

ATLANTIC CITY
MUNICIPAL UTILITIES AUTHORITY
TRANSCRIPT OF REMOTE PROCEEDINGS
RE: SPECIAL MEETING OF THE
ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

OPEN SESSION
FEBRUARY 5, 2024
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
- CLIFFORD KEEN, Deputy Executive Director of
Operations
- JOHN ECCLES, JR., Board Member
- NYNELL LANGFORD, Board Member
- GLENN BANFIELD, Board Member
- STEPHANIE DAVIES, Alternate #1
- SAYED KAUSAR, Alternate #2

ALSO PRESENT:

- WASTELLA JOHNSON, Board Secretary
- ANITA THAPA, Finance and Accounting
- WES SWAIN, State Monitor

- - -

STENOGRAPHICALLY REPORTED BY:

KRYSTINA KORNAK FLORA, RPR, CCR

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1 MR. HILL: Good morning, everybody. 2

2 Adequate notice of this special meeting
3 has been provided as required by law by
4 mailing to The Press a list of the regularly
5 scheduled meetings of the board of directors,
6 including the notice of special meeting,
7 scheduled for February 5, 2024, at 401 North
8 Virginia Avenue, Conference Room, Atlantic
9 City, New Jersey.

10 A copy of said notice was sent to the
11 City Clerk to be posted. All of the
12 aforesaid complies with Chapter 231 of the
13 Laws of 1975 known as the Open Public
14 Meetings Law.

15 And we'll do a roll call.

16 MS. JOHNSON: Mr. Hill.

17 MR. HILL: Here.

18 MS. JOHNSON: Mr. Dedar.

19 MR. DEDAR: Yes.

20 MS. JOHNSON: Mr. Banfield.

21 MR. BANFIELD: Here.

22 MS. JOHNSON: Ms. Langford.

23 MS. LANGFORD: Here.

24 MS. JOHNSON: Mr. Eccles.

25 MR. ECCLES: Here.

1 MS. JOHNSON: Ms. Davies.

3

2 MS. DAVIES: Here.

3 MS. JOHNSON: And Mr. Kausar.

4 MR. KAUSAR: Here.

5 MR. HILL: Thank you.

6 Mr. Dedar, could you lead us for the
7 flag salute, please.

8 (Whereupon, the Pledge of Allegiance is
9 recited.)

10 MR. HILL: Thank you.

11 First of all, I want to thank everybody
12 for opening up their schedule for this
13 special board meeting for today,
14 February 5th.

15 Obviously, you all know that the reason
16 we called this special board meeting is
17 because we'll be saying goodbye to our
18 Executive Director, Mr. Armstrong, on
19 Wednesday the 7th, so we needed to get some
20 business done before that.

21 And on behalf of myself, and I believe
22 most of our board members, I just wanted to
23 say to Mr. Armstrong, we thank you for your
24 dedication to the MUA and to the citizens of
25 Atlantic City. Hope you're not going too

1 far; we know you're not, but we valued all of
2 your incite, your leadership; and publically,
3 since this will be your last board meeting, I
4 wanted to say thank you and wish you well on
5 your next journey.

6 MR. ARMSTRONG: Thank you; appreciate
7 it.

8 MR. HILL: Is there anybody else that
9 would like to make a comment at this time?

10 Hearing none, we'll go to the reports.
11 Will be most of this -- we only have a little
12 bit of business to do before we go to
13 executive. That won't take long.

14 But, Mr. Ward, I know you'll be
15 speaking in closed session, but would you
16 like to make any comments now.

17 MR. WARD: Good morning. Good morning,
18 board members.

19 I think we need to call attention to
20 the Lead Line Service Replacement Program.
21 We're just working on the access agreements,
22 which property owners will need to execute,
23 which will allow contractors to come on their
24 property. Board members are encouraged to
25 look at the ACMUA website, which has a panel

1 of information, frequently asked questions, 5
2 because I'm assuming, as board members living
3 in Atlantic City, you're going to get calls
4 and questions from your neighbors, and
5 friends, and so forth, and so on as this
6 thing ramps out.

7 Has everyone checked on their address?
8 Board members, have you checked on your
9 address?

10 MR. BANFIELD: Yes.

11 MR. WARD: Okay. Because there are two
12 board members on the list for replacement, so
13 please check out the website, become familiar
14 with it, because this will be a ramp out
15 throughout the city, bringing contractors to
16 neighborhoods to fix these pipes and replace
17 them.

18 MR. HILL: Anything else, Mr. Ward?

19 MR. WARD: Yes. Any particular
20 questions go to Cliff Keen about the
21 implementation, but, yes, be advised that
22 this is coming out soon.

23 MR. HILL: So we could go to the
24 website and check under service agreement
25 deadlines?

1 MR. WARD: No. It's under lead line 6
2 replacement. It's a whole package of tabs
3 that you could click on.

4 MR. HILL: Right.

5 MR. WARD: It also includes the list of
6 addresses, so you could actually see on your
7 street if any of your neighbors are going to
8 be impacted, and they may be asking you
9 questions.

10 MR. HILL: Right, okay. Very good.

11 Moving on to our executive director's
12 report. Mr. Armstrong, would you like to
13 make any comments or any...

14 MR. ARMSTRONG: Yes. Just with respect
15 to advising the board that the RFP responses
16 are in. It's scheduled for you to make a
17 decision at reorganization at your February
18 meeting, so if anyone wants to review those
19 RFPs, they're here at the main office, in the
20 conference room upstairs available to you at
21 any time.

22 MR. HILL: And I believe all of the
23 RFPs, as we mentioned, a lot of them should
24 be familiar, we've been using some of the
25 same people for a number of years for some

1 our main projects. So just review that until
2 the next meeting. We'll discuss those
3 contracts at the next meeting.

4 MR. ARMSTRONG: And, also, there was an
5 e-mail with a list of those who responded,
6 mailed to each one of you.

7 MR. HILL: Hmm-hmm, right.

8 Anything else, Mr. Armstrong?

9 MR. ARMSTRONG: No, that's it.

10 MR. HILL: Old business, and we'll move
11 kind of quickly through these. It had gone
12 out and now we're going to try to accept the
13 bids that had come in for some of the things
14 we need to do our job.

15 So we're going to start with 71-A,
16 7-A-1, this is accepting of a Zeolite
17 polymer, it's a chemical.

18 Can you read the resolution,
19 Ms. Johnson.

20 MS. JOHNSON: Yes. Zeolite 1A anionic
21 polymer. Whereas Atlantic City Municipal
22 Utilities Authority owns and operates its own
23 water department, whereas the water treatment
24 plant uses Zeolite 1A anionic polymer to
25 treat and produce water. Now, therefore,

1 being resolved by the board of directors of 8
2 the Atlantic City MUA, that the bid Apollo
3 Dine (phonetic), Inc. for furnishing and
4 delivering Zeolite 1A anionic polymer, being
5 the lowest responsible bidder for said
6 undertaking, in the amount of \$36,300.

7 MR. HILL: Thank you.

8 Obviously this is a chemical we need at
9 the plant. Anybody have a question?

10 Hearing none, I'll accept a motion.

11 MR. DEDAR: Motion.

12 MR. ECCLES: Second.

13 MR. HILL: Thank you.

14 And a second from Mr. Eccles.

15 Thank you. Roll call.

16 MS. JOHNSON: Mr. Hill.

17 MR. HILL: Yes.

18 MR. JOHNSON: Mr. Dedar.

19 MR. DEDAR: Yes.

20 MS. JOHNSON: Mr. Banfield.

21 MR. BANFIELD: Yes.

22 MS. JOHNSON: Ms. Langford.

23 MS. LANGFORD: Yes.

24 MS. JOHNSON: And Mr. Eccles.

25 MR. ECCLES: Yes.

1 MR. HILL: Thank you. 9

2 Moving on. 7-A-2 is another chemical,
3 sodium hypochlorite.

4 Let's read the resolution first.

5 MS. JOHNSON: Bid award furnishing and
6 delivering sodium hypochlorite, whereas the
7 Atlantic Municipal Utilities Authority
8 operates its own water department, whereas
9 the water treatment plant uses sodium
10 hypochlorite to treat and produce water,
11 whereas the price total for sodium
12 hypochlorite will exceed the bid threshold as
13 outlined in NJAC 48:11-3. Now, therefore,
14 being resolved by the board of directors by
15 the MUA that the bid of Kuehne (phonetic)
16 Chemical Company for furnishing and
17 delivering liquid sodium hypochlorite to the
18 pumping station being the lowest responsible
19 bidder for the said undertaking in the amount
20 of \$171,200.

21 MR. HILL: Thank you.

22 Cliff, how much did it -- how much more
23 over the threshold was it? Do you know?

24 MR. KEEN: I mean, the price for the
25 sodium hypochlorite went up about 89 cents a

1 gallon, if that's the question. It's 10
2 obviously over that \$44,000 bid threshold, so
3 we will be paying a little bit more for that
4 chlorine. This is what disinfects the water.
5 We're paying a little bit more for that. The
6 industry has seen some increases that have
7 been much higher than that, so I think the
8 price is in the \$2 range for this, and I've
9 seen some of our peers have prices in the \$4
10 and \$5 range for it.

11 So the reason, I think, part of the
12 reason we have a lower price is that we went
13 for a one-year bid on this instead of
14 two-year contract, because the market is so
15 volatile, people don't know how to protect
16 themselves on a second year.

17 So you'll see that trend happening
18 where we're going to go for one year where
19 they can give us a better number than the two
20 years for the next couple of years until the
21 market stabilizes a little bit.

22 MR. HILL: Thank you. Very good
23 explanation. I just wanted that on public
24 record.

25 Anybody else have a question.

1 Hearing non, I'll accept a motion. 11

2 MR. DEDAR: Motion.

3 MR. HILL: Thank you.

4 MR. ECCLES: I second.

5 MR. HILL: Thank you. Roll call.

6 MS. JOHNSON: Mr. Hill.

7 MR. HILL: Yes.

8 MS. JOHNSON: Mr. Dedar.

9 MR. DEDAR: Yes.

10 MS. JOHNSON: Mr. Banfield.

11 MR. BANFIELD: Yes.

12 MS. JOHNSON: Ms. Langford.

13 MS. LANGFORD: Yes.

14 MS. JOHNSON: And Mr. Eccles.

15 MR. ECCLES: Yes.

16 MR. HILL: Thank you.

17 Moving onto new business, this is a

18 service agreement with IR Foundation at 16

19 North Florida. Again, this is a revenue

20 source, so let's read the resolution and go

21 from there.

22 MS. JOHNSON: Excuse me, Mr. Hill.

23 Ms. Still has a comment regarding that

24 service agreement resolution.

25 MR. HILL: Okay. Let's read the

1 resolution first and then we'll comment. 12

2 MS. JOHNSON: She's asking to pull it.

3 MR. HILL: Oh, okay. Sure. So that
4 will be -- hold on. We're going to pull
5 8-A-1 and we'll entertain that at the next
6 meeting, if ready. Okay?

7 MS. STILL: Thank you.

8 MR. HILL: Thank you, Ms. Still.

9 So we pulled that. We're ready to go
10 into executive session, and we have, in
11 particular, an executive director selection
12 to discuss, as well I think we're just going
13 to do an update for an arrangement we're
14 working with the city on. Just want to get
15 everybody up-to-date on that, we talked about
16 that last meeting.

17 So we're going to be looking to go into
18 executive session. Can we read the
19 resolution for 9-A.

20 MS. JOHNSON: Yes. Approving to enter
21 into close session.

22 MR. HILL: Right. I'll move that. Can
23 we have a second?

24 MR. ECCLES: I'll second.

25 MR. HILL: Thank you.

1 And roll call.

2 MS. JOHNSON: Mr. Hill.

3 MR. HILL: Yes.

4 MR. JOHNSON: Mr. Dedar.

5 MR. DEDAR: Yes.

6 MS. JOHNSON: Mr. Banfield.

7 MR. BANFIELD: Yes.

8 MS. JOHNSON: Ms. Langford.

9 MS. LANGFORD: Yes.

10 MS. JOHNSON: And Mr. Eccles.

11 MR. ECCLES: Yes.

12 MR. HILL: So everybody will be going
13 into executive and then we'll have some
14 people leave executive session, but I want to
15 discuss that one issue first with everybody.

16 And, Anita, I think you should join us
17 too, because it concerns money that we're
18 either going to make or lose, so let's have
19 you there for the first part.

20 Okay, everybody? Thanks.

21 - - -

22 (Whereupon, the closed session was
23 excerpted.)

24 - - -

25 (Whereupon, the following proceeding is

1 taken place in open session at 11:20 a.m.) 14

2 MR. HILL: Okay. We're going to --
3 we're leaving the executive session from the
4 board for the special board meeting, so we
5 need a motion to return to open.

6 MR. ECCLES: I'll make a motion. We
7 returned to open session.

8 MR. DEDAR: Second that.

9 MR. HILL: Thank you.

10 Roll call.

11 MS. JOHNSON: Mr. Hill.

12 MR. HILL: Yes.

13 MS. JOHNSON: Mr. Dedar.

14 MR. DEDAR: Yes.

15 MS. JOHNSON: Mr. Banfield.

16 MR. BANFIELD: Yes.

17 MS. JOHNSON: Ms. Langford.

18 MS. LANGFORD: Yes.

19 MS. JOHNSON: Mr. Eccles.

20 MR. ECCLES: Yes.

21 MR. HILL: Thank you.

22 In executive session, special board
23 meeting, we had discussions on the abandoned
24 property issue, and we have determined that
25 we will be working on a summary or a -- not

1 an offer, but an information sheet to present
2 to the city in the next two weeks and we'll
3 probably take some action at our board
4 meeting in February. That will be handled by
5 inside staff; our inside staff. But no
6 details were finalized. We just had a very
7 good open discussion.

8 That was one item we discussed. The
9 second item was the search for the executive
10 directorship of the MUA after Mr. Armstrong
11 leaves and retires from that on February 7th.
12 We discussed the candidates; the process; we
13 discussed terms of employment; we discussed a
14 number of issues with that position; and at
15 this point we're going to be making a
16 resolution.

17 Help me either Mr. Armstrong or
18 Mr. Reilly, that we are recommending for that
19 position Ms. India Still to commence as our
20 executive director set on the terms that
21 Mr. Reilly, as labor counsel, will negotiate
22 with her. And we understand that Ms. Still
23 has accepted that once we vote. We did not
24 vote on that yet. So I'm making that
25 resolution. Do I have to make anything else?

1 MR. REILLY: No. 16

2 MR. HILL: I think I got it okay.

3 So since that resolution is -- we don't
4 need to read that, we don't have it to read,
5 I'll move that resolution. Can I have a
6 second?

7 MR. BANFIELD: I second.

8 MR. HILL: Mr. Banfield was second.

9 Roll call please.

10 MS. JOHNSON: Mr. Hill.

11 MR. HILL: Yes.

12 MS. JOHNSON: Mr. Dedar.

13 MR. DEDAR: Yes.

14 MR. ARMSTRONG: I'd hate to interrupt,
15 but I think you have to put something on the
16 record though.

17 MR. HILL: I did.

18 MR. ARMSTRONG. Maybe I walked in and
19 missed it.

20 MR. HILL: I did do that.

21 MR. ARMSTRONG: There wasn't anything
22 to say that an offer was made.

23 MR. REILLY: You're right. He should
24 probably say that.

25 MR. HILL: I thought I did mention

1 that.

17

2 MR. ARMSTRONG: You said something
3 about an offer was made, but I think that the
4 record has to be a little bit clearer, that
5 her effective date is going to be
6 February 8th, that an offer was made that she
7 accepted, and the terms and conditions of her
8 employment are to be --

9 MR. HILL: Discussed with Mr. Reilly,
10 yeah.

11 MR. ARMSTRONG: Yeah. And that this is
12 a motion right now, though, because only
13 reason why I said that is because you said it
14 was a resolution. It's a motion and the
15 resolution --

16 MR. HILL: Motion, okay. So we're
17 making a motion then. So starting
18 February 8th, and an offer was made, she
19 accepted it. The details of that offer will
20 be discussed with labor counsel, Mr. Reilly.
21 I kind of thought I said all that, but that's
22 okay.

23 MR. REILLY: I think you said it before
24 Mike joined.

25 MR. HILL: Okay. So let's be clear.

1 So I made a motion to accept this -- how can 8
2 you make a motion to accept a motion? I'm
3 moving the motion. Mr. Banfield second the
4 motion. Now we're at roll call.

5 MS. JOHNSON: Mr. Hill.

6 MR. HILL: Yes.

7 MS. JOHNSON: Mr. Dedar.

8 MR. DEDAR: Yes.

9 MS. JOHNSON: Mr. Banfield.

10 MR. BANFIELD: Yes.

11 MS. JOHNSON: Ms. Langford.

12 MS. LANGFORD: Yes.

13 MS. JOHNSON: Mr. Eccles.

14 MR. ECCLES: Yes.

15 MS. JOHNSON: So let me just clarify,
16 this is a motion and not a resolution.

17 MR. ARMSTRONG: It's a motion, but the
18 resolution will follow.

19 MS. JOHNSON: Okay, at the next board
20 meeting.

21 MR. ARMSTRONG: It's going to follow
22 this meeting.

23 MR. HILL: It's in two weeks.

24 MR. ARMSTRONG: No. I mean, because
25 you're voting on it -- it's an issue you're

1 voting on today, so if you have the terms and
2 conditions set you could attach it, because
3 it's already been voted on here.

4 MR. HILL: I see, okay. All we needed
5 was the motion.

6 MR. ARMSTRONG: Right.

7 MS. JOHNSON: With a resolution to
8 follow.

9 MR. ARMSTRONG: This meeting.

10 MS. JOHNSON: This meeting. That means
11 I will produce a resolution today to get it
12 signed.

13 MR. ARMSTRONG: Right.

14 MS. JOHNSON: Thank you.

15 MR. HILL: I believe that concludes
16 this special board meeting's business for
17 today. Is there anything else that anyone
18 else would like to bring up at this time?

19 Hearing none, we want to wish
20 Mr. Armstrong again success, and thank you
21 for all of your hard Mr. Reilly. Would you
22 please confer with Ms. Still. We'll move on
23 from there, and we need a motion for
24 adjournment.

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

1 MR. BANFIELD: I'll second. 20
2 MR. HILL: Roll call.
3 MS. JOHNSON: Mr. Hill.
4 MR. HILL: Yes.
5 MS. JOHNSON: Mr. Dedar.
6 MR. DEDAR: Yes.
7 MS. JOHNSON: Mr. Banfield.
8 MR. BANFIELD: Yes.
9 MS. JOHNSON: Ms. Langford.
10 MS. LANGFORD: Yes.
11 MS. JOHNSON: Mr. Eccles.
12 MR. ECCLES: Yes.
13 MR. HILL: Thank you for your time and
14 we'll see you soon.
15 (The matter was concluded.)
16 (Time noted: 11:27 a.m.)
17
18
19
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25

CERTIFICATE

21

I, KRYSTINA KORNAK FLORA, 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.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of February, 2024.

Krystina Kornak Flora

KRYSTINA KORNAK FLORA





Magna

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5:20 9:22 CLIFFORD 1:11 close 12:21 closed 4:15 13:22 come 4:23 7:13 coming 5:22 commence 15:19 COMMENCING 1:5 comment 4:9 11:23 12:1 comments 4:16 6:13 Company 9:16 complies 2:12 concerns 13:17 concluded 20:15 concludes 19:15 conditions 17:7 19:2 confer 19:22 conference 2:8 6:20 contract 10:14 contractors 4:23 5:15 contracts 7:3 copy 2:10 counsel 15:21 17:20 21:12,14 couple	10:20 <hr/> D <hr/> date 17:5 21:8 Davies 1:14 3:1,2 day 21:17 deadlines 5:25 decision 6:17 Dedar 1:9 2:18,19 3:6 8:11 8:18,19 11:2,8,9 13:4,5 14:8,13,14 16:12,13 18:7,8 20:5,6 dedication 3:24 delivering 8:4 9:6,17 department 7:23 9:8 Deputy 1:10,11 details 15:6 17:19 determined 14:24 Dine 8:3 director 1:9,10,11 3:18 12:11 15:20 directors 2:5 8:1 9:14 directorship 15:10 director's 6:11 discuss 7:2 12:12 13:15 discussed 15:8,12,13,13 17:9	17:20 discussion 15:7 discussions 14:23 disinfects 10:4 <hr/> E <hr/> Eccles 1:12 2:24,25 8:12,14 8:24,25 11:4,14,15 12:24 13:10,11 14:6 14:19,20 18:13,14 19:25 20:11,12 effective 17:5 either 13:18 15:17 employee 21:11,13 employment 15:13 17:8 encouraged 4:24 enter 12:20 entertain 12:5 everybody 2:1 3:11 12:15 13:12 13:15,20 exceed 9:12 excerpted 13:23 Excuse 11:22 execute 4:22 executive 1:9,10,11 3:18 4:13 6:11 12:10,11,18 13:13,14 14:3,22 15:9,20 explanation	10:23 e-mail 7:5 <hr/> F <hr/> familiar 5:13 6:24 far 4:1 February 1:5 2:7 3:14 6:17 15:4,11 17:6,18 21:17 finalized 15:6 Finance 1:17 financially 21:14 first 3:11 9:4 12:1 13:15 13:19 fix 5:16 flag 3:7 FLORA 1:21 21:3,20 Florida 11:19 follow 18:18,21 19:8 following 13:25 foregoing 21:5 forth 5:5 21:8 Foundation 11:18 frequently 5:1 friends 5:5 furnishing 8:3 9:5,16
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