

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING
August 26, 2013

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 (Conference Call), and James Cannon.

ROLL CALL:	Mr. Mach	-	Present
	Mrs. Mackey	-	Present
	Mr. Yanoff	-	Present (Conference Call)
	Mr. Cannon	-	Present
	Mr. Davenport	-	Present

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

Pledge of Allegiance / Introductory Statement

Mrs. Mackey addressed the Board for the absences from the last three meetings. Mrs. Mackey stated she takes her role on this Board very seriously, but due to staffing, personal, and business related issues, she was not able to attend the three consecutive meetings. Mrs. Mackey stated that she kept in contact with Mr. Williams through out the last three meeting and was up to date on the PCFA business.

Mr. Davenport made a motion to extend leniency to Mrs. Mackey for the absences, seconded by **Mr. Mach**.

Mr. Cannon questioned the motion for Mrs. Mackey. Mr. Tipton stated that the By-Laws state that when a Board member is absent for three consecutive meetings, there either can be a motion for leniency if the Board feels the absences are justified or if the Board feels they do not accept the absences, then the Board has an obligation to send a letter to the Freeholders who will then put the member on notice. The way to avoid the letter to be written, the Board will have to make a motion for leniency for Mrs. Mackey to accept her justified absences.

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

The minutes of the regular meeting of July 29, 2013 were presented for approval. **Mr. Mach** moved for acceptance of the minutes as presented, seconded by **Mr. Yanoff**.

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

The Executive Session Minutes of the regular monthly meeting of July 29, 2013 were presented for approval. **Mr. Mach** moved for acceptance of the minutes as presented, seconded by **Mr. Davenport**.

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

CORRESPONDENCE

Mr. Williams presented two correspondences to the Board.

Mr. Williams stated that we received a letter from the Township of Oxford advising us that they have put Covanta on notice to open up discussion regarding their host community agreement between the Township of Oxford and Covanta. Mr. Williams forwarded these documents to Mr. Tipton for his review.

Mr. Cannon questioned why the correspondence letters were not included within the Agenda packet? Mr. Williams stated that in the future, copies of all correspondences will be provided to the Board members in their Agenda packets.

Mr. Williams also stated we received a letter from the New Jersey DEP regarding a landfill inspection. There were no issues with the inspection.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

PRESENTATIONS

None

FACILITIES/RECYCLING

Mr. Williams stated that the treatment plant operations continue to run well. Mr. Williams and Mr. Davenport met with the Chairman from the PRMUA and their Superintendent to discuss the construction schedule on the PRMUA Oxford upgrade and the draft agreement between the PRMUA and the PCFA that was drawn up several years ago. The PRMUA is about to go out for BID on the construction upgrade on the Oxford facility within the next few weeks. They are expecting a construction schedule from anywhere between 20-24 months for the upgrade to be completed. Mr. Williams stated that until the construction begins, our pumping to the PRMUA is still limited. PRMUA is hopeful that once the construction ends we will be able to increase our discharges to their facility. Mr. Williams stated that we will have to address the TDS issue that we have with our landfill leachate. Our TDS levels are high but

have not caused any permit exceedance at the PRMUA. Mr. Williams stated that he will start putting together, through our engineer (Hatch Mott), what the cost would be for an upgrade to our treatment plant versus what it is costing us to haul the leachate out of our facility. Mr. Cannon had several questions regarding this discussion. Mr. Cannon questioned that when PRMUA gets fully on line would we still be able to send more of what we have now or would we have to treat for TDS? Mr. Williams stated that as the landfill gets older, the TDS increases. Therefore, we will need to address the high TDS internally before we can increase our discharge. Mrs. Mackey stated that we have essentially a three year window to figure out what we are going to do with the treatment of our leachate on our side. Mr. Williams stated that the only way to treat TDS is through a reverse osmosis system. The treatment plant was designed to have an area set aside for the system. Hatch Mott will give us an estimate of what the upgrade will cost us, so we can start budgeting for a capital project.

Mr. Williams stated that the treatment is inevitable. Mr. Cannon suggested that this is a priority before a possible expansion of a Cell 6. Mr. Williams stated that we have additional funding coming in from the Essex Ash that can pay for most of these capital projects. Mr. Mach suggested that we hold off on expending any money towards the treatment until we find out if an expansion will occur. He suggested that putting out this money towards the treatment plant in a year or two would be not make sense when the landfill is to close within ten years.

Mr. Cannon inquired about hiring an outside counsel regarding the agreement with PRMUA and PCFA. Mr. Williams stated that part of the discussions held with PRMUA was the agreement and that we shared our concerns whereas it seems to be one sided with the way the agreement is written. Mr. Williams stated that we discussed the idea of a dual indemnification within the agreement. Mr. Cannon suggested that we have an outside attorney for review and assistance of this agreement. A draft would be written for both sides to consider.

Mr. Williams stated that the landfill operations are good. Mr. Williams reported that our D7 Bulldozer returned late last week from the certified rebuild of the undercarriage.

The H2S Removal System is running flawlessly. Mr. Williams stated that he has been monitoring the decrease in our electrical use with the new system versus the old system, which has been a huge savings for us. Mr. Williams will report when he has the exact numbers.

Mr. Williams reported on the update of the Solar Panel Project. Last Wednesday, the Solar Field was approved by the BPU. Energenic is in contact with the BPU for any additional information they will require for the system to be turned on. The system should be turned on within the next few weeks. Mr. Williams stated that we will save at least \$10,000.00 per month at the reduced electrical rate once the solar field is up and running.

Mr. Williams stated that received Bids on Friday for the Landscape Maintenance and the Annual Topographic Survey. Mr. Williams will give these Bids to Counsel for review. We will have a recommendation for the Board at our September meeting.

FINANCE/PERSONNEL

Mr. Houck stated that we will need a budget amendment before the end of the year because our revenues are up and the increase of funding for the closure account. The assets in the trust funds have been transferred to Fulton Financial from TB Bank. The volumes are up and the revenues are up.

Mr. Mach made a motion to approve the Resolution To Pay Bills (R-08-01-13) [\$570,511.35], seconded by **Mrs. Mackey**.

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

There are no changes in the 2013 Waste Disposal Fee Schedule.

Mr. Davenport stated a Waste Disposal Contract and the Weighmaster position will be discussed in executive session.

NEW BUSINESS

Mr. Cannon discussed the meeting dates and meeting times. Mr. Cannon stated that the Monday meeting time was chosen but if the meeting time was to be changed to accommodate anyone, he has no problem changing the time or day.

Mr. Cannon stated that Tilcon has a proposal to White Township regarding a reservoir above the landfill. Tilcon made a presentation to the White Township Variance Board and put it off as the County would like it as a recreation area in the future. Mr. Cannon stated that the PCFA should be involved in these discussions about the reservoir proposal at Tilcon. Mr. Williams contacted Cliff Morris, from Tilcon, requesting a copy of the hydro geology report.

Mr. Williams stated that Tilcon completed the traffic study. He received a call last week from the firm that Tilcon uses for the traffic study and they have requested additional information from us regarding our busy times of the year. Mr. Williams stated that our busy times are when we have our township clean ups. Mr. Williams will follow up with the Tilcon firm.

GENERAL COUNSEL'S REPORT

Mr. Tipton stated that there is one matter involving Covanta and the Essex Ash Agreement to discuss in Executive Session.

OTHER BUSINESS

None

CLOSING PUBLIC COMMENT

Freeholder Deputy Director Ed Smith commented on previous meeting minutes regarding the discussion of a possible expansion of the landfill with Cell 6. A lengthy conversation between the Board members, Mr. Williams and Freeholder Deputy Director Ed Smith regarding an expansion of the landfill which would include Cell 6. Freeholder Deputy Ed Smith is interested in this expansion and all the steps that would occur leading up to the expansion of the Warren County Landfill. Freeholder Deputy Director Ed Smith suggested a timeline be developed that would break down the steps to adding a Cell 6 and add an additional ten years to the landfill capacity. Mr. Williams stated that this entire process can take approximately six years which includes the approval by the DEP. Therefore, with the closing date of the

landfill as of now to be at 2020-2021, the process needs to be acted upon as soon as possible. Mr. Williams will provide to the Board and Freeholder Deputy Director Ed Smith a schedule of what the steps/timeline would be and what the potential impact would be for additional capacity in the planning of a long term Solid Waste Management Plan for the County.

A further discussion ensued between all on how the process of a landfill expansion would eventually come before the Freeholder Board.

Mr. Williams stated that in his discussions with Mr. Dave Dech, the members of S.W.A.C. would make a written recommendation (provided S.W.A.C. approves a landfill expansion) modifying the County Solid Waste Management Plan to the Freeholder Board. At that time, the Freeholder Board would review S.W.A.C.'s recommendation and decide as to whether or not to amend the County Solid Waste Management Plan. Once this process has occurred, it will determine whether or not the Authority could move forward with the required steps for a landfill expansion. This way the Authority is not prematurely expending funds prior to a S.W.A.C./ Freeholder approval.

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

Mr. Cannon motioned to enter into Executive Session to discuss Contract and Personnel, seconded by **Mr. Yanoff**. Commencing at 10:13 am.

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

Mr. Mach motioned to come out of Executive Session, seconded by **Mrs. Mackey**.

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

Regular session resumed at 11:19 am.

The results from Executive Session are as follows.

No action taken on the contractual negotiations.

Mr. Cannon made a motion for the advertisement in the newspaper for Weighmaster position to seek both full-time and part-time applicants after the seven day in house requirements. There was no second to the motion made by Mr. Cannon. The motion failed.

A counter motion was presented by Mrs. Mackey.

Mrs. Mackey made a motion to advertise the position of the Weighmaster publicly as a full-time position, with a starting salary range of \$14.00/hour to \$15.00/hour, seconded by **Mr. Davenport**.

Mr. Mach suggested that the New Jersey League of Municipalities has a job posting for municipal jobs if we would like to post the position there.

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

Mr. Tipton stated that the advertising in the newspaper, the website, or bulletin board is considered public. It is a business decision on how you would like to advertise. It was decided to place the position on the PCFAWC website and the New Jersey League of Municipalities website.

ADJOURNMENT

With no other business to discuss, **Mr. Mach** motioned to Adjourn, seconded by **Mrs. Mackey**, at 11:25 am.

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

Respectfully submitted by:

Jamie Banghart
Recording Secretary

Approved: September 23, 2013