

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

May 11, 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 and Bud Allen.

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

Also present: James Williams, Director of Operations; Brian Tipton, General Counsel; Dan Olshefski, Chief Financial Officer; Mark Swyka, Cornerstone; 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 May 11, 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 and Mr. Mark Swyka from Cornerstone.

MINUTES

Mr. Davenport presented the regular monthly meeting minutes from March 23, 2015. Mr. Davenport stated that in lieu of our legal review, the minutes are valid.

**Mr. Cannon** made a motion to approve the revised minutes of March 23, 2015 as presented, seconded by **Mr. Davenport**.

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

Mr. Davenport presented the regular monthly meeting minutes of April 27, 2015.

**Mr. Mach** made a motion to approve with a small one word change on page 7 of the April 27, 2015 minutes as presented, seconded by **Mr. Allen**.

Mr. Mach stated that on page 7 the third paragraph down, the word “competition” to be changed to “confrontation”.

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

Mr. Davenport presented the executive session meeting minutes from April 27, 2015.

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

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

## CORRESPONDENCE

Mr. Davenport stated that we received a letter from Oxford Township requesting that their bill of \$3,214.53 for the Spring Township cleanup be waived.

**Mr. Davenport** made a motion that we waive the \$3,214.53 bill from Oxford Township Spring cleanup, seconded by **Mr. Mach**.

Mr. Cannon questioned if the clean ups were limited for a week as the White Township one is? Mr. Williams stated yes for twice a year, once in the spring and once in the fall. Mr. Cannon questioned if there is a reason why the clean ups were limited to a week? Mr. Williams stated that the reason that we do it on a weekly basis is because we have so many municipalities that request it. He also stated that when you start having two municipalities doing the clean up during the same week, it turns into chaos and that we limit it to first come first serve basis on a weekly basis. He also stated that in the host community agreement with White Township, it is done twice a year on a weekly basis. Mr. Cannon questioned that if we are limiting people to just having the week window, and they went and received their voucher from the clerk, is there the possibility of giving them a longer window? Mr. Williams responded that it is a whole timing issue because we still have two or three more clean ups for spring to go from this month into June. Mr. Cannon responded with the understanding that we try not to overlap the municipalities.

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

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

PRESENTATIONS

None

FACILITIES/RECYCLING

Mr. Williams presented a proposal from Mr. Mark Swyka, Cornerstone, for the major modification application for the landfill expansion. He stated that this is a nine to twelve month process for this to occur. He also stated that Mr. Swyka provided “A-1” for the Board, which explains all the steps that he has to go through for this to happen. Mr. Williams stated that this is something that we have budgeted for this year. The amount in the budget was for \$500,000.00 for this task and the well drilling. He also stated that the funds are there as a capital project within our budget.

Mr. Cannon questioned Mr. Swyka, if we are looking at a budget with change orders and is that what you anticipate? He also stated that he knows that it is an estimate, just trying to get an idea of how hard an estimate he is proposing? His concern is if we are at his numbers solid. Mr. Swyka stated that he would characterize the estimate as a good estimate. He also stated that the process we have been through so far, where we have looked at individual components going from feasibility to conceptual design, that we have identified everything that he is aware of that will allow us to go through the process without any major hiccups. He would characterize the effort that you see set forth in the proposal, is very similar to the effort that we just went through with the Sussex County application which had no issues there.

Mr. Cannon questioned what stage is Sussex County at? Mr. Swyka stated that they are waiting for the DEP approval. DEP has told Mr. Swyka that they have no technical comments on the application, it is land use issues that have to be resolved. Mr. Cannon questioned how long does the DEP have? Mr. Swyka stated that they submitted the application to DEP in January of 2014. Mr. Cannon questioned, if in the 12-14 months, did he have to do any big numbers or change orders for them? Mr. Swyka replied no.

Mr. Williams stated that he and Counsel put a contract together. Once we approach and get close to the \$320,000.00, Cornerstone cannot proceed any further until they receive approval from this Board. He also stated that the \$320,000.00 is an upset amount that they cannot proceed any further, which is written into the contract. Mr. Cannon questioned that the change orders will have to be approved by the Board? Mr. Williams replied with that is correct.

Mr. Cannon questioned Task 8 of the application, the environmental and health impact regarding the fees and what exactly Cornerstone is going to. He doesn't seem to think that they are described hard enough for him in there and would like Mr. Swyka to expand on that a little bit more. Mr. Cannon questioned the allowance to do a preliminary archeological and ecological study and would like to know what preliminary would mean? He also stated that the preliminary to him would mean we would have to do an additional study that is not included in this or is that going to be a \$25,000.00 study that is going to encompass what we need to have done in both the archeological and ecological study? Mr. Swyka stated that we would only have to perform an additional study if there is a significant finding. Mr. Cannon asked above and beyond the \$25,000.00? Mr. Swyka replied yes. Mr. Cannon then stated that the preliminary one could be a complete one. Mr. Swyka stated that he does not anticipate anything because we have seen the facility, there has been prior disturbance in a fairly significant portion of the expansion area, so it's highly unlikely. Mr. Mach stated that if the preliminary works and you don't need anything further than the \$25,000.00 goes away. Mr. Swyka stated that is correct and whatever is left of it, does not need to be expended. Mr. Davenport questioned if we had one of these studies done when the landfill was opened originally? Mr. Williams replied yes and it is three volumes that are about four inches thick. He also stated that it is a very extensive study that covered where the landfill is sited. Mr. Cannon asked if it covered the surrounding property. Mr. Williams replied no, but he doesn't know because he has not looked at that. It goes back to the 80's when this was done. Mr. Davenport was just wondering if this is not a duplication. Mr. Williams stated that the study encompasses the 45 acres because that was what the permit was for. This new study is the addition to what has previously been done. Mr. Swyka stated that they are asking to go into areas that they did not ask to go into before. He also stated that, on that basis, they need to do due diligence in order to satisfy themselves, that something was not overlooked previously because they did not anticipate going into that area.

Mr. Allen questioned Mr. Swyka if it was unusual to put an estimate together before the borings are completed and the data on that? Mr. Swyka stated that they have all the test pit information. Based on the test pit information, they believe they have enough to move forward. He also stated that once they have all the data from the borings, they can set the final bottom elevation. They are not setting this at the beginning of the work, because they are waiting for the data information, but they know that they have to perform the work in order to set the bottom elevation. Mr. Swyka also stated that they know they are going to get the data to do that, and therefore, Cornerstone is able to estimate the costs.

Mr. Cannon had another concern regarding Task 8 with the visual assessment that Cornerstone thinks will be required and are we combining that with environmental? Mr. Swyka stated that this is part of the environmental assessment. Mr. Swyka also stated that if we go back into the feasibility study, there is a complete list of environmental attributes that we were to look at and each one of the attributes need to be addressed for a landfill siting. All of the environmental attributes will be addressed in the environmental assessment update. Mr. Cannon would like to see all of the environmental attributes listed in this document. Mr. Swyka stated that all of this information will be incorporated into what is submitted to the environmental health and fact state update. Mr. Cannon was concerned with what we would be sending to the DEP. He stated that if we did the feasibility study, he would not like to see the DEP receive everything in our feasibility study. Mr. Williams commented that they will not get all of the options. Mr. Cannon stated this because it is not spelled out here, we are taking pieces of the feasibility study and including it here, which are ones that we have to do. He also stated that he wants to make sure that we delineate the things we want ourselves internally in that feasibility study and then the things that are part of this contract for \$320,000.00, in the feasibility

study, that will definitely be included. Mr. Mach questioned if we will get a final review of the report before it is submitted? Mr. Swyka replied yes. Mr. Mach stated that if there is something missing that you think should be in there, we could certainly add it. Mr. Swyka stated that what they anticipate is that there are several milestones where we would sit down with Mr. Williams and Board members and talk through the direction that they have taken; look at plan documents, look at narrative documents. Mr. Cannon stated that part of that is what we have agreed upon, what we would like to see going forward, and then the issues of what is going to be presented to the DEP.

Mr. Mach questioned Mr. Swyka if they were going to give us an accounting of the monies being spent against this \$320,000.00 as we go? Mr. Swyka stated that they will give us this each month. Mr. Cannon asked if we could do this on a spreadsheet against what you proposed in the Tasks.

Mr. Mach stated that what said earlier about Sussex County application is interesting. They are still in DEP and nothing has really taken place. They have a good filing because the DEP is not asking any questions. Yet, they are at the 15<sup>th</sup> month, from the day the application was submitted. Mr. Swyka stated that they do have actual statements from the DEP that the application is administratively and technically complete. He also stated that they are trying to resolve within their own departments, particular issues relative to land use. Mr. Mach questioned if we have estimated twelve to eighteen months for approval for our application, Sussex County is in their 15<sup>th</sup> month already with no questions, no concerns expressed that the landfill has to address? Mr. Swyka stated correct. Mr. Mach stated that it is all internal at the DEP at fifteen months. Mr. Cannon questioned the land use issue? Mr. Swyka stated that Sussex County is moving into areas that has been deeded for wildlife. He also stated that this is what is holding the application up.

Mr. Davenport presented Resolution Authorizing Cornerstone to prepare and submit the Major Modification for Landfill Expansion (R-05-01-15).

**Mr. Allen** made a motion authorizing Cornerstone to prepare and submit the Major Modification for Landfill Expansion (R-05-01-15), seconded by **Mr. Davenport**.

Mr. Cannon had some additional questions regarding the contract. He asked Mr. Williams if he will be putting a contract together. Mr. Williams stated yes. Mr. Cannon asked if we could do this together, or do these things need to be attached to each other or the contract just representing this document says? Mr. Tipton stated that the contract can be consistent and incorporate this proposal into it. He also stated that the contract will be the same contract form we used in the last transaction with Cornerstone. His office tweaked two paragraphs. One was the payment because of the way it was worded, he was confused that it was allowing an open tab. They tweaked the payment language so that it was clear that this was an hourly contract and it was not to exceed the \$320,000.00 unless they come back and tell us why. The insurance provision was also clarified and what we were getting insurance wise, as an additional insurer. The initial concern was that are they physically here or is this all in their office. It turns out that most of this work, if not all of it, is not on site. The issue was professional liability insurance. He also stated that this is what they clarified and the amount that we would get. We requested a copy of the policy page.

Mr. Cannon questioned if we had a copy of the proposed contract? Mr. Tipton stated that yes and this went down Friday. Mr. Williams stated that Mr. Swyka received a copy yesterday. Mr. Tipton stated

that the proposal is incorporated into the contract which is where the specifics get brought into it. He also stated that this contract is a standard form with the indemnity language that we put in with all the standards of a simple contract. Mr. Cannon questioned if we need to append that physical contract with this? Mr. Tipton stated that it would be approved with this. He also stated that if you would like to take a look and make it subject to getting back to Jim that you are ok with it as is, you could do that also. Mr. Cannon stated that this is not really any validity to it until we have the contract. Mr. Tipton stated that the contract as required by the By-Laws has to be signed by both the Chairman and Mr. Williams. That is the legal document. Mr. Cannon stated that he was not sure how Chairman would like to proceed, whether he saw the contract because he did not see the contract. Mr. Davenport stated that we could make it contingent on anyone coming up with something by the end of the month. Mr. Tipton stated that if there is something that we need to change, that we could always amend the contract. He also stated that this is a living document that can be amended if needed. Mr. Cannon questioned if Cornerstone made no counter to the contract and are they happy with the contract as we proposed? Mr. Swyka stated that they have reviewed it and it is acceptable.

Mr. Williams distributed copies of the contract to the Board.

Mr. Cannon stated that if Mr. Swyka represents, they reviewed and do not have a problem with the contract, he would rather look at the contract at his leisure but contingent upon, he would have no problem seeing the vote we have on the table. Mr. Davenport stated that we make it contingent upon making it good at the end of the month, then we will have the rest of the month to review the contract. Mr. Cannon asked Mr. Swyka if that timeline is enough for him. Mr. Swyka stated that they can work with that.

Mr. Davenport stated that we are accepting the motion with a contingent.

**Mr. Allen** made a motion that we accept the resolution (R-05-01-15) contingent upon contract review, seconded by **Mr. Mach**.

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

On a motion by *Mr. Allen*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *May 11, 2015*.

**RESOLUTION**

**R-05-01-15**

Awarding a Non-Fair and Open Contract  
Engineering Services  
Major Modification For Landfill Expansion  
at the Warren County District Landfill

**WHEREAS**, the Pollution Control Financing Authority of Warren County (the "Authority") requested a proposal for Engineering Services, Major Modification for Landfill Expansion at the Warren County District Landfill;

**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**, this contract is awarded in accordance with N.J.S.A.19:44A-20.4, as a non-fair and open contract; and

**WHEREAS**, the Authority has received all necessary documentation to allow award of this contract including the Business Entity Disclosure Certification, Certificate of Compliance With Campaign Contribution Law and the Determination of Value and these forms are on file; and

**NOW, THEREFORE BE IT RESOLVED**, by the Authority that **Cornerstone Environmental** be awarded the contract for Engineering Services for the Major Modification for Landfill Expansion at the Warren County District Landfill as described in and, in accordance with their proposal dated *May 4, 2015*, in the amount of *\$320,000.00*.

ROLL CALL:

Mr. Allen	-	Yes
Mr. Cannon	-	Yes
Mr. Mach	-	Yes
Mr. Davenport	-	Yes

Dated: *May 11, 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 reported that the landfill operations are going good within the landfill. He stated that we will be reaching out to Atlantic Lining within the next several weeks because we will be expanding the landfill operations within Cell 5 to another section. All of the stone has been removed from the liner flap that is in place for the storm water diversion. We will need Atlantic Lining to come in within three or four weeks to seal up the liner system where we have a pipe penetration going through. This will be done possibly in early June. He wanted to bring this up to the Board.

Mr. Williams stated that everything is going well and the waste flows coming into the facility are fine. No issues with the heavy equipment.

Mr. Williams reported on the H2S Removal System. He stated that MV Technologies, who he purchased the system from, are coming in to change two of the meters out on the vessels at no cost to the Authority. This is an upgrade to a couple of the meters that we presently have. The upgrade will be operating more accurately and easier to adjust and calibrate. The new meters should be coming in around the end of the month. This is not a permit condition. These meters are what we had installed for our use. This upgrade will enhance our detection monitoring ourselves and help monitor the H2S coming out of the landfill a little more accurately. Mr. Cannon questioned if the meters were included in the original package? Mr. Williams replied yes. Mr. Cannon questioned what was the reason for the change? Mr. Williams stated that it is a better meter. Mr. Cannon asked if it was better for us or MV Technologies. He also asked did they come to us to update our meters. Mr. Williams stated that they have been a good company to work with and that we actually share our data with them. He also stated that if we run into issues as far as calibration, we let them know. MV Technologies are trying to promote this system throughout the country. He also stated that any information we can provide to them, they will come out here and enhance our system to help it make it even more sellable.

Mr. Williams reported on the Solar Panel Project. There are no issues and operating as they should be.

Mr. Williams presented to the Board the next item on the Agenda "A-2" that deals with the discussion we had regarding the tire recycling program at our meeting last month. It was requested that Mr. Williams go back and get some additional information regarding specific equipment to help with the enhancement of our collection program to make it less restrictive. He stated that he looked at tire wash, a rim crusher, and a tire cutter.

Mr. Williams received some prices that range, for example 16" tire and lower it is \$30,000.00 for the cost of this equipment. If we go above the 16" tire, the cost is \$60,000.00 for the equipment. He provided the costs over 1, 2, 3, and 4 year periods. He stated that it does get very costly if we amortize this equipment. He also stated that to collect our funds back for the purchase of this, it really takes the cost of the tire collection way up and above what other facilities are charging. He also attached the other landfills that have tire recycling programs in the state of New Jersey. He stated that most of them are \$2.00 and under. None of the programs do any type of pre-cutting or tire crushing. Some of them have the restrict limitations on their tire collection program. Others are a little more lineate.



Mr. Williams suggested to the Board that we do a pilot project. He stated that we start the program off with the limitations that we proposed at last month's meeting and go on a month to month basis to see how it works and how residents react. If we can enhance that further with possibly removing rims, and getting that type of equipment, we can maybe do that at a later date. He also stated that to help keep the costs down, we are not sure how many we are going to collect, to go through that large capital expense might not be worth our while to do initially until we see the volume we are going to get.

Mr. Williams stated that he would propose that we collect 20" tires or lower, from residents only, that have no rims, clean and have no water inside of them. We have a current rate of \$2.50 in our tariff to collect tires. He stated that we could leave the cost at that or adjust it down. We have two vendors that could take these tires from us; Covanta in Conshohocken, PA and Rubberecycle in Lakewood, NJ. Rubberecycle is a more expensive and stricter than Covanta. Mr. Williams had Counsel review the contract that was presented from Covanta. Covanta has a lot of restrictions and Counsel had some concerns. If we were to move in that direction, then there would have to be some back and forth yet with Covanta on their contract. Mr. Mach questioned Mr. Williams if his proposal is the tires that are 20" and smaller from residents without rims, without dirt, and without liquid in them? Mr. Williams replied with yes as an initial start. Mr. Mach questioned how would we do this, drive up to the gate house with five tires, what happens from there? Mr. Williams stated that what happens is the scale attendant will look at the tires as they do now when people come in with refrigerators and air conditioners. He also stated that this is not a tedious task for them to walk out of the scale and do a visual observation and look into the vehicle. Then, they will send them over to the convenience center, where the residents go now, and put them in a 40 yard container, which will be tarped over. Mr. Mach questioned if this area will take one of the slots away in the convenience center? Mr. Williams stated that we actually have a flat area where we used to do separated recycling. This is a concrete area which is up above. He also stated that when we used this area before, we had special ramps made where people could walk up this ramp and go right into the dumpster. He stated that the ramps would be put back in place if we move forward with this. Mr. Mach questioned if the residents would have to physically take the tires from the vehicle and put them in the dumpster. Mr. Williams stated that this process is no different than what the residents do now with recycling, trash, and metal. Mr. Mach questioned if we have any liability for injury that they may sustain while they are unloading the vehicle? Mr. Williams replied that is more of a legal question but the same liability would be there if they are unloading their own vehicle. Mr. Allen questioned if the bin is going to be tarped and it is a rainy day, who makes sure that the tire is not wet? Mr. Williams replied with we do. He also stated that the container will have a huge back door that will be open, so they can walk right in it. We will use a 40 yard container which approximately seven feet tall. The tarp will remain intact.

Mr. Cannon discussed the numbers that may involve the county environmental and are they involved in this? Mr. Williams stated that the only time they will get involved is when there is eventually a "tire amnesty program", which is funds coming from the state. He also stated that when that time comes, its matching funds where there is apparently \$25,000.00 available that someone else will have to come up with the other \$25,000.00; whether that be a conglomeration of us, the Mosquito Commission, the County, SWAC or whoever it has to be and these funds. Mr. Williams stated that he thinks that this is where the county environmental comes into play. Mr. Cannon questioned that with the following numbers provided by Mr. Williams and getting more specific, even if we get the best equipment of all, your amortization schedule based on ten tires a day is based on numbers without any additional funds, offset funds, matching funds, or an assumption of averaging ten tires per day? Mr. Williams replied right. Mr. Williams stated that with this equipment, which he went through Northern Tool for the

numbers, he found the majority of the equipment has a twelve month warranty. Mr. Cannon stated that if you had 16,000 tires taken out in four years of going elsewhere, are we are looking at approximately \$70,000.00? Mr. Williams stated that it could be that amount. He also stated that it is a lot of money in the capital expense. Mr. Cannon stated that the \$70,000.00 is without any additional monies, maybe we give the County a little less money to offset this program when we propose. He also stated that we are not in the business to lose money but we are obviously in business here environmentally, so what is a cost that would be suitable for us and palatable that we could both market it and absorb a certain amount of cost. Then we could possibly collect money from elsewhere. Mr. Mach stated that at the very least it should be a break even. Mr. Cannon agreed. Mr. Cannon is afraid to start off as a trial program and people do not know, not sure what size and then a couple of months go by and then there are no tires out there. He thinks that the way this program would work best, is if we went for it full tilt. Mr. Mach agrees. Mr. Cannon suggested that if we go through a partial trial, the water, the size and all that will be an issue. If we take tires, we take tires.

Mr. Williams stated that the one thing that is not included here is that eventually the work will have to be done inside a building. Weather will affect the equipment so a building will be required. Mr. Mach stated that we do not need a very expensive building, just a pad and a cover. Mr. Williams stated that this is a cost plus the manpower. He also stated that we do not know what the quantity is that we are going to get. Mr. Cannon stated the numbers that we are going to have to look at is what capital expense would the Pollution Control Financing Authority of Warren County be willing to invest in anticipation of receiving back hopefully to a point of breaking even through all of the entities we hit up, but we are going to go at it full bore and if it does not work full bore then we can stop it. He also stated that to give it too much of a cost through residents coming in with tires, that it will not work. He also suggested that we could always sell the equipment if the program does not work. Mr. Cannon stated that the County needs a tire recycling program. He suggested we start this program full bore and we can stop it at any time. Mr. Davenport questioned if this program would include commercial? Mr. Cannon and Mr. Mach said yes this will include commercial. Mr. Cannon stated that if we have some place to take the tires to and this is a huge part of the problem in the environment, they are going to do whatever they want to do with them. He would rather see a trial program that we invest money and maybe we will lose money. He stated that we look at it at that we go to the Mosquito, County, and the Environmental and say that we want to do a full bore program and we want them on board. They can come check and monitor or whatever. He also stated that we do have to have the crusher and the cutter. Mr. Mach stated that we are going to wind up with rims, the oversize tires and the water in them.

Mr. Williams stated that this will also include additional staff. Mr. Mach stated absolutely this will include additional staff. Mr. Cannon stated that is another sell to the County that we are increasing the employment in the County. Mr. Mach suggested that this could be a part time job because this doesn't look like a full time job. Mr. Williams stated that we do not know that because it could or could not be until this program is done.

Mr. Williams questioned the board if they want to purchase the equipment? Mr. Cannon stated yes. Mr. Cannon stated that in conjunction with Environmental, County and Mosquito. They should all be involved in this process. Mr. Williams stated that what goes along with the purchase of the equipment are the RFP's, which is a process to bid this equipment. Mr. Mach stated that there are going to be meetings between SWAC and whoever else is involved here to get them on board to make sure they

are on board. He also stated that when everyone is on board then we go forward. Mr. Williams stated that this will take several months before we start.

Mr. Davenport stated that we will need a timeline of what the steps are moving forward. Mr. Cannon stated that Mr. Williams had a good idea but to encompass the other entities of the County whether it is going to be financially and/or physically. Mr. Williams questioned what Mr. Cannon meant with the Environmental part of the County and if he was referring to SWAC? Mr. Cannon answered Mr. Williams that SWAC would be part of the environmental part of the process. Mr. Mach stated that SWAC should be a part of it. Mr. Cannon stated that there may be other people at those boards or entities that would be able to tell us what to do.

Mr. Cannon stated that he cannot see how we can do the program with restrictions. He also stated that if we do the tire program and it becomes a total failure, so be it. We can say that the tire issue was addressed, it was addressed properly and no one participated in it. Mr. Cannon stated that we should tell residents you got the tires bring them and we will take care of it. Mr. Williams questioned if this would include businesses? He stated that if so then this would include tractor trailer loads? He also stated that we had tire collection programs in the past, and we were getting tractor trailer loads and horse trailer loads. Mr. Cannon stated that what he thinks is what we are trying to solve is for the residents, not commercial. Mr. Mach questioned when the landfill received tractor trailer loads, was the program free? Mr. Williams answered yes. Mr. Mach stated that the program we are talking about is not going to be free and when a price tag is added, that kind of mitigates those kind of situations.

Freeholder Director Smith stated that the possibility of being inundated, and that Mr. Mach is correct because it was free. He also stated that we are not going to be looking at being in competition with current recycling scenarios but looking at one of the health concerns, which is tractor tires for instance. If the Authority wants to move forward with a cutter, he feels that this is the more important part. The cutter would be able to cut agricultural tires and will also enable us to compact the loads. Mr. Williams stated that he will have to research the tire cutters for the agricultural tires because the numbers associated with the cost table he provided to the Board was for a 20" tire cutter. Freeholder Director Smith stated that the light duty cutter will not be addressing the issue that needs to be done. He also stated that the 20' cutter will be a waste of money. A heavy duty cutter will be required. He stated that the tractor tires are a problem around our County. Mr. Williams stated that he will have to research a vendor that will take agricultural tires because the vendors he provided to the Board will not accept those tires.

Freeholder Director Smith stated that if there is no place for the farmers to go with the tires, the health commission will be going out and addressing the mosquito concerns, in which they will not be able to address because there is no place to take the tires. Mr. Mach questioned Freeholder Director Smith if the Agriculture Bureau have any funds available? Freeholder Director Smith replied that he has not explored that. The tractor tires in this area are a huge breeding area for mosquitos. Mr. Williams will look into the larger cutters, see what is out there and how they are operated. They are hydraulic.

Mr. Allen questioned if there is another county that does this program? Mr. Williams replied no. Mr. Allen suggested that there may be a possibility that there is grant money available from the DEP or someone. Mr. Williams will check with Dave Dech at Warren County Planning Department.

Freeholder Director Smith suggested that we check through the Agriculture Board. Further investigation into this tire recycling program will be conducted throughout the Board, Mr. Williams and Freeholder Director Smith.

Mr. Cannon stated that we should send a letter from the PCFA to County and to all the subordinate environmentalists, that we are looking at starting a program for all tire recycling and we would appreciate their input or response or if they would like to attend our meeting and has anyone had any experience with this, and open end the letter. Mr. Davenport questioned if this is something we can take to SWAC and ask them? Mr. Williams stated that SWAC will be part of the letter. Mr. Davenport stated that SWAC has a June meeting. Mr. Williams stated that he will attend the June meeting and bring this up to SWAC.

Mr. Williams would like to see this program commence as he has stated to the Freeholder Director, Mosquito Commission, and SWAC, with no road blocks. He wanted to put everything out there for the Board to be aware.

#### FINANCE/PERSONNEL

Mr. Davenport presented the PCFA Personnel Policy Manual Update with the new Organization Chart. Mr. Williams stated that this needs approval from the Board so that we can incorporate it our Personnel Policy Manual.

**Mr. Mach** made a motion to approve the new Organization Chart, seconded by **Mr. Allen**.

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

Mr. Olshefski presented the March monthly report for the Board. He stated that we should be receiving the Audit Report. Mr. Williams stated that we did receive the report. Mr. Olshefski did not receive a copy, but had the draft copy. He stated that there were no findings in it or no recommendations. He also stated that the Audit Report did present a solid financial position in our net assets for a 6.7%, 1.7 million which he was leading into at the last meeting with the discussion that came up about the contribution to the County. He put on the table today the proposal that we looked at the last time we discussed the contribution to the County. The law allows us to give a monetary contribution to the County up to 5% of our operating budget, which for this year would be \$390,700.00. A suggestion was made that we give a base amount of \$100,000.00 and then any anticipated revenue over our estimated cost at 6.5 million, we give 10% of that back to the County. This would be under the allowable amount. In perspective, we anticipated this year approximately 210,000 tons of waste coming into the facility. This is basically a \$1.00/ton as a way to look at this contribution. He stated that this contribution can be given any time of the year but will not be utilized by the County until the following year in their Capital program. He stated that this is up to the Board to decide on how they want to approach giving the County the contribution. Mr. Mach recommended that we wait until further in the year to make a decision, maybe the fourth quarter, to see what the contribution would be. He also stated that we will have a better

handle on what the exact number is, then move from there and just put it off until then. Mr. Cannon questioned to put off the range in the 10% figure? Mr. Mach replied with that would be fine. Mr. Cannon suggested that he would like to move forward with the proposal but he wants to make sure that it is understanding, from both the County and our side, that the base amount is the only thing that we are guaranteeing. He also stated that the 10% range is something that depends. He is fully on board with this proposal, but just clarity for everyone's sake, that anything above that \$100,000.00 base amount is completely discretionary from the PCFA.

**Mr. Cannon** made a motion moving forward whatever the timelines are as far as the budgets, forecasting for the County and us, that we accept the proposal for the base amount of \$100,000.00 annually with the possibilities of up to 10% additional based on revenue, seconded by **Mr. Mach**.

Mr. Allen questioned if this had to be done in one payment, can't it be done in two payments? Can't we give the County the base amount first and then later in the year, when we have the better figure, we can make a final payment? Mr. Olshefski said yes we can. He stated that from the County's perspective, the County is not going to utilize until the following year's budget when they have to go through their Capital ordinance because the County is going to use for road programs going forward.

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

Mr. Mach questioned Freeholder Director Smith about if the work is ongoing at the County Courthouse, the restoration? Freeholder Director Smith stated that we are stuck with the State Historic Preservation Office. They already made an allotment in the budget for a Capital plan for the refurbishment of the outside. He also stated that it is in discussion. Mr. Mach was not enthralled with the letter that we received with one choice of putting this money towards the roads. He also stated that the County Courthouse really needs restoration. He would like to put it in front of this Board that we suggest back to Steve Marvin that we would like to have either the entire \$100,000.00 or part of the \$100,000.00 put towards restoration of the County Courthouse. He thinks that the County Courthouse is more meaningful than the 1,000 feet of road. Mr. Cannon stated that what he remembers is that we did not agree that the money should be used for the roads resurfacing. Mr. Williams suggested that we ask Counsel to look at if we can dictate how the money is used. Mr. Williams believes it states that we cannot dictate how this money is used, but he will leave this up to Counsel. Mr. Olshefski stated that the County roads with the utilization, everybody has access to the County Roads, which is an ongoing project. The County thought that the contribution would be appropriate to that extent.

Mr. Davenport stated that a motion was needed to pass the Resolution to Pay Bills (R-05-02-15).

Mr. Davenport questioned the signs that were purchased. Mr. Williams stated that unfortunately residents back into them and they have to be replaced. Mr. Davenport questioned if we are trucking liquid waste to Passaic Valley and are we pumping when we can to PRMUA? Mr. Williams stated

yes. He stated that PRMUA asked us to restrict our flows until their construction project is completed, which may be September or October of this year. Mr. Williams stated that we can only discharge 70,000 per day as per our permit. He also stated that if we get a 5" or 6" rainfall and it fills up our tanks, then we have to resort to trucking. He reported that as of now we are pumping approximately 25,000-30,000 gallons per day.

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 *May 11, 2015*.

**R E S O L U T I O N**  
**R-05-02-15**  
**To Pay Bills – May 11, 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. Mach	-	Yes
	Mr. Davenport	-	Yes

We hereby certify Resolution to Pay Bills in the amount of **\$255,108.02** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *11<sup>th</sup>* day of *May, 2015*.

Jamie Banghart, Recording Secretary  
James Williams, Director of Operations

There were no changes on the Waste Disposal Fee Schedule.

## NEW BUSINESS

Mr. Davenport stated that both Mr. Williams and he were approached from the Director of PRMUA about a new process that they are looking into. Mr. Williams and Mr. Davenport have been invited to go take a look at the situation at the test. The director at the PRMUA thinks that there may be a use for it here with processing the leachate. He stated that they are going to see what is involved in this process. Mr. Williams stated that what this process has to deal with is liquid oxygen. Liquid oxygen is very hazardous. He also stated that he had our engineer look at what this system is and right now it does not appear that it will work in our application. We already have an air blower system incorporated in ours, which is pulling fresh air from outside and this new process would be adding liquid oxygen. Mr. Williams stated that they would like us to observe their pilot project when they do it at the PRMUA. Mr. Williams and Mr. Davenport will go and observe when that time comes.

## GENERAL COUNSEL'S REPORT

Mr. Tipton has one item regarding the appraisal for executive session.

## OTHER BUSINESS

Mr. Allen discussed the By-Law issues that we took on last month. He suggested that the By-Laws to him and the way it is laid out lead to his confusion. He stated that the front page to the By-Laws has a statement as to when it was revised but none of those revisions or statements as to how it was revised are in that book. He also stated that the book contains the newest revised By-Laws and the old By-Laws, which to him makes no sense, which caused his confusion. He suggested what he thinks would suffice better would be to have every resolution that has been passed to modify the By-Laws in the front of the book with the attachment into the resolution stating what change was made. Mr. Tipton stated that he does not participate in the creation of the By-Laws, or even doing the administrative side. He questioned if the Board wants to have a fresh, clean set of By-Laws. Mr. Williams stated that only one resolution from 2012 is included in the By-Laws because that was the only resolution. This Board was not even here when the By-Laws were originally done in 1985. Then in 1993 they were revised by a motion in the meeting minutes, with minor wording changes. In 2004, it was also a motion for the revision with minor wording changes also in the meeting minutes. Mr. Williams stated that Mr. Allen makes a good point that the meeting minutes should be incorporated so you can refer back to see the changes.

Mr. Allen made a suggestion that we take the last resolution based on what was said about all the other changes, take the last resolution that was done by this Board put it in the front of the book with the attachment and throw away the old ones.

Mr. Cannon questioned Mr. Swyka about the inquiring of Cornerstone. Mr. Swyka stated that as an owner of Cornerstone, he is privy to the discussions. He stated that they were acquired by Tetra Tech, which is based in Pasadena, CA. Tetra Tech is a company with approximately 300 offices worldwide and has 15,000 employees. Cornerstone now represents about 1% of Tetra Tech. Cornerstone will continue to operate as Cornerstone. Nothing will change in terms of Cornerstone's contracts. Mr.

Swyka will continue to have the privilege to come here. He also stated that there are quite a bit of additional services that they can provide to clients through various other Tetra Tech entities. Tetra Tech was ranked number one in solid waste and number one in waste water in the E & R rankings for 2014.

### CLOSING PUBLIC COMMENT

Freeholder Director Smith thanked the Authority for the \$100,000.00 contribution to the County.

Freeholder Director Smith wanted to touch upon the discussions that we were having regarding purpose. He thinks that his discussions that he has had with the administrator and to end up where the funding decisions that are made by the Board, in terms of priorities, are something that is the Board's prerogative as it is with PCFA's. He stated that in an effort to try to come up with the appropriate way for revenues that were being used from here and not being discretionarily applied to purposes other than related at the PCFA, was the reason why the roads were looked at. This is one of the comments that he has received from individuals on the impact of the roads with the heavy vehicles that are going over them. This was a direct cost that goes back to the PCFA and that was more of an appropriate way, because that is still Capital, but it is where it was tied fast.

Freeholder Director Smith stated that what he wanted to look at other aspects of things. For instance, when he looks at the tire recycling program. That is a very much mission oriented contribution to the quality of life here in Warren County that he believes also could be used in terms of a release, a news release, of something that the Authority is doing for the benefit of the citizens of Warren County. He also stated that if we could address the mosquito issue and be able to enhance public safety and welfare through implementation of a program, such as the Agriculture tire scenario, and there is a significant cost there, that is something that is being done for the benefit of the people in Warren County. He stated that those are types of areas where, as opposed to the County having to look to the tax payers, the County is actually coming back towards the mission of dealing with it on a Pollution Control/ Health Agenda.

Freeholder Director Smith stated that the Board already agrees with the terms that the Courthouse needs address, he just wishes it was so simple that we could go out there and fix it, but because it is a historic structure we have other partners that get involved and they sometimes hamper that process.

Freeholder Director Smith wanted to thank the Authority again for helping the County address the impacts to the roads and this was an appropriate area to look at because there was an impact. This is where the logic came from.

### PRESS COMMENTS & QUESTIONS

None

### EXECUTIVE SESSION



Executive Session was entered at 10:32 am for discussion regarding Contractual Issue.

Mr. Cannon questioned if we had to accept the audit? Mr. Davenport stated that this will be reviewed next month.

## RESOLUTION

**R-05-03-15**

### AUTHORIZING EXECUTIVE SESSION

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

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. Mach***

Seconded By: ***Mr. Cannon***

ROLL CALL:	Mr. Allen	-	Yes
	Mr. Cannon	-	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: 05/11/15

***Mr. Mach*** made a motion to come out of executive session, seconded by ***Mr. Allen***.

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

Regular session resumed at 10:48 am.

No action was taken in Executive Session.

**Mr. Davenport** made a motion to offer to Mr. Unangst the amount of the appraisal that we received, seconded by **Mr. Mach**.

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

#### ADJOURNMENT

With no other business to discuss, **Mr. Allen** motioned to Adjourn, seconded by **Mr. Davenport**, at 10:49 am.

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

Respectfully submitted by:  
Jamie Banghart, Recording Secretary

Approved: 06/22/15