

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

July 27, 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, James Cannon, Bud Allen, and Joseph Pryor.

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| ROLL CALL: | Mr. Allen | - | Present |
| | Mr. Cannon | - | Present |
| | Mr. Pryor | - | Present |
| | Mr. Mach | - | Present |
| | Mr. Davenport | - | Present |

Also present: James Williams, Director of Operations; Brian Tipton, General Counsel; Dan Olshefski, Chief Financial Officer; Freeholder Director Ed Smith; 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 July 27, 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".

Mr. Davenport welcomed Freeholder Director Ed Smith.

MINUTES

Mr. Davenport presented the regular monthly meeting minutes from June 22, 2015.

Mr. Pryor made a motion to approve the regular monthly minutes of June 22, 2015 with a minor correction to page 16, seconded by **Mr. Mach**.

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| ROLL CALL: | Mr. Allen | - | Yes |
| | Mr. Cannon | - | Abstain |
| | Mr. Pryor | - | Yes |
| | Mr. Mach | - | Yes |
| | Mr. Davenport | - | Yes |

Executive Session was not necessary on June 22, 2015.

CORRESPONDENCE

Mr. Williams stated that we received a letter from Mr. Dave Dech to the NJ DEP regarding the submittal of the 2015 Recycling Enhancement Act Tax County Entitlement Program Grand Spending Plan. Mr. Williams stated that this covers our HHW events, Electronics events, and recycling advertisements. This has been submitted to the State. He stated that the grant went from \$110,000.00 to \$114,000.00. He also stated that this is an application that is always submitted by the County and we are the implementing agency. Once this gets approved, the funds come back to us. Mr. Cannon questioned if this is the grant that redistributes to the townships? Mr. Williams replied no. Mr. Cannon questioned that this is not the Clean Community grant money? Mr. Williams replied with that is correct, and that he believes that the Clean Community grant goes to the townships directly.

Mr. Williams presented a letter from the NJ DEP. He stated that this is the administrative completeness letter regarding our Solid Waste Permit Renewal Application. He also stated that this was submitted to the NJ DEP a little over a month ago. The letter came back as administratively complete. He also stated that it is a matter of formality of them going through the motions and issuing us a new Solid Waste Facility Permit. This letter gives us the protection that in the event the current permit expires which is at the end of this month, this letter acts as a continuance of the existing expired permit. Mr. Allen questioned how long is the permit good for? Mr. Williams replied that the permit is good for five years. Mr. Cannon questioned if this permit has anything to do with the other plan submitted for expansion? Mr. Williams stated that this is the permit for the existing landfill as everything sits today. Mr. Williams also stated that Cornerstone will submit the permit for the landfill expansion in April or May. He also stated that unfortunately the State will not wait until next year for the renewal process, they want us to do this now.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

PRESENTATIONS

None

FACILITIES/RECYCLING

Mr. Williams reported that the landfill operations are continuing to run smooth. He stated that the equipment is running properly with no issues. He also stated that the waste is coming in as predicted. We should see a drop off coming at the end of this month or early August regarding the Covanta Essex ash. He stated that they will have made their contractual commitments to us. Mr. Davenport questioned if they are pretty close with doing that? Mr. Williams replied with yes. He also stated that at the beginning of the month, Covanta had 20,000 tons remaining to supply to us for the shortfalls from last year and the previous year. Covanta has been averaging approximately 15,000 to 18,000 tons per month with their deliveries. He stated that prior to our next meeting these deliveries should end.

Mr. Williams presented an update of the tire recycling program. He stated that the program is going very well. The program began on July 2. Mr. Williams reported that we have collected 153 tires from residents which is the \$2.50 per tire, 8 commercial truck tires, which is the \$5.00 per tire, and 21 farm type tractor tires, which is the \$10.00 per tire. This is approximately a little over 180 tires in three to four week period. He stated that we have received a lot of positive phone call responses from individuals. Mr. Cannon questioned if anyone was big orders? Mr. Williams stated that the tires coming in are all 20 or less tires at a time. Mr. Allen stated that these are pickup truck loads. Mr. Williams stated that some are just individual.

Mr. Cannon stated that we have averaged 40 tires per week since we have started. Mr. Mach stated that this is surprising. Mr. Cannon stated that this is tremendous. Mr. Williams gave examples for the Board; the car type tires had a total of 153 tires which generated 35 tickets, the 8 commercial truck tires generated 2 tickets and the 21 farm type tires generated 5 tickets. Mr. Cannon commented that these are great numbers. Mr. Williams stated that the program is working well.

Mr. Cannon stated that word of mouth spread more than advertising. Mr. Williams stated that once the Board approved this after last month's meeting, we sent flyers to the County. The County did a press release. He also stated that we also published in the Express-Times a half page article for the last four weeks. The Health Department and the Mosquito Commission received our flyer for distribution. Mr. Williams stated that this has been a joint effort with everyone involved. Mr. Mach stated that the Warren County Fair is going on right now and questioned if we have anything down there in the County booth? Mr. Williams replied that we do not have anything in there. Mr. Mach suggested we should have the flyer down there. Mr. Williams will check with the Mosquito Commission to see if they have something at fair, if they do not then we will get some flyers over there.

Mr. Cannon stated that with the Clean Community Grant, maybe we can coordinate with the towns that when the kids and groups do roadside cleanups, we could incorporate the cleanups with tires. After the cleanups, the orange bags with garbage are left on the side of the roads to be picked up. He stated that somehow they will get an additional incentive where we wouldn't have to charge them for the tires but they can let us know where the tires are left on the roads. He also stated that maybe we could get some sort of notice to the townships that do participate in the Clean Community Grants, that we now offer this with some sort of incentive. Mr. Williams stated that after our last meeting, we did submit the application to the State for the Bonus Grant for \$25,000.00 for tire recycling. He also stated that this may be the incentive when we get these monies that they can bring the tires that they have collected, where it would actually end up becoming free. Mr. Cannon stated that most of the collections are being done at the township garages by the road guys picking them up. Mr. Tipton stated that he usually sees the jail doing the roadside cleanups. He has seen Boy Scouts, but on a smaller scale. Mr. Cannon stated that just so that the townships are aware of it, that if they get tires, we have a place to get rid of them. Mr. Williams stated that we can get something out there at least to show them our flyer and let them know about the grant that we have applied for.

Mr. Williams stated that the application for the Bonus Grant has been submitted to the State. We are in a waiting mode for hopefully an approval in the very near future. He also stated that we did get an endorsement through the County at their July 22 meeting for that program. It is now a matter of waiting for these funds to come our way and then we can start promoting that program and move

forward. He stated that we will get something out to the municipalities so they can distribute to these support groups. Mr. Cannon stated that he believes that the cleanup time is in the fall. Mr. Tipton stated that most of the orange bagged stuff that you see out, the Sheriff has the community service guys out, but who picks the orange bags up? Is the County road crew who pick them up? Freeholder Smith stated that either that or the municipalities, it depends on where they were dispatched from. Mr. Pryor questioned that if it is on a County road then the County picks them up? Freeholder Smith stated that if it was arranged and this is usually done through the local municipalities.

Mr. Williams reported on the H2S Removal System. Everything is working fine with no issues. He stated that all the meters are working properly. Mr. Davenport questioned if the meters were showing any increase at all? Mr. Williams replied with nothing. He stated that hopefully this does not happen for another year to year in a half. He also stated that we are seeing a decrease on the sour gas side, which is the raw gas H2S levels. As long as we keep seeing this decrease, he stated that it should prolong the life of the media. We will see how this plays out because we had almost a year and half before we performed the prior change out. He suggested that the thing to do is when we start preparing next year's budget, maybe we put a line item in there as a capital project in the event that we have to change out the media later on in the season next year as a precaution.

Mr. Williams reported on the Solar Panel Project. There are no issues and everything is running well. We are still getting our discounts as required through our agreements with DCO Energy.

Mr. Williams stated that we got a couple of new credit card readers for the scale house which was a recommendation from the bank because there is so much fraud going on out there with credit cards. The new credit card readers will read the new chip cards. The new readers are in place. He stated that the banks put out a warning that if we did not do this by October, then we would be liable if a fraudulent card was being used we would have to assume that charge. Therefore, we advanced the readers, and did not wait until October. One new reader in the Administration building and one in the scale house. Mr. Cannon questioned what happens to the old readers? Mr. Williams replied that we have them in the building as a backup in case anything was to happen to the readers in place. Mr. Cannon stated that we are responsible for them? Mr. Williams stated yes. Mr. Cannon stated that if an old reader disappears then it's a real security breach. Mr. Williams stated that the old readers do not store any information. Mr. Cannon stated that you can transmit from it though. Mr. Cannon suggested to Mr. Williams to not let them lay around. Mr. Williams stated that they are under lock and key and there are cameras in the scale house and in this building.

Mr. Williams stated that he was on conference call with the DEP late last week and there is a concern regarding the Avian Flu. The Avian Flu is working its way across the Country. He stated that Iowa is being hit right now. The DEP gave Mr. Williams a call because their concern is that Warren County has the largest chicken farm in the entire State, which is located in Broadway. The phone call included PCFA, Salem County and Monmouth County. The concern is if they have to go in there and euthanize these birds, if the Avian Flu comes in this direction, do they landfill them? Do they bury on site? He stated that these were the discussions that were going on. He also stated that who is taking the lead with is the U.S. Department of Agriculture who will then kick it down to the New Jersey Department of Agriculture, and then to the NJ DEP. Mr. Williams stated that about an hour to an hour and half long discussion occurred if we could

take these if it ended up in Warren County, which they are hoping this does not happen. He stated that this scare came up back in 2007 and it never got to New Jersey but they are thinking that this is a real scare to them this time around because of how quickly it is moving across the Country. They have asked us to take a look at if we were to take all of these birds, when could we accommodate it? The Warren County Broadway location has 1.1 million chickens and how that would project out if they were transported here. He stated that they were saying that it is non-contagious to humans, it cannot be transmitted and that it is only within the birds. They want to make sure they have all of their ducks in the water and lined up properly in the event it does get over here. Whether they eventually are buried on site (which is an option that they may have them do) or they are transported to this facility. He stated that the scare that happens if they are transported to here is they have to have designated truck routes. The containers would have to be sealed properly so they are not spreading the Avian Flu throughout the County as they get over to this location. Then how would we handle them here once they got here? Mr. Williams stated that we had something similar to this happen before, not the Avian Flu but when one of the hen houses caught on fire several years ago, 30,000-50,000 chickens came in here at that time. We created a designated area away from the other working face and truck traffic. He stated that what works to our advantage here is the incinerator ash as a cover material. Mr. Cannon stated that that was roasted chicken, entirely different situation. Mr. William replied exactly. Mr. Williams stated that what happened recently was over at the Pequest Fish Hatchery, where they had to euthanize a large number of fish. We handled that the same way here using the incinerator ash as a cover material. He stated that when they would come in, we would cover it up. Rodents cannot dig through the incinerator ash plus we put enough cover on it and no odors came through.

Mr. Williams stated that they are concerned and are looking for a procedure to be put together if they were to come here, and if we were to be the designated facility and they were not going to be buried onsite, how would we handle them when they got here? They are looking for a protocol to be developed. Mr. Williams stated that he could put this together. He also stated that they are looking for questions if we have questions to ask them. He will put together a rough protocol of how we would handle them when they got here and if the Board has any questions, he will distribute it to everybody.

Mr. Cannon stated that he has more than questions. He thinks outlining as a bigger picture; would we be somehow, someway required to take it? The cost of all this, who is incurring it? Seems as though the farm would be possibly just let off the hook. He would be scared for the PCFA to even offer for us to do that right now until we knew internally what we would be happy or not happy with as opposed to giving them a paper that says here is a procedure that we can do, because you know the way the State works, oh well we got this taken care of, the PCFA got it.

Mr. Williams stated that there were a number of questions that Mr. Cannon brought up that he asked the DEP during this discussion. He also stated that to take that a step further, does anybody on our staff need to inoculated at all? Just to make sure it is not contagious. Mr. Cannon stated that to take it a little further, before they even get a foot in the door, a document outlining a procedure, which is emergency response people want a procedure drawn up so that they can go to, that would be us. This concerns Mr. Cannon to where we would say yes? He questioned if we could still say no and we don't seem to know that? And why do we have to because they cannot force us but it's a slippery slope with those emergency operations people. Mr. Williams stated that another question that he had

was as we all know we are expanding this landfill and wherever these birds are buried (if we do take them in here) will we need to survey this area in for our own protection? He would not want to see us go in this area and sink a gas monitoring well.

Mr. Cannon stated that he honestly does not want them here and his first reaction is no. He thinks incineration is the best solution. Mr. Davenport stated that if they approach Covanta about this he wants to know what their thought is about it. Mr. Williams stated that the practical way to do incineration is to incinerate on site. If anyone has ever seen the operation that Covanta has, it is a grapple type system. He also stated that if these birds come in sealed in bags, when that grapple comes down, it will puncture those bags and now the possibility of the whole pile of waste now becomes contaminated.

Mr. Cannon stated that this can be a problem for whomever in the future because this is not going anywhere. He also stated to have the carcasses in the ground, they really do not know what is going on with the Avian Flu. Mr. Williams stated that this is the concern, does this disease or virus die off over time or could it lay there dormant? These are the questions they would like us to ask. Mr. Williams agrees with Mr. Cannon before we put a protocol on how we would accept them is put our list of questions out there to them. Mr. Cannon questioned does a farmer have insurance that is set up for something like that for a natural disaster? Can they set up a portable incinerator type system on site? He thinks that there are a lot of options besides the landfill. He also stated that as Mr. Williams stated that say thirty years from now, we have a problem in a section and they drill a well then all of a sudden this gas that has been created from this tomb, now becomes highly toxic. Mr. Williams stated that this is the unknown.

Mr. Pryor stated that considering their statements that they are even concerned about the transport of these things. He also stated that although it is within our County, if it is transported from the facility, they are putting other farmers who may not have big flocks of birds at risk for the same thing. The suggestion to bring it seems to Mr. Pryor that we as a Board ought to say, we are not interested in having them here and from the stand point of the County we do not want to see it get transported from where the facility is. He suggested that they have them buried on site or incinerated on site. He also stated that we just say no. He suggested that we put a resolution together and say no that we are not going to take them here. Mr. Williams stated that the other concern was during the transportation, do these trucks need to be decontaminated every time they leave their facility? He also stated what they do not know is what the scary part is.

Mr. Pryor stated that he does have a little experience in infectious waste disposal. There was a facility that some people in his business owned and dealt with infectious waste. They picked it up at a doctor's office and was far worse than chicken waste. It was containerized and manifested. The trucks did not have to get disinfected. The containers were placed on the trucks. Once it was placed in the containers, it never came out. This was delivered to a dedicated incinerator, which was a high temperature incinerator and the entire container was incinerated unopened. There is a lot unknown about this, dealing with dead raw carcasses that are going to decompose. There is going to be leachate. He also stated that there is going to be a hundred things that would make him uncomfortable about this. On the other hand, he stated that we are trying to do a service for the

County but there are a lot of unknowns. Mr. Pryor stated to dedicate a whole area of landfill to carcasses which are in the state of decomposition, it seems risky.

Mr. Cannon agrees. He also stated that he does not think we should entertain this idea. He thinks that we should put the onus on them to go ahead and find other outlets, let them go to Covanta, to the insurance that is provided (he is sure the guy has to have insurance after that fire). Mr. Cannon also questioned if the township zoning board over there is doing their job? Does he have to a bond every year for that type of thing? He also suggested that it may be addressed that way first but it seems like this is the easy way for this guy to take it off site and go buy 50,000 new chickens. He thinks they have to bear some of the responsibilities that from within the township, the owner of the property or the company or whoever is profiting. He would frankly say no. If someone comes in here screaming and yelling and saying that they have no other options and we would like to talk to you about that is a different story but, to be out the gate to say yes we will figure out a little outlet program for you. That will be the only program because they will never go any further or pursue it any further because every other entity is a harder way to do it than for them to get an easy pass from us.

Mr. Davenport stated that this is moving across the Country and that this isn't the first farm that has encountered this. He would be curious to find out what these other sites have done with those. Mr. Cannon agrees to put the responsibility on them to provide us that. Mr. Davenport stated that he personally does not feel that anything should leave the site. Mr. Pryor thinks that the County Board of Health should get involved in this issue somewhat to make them aware of it. Mr. Williams stated that his question to the DEP was should we have at least the County OEM involved in this conversation, at least somebody at the County level other than us. Mr. Cannon stated that transporting sounds like a whole other plume of a problem with transportation as opposed to Mr. Pryor's description. He thinks Mr. Pryor's description, if it ever was done, is probably the right way to do it, where you are not having the issue of the truck's contamination, the road contamination, and the people here. It is a sealed unit, then was incinerated. He also stated that there are tons of incinerators around, which does not have a claw operation that they can slide a skid in and that is the way it is done. He also stated that this is a better option and if they cannot do onsite, they can tie it into an incinerator that can do that.

Mr. Williams stated that what they are afraid of, and his question to them was, what happens if you bury them onsite? Then they stay out of our facility but could this migrate down into the groundwater?

Mr. Pryor stated that he cannot imagine they would allow that. He also stated that there are permits for burying something. He suggested that he would ask Mr. Tipton from the liability side what his take is on something like this. Mr. Tipton responded that we have all sorts of insurances, he is sure from a liability stand point if it came to that we would have protection but he does not know. This is where we are talking as a landfill Board but this is a medical/infectious category which is a whole different category of information that he does not think we are qualified to talk about. Therefore, Mr. Tipton does not feel comfortable saying what the potential liabilities are because he does not know the nature of how this passes. He also stated that like we all have said does it just die after a certain period of time when it is encapsulated put in the ground? Or does it get into the water? Does it possibly come back up in a vapor form? We are talking about a lot of unknowns that he could not

even go into. What is the potential liability could it go off site somehow underground? He also stated that we talked about that earlier in the year or two years ago about our insurances about what we are protected from beyond our boundaries. There are limitations with seepage. He would think we would want the Health Department and/or Emergency Management or some other group that deals with crisis like this to tell us what are the risks?

Mr. Cannon stated that he does not think that there is any way that he would be comfortable enough to even put that in the ground here in White Township. He thinks that is the bottom line to him and there are other options. There are tons of places in Pennsylvania that may be cheaper than us.

Mr. Cannon made a motion that this Board will oppose and will not accept any Avian Flu bird massacre inside the boundaries of the landfill, seconded by **Mr. Mach**.

Mr. Pryor stated that maybe we would want this in a form of a resolution. He also stated that Mr. Tipton could structure all the reasons why we are rejecting it at this time. Mr. Mach stated to Mr. Williams that we, as the Board, have to take the burden of decision in this matter off of your hands. He thinks that the Board should be involved in anything that has to do with this project; a sub-committee, the entire Board. The Board has got to be on board with this too because ultimately they are responsible. Mr. Williams agreed. Mr. Cannon stated that we are on the record now with the resolution that says we unanimously oppose it, then let them go knocking on some other doors. Mr. Mach stated that this is a start.

Mr. Williams questioned if we are going to do this as a resolution? Mr. Cannon stated that the Board gave Mr. Tipton the ok to do the resolution. Mr. Tipton stated that he would draft up the document and we could wait until we have the resolution. Mr. Davenport stated that we could do this next month. Mr. Tipton also stated that at this point there is no offer or demand upon us. Mr. Williams stated that they are looking for a response August 5. Mr. Tipton then stated that we should do a verbal resolution rejecting it for all the reasons and concerns stated this morning and then he will put that into a written format for purposes at next meeting. If there is anything in it that is not accurate, we can amend. Mr. Allen stated that if they need an answer by August 5, are they looking for something in writing? Mr. Williams responded that he thinks it would be better if we did something in writing to them. Mr. Cannon stated that if the responsibility is on us to rush and if you have someone you are communicating to or someone you have to get back to, you can let them verbally know that the Board has unanimously said no and a resolution showing their cause and concerns will be forwarded to you. Mr. Davenport stated that we will get Mr. Tipton to put this in a letter and then give to Mr. Williams to fax it. Next month we can formalize it.

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| ROLL CALL: | Mr. Allen | - | Yes |
| | Mr. Cannon | - | Yes |
| | Mr. Pryor | - | Yes |
| | Mr. Mach | - | Yes |
| | Mr. Davenport | - | Yes |

FINANCE/PERSONNEL

Mr. Davenport presented Resolution Amendment Non-Fair and Open Contract Engineering Services for the Conceptual Designs of the Landfill Expansion (R-07-04-15).

Mr. Williams stated that this is for the original resolution and agreement that we did with Cornerstone in December of 2014 in the amount of \$25,000.00 for the conceptual design. He stated that when they were going through this process they were asked by this Board to add some additional items to that conceptual design which caused them to go over their original contract amount which was \$25,000.00. We are now at \$36,000.00. Mr. Cannon questioned if this is the same \$25,000.00 that we discussed in May? He stated that he had a long discussion with Mr. Swyka regarding the \$25,000.00 properly handling this and now we have a 40% increase? Mr. Williams responded with that is the hydrogeologic study which is \$25,500.00. He thinks this is the borings that Mr. Cannon is talking about. Mr. Williams stated that the conceptual designs started with the additional line of site items. Mr. Cannon read from prior minutes regarding the \$25,000.00, "that this is the ecological/archeological. He would only have to have additional study if there were any significant findings. Mr. Cannon asked above and beyond the \$25,000.00. He said \$25,000.00 is good. He does not anticipate anything because we have seen the facility." Mr. Williams replied that this is the other contract, the hydrogeologic, borings and test pits. Mr. Cannon questioned if we had any change to this one? Mr. William stated no. He also stated that this is where we split the tasks up. Mr. Cannon questioned if we got a change order? He could not find anything that relates to what the \$11,000.00 is. Mr. Williams replied that this is just a regular monthly invoice and we have not paid it yet. This is not on the bill list to be paid. Mr. Cannon stated that we agreed to \$25,000.00, this is essentially a change order of 40% and he does not see a single document that supports that 40% increase. Mr. Williams stated that the increase comes from back at the March 23 meeting when Mr. Swyka was giving his original presentation regarding the conceptual design. He also stated that Mr. Cannon asked for an additional presentation to be made which was line of site items, a more in depth presentation to be given above and beyond what Mr. Swyka had shown us back in March, some additional drawings, and the cost per cell. Mr. Cannon would like to get a clarification as to what exactly \$11,000.00 was from them. He stated that if the charts and site line drawings that he could barely read on the screen, cost \$11,000.00, he is not too happy with Mr. Swyka. Mr. Williams suggested that we have Mr. Swyka come to next month's meeting and we will hold on to this invoice. Mr. Cannon stated that it seems like a 40% bump just came out. Mr. Davenport suggested we have this bill itemized. Mr. Cannon stated that something should have been attached to this resolution instead of Mr. Williams having to support it. He also stated that how many hours were involved and how much work was involved should be included in the breakdown.

Mr. Davenport stated that this resolution will be tabled until next month's meeting.

Mr. Pryor stated that he was in this business and he knows things happen. He also stated that he does not know if Mr. Swyka should come or just put this together in an explanation. Mr. Williams stated that the invoice he has with him, Cornerstone spells it out as conceptual design for landfill expansion, attending and presenting at Board meetings, line of site assessment, conceptual plans, and preparation of presentations. This is Cornerstone's breakdown. Mr. Cannon stated that he remembers having the \$25,000.00 discussion back about what the conceptual will be and he thought we thoroughly discussed what would be encompassed in that original \$25,000.00. He would like to see this is what we got for \$25,000.00 and this is now what we have for \$11,000.00. Mr. Williams questioned the Board if they would like to have Mr. Swyka present at next month's meeting? Mr. Cannon replied

that he does not necessarily have to come if it is clearly spelled out and 100% justified then he does not necessarily have to be present. Mr. Williams will have Mr. Swyka break it down further.

Mr. Davenport presented the next item on the Agenda, the PCFA Personnel Policy Manual Update which is the organizational change since we have had new members on the Board.

Mr. Allen made a motion to approve the PCFA Personnel Policy Manual Update (Organization Chart), seconded by **Mr. Cannon**.

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| ROLL CALL: | Mr. Allen | - Yes |
| | Mr. Cannon | - Yes |
| | Mr. Pryor | - Yes |
| | Mr. Mach | - Yes |
| | Mr. Davenport | - Yes |

Mr. Olshefski presented the June monthly report for the Board. He stated that this report reflects half of the year's activity. He also stated that we have had a healthy first half of the year. The average ton fee for waste is \$51.13 which last year it was \$47.19. He stated that this has grown almost \$4.00 with the increases that we reflected this year which is good because our overall volume is down 27,000 tons. He also reported that our revenues are at 55% which will slowly phase off as we end the contract with Covanta for the cover. The overall expenses is at \$3 million, which we are slightly under for the year part of the reason for this is because we put \$5.00 per ton away. He stated that we may need to do a budget amendment before the year is over in other personnel costs because the medical line items. A couple employees switched categories which increased our costs in that area. This will be a minor budget adjustment before the year is over. Mr. Cannon questioned that we are at 60% already? Mr. Olshefski stated that we will keep an eye on this.

Mr. Olshefski stated that we have gained \$740,000.00 and our capital expenditure for the date is \$960,000.00 so we are on a pay as go philosophy which is good.

Mr. Olshefski stated that the credit cards been holding at 30% with approximately \$19,000.00 per month. He also stated that as Mr. Williams reflected earlier that we upgraded the credit card machine from the magnetic strip to chip reader. This is more security.

Mr. Olshefski reported on the leachate treatment. Passaic is down quite a bit and the PRMUA is level. He stated that PRMUA is still holding off on their upgrade.

Mr. Olshefski stated that next month, he and Mr. Williams will start preliminary talks on the 2016 budget. He will report to back in the next couple months on that as we go forward.

Mr. Cannon questioned Mr. Olshefski if he anticipates the insurance going up more for the second half or just the categories changed? Mr. Olshefski stated that the categories changed early.

Mr. Davenport stated that a motion was needed to pass the Resolution to Pay Bills (R-07-01-15). Mr. Allen questioned where the list of bills were? Mr. Williams stated that the list of bills are in the Month End Financial Status Report. Mr. Allen questioned if it is the check register? Mr. Williams stated "correct" and that will show all the bills we are talking about. Mr. Allen stated that the check register to him means that the bills have already been paid. Mr. Olshefski stated that these are what is coming up for the schedule that we just currently have here. Mr. Allen stated that he was confused because there are line items on the list that are paid back on July 2. He also stated that if we are talking about approval of a resolution to pay the bills, a lot of these bills have already been paid. Mr. Davenport stated that they have issued the check but they have not been sent.

On a motion by **Mr. Allen**, seconded by **Mr. Pryor**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *July 27, 2015*.

R E S O L U T I O N
R-07-01-15
To Pay Bills – July 27, 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. Allen | - Yes |
| | Mr. Cannon | - Yes |
| | Mr. Pryor | - Yes |
| | Mr. Mach | - Yes |
| | Mr. Davenport | - Yes |

We hereby certify Resolution to Pay Bills in the amount of **\$799,357.33** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *27th* day of *July, 2015*.

Jamie Banghart, Recording Secretary
James Williams, Director of Operations

Mr. Davenport presented the resolution approving the 2014 Annual Audit. Mr. Davenport stated that there a couple of typos in the single audit section on the last several pages, page 6 and page 9 where they talk about 2013 and it should be 2014. Mr. Cannon made a motion to approve the audit resolution with those changes.

On a motion by *Mr. Cannon*, seconded *Mr. Davenport*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *July 27, 2015*

R E S O L U T I O N **R-07-02-15**

APPROVING THE 2014 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Secretary of the Board as per the requirements of N.J.S.A. 40A:5A-15, and a copy has been received by each member of the authority, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each authority shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of authority have reviewed, as a minimum, the section of the annual audit entitled:

General Comments

Recommendations

and

WHEREAS, The members of the authority have personally reviewed as a minimum the Annual Audit Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

As evidenced by the group affidavit form of the governing body, and

WHEREAS, Such resolution of certification shall be adopted by the Authority no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, All members of the Authority have received and have familiarized themselves with, at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local authority to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, That the Board of the Pollution Control Financing Authority, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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| ROLL CALL: | Mr. Allen | - | Yes |
| | Mr. Cannon | - | Yes |
| | Mr. Pryor | - | 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.

Dated: July 27, 2015

Jamie Banghart, Recording Secretary

There are no changes to the Waste Disposal Fee Schedule.

NEW BUSINESS

None

GENERAL COUNSEL'S REPORT

Mr. Tipton stated that regarding the Unangst subdivision, we went seeking survey proposals for the 1.5 acre parcel. He received a list of surveyors from the Warren County Land Preservation that are approved for the County. He selected three Warren County firms. He received one response back. He also stated that he spoke with Mr. Williams about who we would ask and one was Laura Brill because she had done work here at the County from the Blairstown area. She responded that she did not want to submit a proposal because she is too busy. Mr. Tipton is waiting on a response from Pamela Matthews of Hatch Mott. Mr. Williams will reach out to her again. Finelli Consultants gave us a response but it came in on the higher end. Mr. Tipton would like another month to get more proposals in and hopefully receive a response from Ms. Matthews and also to get Finelli to possibly tone down. Finelli gave Mr. Tipton a proposal for a survey and for the minor subdivision process. Since we are only getting a courtesy review, Mr. Tipton thinks he over done it and he will ask Finelli to break down his numbers for each so we can compare.

Mr. Tipton would like to table this decision until we have more options. Mr. Cannon questioned what was Finelli's proposal? Mr. Tipton replied that it was \$7,400.00 which includes planning on being at a town meeting, doing the check list, the application, and the submission to the County. We just need the deed and the survey. He thinks Finelli may have thought when he said it is for that purpose. It was very comprehensive and he appreciated the time and effort that went into it but he wants to be fair to all proposers and he also wants to make sure the Board has options.

Mr. Williams stated that along with the acquisition of the Unangst property, Mr. Tipton received a phone call or an email on Friday from Mr. Goldberg regarding payment for the appraisal. He never submitted an invoice. Mr. Tipton brought in the bill today which was sent to his office. Mr. Williams asked the Board for approval to pay this appraisal which is \$1,500.00. This will be included on the bill list for next month. Mr. Cannon questioned if we approved this beforehand? Mr. Williams stated that we never received an invoice to get it on the bill list. Mr. Cannon stated that the Board already approved that number. Mr. Williams stated that he just wanted to get an approval from Board because it will be included in next month's bill list. Mr. Pryor questioned if we could just amend this month's bill list by a motion? Mr. Olshefski stated that if we got a consensus from the Board, he does not see why not. We would have to amend the resolution to pay bills. Mr. Williams stated that we can pay them and this will go on next month's bill list. Mr. Cannon agreed. Mr. Davenport stated that the Board already approved this so the bill can be paid.

OTHER BUSINESS

Mr. Cannon questioned Mr. Williams how the old compactor is working? Mr. Williams stated that we take the old compactor out to the old section of the landfill and start it up. Mr. Cannon asked if it has become functional in any way, shape, or form or do we want to look at marketing it? Mr. Williams replied that we could market it. Mr. Cannon asked if we were using it for day to day landfill operations.

He also stated that we should look at marketing. Mr. Williams questioned Mr. Olshefski if it was too late to speak to County Purchasing Department for the County auction? Mr. Olshefski will speak with Chris Pessalano about this. Mr. Williams stated that we could put it on the County's auction. He questioned the Board if we want to accept a bid less than whatever? Mr. Mach stated the bid should not be less than \$20,000.00. Mr. Davenport stated that he was told that the compactor was worth \$40,000.00. Mr. Cannon questioned if Mr. Davenport's number at \$40,000.00 was at an auction or was the machine worth \$40,000.00? Mr. Davenport replied he does not know but that it is not \$20,000.00, it is worth more than \$20,000.00. Mr. Mach questioned Mr. Davenport where he got this information from? Mr. Davenport stated that he got this number from Gary Gray. Mr. Cannon then questioned if the Board would like to go with nothing less than \$35,000.00? Mr. Mach agrees. Mr. Williams questioned Mr. Olshefski if we could put a minimum on a bid? Mr. Cannon stated that if we do not get nothing than we do not get nothing and at least we will get an idea. The Board agreed with a bid at the minimum of \$35,000.00.

Mr. Cannon made a motion to authorize the sale of the old 826 compactor with a minimum opening bid of \$35,000.00, seconded by **Mr. Allen**.

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| ROLL CALL: | Mr. Allen | - | Yes |
| | Mr. Cannon | - | Yes |
| | Mr. Pryor | - | Yes |
| | Mr. Mach | - | Yes |
| | Mr. Davenport | - | Yes |

Mr. Cannon questioned our leachate with PRMUA? Mr. Tipton stated that he can give an update of that with respect with what he can state publicly. He stated that at this point and time, the construction company, Tomar, has taken the position to that they will be substantially complete by the end of August. However, our public discussions at PRMUA have been that they do not see how they can be done before December. There is a bit of a difference of opinion on how fast they are moving. He also stated that the objective evidence shows that there is no way they will be done until probably next year. They keep saying that they will be done, they reported to the DEP that they will not be done. The relationship is rather contentious right now to say the least with respect to the pace at which they performed. This has been an issue for about a year. He also stated that they feel it is best to keep working with them to try and get it done so they can meet their ACO that is in place to avoid penalties. This is penalties from DEP which they have been passing through to Tomar by way of liquidated damages. It will get done but just later than planned for everyone. Mr. Tipton stated that the bonding companies have been on notice and they have been watching every step. The Authority has done everything in their power to report to everyone involved in this project. The contractor is moving at its own pace.

CLOSING PUBLIC COMMENT

Freeholder Director Smith stated that the response he has been getting regarding tire recycling has been overwhelmingly positive. He thanks the Board for their efforts there.

Freeholder Director Smith questioned on the auction on the compactor, how is this going to be displayed because we are not going to be able to take that over there? Mr. Williams replied with no, they would have to come here. Freeholder Director Smith stated that we are going to have to put something in terms

of where it can be inspected and who they would have to contact. Mr. Williams stated that the compactor will have to be dismantled to be transported which will be whoever purchases it, on their dime. Freeholder Director Smith questioned if there are any industrial publication to where the message to that availability could be made to similar type operations where they would probably the most prospective buyer because we would be able to do this through the auction process. He also stated that this is a unique item.

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

Executive Session was not necessary.

RESOLUTION

R-07-03-15

AUTHORIZING EXECUTIVE SESSION

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

NOT NECESSARY

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:

Seconded By:

ROLL CALL: Mr. Allen -
 Mr. Cannon -
 Mr. Pryor -
 Mr. Mach -
 Mr. Davenport -

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: 7/27/15

ADJOURNMENT

With no other business to discuss, **Mr. Pryor** motioned to Adjourn, seconded by **Mr. Cannon**, at 10:07 am.

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| ROLL CALL: | Mr. Allen | - | Yes |
| | Mr. Cannon | - | Yes |
| | Mr. Pryor | - | Yes |
| | Mr. Mach | - | Yes |
| | Mr. Davenport | - | Yes |

Respectfully submitted by:
Jamie Banghart, Recording Secretary

Approved: 08/17/15