

TO: Lisa Duffner, Board Secretary
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – May 18, 2023

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A. 40:41A-37 et seq. on May 19, 2023,

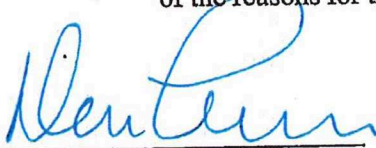
- (a) by the end of the fifth business day following the meeting.
- (b) as soon as practicable following the meeting where emergency action has been taken.
- (c) beyond the statutory period for submission.


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

 5/23/2023
James F. Ferguson, Esquire
Approved as to Form and Entry

Date: 5/26/23
cc: Tara Silipena, Clerk to the Atlantic County Board of County Commissioners
ATTACHMENTS: Minutes
 Veto Message

ATLANTIC COUNTY UTILITIES AUTHORITY
May 18, 2023 – 3:00 PM
6700 Delilah Road, Egg Harbor Township, NJ

PRESENT FOR THE AUTHORITY

Marvin Embry	Chair
Fred Akers	Member
Andrew Berenato	Member
John Lyons	Member
Judy Ward	Member
Laura Pfrommer	Member
Maria Mento	Member
Richard Dovey	President
Matthew DeNafo	President
Gary Conover	Vice President of Solid Waste
Joseph Pantalone	Vice President Wastewater
Linda Bazemore	Vice President of Administration & Finance/CFO/Acting Board Secretary
Greg Seher	Director of Solid Waste
Oren Thomas	Purchasing Manager
Michael Goloff	Auditor (Zoom)
Lisa Duffner	Board Secretary
Kristi Aiken	Executive Asst./Asst. Board Secretary

ALSO PRESENT

Keith Davis	Nehmad, Davis & Goldstein
Mr. Andrew Parker	Atlantic County Commissioner (arrived at 3:14 pm)
Mr. Anthony Pagano, Esq.	Atlantic County Attorney
Mr. Bob Chilton	Gabel Associates

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 Atlantic City Press, 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 Atlantic City Press, The Daily Journal, The Clerk of Atlantic County, and the Clerk of the Atlantic County Board of Commissioners on April 28, 2023, 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	present
John Lyons	absent
Judy Ward	present
Laura Pfrommer	present
Maria Mento	present

APPROVAL OF THE MINUTES OF THE BOARD MEETING ON APRIL 20, 2023 – voted on and approved by all members.

BOARD COMMITTEE REPORTS:

Treasurer's Report – None.

Personnel – None.

Finance/Audit – None.

Engineering – None.

Centralized Maintenance & Asset Management – None.

Solid Waste/Recycling – Mr. Akers congratulated ACUA on the turnout for the Earth Day event, over 10,000 people attended and it's a huge public service to have that many people participate. On May 5th, there were over 600 truck movements (in and out) of the transfer station for construction and bulky waste. This shows that business is doing well and there is no issue having that amount of traffic at the transfer station. In addition, many other vehicles also disposed of other types of waste and recycling throughout that same day. The Household Hazardous Waste collection in March and May each had an average of 400 vehicles participate in the program and it's a great service to the County. There's also an effort by ACUA to collect reusable tote bags, clean them, and then donate the bags to the Community Food Bank for their participants to utilize.

Wastewater – None.

PUBLIC AND BOARD COMMENTS ON AGENDA ITEMS:

Resolution 23-5-139: Authorizing the award of a contract in Bid No. 2023-WW-03 for Purchase of Electric Generation Service for Wastewater Treatment Plant Account (**Bid Group 2**) to Constellation NewEnergy, Inc.

Explanation: Fixed Energy Charge of \$.02451/kwh for a 12-month contract. Amount is \$475,778.00. (**County Executive pre-approval.**)

Mr. Chilton recommended approving Resolution 23-5-139 (Bid Group 2) and he stated that the Wind and Solar projects on the treatment plant account had a substantial impact on reducing the costs. The projected savings is \$150,000.00/year. Ms. Mento asked why pre-approval is required. Ms. Bazemore stated that the agreement will be authorized today by ACUA's President therefore requiring pre-approval by the County Executive. Normally agreements will not be entered into prior to the approval of the minutes by the County Executive, which is normally a few days after the meeting.

Resolution 23-5-140: Authorizing the rejection of bids submitted for Bid No. 2023-WW-03 for Purchase of Electric Generation Service for Wastewater Pump Stations Account (**Bid Group 1**).

Explanation: The only bid submitted was well over the estimate for this project.

Mr. Chilton recommended rejecting Resolution 23-5-140 as there was no savings.

NEW BUSINESS: None.

OLD BUSINESS: None.

ALL RESOLUTIONS APPROVED.

RESOLUTION COMMENTS:

Resolution 23-5-146: Authorizing the award of a contract, in Bid No. 2023-SW-05, REBID, for Landfill Gas Piping Supplies, to Ferguson Waterworks. Amount is not to exceed \$50,000.00. The contract term is June 1, 2023, to November 30, 2023.

Ms. Pfrommer asked about the original bid. Rick Thomas explained this is the third bid; the first two bid openings had no bids.

Resolution 23-5-153: Authorizing the award of a professional services contract to ST Hudson Engineers, Inc. for Ocean Outfall Inspection Services. Amount is not to exceed \$46,840.00.

Mr. Ganard confirmed this is preventative and part of the asset management plan to inspect and ensure that the line does not need repairs. The line contains sacrificial anodes that must be inspected every five years to determine if they are still there or if they need to be replaced. If they need to be replaced, it becomes part of the capital plan. The line is approximately 30-40' deep and runs 1.5 miles off the Boardwalk. The inspection also includes channel crossings.

Resolution 23-5-162: Amending Atlantic County Utilities Authority Policy and Benefits Manual.

Ms. Mento recused herself from the vote.

Resolution 23-5-165: Authorizing payment of certain expenditures. \$5,735,947.00

Ms. Mento recused herself from the vote.

PUBLIC AND BOARD COMMENTS:

Ms. Ward asked about the status of the Community Solar Project with the Pleasantville Housing Authority. Matt DeNafo explained two issues delaying the project. First, approval was required by Atlantic City Electric for the inter-connection tie-in needed and that approval process took approximately one year. Second, which consists of three provisions for the power side of things. First, consolidated billing; second, creating an auto-enrollment or optout program; third, ensuring there is a savings to the Housing Authority. The new Community Solar Program is initiating these changes through the NJBPU. Once this is complete, we can move forward.

Joe Pantalone congratulated Katie Herr, ACUA Lab Director, for receiving the Lab Analyst of the Year award from the NJ Water Environment Association.

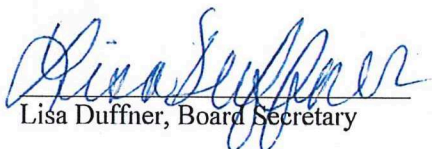
Mr. Embry welcomed Atlantic County Commissioner, Andrew Parker, as the newly selected liaison to the ACUA Board by Commissioner Risley. Mr. Tony Pagano, Esquire, was also welcomed as an Atlantic County Representative. Mr. Parker's role as a liaison was clarified that he is to attend meetings and take information from ACUA's Board meeting to the County Commissioners in order to have better communication. Mr. Parker mentioned the Pleasantville Transfer Station and the life of the ACUA landfill. Mr. Embry stated ACUA is transparent, and these issues have been explained to the Commissioners and that we are more than happy to share information and we welcome direct communication regarding any questions or complaints that arise. Ms. Pfrommer stated that those inquiring about information should be directed to ACUA and that information will be provided. The

ACUA recently provided the Commissioners with information that was requested by the ad-hoc committee. Mr. Parker said he's been on tours with Mr. Dovey and that he has always been available when he's had any concerns and he wants to continue that positive relationship with Mr. DeNafo. He also believes that the Commissioners believe ACUA is doing a great job. Mr. Parker stated that there are other bodies within the County, not just ACUA, and people ask questions of the Commissioners, and they would like to be informed.

Mr. Embry asked if he receives the ACUA Board package and if he has any questions. Ms. Mento asked if the Atlantic County Commissioners also receive the same package of information that the ACUA Board receives. Mr. Dovey stated that the Board package is sent electronically to the Commissioners, Clerk, Chairperson, and to the liaison. The County has had a liaison position to the ACUA for several years, however no one has attended in two years. Mr. Parker stated he hopes that this is the beginning of the two entities coming together to resolve any issues. Mr. Embry was in agreement.

The meeting was adjourned at 3:56 p.m.

Respectfully submitted,


Lisa Duffner, Board Secretary