



Atlantic City Municipal Utilities Authority

MINUTES OF THE BOARD MEETING OPEN SESSION

OCTOBER 16, 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 10:04AM. The Board of Directors held their public meeting as designed below both In-person and via Zoom Conference on October 16, 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 (via Zoom); Mohammed Dedar, Vice Chairman/Deputy (Absent); Glenn Banfield, Treasurer (Absent); Nynell Langford, Board Member (via Zoom); John Eccles, Jr., Board Member (Absent); Stephanie Davies, Board Member, Alternate 1 (via Zoom); and Sayed Kausar, Board Member Alternate 2 (Absent).

MUA STAFF PARTICIPATING IN THE MEETING:

India Still, Executive Director (via Zoom); 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 (Absent); and Stella Johnson, Board Secretary.

OTHERS IN ATTENDANCE:

William Swain representing the State of New Jersey (via Zoom); Bryan Morris representing Phoenix Advisors (via Zoom); and Robert Smith representing Remington & Vernick Engineers (via Zoom).

3. FLAG OF SALUTE

4. PUBLIC PARTICIPATION – No one present

5. APPROVAL OF MINUTES

RESOLUTION #176: BOARD MINUTES OPEN SESSION - SEPTEMBER 18, 2024

No changes or deletion to the Board Minutes Open Session.

To approve the Open Session transcript of minutes of the Regularly Scheduled Board Meeting of September 18, 2024.

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

RESOLUTION #177: BOARD MINUTES CLOSED SESSION - SEPTEMBER 18, 2024

No changes or deletion to the Board Minutes Closed Session.

To approve the Closed Session transcript of minutes of the Regularly Scheduled Board Meeting of September 18, 2024.

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

6. CHAIRMAN – Gary L. Hill, Chairman

The Board recognized the Anniversary of William “Sonny” Lea’s passing, a former Board Member of the ACMUA, and the father of one of the MUA’s current Board Member, Nynell Langford. Sonny was vital to the Atlantic City community and is missed.

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

There is nothing to discuss in Open Session. However, there is one item to be discussed in Executive Session.

8. COMMITTEE REPORTS

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

The Engineering Committee was held this month. The items will be presented to the Board for discussion and/or approval, which were renewals, change orders, the lead service lines and City paving. The lead service line is getting a lot of national attention, because of the Infrastructure Act. This will be discussed later. We are in the process of mailing out the notices to the community.

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

The Personnel Committee was held this month. One (1) item will be discussed.

9. EXECUTIVE DIRECTOR'S REPORT

- a. Executive Director – India Still

Ms. Still is working on the 2025 Budget, the Rate Study, NJIB Application, and the Cyber Security Training, which is coming up shortly. The MUA started the last training late. This is an annual training. It consists of two (2) parts, 30 minutes each. At this time, the MUA has not been given a deadline for completing this training. The MUA's participation last time was just 67%. Each person will be notified by email and provided a link to complete the training. This Cyber training is very important, because New Jersey American Water was hit a few weeks ago with a cyber security attack. The remaining items will be discussed in Closed Session.

The Escrow agreement is completed with Atlantic Shore. The MUA informed Atlantic Shore that the MUA is not for or against it, but are mindful to protect the MUA's infrastructure and water supply to Atlantic City. The Board will be updated as the MUA proceeds. The Casino Association Attorney is also very concerned how it will interfere and agrees that the MUA needs an Escrow Agreement in place. The MUA's Special Council is also working on this. This is a vital issue.

- b. Deputy Executive Director, Operation – Cliff Keen

The Clarifier is up and running. The MUA is able to start doing the maintenance on the sedimentation basins and the basins on the Water Treatment Plant. The annual flushing was completed by the end of last week. The MUA was piecing it together from May of last year. Next year it will be all at one time. The MUA only received a small number of complaints. We are doing well.

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

It is very important that the Board review the reports, because it is very helpful and keeps the Board informed on the various projects.

Baltic Avenue Project: There was a project meeting with the contractor. They anticipate being complete with the valve and main installation by October 25th. They are still evaluating the services on Baltic Avenue for suspected lead.

Grammercy Avenue Project: Most of the mains have been installed from West Riverside to Route 30. The contractor will tie in to the mains on the side street. Once that is completed, they will start installing the new services.

The Lead service Line Project: There was a meeting yesterday with NJ Future who is assisting the MUA with the public outreach. The website is up and running. NJ Future is going to assist, because one of the problems that the contractor is having is that they are notifying the customers by sending out the access agreements, but they are not getting a lot of responses. A lot of the public is not aware. There would probably be more responses from the public if they knew it was regarding their health, and then the contractor would be able to proceed to evaluate, and if necessary replace any of the lead service lines. City Council is aware of this outreach program. There is a multi-neighborhood Association meeting on November 14th, which the MUA's project is on the Agenda to make a presentation to the various community groups, so they can give this information to their constituents.

Baltic Avenue Project: There is a deduct change order for Baltic Avenue for \$38,652. When the contractors start excavating, they can run into things that are not anticipated, or use additional quantities of bid items. This change order is a re-allocation of funds to account for less quantities used, which is a net decrease.

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

The Operations Report should be reviewed.

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

(1) Financial Reports: The Board was previously given a detailed report for August, and a

brief summation of this report was conveyed.

- (2) Cash Management: The Board was previously given a detailed report for August, and a brief summation of this report was conveyed.
- (3) Balance Adjustment was previously given to the Board for review.
- (4) Shut Offs: The MUA would like to continue with the shut offs until November 15th. The MUA has sent out the lien notices to the delinquent accounts. The lien date is December 18th. By November, the MUA averages about 200-250 delinquent lien accounts, totaling about \$150,000.

10. CONSENT AGENDA

RESOLUTION #178: MISCELLANEOUS ELECTRICAL REPAIRS

To advertise bids for Furnish, Deliver and Install Miscellaneous Electrical Repairs in the Press Newspaper and on the ACMUA Website to accept Bid Proposals.

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

RESOLUTION #179: PROFESSIONAL SERVICES FOR 2025 CALENDAR YEAR

To advertise in the Press and on the ACMUA website to Accept Proposals for Professional Services for: Bond Counsel; Consulting Engineers; Hearing Officer; Labor and Employment Counsel; Municipal Advisory Services; Professional Human Resource Consultant; Solicitor; Special Counsel; and Upgrading SCADA System.

RESOLUTION #180: 644 WISTERIA ROAD – RICHARD BOYLE – PLUMBING SYSTEM FAILURE

An abatement to grant a fifty (50%) percent abatement of \$342.45 to Richard Boyle, 644 Wisteria Road, Account Number 757501-0.

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

RESOLUTION #181: 1255 N. MICHIGAN AVENUE – WARREN JONES – PLUMBING SYSTEM FAILURE

An abatement to grant a fifty (50%) percent abatement of \$317.37 to Warren Jones, 1255 N. Michigan Avenue, Account Number 986401-0.

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

RESOLUTION #182: SERVICE AGREEMENT – OCEAN INC - 34 N. TEXAS AVENUE

The Service Agreement with Ocean Inc for the property 34 N. Texas Avenue, Block 274, Lot 16.03 in the City of Atlantic City, New Jersey, which the parties paid the installation and connection fee of \$8,711.68.

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

RESOLUTION #183: SERVICE AGREEMENT – OCEAN INC - 36 N. TEXAS AVENUE

The Service Agreement with Ocean Inc for the property 36 N. Texas Avenue, Block 274, Lot 16.02 in the City of Atlantic City, New Jersey, which the parties paid the installation and connection fee of \$8,711.68.

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

RESOLUTION #184: SERVICE AGREEMENT – OCEAN INC - 38 N. TEXAS AVENUE

The Service Agreement with Ocean Inc for the property 38 N. Texas Avenue, Block 274, Lot 16.01 in the City of Atlantic City, New Jersey, which the parties paid the installation and connection fee of \$8,711.68.

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

RESOLUTION #185: NEW JERSEY UTILITY AUTHORITIES JOINT FUND – RENEWAL

For the renewal of the New Jersey Utility Authorities Joint Insurance Fund, which will terminate as of December 31, 2024.

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

RESOLUTION #186: CANCEL LIEN #23-00062 – 439 N. NEW JERSEY AVENUE

To cancel Lien #23-00062 for Property located at 439 N. New Jersey Avenue, Block 547, Lot 19 for delinquent water charges assessed from November 2023 through August 2024, totaling \$3,209.34.

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

RESOLUTION #187: VENTNOR INTERCONNECTION AGREEMENT

The Renewal of the Interconnection Agreement for emergency needs between the ACMUA and the City of Ventnor for a five (5) year term with a five (5) year renewal through 2034.

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

END CONSENT AGENDA

11. ROLL CALL AGENDA

RESOLUTION #188: 2023 ANNUAL REPORT OF AUDIT

The Authority's Annual Report of Audit for the year 2023 has been filed by a Certified Public Accountant with the Authority Secretary and certified by each governing body who personally reviewed, as evidenced by the Group Affidavit Form to be submitted to the Local Finance Board of the State of New Jersey

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

RESOLUTION #189: 2025 BUDGET

To accept and submit the Proposed 2025 Budget to the Division of Local Government Services for approval and for public comment.

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

RESOLUTION #190: PUBLIC HEARING – NOVEMBER 26, 2024

For the MUA to have a Public Hearing by Zoom to discuss the Proposed 2025 Budget on Tuesday, November 26, 2024 at 10:00 A.M.

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

RESOLUTION #191: PUBLIC RATE HEARING – NOVEMBER 26, 2024

The Budget includes a proposed twelve (12%) percent rate increase, which is \$8 a quarter. The staff and Mr. Morris worked very hard on the Rate Study. The consultant will be invited to attend the Rate Hearing to explain all of the work that went into this Study. The MUA received a very good tool that can be utilized in the future, if conditions change. The Board will have to attend the Public Hearing on November 26, 2024.

For the MUA to have a Public Hearing by Zoom to discuss the Proposed Changes to the Atlantic City Municipal Authority's 2025 Rules, Rates and Regulations, which include rates, the connection fee and other miscellaneous changes on Tuesday, November 26, 2024.

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

RESOLUTION #192: BALTIC AVENUE WATER MAIN IMPROVEMENTS – CHANGE ORDER #2

To accept the Change Order #2 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 additional work and quantity adjustments for existing contract items, which will decrease the contract price by \$38,652.46 for a total contract price from \$4,810,253.00 to \$4,771,600.54.

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

RESOLUTION #193: REQUEST FOR PROPOSAL AUDITING SERVICES - MERCADIEN

The MUA received only one who proposal, which was from Mercadien.

To accept the Request for Proposal that was received and opened on October 1, 2024 for Auditing Services from Mercadien in the amount not to exceed \$45,000.00.

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

12. BILLS

RESOLUTION #194: MONTHLY BILLS

To approve the monthly bill resolution in the amount of \$1,592,614.26.

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

13. EXECUTIVE SESSION

RESOLUTION #195: EXECUTIVE SESSION

A motion was made by Nynell Langford and seconded by Stephanie Davies to go into Executive Session at 10:45am by roll call Gary L. Hill, Nynell Langford and Stephanie Davies. Mohammed Dedar, Glenn Banfield, John Eccles, Jr. and Sayed Kausar were absent.

EXIT EXECUTIVE SESSION

Chairman Gary L. Hill requested that the Board exit the Executive Session at 11:37am by roll call Gary L. Hill, Nynell Langford and Stephanie Davies. Mohammed Dedar, Glenn Banfield, John Eccles, Jr. and Sayed Kausar were absent.

In Executive Session the following were discussed: The MUA has one (1) last item to close out for the City Foreclosure, which will be handled by Bruce Ward, Esq. In addition, the Board discussed some Personnel issues, Management and Laborer Contracts. Also the hiring of two

Assistant Manager and four (4) laborers, which will be in effect once the State reviews and signs off.

RESOLUTION #196

To authorize the appointment of Allen McClure and Tai-Wong L. Wone as Assistant Managers for the ACMUA.

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

RESOLUTION #197

To authorize the hiring of Justin Cummings, Samuel LaPorta, Saiheem Toombs and Kevin Mays as Laborer I for the ACMUA.

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

RESOLUTION #198: NATALIE BEHLER – COMMUNICATIONS SPECIALIST

The hiring of Natalie Behler as Communications Specialist, a newly created unclassified position to improve internal and external communications, and emergency management communications at a starting salary of \$53,000.00.

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

RESOLUTION #199: PASSWORD POLICY

To approve the Password Policy to provide guidance and direction to ACMUA employees about password creation, use and account management; and to approve the Policy for the use of Phones, Computers, E-mail and the Internet for certain employees.

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

RESOLUTION 200: TELEPHONE AND PERSONAL COMMUNICATION USAGE POLICY

To approve a Policy for Telephone and Personal Communication Usage to inform staff of the ownership rights of the Authority over the proper usage, handling and maintenance of Authority equipment and to communicate prohibited use and conduct.

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

RECOMMENDATIONS

Recommendation for the Personnel Committee to meet monthly beginning next month, and the reports will be sent out like the Engineering Committee Meetings.

Recommendations for the MUA to start work on the Performance Evaluations for the upcoming new employees. The MUA will get more input as the process starts.

ADJOURNMENT

Chairman Gary L. Hill requested that the Board Adjourn the Board Meeting at 11:40am by roll call Gary L. Hill, Nynell Langford and Stephanie Davies. Mohammed Dedar, Glenn Banfield, John Eccles, Jr. and Sayed Kausar were absent.

Respectfully

WaStella E. Johnson
Board Secretary