

TO: Lisa Duffner, Board Secretary
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – October 17, 2024

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A 40:41A-37 et seq. on October 18, 2024.


- (a) by the end of the fifth business day following the meeting.
- (b) as soon as practicable following the meeting where emergency action has been taken.
- (c) beyond the statutory period for submission.

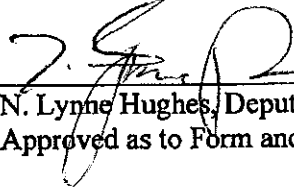
II. I hereby return the Minutes of the above referenced meeting to the Authority and to the Board of County Commissioners, on the date set forth above, which is

- (a) within ten days of delivery.
- (b) within twenty-four (24) hours of delivery where the action at the meeting was deemed by the Authority to be in response to an emergency situation.

III. The following action is taken on the Minutes:

- (a) Approved in all respects.
- (b) Vetoed in all respects. A written explanation of the reasons for the veto is attached.
- (c) Approved in part and vetoed in part.
The specific items which are vetoed and a written explanation of the reasons for the veto or vetoes is attached.


Dennis Levinson, Atlantic County Executive


N. Lynne Hughes, Deputy County Counsel
Approved as to Form and Entry

Date: 10/24/24
cc: Tara Silipena, Clerk to the Atlantic County Board of County Commissioners
ATTACHMENTS: Minutes
 Veto Message

ATLANTIC COUNTY UTILITIES AUTHORITY

October 17, 2024 – 3:00 PM

6700 Delilah Road, Egg Harbor Township, NJ

PRESENT FOR THE AUTHORITY

Marvin Embry	Chair
Fred Akers	Member
Judy Ward	Member - Zoom
Laura Pfrommer	Member - Zoom
Maria Mento	Member
Frank Formica	Member
Matthew DeNafo	President
Joseph Pantalone	Vice President Wastewater
Linda Bazemore	Vice President of Administration & Finance/CFO
James Rocco	Vice President of Centralized Maintenance & Asset Management
Thomas Ganard	Chief Engineer
Greg Seher	Director of Solid Waste Operations
Oren Thomas	Purchasing Manager
Brittany Poplawski	Senior Systems Analyst
Lisa Duffner	Executive Assistant/Board Secretary
Sonia Chowdhury	Executive Assistant/Assistant Board Secretary

ALSO PRESENT

Keith Davis, Esq.	Nehmad, Davis & Goldstein
Stephanie E. Farrell, Esq.	Nehmad, Davis & Goldstein - Zoom
Arthur J. Murray, Esq.	County Counsel – Zoom
Ken (Last Name Unknown)	Member of the Public
Luna (Last Name Unknown)	Member of the Public

James Bertino, Liaison Atlantic County Board of Commissioners - absent

Chairman Embry called the meeting to order at 3:00 p.m. and announced that the notice of the 2023-2024 Meeting Schedule was mailed to The Press of Atlantic City, The Daily Journal, the Clerk of Atlantic County, and the Clerk of the Atlantic County Board of Commissioners on February 17, 2023, in compliance with the Open Public Meetings Act, NJSA 10:4-6, *et seq.*, and it was posted on the bulletin board of the Atlantic County Utilities Authority in the Administration Building, and Notice of Live Streaming of this meeting was mailed to The Press of Atlantic City, The Daily Journal, the Clerk of Atlantic County, and the Clerk of the Atlantic County Board of Commissioners on September 27, 2024, and both notices were posted on the bulletin board of the Atlantic County Utilities Authority in the Administration Building.

Flag Salute

Roll call was taken by Lisa Duffner, Board Secretary, which reflected a quorum was present.

Chairman Embry	present
Fred Akers	present
Andrew Berenato	absent
Frank Formica	present
Judy Ward	present
Laura Pfrommer	present
Maria Mento	present

APPROVAL OF THE MINUTES OF THE BOARD MEETING ON SEPTEMBER 19, 2024 –
voted on and approved by all members.

BOARD COMMITTEE REPORTS:

Ms. Mento reported on Personnel/Benefits. She stated that she recently received a newsletter from ACUA's Human Resources, which had quite a bit of information in it, including Open Enrollment for Health Insurance, a survey for employees to take regarding how they feel about their job and the people they work with, and a new payroll system being put into place. Also, the annual ACUA Holiday Party will be held at Hidden Sands Brewery in Egg Harbor Township on Friday, December 6th, 2024.

Mr. Akers reported on the Solid Waste Division. He said he wanted to bring to the Board's attention the ACUA's Mattress Recycling Program, which he previously did not know much about. This year, there has been 3,199 inbound mattresses and 1,570 of those have been recycled. The year-to-date recycling cost is \$21,874.50. However, there is a maintenance and airspace savings that significantly offsets this cost. Mr. DeNafo added that there is a company that has laborers who are dismantling the mattresses and pulling apart the foam, metal, wood and then the fabric. They then put them into different bins and are able to sort and recycle each one of these pieces of material individually. Mr. DeNafo added that a mattress can cause a lot of damage to a landfill equipment and compacting them is very difficult because they are not designed to be compacted. Chairman Embry asked Mr. DeNafo if the ACUA transfers the mattresses up to northern New Jersey, and Mr. DeNafo replied no, the ACUA loads them onto a trailer and the vendor transports them.

There were no other Board Committee Reports.

PUBLIC AND BOARD COMMENTS ON AGENDA ITEMS:

Mr. Formica stated that he had a request from Absecon Council President, Nick LaRotonda, to have an odor-monitoring device placed at Absecon City Hall. Mr. DeNafo responded by stating that the ACUA has had this request previously from Absecon's City Council, and the Authority cannot honor that request right now for two reasons: 1) There is current ongoing litigation and 2) The ACUA cannot sign up for being responsible for every uptick in a hydrogen sulfide meter placed in Absecon. The meters that the Authority use are extremely sensitive to external factors that can cause either false readings, or elevated readings not necessarily caused by the ACUA landfill. Mr. DeNafo stated that this has all been explained to Mr. LaRotonda and some of the other council members as well. Mr. DeNafo also pointed out that this is not a solution to reducing or capturing offsite emissions. Mr. DeNafo proceeded to summarize the ACUA's interaction with the municipal officials in surrounding towns as well as county commissioners. He has had over a dozen municipal, county officials and candidates come to learn more about the site. He further discussed the political influences the ACUA is facing in the midst of the election and provided an update on the continued infrastructure improvements that are estimated to be complete by the end of the month. Lastly, he mentioned directing most residents and officials to the ACUA website where weekly to daily updates are provided on any construction activity or issues experienced at the site in an attempt to continue to be as transparent as possible. Mr. Formica agreed stating, "You are transparent. The first day I got here, you took me on a tour."

NEW BUSINESS: None.

OLD BUSINESS: None.

ALL RESOLUTIONS APPROVED.

RESOLUTION COMMENTS:

Resolution 24-10-236: Authorizing payment to AC Landfill Energy, LLC (Marina Energy) in the amount of \$135,298.79, Invoice #013702, for 2023-2024 Landfill Gas Collection and Control System Upgrades.

Chairman Embry stated that he thought AC Landfill Energy, LLC (Marina Energy) was doing the work on their own. Mr. DeNafo replied that they are still doing work for the Authority. He went on to say that the ACUA's Board approves each of invoices that we receive from AC Landfill Energy, LLC (Marina Energy). He added that there will be an additional invoice, probably in December 2024, regarding the media change out. The hydrogen sulfide cleanup, which is done every eight (8) months or so, cost the ACUA approximately \$275,000.00. Mr. Seher added that the current invoice is for work that was performed back in the spring of 2024.

Resolution 24-10-237: Authorizing award of contract in Bid 2024-SW-16 for Installation of Landfill Gas Wells (Emergency) to Keller Industrial, Inc. Amount is not to exceed \$189,000.00, for contract term November 1, 2024, to October 31, 2025.

Explanation: Awarded to lowest responsible bidder.

Ms. Mento asked what the nature of the emergency was. Mr. DeNafo stated that the Authority is hopeful that they will not need to use this contract. This contract is like a maintenance contract for the Authority for a one-year period, and they are going to have this contract every single year, per Mr. DeNafo, so this is in place as an emergency service, so we do not need to spend three or four months reacting to try and get wells installed. Currently, the ACUA has 33 wells going in under the improvements for the RNG plant.

Resolution 24-10-242: Authorizing the Atlantic County Utilities Authority's Participation in the State Health Benefits Financial Incentive Program.

Explanation: The ACUA will participate in the State Health Benefits Incentive Program for Plan Year 2025.

Ms. Mento asked if this could be explained in greater detail. Ms. Bazemore replied that the State of New Jersey allows the Authority to incentivize employees to transition into one plan. Ms. Bazemore explained how this works, and she gave examples, stating that this would be a significant savings to the ACUA's employees and to the Authority as well. Ms. Bazemore stated that this incentive is only for employees who are enrolling for the first time into an OMNIA or Aetna plan, and they are required to remain in the plan for one (1) full year. Mr. DeNafo added that this is a one-time incentive.

Resolution 24-10-243: Authorizing the award of a contract in Bid No. 2024-SW-17 for Tax Exempt Lease-Purchase Financing to TD Equipment Finance, Inc. The interest rate is 3.990% for 5-year funding. The amount is not to exceed \$4,030,000.00.

Explanation: For lease purchase of three (3) ASL Trucks at a total cost of \$1,522,602.90; one (1) 2024 Caterpillar Articulated Dump Truck at a cost of \$745,741.56; and one (1) 2024 Caterpillar Compactor at a cost of \$1,407,041.95.

Ms. Pfrommer asked how long delivery is on these vehicles. Mr. DeNafo stated that the Articulated Dump Truck has already been received by the Authority. The three (3) Automated Side-Load Trucks are expected to be delivered sometime in the first quarter of 2025, and the Caterpillar Compactor is expected in December of 2024.

Resolution 24-10-244: Authorizing payment of certain expenditures. \$6,707,368.98

Ms. Mento recused herself from the vote regarding the Retiree State Health Benefits expenses and approved all other expenditures.

Mr. Formica recused himself from the vote regarding payroll and Active State Health Benefits expenses and approved all other expenditures.

PUBLIC AND BOARD COMMENTS: None.

Chairman Embry asked if anyone had any further comments or questions. Since there were none, the meeting was adjourned at 3:33 p.m.

Respectfully submitted,



Lisa Duffner, Board Secretary