

ATLANTIC CITY
MUNICIPAL UTILITIES AUTHORITY

TRANSCRIPT OF REMOTE PROCEEDINGS

RE: REGULAR MONTHLY MEETING OF THE
ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

OPEN SESSION

December 21, 2022
COMMENCING AT 10:02 a.m.
VIA ZOOM VIDEOCONFERENCE

BOARD MEMBERS PRESENT:

GARY L. HILL, Chairman
MOHAMMED DEDAR, Vice Chairman/Deputy
MICHAEL ARMSTRONG, Executive Director
INDIA STILL, Deputy Executive Director
BRUCE WARD, Solicitor
CLAUDE SMITH, Deputy Executive Director of
Engineering
JOHN ECCLES, JR.
NYNELL LANGFORD
STEPHANIE DAVIES, Alternate #1
SAYED KAUSAR, Alternate #2

ALSO PRESENT:

WASTELLA JOHNSON, Board Secretary
ANITA THAPA
MICHAEL RILEY, ESQUIRE, Board Attorney
WES SWAIN, City Administrator

STENOGRAPHICALLY REPORTED BY:

WENDY L. WALINSKI, RPR, NJ CCR
- - -
MAGNA LEGAL SERVICES
(866) 624-6221

1 CHAIRMAN HILL: And here we are. Off
2 to the races.

3 AUTOMATED VOICE: Recording in
4 progress.

5 CHAIRMAN HILL: I've got it. Okay.
6 Good morning, everybody, and welcome
7 to the December 21st board meeting.

8 Adequate notice of this meeting has
9 been provided as required by law by mailing to The
10 Press a list of the regularly scheduled meeting,
11 December 21st, 2022, at 401 North Virginia Avenue,
12 Conference Room, Atlantic City, New Jersey. A copy
13 of said notice was sent to the City Clerk to be
14 posted. All of the aforesaid complies with Chapter
15 231 of the Laws of 1975 known as the Open Meeting
16 Act (sic).

17 So we'll do a roll call, please, Ms.
18 Johnson.

19 MS. JOHNSON: Yes.

20 Mr. Hill?

21 CHAIRMAN HILL: Present.

22 MS. JOHNSON: Mr. Dedar will be late.

23 CHAIRMAN HILL: Right.

24 MS. JOHNSON: Mr. Banfield I'm not
25 sure was coming on.

1 Ms. Langford?

2 MS. LANGFORD: Here.

3 MS. JOHNSON: Mr. Eccles?

4 MR. ECCLES: Here.

5 MS. JOHNSON: Ms. Davies is absent at
6 the present.

7 Mr. Kausar?

8 MR. KAUSAR: Yes.

9 MS. JOHNSON: Okay.

10 CHAIRMAN HILL: Thank you all. Can
11 we please stand for the Pledge of Allegiance?

12 (The Pledge of Allegiance is
13 recited).

14 CHAIRMAN HILL: Thank you.

15 Okay. We'll -- before we go into our
16 regular scheduled items, I believe we do have
17 somebody from the public.

18 Is he onboard here, Ms. Johnson?

19 MS. JOHNSON: I'm not sure who is
20 Pixel 6a.

21 CHAIRMAN HILL: Okay.

22 MS. JOHNSON: They're not on mute, so
23 they should be able to hear us.

24 CHAIRMAN HILL: Hello, Pixel.

25 MS. JOHNSON: And, Mr. Armstrong,

1 we're expecting public participation from a
2 gentleman. I'm not sure who that is.

3 CHAIRMAN HILL: Hello, Pixel 6a.

4 MR. WARD: This is Bruce --

5 CHAIRMAN HILL: Could you identify
6 yourself?

7 MR. WARD: This is Bruce Ward. I
8 have a Pixel.

9 CHAIRMAN HILL: Okay. All right, Mr.
10 Ward. Thank you.

11 I don't see the public gentleman, but
12 we can -- when he comes on, we can just bring him
13 back, I guess. We're not going to hold -- wait.

14 MS. JOHNSON: Okay. Yes.

15 CHAIRMAN HILL: Sir, is there
16 somebody from the public on our Zoom?

17 MS. JOHNSON: No, it's not.

18 CHAIRMAN HILL: Okay. Very good.
19 We're going to move forward.

20 Okay. We're going to move on to
21 number 5 on the agenda, our board meeting for
22 November 8th (sic) is resolution 5 a, needs approval
23 of those minutes.

24 Ms. Johnson, could you read that,
25 please?

1 MS. JOHNSON: Approving the open
2 session minutes of November 18th, 2022.

3 Whereas, the Atlantic City MUA held
4 their board meeting on November 18th, 2022
5 commencing at 10 a.m.

6 Now therefore be it resolved, on this
7 21st day of December, '22 that the board of
8 directors of the MUA hereby approves the
9 transcription of the open session meeting held on
10 November 18th, 2022.

11 CHAIRMAN HILL: Thank you very much.
12 I'm hoping everybody had time to review.

13 Anybody have a comment, question, or
14 change?

15 Hearing none, I'll accept a motion
16 to -- I'll accept a motion to accept the resolution.

17 MR. ECCLES: I'll make the motion.

18 CHAIRMAN HILL: Thank you.

19 And a second?

20 MR. KAUSAR: Second.

21 CHAIRMAN HILL: Thank you. Roll
22 call.

23 MS. JOHNSON: Mr. Hill?

24 CHAIRMAN HILL: Yes.

25 MS. JOHNSON: Ms. Langford?

1 MS. LANGFORD: Yes.

2 MS. JOHNSON: Mr. Eccles?

3 MR. ECCLES: Yes.

4 MS. JOHNSON: And Mr. Kausar?

5 MR. KAUSAR: Yes.

6 CHAIRMAN HILL: Thank you. Moving on
7 to 5 b, these are our closed session meetings (sic)
8 of that said meeting. All board members are
9 requested to review them at the offices, and then we
10 can move forward on approving them. They will -- of
11 course, they get sent to the state, as well.

12 Good morning, Mr. Swain.

13 So could we read that resolution,
14 please?

15 MS. JOHNSON: Approving closed
16 session minutes of November 18th, 2022.

17 Whereas, the Atlantic City MUA held
18 their regularly scheduled board meeting on November
19 18th, 2022 commencing at 10 a.m.

20 Now therefore be it resolved, on the
21 21st day of December '22 that the transcription is
22 approved of the closed session meeting minutes held
23 on November 18th, 2022.

24 CHAIRMAN HILL: Very good. Thank
25 you.

1 Questions?

2 Okay. It was a little shorter last
3 time, so that was nice. Not as long as sometimes.

4 So I'll accept a motion, please.

5 MS. LANGFORD: Motion.

6 CHAIRMAN HILL: Thank you. And I'll
7 second that.

8 Roll call.

9 MS. JOHNSON: Mr. Hill?

10 CHAIRMAN HILL: Yes.

11 MS. JOHNSON: Ms. Langford?

12 MS. LANGFORD: Yes.

13 MS. JOHNSON: Mr. Eccles?

14 MR. ECCLES: Yes.

15 MS. JOHNSON: And Mr. Kausar?

16 MR. KAUSAR: Yes.

17 CHAIRMAN HILL: Thank you. We also
18 held a scheduled public hearing meeting. I was
19 there for that, as well as a couple other board
20 members. That was held on December 1st, and that is
21 resolution 5 c (1).

22 Could we read that, please?

23 MS. JOHNSON: Yes. Approving open
24 session minutes of the public hearing meeting of
25 December 1st, 2022.

1 Whereas, the Atlantic City MUA held
2 their board meeting on December 1st commencing at 10
3 a.m.

4 Now therefore be it resolved, on this
5 21st day of December '22, that the board of
6 directors hereby approves the transcription of the
7 open session minutes of the public hearing meeting
8 held on December 1st, 2022.

9 CHAIRMAN HILL: Thank you. We did
10 have the meeting. I don't believe any public
11 attended, if I remember correctly. However, we can
12 move forward in getting those approved.

13 So I'm looking for a motion.

14 MR. KAUSAR: Motion.

15 CHAIRMAN HILL: Thank you.

16 And a second?

17 MR. ECCLES: I'll second it.

18 CHAIRMAN HILL: Thank you.

19 Roll call.

20 MS. JOHNSON: Mr. Hill?

21 CHAIRMAN HILL: Yes.

22 MS. JOHNSON: Ms. Langford?

23 MS. LANGFORD: Abstained.

24 MS. JOHNSON: Mr. Eccles?

25 MR. ECCLES: Yes.

1 MS. JOHNSON: And Mr. Kausar?

2 MR. KAUSAR: Yes.

3 CHAIRMAN HILL: Thank you. Okay.

4 Two things under my quick report. Just a reminder
5 to the board members. Of course there's the MUA's
6 holiday staff party this afternoon I believe at
7 2:00. Everybody's invited. We want to wish, of
8 course, all of our wonderful staff and employees a
9 happy holiday season. Anybody who would like to
10 attend, just let Ms. Johnson know, and of course,
11 we'll go from there. That will be fun.

12 Also, the security assessment update,
13 we've been following up very strongly on this. As
14 all of us are aware, we've had a security assessment
15 done by various agencies, including New Jersey's
16 Homeland Security, county prosecutor's office, and
17 we have started that.

18 Mr. Armstrong, would you like to
19 comment on that assessment?

20 MR. ARMSTRONG: Yes. Given the
21 nature of that assessment, it may be in our best
22 interest to go into a little bit more detail during
23 closed session.

24 CHAIRMAN HILL: Uh-huh. Right. I
25 just wanted to put it on the record that we are

1 continuing to work on that.

2 MR. ARMSTRONG: Okay.

3 CHAIRMAN HILL: Mr. Armstrong and I
4 met with the team, and we'll get more into that in
5 closed session. Okay?

6 MR. ARMSTRONG: Okay.

7 CHAIRMAN HILL: Thank you.

8 Okay. Moving on. The -- Mr. Ward,
9 do you have anything for our general concerns?

10 MR. WARD: Not at this point.

11 CHAIRMAN HILL: Okay, Mr. Ward.

12 Thank you.

13 Committee report, engineering, and
14 personnel. Engineering we continue to work on so
15 many projects throughout our -- the plant, as well
16 as our city, and of course, now we're getting into a
17 very critical time with water main breaks. This
18 weekend's supposed to be very cold and bad weather.
19 This is always kind of a very stressful time for our
20 workers and our leaders because this is when some
21 major problems can happen. But I know with our
22 great team, we'll be able to handle it.

23 Mr. Smith, would you like to make any
24 comments on our progress so far?

25 Mr. Smith?

1 MS. JOHNSON: You're on mute.

2 CHAIRMAN HILL: Yeah.

3 Sorry, Claude.

4 MS. JOHNSON: Yeah. He's doing it.

5 CHAIRMAN HILL: I can't hear.

6 MS. JOHNSON: Here he comes.

7 MR. SMITH: Good morning, everyone.

8 CHAIRMAN HILL: There we go. Hi.

9 MR. SMITH: Yeah. Just to let

10 everyone know that in regards to the engineering
11 progress, the engineering report is actually in your
12 package. You can actually go through that and
13 peruse it and see pretty much what's been ongoing
14 and what projects are still outstanding in regards
15 to work that we're proceeding with.

16 In regards to what Gary just
17 mentioned about the weather conditions and of course
18 potential for any water main breaks and so forth, we
19 are pretty much preparing ourselves for that.
20 Myself and Justin's been having discussions on a
21 regular -- and even this morning we had a
22 discussion, as well, too. We do intend on having a
23 meeting with -- with the -- the distribution staff
24 tomorrow just to make sure that everyone's onboard
25 in regards to work that needs to be proceeded with

1 and whatever calls that might come in, that we can
2 actually handle those calls.

3 The one contract that is for the
4 on-call emergency repair water main repair services
5 is being completed, and it should be sent -- should
6 be sent out pretty soon that will give us that
7 additional assistance in regards to any water main
8 breaks that we probably should have within the
9 inclement weather as it approaches, for the
10 wintertime that we actually do have.

11 Apart from that, I don't have
12 anything else to actually report on.

13 CHAIRMAN HILL: Thank you, Mr. Smith.

14 MR. ARMSTRONG: I'm sorry.

15 CHAIRMAN HILL: On personnel, maybe
16 Mr. Armstrong can speak. Mr. Dedar is not here. I
17 know we have one new hiree coming onboard. Sir?

18 MR. ARMSTRONG: It's -- that one's
19 subject to approval by the state, so I'm going to --

20 CHAIRMAN HILL: Okay.

21 MR. ARMSTRONG: -- hold off on that
22 until that circulates through the state and we get
23 the waiver back.

24 CHAIRMAN HILL: Very good. And I'm
25 assuming that's the one I just signed?

1 MR. ARMSTRONG: Yes.

2 CHAIRMAN HILL: Right.

3 MR. ARMSTRONG: Yes.

4 CHAIRMAN HILL: Okay. Very good.

5 MR. ARMSTRONG: Other than that,
6 nothing new. We do have some vacancies that -- you
7 know, in the administrative offices that we're going
8 to be filling within the coming weeks, and you know,
9 we're going to be posting that and then sending
10 waivers to the state once we get qualified
11 applicants.

12 CHAIRMAN HILL: Right. And, again,
13 I'm going to thank our state representative and --
14 for their quick action. They've been very, very
15 responsive to us as we try to fill in the gaps in
16 our workforce, and I thank them for that. It's --
17 it's vital for the continuation of what we do for
18 the residents of Atlantic City.

19 Personnel matters we're going to be
20 discussing in closed session, as well as an -- in
21 a -- well, a motion that we're going to be
22 discussing for Mr. Lowenstein. It deals with a
23 property that the MUA has. We'll get into that in
24 closed session.

25 Anything else, Mr. Armstrong, before

1 we go to the rest on there, the SCADA system and so
2 forth?

3 MR. ARMSTRONG: No.

4 CHAIRMAN HILL: No? I think we'll go
5 into closed session.

6 Okay. We talked -- engineer's report
7 you talked about.

8 So, Mr. Smith, how about -- I know
9 the SCADA, we've been really working -- you were
10 having a meeting the other day when I was there.
11 I'm anxious to hear how that went and if you have
12 anything for operations, sir.

13 MR. SMITH: The operations report is
14 also in your package, as well.

15 CHAIRMAN HILL: Right.

16 MR. SMITH: That's actually come from
17 the treatment plant for any information that's
18 actually ongoing with the operations of the
19 treatment plant itself.

20 In regards to SCADA, yes, we've been
21 having some discussions. We even had some
22 discussions this morning, as well, in house and
23 continuously having some discussions about the SCADA
24 system.

25 We're just trying to work out the

1 semantics in regards to how we approach the -- the
2 upgrade of the SCADA system that we need to get
3 done. As suggested by the -- Mr. Armstrong this
4 morning, in terms of the meeting that we have, that
5 we probably should go out in a manner that we can
6 actually better represent how we want to actually go
7 forward with this SCADA system and the upgrade of
8 the SCADA system.

9 So I think we're just looking for
10 some form of approval from the board in order to do
11 so, and that would be determined later on as we have
12 some more discussions with regards to the SCADA
13 system itself.

14 CHAIRMAN HILL: Right. We're not
15 approving anything today. You're going to bring
16 that total information report to us maybe in January
17 and we can move forward; correct?

18 MR. SMITH: The --

19 CHAIRMAN HILL: Or do you need
20 approval today to move forward?

21 MR. SMITH: We just -- yeah. We just
22 need some form of approval so we can actually move
23 forward in terms of if we need to go out, how we --
24 how we'll actually approach that going out with what
25 we determine as we have some additional discussions

1 in regards to the SCADA system.

2 CHAIRMAN HILL: Okay. So it's not a
3 formal resolution, folks. It's just getting them
4 forward -- they can move forward. The SCADA system
5 they've been working on for many months, so...

6 MR. ARMSTRONG: Right. We would just
7 need a motion to allow us to go out --

8 CHAIRMAN HILL: Right.

9 MR. ARMSTRONG: -- and get -- we
10 don't -- we're yet to determine the process that we
11 need to go through, but we -- we know that there's a
12 need, an emergent need, not an -- I want to clarify.
13 Not a -- we haven't determined it's an emergency
14 yet.

15 CHAIRMAN HILL: No.

16 MR. ARMSTRONG: But it's at least a
17 priority. And so we're going to be looking to make
18 that determination in the next week or so as to --

19 CHAIRMAN HILL: Okay.

20 MR. ARMSTRONG: -- the process, and
21 if we determine that the process is, you know, a
22 competitive bid process or another type of process,
23 we want to be in a position that we don't have to
24 come back before the board --

25 CHAIRMAN HILL: Right.

1 MR. ARMSTRONG: -- if we need to
2 pursue that process. So we'll at least need a
3 motion --

4 CHAIRMAN HILL: Okay.

5 MR. ARMSTRONG: -- to pursue getting
6 competitive quotes for updating the SCADA system.

7 CHAIRMAN HILL: Okay. Right. So
8 I'll -- we'll do that now since we're there.

9 MR. ARMSTRONG: Okay.

10 CHAIRMAN HILL: Instead of under new
11 business.

12 So I'm going to make a motion to
13 authorize our executive director and our director of
14 engineering to move forward on the SCADA system with
15 plans, progress, and whatever we need to do to get
16 moving forward I guess.

17 MR. ARMSTRONG: Right.

18 CHAIRMAN HILL: Okay. And we can put
19 that formally in a resolution, Ms. Johnson, once we
20 get off of this Zoom.

21 Do I have a second?

22 MR. ECCLES: I'll second.

23 CHAIRMAN HILL: Thank you.

24 Roll call.

25 MS. JOHNSON: Mr. Hill?

1 CHAIRMAN HILL: Yes.

2 MS. JOHNSON: Ms. Langford?

3 MS. LANGFORD: Yes.

4 MS. JOHNSON: Mr. Eccles?

5 MR. ECCLES: Yes.

6 MS. JOHNSON: Mr. Kausar?

7 MR. KAUSAR: Yes.

8 CHAIRMAN HILL: Thank you, sir.

9 Okay. We're going to hear from our
10 executive -- or deputy executive director Ms. Still.

11 India, do you have any updates? I
12 know you've been working on a number of projects.

13 Would you like to fill us in a little
14 bit, a review?

15 MS. STILL: Actually, I don't have
16 any updates. The last thing that I think I
17 presented to the board was just about the health
18 insurance.

19 CHAIRMAN HILL: Right.

20 MS. STILL: And we're just waiting to
21 hear from Fairview once they get the data from the
22 state, and that was going to take, I think he said
23 about 60 days in order to do that.

24 CHAIRMAN HILL: Right.

25 MS. STILL: Other than that, I've

1 just been working with staff on RFPs and, you know,
2 just --

3 CHAIRMAN HILL: Right.

4 MS. STILL: -- assisting in some
5 other matters.

6 CHAIRMAN HILL: Okay. That's fine.
7 Thank you so much. We just want to -- we want to
8 keep working on that health -- the insurance issues,
9 so for, of course a year down the line, so that's
10 great.

11 The money lady is here. Hello,
12 Anita. Welcome. And we're going to go through, if
13 you want to just review our financial reports,
14 management balances, and shutoffs, please.

15 MS. THAPA: Uh-huh. Sure. Hi,
16 everyone. The financial reports are for the month
17 of October. As of October, we reported the revenue
18 of 15.5 million including all the interest income,
19 as well, and the expenses is about 8.1 million,
20 giving us a net income of 7.4 million.

21 As far as the cash management, the
22 interest is getting better. I know I haven't looked
23 into the interest rates for the -- the CD for the
24 larger jumbo CD rates, but hopefully next -- next --
25 starting next year, if the state rates -- keeps

1 raising it, then we will definitely look into it.

2 As of October, most of our monies
3 is -- monies are in Bank of New York, and the
4 interest rate right now is about -- averaging about
5 2.7 percent. So that's about the cash management
6 and financial report.

7 The balance adjustment is just for
8 the review of -- for the board. That's where, you
9 know, like I always mention, we credit or debit the
10 customer accounts. If you have any questions,
11 please feel free to contact me.

12 And as of -- for shutoffs, obviously
13 we're not doing any shutoffs as usual. This is
14 wintertime, but that just, you know, tells the board
15 members, to give general idea how much the
16 delinquent accounts are.

17 CHAIRMAN HILL: Right.

18 MS. THAPA: Okay. And just to give
19 you an update on the audit. The GASB 75 report came
20 out a little bit earlier, which it came out last
21 week. So we will -- we are finalizing the audit.
22 So by next January board meeting, we'll present the
23 2021 audit. That's -- I think that's -- that's all
24 for me.

25 CHAIRMAN HILL: Thank you.

1 MS. THAPA: Like I always mention,
2 any questions, please don't hesitate to contact me.

3 CHAIRMAN HILL: Right. Yes. Thank
4 you, Anita, very much.

5 I believe we have Ms. Davies? Are
6 you there --

7 MS. DAVIES: Yes.

8 CHAIRMAN HILL: -- Stephanie?

9 MS. DAVIES: Yes, I'm here.

10 CHAIRMAN HILL: Hello. Welcome.

11 We are at 10. We're going to be
12 moving into some old business. At the end of the
13 year, we always have to approve our rules, rates,
14 and regulations, our connection fee schedule, the
15 budget that we already have reviewed, and as we
16 mentioned earlier today, we had a public meeting on
17 that, and we reviewed it last month, as well. I
18 want to thank again the audit committee for all
19 their work, as well as our wonderful staff, in
20 particular Anita, so we'll move on to now accepting
21 these so we can move forward.

22 So this is for the upcoming year.
23 We're going to be looking at 10 a (1), rules and
24 regulations. It's in your packet.

25 Could we read the resolution, please,

1 Ms. Johnson?

2 MS. JOHNSON: Yes. Changes to rules,
3 rates, and regulations.

4 Whereas, on January 13th, 1988 by
5 Resolution Number 6 of 1988, the board of directors
6 of the MUA adopted the rules, rates, and regulations
7 on the authority.

8 Whereas, it's necessary to amend the
9 rules, rates, and regulations and/or as attached.

10 Now therefore be it resolved, by the
11 board of directors of the MUA that the mentioned
12 sections are hereby amended as attached and that the
13 effective date of these regulations shall be January
14 1, 2023.

15 CHAIRMAN HILL: Right. Any
16 questions, comments?

17 We've all had time to I think look
18 over this a couple of months.

19 Hearing none, I'll accept a motion.

20 MR. ECCLES: I'll make the motion.

21 CHAIRMAN HILL: Thank you.

22 And a second?

23 MS. DAVIES: Second.

24 CHAIRMAN HILL: Thank you.

25 Roll call.

1 MS. JOHNSON: Mr. Hill?

2 CHAIRMAN HILL: Yes.

3 MS. JOHNSON: Ms. Langford?

4 MS. LANGFORD: Yes.

5 MS. JOHNSON: Mr. Eccles?

6 MR. ECCLES: Yes.

7 MS. JOHNSON: Ms. Davies?

8 MS. DAVIES: Yes.

9 MS. JOHNSON: Mr. Kausar?

10 MR. KAUSAR: Yes.

11 CHAIRMAN HILL: Thank you very much.

12 Continuing on that same theme, our connection fee
13 schedule. That is attached, as well, to your
14 packet. We've had time to review this. Again, this
15 was reviewed at our December 1st meeting, as well at
16 the public meeting.

17 So could we have -- read the
18 resolution, please, for 10 a (2)?

19 MS. JOHNSON: 2023 connection fee.
20 Whereas, on May 8th, 1985 by Resolution Number 77 of
21 1985, the board of directors of the MUA adopted the
22 rules, rates, and regulations on the authority.

23 Whereas, in the aforementioned
24 resolution, the connection fee formula was set out
25 in detail for calendar years 1981 through 2022.

1 Whereas, it's necessary to amend
2 Section 1.f.h -- 8 of the aforementioned Resolution
3 Number 77 of 1985 to add the connection fee formula
4 for the calendar year 2023 to include the following:
5 \$24.9408 gallons per day.

6 CHAIRMAN HILL: Thank you very much.
7 Any questions, concerns?
8 Again, we've had time to review that.
9 I'll look for a motion to adopt.

10 MS. DAVIES: Motion.

11 CHAIRMAN HILL: Thank you.
12 And a second?

13 MS. LANGFORD: Second.

14 CHAIRMAN HILL: Thank you.
15 Roll call.

16 MS. JOHNSON: Mr. Hill?

17 CHAIRMAN HILL: Yes.

18 MS. JOHNSON: Ms. Langford?

19 MS. LANGFORD: Yes.

20 MS. JOHNSON: Mr. Eccles?

21 MR. ECCLES: Yes.

22 MS. JOHNSON: Ms. Davies?

23 MS. DAVIES: Yes.

24 MS. JOHNSON: Mr. Kausar?

25 MR. KAUSAR: Yes.

1 CHAIRMAN HILL: Thank you very much.
2 Moving forward. This is the big
3 thing in your packet. This is the real budget which
4 has been reviewed and submitted. And, again, this
5 was discussed at the public meeting on December 1st.

6 So we'll read the resolution to adopt
7 that.

8 MS. JOHNSON: The 2023 adopted budget
9 resolution. Fiscal year January 1, 2023 to December
10 31st, 2023.

11 Whereas, the annual budget and
12 capital budget for the MUA beginning January 1, '23
13 and ending December 31st, 2023 has
14 been presented for adoption before the governing
15 body of the MUA at its open public meeting of today,
16 December 21st, '22.

17 Whereas, the annual budget presented
18 for adoption reflects total revenues of \$18,085,188,
19 total appropriations, including accumulated deficit
20 in the amount of 18,895,547, and a total
21 unrestricted net position utilized \$810,359.

22 Whereas, the capital budget as
23 presented for adoption reflects total capital --
24 capital appropriations of 39,224,456 and total
25 unrestricted net position utilized of 13,424,456.

1 Be it resolved, that the annual
2 budget and capital budget as presented for adoption
3 reflects each item of the revenue and
4 appropriations.

5 CHAIRMAN HILL: Thank you so much.
6 Questions?

7 Hearing none, after we've reviewed,
8 I'll make a motion to accept.

9 Could I have a second?

10 MS. DAVIES: Second.

11 CHAIRMAN HILL: Thank you.

12 Roll call.

13 MS. JOHNSON: Mr. Hill?

14 CHAIRMAN HILL: Yes.

15 MS. JOHNSON: Ms. Langford?

16 MS. LANGFORD: Yes.

17 MS. JOHNSON: Mr. Eccles?

18 MR. ECCLES: Yes.

19 MS. JOHNSON: Ms. Davies?

20 MS. DAVIES: Yes.

21 MS. JOHNSON: Mr. Kausar?

22 MR. KAUSAR: Yes.

23 CHAIRMAN HILL: And as we finish this
24 financial part for the year, 10 b, which is
25 adjustments, I'm assuming -- I'm going to have a

1 question for Anita in a minute, but this is standard
2 for some new board members where we just kind of
3 move things around a little bit, I'm assuming, if I
4 remember correctly.

5 But let's read the resolution first.

6 MS. JOHNSON: Approving amendments of
7 2022 approved budget.

8 Whereas, the Atlantic City MUA has
9 approved the 2022 budget on October 22nd, 2021.

10 Whereas, the MUA finds it necessary
11 to amend the 2022 approved authority budget in the
12 total administration, in the total cost of providing
13 services, in the total operating appropriations, and
14 in the total proposed capital budget for a total of
15 moving around \$43,832,165.

16 Now therefore be it resolved, by the
17 board of directors of the MUA that the 2022
18 authority's budget is hereby amended as detailed
19 above.

20 CHAIRMAN HILL: Thank you. There's a
21 lot of numbers there.

22 Ms. Thapa, could you just give us a
23 quick summary why we're doing this?

24 MS. THAPA: This is -- like you had
25 mentioned, it's just moving the money around.

1 Sometimes, you know, we overestimate in one account,
2 sometimes, you know, underestimate in another
3 account.

4 As you see, mostly, if you look at
5 it, I'm moving from salary expenses -- I'm reducing
6 salary and wages and putting it more into other
7 expenses, and one of the reasons mainly is because
8 of the operators -- requirement of operator. We are
9 paying a little bit higher on the side for the WRM
10 on the resources for the operating licenses.

11 So the budget is just going to be the
12 same, but we're just --

13 CHAIRMAN HILL: Right.

14 MS. THAPA: -- moving some monies
15 around from one line item to another one.

16 CHAIRMAN HILL: Right. Exactly.

17 MS. THAPA: And as far as the
18 capital, I think the water mains is the one that --

19 CHAIRMAN HILL: Yes.

20 MS. THAPA: -- I had to move the
21 money, because as we know, sometimes we -- you know,
22 it depends on the -- when the job is completed. It
23 may not be necessary, but if the -- because, you
24 know, we don't get the invoice until next January --
25 January, so --

1 CHAIRMAN HILL: Right.

2 MS. THAPA: -- that's the reason.

3 Just to be on the safe side, I just moved it.

4 CHAIRMAN HILL: Right.

5 MS. THAPA: The money.

6 CHAIRMAN HILL: Okay. And, again,

7 she mentioned this. It doesn't change anything.

8 It's just a matter of moving things around,

9 amendments.

10 Anybody else have a question?

11 Hearing none, I'll accept a motion to

12 accept.

13 MR. ECCLES: I'll make a motion.

14 CHAIRMAN HILL: Thank you.

15 And a second?

16 MS. DAVIES: Second.

17 CHAIRMAN HILL: Thank you.

18 Roll call.

19 MS. JOHNSON: Mr. Hill?

20 CHAIRMAN HILL: Yes.

21 MS. JOHNSON: Ms. Langford?

22 MS. LANGFORD: Yes.

23 MS. JOHNSON: Mr. Eccles?

24 MR. ECCLES: Yes.

25 MS. JOHNSON: Ms. Davies?

1 MS. DAVIES: Yes.

2 MS. JOHNSON: And Mr. Kausar?

3 MR. KAUSAR: Yes.

4 CHAIRMAN HILL: Thank you.

5 Moving on to new business. This is
6 our abatements for the month. There are seven of
7 them I believe on the agenda.

8 Please just review, all the board
9 members, if you have any conflicts with any one of
10 them, then just recuse yourself off of that one. So
11 this is, of course, unnecessary to appear. The
12 paperwork is in your packet.

13 And, again, Ms. Johnson, you don't
14 have to read every single one. Let's just do the
15 address and the amount and make it easier. So here
16 we go.

17 Could we read the resolution for
18 11 a, please?

19 MS. JOHNSON: Yes. Chafic -- oh.
20 Chafic Abusada.

21 CHAIRMAN HILL: Abusada, right.

22 MS. JOHNSON: Thank you. Address 440
23 North Maryland Avenue, 63,200 cubic feet of water
24 for \$1,359.31.

25 Do you want to read all of them and

1 then vote?

2 CHAIRMAN HILL: Sure.

3 MS. JOHNSON: Okay.

4 Bandi Property Management located 16
5 Sextant Drive in the amount of \$405.46.

6 Hans Nguyen located at 38 Wine Street
7 in the amount of \$215.98.

8 CHAIRMAN HILL: Wow.

9 MS. JOHNSON: Konstantinos Gasis, 12
10 North St. Davids Place in the amount of \$471.95.

11 Hannah Nhan located at 28 North
12 Sovereign Avenue in the amount of \$363.84.

13 Jaren or Jaren (pronounced
14 differently) Singleton located at 447 North
15 Tennessee Avenue in the amount of \$748.80.

16 Kenneth Stokes located at 716 Sewell
17 Avenue in the amount of \$2,680.23.

18 And Singleton. Okay. I lost --
19 where's he at? One second. Singleton is -- oh, did
20 I do Singleton?

21 CHAIRMAN HILL: I think you did. 447
22 North Tennessee.

23 MS. JOHNSON: Yes. We're finished
24 with the abatements. There was seven of them.

25 CHAIRMAN HILL: We are. Very good.

1 Exactly.

2 MS. JOHNSON: Yes.

3 CHAIRMAN HILL: I'm assuming -- I'm
4 assuming that they've -- all of the abatement people
5 have followed the correct procedure and -- and we're
6 okay with moving forward, Anita, correctly --
7 correct?

8 MS. THAPA: Yes. Yes. Just, too,
9 for the record, there's -- a couple of accounts was
10 asking for the interest-free -- 12 months
11 interest-free payment plan, so -- which I included
12 in there, so...

13 CHAIRMAN HILL: You put them in the
14 resolution; right?

15 MS. THAPA: Yes. Uh-huh.

16 CHAIRMAN HILL: Uh-huh. Right.
17 Okay. Very good.

18 Anybody have a question, concern?

19 Okay. Not hearing any, I'll move the
20 abatements.

21 Could I have a second?

22 MS. DAVIES: I have a question. I
23 have a question.

24 CHAIRMAN HILL: Sure. Sure.

25 MS. DAVIES: I'm sorry.

1 CHAIRMAN HILL: No problem.

2 MS. DAVIES: On the agenda that I
3 have, I don't see the amounts. So are they usually
4 listed for us to see?

5 CHAIRMAN HILL: Did you look at
6 the -- in the resolutions?

7 MS. DAVIES: I just have --

8 CHAIRMAN HILL: Not on the agenda,
9 but every single resolution has the amount that
10 they're abated.

11 MS. DAVIES: Okay. Because I just
12 printed out the agenda.

13 CHAIRMAN HILL: I see. No. Every
14 single --

15 MS. DAVIES: Okay.

16 CHAIRMAN HILL: -- resolution has it.

17 MS. DAVIES: I just wanted to make
18 sure because I don't want to vote on something that
19 I don't -- I can't see.

20 CHAIRMAN HILL: I've got it. No.
21 It's right there. Thank you.

22 Okay. Hearing no other questions,
23 could I have a second?

24 MS. DAVIES: Second.

25 CHAIRMAN HILL: Thank you.

1 Roll call.

2 MS. JOHNSON: Mr. Hill?

3 CHAIRMAN HILL: Yes.

4 MS. JOHNSON: Ms. Langford?

5 MS. LANGFORD: Yes.

6 MS. JOHNSON: Mr. Eccles?

7 MR. ECCLES: Yes.

8 MS. JOHNSON: Ms. Davies?

9 MS. DAVIES: Yes.

10 MS. JOHNSON: And Mr. Kausar? Mr.
11 Kausar?

12 MR. KAUSAR: Yes.

13 CHAIRMAN HILL: Thank you. The leave
14 of absence we'll discuss in closed session, so we'll
15 move that to closed session, as well.

16 Moving into new business, 11 c, the
17 G.M.H. Associates of America clarifier evaluation
18 we'll discuss.

19 Let's read the resolution first.

20 MS. JOHNSON: Okay.

21 CHAIRMAN HILL: 11 c.

22 MS. JOHNSON: Clarifier evaluation.
23 G.M.H. Associates of America, Inc.

24 Whereas, the Atlantic City MUA owns
25 and operates the water department in the City of

1 Atlantic City.

2 Whereas, there exists the need for
3 the water treatment plant clarifier to be repaired
4 at the water treatment plant located a 1151 North
5 Main Street in Pleasantville and must be evaluated
6 by a qualified contractor before repairs are made.

7 Whereas, the evaluation service will
8 be provided by G.M.H. Associates of America, Inc.

9 Whereas, G.M.H. Associates of
10 America, Inc. is a member of the Passaic Valley
11 Sewage Commission of North Jersey Wastewater
12 Cooperative Pricing System for various manufacturer
13 pumps, repairs, et cetera.

14 Whereas, the authority entered into a
15 participant agreement with the Passaic Valley Sewage
16 Commission for the provisions and performance of
17 goods and services through the period ending
18 November 24th, 2024 and each renewal thereafter of
19 the system.

20 Whereas, the details of the cost is
21 in the amount of \$26,784.74.

22 CHAIRMAN HILL: Thank you. So this
23 is -- we're approving the evaluation for the
24 clarifier, correct, Claude, so they can study it?

25 MR. SMITH: Yeah. This is the

1 approval for the company to come in and make the
2 evaluation on the clarifier.

3 CHAIRMAN HILL: Right.

4 MR. SMITH: The clarifier for several
5 months have been shearing off pins from off of
6 the -- the circulator arm that's in there, and even
7 though they've actually changed those pins on a
8 consistent basis, it's still occurring. So this is
9 to -- for them to actually pull that -- that arm and
10 to make the evaluation on it and determine pretty
11 much what repairs will need to be made.

12 CHAIRMAN HILL: Right.

13 MR. SMITH: So this is only for them
14 to do the evaluation, and then if anything, provide
15 a cost for doing the repair to us -- to us.

16 CHAIRMAN HILL: Right. Right. That
17 will be separate. Right. Exactly.

18 MR. SMITH: Yes.

19 CHAIRMAN HILL: Okay. Anybody else
20 have a question?

21 Hearing none, I'll accept a motion.

22 MS. DAVIES: Motion.

23 CHAIRMAN HILL: Thank you.

24 A second?

25 MR. ECCLES: I'll second.

1 CHAIRMAN HILL: Thank you.

2 Roll call.

3 MS. JOHNSON: Mr. Hill? I'm sorry.

4 CHAIRMAN HILL: Yes.

5 MS. JOHNSON: Ms. Langford?

6 MS. LANGFORD: Yes.

7 MS. JOHNSON: Mr. Eccles?

8 MR. ECCLES: Yes.

9 Ms. Davies?

10 MS. DAVIES: Yes.

11 MS. JOHNSON: And Mr. Kausar?

12 MR. KAUSAR: Yes.

13 CHAIRMAN HILL: Thank you. Every
14 year we do our payroll and accounting services. I
15 believe we've had Action Data for quite a while, if
16 I remember. This is just kind of standard business
17 for the end of the year.

18 Let's read the resolution for
19 11 d (1), please.

20 MS. JOHNSON: Payroll and accounting
21 services, Action Data Services, (ADS).

22 Whereas, there exists the need for
23 specialized payroll services for the Atlantic City
24 MUA to perform payroll and accounting services.

25 Whereas, Action Data Services is so

1 recognized by the professional community and is so
2 licensed by the State of New Jersey.

3 Now therefore be it resolved, by the
4 board of directors of the Atlantic City MUA that the
5 MUA and Action Data Services shall enter into an
6 agreement. The cost of services shall not exceed
7 the sum of \$15,000.

8 CHAIRMAN HILL: Questions?

9 Hearing none, I'll accept a motion.

10 MS. DAVIES: Motion.

11 CHAIRMAN HILL: Thank you.

12 And a second?

13 MR. ECCLES: I'll second.

14 CHAIRMAN HILL: Thank you.

15 Roll call.

16 MS. JOHNSON: Mr. Hill?

17 CHAIRMAN HILL: Yes.

18 MS. JOHNSON: Ms. Langford?

19 MS. LANGFORD: Yes.

20 MS. JOHNSON: Ms. Langford?

21 MS. LANGFORD: Yes.

22 MS. JOHNSON: Okay.

23 Mr. Eccles?

24 MR. ECCLES: Yes.

25 MS. JOHNSON: Ms. Davies?

1 MS. DAVIES: Yes.

2 MS. JOHNSON: And Mr. Kausar?

3 MR. KAUSAR: Yes.

4 CHAIRMAN HILL: Thank you.

5 And I know that the next -- the
6 employee assistant program is something -- we've
7 been working with AtlantiCare for many years. This
8 again is an end-of-the-year kind of a standard
9 business -- business thing that we always do, but we
10 need to renew.

11 So we'll read the resolution for
12 11 c (1).

13 MS. JOHNSON: Employee assistance
14 program services, AtlantiCare Behavioral Health.

15 Whereas, there exists a need by the
16 Atlantic City MUA for employee assistant program
17 services to assist employees in obtaining
18 confidential and anonymous services for behavioral
19 health needs.

20 Whereas, it has been determined that
21 each service can be provided by AtlantiCare
22 Behavioral Health.

23 Now therefore be it resolved, by the
24 board of directors of the Atlantic City MUA that
25 AtlantiCare Behavioral Health is hereby retained for

1 employee assistant program services for 12 months
2 from January 1, '23 to December 31st, 2023 in the
3 amount not to exceed \$3,700.

4 CHAIRMAN HILL: Before we vote on
5 that, I don't know if this is -- we're trying to get
6 our employees and our staff more aware. We're going
7 to be talking about training in the future for a lot
8 of reasons. Maybe -- I don't know if I -- do we --
9 does our employees know that we have this program
10 established?

11 If not, how can we make sure they --
12 that -- if they have an issue, they need some help,
13 we have somebody that can help them?

14 Ms. Still, do you know about this
15 program at all?

16 MS. STILL: I do. It's -- it's a
17 fairly standard --

18 CHAIRMAN HILL: It is, right.

19 MS. STILL: -- program available
20 at -- available through the employers, and I think
21 it's just a matter of making sure that we're
22 communicating out to employees on a regular basis --

23 CHAIRMAN HILL: Right.

24 MS. STILL: -- that this and, you
25 know, other services are available to them.

1 CHAIRMAN HILL: Uh-huh.

2 MS. STILL: So -- and I think when
3 we onboard some additional help within the personnel
4 office --

5 CHAIRMAN HILL: Right.

6 MS. STILL: -- we'll be able to make
7 sure that this type of -- these services get
8 communicated on a -- more often.

9 MR. ARMSTRONG: I agree.

10 CHAIRMAN HILL: It's important for us
11 to -- to make our staff know about it. And that's
12 great. So that's just my comment on that.

13 Anybody else have a question? Thank
14 you.

15 All right. Hearing none, we'll
16 accept a motion.

17 MS. LANGFORD: Motion.

18 CHAIRMAN HILL: Thank you.

19 And a second?

20 MR. ECCLES: I'll second.

21 CHAIRMAN HILL: Thank you.

22 Roll call.

23 MS. JOHNSON: Mr. Hill?

24 CHAIRMAN HILL: Yes.

25 MS. JOHNSON: Ms. Langford?

1 MS. LANGFORD: Yes.

2 Yes.

3 MS. JOHNSON: Mr. Eccles?

4 MR. ECCLES: Yes.

5 MS. JOHNSON: Ms. Davies?

6 MS. DAVIES: Yes.

7 MS. JOHNSON: And Mr. Kausar?

8 MR. KAUSAR: Yes.

9 CHAIRMAN HILL: Okay. We've been
10 very busy legally with a lot of things, so we're
11 looking at an amendment really to the Decotiis,
12 Fitzpatrick, Cole & Giblin contract, is what I'm
13 reading on this amendment.

14 Let's read it first, and then we'll
15 discuss.

16 MS. JOHNSON: Amendment Decotiis,
17 Fitzpatrick, Cole & Giblin, LLP for special counsel.

18 Whereas, the Atlantic City MUA and
19 Decotiis, Fitzpatrick, Cole & Giblin, LLC (sic)
20 entered into an agreement by Resolution Number 58 on
21 March 15th, 2022 as special counsel.

22 Whereas, it has become necessary for
23 Decotiis, Fitzpatrick, Cole & Giblin, LLP to perform
24 additional services, which were not contemplated in
25 the original agreement thereto.

1 Be it further resolved, that the cost
2 of this additional work shall increase the contract
3 price from \$3,000 to \$50,000.

4 CHAIRMAN HILL: Thank you. I know a
5 lot of the reasons for this.

6 Mr. Armstrong, would you like to
7 comment first?

8 MR. ARMSTRONG: Yeah. This has to do
9 with a lot of unexpected issues that have arisen
10 throughout the year that we have involved special
11 counsel with respect to. Some have to do with
12 contracts where vendors have raised the prices
13 despite having obligations under agreement to stick
14 to a price for the contract term.

15 And, you know, we've, you know, given
16 this to -- initially it was with our solicitor, and
17 a decision was made to forward it to Decotiis's
18 firm. And this is starting to be a common practice
19 given what's going on in the economy where vendors
20 are sending letters saying that they're not going to
21 abide by the contract terms because they're unable
22 to meet the contract price due to the rises in
23 material costs and, you know, due to inflation.

24 Decotiis has prepared letters and
25 contacted these vendors indicating that we expected

1 them to stand by the contract price. I won't go
2 into details as to the -- you know, our strategy and
3 position because that would be for closed session,
4 but it's additional work that was unexpected and
5 that was with respect to notice of claims and other
6 potential lawsuits that have been received that we
7 have forwarded to them for handling.

8 CHAIRMAN HILL: Thank you.

9 Anybody else have a question?

10 So this is for additional work that
11 they -- outside of their scope that we originally
12 agreed upon last year?

13 MR. ARMSTRONG: That's correct.

14 CHAIRMAN HILL: That's correct?

15 Okay. So this is number 11 f (1). I'll make a
16 motion to accept.

17 Can we have a second, please?

18 MR. ECCLES: I'll second.

19 CHAIRMAN HILL: And a roll call.

20 MS. JOHNSON: Mr. Hill?

21 CHAIRMAN HILL: Yes.

22 MS. JOHNSON: Ms. Langford?

23 MS. LANGFORD: Abstained.

24 MS. JOHNSON: Mr. Eccles?

25 MR. ECCLES: Yes.

1 MS. JOHNSON: Ms. Davies?

2 MS. DAVIES: Yes.

3 MS. JOHNSON: And Mr. Kausar?

4 MR. KAUSAR: Yes.

5 CHAIRMAN HILL: Thank you.

6 For 11 g, this is a new water service
7 agreement for the New York Orange Deeds. It's an
8 interesting building and facility going up on New
9 York Avenue.

10 So let's read the resolution first.

11 MS. JOHNSON: New York Orange Deeds,
12 LLC Water Service Agreement.

13 Be it resolved, by the board of
14 directors of the Atlantic City MUA to attest to the
15 water service agreement by and between the Atlantic
16 City MUA and New York Orange Deeds, LLC for the
17 property bounded by the unit block of 124 to 128
18 Saint James Place, which will connect to the public
19 water supply system of the authority for an eight
20 unit apartment building and first floor commercial
21 space for fire protection and domestic water service
22 in the City of Atlantic City.

23 CHAIRMAN HILL: Right. And this
24 property is part of the Orange Loop. Well, not this
25 property. It's in the Orange Loop. It's in the

1 tourism district. There's some very good
2 development happening there in this area. It's in
3 the Green Zone, as well. So this is -- they're
4 going to be giving us money, which is nice.

5 Mr. Smith, would you like to comment?

6 MS. JOHNSON: Oh, yes.

7 MR. SMITH: I'll bring your attention
8 to page 3 of the -- of the --

9 CHAIRMAN HILL: Okay.

10 MR. SMITH: -- actual agreement
11 itself, and just to let you know what the -- what we
12 will be -- the proceeds that we're receiving from
13 this particular service agreement, which is
14 \$40,168.78. This is one of those particular
15 locations or agreements that we have worked on
16 for -- for a while.

17 And the property -- I believe the
18 property's already been constructed. It's just a
19 matter of making the connections at this particular
20 point in time.

21 CHAIRMAN HILL: Right.

22 MR. SMITH: So it is making progress
23 within the City of Atlantic City in regards to
24 service agreements or new construction that's going
25 on within the City of Atlantic City.

1 CHAIRMAN HILL: And this
2 is between -- for people who don't know the area,
3 it's between the boardwalk and Pacific Avenue. That
4 is where it's located.

5 As I mentioned, it's in the Green
6 Zone, as well. It also was interesting, when I
7 looked over it, glanced over it -- I didn't read the
8 whole thing honestly. However, it was nice to see
9 that one of our main contractors Arthur Henry is
10 doing all the work, so we know that it will be done
11 well, is what I'm trying to say, from somebody
12 outside the area, not, so that's great. So this is
13 good. We're getting an agreement for a new business
14 in our city, so...

15 MR. SMITH: Just -- just to add on to
16 that, Gary, that is our stipulation, as well, too,
17 that is a contractor has to be --

18 CHAIRMAN HILL: Whose stipulation?

19 MR. SMITH: The contractor has to be
20 approved by the authority in regards to doing any
21 particular connection into our system.

22 CHAIRMAN HILL: Right. Okay. And
23 they are a good contractor. Very good. Okay.

24 So we're looking for a motion to
25 accept.

1 MS. LANGFORD: Motion.

2 CHAIRMAN HILL: Thank you.

3 And a second?

4 MS. DAVIES: Second.

5 MR. ECCLES: Second.

6 CHAIRMAN HILL: Thank you.

7 Roll call.

8 MS. JOHNSON: Mr. Hill?

9 CHAIRMAN HILL: Yes.

10 MS. JOHNSON: Ms. Langford?

11 MS. LANGFORD: Yes.

12 MS. JOHNSON: Mr. Eccles?

13 MR. ECCLES: Yes.

14 MS. JOHNSON: Ms. Davies?

15 MS. DAVIES: Yes.

16 MS. JOHNSON: And Mr. Kausar?

17 MR. KAUSAR: Yes.

18 CHAIRMAN HILL: Okay. Moving on to
19 new business for 11 h (1). This is for one of
20 our -- it's for the Aclara system that we have in
21 our facility.

22 MS. THAPA: Mr. Hill, I think we have
23 to pull that out.

24 Right, Claude?

25 MR. SMITH: You know what, Anita? We

1 can keep it. Now, the way this actually read, it's
2 not to exceed that particular amount. And --

3 MS. THAPA: Okay.

4 MR. SMITH: -- once -- we do have to
5 make payment on this.

6 CHAIRMAN HILL: Yeah.

7 MR. SMITH: It's just one of the --
8 one particular item we had a question on. I am
9 questioning that particular -- and if it's -- if it
10 doesn't apply, then, therefore, we will just
11 subtract that amount from the actual total amount,
12 but we can move forward with this.

13 CHAIRMAN HILL: Okay. So any -- if
14 we need to amend it or edit it, you'll do that
15 internally?

16 MR. SMITH: That's correct.

17 CHAIRMAN HILL: Right. Okay. Very
18 good.

19 So let's read the resolution, Ms.
20 Johnson, please.

21 MS. JOHNSON: Aclara, annual premier
22 renewal maintenance agreement.

23 Whereas, the Atlantic City MUA is in
24 need of certain software support agreements for
25 accounting and billing software.

1 Whereas, Aclara is a sole service
2 provider of the Aclara software.

3 Whereas, the Atlantic City MUA's
4 administrative staff are recommending the renewal of
5 Aclara at a total cost not to exceed \$31,432 to
6 provide services for the period of January 1, 2023
7 through December 31st, 2023 for the 2023 premier
8 maintenance agreement.

9 CHAIRMAN HILL: Right. And, again,
10 this is kind of an end-of-the-year standard
11 procedure.

12 Anybody have a question?

13 We just heard some clarification on
14 maybe one item, but we can move forward.

15 I'll look for a motion.

16 MS. DAVIES: Motion.

17 CHAIRMAN HILL: Thank you.

18 And a second?

19 MR. KAUSAR: Second.

20 CHAIRMAN HILL: Thank you.

21 Roll call.

22 MS. JOHNSON: Mr. Hill?

23 CHAIRMAN HILL: Yes.

24 MS. JOHNSON: Ms. Langford?

25 MS. LANGFORD: Yes.

1 MS. JOHNSON: Mr. Eccles?

2 MR. ECCLES: Yes.

3 MS. JOHNSON: Ms. Davies?

4 MS. DAVIES: Yes.

5 MS. JOHNSON: And Mr. Kausar?

6 MR. KAUSAR: Yes.

7 CHAIRMAN HILL: Thank you.

8 And the last item in new business is
9 11 i (1). This deals with the New Jersey Joint
10 Insurance Fund, the JIF, and our insurance.

11 So let's read the resolution first.

12 MS. JOHNSON: New Jersey Utility
13 Authorities Joint Insurance Fund, acceptance of 2023
14 assessment.

15 Whereas, the Atlantic City MUA has
16 previously agreed to join the New Jersey Utility
17 Authorities Joint Insurance Fund subject only to the
18 right to approve its assessments following
19 processing and approval of the application.

20 Whereas, the fund has certified an
21 annual assessment in the amount of \$463,701 for
22 coverage in the New Jersey Utility Joint Insurance
23 Fund (sic).

24 The certified annual assessment will
25 be prorated from the effective date of coverage to

1 12:01 a.m. standard time January 1, 2023 and shall
2 become effective on January 1, 2023.

3 CHAIRMAN HILL: Right. And, Mr.
4 Armstrong, could you just review again with us some
5 of the benefits by doing this or just give us --

6 MR. ARMSTRONG: Yeah.

7 CHAIRMAN HILL: Thanks.

8 MR. ARMSTRONG: This is -- we're
9 under a three-year term anyway. So what this is, is
10 just our annual -- you know, the amount went up, if
11 you recall, because of inflation by approximately
12 \$40,000.

13 Anita, if I'm incorrect, please let
14 me know.

15 But the -- this is just the renewal
16 for the JIF and the services that we receive, but
17 overall, we still maintain more extensive coverage
18 than we would have if we were in the private market.

19 CHAIRMAN HILL: Right.

20 Anybody else have a question? Thank
21 you for that clarification.

22 Hearing none, we'll move on 11 i (1).

23 Could I have a second?

24 I'll make a motion. Can I have a
25 second?

1 MR. ECCLES: I'll second.

2 CHAIRMAN HILL: Thank you.

3 And a roll call.

4 MS. JOHNSON: Mr. Hill?

5 CHAIRMAN HILL: Yes.

6 MS. JOHNSON: Ms. Langford?

7 MS. LANGFORD: Yes.

8 MS. JOHNSON: Mr. Eccles?

9 MR. ECCLES: Yes.

10 MS. JOHNSON: Ms. Davies?

11 MS. DAVIES: Yes.

12 MS. JOHNSON: And Mr. Kausar?

13 MR. KAUSAR: Yes.

14 CHAIRMAN HILL: Thank you.

15 Moving on to 11 -- 12, which is our
16 monthly bills. Attached are the bills. You can see
17 of course still the health benefits is high and the
18 electric's high, of course. That's the way it is.

19 So let's read the resolution before
20 we pay the bills.

21 MS. JOHNSON: Approving monthly
22 bills.

23 Whereas, the Atlantic City MUA has
24 indebtedness to the following companies for services
25 rendered in the amount of \$1,034,742.64.

1 CHAIRMAN HILL: Right. And also take
2 note, I believe, 12/21, which is -- what is it,
3 today, we will be paying the City of Atlantic City.

4 Correct, Anita, today?

5 MS. THAPA: We may have to wait, you
6 know, 15 days or unless Mr. Armstrong --

7 CHAIRMAN HILL: Well, to the state,
8 yeah.

9 MS. THAPA: Yeah.

10 CHAIRMAN HILL: Okay. But it's
11 included in this bill package is what I'm trying to
12 tell everybody.

13 MR. ARMSTRONG: Yeah. That is
14 correct.

15 MS. THAPA: Yes, it is.

16 CHAIRMAN HILL: Exactly.

17 MR. ECCLES: And what does that
18 payment represent to the city?

19 CHAIRMAN HILL: Wonderful law.

20 MS. THAPA: It's a -- we have to
21 provide --

22 MR. ECCLES: You're blaming the
23 lawyers again.

24 CHAIRMAN HILL: I am blaming the
25 lawyers, yes.

1 MR. ECCLES: Yeah. Yeah. I hear it,
2 Hill. I hear you.

3 CHAIRMAN HILL: I am.

4 MR. ARMSTRONG: It's --

5 CHAIRMAN HILL: Do you want to
6 explain what that is again for the -- the board
7 members?

8 Bruce, you're good at this. You're a
9 lawyer. We -- we went through this.

10 MR. WARD: There is a statute, which
11 applies to all authorities, public authorities in
12 the state, and there is a certain percentage of the
13 retained revenue that has to be turned over to the
14 city if the city requests it.

15 For years it was unknown to both the
16 city and the authority, and I think it was one --

17 CHAIRMAN HILL: Yes.

18 MR. WARD: -- councilman --

19 CHAIRMAN HILL: Yes.

20 MR. WARD: -- that went to another
21 city and found out this and brought it back to
22 Atlantic City, and from there on out, at least from
23 2004 or whatever, we have to pay this annual
24 assessment. I don't know exactly what the
25 percentage quote is.

1 MR. ARMSTRONG: 5 percent.

2 MR. WARD: Anita might know that, but
3 there is a percentage of the unretained --
4 unrestricted retained surplus that they get.

5 MS. THAPA: It's 5 percent of the
6 operating budget.

7 MR. WARD: Yeah.

8 CHAIRMAN HILL: Does that -- does
9 that clear it up, Mr. Eccles?

10 MR. ECCLES: Oh, yes, very much.
11 Thank you.

12 MR. WARD: State law, John.

13 CHAIRMAN HILL: Very good. You know
14 those lawyers, when they get involved, you know.

15 MR. ECCLES: Oh, tell me -- tell me
16 about it.

17 CHAIRMAN HILL: Politicians and
18 lawyers, there we go.

19 MR. WARD: Yep.

20 MR. ECCLES: That's it.

21 CHAIRMAN HILL: Anyway, all right.
22 Very good. These are our monthly bills for
23 December -- for December 2022.

24 Could we have a motion to accept?

25 MS. DAVIES: Motion.

1 CHAIRMAN HILL: Thank you.

2 And a second?

3 MR. KAUSAR: Second.

4 MR. ECCLES: I'll second.

5 CHAIRMAN HILL: Thank you.

6 Roll call.

7 MS. JOHNSON: Mr. Hill?

8 CHAIRMAN HILL: Yes.

9 MS. JOHNSON: Ms. Langford?

10 MS. LANGFORD: Yes.

11 MS. JOHNSON: Mr. Eccles?

12 MR. ECCLES: Yes.

13 MS. JOHNSON: Ms. Davies?

14 MS. DAVIES: Yes.

15 MS. JOHNSON: And Mr. Kausar?

16 MR. KAUSAR: Yes.

17 CHAIRMAN HILL: Thank you. We'll now

18 move into executive session, and in executive

19 session, we'll discuss some labor contract

20 negotiations, a security assessment meeting

21 information, and one personnel issue, I believe.

22 So could we read the resolution,

23 please?

24 MS. JOHNSON: Approving to enter into

25 closed session.

1 By all the members of the board,
2 whereas, N.J.S.A. 10-4-12 allows for a public body
3 to go into closed session during a public meeting.

4 CHAIRMAN HILL: Right. I'll make a
5 motion.

6 Do we have a second?

7 MS. DAVIES: Second.

8 CHAIRMAN HILL: Thank you.

9 Roll call.

10 MS. JOHNSON: Mr. Hill?

11 CHAIRMAN HILL: Yes.

12 MS. JOHNSON: Ms. Langford?

13 MS. LANGFORD: Yes.

14 MS. JOHNSON: Mr. Eccles?

15 MR. ECCLES: Yes.

16 MS. JOHNSON: Ms. Davies?

17 MS. DAVIES: Yes.

18 MS. JOHNSON: And Mr. Kausar?

19 MR. KAUSAR: Yes.

20 CHAIRMAN HILL: Thank you. Okay.

21 We'll see you, Anita. Happy holidays to you.

22 The rest of us, I believe, are all
23 going to be -- yeah. Everybody's -- oh, and also
24 for --

25 MS. THAPA: Thank you. Happy

1 holidays.

2 CHAIRMAN HILL: Thank you.

3 Okay. We'll see you in a minute.

4 Okay, Stella. Let's get us out of here and go into
5 the next one.

6 MS. JOHNSON: Yes. Going in to now
7 create. Okay.

8 - - -

9 (Whereupon, the closed session was
10 excerpted.)

11 - - -

12 CHAIRMAN HILL: Okay. We just
13 finished closed session. I'm looking for a motion
14 to return into open session.

15 MR. ECCLES: I'll make a motion to
16 return into executive session.

17 CHAIRMAN HILL: No, not executive.

18 MR. ECCLES: No. Excuse me. Open
19 session.

20 CHAIRMAN HILL: Right. Leaving
21 executive, going into open.

22 Okay. And a second?

23 MR. DEDAR: Second.

24 CHAIRMAN HILL: Thank you.

25 Roll call.

1 MS. JOHNSON: Mr. Hill?

2 CHAIRMAN HILL: Yes.

3 MS. JOHNSON: I'm sorry. One more
4 second. Where's my page?

5 Mr. Hill?

6 CHAIRMAN HILL: Yes.

7 MS. JOHNSON: Mr. -- I'm sorry.
8 Mr. -- Ms. Langford?

9 MS. LANGFORD: Yes.

10 MS. JOHNSON: Mr. Eccles?

11 MR. ECCLES: Yes.

12 MS. JOHNSON: I'm sorry. Mr. Dedar?

13 MR. DEDAR: Yes.

14 MS. JOHNSON: Ms. Davies?

15 MS. DAVIES: Yes.

16 MS. JOHNSON: And Mr. Kausar?

17 At this point --

18 MR. KAUSAR: Yes.

19 MR. ARMSTRONG: Now --

20 MS. JOHNSON: Right.

21 MR. ARMSTRONG: -- Mr. Kausar's not
22 voting now.

23 MS. JOHNSON: Right. Exactly.

24 CHAIRMAN HILL: Thank you. So we're
25 back into open session, and we just finished our

1 closed session for December's meeting.

2 We had discussions on labor
3 negotiations and progress. The security assessment
4 issues were discussed. Confidential issues were
5 discussed, one personnel matter, which we will put
6 off until later on in the year, and that was the
7 discussion items.

8 We are going to move on a -- it's
9 concerning -- excuse me -- 9 a, Ohio and Baltic
10 Avenue. We're going to come up with a lease for
11 that property, going to solicitation, as well
12 including a property of the MUA's on Drexel Avenue.
13 We'll put it together as -- with a lease structure.

14 Our attorney Mr. Ward will work on
15 that with the cooperation of Mr. Armstrong. We'll
16 get that out as soon as possible and hopefully get
17 to have these properties up and running for '23 as a
18 leased property from the MUA.

19 I don't know if that is a motion, but
20 that's what we're going to do.

21 MR. ARMSTRONG: Just for
22 clarification that it's going to be, when you say
23 put up -- put out for --

24 CHAIRMAN HILL: Put out, right.

25 MR. ARMSTRONG: -- competitive

1 bidding --

2 CHAIRMAN HILL: Right. Competitive
3 bidders, right.

4 MR. ARMSTRONG: Yeah, the highest
5 lease price.

6 CHAIRMAN HILL: Right.

7 MR. ARMSTRONG: Okay.

8 CHAIRMAN HILL: I'm not sure that's a
9 motion, but that's what we're doing, so...

10 MR. ARMSTRONG: Okay.

11 CHAIRMAN HILL: So okay. I'll move
12 that.

13 Do we have a second?

14 MR. DEDAR: Second.

15 CHAIRMAN HILL: Thank you.

16 Roll call.

17 MS. JOHNSON: Mr. Hill?

18 CHAIRMAN HILL: Yes.

19 MS. JOHNSON: Mr. Dedar?

20 MR. DEDAR: Yes.

21 MS. JOHNSON: Ms. Langford?

22 MS. LANGFORD: Yes.

23 MS. JOHNSON: Mr. Eccles?

24 MR. ECCLES: Yes.

25 MS. JOHNSON: And Ms. Davies?

1 MS. DAVIES: Yes.

2 CHAIRMAN HILL: Thank you. And, Mr.
3 Ward, we'll count on you to kind of lead that charge
4 for the next couple of weeks. Thank you.

5 MR. WARD: You're welcome.

6 CHAIRMAN HILL: Also, before we
7 adjourn, I want to wish all of you a happy holiday,
8 a really wonderful new year. It's been a pleasure
9 working with all of you in this last year of 2022.
10 Hopefully all good things in '23 for you, your
11 families, and your loved ones. So happy holidays.

12 And we will now entertain a motion to
13 adjourn.

14 MS. JOHNSON: One second. Was that a
15 motion, the previous one, or a resolution for the
16 properties?

17 MR. ARMSTRONG: You can just make it
18 a motion.

19 MS. JOHNSON: Motion?

20 CHAIRMAN HILL: I think that's a
21 motion, yeah.

22 MS. JOHNSON: Thank you. Thank you.

23 CHAIRMAN HILL: Yeah. We don't have
24 the -- I would not vote on a resolution unless I saw
25 it, so...

1 MS. JOHNSON: Got you. Thank you.

2 CHAIRMAN HILL: Okay. Okay. We'll
3 entertain an adjournment.

4 MS. DAVIES: Motion.

5 CHAIRMAN HILL: Okay.
6 Second?

7 MR. DEDAR: Second.

8 CHAIRMAN HILL: Roll call.

9 MS. JOHNSON: Mr. Hill?

10 CHAIRMAN HILL: Yes.

11 MS. JOHNSON: Mr. Dedar?

12 MR. DEDAR: Yes.

13 MS. JOHNSON: Ms. Langford?

14 MS. LANGFORD: Yes.

15 MS. JOHNSON: Mr. Eccles?

16 MR. ECCLES: Yes.

17 MS. JOHNSON: And Ms. Davies?

18 MS. DAVIES: Yes.

19 CHAIRMAN HILL: Okay, everybody. The
20 holiday party's 2:00 at the MUA. Have a great day.

21 - - -

22 (Whereupon, the regular monthly
23 meeting concluded at approximately 11:30 a.m.)

24 - - -

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CERTIFICATE

I, WENDY L. WALINSKI, a Notary Public and Certified Shorthand Reporter of the State of New Jersey, do hereby certify that the foregoing is a verbatim transcript of the proceedings as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

Wendy L. Walinski

WENDY L. WALINSKI, CCR
Notary Number: 2203614
Notary Expiration: 8/3/27
CCR Number: XI02025
Dated: December 21, 2022

LAWYER'S NOTES

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