

TO: Lisa Duffner, Board Secretary  
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – January 18, 2024

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

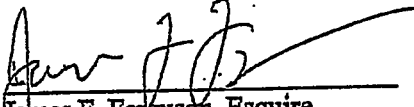
II. I hereby return the Minutes of the above referenced meeting to the Authority and to the Board of County Commissioners, on the date set forth above, which is

- (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:

cc: Tara Silipena, Clerk to the Atlantic County Board of County Commissioners

ATTACHMENTS:  Minutes  
 Veto Message

**ATLANTIC COUNTY UTILITIES AUTHORITY**  
**January 18, 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 - 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
John Conover	Senior Engineer
Oren Thomas	Purchasing Manager
Kristi Aiken	Maintenance Resource Coordinator/Assistant Board Secretary
Rebecca Turyan	Environmental Affairs Coordinator
Brittany Poplawski	System 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
Kathleen Spaeth	Member of the Public

James Bertino, Liaison                      Atlantic County Board of Commissioners - absent

Chairman Embry 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, N.J.S.A. 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 December 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	absent
John Lyons	absent
Judy Ward	present - Zoom
Laura Pfrommer	present
Maria Mento	present – Zoom

**APPROVAL OF THE MINUTES OF THE BOARD MEETING ON DECEMBER 21, 2023 – Voted on and approved by all members.**

**BOARD COMMITTEE REPORTS: None.**

**PRESENTATION ON 2023 CLEAN COMMUNITIES PROGRAM BY REBECCA TURYGAN, ENVIRONMENTAL AFFAIRS COORDINATOR**

Chairman Embry introduced Rebecca Turygan to the Board and stated that Ms. Turygan was recognized and awarded the "Clean Communities Coordinator of the Year Award" during the 18<sup>th</sup> Annual New Jersey Clean Communities Awards Reception on March 9, 2023, in Atlantic City. This award is presented to an individual who has developed and implemented a comprehensive county-wide litter abatement program and who demonstrates ongoing support of New Jersey Clean Communities.

Ms. Turygan then gave a summary of the 2023 Clean Communities Program. She stated that there were 368 clean-ups for the year, which included 1,073 bags of trash, 679 bags of recycling, and 37 tires. All of this was picked up by volunteers who participate in the ACUA's Adopt-A-Road Program. Ms. Turygan said the ACUA also had their "3<sup>rd</sup> Annual Litter Challenge" which ran from October 1<sup>st</sup> through October 14<sup>th</sup>, 2023, and it was their biggest participation ever. There were 60 bags of trash collected and 41 bags of recycling just from this one event. The 1<sup>st</sup> place winner was a Girl Scout Troop in Mays Landing; 2<sup>nd</sup> place was Our Lady Star of the Sea in Atlantic City; and 3<sup>rd</sup> place was Absecon Community Affairs. Ms. Turygan said the ACUA also has a "Reusable Bag Donation Program" which the State of New Jersey asked the ACUA to participate in. This is a pilot program to collect reusable bags. Approximately 3,000 bags were collected in 2023, and most of these bags were donated to the Community Food Bank in Egg Harbor Township.

**VIDEO PRESENTATION - 2023 ACUA HIGHLIGHTS**

Chairman Embry stated that he was quite impressed with the "2023 ACUA Highlights" video, which was shown at "Camp ACUA" this past October. Since not everyone on the Board had seen the video, Chairman Embry thought it would be a good idea to show it at today's Board meeting.

After the video was shown, Chairman Embry thanked Authority Relations for putting it together. Mr. DeNafo added that the video was created to celebrate all that the ACUA has done over the past year. Ms. Mento commented that the video was wonderful and very professional. Ms. Ward thanked the ACUA and Board for showing the video at the meeting today and for upgrading the pump stations in the City of Pleasantville, which was also mentioned in the video. Ms. Ward said it was wonderful that Atlantic County residents had sent in positive comments to the ACUA throughout the year and those comments were included in the video. She added that this lets the ACUA employees know they are appreciated for all of their hard work.

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

**NEW BUSINESS: None.**

**OLD BUSINESS: None.**

**ALL RESOLUTIONS APPROVED.**

**RESOLUTION COMMENTS:**

**Resolution 24-1-9:** Authorizing the award of an Alternate Method Contract for professional services to Montrose Environmental for 2024 Post-Closure Groundwater and Stormwater Sampling at Pinelands Park Landfill. Amount is not to exceed \$32,951.00, for contract term February 1, 2024, to January 31, 2025.

Explanation: For 2024 Pinelands Park Landfill Post-Closure Activities.

Ms. Pfrommer abstained from the vote.

**Resolution 24-1-10:** Authorizing a Shared Services Agreement with the Township of Egg Harbor for grass cutting services. Cost is \$65,000.00 for 2024; \$66,500.00 for 2025; and \$68,000.00 for 2026.

Explanation: EHT will continue to perform grass-cutting services at Pinelands Park Landfill.

Ms. Pfrommer abstained from the vote.

**Resolution 24-1-24:** Authorizing a contract amendment to contract with New Jersey State Health Benefits Plan for Authority Retirees. Amount of increase is \$36,102.14.

Explanation: The 2023 costs exceeded budgeted expenses due to the increased number of retirees in 2023.

Ms. Mento recused herself from the vote.

**Resolution 24-1-25:** Amending Atlantic County Utilities Authority Policy and Benefits Manual.

Explanation: Updates to the Policy and Benefits Manual that reflect agreed upon and authorized policy changes, retroactively back to January 1, 2024. Resolution includes attachment summarizing the applicable changes.

Ms. Mento recused herself from the vote.

**Resolution 24-1-32:** Authorizing payment of certain expenditures. \$6,223,455.42

Ms. Mento recused herself from the vote.

**PUBLIC AND BOARD COMMENTS:**

Mr. Akers commended the ACUA's Authority Relations on the great job they are doing regarding education and outreach on behalf of the ACUA. In addition, Mr. Akers commended the ACUA on their "Annual Holiday Food Drive" which collected 13,283 pounds of non-perishable food for neighbors in need. He also stated that the ACUA's employee gift drive for the Avanzar Women's Center provided 60 gifts for women and their families.

Kathleen Spaeth of Linwood, New Jersey, addressed the Board next. Ms. Spaeth stated that she presented at today's Board Meeting to commend the ACUA's President, Matthew DeNafo, and his staff for holding a public forum in Absecon to address concerns from residents about odors emanating from the ACUA's landfill in Egg Harbor Township. Ms. Spaeth's only complaint was the lack of space where the meeting was held in Absecon. She said there was not enough room for herself and many others to attend the meeting. Ms. Spaeth said the meeting should have been moved to a larger facility. She also felt that Mr. DeNafo had gone into a situation that was very volatile. She said she witnessed people standing outside the venue, but when they were advised by Absecon that they could listen to the meeting via Zoom, Ms.

Spaeth thought people were going to throw chairs to break into the facility. She left at that point and listened to the meeting via Zoom.

Mr. DeNafo thanked Ms. Spaeth and explained that he held the Absecon forum for transparency purposes. Mr. DeNafo stated that, at the beginning of the Absecon meeting, he felt some of the people were agitated. However, as the meeting went on, it became clear to Mr. DeNafo that many of these same people respected the fact that the ACUA was there providing transparency. Some people even came up to Mr. DeNafo afterwards to thank him and the ACUA for holding the public forum. Mr. DeNafo said that overall it was a good experience.

Ms. Spaeth then suggested that the public should receive more positive messages regarding the ACUA and that the ACUA should communicate to the public what they are doing. She continued by stating that even though there is information on the ACUA's website, most people do not take the time to go onto the website and read the information provided. Therefore, they are unaware of all the positive things that the ACUA does. She also suggested that the "2023 ACUA Highlights" video be played prior to any public meetings so the public is made aware of all that the ACUA does for the local communities. She again stressed how important it is for the public to hear about all the positive things that the ACUA does because she continues to hear negative things and not enough positive.

Chairman Embry thanked Ms. Spaeth and asked if anyone had any further comments. Ms. Pfrommer stated she agreed with what Ms. Spaeth stated.

Mr. DeNafo said he had some updates that he wanted to share. There have been some issues with excessive gas being produced at a faster rate than anticipated at the landfill, but the ACUA is in the process of making improvements. In fact, the ACUA is already seeing positive changes as a result of these improvements, and there will be measurable data and information available. Another update was on an emergency regarding a force main line in Hamilton Township. The ACUA is currently waiting for a replacement PVC pipe to arrive. Ms. Pfrommer asked if the bike path was open in that area of Hamilton Township, and Mr. DeNafo replied that it is currently closed.

Chairman Embry asked if there were any further questions or comments. Since there were none, the meeting was adjourned at 3:58 p.m.

Respectfully submitted,

  
Lisa Duffner, Board Secretary