



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-49
APPROVING OPEN SESSION MINUTES OF MARCH 15, 2023

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority held their Board Meeting on March 15, 2023 commencing at 10:00am, there being present:

CHAIRMAN	Gary L. Hill (Zoom)
VICE CHAIRMAN/DEPUTY	Mohammed Dedar (Absent)
TREASURER	Glenn Banfield (Zoom)
BOARD MEMBER	Nynell Langford (Zoom)
BOARD MEMBER	John Eccles, Jr. (Zoom)
BOARD MEMBER, ALTERNATE # 1	Stephanie Davies (Zoom)
BOARD MEMBER, ALTERNATE # 2	Sayed Kausar (Zoom)

NOW THEREFORE BE IT RESOLVED, it is on this 19th day of April 2023, that the Board of Directors of the Atlantic City Municipal Utilities Authority hereby approves the transcription of Open Session Meeting Minutes reported by Wendy Walinski, Certified Court Reporter for the Board Meeting held on March 15, 2023.

Upon Motion, This Resolution was APPROVED as Read.

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body
Member:

	Recording Vote			
	Aye	Nay	Abstain	Absent
Gary L. Hill	[X]	[]	[]	[]
Mohammed Dedar	[X]	[]	[]	[]
Glenn Banfield	[X]	[]	[]	[]
Nynell Langford	[X]	[]	[]	[]
John Eccles, Jr.	[X]	[]	[]	[]
Stephanie Davies	[]	[]	[]	[]
Sayed Kausar	[]	[]	[]	[]



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-50
APPROVING CLOSED SESSION MINUTES OF MARCH 15, 2023

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority held their Board Meeting on March 15, 2023 commencing at 10:00am, there being present:

CHAIRMAN	Gary L. Hill (Zoom)
VICE CHAIRMAN/DEPUTY	Mohammed Dedar (Absent)
TREASURER	Glenn Banfield (Zoom)
BOARD MEMBER	Nynell Langford (Zoom)
BOARD MEMBER	John Eccles, Jr. (Zoom)
BOARD MEMBER, ALTERNATE # 1	Stephanie Davies (Zoom)
BOARD MEMBER, ALTERNATE # 2	Sayed Kausar (Zoom)

NOW THEREFORE BE IT RESOLVED, it is on this 19th day of April 2023, that the Board of Directors of the Atlantic City Municipal Utilities Authority hereby approves the transcription of Closed Session Meeting Minutes reported by Wendy Walinski, Certified Court Reporter for the Board Meeting held on March 15, 2023.

Upon Motion, This Resolution was APPROVED as Read.


WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body
Member:

	Recording Vote			
	Aye	Nay	Abstain	Absent
Gary L. Hill	[]	[]	[X]	[]
Mohammed Dedar	[X]	[]	[]	[]
Glenn Banfield	[X]	[]	[]	[]
Nynell Langford	[X]	[]	[]	[]
John Eccles, Jr.	[X]	[]	[]	[]
Stephanie Davies	[]	[]	[]	[]
Sayed Kausar	[]	[]	[]	[]



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-51
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.



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-51
APPROVING TO ENTER INTO CLOSED SESSION

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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.

Upon Motion, This Resolution was APPROVED as Read.

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body
Member:

	Recording Vote			
	Aye	Nay	Abstain	Absent
Gary L. Hill	[X]	[]	[]	[]
Mohammed Dedar	[X]	[]	[]	[]
Glenn Banfield	[X]	[]	[]	[]
Nynell Langford	[X]	[]	[]	[]
John Eccles, Jr.	[X]	[]	[]	[]
Stephanie Davies	[]	[]	[]	[]
Sayed Kausar	[]	[]	[]	[]



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-52
WATER METER, WATER METER REPAIR PARTS
SOLICIT BIDS

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 for FURNISHING AND DELIVERING WATER METER, WATER METER REPAIR PARTS, suitable for the treatment of potable water, F.O.B. the Pumping Station of the Atlantic City Municipal Utilities, 1151 N. Main Street, Pleasantville, NJ, and the said documents are hereby APPROVED and ADOPTED; and

BE IT FURTHER RESOLVED, that authority be and is hereby given to the Authority Executive Director to advertise for bids in the form of advertisement for the undertaking hereinabove set forth, the said bids to be received and publicly opened and read at a meeting of the Purchasing Board of the Atlantic City Municipal Utilities Authority to be announced at a later date.

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
Gary L. Hill	[X]	[]	[]	[]
Mohammed Dedar	[X]	[]	[]	[]
Glenn Banfield	[]	[]	[]	[X]
Nynell Langford	[X]	[]	[]	[]
John Eccles, Jr.	[X]	[]	[]	[]
Stephanie Davies	[]	[]	[]	[X]
Sayed Kausar	[X]	[]	[]	[]



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-53
APPROVING MONTHLY BILLS

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority has indebtedness to the following companies for services rendered; and

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 SEVEN HUNDRED NINETY SIX THOUSAND, SEVEN HUNDRED SIXTY DOLLARS AND FIFTY ONE CENTS. (\$796,760.51).

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.

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body
Member:

	Recording Vote			
	Aye	Nay	Abstain	Absent
Gary L. Hill	[X]	[]	[]	[]
Mohammed Dedar	[X]	[]	[]	[]
Glenn Banfield	[]	[]	[]	[X]
Nynell Langford	[X]	[]	[]	[]
John Eccles, Jr.	[X]	[]	[]	[]
Stephanie Davies	[]	[]	[]	[X]
Sayed Kausar	[X]	[]	[]	[]



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-54
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.



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-54

APPROVING TO ENTER INTO CLOSED SESSION

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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.

Upon Motion, This Resolution was APPROVED as Read.

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

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body
Member:

	Recording Vote			
	Aye	Nay	Abstain	Absent
Gary L. Hill	[X]	[]	[]	[]
Mohammed Dedar	[X]	[]	[]	[]
Glenn Banfield	[]	[]	[]	[X]
Nynell Langford	[X]	[]	[]	[]
John Eccles, Jr.	[X]	[]	[]	[]
Stephanie Davies	[]	[]	[]	[X]
Sayed Kausar	[X]	[]	[]	[]



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-55

APPOINTING PROFESSIONALS AND AUTHORIZING EXECUTION OF PROFESSIONAL SERVICE AGREEMENTS FOR NOT TO EXCEED AMOUNTS

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (hereinafter referred to as "ACMUA") has determined that it is appropriate to implement a fair and open process for the awarding of professional's contracts; and

WHEREAS, on April 11, 2023, the ACMUA publicly advertised and received statements of qualifications of professionals in a manner that fostered a fair and open process, utilizing the criteria and specific minimum requirements to meet the requirements of the ACMUA; and

WHEREAS, pursuant to that process, the ACMUA Council seeks to appoint the following professionals: Solicitor, Employment and Labor Counsel, Bond Counsel, Hearing Officer, Consulting Engineer, Special Counsel and Bond Counsel for a term of one year beginning March 15, 2023 – March 19, 2024; and

WHEREAS, all professionals are required to enter into a professional services agreement under terms and conditions set forth by the Board of Directors; and

NOW, THEREFORE, BE IT RESOLVED, on this 19th day of April 2023, by the Board of Directors of the ACMUA assembled in public session, that it hereby appoints the following firms or individuals and authorizes the Chairman to execute professional services agreements with the following professionals not to exceed the amounts listed herein:

1. Solicitor: G. Bruce Ward, Esq. - \$50,000;
2. Labor and Employment Counsel: Riley and Riley - \$40,000;
3. Bond Counsel: DeCotiis, Fitzpatrick, Cole & Giblin, LLP - \$25,000;
4. Hearing Officer: Tracey Cosby, Esq. - \$5,000;
5. Special Counsel: DeCotiis, Fitzpatrick, Cole & Giblin, LLP - \$65,000;
6. Consulting Engineers: Remington and Vernick - \$90,000; and Polistina & Associates - \$65,000 (Combined and Non-Exclusive Contract);
7. Backup License Operator Services: Water Resource Management - \$250,000; and
8. Energy Consultant: Utility Advantage - \$5,000.



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 23-55

APPOINTING PROFESSIONALS AND AUTHORIZING EXECUTION OF PROFESSIONAL SERVICE AGREEMENTS FOR NOT TO EXCEED AMOUNTS

BE IT FURTHER RESOLVED, that the Finance Director, Solicitor, Appointees, and the Purchasing Board each shall be provided with a copy of this Resolution.

BE IT FURTHER RESOLVED that a Certificate from the Assistant Director of Financing and Accounting of the ACMUA has been attached to this resolution showing the availability of funds and specifying the line item appropriation from the 2023 ACMUA Operating Accounts #01-10-100-591-920, #01-10-100-591-990, #01-20-201-591-930, #01-20-201-591-990 and Capital Budget #04-20-320-815-930 to satisfy the aforesaid Professional Services.

UPON MOTION THIS RESOLUTION WAS APPROVED AS READ

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body
Member:

Member:	Aye	Recording Vote		
		Nay	Abstain	Absent
Gary L. Hill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mohammed Dedar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glenn Banfield	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nynell Langford	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Eccles, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephanie Davies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sayed Kausar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>