

TO: Lisa Duffner, Board Secretary
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – March 20, 2025

I. The Minutes of the above-referenced meeting were submitted pursuant to N.J.S.A 40:41A-37 et seq. on March 21, 2025.

- (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.

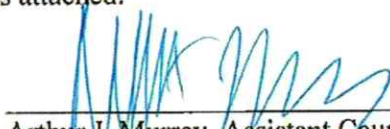
II. I hereby return the Minutes of the above referenced meeting to the Authority and to the Board of County Commissioners, on the date set forth above, which is

- (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


Arthur J. Murray, Assistant County Counsel
Approved as to Form and Entry

Date: 3/21/25

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

ATTACHMENTS: ☒ Minutes
☐ Veto Message

ATLANTIC COUNTY UTILITIES AUTHORITY

March 20, 2025 – 3:00 PM

6700 Delilah Road, Egg Harbor Township, NJ

PRESENT FOR THE AUTHORITY

Marvin Embry	Chair
Fred Akers	Member - Zoom
Frank Formica	Member
Judy Ward	Member - Zoom
Laura Pfrommer	Member
Maria Mento	Member
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
Oren Thomas	Purchasing Manager
Michael McClintock	Director of Information Technology
Brittany Poplawski	Senior Systems Analyst
Lisa Duffner	Executive Assistant/Board Secretary
Sonia Chowdhury	Executive Assistant/Assistant Board Secretary

ALSO PRESENT

Keith Davis, Esq.	Nehmad, Davis & Goldstein
Arthur J. Murray, Esq.	County Counsel – Zoom
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 2025-2026 Meeting Schedule was mailed to The Press of Atlantic City, The Daily Journal, the Clerk of Atlantic County, and the Clerk of the Atlantic County Board of Commissioners on February 21, 2025, 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 Press of Atlantic City, The Daily Journal, the Clerk of Atlantic County, and the Clerk of the Atlantic County Board of Commissioners on February 25, 2025, 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 - Zoom
Andrew Berenato	present - absent
Frank Formica	present
Judy Ward	present - Zoom
Laura Pfrommer	present
Maria Mento	present

Chairman Embry introduced Michael McClintock, Director of Information Technology, to the Board. Mr. McClintock did a presentation and update on cybersecurity upgrades at the ACUA.

APPROVAL OF THE MINUTES OF THE BOARD MEETING ON FEBRUARY 20, 2025 – 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 25-3-92: Authorizing an amendment to the Shared Services Agreement with the City of Northfield for trash collection services. Estimated revenue to the Authority is \$259,834.68. Extending contract term beginning May 1, 2025, to April 30, 2026.

Explanation: For trash collection services.

Ms. Mento asked if this contract went out for bid. Mr. DeNafo stated that it did not. He said the Authority is looking at the City of Northfield's agreement and will be meeting with them in the upcoming weeks to discuss a longer-term contract.

Resolution 25-3-94: Authorizing the award of a contract to Cascade Engineering Company for the supply, assembly, and delivery of 700 (Seven-Hundred) 96-Gallon Wheeled Recycling Carts for the Borough of Woodbine, through the Sourcewell Cooperative Purchasing System. Cost is \$46,961.00. The Authority has applied for a grant from The Recycling Partnership on behalf of the borough.

Explanation: The carts will be used for residential recycling collections.

Chairman Embry asked how much we were paying for the carts verse how much we sell them to the public for. It was clarified that these are carts that the town is paying and will distribute to residents, not carts the ACUA is reselling.

Resolution 25-3-105: Authorizing the Issuance of Up to Twenty-One Million, Seven-Hundred & Eighty-Five Thousand Dollars (\$21,785,000), Aggregate Principal Amount of its Wastewater Revenue Bonds, and the Issuance of Construction Financing Project Notes in Anticipation of the Issuant Thereof, Constituting a Series Resolution Under the Restated General Resolution Authorizing Wastewater Revenue Bonds of the Authority, Adopted June 16, 1994, and Taking Related Actions.

Mr. DeNafo explained to the Board that when the Board received the preliminary agenda last week, and the Committees met, the amount was at a \$17,400,000 value. However, after speaking with the Authority's bond counsel, and the I-bank, they recommended that the Authority go with a higher amount of \$21,785,000 for this project to be conservative and ensure enough funds from the I-bank were secured.

Resolution 25-3-107: Authorizing an Additional Extension and Amendment to Res. #15-9-175, which Authorized the Memorandum of Understanding (MOU) with the County of Atlantic to Provide Funding Pursuant to N.J.S.A. 40A:5A-12.1 for Economic Development Initiatives and the National Aviation Research and Technology Park.

Explanation: Renewal of MOU, authorized in September 2015, for additional years, 2026 to 2030, funding \$500,000.00 annually for Economic Development Initiatives and \$400,000.00 annually for the National Aviation and Research Technology Park.

Ms. Mento asked why this MOU is for five (5) years. Also, she would like to see a copy of the financial report that is submitted to the Authority each year as part of the agreement. Mr. DeNafo responded by stated that we decided to continue the agreement without any changes or increase in value. At this point, the most we can extend is 5 years because it is unknown at this point how operations will change with landfill capacity and waste disposal. Mr. DeNafo stated he will provide the reports to Ms. Mento.

Resolutions 25-3-108: Expenditures: \$5,844,850.26

Ms. Mento recused herself from the vote regarding the Retiree State Health Benefits expenses and approved all other expenditures.

Mr. Formica recused himself from the vote regarding payroll and Active State Health Benefits expenses and approved all other expenditures.

PUBLIC AND BOARD COMMENTS:

Mr. DeNafo updated the Board on the status of the Bel Air Lakes' lawsuit. He said there are quite a few expert reports that are being reviewed currently by legal counsel, including four (4) of the Authority's experts, which are: 1) Ornithologist/Bird Expert (LGL Limited); 2) Landfill Gas Collection (SCS Engineers); 3) Toxicologist; and 4) Group of Retired DEP Officials/ Regulators/Inspectors. Mr. DeNafo said they are currently in the discovery phase of the lawsuit, which includes interrogatories, document collection, and depositions. He stated that the Authority's IT Department and legal counsel are in the process of going through thousands of emails, and there also has been some discussion on a new schedule for document production.

Chairman Embry asked why a bird expert is needed. Mr. DeNafo explained that a majority of the lawsuit states the Authority is not following the plan to keep birds away from the landfill, and they are showing up on the roofs of homes at Bel Air Lakes. Mr. DeNafo stated that this is not true and, in fact, the Authority's bird expert, Dr. Davis, who has 27 years of experience in at the site, refutes this claim.

Mr. DeNafo also provided two updates on sewer leaks that are being repaired that will require emergency contracts. A leak in Ventnor which was discovered several weeks ago and is in the process of being repairs and a newly discovered leak that is located in Absecon on Route 9. Both are contained and have had a minimal impact on the public. Authorities and officials have all been notified and continue to receive status updates.

Chairman Embry asked if anyone had any further questions. Since there were none, the meeting was adjourned at 3:51 p.m.

Respectfully submitted,



Lisa Duffner, Board Secretary