

ATLANTIC CITY
MUNICIPAL UTILITIES AUTHORITY

TRANSCRIPT OF REMOTE PROCEEDINGS

RE: BUDGET AND RATE HEARING OF THE
ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
OPEN SESSION

November 28, 2023

COMMENCING AT 10:07 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
CLIFFORD KEEN, Deputy Executive Director of
Operations
STEPHANIE DAVIES, Alternate #1

ALSO PRESENT:

WASTELLA JOHNSON, Board Secretary
ANITA THAPA
WES SWAIN, City Administrator

STENOGRAPHICALLY REPORTED BY:

WENDY L. WALINSKI, RPR, NJ CCR

- - -

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1 CHAIRMAN HILL: Okay. Good morning,
2 everybody. Adequate notice of this public hearing
3 meeting has been provided as required by law by
4 mailing to The Press of said scheduled public
5 hearing of November 28th, 2023, at 401 North
6 Virginia Avenue, Conference Room, Atlantic City, New
7 Jersey. A copy of said notice was sent to the City
8 Clerk to be posted. All of the aforesaid complies
9 with Chapter 231 of the Laws of 1979 (sic), known as
10 the Open Public Meetings Law.

11 So we'll do a roll call, please.

12 MS. JOHNSON: Mr. Hill?

13 CHAIRMAN HILL: Present.

14 MS. JOHNSON: Mr. Dedar?

15 He just dropped off for a second.

16 Okay. Mr. Banfield, Ms. --

17 MR. ARMSTRONG: He probably got on an
18 elevator.

19 CHAIRMAN HILL: Yeah.

20 MS. JOHNSON: Okay. Mr. Banfield,
21 Ms. Langford, and Mr. Eccles are absent.

22 Ms. Davies?

23 MS. DAVIES: Here.

24 MS. JOHNSON: And Mr. Kausar is also
25 absent.

1 And should we get the vote from Mr.
2 Dedar now that --

3 Mr. Dedar?

4 CHAIRMAN HILL: Yes.

5 MR. DEDAR: I'm here. I'm sorry.

6 CHAIRMAN HILL: Okay. That's fine.

7 Right. As long as we have three
8 people. That's fine. Okay. Great. Thank you,
9 everybody.

10 And can we do a flag salute, please,
11 Mr. Dedar?

12 (The Pledge of Allegiance is
13 recited.)

14 CHAIRMAN HILL: Thank you. Good
15 morning, everybody, and welcome to our public
16 hearing just reviewing our budget for the upcoming
17 year, the 2024 budget. This budget has been
18 reviewed by the personnel committee and the full
19 board with guidance from our financial team at the
20 MUA, of course.

21 So we're going to start with the
22 budget hearing and if anybody would like to speak on
23 that. I'm going to ask Anita to give a recap of
24 some of the highlights, please, because there is
25 something that the -- the public should be aware of

1 in the budget for '24.

2 MR. ARMSTRONG: Mr. Chairman, if I
3 could?

4 CHAIRMAN HILL: Yes.

5 MR. ARMSTRONG: Just to make it clear
6 for the record, if you could have a motion to open
7 the public hearing for the --

8 CHAIRMAN HILL: Oh, okay.

9 MR. ARMSTRONG: -- budget and then
10 close it and then open for the rates, so keep
11 everything separate on the record.

12 CHAIRMAN HILL: Okay. This is just
13 for the budget.

14 So I'll -- before we discuss the
15 budget of 2024, let's have a motion to discuss that,
16 to open that hearing.

17 Could I have a motion?

18 MS. DAVIES: Motion.

19 CHAIRMAN HILL: And I'll second.

20 MR. DEDAR: Second.

21 CHAIRMAN HILL: Thank you.

22 MR. DEDAR: Second.

23 CHAIRMAN HILL: And we'll do a -- and
24 we'll do a roll call.

25 MS. JOHNSON: Mr. Hill?

1 CHAIRMAN HILL: Yes.

2 MS. JOHNSON: Mr. Dedar?

3 MR. DEDAR: Yes.

4 MS. JOHNSON: Ms. Davies?

5 MS. DAVIES: Yes.

6 CHAIRMAN HILL: Thank you. Okay. So
7 as I just discussed, we are just reviewing the
8 budget for 2024. Again, we've already looked at
9 this, studied it.

10 But, Ms. Thapa, could you just give
11 us a recap, a little bit of the highlights of the
12 budget of 2024, please?

13 MS. THAPA: Sure. Okay. Obviously,
14 we introduced and approved our 2024 budget on
15 October 18, 2023. The 2024 annual budget amounts to
16 19.6 million, which includes the municipal
17 appropriation of 862,473. That means we have to
18 provide this amount to the City.

19 The capital budget for 2024 amounts
20 to 51.7 million. Obviously, we will fund this --
21 some of this portion of this budget, which is about
22 16.5 million, from our unrestricted available cash.
23 But we definitely need to borrow about 35 million in
24 2024 whether from borrowing or getting a bond or
25 available grants, because obviously, as we are all

1 aware of our much needed capital improvements
2 projects there.

3 As far as the rates, as we all know,
4 we will be increasing 2 percent in -- in the flat
5 rate and also 2 percent increase in the excess rates
6 for all customers, including residential and
7 commercial.

8 As far as -- actually, I just
9 received an email this morning from the -- from the
10 state, which is Department of Community Affairs,
11 Division of Local Government Services that they
12 approve our budget pending the adoption of our
13 fiscal year 2024 rate structure, which Mr. Armstrong
14 will -- you know, we said we're going to adopt in
15 October 2023.

16 That's pretty much I would say a
17 brief history, brief summary on the budgets. Like
18 any -- if anybody has any questions, I'm happy to
19 answer.

20 CHAIRMAN HILL: Fellow board members,
21 if there's any question?

22 All -- the budget was attached. Ms.
23 Johnson, our board secretary, did attach that
24 yesterday for review in case you didn't see that.

25 Any questions from board members?

1 MR. DEDAR: Mr. Chairman, the
2 question is to Anita. She said it's 93 or 97
3 million, the proposed budget? I wasn't sure.

4 MS. THAPA: 19.6 million, right, but
5 that includes the budget of 862,473 municipal
6 appropriation.

7 MR. DEDAR: Okay.

8 MS. THAPA: So 19.6 million.

9 MR. DEDAR: 19.6? Okay. Thank you.

10 CHAIRMAN HILL: Uh-huh.

11 MS. THAPA: That's our operating
12 budget, and the capital budget is about 51.7
13 million.

14 CHAIRMAN HILL: Great. And the
15 capital budget's so important, of course, for all of
16 the projects that we continue to try to get ahead on
17 and do. So the capital budget's really valuable to
18 all of us.

19 Thank you. Any other questions?

20 Okay. Hearing none, I'm going to
21 close this part of the hearing for the budget for
22 2024.

23 So could I have a motion to leave
24 this portion of the hearing?

25 MR. ARMSTRONG: Just before -- just

1 before you do, I think you want to ask whether or
2 not there is any public.

3 CHAIRMAN HILL: Right. I was going
4 to ask both.

5 Okay. Is there any public that would
6 like to speak on just the budget part for 2024?

7 MS. JOHNSON: And no one asked to
8 be -- to come to this meeting, so no public --

9 CHAIRMAN HILL: And did we get any --
10 did we get any written notices or questions for the
11 budget?

12 MS. JOHNSON: No written notices or
13 telephone calls.

14 CHAIRMAN HILL: Okay.

15 MR. ARMSTRONG: And the -- I just
16 want to point out that The Press was specifically
17 notified and provided with the information above and
18 beyond the -- the notice that typically is
19 published. We --

20 CHAIRMAN HILL: Right.

21 MR. ARMSTRONG: -- actually sent them
22 the agenda and the budget itself.

23 CHAIRMAN HILL: Right. Okay.

24 Hearing none -- no questions from the
25 public and we finished with the board, I'll

1 entertain a motion to close this part of the
2 hearing.

3 MR. DEDAR: Motion.

4 CHAIRMAN HILL: Thank you.

5 And a second?

6 MS. DAVIES: Second.

7 CHAIRMAN HILL: Thank you.

8 And a roll call.

9 MS. JOHNSON: Mr. Hill?

10 CHAIRMAN HILL: Yes.

11 MS. JOHNSON: Mr. Dedar?

12 MR. DEDAR: Yes.

13 MS. JOHNSON: Ms. Davies?

14 MS. DAVIES: Yes.

15 CHAIRMAN HILL: Thank you.

16 We're now going to move on to the
17 rate hearing, and we're going to look for a motion
18 to open that part of this public hearing today. So
19 could I have a motion?

20 MS. DAVIES: Motion.

21 CHAIRMAN HILL: Thank you.

22 And a second?

23 MR. DEDAR: Second.

24 CHAIRMAN HILL: Thank you.

25 And a roll call.

1 MS. JOHNSON: Mr. Hill?

2 CHAIRMAN HILL: Yes.

3 MS. JOHNSON: Mr. Dedar?

4 MR. DEDAR: Yes.

5 MS. JOHNSON: Ms. Davies?

6 MS. DAVIES: Yes.

7 CHAIRMAN HILL: Thank you.

8 And we're going to be discussing the
9 rules, rates, and regulations, as well as the
10 connection fee. Again, we got documentation on
11 that. We have reviewed this prior to this public
12 meeting.

13 And just for the general public, and
14 for the record, we will be having another public
15 hearing on the rates and regulations in December.
16 So let's start with our rules and regulations. We
17 already mentioned a little bit about that in the
18 budget hearing.

19 So, Anita, could you talk a little
20 bit again about the rates increases for 2024?

21 MS. THAPA: Okay. So there will be 2
22 percent increase in flat -- flat rate and also 2
23 percent increase in the excess rate for all
24 customers.

25 The connection fee will remain the

1 same.

2 We are also doing the rate study in
3 2024, so hopefully, this will help for our future
4 rates, as well. So that's -- that's about it as far
5 as the rates.

6 CHAIRMAN HILL: Okay. That's fine.
7 Could you just explain for the public what the 2
8 percent -- what the excess fee entails?

9 MS. THAPA: So --

10 CHAIRMAN HILL: Because people get
11 confused with that.

12 MS. THAPA: Got you. So right now,
13 our -- the quarterly -- quarterly fee for
14 residential will increase to 72.25. Currently it's
15 at 70.75. And for excess -- excess rate will be --
16 for residential, if they go over the allowance of
17 2500 cubic feet, we will charge that excess fee at
18 3.992 --

19 CHAIRMAN HILL: Okay.

20 MS. THAPA: -- per hundred cubic
21 feet.

22 CHAIRMAN HILL: Right. And once all
23 of this is adopted and approved by the end of the
24 year, we'll make sure this is on the website at the
25 MUA.

1 MS. THAPA: Yes. Yeah. It is
2 already --

3 CHAIRMAN HILL: Very good.

4 MS. THAPA: -- on the website, as
5 well, too, proposed rates.

6 CHAIRMAN HILL: Right. Exactly.

7 MS. THAPA: Yes.

8 CHAIRMAN HILL: Correct.

9 Okay. Any questions from board
10 members?

11 Hearing none, any questions from the
12 public, if there's a public that just popped on?

13 MS. JOHNSON: No public
14 participation.

15 CHAIRMAN HILL: And how about written
16 questions for the rates, anything?

17 MS. JOHNSON: No written questions or
18 phone calls.

19 CHAIRMAN HILL: Okay. That's fine.
20 I just want to make one other comment that I wanted
21 to thank Anita and her wonderful staff for working
22 on this for 2024, as well as the personnel committee
23 for all of their work. I know they started this in
24 October or September.

25 So we move forward, and we will have

1 one more hearing on the rates, and then we will
2 finalize everything by the end of the year.

3 So hearing no other questions or
4 concerns, I'll entertain a motion to close this part
5 of the public hearing.

6 MS. DAVIES: Motion.

7 CHAIRMAN HILL: Thank you.

8 And a second?

9 MR. DEDAR: Second.

10 CHAIRMAN HILL: Thank you.

11 Roll call.

12 MS. JOHNSON: Mr. Hill?

13 CHAIRMAN HILL: Yes.

14 MS. JOHNSON: Mr. Dedar?

15 MR. DEDAR: Yes.

16 MS. JOHNSON: And Ms. Davies?

17 MS. DAVIES: Yes.

18 CHAIRMAN HILL: Thank you. We're
19 going to be moving into executive session, and there
20 are two topics. I don't believe Mr. Ward's here, so
21 we'll discuss -- and it's a personnel matter, and --
22 due to -- with administration, as well as an issue
23 with Stockton University we want to discuss in
24 closed session.

25 So let's have a motion to go into

1 that, please.

2 MS. DAVIES: Motion.

3 CHAIRMAN HILL: Thank you.

4 And a second?

5 MR. DEDAR: Second.

6 CHAIRMAN HILL: Thank you.

7 Roll call.

8 MS. JOHNSON: Mr. Hill?

9 CHAIRMAN HILL: Yes.

10 MS. JOHNSON: Mr. Hill? Uh-huh.

11 CHAIRMAN HILL: Yes.

12 MS. JOHNSON: Mr. Dedar?

13 MR. DEDAR: Yes.

14 MS. JOHNSON: And Ms. -- and Ms.

15 Davies?

16 MS. DAVIES: Yes.

17 CHAIRMAN HILL: Thank you.

18 MR. ARMSTRONG: I was actually

19 texting Bruce back and forth. He is out of town.

20 CHAIRMAN HILL: Okay.

21 MR. ARMSTRONG: There was a motion to

22 go in --

23 CHAIRMAN HILL: Yeah. We just did

24 it. We just finished it.

25 MR. ARMSTRONG: Not closed, but

1 the -- the hearing for rates?

2 CHAIRMAN HILL: Yes.

3 MR. ARMSTRONG: Okay.

4 CHAIRMAN HILL: Yeah. We did that.

5 MR. ARMSTRONG: Yeah. He said that
6 he wasn't able to make it today, but he told me --

7 CHAIRMAN HILL: Okay.

8 MR. ARMSTRONG: -- what it is that he
9 wanted to say regarding Stockton.

10 CHAIRMAN HILL: Okay. No problem.

11 So we have now voted to go into
12 executive -- executive closed session. I believe we
13 should just have the board members at this time go
14 into that meeting.

15 MR. ARMSTRONG: We can do Stockton
16 first and then --

17 CHAIRMAN HILL: Oh. We can do
18 Stockton?

19 MR. ARMSTRONG: Yeah.

20 CHAIRMAN HILL: Okay. No problem.
21 Then we can --

22 MR. ARMSTRONG: We can do Stockton
23 first, and then we can let them go back --

24 CHAIRMAN HILL: I guess we should
25 have Cliff -- maybe Cliff and India, of course, in

1 that one.

2 MR. ARMSTRONG: Yeah.

3 CHAIRMAN HILL: Yeah. Okay.

4 MS. STILL: And Anita.

5 MR. ARMSTRONG: Everybody who's here
6 basically.

7 MS. STILL: And Anita.

8 CHAIRMAN HILL: And Anita, yeah. So
9 let's -- we still should leave this one and go into
10 a breakout room.

11 MR. ARMSTRONG: Yeah, to be safe,
12 because anybody could log into this one.

13 CHAIRMAN HILL: Right. Thank you.

14 - - -

15 (Whereupon, the closed session was
16 excerpted.)

17 - - -

18 CHAIRMAN HILL: Okay. We just
19 finished executive session of this meeting, and we
20 need a motion to exit executive session first.

21 Motion?

22 MR. DEDAR: Motion.

23 MS. DAVIES: Second.

24 CHAIRMAN HILL: Thank you.

25 And second?

1 MR. DEDAR: Second.

2 CHAIRMAN HILL: Roll call.

3 MS. JOHNSON: Mr. Hill?

4 CHAIRMAN HILL: Yes.

5 MS. JOHNSON: Mr. Dedar?

6 MR. DEDAR: Yes.

7 MS. JOHNSON: Ms. Davies?

8 MS. DAVIES: Yes.

9 CHAIRMAN HILL: Thank you.

10 In executive session, we discussed an
11 issue with Stockton University, which we will try to
12 finalize at the next December board meeting, as well
13 as a personnel matter for administration. We
14 discussed that and reviewed some of our next steps
15 for that, so we're not moving. There's no action to
16 be taken at this point of the open session.

17 Anybody have a question?

18 Hearing none, we're going to move to
19 adjournment.

20 MR. ARMSTRONG: And I'm going to ask
21 India and Cliff to just stay on.

22 Wendy, you're not needed.

23 CHAIRMAN HILL: Right. Right.

24 India and Cliff, if you could just
25 stay on a minute, please.

1 Okay. So I'll take a motion to
2 adjourn.

3 MR. DEDAR: Motion.

4 MS. DAVIES: Motion.

5 CHAIRMAN HILL: And a second?

6 MS. DAVIES: Second.

7 CHAIRMAN HILL: Thank you.

8 And roll call.

9 MS. JOHNSON: Mr. Hill?

10 CHAIRMAN HILL: Yes.

11 MS. JOHNSON: Mr. Dedar?

12 MR. DEDAR: Yes.

13 MS. JOHNSON: And Ms. Davies?

14 MS. DAVIES: Yes.

15 CHAIRMAN HILL: Thank you, everybody.

16 Thank you, Anita.

17 MS. JOHNSON: Okay.

18 MR. DEDAR: Have a good day.

19 MS. JOHNSON: Mr. Armstrong, should I
20 leave, as well?

21 MR. ARMSTRONG: You can leave, too.

22 - - -

23 (Whereupon, the budget and rate
24 hearing concluded at approximately 10:43 a.m.)

25 - - -

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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: November 30, 2023

LAWYER'S NOTES

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