

TO: Lisa Duffner, Board Secretary
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – September 18, 2025

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

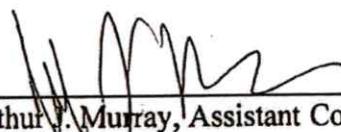
- (a) within ten days of delivery.
- (b) within twenty-four (24) hours of delivery where the action at the meeting was deemed by the Authority to be in response to an emergency situation.

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: 9/24/25

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

ATTACHMENTS: Minutes
 Veto Message

ATLANTIC COUNTY UTILITIES AUTHORITY
September 18, 2025 – 3:00 PM
6700 Delilah Road, Egg Harbor Township, NJ

PRESENT FOR THE AUTHORITY

Marvin Embry	Chair
Fred Akers	Member
Judy Ward	Member - Zoom
Maria Mento	Member
Alex Marino	Member
Michael Pullia	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
Greg Seher	Director of Solid Waste Operations
Oren Thomas	Procurement & Contracts Manager
Brittany Poplawski	Senior Systems Analyst
Lisa Duffner	Executive Assistant/Board Secretary
Sonia Chowdhury	Executive Assistant/Assistant Board Secretary

ALSO PRESENT

Stephanie E. Farrell, 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 2024-2025 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 25, 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 Star Ledger, the Clerk of Atlantic County, and the Clerk of the Atlantic County Board of Commissioners on August 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
Judy Ward	present – Zoom (Participated at 3:05 pm.)
Laura Pfrommer	absent
Maria Mento	present
Alex Marino	present
Michael Pullia	present

APPROVAL OF THE MINUTES OF THE BOARD MEETING ON AUGUST 21, 2025 – voted on and approved by all members, except for Mr. Pullia who abstained from the vote.

BOARD COMMITTEE REPORTS: None.

PUBLIC AND BOARD COMMENTS ON AGENDA ITEMS: None.

NEW BUSINESS: None.

OLD BUSINESS: None.

ALL RESOLUTIONS APPROVED.

RESOLUTION COMMENTS:

Resolution 25-9-206: Authorizing opposition to the proposed Judicial Consent Order for 3M Company, In The Matter of NJDEP, et al, vs. E.I. duPont de Nemours and Co., et al., Case No. 1:19-CV-14766-RMB-JBC (D.N.J.).

Explanation: The Authority is opposing this settlement due to the substantial costs that the ACUA could incur if the proposed Judicial Consent Order for the 3M Company is passed.

Ms. Mento asked for a summary of this case. Mr. DeNafo explained that per- and polyfluoroalkyl substance (PFAS) have been a hot topic over the last several years, and it can be found in many items. The cost involved to remediate PFAS at the ACUA would be well over \$100 million, including an additional \$6 million in yearly costs. Mr. DeNafo said this case involving the NJDEP and 3M involves a monumental settlement of \$450 million. Although this amount is exorbitant, Mr. DeNafo stated it actually is a small amount compared to what it will take to actually remove PFAS. In addition, even though \$450 million sounds like a great amount of money, only \$15.7 million would go to remediating efforts throughout the State of New Jersey. Approximately, \$145 million would go to one site, which is also going to see funding from another case. The issue is, if this case settles, it would absolve 3M from any future litigation. Also, if the ACUA finds that a big contributing factor to the PFAS is products made by 3M, or the material that they had developed, the ACUA would not be able to sue them for the costs in having to treat for contamination. Therefore, Mr. DeNafo said that a \$450 million settlement is not really a good deal for any of the municipalities, authorities or water companies throughout the State of New Jersey.

Ms. Mento asked where the ACUA would be removing the PFAS on the wastewater-side. Mr. DeNafo responded the ACUA would look at some of the higher concentration sources, which would be the landfill, the leachate, and all of the products that come into the landfill. He went on to explain that PFAS is in everything; from your Gor-Tex jackets to makeup to the little stickers that are on fruit.

Mr. DeNafo stated Rowan University is currently doing a study at the ACUA's Wastewater Treatment Facility to correlate PFAS concentration with microplastics. He further mentioned that one of the ways that PFAS is destructed is by using high temperatures.

Mr. DeNafo stated that Mr. Pantalone is on the AEA and NJWEA's PFAS Committee. Mr. Pantalone said as an AEA Board member, he and the rest of the committee voted to intervene. They have also engaged their attorney to intervene in this case. He said that the ACUA needs to show all of their constituents that we did everything possible because, if this comes to fruition, the ACUA's rates will skyrocket, and we will have no control over that. Ms. Mento asked Mr. Pantalone if other municipalities are getting involved in opposing the proposed judicial consent order, and Mr. Pantalone responded that they are. Chairman Embry asked about the status of the judicial consent order. Mr. Pantalone replied that the deadline for the comment period is September 19, 2025. Mr. DeNafo added that he has thought about reaching out to municipalities that have drinking water systems to give them a heads up and give them a template for a resolution. Mr. DeNafo has reached out to Senator Polistina, Assemblywoman Claire Swift and Assemblyman Don Guardian, just to put them on notice that this is happening.

Mr. Marino suggested a press release stating the ACUA recently passed a resolution in opposition to the judicial consent order, but to make sure to contact the County Executive prior to doing this.

Further discussion ensued regarding PFAS. Mr. DeNafo said, "Ultimately, the question remains, once the PFAS is removed, what should be done with it? It cannot be put back into the landfill." He added that there are still a lot of unknowns about the removal, disposal and destruction of this material.

Resolution 25-9-219: Authorizing a contract amendment to Shared Services Agreement with Cumberland County Improvement Authority for CNG Vehicle Repairs & Maintenance, CNG Fuel, Truck Wash and Office Space. Amount of decrease is \$50,000.00.

Explanation: The decrease is due to an increasing number of work orders being addressed by the ACUA at the Vehicle Maintenance Building in Egg Harbor Township.

Ms. Mento asked for clarification of this resolution. Mr. DeNafo said the ACUA has a separate contract with CCIA to do repairs on the Authority's vehicles, but the Authority is able to do much of the work here.

Resolution 25-9-220: Authorizing a contract amendment to contract with TD Equipment Finance, Inc., Bid No. 2020-SW-10, for Tax Exempt Lease-Purchase Financing. Amount of increase is \$303.54.

Explanation: Additional funds needed to make interest payment.

Ms. Mento asked if this was a scheduled payment. Mrs. Bazemore responded stating that this goes back to 2020. The financial advisor at that time prepared the payment schedule, and the one payment schedule from TD Equipment Finance, Inc. was \$303.54 higher than what the financial advisor had prepared, and that was what the Authority awarded the contract based on.

Resolution 25-9-221: Authorizing payment of certain expenditures: \$8,682,732.39

Ms. Mento recused herself from the vote.

PUBLIC AND BOARD COMMENTS:

There were no public comments.

Mr. Marino welcomed Mr. Pullia to the ACUA Board. Mr. Pullia thanked Mr. Marino and the Board. He stated that he was happy to be at the meeting and was looking forward to working with the Authority.

Mr. DeNafo announced that the ribbon cutting for the new RNG Facility Project is scheduled for October 23, 2025. Mr. DeNafo said this project will be beneficial to the Authority as the gas could be used in the Authority's trucks. Not only is there revenue to the Authority, but there is also a reduction in maintenance costs. Chairman Embry asked how much money Opal Fuels has invested in this project to date, and Mr. DeNafo replied approximately \$40 million.

Ms. Mento commended the Authority Relations Department, which includes Sara Verrillo, Amy Cook-Menzel, Ryan Mahoney, and Alexis Demitroff, on the fantastic job they do each month putting together Ventnor's newsletter. Mr. DeNafo agreed that they do an incredible job, which includes the Authority's videos, newsletters, and social media. He said they do an excellent job, including doing outreach programs and going to schools to promote the ACUA. In addition, Mr. DeNafo said that he continually receives positive comments from other organizations. Chairman Embry agreed and said the ACUA is an incredible organization that does wonderful work.

Chairman Embry asked the Board if there were any further questions or comments. Since there were none, the meeting was adjourned at 3:40 p.m.

Respectfully submitted,



Lisa Duffner, Board Secretary