

**ATLANTIC COUNTY UTILITIES AUTHORITY
JANUARY 20, 2022 – 3:00 PM
6700 Delilah Road, Egg Harbor Township, NJ**

PRESENT FOR THE AUTHORITY

Marvin Embry	Chair
Fred Akers	Member-zoom
John Lyons	Member-zoom
Judy Ward	Member-zoom
Laura Pfrommer	Member-zoom
Maria Mento	Member-zoom
Richard Dovey	President
Brian Lefke	Senior Vice President of Solid Waste & Authority Secretary
Joseph Pantalone	Vice President Wastewater
Linda Bazemore	Vice President of Administration & Finance/CFO
Matthew DeNafo	Vice President of Centralized Maintenance & Asset Management
Thomas Ganard	Chief Engineer
Gary Conover	Solid Waste Director
Patricia Keeper	Assistant Board Secretary

ALSO PRESENT

Keith Davis, Esq.	Nehmad, Davis & Goldstein
Alan Cohen, Esq.	Assistant County Counsel
Stephanie Farrell, Esq.	Nehmad, Davis & Goldstein (zoom – for closed session only)
Creed Pogue	Estell Manor
Larry Watts	Lawrence Watts Consulting, LLC (EHT)

Chairman Embry called the meeting to order at 3:00 p.m. and announced that the notice of the 2021-2022 Meeting Schedule was mailed to the Atlantic City Press, The Daily Journal, The Clerk of Atlantic County, and The Clerk of The Atlantic County Board of Commissioners on February 19, 2021 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 Atlantic City Press, The Daily Journal, The Clerk of Atlantic County, and The Clerk of The Atlantic County Board of Commissioners on January 4, 2022 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 Brian Lefke which reflected a quorum was present.

Chairman Embry	present
Fred Akers	present-zoom
Andrew Berenato	absent
John Lyons	present-zoom
Judy Ward	present-zoom
Laura Pfrommer	present-zoom
Maria Mento	present-zoom

BOARD COMMITTEE REPORTS: None.

BOARD COMMENT: None

PUBLIC COMMENT:

Creed

Craig Pogue asked about Resolution 22-1-20. He wanted to know if the unanticipated services were litigation and/or contract matters. Rick Dovey explained that were extended negotiations in the EPA & NJDEP matter. There were also extensive OPRA requests and the material we submitted had to be reviewed by counsel before releasing. Mr. Pogue also submitted an OPRA request relating to the proposed Pleasantville transfer station.

Larry Watts also asked about Resolution 22-1-20. He asked if our agreement with Vineland was also a one of the issues addressed. Mr. Dovey said that yes, it was a contributing factor. He also repeated his concerns about the residual material being recycled and the quantity shipped to Pennsylvania. In his opinion we are releasing false data to the public. He expressed his concerns at the Atlantic County Commissioners meeting this week. As a result, Commissioner Bertino emailed Rick Dovey asking him to address Mr. Watts' questions about the recycling issue.

Mr. Watts said that our pay scale is not competitive. Mr. Dovey said that he doesn't agree that we aren't competitive in salary. The ACUA has raised starting salaries twice for drivers and laborers since the beginning of the pandemic, and there are many factors that limit the Authority's ability to increase salaries.

NEW BUSINESS: None.

OLD BUSINESS: None.

ALL RESOLUTIONS APPROVED.

RESOLUTION COMMENTS:

Resolution 22-1-20: Authorizing a contract amendment to alternate method contract with Nehmad, Davis & Goldstein, P.C. for General Counsel Services. Amount of increase is \$50,000.00. Explanation: For unanticipated services.

Mrs. Ward voted No on this resolution. She said the ACUA should be concentrating on the services that Pleasantville is paying for instead of a nasty campaign.

Resolution 22-1-22: Authorizing payment of certain expenditures. \$6,975,457.39

Mrs. Ward abstained from voting on this resolution.

Resolution 22-1-24: Authorizing an Executive Session.

Explanation: Discussion on shared services agreement between the Authority and the City of Vineland.

The meeting was adjourned at 4:25 p.m.

Respectfully submitted,

Brian G. Lefke
Board Secretary

Resolution 22-1-25: Authorizing Rick Dovey, President of the ACUA, through the law firm of Nehmad Davis & Goldstein, to provide notice to the City of Vineland that the ACUA is exercising its right to terminate the Shared Services Agreement between the ACUA and the City of Vineland and reserving all rights to pursue the City of Vineland for all unpaid fees for services rendered.

The meeting was adjourned at 4:25 p.m.

Respectfully submitted,



Brian G. Lefke
Board Secretary

TO: Brian G. Lefke, Secretary
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – JANUARY 20, 2022

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A 40:41A-37 et seq. on 1/20/22,

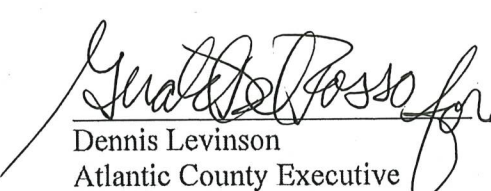
- (a) by the end of the fifth business day following the meeting.
- (b) as soon as practicable following the meeting where emergency action has been taken.
- (c) beyond the statutory period for submission.

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

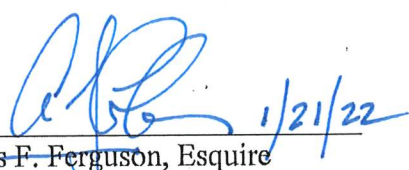
- (a) within ten days of delivery.
- (b) within twenty-four (24) hours of delivery where the action at the meeting was deemed by the Authority to be in response to an emergency situation.

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

ALAN J. COHEN

 1/21/22
James F. Ferguson, Esquire
Approved as to Form and Entry

Date: 1/21/22

cc: Sonya Harris, Clerk to the Atlantic County Board of County Commissioners

ATTACHMENTS: Minutes
 Veto Message

'22 JAN 21 4:03PM