



Atlantic City Municipal Utilities Authority

RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, in February of 2015, Mr. William K. Cheatham was elected to serve on the Atlantic City Municipal Utilities Authority's Board as an Alternate Board Member; and

WHEREAS, Mr. William K. Cheatham has dedicated his life to support for the good and welfare of the City of Atlantic City; and

WHEREAS, with enduring passion, William K. Cheatham has served as Scout Commissioner of the Boy Scouts of America, Treasurer of Atlantic City Renaissance, Program Chair of United Way, Atlantic City Boy's Club, Atlantic County Board of Public Transportation, Atlantic County Big Brothers and Sisters, President of the Board of Trustees of the Atlantic City Library, Chairman of the Atlantic City Shade Tree Committee among other distinctions; and

WHEREAS, while managing his time to support causes for the benefit of Atlantic City, William K. Cheatham supported his family working for the Atlantic City Convention and Visitor's Authority, the South Jersey Transportation Authority and held a Key License with the New Jersey Casino Control Commission; and

WHEREAS, the City of Atlantic City, by way of Ordinance No. 27 of 2019, recognized William K. Cheatham's contributions to the quality of life in this community by naming the corner of Maryland and Atlantic Avenues "William K. Cheatham's Block" with a ceremony held on Wednesday November 13, 2019; and

WHEREAS, among the many distinctions set forth hereinabove, William K. Cheatham was a dedicated Board Member of the Atlantic City Municipal Utilities Authority; and

WHEREAS, Mr. William K. Cheatham passed away peacefully on Sunday, June 27, 2021 at the age of 90, still serving as a Board Member for the Atlantic City Municipal Utilities Authority; and

WHEREAS, Mr. William K. Cheatham will be deeply missed by the Atlantic City Board of Directors of the Atlantic City Municipal Utilities Authority and MUA staff; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority and MUA staff hereby extends sincere condolences to the family of Mr. William K. Cheatham, and express our deepest gratitude for the years of service Mr. William Cheatham provided to the Authority, 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:

WHEREAS, the Atlantic City Municipal Utilities Authority held their regularly scheduled Board Meeting on June 16, 2021 commencing at 10:00am, there being present:

CHAIRMAN	John Devlin
VICE CHAIRMAN/SECRETARY	Gary L. Hill
TREASURER	Mohammed Dedar
BOARD MEMBER	Nynell Langford
BOARD MEMBER	Glenn Banfield
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 Michelle Palamarchuk, Certified Court Reporter for the June 16, 2021 Board Meeting.

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 or the "Authority") owns and operates the Water Department in the City of Atlantic City, NJ; 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

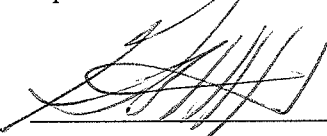
WHEREAS, the Authority is in need of renewing their expired contract with Environmental Systems Research Institute, Inc. ("Esri") for a Small Utility Cloud- Based (E215-7) ArcGIS Pro Online software; and

WHEREAS, Environmental Systems Research Institute, Inc. ("Esri") has provided a quote number: Q-446263 attached hereto, dated June 16th, 2021 with a yearly cost of \$5,300.00 payable for three (3) years at a total cost of \$15,900.00; and

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Atlantic City Municipal Utilities Authority hereby approve the quotation by Environmental Systems Research Institute, Inc. for the implementation and software 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 2021 Operating Account # 01-10-100-750-581 Software License Fee, to satisfy the aforesaid cost of the Environmental Systems Research Institute, Inc. ("Esri") host system.

Upon Motion This Resolution Was Approved As Read.



GARY HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

EMERGENCY PFC TREATMENT PROJECT

BY ALL MEMBERS OF THE BOARD:

WHEREAS, Polyfluoroalkyl substances (PFAS) chemical compound has been detected in the water supply of Atlantic City. The State of New Jersey Department of Environmental Protection (“NJDEP”) established health based drinking water standards of Maximum Contaminant Levels (“MCL”) for two (2) chemical compounds in the PFAS family. Perfluorooctanoic acid (PFOA) at 14 parts per trillion (“ppt”) and perfluorooctane sulfonate (“PFOS”) at 13 ppt MCL. N.J.A.C. 7:10-5.2(a)(5)(ii)-(iii). These MCL limits are the most stringent in the United States;

WHEREAS, the Atlantic City Municipal Utilities Authority (“Authority”) has been charged with the responsibility of producing safe drinking water to its customers and is faced with an emergent matter. The testing of the Atlantic City water reveals that the water samples containing PFAS exceeded the State respective MCL;

WHEREAS, the Authority is desperately working to reduce the PFAS limits in the City water supply and if the requirements are not met in a timely manner, the impact on the health, safety and welfare of all city residents would be in jeopardy. It is imperative that the Authority works in an expedited manner to meet the state requirements and avoid irreparable harm to its citizens;

WHEREAS, the Authority Board of Directors approved Resolution No. 58 on Wednesday, May 19th, 2021 at a regular scheduled Board meeting declaring that emergent steps must be taken to eradicate PFAS from the water system;

WHEREAS, Emergency contracting is necessary in order to provide treatment to filter PFAS contaminants from the Authority ground water system;

WHEREAS, H2M prepared plans and specifications for the purpose of the project is for the Contractor to furnish all labor, equipment, materials, tools, means, methods and incidentals necessary to complete the work as required by the Contract Documents for the Construction Contract;

WHEREAS, ACMUA/H2M received two (2) proposals – (1) Philip Ross Industries, (2) Stone Hill Contracting Co., Inc.;

WHEREAS, the apparent lowest-cost proposal was received from Philip Ross Industries, Melville, New York, who is considered to be a responsible and competent contractor that completed similar types of project for other water utilities;



Atlantic City Municipal Utilities Authority

RESOLUTION

WHEREAS, the cost to furnish all labor, equipment, materials, tools, means, methods and incidentals necessary to complete the work as required by the Contract Documents for the Construction Contract will be SEVEN HUNDRED NINETY-ONE THOUSAND DOLLARS AND NO CENTS (\$791,000.00).

BE IT FURTHER RESOLVED, by the Board of Directors of the Authority that the authority be and it is hereby given to the Chairman to execute and to the Vice Chairman/Secretary to attest to a contract awarded to PHILIP ROSS INDUSTRIES, INC. to be entered into between the Authority and PHILIP ROSS INDUSTRIES, INC., to furnish all labor, equipment, materials, tools, means, methods and incidentals necessary to complete the work as required by the Contract Documents for the Construction Contract in Egg Harbor Township, New Jersey, as aforesaid in strict accordance with the specification of the Authority's engineer H2M with said contract to be approved as to form and execution by the Authority's Solicitor; and

BE IT FURTHER RESOLVED, that a certificate from the Assistant Director of Financing and Accounting of the Authority is attached to this Resolution showing the availability of funds from the 2021 Atlantic City Municipal Utilities Authority Capital Budget for Upgrade/Expand Water Treatment Plant Account: 04-20-330-850-935 to satisfy the aforesaid Emergency PFC Treatment project not to exceed the total cost of SEVEN HUNDRED NINETY-ONE THOUSAND DOLLARS AND NO CENTS (\$791,000.00).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ.



GARY L. HILL, VICE CHAIRMAN/SECRETARY



Atlantic City Municipal Utilities Authority

RESOLUTION

RESOLUTION OF THE ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY DETERMINING VARIOUS MATTERS RELATING TO THE ISSUANCE OF ITS \$4,645,000 WATER SYSTEM REVENUE REFUNDING BOND, SERIES 2021 AND CONFIRMING THE PRIVATE SALE OF SAME TO FULTON BANK, N.A.

WHEREAS, The Atlantic City Municipal Utilities Authority (the "Authority") is a public body, duly formed under the Municipal and County Utilities Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1957, of the State of New Jersey, as amended and supplemented (N.J.S.A. 40:14B-1 et seq.) (the "Act") and possesses the powers set forth therein;

WHEREAS, the Authority adopted a resolution on April 21, 1993 entitled "Resolution Authorizing the Issuance of Water System Revenue Bonds of the Atlantic City Municipal Utilities Authority," as amended and supplemented (the "General Bond Resolution"), providing for the issuance of revenue bonds of the Authority and authorizing the issuance of "Additional Bonds" (as such term is defined in the General Bond Resolution), including for the purpose of refunding any Bonds of the Authority (as defined in the General Bond Resolution) and upon the terms and conditions set forth in the General Bond Resolution;

WHEREAS, in accordance with the General Bond Resolution, the Authority issued its Water System Revenue Refunding Bonds, Series 2007 dated May 17, 2007 in the aggregate principal amount of \$8,830,000 (the "Prior Bonds");

WHEREAS, the Authority adopted a resolution on May 19, 2021 entitled "Bond Resolution Of The Atlantic City Municipal Utilities Authority Determining To Refund Its Outstanding Water System Revenue Refunding Bonds, Series 2007; The Estimated Cost Thereof; And To Issue Bonds To Finance The Cost Thereof" (the "Supplemental Bond Resolution");

WHEREAS, the Authority adopted a resolution on June 16, 2021 entitled "Resolution Of The Atlantic City Municipal Utilities Authority Regarding The Private Sale Of Not To Exceed \$5,000,000 Water System Revenue Refunding Bonds, Series 2021" (the "Private Sale Resolution"); and

WHEREAS, in accordance with the General Bond Resolution, the Supplemental Bond Resolution, the Private Sale Resolution and this resolution, the Authority desires (1) to issue its Water System Revenue Refunding Bond, Series 2021 in the aggregate principal amount of \$4,645,000 (the "2021 Bond") for the purpose of currently refunding the outstanding Prior Bonds maturing on June 1, 2022 through June 1, 2029 in the aggregate principal amount of \$4,535,000 on the redemption date of September 23, 2021; (2) to fully fund the Bond Reserve Fund (as defined in the General Bond Resolution) equal to the Bond Reserve Requirement; and (3) to pay the costs and expenses related to the issuance of the 2021 Bond.

NOW THEREFORE, BE IT RESOLVED BY THE ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY AS FOLLOWS:

ARTICLE I

Section 101. Short Title. This resolution may hereinafter be cited by the Authority, and is hereinafter sometimes referred to, as the "Details Resolution."

Section 102. Definitions. Terms which are used as defined terms herein shall, unless specifically defined herein or unless the context clearly requires otherwise, have the meanings set forth below. All other terms used as defined terms herein shall, unless the context clearly requires otherwise, have the meanings assigned thereto in Section 101 of the General Bond Resolution.



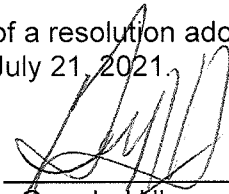
Atlantic City Municipal Utilities Authority

RESOLUTION

Recorded Vote:

	<u>Aye:</u>	<u>Nay:</u>	<u>Absent:</u>	<u>Abstain:</u>
Board Members				
Glenn Banfield	X			
Gary L. Hill	X			
Nynell Langford	X			
Dedar Mohammed	X			
John Devlin	X			

The foregoing is a true copy of a resolution adopted by the governing body of The Atlantic City Municipal Utilities Authority on July 21, 2021.



Gary L. Hill
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 and the Specifications and Instructions to Bidders this day submitted by the Executive Director of the MUA for a BANK DEPOSITORY SERVICES 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 bids in the form of Advertisement for the undertaking hereinabove set forth, the said bids to be received and opened by authorized personnel of the Atlantic City Municipal Utilities Authority to be held on Wednesday, September 8, 2021 at 11:00 AM prevailing time.

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 Engineering for FURNISHING AND DELIVERING WHITE SODIUM SILICO FLUORIDE, 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 opened by authorized personnel of the Atlantic City Municipal Utilities Authority on Tuesday, August 10, 2021 at 11:00 AM prevailing time.

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 and the Specifications and Instructions to Bidders this day submitted by the Deputy Executive Director of Engineering for HORIZONTAL DIRECTIONAL DRILLING AT FAA TECHNICAL CENTER 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 opened by authorized personnel of the Atlantic City Municipal Utilities Authority on Tuesday, August 10th, 2021 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, 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 NINE HUNDRED SIXTY FOUR THOUSAND, EIGHT HUNDRED EIGHTY EIGHT DOLLARS AND SEVENTY SIX CENTS. (\$964,888.76); 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