

TO: Lisa Duffner, Board Secretary  
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – June 20, 2024

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A 40:41A-37 et seq. on June 21, 2024,

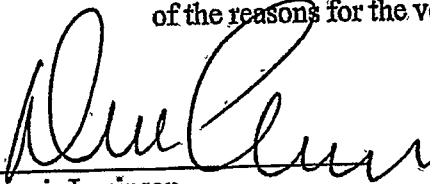
- (a)  by the end of the fifth business day following the meeting.
- (b)  as soon as practicable following the meeting where emergency action has been taken.
- (c)  beyond the statutory period for submission.


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

  
N. Lynne Hughes, Esquire  
Approved as to Form and Entry

Date: 6/27/24  
cc: Tara Silipena, Clerk to the Atlantic County Board of County Commissioners  
ATTACHMENTS:  Minutes  
 Veto Message

**ATLANTIC COUNTY UTILITIES AUTHORITY**  
**June 20, 2024 – 3:00 PM**  
**6700 Delilah Road, Egg Harbor Township, NJ**

**PRESENT FOR THE AUTHORITY**

Fred Akers	Vice-Chairman
Andrew Berenato	Member – Zoom
Frank Formica	Member
Laura Pfrommer	Member - Zoom
Maria Mento	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
Thomas Ganard	Chief Engineer
John Conover	Senior Engineer
Ryan Donovan	Associate Engineer
Greg Seher	Director of Solid Waste Operations
Katie Vesey	Director of Finance
Sharon Hunt	Director of Human Resources
Oren Thomas	Procurement & Contracts Manager
Kristi Aiken	Maintenance Resource Coordinator
Brittany Poplawski	Senior Systems Analyst
Eric Ricacho	Database Analyst
Fredy Flores	Computer Analyst
Lisa Duffner	Executive Assistant/Board Secretary
Sonia Chowdhury	Executive Assistant/Assistant Board Secretary

**ALSO PRESENT**

Stephanie E. Farrell, Esq.	Nehmad, Davis & Goldstein
Kaitlynn Flynn	County Counsel – Zoom
Christopher Gibson, Esq.	Archer & Greiner
Patrick Flynn, Esq.	Archer & Greiner
Peter Fontaine, Esq.	Cozen O'Connor
Mathew Coughlin, Esq.	Cozen O'Connor
Marissa Brucker	Cozen O'Connor
Joe Torchia	Air & Gas Technologies
James Bertino, Liaison	Atlantic County Board of Commissioners - absent

Vice-Chairman Akers called the meeting to order at 3:02 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 May 28, 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	absent
Fred Akers	present
Andrew Berenato	present - Zoom
Frank Formica	present
Judy Ward	absent
Laura Pfrommer	present - Zoom. Ms. Pfrommer left the meeting at 4:05 p.m.
Maria Mento	present - Zoom

**APPROVAL OF THE MINUTES OF THE BOARD MEETING ON MAY 16, 2024** – voted on and approved by all members.

**BOARD COMMITTEE REPORTS:** None.

**PUBLIC AND BOARD COMMENTS ON AGENDA ITEMS:** None.

**NEW BUSINESS:** None.

**OLD BUSINESS:** None.

**ALL RESOLUTIONS APPROVED.**

**RESOLUTION COMMENTS:**

**Resolution 24-6-161: Authorizing a contract amendment to contract with Quad Construction Co., Inc., Bid No. 2022-WW-09, for Ventnor-Margate Pump Station Upgrades. Amount of increase: \$373,966.54.**

Explanation: For additional work requested by the ACUA to reconstruct portions of the Ventnor-Margate Pump Stations' wet well and flume room.  
Ms. Mento abstained from the vote.

**Resolution 24-6-169: Amending Atlantic County Utilities Authority Policy and Benefits Manual.**

Explanation: Amends Employee Policy Benefits Manual by providing clarity and incorporating revisions to certain policies.  
Ms. Mento recused herself from the vote.

**Resolution 24-6-172: Authorizing a contract amendment to professional services contract with Archer & Greiner, PC, for Environmental Legal Counsel Services. Amount of increase is \$150,000.00.**

Explanation: For additional anticipated legal fees regarding a recently filed lawsuit by Cozen O'Connor on behalf of The Gatherings at Bel Aire Lakes Homeowners Association.

Mr. Formica asked for clarification regarding the increase. Mr. DeNafo explained that the additional amount is to cover expenses for the Authority until it receives clarity from the insurance carriers. Mr. Formica asked what the present amount of the contract is, and Mr. DeNafo responded that it is \$50,000.00. Ms. Farrell added that this resolution will be discussed further during today's Executive Session, and the Board will get a status update at that time. Mr. Formica then asked if the additional funds are being requested by Archer & Greiner, and Mr. DeNafo replied that the Authority has requested the additional funds.

**Resolution 24-6-173: Authorizing payment of certain expenditures.**

Ms. Mento recused herself from the vote.  
Mr. Formica recused himself from the vote.

**Resolution 24-6-174: Authorizing an Executive Session.**

Explanation: To discuss potential litigation involving the Gatherings at Bel Aire Lakes Homeowners Association and individual residents, and the pending litigation filed against the ACUA by Appolonia, Inc., d/b/a Air Brake.

Before the Executive Session, Ms. Farrell explained that the Board would likely be taking action after they came out of closed session.

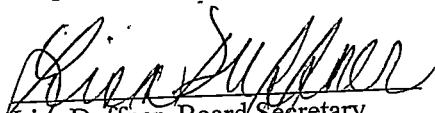
The Board entered an Executive Session at 3:26 p.m. and returned to regular session at 4:14 p.m.

**PUBLIC AND BOARD COMMENTS:**

Mr. Formica stated that there will be close to 700 new homes built near the Authority's landfill in Egg Harbor Township. He asked what the Authority plans to do regarding the possibility of future lawsuits by these new homeowners. Mr. DeNafo stated that the Authority has measures and procedures in place. Ms. Mento asked if the developer of these new homes has any physical measures in place, and Mr. DeNafo replied that he did not know. Ms. Farrell stated that a developer is required to advise potential new-home buyers if the homes are located near a landfill.

The meeting was adjourned at 4:18 p.m.

Respectfully submitted,

  
Lisa Duffner, Board Secretary