

ATLANTIC COUNTY UTILITIES AUTHORITY
December 15, 2022 – 3:00 PM
6700 Delilah Road, Egg Harbor Township, NJ

PRESENT FOR THE AUTHORITY

Marvin Embry	Chair
Fred Akers	Member
Judy Ward	Member – via Zoom
Laura Pfrommer	Member
Maria Mento	Member
Richard Dovey	President
Brian Lefke	Senior Vice President of Solid Waste & Authority Secretary
Joseph Pantalone	Vice President Wastewater
Linda Bazemore	Vice President of Administration & Finance/CFO
Matthew DeNafo	Vice President of Centralized Maintenance & Asset Management
Thomas Ganard	Chief Engineer
John Conover	Deputy Chief Engineer – via Zoom
Gary Conover	Solid Waste Director
Amy Cook Menzel	Communications Manager
Herminio Roque	Senior Computer Analyst
Lisa Duffner	Executive Assistant

ALSO PRESENT

Keith Davis, Esq.	Nehmad, Davis & Goldstein
Stephanie Farrell, Esq.	Nehmad, Davis & Goldstein – via Zoom
Michael Goloff, CPA	Michael Goloff, CPA – via Zoom
Elisa Ciboldi	Rosenberg & Associates, Certified Court Reporters
Chandra Anderson	County of Atlantic – via Zoom
Alysia Remaley, Esq.	County of Atlantic – via Zoom
Ellen Hyatt	Member of the Public
Kate Lefke	Member of the Public
Kathleen Spaeth	Member of the Public
James DiNatale	Member of the Public
Chris Seher	Member of the Public
Eric	Member of the Public – via Zoom

Chairman Embry called the meeting to order at 3:00 p.m. and announced that the notice of the 2022-2023 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 18, 2022, 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 November 28, 2022, 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 Brian Lefke which reflected a quorum was present.

Chairman Embry	present
Fred Akers	present
Andrew Berenato	absent
John Lyons	absent
Judy Ward	present – via Zoom
Laura Pfrommer	present
Maria Mento	present

APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2022, MEETING – voted on and approved by all members.

BOARD COMMITTEE REPORTS: None.

BOARD COMMENT: On behalf of the Authority, Chairman Embry thanked Mr. Lefke for his leadership and commitment to the ACUA and presented him with a plaque to show the Authority's sincere appreciation for his 34 years (1988-2022) of outstanding service. Chairman Embry stated that the Authority is deeply grateful to Mr. Lefke for his pioneering work in developing Atlantic County's nationally-recognized plan for recycling and waste management. He then wished Mr. Lefke all the best in his retirement.

Mr. Lefke thanked Chairman Embry, the Board of Commissioners and Board Officers, along with the Administrative and Solid Waste Staff. He also thanked Mr. Dovey for his great leadership, mentorship, hard work, and resilience.

Ms. Mento, Ms. Ward and Mr. Pantalone also thanked Mr. Lefke for his many years of dedicated service to the Authority and wished him all the best in his retirement.

PUBLIC COMMENT:

Kathleen Spaeth said she knows the ACUA has gone out of its way to not raising their rates. However, she asked if anything could be done to lower the rates for Solid Waste and Wastewater, especially for those residents in communities who are economically impacted, like Pleasantville, as she is concerned for them. Mr. Dovey thanked Ms. Spaeth and explained that the 2023 rates are the highest they have been in 30 years, due to the situation that has occurred nationally, and which was unprecedented. He stated that the Authority has met with 14 municipalities in Atlantic County, as well as the Atlantic City Sewerage Authority, regarding the rates and, in most cases, the actual dollar amount paid next year will be less than what they paid in the past. That is because the Authority operates in a way that has -- twice in the last five years -- given back to the rate payers. Mr. Dovey said all of the municipalities that they met with understood this. In addition, the Wastewater Rate has been flat over the last 10 years. He said the Authority has maintained the lowest rates anywhere in southern New Jersey, in spite of the Great Recession, the casinos closing, Hurricane Sandy and COVID. Regarding Solid Waste, tipping fees pay for two things: the landfill itself and employees. He stated that State Health Benefits have gone up 21.5%. State pension costs have also gone up 10½%. Operationally, the cost for the use of dirt (for cover material) has gone up as well, due to transporting it via diesel trucks. Ms. Spaeth thanked Mr. Dovey for his explanation.

James DiNatale asked about a new bid that will be coming out for a finalization of the landfill wall and if that will last until 2029. Mr. Dovey responded by stating that the next portion of the landfill wall will last until February of 2028. Mr. DiNatale also asked about a re-bid regarding taking solid waste out of the county and when that would be. Mr. Dovey said it would be next year. Lastly, Mr. DiNatale asked about Resolution 22-12-283 regarding a bid and contract which was awarded to Aqua-Tex. Mr. Dovey explained how the bid process worked and emphasized, in this particular bid, the Authority did not pay for the dirt – Aqua-Tex did, so it has cost the Authority nothing.

Chris Seher stated that he previously served on the ACUA's Board, as well as a Commissioner for the City of Absecon. He said he came to the Board Meeting today just to say that the ACUA is doing a wonderful job, and an excellent job in continuing to keep their rates the lowest in southern New Jersey.

NEW BUSINESS: None.

OLD BUSINESS: None.

ALL RESOLUTIONS APPROVED.

Keith Davis, Esq. asked, in light of the public comments and questions, if there were any Board Commissioners who would like to change their vote regarding Resolutions 22-12-270 and 22-12-271. None of the Commissioners wished to do so.

RESOLUTION COMMENTS:

Resolution 22-12-270: Adopting Wastewater Rates, Fees and Charges.

Explanation: Rate hearing to set fees and charges effective January 1, 2023.

Linda Bazemore testified that the treatment of wastewater charged to the 14 participants of the system will increase from \$2,277.5700 to \$2,459.7800 per million gallons, resulting in an increase of 8%. The 2022 rate increased by 5% and there was no increase to the 2021 rate. The rate increased by 1.5% in 2020 and prior to that increase, the last rate increase was in 2014 by 1.5%. The total amount to be billed to the 14 participants in 2023 is \$25,121,688. The amount billed to the participants in 2022 was \$23,260,822. As part of the calculation, total system flows will remain at 10,213 million gallons in 2023, as they were in 2022.

The 2023 Laboratory Fee Schedule reflect increases approximating 7%. All other advertised fees, rates and charges will remain unchanged.

The total Wastewater Budget for 2023 is \$31,039,476 which represents an increase of 8.89% as compared to the 2022 budget.

Resolution 22-12-271: Adopting Solid Waste Rates, Fees and Charges.

Explanation: Rate hearing to set fees and charges effective January 1, 2023.

Linda Bazemore testified that the total budget Solid Waste Budget for 2023 is \$49,176,837, which represents an increase of 7.97% as compared to the 2022 budget.

For the Solid Waste Division, the 2023 gate rates will be charged as follows:

Municipal Solid Waste will be \$82.87 per ton; Vegetative Waste non-recyclable will be \$82.87 per ton; Animal & Food Processing will be \$82.87 per ton; Construction & demolition waste and painted wood rate will be \$108.05 per ton; Dry Bulky Waste rate will be \$108.05 per ton; Dry Industrial Waste (Non-hazardous) rate will be \$147.32 per ton; and Asbestos rate will be \$147.32 per ton. All other advertised fees, rates and charges remain unchanged.

Resolution 22-12-273: Authorizing an Interlocal Agreement between the Atlantic County Utilities Authority and the Egg Harbor Township Municipal Utilities Authority for Maintenance and Inspection Services.

Explanation: Renewal of agreement whereby the ACUA will perform pumping station maintenance and inspection services for the contract period January 1, 2023, to December 31, 2023. Annual revenue to the Authority is \$358,375.00 and \$71,675.00 for the Linwood Pump Station.

Ms. Pfrommer abstained from voting.

The meeting was adjourned at 4:07 p.m.

Respectfully submitted,



Brian G. Lefke
Board Secretary

TO: Brian G. Lefke, Secretary
Atlantic County Utilities Authority

FROM: Honorable Dennis Levinson, Atlantic County Executive

RE: Minutes of Meeting – December 15, 2022

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A. 40:41A-37 et seq. on 12/19/22,

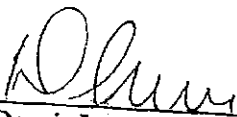
- (a) by the end of the fifth business day following the meeting.
- (b) as soon as practicable following the meeting where emergency action has been taken.
- (c) beyond the statutory period for submission.

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

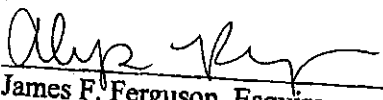
- (a) within ten days of delivery.
- (b) within twenty-four (24) hours of delivery where the action at the meeting was deemed by the Authority to be in response to an emergency situation.

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: Sonya Harris, Clerk to the Atlantic County Board of County Commissioners

ATTACHMENTS: Minutes
 Veto Message