

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

February 23, 2015

Chairman Davenport called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:00 am.

Authority Members present: Robert Davenport, Richard Mach, Holly Mackey, Todd Yanoff and James Cannon.

ROLL CALL:	Mr. Cannon	-	Present
	Mrs. Mackey	-	Present
	Mr. Yanoff	-	Present
	Mr. Mach	-	Present
	Mr. Davenport	-	Present

Also present: James Williams, Director of Operations; Brian Tipton, General Counsel; Dan Olshefski, Chief Financial Officer; Jamie Banghart, Recording Secretary.

The Pledge of Allegiance was led by Chairman Davenport.

Mr. Davenport read the following statement: “Adequate notice of this meeting of February 23, 2015 was given in accordance with the Open Public Meetings Act by forwarding a schedule of regular meetings of the Pollution Control Financing Authority of Warren County (PCFAWC) to the Warren County Clerk, the Warren County Board of Chosen Freeholders, the Express Times, and by posting a copy thereof on the bulletin board in the office of the PCFAWC. Formal action may be taken by the PCFAWC at this meeting. Public participation is encouraged”.

ANNUAL REORGANIZATION OF THE AUTHORITY

Mr. Williams assumed the Chair and asked for Nominations and Election of Officers for Chairperson of the Authority.

**Mr. Mach** nominated Mr. Robert Davenport as Chairperson, seconded by **Mrs. Mackey**.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

Mr. Davenport was elected as Chairperson.

Mr. Davenport, the newly elected, assumed the Chair for the remainder of the meeting.

**Mrs. Mackey** nominated Mr. Richard Mach as Vice Chairman, seconded by **Mr. Davenport**.

ROLL CALL:     Mr. Cannon           -     Yes  
                  Mrs. Mackey           -     Yes  
                  Mr. Yanoff           -     Yes  
                  Mr. Mach           -     Yes  
                  Mr. Davenport       -     Yes

Mr. Mach was elected as Vice Chairman.

**Mr. Mach** nominated Mrs. Holly Mackey as Secretary, seconded by **Mr. Cannon**.

ROLL CALL:     Mr. Cannon           -     Yes  
                  Mrs. Mackey           -     Yes  
                  Mr. Yanoff           -     Yes  
                  Mr. Mach           -     Yes  
                  Mr. Davenport       -     Yes

Mrs. Mackey was elected as Secretary.

**Mr. Davenport** nominated Mr. Todd Yanoff as Treasurer, seconded by **Mr. Mach**.

ROLL CALL:     Mr. Cannon           -     Yes  
                  Mrs. Mackey           -     Yes  
                  Mr. Yanoff           -     Yes  
                  Mr. Mach           -     Yes  
                  Mr. Davenport       -     Yes

Mr. Yanoff was elected as Treasurer.

## MINUTES

Mr. Davenport presented the executive session meeting minutes from December 8, 2014.

**Mrs. Mackey** made a motion to approve the executive session minutes as presented, seconded by **Mr. Cannon**.

ROLL CALL:     Mr. Cannon           -     Yes  
                  Mrs. Mackey           -     Yes  
                  Mr. Yanoff           -     Abstain  
                  Mr. Mach           -     Abstain  
                  Mr. Davenport       -     Yes

Mr. Davenport presented the regular monthly meeting minutes from January 26, 2015.

**Mr. Yanoff** made a motion to approve the minutes as presented, seconded by **Mr. Davenport**.

ROLL CALL:     Mr. Cannon           -     Yes  
                  Mrs. Mackey           -     Abstain  
                  Mr. Yanoff           -     Yes  
                  Mr. Mach           -     Yes  
                  Mr. Davenport       -     Yes

Mr. Davenport presented the executive session meeting minutes from January 26, 2015.

**Mrs. Cannon** made a motion to approve the executive session minutes as presented, seconded by **Mr. Davenport**.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Abstain
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

## ANNUAL RESOLUTIONS

Mr. Davenport presented the series of annual resolutions.

**Mrs. Mackey** made a motion to approve the following resolutions as a group, Resolution Authorizing Signatures Fiscal Year 2015 (R-02-01-15), Resolution Authorizing the Chief Financial Officer's Office to Maintain a Petty Cash Fund in the Amount of \$100.00 for Fiscal year 2015 (R-02-02-15), Resolution Authorizing the Chief Financial Officer's Office to Maintain a Petty Cash Fund in the Amount of \$200.00 for the Scale House for the Fiscal year 2015 (R-02-03-15), Resolution Designating a Public Agency Compliance Officer (R-02-04-15), Resolution Designating Custodian of Records (R-02-05-15), Resolution to participate in the State of New Jersey's Distribution and Support Service for the Fiscal Year 2015 (R-02-06-15), seconded by **Mr. Mach**.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

On a motion by **Mrs. Mackey**, seconded by **Mr. Mach**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*

## **RESOLUTION R-02-01-15 AUTHORIZING SIGNATURES FOR FISCAL YEAR 2015**

BE IT RESOLVED, by Authority of the Pollution Control Financing Authority of Warren County that the following are hereby authorized to sign checks or withdrawal slips where a combination of two signatures is required and;

BE IT FURTHER RESOLVED that where two signatures are required, one of the signatures must be the Chairperson or Treasurer and the second signature must be the Director of Operations or the Chief Financial Officer;

CHAIRPERSON  
TREASURER  
DIRECTOR OF OPERATIONS  
CHIEF FINANCIAL OFFICER

BE IT FURTHER RESOLVED, that signature cards with the signatures of the persons authorized to sign be forwarded to all Depositories.

ROLL CALL:     Mr. Cannon           -     Yes  
                  Mrs. Mackey           -     Yes  
                  Mr. Yanoff             -     Yes  
                  Mr. Mach               -     Yes  
                  Mr. Davenport       -     Yes

Dated:   02/23/15

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

On a motion by *Mrs. Mackey*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*.

**RESOLUTION**  
**R-02-02-15**

**AUTHORIZING THE CHIEF FINANCIAL OFFICER'S OFFICE  
TO MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$100.00  
FOR FISCAL YEAR 2015**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Chief Financial Officer's office for the Pollution Control Financing Authority of Warren County; and

WHEREAS, said Petty Cash Fund was established by resolution dated February 2, 1994, by the Pollution Control Financing Authority of Warren County; and

WHEREAS, said Petty Cash Fund received approval from the Director of Local Government Services; and

NOW THEREFORE, be it resolved on this **Twenty third** day of **February, 2015**, by the members of the Pollution Control Financing Authority of Warren County, that;

1. During the year 2015, the Chief Financial Officer, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.
2. The Chief Financial Officer, having been bonded, will have custody of the Petty Cash Fund in accordance with the laws and regulations governing its operation.

ROLL CALL:     Mr. Cannon           -     Yes  
                  Mrs. Mackey         -     Yes  
                  Mr. Yanoff           -     Yes  
                  Mr. Mach             -     Yes  
                  Mr. Davenport       -     Yes

Dated:    *February 23, 2015*

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

On a motion by *Mrs. Mackey*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*

**RESOLUTION**  
**R-02-03-15**

**AUTHORIZING THE CHIEF FINANCIAL OFFICER'S OFFICE  
TO MAINTAIN A PETTY CASH FUND  
DESIGNATED FOR SCALE HOUSE USE FOR FISCAL YEAR 2015**

WHEREAS, N.J.S.A. 40A:5-21 designated a Petty Cash Fund for the Pollution Control Financing Authority of Warren County for Scale House use; and

WHEREAS, said Petty Cash Fund was established by resolution dated February 2, 1994, by the Pollution Control Financing Authority of Warren County and approved by the Director of Local Government Services; and

NOW THEREFORE, be it resolved on the **Twenty third** day of **February 2015** by the members of the Pollution Control Financing Authority of Warren County, that;

1. During the year 2015, the Chief Financial Officer be, and is, hereby authorized and permitted to maintain the current Petty Cash Fund at the scale House in the amount not to exceed \$200.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Scale House Petty Cash Fund is designated for use by the Scale House operator to make change for residents using the convenience center.
2. The Chief Financial Officer, having been bonded will have custody of the Petty Cash Fund in accordance with the laws and regulations governing its operation.

ROLL CALL:     Mr. Cannon           -     Yes  
                   Mrs. Mackey           -     Yes  
                   Mr. Yanoff            -     Yes  
                   Mr. Mach               -     Yes  
                   Mr. Davenport       -     Yes

Dated:    *February 23, 2015*

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

On a motion by *Mrs. Mackey*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*

**R E S O L U T I O N**  
**R-02-04-15**

**DESIGNATING A PUBLIC  
 AGENCY COMPLIANCE OFFICER (P.A.C.O.)**

WHEREAS, there exists a need for a designated public agency compliance officer (P.A.C.O.) for the Pollution Control Financing Authority of Warren County in order to meet its responsibilities under the law;

NOW THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County that the Authority's Chief Financial Officer, *Daniel Olshefski*, be appointed as the designated Public Agency Compliance Officer (P.A.C.O.) to insure that all contracts have Affirmative Action language incorporated.

ROLL CALL: Mr. Cannon - Yes  
Mrs. Mackey - Yes  
Mr. Yanoff - Yes  
Mr. Mach - Yes  
Mr. Davenport - Yes

Date: *February 23, 2015*

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

On a motion by *Mrs. Mackey*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*

## RESOLUTION

**R-02-05-15**

### DESIGNATING A CUSTODIAN OF RECORDS

WHEREAS, there exists a need for a designated Custodian of Records for the Pollution Control Financing Authority of Warren County in order to meet its responsibilities under the law;

NOW THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County that the Authority's **Director of Operations**, be appointed as the designated Custodian of Records in accordance with the Open Public Records Act (OPRA) (P.L. 2001, c. 404).

ROLL CALL: Mr. Cannon - Yes  
Mrs. Mackey - Yes  
Mr. Yanoff - Yes  
Mr. Mach - Yes  
Mr. Davenport - Yes

Date: *February 23, 2015*

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

On a motion by *Mrs. Mackey*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*

**R E S O L U T I O N**  
**R-02-06-15**

**TO PARTICIPATE IN THE STATE OF NEW JERSEY'S  
DISTRIBUTION AND SUPPORT SERVICE  
FISCAL YEAR 2015**

WHEREAS, in the past, the Pollution Control Financing Authority of Warren County has availed itself to the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, it is contemplated that it will be necessary or desirable to obtain materials, supplies or equipment under such contract or contracts entered into on behalf of the State of New Jersey by said Division during the year 2015;

NOW, THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County, that it is hereby authorized to purchase such materials, supplies and equipment from the Division of Purchase and Property in the Department of the Treasury, pursuant to N.J.S.A. 40A:11-12 and N.J.S.A. 40A:11-3, as it may from time to time deem necessary or desirable.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

Dated: *February 23, 2015*

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary



Mr. Davenport presented the draft 2015 Meeting Schedule. Mr. Cannon questioned the changes made on some of the meeting dates. Mr. Williams stated that May's meeting date was changed due to Memorial Day. August's meeting date was changed because Mr. Williams will be away. November's meeting was moved up a week because of Thanksgiving. December's meeting date was moved because of Christmas.

On a motion by **Mr. Mach**, seconded by **Mrs. Mackey**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*.

## **RESOLUTION**

**R-02-07-15**

### **ADOPT THE 2015 POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY MONTHLY MEETING SCHEDULE**

WHEREAS, this Pollution Control Financing Authority of Warren County Monthly Meeting Schedule is prepared pursuant to the direction of the Pollution Control Financing Authority of Warren County (PCFAWC) (the "Authority");

WHEREAS, the attached Monthly Meeting Schedule is published and posted, to inform the public as to when the monthly meeting will be schedule for the year 2015;

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Pollution Control Financing Authority of Warren County, at an open public meeting held on February 23, 2015, the 2015 Monthly Meeting Schedule (attached) is hereby adopted.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

Dated: *February 23, 2015*

## 2015 MEETING SCHEDULE

January 26 <sup>th</sup>	9:00 AM	July 27 <sup>th</sup>	9:00 AM
February 23 <sup>rd</sup>	9:00 AM	*August 17 <sup>th</sup>	9:00 AM
March 23 <sup>rd</sup>	9:00 AM	September 28 <sup>th</sup>	9:00 AM
April 27 <sup>th</sup>	9:00 AM	October 26 <sup>th</sup>	9:00 AM
*May 26 <sup>th</sup>	9:00 AM	*November 16 <sup>th</sup>	9:00 AM
June 22 <sup>nd</sup>	9:00 AM	*December 14 <sup>th</sup>	9:00AM

### 2016

<i>January 25, 2016</i>	9:00 AM	<i>February 22, 2016</i>	9:00 AM
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Regular meetings will be held  
the fourth Monday of the Month,  
unless noted by \* above, at the  
PCFA Administration Building  
Lower Level Meeting Room  
500 Mt. Pisgah Avenue

Mr. Davenport presented the following resolutions (R-02-08-15, R-02-09-15, R-02-10-15 and R-02-11-15) to be approved. Mr. Mach stated he would like the Resolution Designating the Express Times as the Official Newspaper for Advertising Public Notices (R-02-08-15) pulled for discussion.

**Mrs. Mackey** made a motion to approve the following resolutions as a group, Resolution Adopting the 2015 Cash Management Plan (R-02-09-15), Resolution Adopting the Identity Theft Policy (R-02-10-15), and Resolution to Appoint the Exclusive Broker of Record to Wells Fargo Ins. Services (R-02-11-15), seconded by **Mr. Cannon**.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

**POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY**

**R-02-09-15**

**RESOLUTION ADOPTING A CASH MANAGEMENT PLAN DESIGNATING  
OFFICIALS AUTHORIZED TO INVEST AND DISBURSE FUNDS, AUTHORIZED  
DEPOSITORIES, PERMITTED INVESTMENTS AND REPORTING  
REQUIREMENTS FOR THE POLLUTION CONTROL FINANCING  
AUTHORITY OF WARREN COUNTY**

BE IT RESOLVED, by the Pollution Control Financing Authority of Warren County that from February 23, 2015 the following shall serve as the cash management plan.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Pollution Control Financing Authority of Warren County's funds.

**CASH MANAGEMENT PLAN FOR THE  
POLLUTION CONTROL FINANCING  
AUTHORITY OF WARREN COUNTY**

I. STATEMENT OF PURPOSE.

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investments ("Permitted Investments"), pursuant to NJSA 40A:5-15.1, of certain public funds of the Pollution Control Financing Authority of Warren County (PCFAWC), pending the use of such funds for the intended purposes. The plan is intended to assure that all public funds identified herein are deposited in interest bearing deposits, to the extent practicable, or otherwise invested in investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done so to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested and to minimize the risk to the market value of such Deposits or Permitted Investments. All investments shall be made on a competitive basis insofar as practicable.

**II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN AND OFFICIAL DEPOSITORIES.**

The Plan is intended to cover the deposit and/or investment of authority owned funds of the PCFAWC in authorized institutions which are GUDPA certified pursuant to the provisions of NJSA 17:9-44; (the "Official Depositories").

The following banks and financial institutions and / or their successors are hereby designated as Official Depositories for the deposit of all public funds, including any certificates of deposit, referred to in the plan which are not otherwise invested in Permitted Investments as provided for in this plan: Bank of America, TD Bank, First Hope Bank, IRCO Credit Union, Morgan Stanley Smith Barney, Investors Bank, Lakeland Bank, Public Financial Management (PFM), PNC Bank, Fulton Bank of NJ/Fulton Financial, Santander Bank, Provident Bank, Visions Federal Credit Union, Valley National Bank, Unity Bank, and Wells Fargo.

All such depositories shall acknowledge in written receipt of this Plan by sending a copy of such acknowledgement to the Chief Financial Officer.

Additionally, pursuant to NJSA 40A:5-14g, any official involved in the designation of depositories or in the authorization for investments as permitted pursuant to section 8 of PL 1977, c396 (C.40A:5-15.1), or any combination of the preceding, or the selection of an entity seeking to sell and investment to the Authority who has a material business or personal relationship with that organization shall disclose that relationship to the governing body of the Authority.

**III. DESIGNATION OF OFFICIALS OF THE PCFAWC AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.**

Upon consultation with the Finance Committee members and Director of Operations, the Chief Financial Officer (the Designated Official) of the PCFAWC is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the PCFAWC are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

**IV. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIAL MAY DEAL.**

The following brokerage firms and/or dealers and other institutions and / or their successors are hereby designated as firms with whom the Chief Financial Officer of the PCFAWC may deal for the purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits: Bank of America, TD Wealth Management, First Hope Bank, PNC Bank, Fulton Bank of NJ/ Fulton Financial, Investors Bank, IRCO Credit Union, Santander Bank, Provident Bank, Visions Federal Credit Union, Valley National Bank, Lakeland Bank and Wells Fargo.

All such brokerage firms and/or dealers shall acknowledge in writing the receipt of this Plan by sending a copy of such acknowledgment to the Chief Financial Officer.

Pursuant to NJSA 40A:5-15.1 and as disclosed in Section V below, the securities dealers' retained by the Authority will comply with said statute and Section V when acting on behalf of the Authority in any and all financial transactions.

## V. AUTHORIZED INVESTMENTS.

Except as otherwise specifically provided for herein, the Chief Financial Officer, upon consultation with the Finance Committee and Director of Operations of the PCFAWC, is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- A. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- B. Government Money Market Mutual Funds;
- C. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- D. Bonds or other obligations of the Authority;
- E. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- F. Local Government Investment Pools;
- G. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281(C.52 : 18A-90.4); or
- H. Agreements for the repurchase of fully collateralized securities if:
  - 1. the underlying securities are permitted investments pursuant to paragraphs 1 and 3 of this subsection a;
  - 2. the custody of collateral is transferred to a third party;
  - 3. the maturity of the agreement is not more than 30 days;
  - 4. the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17: 9 - 41); and
  - 5. a master repurchase agreement providing for the custody and security of collateral is executed.
- I. Any investment instruments in which the security is not physically held by the Authority shall be covered by a third party custodial agreement which shall provide for the designation of such investments in the name of the Authority and prevent unauthorized use of such investments;
- J. Purchase of investment securities shall be executed by the "delivery versus payment" method to ensure that the securities are either received by the Authority or a third party custodian prior to or upon release of the Authority's funds;

- K. Any investments not purchased and redeemed directly from the issuer, government money market mutual fund, local government investment pool, or the State of New Jersey Cash Management Fund, shall be purchased and redeemed through the use of a nation or State bank located within the State or through a broker/dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967, c. 93 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- a. which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7;
- b. the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- c. which has:
  - i. attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - ii. retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- a. which has managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b. which is rated in the highest category by a nationally recognized statistical rating organization;
- c. which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- d. which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52: 14b-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for the disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of investments;

- e. which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f. which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a State or national bank located within this State, or through a broker/dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49 : 3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

#### IV. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the PCFAWC, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the PCFAWC to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the PCFAWC or by a third party custodian prior to or upon the release of the PCFAWC's funds.

Pursuant to NJSA 40A:5-15, all Authority funds shall be deposited within 48 hours of receipt.

To assure that all parties with whom the PCFAWC deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Chief Financial Officer.

#### VII. REPORTING REQUIREMENTS.

The Chief Financial Officer shall supply to the governing body of the PCFAWC a written report each month listing all Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the PCFAWC as a Deposit or Permitted Investment.
- B. The type and amount of securities or certificates of deposit purchased or sold during the immediately preceding month.
- C. The book value at month end of such Deposits or Permitted Investments.
- D. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity.
- E. The fees incurred to undertake such Deposits or Permitted Investments.
- F. All other information which may be deemed reasonable from time to time by the governing body of the PCFAWC.

#### VIII. TERM OF PLAN

This plan shall be in effect from February 23, 2015 until such time as it is amended or superseded by a subsequent plan. Attached to this Plan is a resolution of the governing body of the PCFAWC approving the Plan.

#### IX. INVESTMENT STRATEGIES

In order to ensure liquidity to meet the Authority's daily, ongoing cash needs as well as allow longer term investments to gain enhanced returns on our monies the following strategies will be employed. Additionally, all invested funds must be maintained to comply with the provisions of NJSA 40A:5-15.1 ("Securities which may be purchased by local units").

The Chief Financial Officer of the PCFA of Warren County will implement the following procedures on behalf of the PCFA:

- A. In order for the PCFAWC to meet all of its operational obligations including payroll, accounts payable and pension contributions, a minimum of 10% of the current fiscal year's adopted budget will be reserved to meet the operational cash flow requirements. These funds must provide sufficient liquidity for the daily operations of the Authority.
- B. A Capital & Construction account shall be maintained to segregate and reserve funds needed to meet the financial requirements of large scale capital improvement and/or construction projects. Typically these expenditures are large scale, non-recurring projects that have a useful life of greater than one year. The balance maintained in the account will be determined by the five year capital improvement plan included in the Authority's Annual Budget submitted to the New Jersey Department of Community Affairs, Division of Local Government Services. The balance in this account shall be sufficient to meet the projected expenditures incurred during the current fiscal year and to minimize the need to issue debt to finance future year capital projects.
- C. A Haulers account shall be maintained at an amount equal to or greater than 25% of the operating budget. This account will be used to retain funds to insure sufficient finances exist if a drastic change in the solid waste disposal market should occur. Specifically, this account will provide a safety net should there be a shortfall in revenue that would materially impair the Authority's ability to operate on a daily basis. If



operations at the Authority cease, any remaining funds in this account will be transferred to the Supplementary Closure Account.

- D. State law requires the creation of a trust fund specifically dedicated to the maintenance of the Warren County District Landfill Closure and Post-Closure care. The estimate for the closure/post-closure maintenance of the landfill is contained in the most recent Closure/Post-Closure Maintenance Plan approved by the New Jersey Department of Environmental Protection. There are currently two funds in existence, the Warren County Landfill Closure Escrow Trust Fund and the Warren County Landfill Alternate Closure Escrow Trust Fund. Both funds are controlled by the New Jersey Department of Environmental Protection. The Closure/Post-Closure Maintenance Plan must be updated bi-annually, all changes in anticipated costs associated with the closure are reviewed and the funding level in the closure investments is adjusted to reflect these changes. Investments in the Funds are administered in accordance with NJSA 7:26-2A.9(b) and the NJDEP standard escrow agreements which permits investments up to 10 years in duration.
- E. The Authority Board authorized a third closure trust fund called the Supplementary Closure Account to be used for the Warren County District Landfill Closure and Post-Closure care. These funds are maintained in a separate account under the control of the Authority and will be used to supplement the Landfill Closure Escrow Trust Fund and the Landfill Alternate Closure Escrow Trust Fund. Investments in the Funds are administered in accordance with NJSA 7:26-2A.9(b) and the NJDEP standard escrow agreements which permits investments up to 10 years in duration. The funds may be used to finance improvements in connection with the Landfill Closure and Post-Closure care at the Authority Board's discretion.

On motion by *Mrs. Mackey*, seconded by *Mr. Cannon*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County on **February 23, 2015**.

Holly Mackey, Secretary

Date 02/23/15

Recorded Vote:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date indicated.

Jamie Banghart, Recording Secretary

On a motion by *Mrs. Mackey*, seconded by *Mr. Cannon*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*

**RESOLUTION**  
**R-02-10-15**

**A RESOLUTION ADOPTING AN IDENTITY THEFT POLICY**

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated; and

WHEREAS, those rules became effective December 31, 2010, and require municipal utilities to implement an identity theft program and policy, and

WHEREAS, the Pollution Control Financing Authority of Warren County in the county of Warren has determined that the following policy is in the best interest of the Authority and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Pollution Control Financing Authority of Warren County that the Authority's Administrative Supervisor be appointed as the designated administrator of the Identity Theft Policy annexed hereto and hereby approved:

This resolution will take effect immediately upon its passage, the public welfare requiring it.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

Date: *February 23, 2015*

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

# **Identity Theft Policy of the POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY**

## **SECTION 1: BACKGROUND**

The risk to the Authority, its employees and customers from data loss and identity theft is of significant concern to the Authority and can be reduced only through the combined efforts of every employee and contractor.

## **SECTION 2: PURPOSE**

The Pollution Control Financing Authority of Warren County adopts this sensitive information policy to help protect employees, customers, contractors and the Authority from damages related to the loss or misuse of sensitive information.

This policy will:

1. Define sensitive information;
2. Describe the physical security of data when it is printed on paper;
3. Describe the electronic security of data when stored and distributed; and
4. Place the Pollution Control Financing Authority of Warren County in compliance with state and federal law regarding identity theft protection.

This policy enables the Authority to protect existing customers, reducing risk from identity fraud, and minimize potential damage to the Authority from fraudulent new accounts. The program will help the Authority:

1. Identify risks that signify potentially fraudulent activity within new or existing covered accounts;
2. Detect risks when they occur in covered accounts;
3. Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed; and
4. Update the program periodically, including reviewing the accounts that are covered and the identified risks that are part of the program.

## **SECTION 3: SCOPE**

This policy and protection program applies to employees, contractors, consultants, temporary workers, and other workers at the Authority, including all personnel affiliated with third parties.

## **SECTION 4: POLICY**

### **4.A: Sensitive Information Policy**

#### **4.A.1: Definition of Sensitive Information**

Sensitive information includes the following items whether stored in electronic or printed format:

**4.A.1.a:** Tax identification numbers, including:

1. Social Security number
2. Business identification number
3. Employer identification numbers

**4.A.1.b:** Payroll information, including, among other information:

1. Paychecks
2. Pay stubs

**4.A.1.c:** Medical information for any employee, including but not limited to:

1. Doctor names and claims
2. Insurance claims
3. Prescriptions
4. Any related personal medical information

**4.A.1.d:** Other personal information belonging to any customer, employee or contractor, examples of which include:

1. Names
2. Address
3. Customer number
4. Phone numbers
5. Maiden name
6. Date of birth

**4.A.1.e:** Authority personnel are encouraged to use common sense judgment in securing confidential information to the proper extent. Furthermore, this section should be read in conjunction with the Open Public Records Act. If an employee is uncertain of the sensitivity of a particular piece of information, the employee should contact their supervisor. In the event that the Authority cannot resolve a conflict between this policy and the Open Public Records Act, the Authority will contact the Government Records Council.

#### **4.A.2: Hard Copy Distribution**

Each employee and contractor performing work for the Authority will comply with the following policies:

1. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with sensitive information will be locked when not in use.
2. Storage rooms containing documents with sensitive information and record retention areas will be locked at the end of each workday or when unsupervised.
3. Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing sensitive information when not in use.
4. Whiteboards, dry-erase boards, writing tablets, etc. in common shared work areas will be erased, removed, or shredded when not in use.

5. When documents containing sensitive information are discarded they will be placed inside a locked shred bin or immediately shredded using a mechanical cross cut or Department of Defense (DOD)-approved shredding device. Locked shred bins are labeled “*Confidential paper shredding and recycling.*” Authority records, however, may only be destroyed in accordance with the Authority’s records retention policy.

#### **4.A.3: Electronic Distribution**

Each employee and contractor performing work for the Pollution Control Financing Authority of Warren County will comply with the following policies:

1. Internally, sensitive information may be transmitted using approved e-mail. All sensitive information must be encrypted when stored in an electronic format.
2. Any sensitive information sent externally must be encrypted and password protected and only to approved recipients. Additionally, a statement such as this should be included in the e-mail: “*This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.*”

### **SECTION 5: ADDITIONAL IDENTITY THEFT PREVENTION PROGRAM**

If the Authority maintains certain covered accounts pursuant to federal legislation, the Authority may include the additional program details.

#### **5.A: Covered Accounts**

A covered account includes any account that involves or is designed to permit multiple payments or transactions. Every new and existing customer account that meets the following criteria is covered by this program:

1. Business, personal and household accounts for which there is a reasonably foreseeable risk of identity theft; or
2. Business, personal and household accounts for which there is a reasonably foreseeable risk to the safety or soundness of the Pollution Control Financing Authority of Warren County from identity theft, including financial, operational, compliance, reputation, or litigation risks.

#### **5.B: Red Flags**

**5.B.1:** The following red flags are potential indicators of fraud. Any time a red flag, or a situation closely resembling a red flag, is apparent, it should be investigated for verification.

1. Alerts, notifications or warnings from a consumer reporting agency;
2. A fraud or active duty alert included with a consumer report;
3. A notice of credit freeze from a consumer reporting agency in response to a request for a consumer report; or
4. A notice of address discrepancy from a consumer reporting agency as defined in § 334.82(b) of the Fairness and Accuracy in Credit Transactions Act.

**5.B.2:** Red flags also include consumer reports that indicate a pattern of activity inconsistent with the history and usual pattern of activity of an applicant or customer, such as:

- A recent and significant increase in the volume of inquiries;
- An unusual number of recently established credit relationships;
- A material change in the use of credit, especially with respect to recently established credit relationships; or

- An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.

### **5.C: Suspicious Documents**

**5.C.1:** Documents provided for identification that appear to have been altered or forged.

**5.C.2:** The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.

**5.C.3:** Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.

**5.C.4:** Other information on the identification is not consistent with readily accessible information that is on file with the Authority, such as a signature card or a recent check.

**5.C.5:** An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

### **5.D: Suspicious Personal Identifying Information**

**5.D.1:** Personal identifying information provided is inconsistent when compared against external information sources used by the Authority. For example:

- The address does not match any address in the consumer report;
- The Social Security Number (SSN) has not been issued or is listed on the Social Security Administration's Death Master File; or
- Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer. For example, there is a lack of correlation between the SSN range and date of birth.

**5.D.2:** Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the Authority. For example, the address on an application is the same as the address provided on a fraudulent application.

**5.D.3:** Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the Authority. For example:

- The address on an application is fictitious, a mail drop, or a prison; or
- The phone number is invalid or is associated with a pager or answering service.

**5.D.4:** The SSN provided is the same as that submitted by other persons opening an account or other customers.

**5.D.5:** The address or telephone number provided is the same as or similar to the address or telephone number submitted by an unusually large number of other customers or other persons opening accounts.

**5.D.6:** The customer or the person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.

**5.D.7:** Personal identifying information provided is not consistent with personal identifying information that is on file with the Authority.

**5.D.8:** When using security questions (mother's maiden name, pet's name, etc.), the person opening the covered account or the customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

## **5.E: Unusual use of, or suspicious activity related to, the covered account**

**5.E.1:** Shortly following the notice of a change of address for a covered account, the Authority receives a request for new, additional, or replacement goods or services, or for the addition of authorized users on the account.

**5.E.2:** A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns. For example, the customer fails to make the first payment or makes an initial payment but no subsequent payments.

**5.E.3:** A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:

- Nonpayment when there is no history of late or missed payments;
- A material change in purchasing or usage patterns.

**5.E.4:** A covered account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).

**5.E.5:** Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's covered account.

**5.E.6:** The Authority is notified that the customer is not receiving paper account statements.

**5.E.7:** The Authority is notified of unauthorized charges or transactions in connection with a customer's covered account.

**5.E.8:** The Authority receives notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the Authority.

**5.E.9:** The Authority is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

## **SECTION 6: RESPONDING TO RED FLAGS**

**6.A:** Once potentially fraudulent activity is detected, an employee must act quickly as a rapid appropriate response can protect customers and the Authority from damages and loss.

**6.A.1:** Once potentially fraudulent activity is detected, gather all related documentation and write a description of the situation. Present this information to the designated authority for determination.

**6.A.2:** The designated authority will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.

**6.B:** If a transaction is determined to be fraudulent, appropriate actions must be taken immediately. Actions may include:

1. Canceling the transaction;
2. Notifying and cooperating with appropriate law enforcement;
3. Determining the extent of liability of the Authority; and
4. Notifying the actual customer that fraud has been attempted.

## **SECTION 7: PERIODIC UPDATES TO PLAN**

**7.A:** At periodic intervals established in the program, or as required, the program will be re-evaluated to determine whether all aspects of the program are up to date and applicable in the current business environment.

**7.B:** Periodic reviews will include an assessment of which accounts are covered by the program.

**7.C:** As part of the review, red flags may be revised, replaced or eliminated. Defining new red flags may also be appropriate.

**7.D:** Actions to take in the event that fraudulent activity is discovered may also require revision to reduce damage to the Authority and its customers.

## **SECTION 8: PROGRAM ADMINISTRATION**

### **8.A: Involvement of management**

1. The Identity Theft Prevention Program shall not be operated as an extension to existing fraud prevention programs, and its importance warrants the highest level of attention.
2. The Identity Theft Prevention Program is the responsibility of the governing body. Approval of the initial plan must be appropriately documented and maintained.
3. Operational responsibility of the program is delegated to the **Administrative Supervisor**.

### **8.B: Staff training**

1. Staff training shall be conducted for all employees, officials and contractors for whom it is reasonably foreseeable that they may come into contact with accounts or personally identifiable information that may constitute a risk to the Authority or its customers.
2. **The Administrative Supervisor** is responsible for ensuring identity theft training for all requisite employees and contractors.
3. Employees must receive annual training in all elements of this policy.
4. To ensure maximum effectiveness, employees may continue to receive additional training as changes to the program are made.

### **8.C: Oversight of service provider arrangements**

1. It is the responsibility of the Authority to ensure that the activities of all service providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.
2. A service provider that maintains its own identity theft prevention program, consistent with the guidance of the red flag rules and validated by appropriate due diligence, may be considered to be meeting these requirements.
3. Any specific requirements should be specifically addressed in the appropriate contract arrangements.



On a motion by *Mrs. Mackey*, seconded by *Mr. Cannon*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*.

**RESOLUTION**

**R-02-11-15**

**TO APPOINT THE EXCLUSIVE BROKER OF RECORD TO  
WELLS FARGO INSURANCE SERVICES USA, INC.**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-5, et. seq.) requires that a resolution authorizing the award of contracts for professional services without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the appointment of Exclusive Broker of Record to Wells Fargo Insurance Services USA, Inc., will require no compensation from the Pollution Control Financing Authority; and

**NOW, THEREFORE, BE IT RESOLVED** by the Pollution Control Financing Authority of the County of Warren in the State of New Jersey as follows:

1. Wells Fargo Insurances Services USA, Inc. (John Daly) shall be appointed Exclusive Broker of Record, their successors and/or assigns with a 30 day termination provision, and that;

2. An agreement between the Pollution Control Financing Authority of the County of Warren, Oxford, New Jersey and Wells Fargo Insurance Services USA, Inc., located at 7 Giralda Farms, 2<sup>ND</sup> Floor, Madison, New Jersey, for Broker of Record services with the Pollution Control Financing Authority be made part of this resolution by reference and approved and entered into by the Pollution Control Financing Authority Board of the County of Warren subject to approval of Counsel;

3. The Chairperson is hereby authorized to execute said Professional Services Agreement by signing same;

<b>ROLL CALL:</b>	Mr. Cannon	–	Yes
	Mrs. Mackey	–	Yes
	Mr. Yanoff	–	Yes
	Mr. Mach	–	Yes
	Mr. Davenport	–	Yes

**I HEREBY CERTIFY** the above to be a true copy of a motion adopted by the Pollution Control Financing Authority of the County of Warren on the date above mentioned.

Jamie Banghart, Recording Secretary

Approved: February 23, 2015

Mr. Davenport presented Resolution Designating the Express Times as the Official Newspaper for Advertising Public Notices (R-02-08-15).

Mr. Mach had a comment for consideration for the Board, would we be better served by the Star-Ledger? Mr. Williams questioned Mr. Tipton if we could name two (2) Official Newspapers? Mr. Tipton stated that he has seen towns with two (2) newspapers. Mr. Mach suggested that we go with the Star-Ledger for general circulation purposes. Mr. Mach made a recommendation to change the resolution to include the Star-Ledger. A discussion was held among the Board members regarding the Star-Ledger and/or the Express-Times as the Official Newspaper. If two (2) newspapers are chosen as the Official Newspaper, then both newspapers would have to run the public notices, which would incur a higher advertising cost per notice.

The resolution will be tabled until Mr. Tipton researches having one (1) and/or two (2) newspapers as the Official Newspaper for advertising public notices.

#### CORRESPONDENCE

None

#### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

#### PRESENTATIONS

None

#### FACILITIES/RECYCLING

Mr. Williams presented the Emergency Resolution for the Media replacement in the H2S System. Mr. Williams stated that this has been completed. This was completed under an emergency procurement. Mr. Williams stated that a motion is needed to accept the Resolution Declaring an Emergency as Provided For By The Local Public Contract Law 40A:11-6 and Authorization For Removal and Replacement of the Media within the H2S Removal System at The Warren County District Landfill To Kline's Services, in the Estimated Contract Amount of \$29,718.00 (R-02-12-15).

On a motion by *Mr. Cannon*, seconded by *Mrs. Mackey* the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on February 23, 2015.

### **R E S O L U T I O N**

**R-02-12-15**

**February 23, 2015**

**DECLARING AN EMERGENCY AS PROVIDED FOR BY  
THE LOCAL PUBLIC CONTRACT LAW 40A:11-6 AND  
AUTHORIZATION FOR REMOVAL AND REPLACEMENT OF THE MEDIA WITHIN  
THE H2S REMOVAL SYSTEM AT THE WARREN COUNTY DISTRICT LANDFILL  
TO**

**KLINE'S SERVICES,  
IN THE ESTIMATED CONTRACT AMOUNT OF  
\$29,718.00**

**WHEREAS**, the Director of Operations, James Williams has reported that there has been a recent increase in the H2S readings exiting all three (3) vessels of the system and may cause an unsafe condition; and

**WHEREAS**, the levels of H2S if they were to continue to increase could cause a hazard;  
and

**WHEREAS**, the Media within the H2S removal System must be replaced as soon as possible to prevent any danger to the public and for the continued compliance with our permit conditions; and

**WHEREAS**, Quotes were obtained and Kline's Services, submitted the lowest responsive and responsible quote received; and

**NOW THEREFORE BE IT RESOLVED**, that the Pollution Control Financing of Warren County hereby declares an emergency situation as provided by the Local Public Contract Law 40A:11-6 and authorizes the removal and replacement of the media within the H2S Removal System at the Warren County Landfill at the earliest possible opportunity.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

Dated: *February 23, 2015*

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

Mr. Williams stated that the RFP was advertised for the Annual Topographic Survey. One bid was received from Hatch Mott MacDonald in the amount of \$10,970.00. Mr. Williams stated that a motion is needed to pass this resolution. Mr. Williams stated that the bid amount is up approximately \$1,400.00 from last year.

Mr. Cannon questioned how the RFP for Annual Topographic Survey was advertised? Mr. Williams stated that this bid was placed on our website. Mr. Cannon stated that the bid should also have been advertised in the Express-Times. Mr. Tipton stated that this is a professional service and we do not have to advertise at all. Mr. Cannon stated that the website does not cover enough people. Mr. Cannon suggested that some of these items should be included for advertising in the Express-Times in the future. Mrs. Mackey suggested placing an ad in newspaper directing to the website for further information.

Mr. Davenport stated that a motion was need to accept Resolution Awarding Contract For Aerial Topographic Survey (R-02-13-15).

On a motion by *Mr. Yanoff*, seconded by *Mrs. Mackey*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on February 23, 2015.

## RESOLUTION

**R-02-13-15**

### AWARDING CONTRACT FOR AERIAL TOPOGRAPHIC SURVEY

WHEREAS, the Regulations of the New Jersey Department of Environmental Protection require an aerial topographic survey of all areas of a sanitary landfill to be completed during the period between January 1, 2015 and March 31, 2015; and

WHEREAS, the Pollution Control Financing Authority of Warren County (Authority) operates a sanitary landfill known as the Warren County District Landfill;

NOW THEREFORE, be it resolved by the Authority that the contract for the completion of the 2015 Aerial Topographic Survey of the Warren County District Landfill, in accordance with Specifications dated January 2015, be awarded to **Hatch Mott MacDonald**. Amount not to exceed **\$10,970.00** as stated in their proposal received February 11, 2015.

BE IT FURTHER RESOLVED, this contract is awarded as fair and open pursuant to N.J.S.A. 19:44A-20.4 et seq.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Date: February 23, 2015  
Jamie Banghart, Recording Secretary

Mr. Williams stated that the treatment plant operations have no issues. He also stated that executive session will be necessary for a brief discussion regarding the pipe issue. Mr. Tipton has some information to share with the Board regarding this matter.

Mr. Williams reported that the landfill operations are running smooth with no issues. The new compactor is running fine with no operational issues.

Mr. Williams reported on the H<sub>2</sub>S Removal System. He stated that the media change out went very smooth. He provided the Board with pictures of how the media was removed. He also stated that the company needed an additional counter weight for the crane, which delayed the project a couple of hours. There were no other issues.

Mr. Williams stated that the H<sub>2</sub>S levels are now in the single digits.

Mr. Cannon suggested that we should document and create a synopsis of the entire media history, including media change out process. Mr. Williams will put together a synopsis for the Board.

Mr. Williams stated that the landfilled materials that had caused this hydrogen sulfide issue, are no longer being accepted. The hydrogen sulfide levels continue to drop. Mr. Williams reported that H<sub>2</sub>S levels were up around 2,000 parts per million in the raw gas, and we are presently at less than 1,000 parts per million. Mr. Williams stated that this is why the media change has lasted this long and not the six (6) months it was originally projected. The hydrogen sulfide has been graphed for the last five (5) to six (6) years, which has shown the numbers trending down.

Mr. Mach questioned Mr. Williams on his thoughts of when do we do the change out again? Mr. Mach stated that we cannot do this on a regular scheduled basis because the hydrogen sulfide levels cannot be predicted. Mr. Williams stated that with graphing the hydrogen sulfide daily, we will be able to monitor more closely any trends. He also suggested that by following the graphs, we may be able to predict a future media change, but this may be very difficult to determine.

Mr. Yanoff questioned if all three vessels are used the same? Mr. Williams stated that we run two vessels at a time. Every two or three days we rotate the use of each vessel. Mr. Yanoff questioned what was unique about the vessel that had a higher hydrogen sulfide reading? Mr. Williams stated that there is nothing unique about it, that the reading just went high. Mr. Williams also reported that H<sub>2</sub>S levels began to trend upwards in the other two vessels as well. The three vessels are equally used.

Mr. Williams explained how the media is placed within the vessels to the Board. The vessel is first flooded with water prior to the media change out. Mr. Williams stated that the reason for flooding the vessel is to lessen the H<sub>2</sub>S and methane levels, which is for safety. There are four layers of the media in nylon baskets within each vessel. The gas enters through the top layer of the vessel, and exits through the bottom. The top layer has the highest concentration of sulfur, which causes this layer to be the heaviest. Each subsequent layer removed became lighter.

Mr. Yanoff questioned Mr. Williams if we have a log of how each of the three vessels were used? Mr. Yanoff would like a graph of the levels showing the decrease/increase in the overall levels of H<sub>2</sub>S in the three vessels. Mr. Williams responded that the information is available and will provide the Board with a graph.

Mr. Williams reported on the Solar Panel Project. Everything is fine with no issues.

FINANCE/PERSONNEL

Mr. Olshefski provided the January monthly report for the Board. Mr. Olshefski stated that the volumes are down due to the reduced cover of ash compared to last year. He stated that we are on track.

Mr. Olshefski stated that executive session is needed regarding the county contribution.

Mr. Davenport stated that a motion was needed to pass the Resolution to Pay Bills (R-02-14-15).

On a motion by **Mr. Mach**, seconded by **Mr. Cannon** the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 23, 2015*.

**R E S O L U T I O N**

**R-02-14-15**

**To Pay Bills – February 23, 2015**

WHEREAS, the Pollution Control Financing Authority of Warren County has been presented with invoices for services, supplies and other materials rendered to it or on its behalf;

NOW, THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County that the following bills be paid:

*See Attached*

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

We hereby certify Resolution to Pay Bills in the amount of **\$471,068.37** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *23<sup>rd</sup>* day of *February 2015*.

Jamie Banghart, Recording Secretary  
James Williams, Director of Operations

Mr. Cannon questioned Mr. Williams on the hauling of the leachate? Mr. Williams stated that since the upgrade at the Oxford Treatment Plant began, the PRMUA has us at a reduced flow. Mr. Williams

stated that with the inclement weather, this has created additional leachate, therefore trucking has increased.

Mr. Williams suggested to the Board that executive session will be necessary regarding waste disposal contracts for contract negotiations.

#### NEW BUSINESS

Mr. Cannon suggested that we need to have a review internally regarding all the programs and the day to day operations for emergency preparedness. Mr. Cannon suggested that we have some data either on disk or book form to cover operations in case of an emergency. Mr. Mackey suggested that Mr. Williams take the emergency procedures from the landfill manuals and copy to an emergency procedure "book". This would be for easier access. Mr. Williams will combine all the existing emergency procedures into a working document.

#### GENERAL COUNSEL'S REPORT

Mr. Tipton reported that he will have discussions for Executive Session.

#### OTHER BUSINESS

None

#### CLOSING PUBLIC COMMENT

None

#### PRESS COMMENTS & QUESTIONS

None

#### EXECUTIVE SESSION

Mr. Tipton stated that Executive Session was necessary for contract negotiation discussion. Executive Session was entered at 9:45 am.

## **RESOLUTION**

**R-02-15-15**

### **AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Authority has a need to discuss the following matter(s) in Executive Session:

## Contractual Matters

It is not possible, at this time, for the Authority to determine when and under what circumstances the above-referenced item(s), which are to be discussed in Executive Session, can be publicly disclosed;

NOW, THEREFORE, Pursuant to N.J.S.A. 10:4-1 et. seq., BE IT RESOLVED by the Pollution Control Financing Authority of Warren County that the matter(s) as noted above will be discussed in Executive Session.

Moved By: ***Mrs. Mackey***

Seconded By: ***Mr. Davenport***

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

Dated: 02/23/15

***Mr. Mach*** made a motion to come out of Executive Session, seconded by ***Mrs. Mackey***.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

Regular session resumed at 10:46 am.

No action was taken in Executive Session.



Mr. Williams stated that the handout of the waste disposal fee schedule of the hauler contracts marked in red will need approval from the Board.

**Mr. Cannon** made a motion to approve the hauler disposal contracts marked in red, seconded by **Mr. Davenport**.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

#### ADJOURNMENT

With no other business to discuss, **Mrs. Mackey** motioned to Adjourn, seconded by **Mr. Yanoff**, at 10:47 am.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Yes
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

Respectfully submitted by:  
Jamie Banghart, Recording Secretary

Approved: 03/23/15