

**ATLANTIC COUNTY UTILITIES AUTHORITY
FEBRUARY 17, 2022– 3:00 PM
REORGANIZATION
6700 Delilah Road, Egg Harbor Township, NJ**

PRESENT FOR THE AUTHORITY

Marvin Embry	Chair
Fred Akers	Member-zoom
Judy Ward	Member-zoom
Laura Pfrommer	Member-zoom
Maria Mento	Member-zoom
Richard Dovey	President-zoom
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
John Conover	Senior Engineer
Gary Conover	Solid Waste Director
Sharon Hunt	Director of Human Resources
Patricia Keeper	Assistant Board Secretary

ALSO PRESENT

Keith Davis, Esq.	Nehmad, Davis & Goldstein
Stephanie Farrell, Esq.	Nehmad, Davis & Goldstein – zoom (Executive Session only)

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 27, 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	absent
Judy Ward	present-zoom
Laura Pfrommer	present-zoom
Maria Mento	present-zoom

**NOTE: The Public Comment Section of the January 20, 2022 minutes shall be amended as follows:
The comments were made by CREED Pogue (not Craig)**

APPROVAL OF THE MINUTES OF THE January 20, 2022 MEETING as amended – voted on and approved by all members.

BOARD COMMITTEE REPORTS: None.

BOARD COMMENT: Fred Akers attended the Great Egg Harbor River Council meeting last night with representatives from 12 towns attending. One of the municipal representatives reported about the proactive outreach that the ACUA is doing to educate the public regarding the upcoming plastic bag ban and how to understand and prepare for that. There was also mention of the return of the ACUA Earth Day celebration event this year, and the other numerous public service announcements and environmental products and services offered by the ACUA on its website.

The private for-profit interests that want to shut down the ACUA and monopolize the solid waste industry in Atlantic County will not replace the many valuable public services that the Atlantic County Municipal Utilities Authority has been providing to the public for decades.

PUBLIC COMMENT: None.

NEW BUSINESS: None.

OLD BUSINESS: None.

ALL RESOLUTIONS APPROVED.

RESOLUTION COMMENTS:

Resolution 22-2-26: Electing Chair of the Atlantic County Utilities Authority.

Marvin Embry elected as Chair.

Resolution 22-2-27: Electing Vice Chair of the Atlantic County Utilities Authority.

Fred Akers elected as Vice Chair.

Resolution 22-2-28: Appointing Treasurer and Assistant Treasurer of the Atlantic County Utilities Authority.

Andrew Berenato appointed as Treasurer; Laura Pfrommer appointed as Assistant Treasurer.

Resolution 22-2-42: Authorizing award of Alternate Method Contracts for Marketing Recyclables.

Explanation: Alternate method contracts for potential marketing recyclables by a blanket agreement for all potential recycling marketing contracts in conjunction with Pay-to-Play compliance.

Brian Lefke said that the market is for scrap metal pulled from the Transfer Station and the Landfill.

Resolution 22-2-49: Authorizing a contract amendment to contract with Jesco, Inc. for Heavy Equipment Rental, Bid 2020-SW-04. Amount of increase is \$46,552.00.

Explanation: Extending contract time to February 28, 2022. Higher than anticipated rental of heavy equipment by Solid Waste Operations. Amendment amount exceeds 20%.

The State mandates that special procedures be followed when change orders exceed the original contract award by 20%. The purpose of these procedures is to allow for such a change only in limited instances. Such a change is not permitted when the circumstances make it reasonably possible to execute a new contract for the additional work. Such a change may be allowed when an unforeseen circumstance or differing site condition is combined with a situation which renders execution of a new contract an unreasonable interference with the efficient completion of the work.

A list of change orders exceeding 20% is submitted to the DCA with the annual budget.

Resolution 22-2-54: Authorizing a Shared Services Agreement between the Atlantic County Utilities Authority and Stockton University for an Internship Program.

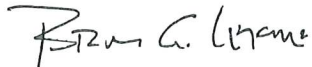
Explanation: This is a three-year program associated with the School of Natural Sciences and Mathematics.

The interns will be involved with the Wildlife Bird Management Program

Resolution 22-2-75: Authorizing an Executive Session to discuss litigation matters.

The meeting was adjourned at 3:50 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 – February 17, 2022

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A. 40:41A-37 et seq. on Feb. 18 2022.

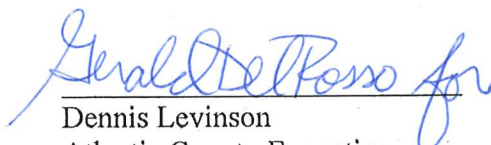
- (a) by the end of the fifth business day following the meeting.
- (b) as soon as practicable following the meeting where emergency action has been taken.
- (c) beyond the statutory period for submission.

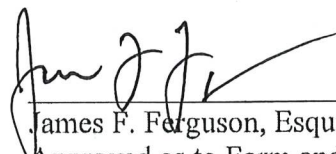
II. I hereby return the Minutes of the above referenced meeting to the Authority and to the Board of Freeholders, on the date set forth above, which is

- (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


James F. Ferguson, Esquire
Approved as to Form and Entry

Date:

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

ATTACHMENTS: Minutes
 Veto Message