course of action to protect certain Authority interests,

NOW THEREFORE, the Atlantic City Municipal Utilities Authority authorizes the Executive Director to enter into an Agreement with Porzio Bromberg & Newman P.C. to serve as “Special Counsel” and to proceed with implementation of the aforementioned Authority objectives.

Upon Motion, This Resolution was ADOPTED as Read.

  
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GARY L. HILL, VICE CHAIRMAN/SECRETARY