



## Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA) is in need of legal counsel to represent said Authority; and

WHEREAS, the legal services to be performed can only be so performed by a licensed attorney in the State of New Jersey; and

WHEREAS, funds are or will be available for this service in the budget of the Atlantic City Municipal Utilities Authority; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq) requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority as follows:

1. FRED BOR, ESQ. is hereby appointed as Attorney for the Atlantic City Municipal Utilities Authority from February 17, 2016 through February 15, 2017.
2. The ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and FRED BOR, ESQ. shall enter into a contract, which will set out in detail the specific responsibilities of both parties, and the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to this Agreement.
3. FRED BOR, ESQ. is hereby retained to provide specialized Legal Services as follows:
  - a. To attend all meetings of the Board and prepare all Resolutions and memoranda relative thereto.
  - b. To represent the Authority before any Federal, State or Local Government proceedings, whether they be administrative or quasi-judicial.
  - c. To provide services as specified in the attached contract.
4. The cost of services shall be \$65,000.00 per year for the term of the contract.
5. This contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1) (a), because it is for services performed by persons authorized by law to practice a recognized profession.
6. A copy of this resolution as well as the Contract shall be placed on file in the office of the Atlantic City Municipal Utilities Authority, Atlantic City, New Jersey.
7. A Notice in accordance with the Local Public Contracts Law of New Jersey shall be published in The Press at least once.

Upon Motion, This Resolution was ADOPTED as Read.

  
GARY L. HILL, VICE CHAIRMAN/SECRETARY



## Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA) is in need of legal counsel to represent said Authority; and

WHEREAS, the legal services to be performed can only be so performed by a licensed attorney in the State of New Jersey; and

WHEREAS, funds are or will be available for this service in the budget of the Atlantic City Municipal Utilities Authority; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et set) requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority as follows:

1. ANDREW WEBER, ESQ. is hereby appointed as Labor Counsel for the Atlantic City Municipal Utilities Authority for a period of one (1) year beginning February 17, 2016 through February 15, 2017.
2. The ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY and ANDREW WEBER, ESQ. shall enter into a contract, which will set out in detail the specific responsibilities of both parties, and the Chairman is hereby authorized to execute and the Vice Chairman/Secretary to attest to this Agreement.
3. ANDREW WEBER, ESQ. is hereby retained to provide specialized Labor Counsel Services as follows:
  - a. To represent the ACMUA in ongoing and prospective litigation.
  - b. To represent the ACMUA in all matters before the Public Employment Relations Commission ("PERC"), and all labor matters before the courts, administrative agencies and arbitrators;
  - c. To represent the ACMUA in negotiations of Collective Bargaining Agreements with public employee organizations or groups;
  - d. To render advice and consultation concerning matters pertaining to labor law and or labor relations and collective bargaining as requested; and
  - e. To render any other services relating to the field of Labor Relations as may be requested and approved by the Board of Directors of the ACMUA.
4. The cost of services for litigation and as Labor Counsel shall be \$35,000.00 per year for the term of the contract.
5. This contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1) (a), because it is for services performed by persons authorized by law to practice a recognized profession.
6. A copy of this resolution as well as the Contract shall be placed on file in the office of the Atlantic City Municipal Utilities Authority, Atlantic City, New Jersey.



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7. A Notice in accordance with the Local Public Contracts Law of New Jersey shall be published in The Press at least once.

Upon Motion, This Resolution was ADOPTED as Read.

  
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GARY L. HILL, VICE CHAIRMAN/SECRETARY



# Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority (ACMUA) came into existence on September 14, 1978 by action of the Board of Commissioners of the City of Atlantic City, who created it under the provisions of the New Jersey Municipal and County Utilities Law. On Jan 22, 1980, the ACMUA acquired the Atlantic City Water Utility and assumed operation and maintenance of the system; and

WHEREAS, the ACMUA provides water for Atlantic City, which is located on Absecon Island in Atlantic County; and

WHEREAS, the ACMUA system operates in compliance with EPA and NJDEP standards maintaining a complex seven day treatment and distributive process via its trained workforce consisting of skilled and licensed individuals; and

WHEREAS, in support of its customers, the ACMUA must service and maintain its plants, dams and over 150 miles of pipeline that deliver water to recipients of this critical utility service; and

WHEREAS, the health, safety and welfare of ACMUA's customer base would be seriously, dangerously and adversely impacted if service could not be provided; and

WHEREAS, the 2016 Budget of the ACMUA was approved by Resolution of the Board of Directors on October 21, 2015; and

WHEREAS, the approved budget was submitted to the to the Director of the Division of Local Government Services in the Department of Community Affairs on October 22, 2015; and

WHEREAS, pursuant to NJSA 40A:5A-11 the Director of the Division of Local Government Services is required to approve or disapprove the submitted budget within 45 days of its receipt; no such notice of approval or disapproval has been received by the ACMUA; and

WHEREAS, pursuant to NJSA 40A:5A-11 "No authority budget shall be finally adopted until the director shall have approved same;" there apparently being no statutory impediment to a conditional approval subject to the review and amendment of the budget process as set forth by statute; and

WHEREAS, the Annual Budget for the ACMUA for the fiscal year beginning January 1, 2016 and ending December 31, 2016 has been presented for adoption before the governing body of the ACMUA at its open public meeting of December 30, 2015; and

WHEREAS, a Conditional Budget as identified herein, will permit and authorize the ACMUA to make expenditures to protect the citizens and other customers of Atlantic City

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the ACMUA, at an open public meeting held on December 30, 2015 that the Annual Budget and Capital Budget/Program of the ACMUA for the fiscal year beginning January 1, 2016 and ending December 31, 2016 is hereby conditionally adopted and shall constitute appropriations for the purposes stated.

Upon Motion This Resolution was APPROVED as Read.

  
GARY L. HILL, VICE CHAIRMAN/SECRETARY





# Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, by N.J.S.A. 10:4-6 et. seq. allows a Municipal Utilities Authority to enter into Executive Session for the purposes of discussing Personnel matters, Litigation and Contract Negotiations; and

WHEREAS, the Atlantic City Municipal Utilities Authority (MUA) has a need to discuss the following:

- a. Litigation, Personnel, Contract Negotiations and Security
  - (1) City/State Development
  - (2) Special Legal Counsel
  - (3) Contractual Requirements
  - (4) Finance Administration

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority (MUA) will go into Closed Session at: 10:20AM for approximately Thirty (30) Minutes ; and

BE IT FURTHER RESOLVED, that immediately after the Closed Session, the Atlantic City Municipal Utilities Authority (MUA) will present the findings of the Closed Session on a date and time when the findings will be available.

Upon Motion, This Resolution was APPROVED as Read.

  
GARY L. HILL, VICE CHAIRMAN/SECRETARY



Agenda No. 5 c (1)  
Resolution No. 203  
Date December 30, 2015

## Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority and ALAIMO GROUP CONSULTING ENGINEERS, 200 High Street, Mt Holly, New Jersey entered into an Agreement on August 10, 2015 to Review and Analyze Atlantic City Ernst & Young Report for the Atlantic City Municipal Utilities Authority; and

WHEREAS, it has become necessary for ALAIMO GROUP to perform additional services which were not contemplated in the original agreement thereto; and

WHEREAS, attached hereto is Exhibit A of the proposed additional work, which was not anticipated; and

WHEREAS, the cost of this work shall increase the contract price by \$20,087.50; and

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority that the original agreement of August 10, 2015 by and between the Atlantic City Municipal Utilities Authority and ALAIMO GROUP CONSULTING ENGINEERS, 200 High Street, Mt Holly, New Jersey, is hereby amended to permit the additional work to be performed as set forth in Exhibit A.

BE IT FURTHER RESOLVED, that the cost of this additional work shall increase the contract price by \$20,087.50.

Upon Motion, This Resolution was ADOPTED as Read.



GARY L. HILL, VICE CHAIRMAN/SECRETARY



## Atlantic City Municipal Utilities Authority RESOLUTION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Board of Directors of the Atlantic City Municipal Utilities Authority is desirous of increasing Anita Thapa's base salary; and

WHEREAS, the Board of Directors and Management acknowledges that the best interest of the Authority, as well as its customers of the Atlantic City Municipal Utilities Authority has been better served by the aforementioned employee; and

WHEREAS, it has been determined by the Authority that Anita Thapa is entitled to an increase in salary; and

WHEREAS, it has been determined by the Atlantic City Municipal Utilities Authority that Anita Thapa will absorb additional responsibilities in a supervisory capacity.

NOW THEREFORE BE IT RESOLVED, that the annual salary of Anita Thapa will be increased to \$65,000.00, effective January 4, 2016.

Upon Motion, This Resolution was ADOPTED as Read.



GARY L. HILL, VICE-CHAIRMAN/SECRETARY