



Atlantic City Municipal Utilities Authority

AGENDA

For the Regular Meeting of the
Atlantic City Municipal Utilities Authority

DECEMBER 20, 2023

There will be a Regular Meeting of the Atlantic City Municipal Utilities Authority held on
20th day of December, 2023 at the Conference Room of the Atlantic City
Municipal Utilities Authority, 401 North Virginia Avenue, Atlantic City, New Jersey.

The Agenda for this Meeting is as follows:

1. CALL TO ORDER –OPMA NOTICE - OPENING STATEMENT

2. ROLL CALL

Mr. Gary L. Hill Z Mr. Mohammed Dedar Z Mr. Glenn Banfield Z

Mrs. Nynell Langford Z John Eccles, Jr. Z

Alternates: Stephanie A. Davies Z Sayed Kausar Z

3. FLAG OF SALUTE

4. **PUBLIC PARTICIPATION – (VIA TELEPHONICALLY OR EMAIL)**

5. APPROVAL OF MINUTES

a. Open Session Minutes- Board Meeting

(1) November 17, 2023 – Res. 5 a (1)

(2) November 28, 2023 – Res. 5 a (2)

b. Closed Session Minutes- Board Meeting

(1) November 17, 2023 – Res. 5 b (1)

(2) November 28, 2023 – Res. 5 b (2)

6. CHAIRMAN

a. Re-Opening of ACMUA Offices

7. AUTHORITY'S SOLICITOR REPORT

8. COMMITTEE REPORTS

a. Engineering Committee

b. Personnel Committee

9. EXECUTIVE DIRECTOR'S REPORT

a. Executive Director

(1) Abandoned Property (Executive Session)

b. Deputy Executive Director, Operations

(1) Engineering Report

(2) Operations Report

c. Deputy Executive Director, Administration

d. Accounting and Finance

(1) Financial Reports

(2) Cash Management

(3) Balance Adjustments

(4) Shut Offs

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10. OLD BUSINESS

- a. 2024 Budget
 - (1) Rules, Rates and Regulations – Res. 10 a (1)
 - (2) Connection Fee – Res. 10 a (2)
 - (3) Budget Adoption – Res. 10 a (3)
- b. 2023 Budget Adjustment – Res. 10 b
- c. Municipal Advisory Services – Extension of Contract:
 - (1) Phoenix Advisors - Res. 10 c (1)
- d. Licensed Backup Operator Companies (Pool) - Amendment
 - (1) Water Resource Management – Res. 10 d (1)

11. NEW BUSINESS

- a. Abatements – **UNNECESSARY TO APPEAR**
 - (1) Atlantic Lofts, LLC – 1 S. New York Avenue – Account #372801-0 – Res. 11 a (1)
 - (2) Halo Homes NJ, LLC – 22 S. Pennsylvania Avenue – Account #29860-0 – Res. 11 a (2)
- b. FY 2023 Flood Mitigation Assistance Program - US Department of Homeland Security
 - (1) Grant Application and Agreement - Res. 11 b (1)
- c. Application Atlantic City Board of Education
 - (1) ACMUA Employee Retreat - Res. 11 c (1)
- d. State Contract Purchase
 - (1) Opengov Enterprise Asset Management Platform – Res. 11 d (1)
- e. Employee Assistance Program
 - (1) AtlantiCare Behavioral Health Services – Res. 11 e (1)
- f. Payroll and Account Services
 - (1) Action Data Services – Res. 11 f (1)
- g. Acceptance of 2024 Assessment
 - (1) NJ Utility Authorities Joint Insurance Fund – Res. 11 g (1)
- h. Accept Proposal
 - (1) Ford F-250 Utility Truck - Winner Ford – Res. 11 h (1)
- i. Sunset Ave Emergency 8” Water Main Replacement
 - (1) Mount Construction Company, Inc. – Change Order #1 – Res. 11 i (1)
- j. Service Agreement
 - (1) LPMG Companies - 10 S. New York Avenue – Res. 11 j (1)
 - (2) Robert & Andre Johnson – 1407 West Riverside Drive – Res. 11 j (2)
 - (3) CAPC – 1540 Beach Avenue – Res. 11 j (3)
 - (4) QOZB, LLC – 155-159 S. Tennessee Avenue – Res. 11 j (4)
 - (5) NY Orange Deeds, LLC – 161 Westminister Avenue – Res. 11 j (5)
 - (6) NY Orange Deeds, LLC – 163 Westminister Avenue – Res. 11 j (6)
 - (7) NY Orange Deeds, LLC – 165 Westminister Avenue – Res. 11 j (7)
 - (8) NY Orange Deeds, LLC – 167 Westminister Avenue – Res. 11 j (8)
 - (9) Zenith Shah – 167 S. Tennessee Avenue – Res. 11 j (9)
 - (10) CAPC – 2120 Grammercy Place – Res. 11 j (10)
 - (11) CAPC – 1542 Beach Avenue – Res. 11 j (11)
 - (12) CAPC – 1546 Beach Avenue – Res. 11 j (12)
- k. Annual Premier Renewal Maintenance Agreement
 - (1) Aclara – Accounting & Billing Software – Res. 11 k (1)

12. BILLS

- a. Monthly Bills – Res. 12 a

13. EXECUTIVE SESSION

- a. Motion to Enter Executive Session – Res. 13 a
- b. Motion to Exit Executive Session

RESOLUTION 2023 AUTHORIZING EXECUTIVE SESSION

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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;

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BE IT FURTHER RESOLVED that the **DIRECTORS** hereby declare that its discussion of the aforementioned subject(s) may be made public at a time when the Solicitor advises the Board that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the ACMUA or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Board, for the aforementioned reasons, hereby declares that the public is excluded from the portion or the meeting during which the above discussion shall take place and here by directs the ACMUA to take the appropriate action to effectuate the terms of this resolution.

I, Gary L. Hill do hereby certify the above to be a true and correct copy of a resolution to be adopted by the ACMUA at this meeting held on the 20th day of December, 2023.

14. MOTION TO RETURN TO OPEN SESSION

15. ADJOURNMENT

Submitted by: Gary L. Hill, Chairman
Atlantic City Municipal
Utilities Authority