

TO: Lisa Duffner, Board Secretary
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – May 16, 2024

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A. 40:41A-37 et seq. on 5/17/24.

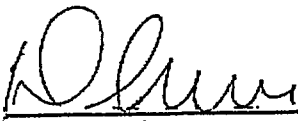
- (a) by the end of the fifth business day following the meeting.
- (b) as soon as practicable following the meeting where emergency action has been taken.
- (c) beyond the statutory period for submission.

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

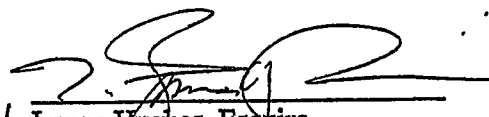
- (a) within ten days of delivery.
- (b) within twenty-four (24) hours of delivery where the action at the meeting was deemed by the Authority to be in response to an emergency situation.

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: 5/17/24
cc: Tara Silipena, Clerk to the Atlantic County Board of County Commissioners
ATTACHMENTS: Minutes
 Veto Message

ATLANTIC COUNTY UTILITIES AUTHORITY
May 16, 2024 – 3:00 PM
6700 Delilah Road, Egg Harbor Township, NJ

PRESENT FOR THE AUTHORITY

Marvin Embry	Chair
Fred Akers	Member
Laura Pfrommer	Treasurer - Zoom
Maria Mento	Assistant Treasurer
Andrew Berenato	Member - Zoom
Judy Ward	Member - Zoom
Frank Formica	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
Thomas Ganard	Chief Engineer
John Conover	Senior Engineer - Zoom
Oren Thomas	Purchasing Manager
Eric Ricacho	Database Analyst
Lisa Duffner	Executive Assistant/Board Secretary
Sonia Chowdhury	Executive Assistant/Assistant Board Secretary

ALSO PRESENT

Stephanie E. Farrell, Esq.	Nehmad, Davis & Goldstein
Arthur Murray, Esq.	County Counsel - Zoom
Kaitlynn Flynn	County Counsel - Zoom
Loren Altschuler	Vice President of Procurement, Gabel Associates
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 16, 2024, 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 April 30, 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 3:04 p.m.)
Frank Formica	present - Zoom (participated beginning at 3:04 p.m.)
Judy Ward	present - Zoom
Laura Pfrommer	present - Zoom
Maria Mento	present (participated beginning at 3:10 p.m.)

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

BOARD COMMITTEE REPORTS: None.

PUBLIC AND BOARD COMMENTS ON AGENDA ITEMS:

Mr. DeNafo stated that Jim Coffey, Solid Waste Manager, would be retiring on June 1, 2024, after 35 years of service with the ACUA. Mr. Coffey was unable to attend today's meeting. Mr. DeNafo wished Mr. Coffey all the best in his retirement. On behalf of the entire Board, Chairman Embry also wished Mr. Coffey well on his upcoming retirement.

NEW BUSINESS: None.

OLD BUSINESS: None.

ALL RESOLUTIONS APPROVED.

RESOLUTION COMMENTS:

Resolution 24-5-135: Authorizing the award of a contract in Bid No. 24-WW-05 for Purchase of Electric Generation Service for Wastewater Pump Stations Account (**Bid Group 1**) to Constellation New Energy, Inc.

Explanation: For twenty-two (22) accounts consisting of twenty pumping stations and two metering stations. Fixed Energy Charge of \$0.10306/kwh for a 24-month contract. Amount is not to exceed \$1,168,174.00. (*County Executive pre-approval required.*)

Resolution 24-5-136: Authorizing the award of a contract in Bid No. 2024-WW-05 for Purchase of Electric Generation Service for Wastewater Treatment Plant Account (**Bid Group 2**) to Constellation New Energy, Inc.

Explanation: For one (1) account at the Wastewater Treatment Plant Facility. Fixed Energy Charge of \$0.02793/kwh for a 24-month contract. Amount is not to exceed \$1,079,077.00. (*County Executive pre-approval required.*)

Mr. DeNafo stated that Loren Altshuler, Vice President of Procurement from Gabel Associates, was in attendance, via Zoom, and she would answer any questions regarding the two resolutions for Electric Generation Service for the Wastewater Pump Stations and Wastewater Treatment Plant. Ms. Pfrommer asked if the contracts were for 12 or 24 months. Mr. DeNafo stated that the Authority decided to go with a 24-month option as this would be a significant savings for the Authority.

Resolution 24-5-137: Authorizing a contract amendment to an Emergency Contract with Atlantic Lining Co., Inc. for repairs at the Pinelands Park Landfill due to side slope failure. Amount of increase is \$17,700.00.

Explanation: Final invoice for emergency repairs. This will close out the project.

Chairman Embry stated that he did not see much grass growing at the Pinelands Park Landfill when he drove by there recently. Mr. DeNafo said the Authority has a contract for hydroseeding, which is scheduled to be done again next week at the Pinelands Park Landfill. Chairman Embry asked if the Authority is able to get a credit for grass seed if there is no growth. Mr. DeNafo explained that although the area was hydroseeded, there has been quite a bit of rain which washed a lot of the grass seed away. Chairman Embry asked if hydroseeding does not work the first time, does the contractor have an obligation to hydroseed again. Mr. Ganard responded that the contractor is not obligated to do so since this was an emergency repair. Mrs. Pfrommer asked if Tom Sullivan was aware of all of the work that has been going on at Pinelands Park, and Mr. DeNafo said that he is aware. In fact, the Authority has a very good working relationship with Mr. Sullivan.

Resolution 24-5-143: Authorizing a Shared Services Agreement with the Town of Hammonton for Street Sweeping Services for a contract term June 1, 2024, to May 31, 2025.

Explanation: The ACUA will provide street sweeping services to the Town of Hammonton at the rate of \$234.43 per pull plus the tip fee of \$22.00 per ton. Hammonton will pay regular labor rate of \$122.73 per hour and overtime rate of \$149.84 per hour. Estimated revenue for street sweeping services is \$40,000.00.

Chairman Embry commented that it would be nice if the municipality or the Authority would let the residents know in advance when street sweeping would be done. This way, cars can be moved off the streets prior to them being cleaned. Mr. DeNafo agreed. However, he said that the challenge for the Authority is if the street sweeping equipment needs to be repaired or is inoperable on a date that it is scheduled to be in use, then the date will need to be rescheduled. Due to this fact, there are times when the street sweeping dates are not always the dates that the service occurs. Ms. Mento commented that the street sweeping services which the Authority provides is wonderful for local municipalities.

Resolution 24-5-148: Authorizing an amendment to contract with International Union of Operating Engineers, Local 68, Collective Bargaining Agreement.

Explanation: Amending Exhibit B - Salary Ranges.

Ms. Mento asked for clarification regarding the salary ranges and the salary rate. Ms. Bazemore responded that the starting salary in the original salary guide had the driver rate at \$20 per hour, but it is now \$21.50 per hour, which is calculated into their annual salary. Ms. Mento asked about the equipment operators and what their hourly rate is. Ms. Bazemore said they will now start at \$22.00 per hour. They previously were \$20.50 per hour.

Resolution 24-5-150: Authorizing payment of certain expenditures - \$6,609,837.73

Ms. Mento recused herself from the vote.

Mr. Formica recused himself from the vote.

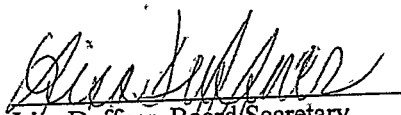
PUBLIC AND BOARD COMMENTS:

Chairman Embry announced that Ms. Pfrommer, Ms. Ward, and Mr. Berenato have all been reappointed to the Authority's Board by the County Executive, and he thanked them for serving. Mr. DeNafo also thanked them for serving on the Board and supporting the Authority, which is truly appreciated.

Ms. Mento congratulated the Authority on an outstanding Earth Day Festival this year. Mr. DeNafo said there were over 80 volunteers who worked hard for months in preparation of this year's event. In addition, he said there were over 10,000 people who attended the event this year. A discussion then ensued regarding whether to allow dogs at the event. Regarding Service Dogs, Ms. Ward said that Service Dogs should have some type of identification. Ms. Farrell stated that there are no identification requirements under the American Disabilities Act. In addition, she said an individual can actually train their own Service Dog now.

Chairman Embry thanked everyone for participating in today's meeting and asked if there were any further questions or comments. Since there were none, the meeting was adjourned at 3:37 p.m.

Respectfully submitted,


Lisa Duffner, Board Secretary