

**ATLANTIC COUNTY UTILITIES AUTHORITY**  
**November 19, 2020 – 3:00 PM**  
**6700 Delilah Road, Egg Harbor Township, NJ**

**PRESENT FOR THE AUTHORITY**

Marvin Embry	Chair
Peter Sarkos	Member - zoom
Fred Akers	Member - zoom
John Lyons	Member - zoom
Judy Ward	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
Patricia Keeper	Assistant Board Secretary

**ALSO PRESENT (via Zoom)**

Salvatore Perillo, Esq.	Nehmad, Perillo, Davis & Goldstein
Daniel Solt, Esq.	Assistant County Counsel

Chairman Embry called the meeting to order at 3:00 p.m. and announced that the notice of the 2020-2021 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 Chosen Freeholders on February 22, 2019 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 Chosen Freeholders on November 4, 2020 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
Peter Sarkos	present
Fred Akers	present
Andrew Berenato	absent
John Lyons	present
Judy Ward	present
Laura Pfrommer	absent

**APPROVAL OF THE MINUTES OF THE OCTOBER 15, 2020 MEETING** – voted on and approved by all members.

**BOARD COMMITTEE REPORTS:** None.

**BOARD COMMENT:** None

**PUBLIC COMMENT:**

**Don Purdy (via zoom)** asked for an explanation of Resolution 20-11-296. He also wanted to know if General Counsel reviews the bid advertisements.

Tom Ganard explained that the NJ Trust requires that the project be advertised in two newspapers. The Authority advertised the project on the ACUA website, but inadvertently did not advertise in two newspapers. General Counsel does not review bid advertisements.

Mr. Purdy also asked when RFPs are issued for general counsel contract. Rick Dovey said that the general counsel contract is awarded at the reorganization meeting in February.

**NEW BUSINESS:** None.

**OLD BUSINESS:** Mr. Dovey briefed the Board on the status of 2021 budgets and rates. The budgets are being finalized and Rick will review with the Board members next week. The rate hearing notice and the rates will be published on November 27<sup>th</sup>. Rick plans to meet with the County, the Freeholders and the towns beginning the week after Thanksgiving.

**ALL RESOLUTIONS APPROVED.**

**RESOLUTION COMMENTS:**

**Resolution 20-11-285:** Authorizing Settlement of New Jersey Department of Environmental Protection Agency Matter, Re: Notice of Violation: Atlantic County Utilities Authority, EPA Docket No. CAA-02-2016-1306. Explanation: Authorizing settlement and payment of penalty assessment in NJDEP/EPA incinerator ash matter. The amount of the penalty is \$105,000.00.

**Sal Perillo explained that this culminates 4 ½ years of negotiations. This settlement represents a substantial concession on NJDEP/EPA's part, recognizing that we are doing the best job possible under the circumstances. However, we still have to continue to comply with the restraints of the Order.**

**Resolution 20-11-298:** Authorizing a contract amendment to contract with S. Hughes Electric Co., LLC for Pleasantville Pump Station Emergency Generator, Bid 2020-WW-02. Amount of increase is \$45,175.63. Explanation: Due to unforeseen conditions during foundation excavation.

**Mrs. Ward abstained from voting.**

**Resolution 20-11-323:** Authorizing the award of an Alternate Method Contract to Edmunds GovTech. Cost is \$22,205.00 for the contract term January 1, 2021 to December 31, 2021. Explanation: For Software Maintenance and Hosting Services.

**Mr. Sarkos abstained from voting.**

The meeting was adjourned at 3:30 p.m.

Respectfully submitted,



Brian Lefke  
Board Secretary

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

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – November 19, 2020

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A. 40:41A-37 et seq. on 11/20, 2020.

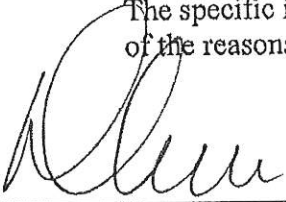
- (a)  by the end of the fifth business day following the meeting.
- (b)  as soon as practicable following the meeting where emergency action has been taken.
- (c)  beyond the statutory period for submission.

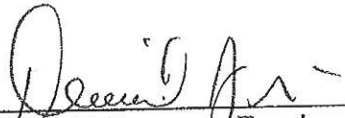
II. I hereby return the Minutes of the above referenced meeting to the Authority and to the Board of Freeholders, on the date set forth above, which is

- (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 Board of Chosen Freeholders

ATTACHMENTS:  Minutes  
 Veto Message