

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF SPECIAL MEETING

December 21, 2015

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

Authority Members present: Robert Davenport, Richard Mach, Bud Allen (Conference Call), James Cannon (Conference Call), Joseph Pryor (Conference Call)

|            |               |   |                             |
|------------|---------------|---|-----------------------------|
| ROLL CALL: | Mr. Allen     | - | Present (Conference Call)   |
|            | Mr. Cannon    | - | Present (Conference Call)   |
|            | Mr. Pryor     | - | Late (9:01 Conference Call) |
|            | Mr. Mach      | - | Present                     |
|            | Mr. Davenport | - | Present                     |

Also present: James Williams, Director of Operations; Brian Tipton, General Counsel (Conference Call); Jamie Banghart, Recording Secretary.

The Pledge of Allegiance was led by Chairman Davenport.

Mr. Davenport read the following statement: "Adequate notice of this special meeting of December 21, 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".

WASTE DISPOSAL CONTRACT

Mr. Davenport stated that the waste disposal contract will be discussed in executive session.

EXECUTIVE SESSION

Executive Session was entered at 9:02 am to discuss Contract Negotiations.

**RESOLUTION**

**R-12-09-15**

**AUTHORIZING EXECUTIVE SESSION**

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

**Contract Negotiations**

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: **Mr. Davenport**

Seconded By: **Mr. Mach**

|            |               |   |     |
|------------|---------------|---|-----|
| 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.

Recording Secretary  
Jamie Banghart

Dated: 12/21/15

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

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

Regular session resumed at 9:04 am.

No action was taken in Executive Session.

Mr. Davenport stated that a motion is needed to approve Amendment #2 to the Covanta Essex Ash Contract.

**Mr. Cannon** made a motion to approve Amendment #2 to the Covanta Essex Ash Contract, seconded by **Mr. Davenport**.

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

Mr. Williams questioned Mr. Pryor if he is available the first week of January for a workshop meeting with Cornerstone? Mr. Pryor replied that he has a prior commitment on January 7. Mr. Williams stated that he heard from a majority of the Board and waiting on availability from Mr. Cannon. He also stated that Friday, January 8<sup>th</sup> seems to work with everybody. Mr. Pryor stated that he is open on that date.

Mr. Cannon stated that he is concerned with the mine issue. He highly doubts that this will be straightened out by January 8<sup>th</sup>. He is not sure if Mr. Williams can get any feedback from Mr. Swyka or if they expect to get any answers from that ahead of time. Mr. Williams stated that he spoke with Mr. Swyka this morning regarding this to see if we did not meet, would it cause any postponement or lengthening out the schedule? He stated that Mr. Swyka stated that there is a possibility but Mr. Swyka believes it is straight forward that in the last 100 years nobody has seen this shaft. He also stated that there are no holes open. Mr. Swyka believes that it would be pretty straight forward to discredit that it is still on site here back to the DEP. He also stated that Mr. Swyka would like to discuss this with the Board further before he was to proceed. This will be part of the discussion that we will have with Mr. Swyka at the workshop meeting to keep this process moving. Mr. Cannon stated that his point not as far as moving forward but if the DEP finds a spot sensitive and we had to change the entire design. This would change both the height and profile and maybe they would put a setback to this.

Mr. Davenport stated that the sooner we learn about this mine shaft, the better. He also stated that if we can have this meeting on January 8<sup>th</sup> then we can know more sooner. Mr. Cannon stated that he does not mean to learn more about it from Mr. Swyka but obviously the DEP or the State will be making the determination. He also stated that if they put some sort of limitations on us and or say we have to have a setback that will completely change the #2 drawings as to profile, height, and this would change a lot of things. This is Mr. Cannon's concerns. Mr. Cannon stated that if we have a meeting then they come back a week later and say this shaft thing is a real problem then we will have to rework all of the drawings.

Mr. Williams stated that when he was talking with Mr. Swyka this morning, he sent everyone an email with the copies of the pages out of the iron mines and mining. He stated that the location of the mine shaft is very vague. He also stated that by looking at the description, Mr. Swyka gets out of this it is south of the Pequest River which is somewhere around the house that no longer exists. He also stated that if this is the case then the expansion is not in any of those locations. Mr. Cannon stated that he became concerned when he saw the town was named Oxford for the location of the mine because that area was never Oxford. Mr. Williams replied with correct. Mr. Cannon stated that when it was saying in the book that the location was Oxford, who knows now. Mr. Williams stated that maybe back in the 1870's, he knows that at one time, White Township was part of Oxford but he does not remember what

year they broke off and became White Township. Mr. Cannon thinks that this was the late 1700's. Mr. Cannon stated that this was just an issue and he does not want to waste anyone's time if we have a workshop but if things have to be changed or reworked that is all he is saying. He also stated that he does not know if we will have a definitive answer from the DEP by then.

Mr. Williams stated that he will have a conversation with Mr. Swyka and see if will be able to talk to somebody at the DEP level regarding this. Mr. Cannon stated that this is his only point and what he concerned about. Mr. Williams stated that this is a good point.

Mr. Cannon stated that he will get back to Mr. Williams on a date and maybe Mr. Williams will get some information from Mr. Swyka and see if he has any type of input besides what he gave us this morning as to the DEP.

Mr. Davenport stated that we will go from here then.

#### ADJOURNMENT

With no other business to discuss, **Mr. Pryor** motioned to Adjourn, seconded by **Mr. Allen**, at 9:11 am.

|            |               |   |     |
|------------|---------------|---|-----|
| 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: 01/25/16