

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

September 29, 2014

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, Todd Yanoff, and James Cannon.

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

Also present: James Williams, Director of Operations; Brian Tipton, General Counsel; Pete Houck, 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 September 29, 2014 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".

MINUTES

Mr. Davenport presented the regular monthly meeting minutes from August 20, 2014. Mr. Williams stated that the revised draft of the regular monthly meeting minutes from August 20, 2014 will need to be approved.

Mr. Cannon made a motion to approve the revised minutes from August 20, 2014 as presented, seconded by **Mr. Mach**.

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

Mr. Cannon made a motion to approve the executive session minutes from August 20, 2014, seconded by **Mr. Mach**.

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

Mr. Davenport presented the special monthly meeting minutes from August 28, 2014.

Mr. Cannon made a motion to approve the minutes as presented, seconded by **Mr. Mach**.

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

Executive Session was not necessary at the August 28, 2014 special meeting.

CORRESPONDENCE

Mr. Williams discussed a correspondence dated August 13, 2014 from the State of New Jersey regarding the renewal of the storm water basins permit. Mr. Williams stated that this permit is good for another four years.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

PRESENTATIONS

Mr. Davenport welcomed Mr. Mark Swyka from Cornerstone to present the draft landfill feasibility study to the Board. Mr. Williams stated that no further comments were made from the Board regarding the landfill feasibility study. Therefore, Mr. Swyka prepared the landfill feasibility study for the Board.

Mr. Swyka discussed the comments from previous discussions regarding the difference between expanding the landfill to the west (Cell 6) and the expansion of the landfill to the west and the north (Cell 6 and Cell 7). Mr. Swyka stated the maps enclosed in the previous draft were enlarged. Full size drawings were provided to the Board. These enlarged maps have been incorporated into the landfill feasibility.

Mr. Swyka stated that the volume numbers have been revised to represent the available air space volume depending on how the landfill is designed. Mr. Swyka discussed page 19 of the landfill feasibility study. Mr. Swyka stated that expanding just to the west (Cell 6) will give us a range of two million to three million cubic yards of air space which would expand the landfill footprint by twelve to twenty acres. Mr. Swyka stated that if we were to expand to the west and the north (Cell 6 and Cell 7) this will give us a range from 5.7 to 6.7 million cubic yards of available air space which could expand the landfill footprint by thirty four to forty one acres.

Mr. Swyka concluded that Cornerstone believes the landfill expansion is feasible and recommend that the Authority move on to the next step of the investigation to expand.

Mr. Cannon gave the opportunity to Mr. Swyka to correct the 15% slope discussion we had previously. Mr. Swyka stated that we do have slopes that exceed the 15% and the number that was in the previous draft was correct.

Mr. Williams stated that the feasibility report will be forwarded to Mr. Dave Dech at Warren County Planning Department. Mr. Dech will then forward the report to the DEP. The DEP will make the final changes to the County Solid Waste Management Plan that will incorporate these numbers for the landfill expansion.

Mr. Williams stated that the drilling phase is the next step towards the landfill expansion. Mr. Swyka provided the areas to be drilled in the feasibility study. Mr. Williams stated that the drilling of the subsurface will show what lies beneath. Mr. Cannon brought up a question regarding his concern with the DEP and their interpretation of this document. Mr. Cannon stated that with all the options in the feasibility study, the options would leave some open decisions as far as acquisition, non-acquisition, size, etc. Mr. Cannon's concern is that the DEP can possibly decide what they think of these options and what they may want to approve. Mr. Cannon suggested that we provide the DEP one option after the subsurface investigation is completed. The Board agreed.

Mr. Swyka stated that no significant permit is required for the boring. The drilling investigation is approximately a six month process. Mr. Swyka explained that the weather could slow down the process. The Board will need to authorize a contract with Cornerstone for the subsurface/drilling investigation to begin. Mr. Williams explained that Cornerstone will provide us with a scope and a dollar amount. Then we can develop a contract with counsel. Mr. Williams suggested we schedule a special meeting with Mr. Swyka to approve the contract, once completed, for the subsurface investigation. Therefore, we can proceed with this process before winter. The feasibility study was not approved and will be amended as necessary after the subsurface/drilling phase is completed.

FACILITIES/RECYCLING

Mr. Williams stated that the treatment plant operations continue to run smooth with no issues. Mr. Williams met with Mr. Paul Sternbetz from Maser. Mr. Williams and Mr. Sternbetz were able to find some documentation of the manufacturer who authorized the pipe changes. Mr. Williams is waiting a response from the manufacturer of the system for correcting the leak in the pipe.

Mr. Williams reported that the landfill operations continue to run smooth. Mr. Williams stated that the section 2 of Cell 5 is open. We had Atlantic Lining install the new liner patches with Cornerstone present so that all the proper documentation was performed.

Mr. Williams stated that the H2S Removal System continues to run well. All the meters are reading properly with no issues. Mr. Williams stated that Middlesex County is looking at installing the same H2S system. Middlesex County will be coming to our facility to see our H2S system.

Mr. Williams stated that when the levels of the pressure in the vessels start to increase, this means that the media is becoming clogged. We have not seen an increase in the pressure of the vessels in the last year and half. Everything is still reading as it was just installed. Mr. Williams stated that we budgeted for six months intervals of changing the media, but we have not had to change the media. A discussion was held amongst the Board and Mr. Williams regarding the media change. Mr. Mach questioned if it would be prudent to try and take one out in say another six months or something like that just to see if it comes out easily? Mr. Williams stated that the process to remove the media requires us to unbolt the top and have a crane on site. Mr. Davenport suggested to Mr. Williams to look into the cost of this process.

Mr. Williams reported on the Solar Panel Project, which has no issues. Mr. Williams stated that we are up to date with Energenic and the billing.

Mr. Williams reported that we had our HHW and Electronics Collection Event yesterday. The event went very well. Mr. Williams stated that we had just under 700 cars come through in the four hour period.

Mr. Cannon questioned the township cleanups. Mr. Williams stated that the township cleanups for the fall started today. Everyone has to bring a voucher from their town. There are four towns participating in the township cleanups for the month of October.

Mr. Williams stated that the County will be setting up a traffic counter on the road regarding the Tilcon road crossing. Mr. Williams stated that the traffic is higher this time of the year due to the township cleanups.

Mr. Williams presented the landfill compactor bid to the Board. Mr. Williams stated that there six different options in the bid regarding the warranty options, lease or direct purchase. Mr. Tipton stated that he recommends limiting the bid to one option. Mr. Tipton stated that having multiple options becomes difficult to select and could create the opportunity for bid disputes. Mr. Williams stated that he put all possible options on the bid for the Board to select. One decision that needs to be made is whether we want to lease the compactor or buy it out right. Mr. Houck commented that leasing the compactor does not make sense for us. Mr. Houck recommends we do a direct purchase. A discussion was held among the Board members on which warranty option(s) to include in the bid. The Board decided on the option to directly purchase the compactor with the warranty options of 48 months/2,000 yearly hours and the 72 months/2,000 yearly hours. Mr. Williams stated he will make the direct purchase and the warranty option changes on the bid and they will be ready to go out for bid. The due date for the bid is October 22.

FINANCE/PERSONNEL

Mr. Houck stated that the monthly end report was prepared for August. Mr. Houck stated that we are doing very well. The waste volumes are slightly under from last year.

Mr. Houck presented the proposed 2015 budget. Mr. Houck will put the proposed 2015 budget into the state mandated format. Mr. Houck stated that the 2015 budget will be presented for adoption at the November meeting. The budget must be introduced 60 days prior to the start of the year.

Mr. Houck presented the proposal from Nisivoccia & Company, LLC regarding the 2014 audit. Mr. Davenport stated that a motion was needed for Resolution (R-09-01-14) Authorizing the Award for a Fair and Open Contract for Audit of Financial Statements.

On a motion by *Mr. Cannon*, seconded by *Mr. Yanoff*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *September 29, 2014*.

RESOLUTION

R-09-01-14

AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR AUDIT OF FINANCIAL STATEMENTS

WHEREAS, the **Pollution Control Financing Authority of Warren County** has a need to acquire an audit of its financial statements for year ended December 31, 2014, as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.1; and,

WHEREAS, the **Chief Financial Officer** has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one* year; and

WHEREAS, **Nisivoccia & Company LLP**, has submitted a proposal indicating they will provide the auditing of the Authority's basic financial statements for the year ended December 31, 2014 for an amount not to exceed \$40,600.00; and

WHEREAS, **William F. Schroeder** has completed and submitted a Business Entity Disclosure Certification which certifies that **Nisivoccia & Company LLP** has not made any reportable contributions to a political or candidate committee in **Warren County** in the previous one year, and that the contract will prohibit **Nisivoccia & Company LLP** from making any reportable contributions through the term of the contract, and

WHEREAS, the **Chief Financial Officer** of the **Pollution Control Financing Authority of Warren County**, has ascertained that there are available sufficient uncommitted appropriations in the 2014 Budget to award a contract to **Nisivoccia & Company LLP** for auditing the Authority's basic financial statements for the year ended December 31, 2014. Funds for certification are therefore being made available and certified as required by N.J.A.C. 5:30-5.4, and any other applicable requirement.

NOW THEREFORE, BE IT RESOLVED that the **Pollution Control Financing Authority of Warren County** authorizes the **Chairman, Robert Davenport** to enter into a contract with **Nisivoccia & Company LLP** as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Absent
	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: **September 29, 2014**

Mr. Davenport stated a motion was needed to accept the Resolution (R-09-02-14) To Pay the Bills.

On a motion by *Mr. Cannon*, seconded by *Mr. Davenport*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *September 29, 2014*.

RESOLUTION
R-09-02-14
To Pay Bills – September 29, 2014

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	-	Absent
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

We hereby certify Resolution to Pay Bills in the amount of \$611,931.57 to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *29th* day of *September 2014*.

Jamie Banghart, Recording Secretary
James Williams, Director of Operations

The 2014 Waste Disposal Fee Schedule was presented. Mr. Williams stated Premier Disposal was added to the 2014 Waste Disposal Fee Schedule. The Premier Disposal Contract will run from now until the end of February 2015.

Mr. Mach made a motion to approve the contract for Premier Disposal in the amount of \$72.00/ton, seconded by **Mr. Yanoff**.

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

NEW BUSINESS

None

GENERAL COUNSEL'S REPORT

Mr. Tipton and Mr. Williams are working on the tuition/training reimbursement policy amendment.

OTHER BUSINESS

Mr. Cannon questioned if the meeting dates were going to change? Mr. Yanoff stated that the meeting dates are good and no change is needed.

CLOSING PUBLIC COMMENT

None

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

No need for Executive Session.

ADJOURNMENT

With no other business to discuss, **Mr. Yanoff** motioned to Adjourn, seconded by **Mr. Cannon**, at 10:13 am.

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

Respectfully submitted by:
Jamie Banghart, Recording Secretary

Approved: 10/27/14