



# Atlantic City Municipal Utilities Authority

## RESOLUTION

**No: 21-181**  
**APPROVING TO ENTER INTO CLOSED SESSION**

**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.



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**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.

  
\_\_\_\_\_  
WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body Member:	Recording Vote			
	Aye	Nay	Abstain	Absent
John Devlin	[X]	[ ]	[ ]	[ ]
Gary L. Hill	[X]	[ ]	[ ]	[ ]
Glenn Banfield	[X]	[ ]	[ ]	[ ]
Mohammed Dedar	[X]	[ ]	[ ]	[ ]
Nynell Langford	[X]	[ ]	[ ]	[ ]



# Atlantic City Municipal Utilities Authority

## RESOLUTION

**No: 21-182**  
**SUBMITTAL OF RFQ/RFP TO SOLICITOR**

BY ALL MEMBERS OF THE BOARD:

WHEREAS, throughout the course of the year, there exist the need by the Atlantic City Municipal Utilities Authority to solicit Request for Qualifications (RFQ) and/or Request for Proposals (RFP) for various Professional Services; and

WHEREAS, the Board of Directors of the Atlantic City Municipal Utilities Authority is desirous that all Request for Qualifications (RFQ) and all Request for Proposals (RFP) shall be submitted in a timely manner to the Solicitor prior to sending out to the various Professional Services; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that all Request for Qualifications (RFQ) and all Request for Proposals (RFP) shall be submitted to the Solicitor, Fred Bor, Esq. in a timely manner prior to Advertising, Posting or Submitting to Consultants.

Upon Motion, This Resolution was APPROVED as Read.

  
\_\_\_\_\_  
WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body Member:	Recording Vote			
	Aye	Nay	Abstain	Absent
John Devlin	[X]	[ ]	[ ]	[ ]
Gary L. Hill	[X]	[ ]	[ ]	[ ]
Glenn Banfield	[X]	[ ]	[ ]	[ ]
Mohammed Dedar	[X]	[ ]	[ ]	[ ]
Nynell Langford	[X]	[ ]	[ ]	[ ]



# Atlantic City Municipal Utilities Authority

## RESOLUTION

No: 21-183  
ACCEPTANCE OF 2022 ASSESSMENT

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA) has previously agreed to join the New Jersey Utility Authorities Joint Insurance Fund subject only to the right to approve its assessments following processing and approval of a safety inspection and its application; and

WHEREAS, the Fund has certified an annual assessment in the amount of \$434,080.00 for coverage in the New Jersey Utility Authorities Joint Insurance Fund subject to the ACMUA passing a safety inspection;

WHEREAS, the ACMUA agrees to the pay the annual assessment provided the safety inspection does not result in the assessed amount exceeding \$459,080.00 or \$25,000.00 beyond the certified annual assessment in the amount of \$434,080.00; and

WHEREAS, the certified annual assessment will be pro-rated from the effective date of coverage to 12:01 am standard time January 1, 2023;

NOW THEREFORE BE IT RESOLVED that the Governing Body does hereby approve of the assessment and ratify its prior agreement to join the Fund which membership shall become effective on January 1, 2022.

Upon Motion, This Resolution was APPROVED as Read.

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body Member:	Recording Vote			
	Aye	Nay	Abstain	Absent
John Devlin	[ ]	[ ]	[X]	[ ]
Gary L. Hill	[X]	[ ]	[ ]	[ ]
Glenn Banfield	[X]	[ ]	[ ]	[ ]
Mohammed Dedar	[X]	[ ]	[ ]	[ ]
Nynell Langford	[X]	[ ]	[ ]	[ ]



# Atlantic City Municipal Utilities Authority

## RESOLUTION

No: 21-183 (a)  
RISK MANAGEMENT CONSULTANT

**WHEREAS**, the Atlantic City Municipal Utilities Authority has resolved to join both the New Jersey Utility Authorities Joint Insurance Fund, following a detailed analysis; and

**WHEREAS**, the bylaws of said Funds require that each Authority appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the bylaws; and

**WHEREAS**, the bylaws indicate a minimum fee equal to six percent (6%) of the Authority's assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Authority;

**WHEREAS**, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

**NOW THEREFORE**, be it resolved that the Atlantic City Municipal Utilities Authority does hereby appoint Fairview Insurance Agency Associates of 25 Fairview Avenue, Verona, New Jersey as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER resolved that the Governing Body are hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1) (a) (i).

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

A handwritten signature in blue ink, appearing to read "Wastella E. Johnson", is written over a horizontal line.

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body Member:	Recording Vote			
	Aye	Nay	Abstain	Absent
John Devlin	[ ]	[ ]	[X]	[ ]
Gary L. Hill	[X]	[ ]	[ ]	[ ]
Glenn Banfield	[X]	[ ]	[ ]	[ ]
Mohammed Dedar	[X]	[ ]	[ ]	[ ]
Nynell Langford	[X]	[ ]	[ ]	[ ]





# Atlantic City Municipal Utilities Authority

## RESOLUTION

No: 21-183 (b)

**JOIN NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND  
SUBJECT TO APPROVAL OF ASSESSMENT**

WHEREAS, a number of utility authorities in the state of New Jersey have joined together to form a Joint Insurance Fund as permitted by N.J.S.A. (40A:10-36) and;

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund;

WHEREAS, the Governing Body of the Atlantic City Municipal Utilities Authority has determined that membership in the New Jersey Utility Authorities Joint Insurance Fund is in the best interest of the Atlantic City Municipal Utilities Authority

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Atlantic City Municipal Utilities Authority does hereby resolve and agree to become a member of the FUND for an initial period not to exceed three (3) years, the commencement of which shall coincide with the effective date of the FUND'S operation and coverage, or the effective date of membership, whichever occurs later, for the purpose of establishing the following types of coverage:

1. Workers' Compensation and Employer's Liability;
2. Liability, other than motor vehicle;
3. Property Damage, other than motor vehicle;
4. Motor Vehicle.
5. Public officials/Employment Practices

BE IT FURTHER RESOLVED that such membership is subject to the right to approve the initial assessment when the same is received from the Fund following processing of the application, and;

BE IT FURTHER RESOLVED that the Utility Authority hereby adopts and approves of the bylaws of the Fund; and

BE IT FURTHER RESOLVED that John Devlin, Chairman is authorized to execute the application for membership and the accompanying certification on behalf of the Authority; and

BE IT FURTHER RESOLVED that the Governing Body is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund as are required by the Fund's bylaws and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon the applicant's admission to the Fund following approval by the Fund, passage by the Authority of a Resolution Accepting Assessment and approval by the New Jersey Department of Insurance and the Department of Community Affairs.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

  
\_\_\_\_\_  
WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body Member:	Recording Vote			
	Aye	Nay	Abstain	Absent
John Devlin	[ ]	[ ]	[X]	[ ]
Gary L. Hill	[X]	[ ]	[ ]	[ ]
Glenn Banfield	[X]	[ ]	[ ]	[ ]
Mohammed Dedar	[X]	[ ]	[ ]	[ ]
Nynell Langford	[X]	[ ]	[ ]	[ ]



# Atlantic City Municipal Utilities Authority

## RESOLUTION

**No: 21-183 (c)**  
**ACCEPTANCE OF 2022 ASSESSMENT**

**WHEREAS**, the Atlantic City Municipal Utilities Authority has previously agreed to join the New Jersey Utility Authorities Joint Insurance Fund subject only to the right to approve its assessments following processing and approval of its application; and

**WHEREAS**, the Fund has certified an annual assessment in the amount of \$434,080 For coverage in the New Jersey Utility Authorities Joint Insurance Fund; and

**WHEREAS**, the certified annual assessment will be pro-rated from the effective date of coverage to 12:01 am standard time January 1, 2023;

**NOW THEREFORE BE IT RESOLVED** that the Governing Body does hereby approve of the assessment and ratify its prior agreement to join the Fund which membership shall become effective on January 1, 2022.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

A handwritten signature in blue ink, appearing to read "Wastella E. Johnson", is written over a horizontal line.

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body Member:	Recording Vote			
	Aye	Nay	Abstain	Absent
John Devlin	[ ]	[ ]	[X]	[ ]
Gary L. Hill	[X]	[ ]	[ ]	[ ]
Glenn Banfield	[X]	[ ]	[ ]	[ ]
Mohammed Dedar	[X]	[ ]	[ ]	[ ]
Nynell Langford	[X]	[ ]	[ ]	[ ]