

TO: Lisa Duffner, Board Secretary
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – February 15, 2024

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A 40:41A-37 et seq. on February 16, 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.

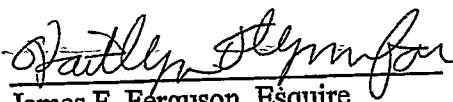
II. I hereby return the Minutes of the above referenced meeting to the Authority and to the Board of County Commissioners, on the date set forth above, which is

- (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


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

Date: 2/20/24
cc: Tara Silipena, Clerk to the Atlantic County Board of County Commissioners
ATTACHMENTS: Minutes
 Veto Message

ATLANTIC COUNTY UTILITIES AUTHORITY

February 15, 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
Maria Mento	Member
Andrew Berenato	Member - Zoom
Matthew DeNafo	President
Joseph Pantalone	Vice President Wastewater
Gary Conover	Vice President of Solid Waste
Linda Bazemore	Vice President of Administration & Finance/CFO/Acting Board Secretary
James Rocco	Vice President of Centralized Maintenance & Asset Management
Tom Ganard	Chief Engineer
John Conover	Senior Engineer
Ryan Donovan	Associate Engineer
Oren Thomas	Purchasing Manager
Kristi Aiken	Maintenance Resource Coordinator/Assistant Board Secretary
Amy Cook-Menzel	Communications Manager
Brittany Poplawski	System Analyst
Bob Davisson	Lab Analyst
Lisa Duffner	Executive Assistant/Board Secretary

ALSO PRESENT

Keith Davis, Esq.	Nehmad, Davis & Goldstein
Stephanie E. Farrell, Esq.	Nehmad, Davis & Goldstein - Zoom
Kaitlyn Flynn	County Counsel – Zoom
Julie Akers	Member of the Public
Kathleen Spaeth	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 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 January 26, 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	present - Zoom - participated beginning at 3:26 p.m.
Judy Ward	present - Zoom
Laura Pfrommer	present
Maria Mento	present

APPROVAL OF THE MINUTES OF THE BOARD MEETING ON JANUARY 18, 2024 – voted on and approved by all members.

BOARD COMMITTEE REPORTS: None.

PUBLIC AND BOARD COMMENTS ON AGENDA ITEMS:

Chairman Embry introduced Mr. Bob Davisson, Lab Analyst at the Wastewater Facility, who was retiring on March 1, 2024, after 40 years with the ACUA. Mr. DeNafo thanked Mr. Davisson for his dedication and commitment to the ACUA and wished him all the best in his retirement. Mr. Davisson was presented with a certificate to show the Authority's sincere appreciation. On behalf of the Board, Chairman Embry also thanked Mr. Davisson for his service and congratulated him on his retirement.

Mr. DeNafo stated that Cherisse Lewis, who is a Water Pollution Control Operator 1 at the Wastewater Facility, was also going to retire on March 1, 2024, but was unable to attend today's meeting. Ms. Lewis has been with the ACUA for 28 years and began her career in the Recycling Department, then moved over to Wastewater. Mr. DeNafo wished Ms. Lewis all the best in her retirement. A certificate will also be presented to Ms. Lewis to show the Authority's appreciation of her many years of outstanding service.

NEW BUSINESS: None.

OLD BUSINESS: None.

ALL RESOLUTIONS APPROVED.

RESOLUTION COMMENTS:

Resolution 24-2-59: Authorizing a Shared Services Agreement between Stockton University and the Atlantic County Utilities Authority for Routine Maintenance and Repairs to Stockton's Compressed Natural Gas Vehicle for the contract term February 15, 2024, to January 31, 2025.

Explanation: Estimated revenue to the Authority is \$1,400.00

Chairman Embry asked what kind of Natural Gas Vehicle Stockton has. Mr. DeNafo responded that it is a trash truck.

Resolution 24-2-63: Authorizing the receipt of competitive bids through Internet Auction Site for the sale of surplus equipment.

Explanation: Sale of equipment no longer used by the Authority.

Mrs. Pfrommer asked how successful has the Authority been in selling surplus equipment on the internet.

Mr. DeNafo stated that regarding trucks and equipment, the Authority has been quite successful. In fact, last year, the ACUA had quite a bit of revenue from this.

Resolution 24-2-67: Amending 2024 Salary Guide.

Explanation: Approves a 4% increase for all Non-Union Employees, retroactive as of January 1, 2024.

Ms. Mento recused herself from the vote.

Resolution 24-2-77: Authorizing payment of certain expenditures - \$6,823,792.03

Ms. Mento recused herself from the vote.

EXECUTIVE SESSION:

Mr. Davis stated that the Board would be going into an Executive Session to discuss contemplated litigation against Allied World regarding insurance coverage, and there would also be a brief update on the Air Brake litigation. Mr. Davis advised the Board that there will be no formal action after the closed session. A motion was then made by Mr. Akers and seconded by Ms. Mento to go into Executive Session. By a roll-call vote of 6-0-0, the Board unanimously agreed to enter into an Executive Session at 3:31 p.m.

The Board returned from Executive Session at 3:44 p.m.

PUBLIC AND BOARD COMMENTS:

Ms. Kathleen Spaeth introduced herself to the Board. She stated that she is a resident of Linwood and came to the meeting today to ask about the smell emanating from the landfill on certain days. She also wanted to know what the ACUA was doing to address the issue.

Mr. DeNafo responded by stating that there have been people experiencing a smell from the landfill, but the ACUA is seeing a significant improvement regarding this. He stated that from the time that the meeting with residents was held in Absecon on January 11, 2024, to the present date, the ACUA has seen an increase in 32%+ in landfill gas capture and is collecting an extra 500 to 600 SCFM on the landfill field, which is a significant improvement in what had been done in the past. The ACUA is able to monitor the surface emissions from the landfill through a newly installed modeling system that provides data so the ACUA is able to see exactly what is going on at the landfill at a given moment. Mr. DeNafo said the ACUA has seen timeframes where they were doing well on the surface, and then they would see a spike go up, and then come down. He said the ACUA was trying to figure out if this was during a certain time of day, or due to a certain weather pattern, but the events didn't appear to correlate to a certain timeframe. Then, last Monday/Tuesday, staff and a third party contractor started to theorize whether the landfill pump stations were causing the spikes. Each landfill cell has a pump station and there is a large sump pump that goes down into the bottom of the landfill that fills up with leachate and is pumped to the treatment facility. By regulation, the Authority is not allowed to have more than one foot of liquid on the liner at any time. Therefore, the ACUA is constantly pumping that down. As they are pumping down and removing that liquid, the gas has to come out of that pipeline. On Tuesday afternoon, they decided to shut the pumps off as a test to see, if they keep the pumps off and keep a little bit of liquid in there to keep that seal, what the impact would be. For the past 48 hours, the ACUA has only seen one minor spike, and it was actually attributed to a landfill gas collection head getting hit with a piece of equipment. Another issue we are trying to manage that is out of our control is the clearing of trees for a 650+ home development in Egg Harbor Township that is approximately 1,500 ft from the landfill. Back in October/November the developer began to clean approximately 110 acres of trees that were providing a wind buffer for the ACUA landfill. Now that they are gone, there is a wind tunnel, and the odor has spread farther than we have ever seen. Mr. DeNafo said additional wells have been installed on the landfill. They are online and being tuned on a regular basis. On February 20, 2023, the Authority will be installing an 18-inch header pipe which will be improving and upgrading the ACUA's gas collection system by increase collection capacity. Mr. DeNafo explained in detail how the system works. He said the Authority has installed 19 new wells on the landfill since December, and the data they are seeing shows a significant improvement from where the ACUA was at the end of December 2023/early January 2024. Mr. DeNafo emphasized that he used the word "improvement" and not "elimination" because elimination is a very difficult thing to accomplish when dealing with a landfill, and he does not believe that is a realistic expectation.

Ms. Pfrommer remarked that the pump which was turned off would eventually have to be turned back on, and she asked how this would be accomplished. Mr. DeNafo stated that the Authority is discussing the possibility of increasing the set point on it. He added that the area we are in, and the amount of rain that we have had, has created an enormous amount of gas, which is why we are seeing this kind of thing

happen now, which we did not see happen six months ago. He said by next Tuesday, we should know whether this is truly the case. He also said that with the assistance of a third party contractor the ACUA will be installing gas collection to the pump stations that will remedy the issue.

Mr. DeNafo also pointed out that the weather plays a role. The sun has not really been out, and we have had quite a bit of foggy, wet, rainy, cold days, which cause the ceiling to come down and hold everything in place. He added that there is an Odor Complaint Form online, and the ones that the Authority is receiving now are more historic (i.e. I smelled the landfill a few days ago or a week ago).

Mr. DeNafo also mentioned that SCS Engineers, a third-party engineer, does service emission monitoring on the landfill. Out of 479 service emissions and 179 penetrations, the ACUA had two (2) that did not pass, which is a good sign that the ACUA has made some significant progress and improvements on this.

Chairman Embry asked Ms. Spaeth if she ever smelled hydrogen sulfide gas on the bay near where she lives in Linwood. She replied that she does occasionally.

Ms. Spaeth mentioned that she thinks there is going to be some applicants filing in different cities and towns in the next month or two. She also thanked Mr. DeNafo for his time and for being so proactive.

Mr. DeNafo said there was a newspaper article published last week regarding Galloway Township Council addressing landfill odors. However, there was an error in a quote from Mayor Coppola about the landfill odors and it being unhealthy. Mr. DeNafo stated that the quote was actually supposed to be, "The landfill odors are not unhealthy." This was corrected in the newspaper a couple of days later. However, it had already been printed. Mr. DeNafo has been in constant contact with Mayor Coppola and has provided him with all the health fact sheets from the New Jersey Department of Health to show the significant magnitude of health concerns vs. where the ACUA's regulation limit is. He pointed out that the ACUA has not been out of regulation the entire time there were concerns of odor.

Chairman Embry asked if there were any further questions or concerns. Since there were none, the meeting was adjourned at 4:01 p.m.

Respectfully submitted,


Lisa Duffner, Board Secretary