



Atlantic City Municipal Utilities Authority

MINUTES OF THE BOARD MEETING

SEPTEMBER 18, 2024

**ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
401 N. VIRGINIA AVENUE
ATLANTIC CITY, NJ 08401**

In accordance with the provision of the Open Public Meetings Law, (N.J.S.A. 10:4-10), the Regular Board Meeting of the Atlantic City Municipal Utilities Authority Board of Directors was called to order by Chairman Gary L. Hill at 10:06AM. The Board of Directors held their public meeting as designed below both In-person and via Zoom Conference on September 18, 2024 at the Board Room, located on the first floor of the Administrative Offices, 401 N. Virginia Avenue, Atlantic City, New Jersey.

1. CALL TO ORDER – OPMA NOTICE - OPENING STATEMENT

Gary L. Hill read the Opening Statement.

2. ROLL CALL

The Roll was called.

BOARD PARTICIPATING IN THE MEETING:

Board Members present at that time were: Gary L. Hill, Chairman; Mohammed Dedar, Vice Chairman/Deputy (via Zoom); Glenn Banfield, Treasurer; Nynell Langford, Board Member (via Zoom); John Eccles, Jr., Board Member (via Zoom); Stephanie Davies, Board Member, Alternate 1 (via Zoom); and Sayed Kausar, Board Member Alternate 2 (via Zoom).

MUA STAFF PARTICIPATING IN THE MEETING:

India Still, Executive Director; Clifford Keen, Deputy Executive Director, Operations (via Zoom); Anita Thapa, Assistant Director of Accounting & Finance (via Zoom); G. Bruce Ward, Solicitor (via Zoom); Michael Riley, Labor Counsel (via Zoom); and Stella Johnson, Board Secretary.

OTHERS IN ATTENDANCE:

William Swain representing the State of New Jersey (via Zoom); Michael Oppici (via Zoom) representing Decotiis, Fitzpatrick, Cole & Giblin, LLP, and Robert Smith (via Zoom) representing Remington & Vernick Engineers.

3. FLAG OF SALUTE

4. PUBLIC PARTICIPATION – No one present

5. APPROVAL OF MINUTES

RESOLUTION #155: BOARD MINUTES OPEN SESSION - AUGUST 21, 2024

No changes or deletion to the Board Minutes Open Session.

The Board was asked to approve the Open Session transcript of minutes of the Regularly Scheduled Board Meeting of August 21, 2024.

A motion was made by Glenn Banfield and seconded by Mohammed Dedar to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #156: BOARD MINUTES CLOSED SESSION - AUGUST 21, 2024

No changes or deletion to the Board Minutes Closed Session.

The Board was asked to approve the Closed Session transcript of minutes of the Regularly Scheduled Board Meeting of August 21, 2024.

A motion was made by Gary L. Hill and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

6. CHAIRMAN – Gary L. Hill, Chairman

The Board was informed that Stella Johnson, Board Secretary will be handling a different role while taking the minutes during these meetings. Therefore, please indicate your name when you move and second the resolutions.

7. AUTHORITY'S SOLICITOR REPORT – Bruce Ward, Esq.

There is nothing to discuss in Open Session, but there are items to be discussed in Executive Session.

8. COMMITTEE REPORTS

- a. Engineering Committee – Gary L. Hill, Chairman and Robert Smith, Remington & Vernick

The MUA received the reports. There are going to be a lot of emergency items presented at this Board Meeting. Therefore the Board was given the detailed reasons why change orders are necessary, due to unanticipated and unforeseen changes to project, which can affect the cost, the scope and time of completion. Also detailed explanation of what the engineers look for when receiving proposals/bids from companies.

The Lead Line Replacement project was discussed, which is affecting a certain neighborhood regarding community engagement, because there was some unclear information to the public. NJ Future was contacted and they have some ideas to get the message out. A meeting is scheduled to start initiating the public outreach program. This is a free service. The engineering company will monitor the progress.

- b. Personnel Committee – Mohammed Dedar, Chairman and India Still, Executive Director

The Personnel Committee Meeting was not scheduled for the month of September. There will be a Personnel Committee meeting in October, which there are a couple of items to discuss in Executive Session, as well as prior staff actions previously discussed.

9. EXECUTIVE DIRECTOR'S REPORT

- a. Executive Director – India Still

The Broker's recommendation was to continue with the Jiff program. The MUA has not had any issues or problems. The MUA will be resubmitting a letter to recommit to the Jiff Program.

The MUA submitted an application to NJIB for the Security Upgrades Funding yesterday, which there is 4 million dollars in principle forgiveness. The project is around 11 million dollars. If the MUA is successful, we will revisit it.

At the Bungalow Park Citizen Association Meeting, the following items were discussed: changes for the playground, which was received very well; questions about the MUA's infrastructure; the

nature of all of the MUA's challenges and that grant funds will be pursued to meet the various projects; and the MUA's rates.

b. Deputy Executive Director, Operation – Cliff Keen

(1) Engineering Report – Robert Smith, Remington & Vernick

There was a joint project meeting for the Baltic Avenue and Service Lines projects, which the contractors are moving along. The same contractors are being utilized for both projects. It is anticipated to be completed in another month, which is good because the City is advertising the Baltic Avenue paving project for bid. The MUA should be out of the City's way by the time they start the paving project.

Notifications are being sent out regarding the services lines to inform the residents that they have to come in to verify the service lines. Once a complete list is received, replacement of the lines will begin.

The Grammercy Avenue project seems to be going smoothly. There have been no complaints from the residents or the City. As far as MLK, we are evaluating the 8" mains to determine the conditions to see if it has to be added to the project, because we had only looked at doing the crossings. The City originally told us that they were paving this fall. The funding agency informed us that the funding was not available until October. The City is trying to get funding to accelerate the schedule. Therefore, we may need to speed up our evaluation of that 8" main, so we can get that project designed and out to bid, so it can be completed in advance of the City's project.

(2) Operations Report – Cliff Keen, Deputy Executive Director, Operations

MLK: This was supposed to be a 2025 project. Then in February or March, the City changed the project to the fall. However, the funding is not available until October 2025. If the City have other availability of funds, the MUA will be prepare and ready to go. The MUA needs time between the City's work, so that the ground can settle and the MUA will not have to continuously repave the road and fix pot holes. The MUA will be prepared when the City is ready, but the MUA does not want to be a year out. If the city says they have funding, the MUA can move forward. This delay is due to the City's funding.

The MUA purchased the Asset Management Program in December. We had training and we issued new cell phones to employees. Also if the AT&T System goes down, the MUA has the first system priority, based on the work that we do. Therefore, the MUA's phone should be the very last to go down in a very bad situation.

The Inventory Control Asset Management System will be ready to go shortly. The MUA staff has

done an amazing job with the document and retention process, under the guidelines of the NJA Document Retention Agency policy. The MUA's records date back since 1930. The staff has cleaned up the files by making sure that they have discarded certain files and maintained the necessary files. This is going to be a long process.

c. Accounting And Finance - Anita Thapa, Assistant Director of Accounting & Finance

- (1) Financial Reports: The Board was previously given a detailed report for July, and a brief summation of this report was conveyed.
- (2) Cash Management: The Board was previously given a detailed report for July, and a brief summation of this report was conveyed.
- (3) Balance Adjustment was previously given to the Board for review.
- (4) Shut Offs are still ongoing until September and October, because of the lien process. The MUA will try to continue to shut off as close to the lien date of December 23rd, depending upon the weather,

2023 Audit Report: The status of the Audit Report has been released by the State. The audit is anticipated to be completed by the end of this month and will be at the next Board Meeting. The final audit report will be submitted to the Board before the Board Meeting.

10. CONSENT AGENDA

RESOLUTION #157: GRANULATED ACTIVATED CARBON

The Board was asked to accept the bid from Calgon Carbon Corporation for the Furnishing and Delivering of Granulated Activated Carbon (GAC) in the amount not to exceed \$545,000.00 for Filters and \$482,400.00 for the Adsorption System.

A motion was made by Mohammed Dedar and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #158: WATER SERVICE LATERALS AND APPURTENANCES IN VARIOUS LOCATIONS WITH REPAIRS TO UTILITY ROAD SERVICES

The Board was asked to accept the bid from Arthur R. Henry, Inc. to Furnish, Deliver and Install Water Service Laterals and Appurtenances in Various Locations with Repairs to Utility Road Services in the amount not to exceed \$684,998.80.

A motion was made by Mohammed Dedar and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #159: MAINTENANCE CONTRACT AUXILIARY POWER GENERATORS ENGINES

The Board was asked to accept the bid from RS Power Gen, LLC for the Maintenance Contract on Auxiliary Power Generator Engines at the Water Treatment Plant Pumping Station Facility in an amount not to exceed \$83,850.00

A motion was made by Mohammed Dedar and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #160: 39 S. HARRISBURG AVENUE – IQBAL HUSSAIN – PLUMBING SYSTEM FAILURE

The Board was asked to grant a fifty (50%) percent abatement of \$444.11 to Iqbal Hussain, 39 S. Harrisburg Avenue, Account Number 799201-0.

A motion was made by Mohammed Dedar and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #161: 225 N. MONTPELIER AVENUE – PHU HUYNH – PLUMBING SYSTEM FAILURE

The Board was asked to grant a fifty (50%) percent abatement of \$652.69 to Phu Huynh, 225 N. Montpelier Avenue, Account Number 689801-0.

A motion was made by Mohammed Dedar and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Nynell Langford and John Eccles, Jr. Glenn Banfield abstained.

RESOLUTION #162: 1152 N. OHIO AVENUE – MAURICE RABB HOMES, LLC – PLUMBING SYSTEM FAILURE

The Board was asked to grant a fifty (50%) percent abatement of \$921.80 to Maurice Rabb Homes, LLC, 1152 N. Ohio Avenue, Account Number 940901-0.

A motion was made by Mohammed Dedar and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #163: 1100 N. OHIO AVENUE – DOIN IT DOWN THE SHORE, LLC – PLUMBING SYSTEM FAILURE

The Board was asked to grant a fifty (50%) percent abatement of \$5,875.03 to Doin It Down The Shore, LLC, 1100 N. Ohio Avenue, Account Number 942101-0.

A motion was made by Mohammed Dedar and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

SOLICIT BIDS – LOCATION AND MARKOUT SERVICES

The MUA has been utilizing an outdoor service company for Location and Markout Services. We have received bids for this project several times, and are trying to make sure we get the best price. We are also following all of the State Purchasing laws.

END CONSENT AGENDA

11. ROLL CALL AGENDA

RESOLUTION #164: REQUEST FOR PROPOSAL BACKUP LICENSE OPERATOR SERVICES - WATER RESOURCE MANAGEMENT (WRM)

The Board was asked to accept the Request for Proposal that was received and opened on July 30, 2024 for Backup License Operator Services from Water Resource Management (WRM) for the term of five (5) years in the amount not to exceed \$250,000.00.

A motion was made by Glenn Banfield and seconded by Mohammed Dedar to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #165: WELL #19 DIESEL FUEL SPILL – CHANGE ORDER #7

The Board was asked to accept the Change Order #7 from Buchart Horn to perform additional services, which were not contemplated in the original agreement dated November 19, 2013, to complete the service for Phase 7C Remedial Action Reporting, which shall increase the contract price by \$9,250.00 for a total contract price from \$176,838.00 to \$186,088.00.

A motion was made by John Eccles, Jr. and seconded by Gary L. Hill to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #166: EMERGENCY REPAIRS TO BACKWASH PUMPS AND MOTORS – A.C. SCHULTES

The Board was asked to authorize to pay A.C. Schultes for Emergency Repairs to Backwash Pumps and Motors due to the failure of both backwash pumps at the Water Treatment Plant, which caused an emergent condition, in the sum of \$17,092.00.

A motion was made by Gary L. Hill and seconded by Glenn Banfield to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #167: EMERGENCY ASSESSMENT AND REPAIR OF VARIABLE FREQUENCY DRIVE – EATON CORPORATION

The Board was asked to authorize to pay Eaton Corporation for Emergency Assessment and Repair of Variable Frequency Drive due to the failure of both backwash pumps at the Water Treatment Plant, which caused an emergent condition, in the sum of \$12,005.00.

A motion was made by Mohammed Dedar and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #168: EMERGENCY TEMPORARY BACKWASH PUMP INSTALLATION AND RENTAL FOR 6 MONTHS (IF NEEDED) - PUMPING SERVICES INC.

The Board was asked to authorize to pay Pumping Services Inc. for Emergency Temporary Backwash Pump Installation and Rental for 6 Months (If Needed) due to the failure of both backwash pumps at the Water Treatment Plant, which caused an emergent condition, in the sum of \$118,636.15.

A motion was made by Glenn Banfield and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #169: EMERGENCY REPAIR AND REDEVELOPMENT OF WELL #25 –
A.C. SCHULTES

The Board was asked to authorize to pay A.C. Schultes for Emergency Repair and Redevelopment of Well 25 due to emergency contract that was awarded on March 22, 2024 by resolution 24-56 in the amount of \$86,926.00, and after inspection additional work for the rehabilitation of Well 25 was needed, in the sum of \$49,260.00.

A motion was made by Gary L. Hill and seconded by Glenn Banfield to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #170: EMERGENCY WATER MAIN AND ROAD REPAIR – ARTHUR R.
HENRY, INC

The Board was asked to authorize to pay Arthur R. Henry, Inc. for Emergency Water Main and Road Repair, because several water main and service leaks and road repairs were required to keep the system operational, in the sum of \$82,593.02.

A motion was made by John Eccles, Jr. and seconded by Glenn Banfield to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #171: EMERGENCY REPLACEMENT OF PLUG VALVE FOR THE
WATER TREATMENT PLANT CLARIFIER – RAPID PUMP & METER SERVICE CO

The Board was asked to authorize to pay Rapid Pump & Meter Service Co. for Emergency Replacement of Plug Valve for the Water Treatment Plant Clarifier, because the clarifier was recently replaced and placed back into service and the plug valve on the clarifier was not holding and needed to be replaced, in the sum of \$9,381.00.

A motion was made by Glenn Banfield and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

RESOLUTION #172: BALTIC AVENUE WATER MAIN IMPROVEMENTS – CHANGE
ORDER #1

The Board was asked to accept the Change Order #1 from Arthur R. Henry, Inc. from the original agreement, dated June 20, 2024, for the Baltic Avenue Water Main Improvements, which

represents supplemental items for changing the insertion valve manufacturer, modifying the hydrant connection item and quantity adjustments for existing contract items, which will decrease the contract price by \$77,537.00 for a total contract price from \$4,887,790.00 to \$4,810,253.00.

A motion was made by Gary L. Hill and seconded by John Eccles, Jr. to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield and John Eccles, Jr. Nynell Langford abstained.

12. BILLS

RESOLUTION #173: MONTHLY BILLS

The Board was asked to approve the monthly bill resolution in the amount of \$2,030,497.09.

A motion was made by Glenn Banfield and seconded by John Eccles, Jr. to approve the resolution. By roll call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

13. EXECUTIVE SESSION

RESOLUTION #174: EXECUTIVE SESSION

A motion was made by Glenn Banfield and seconded by Mohammed Dedar to go into Executive Session at 11:07am by roll call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

EXIT EXECUTIVE SESSION

Chairman Gary L. Hill requested that the Board exit the Executive Session at 12:28pm by roll call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

In Executive Session the following were discussed: PFAS; Personnel Issues regarding past employees; Laborer negotiations; Meetings to continue talks with the City of Atlantic City pertaining to the auction of vacant lots and how it effects the MUA's revenues and working in conjunction with the City of Atlantic City; and the Meter Project.

RESOLUTION #175: KAREN UPSHAW – DIRECTOR OF ADMINISTRATION

The Board was asked to authorize the hiring of Karen Upshaw to the position of Director of Administration to be responsible for managing the Office of Personnel, the Communications Specialist, the Community liaison and additional staff and have primary responsibility for

administrative function of the Authority affecting personnel and other administrative matters of the Authority, including but not limited to compliance matters and special projects at a starting salary of \$105,000.00.

A motion was made by Nynell Langford and seconded by Gary L. Hill to approve the resolution. By roll-call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

ADJOURNMENT

Chairman Gary L. Hill requested that the Board Adjourn the Board Meeting at 12:32pm by roll call Gary L. Hill, Mohammed Dedar, Glenn Banfield, Nynell Langford and John Eccles, Jr.

Respectfully

WaStella E. Johnson
Board Secretary