

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

August 17, 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.

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; Mark Swyka, Cornerstone; William Soukup, Cornerstone; 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 August 17, 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. He also welcomed Mr. Swyka and Mr. Soukup from Cornerstone.

MINUTES

Mr. Davenport presented the regular monthly meeting minutes from July 27, 2015.

**Mr. Cannon** made a motion to approve the regular monthly minutes of July 27, 2015 with minor wording modifications to page 3, 4, 5, 7 and 9, seconded by **Mr. Mach**.

Wording modification on Page 4 will be changed from Mr. Pryor to Mr. Tipton.

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

Executive Session was not necessary on July 27, 2015.

## CORRESPONDENCE

Mr. Williams stated that we received a letter from Norris & Norris, LLC who represents S. Rotondi & Sons, Inc. They are requesting to put a container at the landfill with some fees associated. He also stated that Rotondi has not been approved as a “Class B” recycler or included in the County’s plan. There is also a resolution adopted by the Freeholders in February 2015 that listed a number of conditions that they had to meet to be included within this plan which have not been met as of yet. Mr. Williams stated that Mr. Dech suggested that we hold off on this until the DEP and the Freeholders have signed off on this project.

Mr. Cannon questioned what is this project? Mr. Williams stated that they are looking to do some additional recycling. They are asking us to put a container here at the landfill for a fee for leaves, grass clippings, and brush to be part of the recycling plan. Mr. Cannon questioned that someone submitted a plan to the County or the DEP to have this vegetative waste container at the PCFA? Mr. Williams stated that this is what Rotondi is requesting that they place a container here. Mr. Cannon also questioned that we were not part of the process? Mr. Williams replied no.

Mr. David Norris, from Norris & Norris who represents S. Rotondi & Sons, Inc., was present for discussion of this correspondence. S. Rotondi & Sons, Inc. is a vegetative waste facility in Harmony. He stated that Rotondi applied to put their facility through the Solid Waste Advisory Council and that the Solid Waste Council wanted to give the PCFA an opportunity to put a container here. They just thought that that was something that SWAC wanted Rotondi to offer if the PCFA wanted to. He also stated that SWAC wanted Rotondi to say that if it would be helpful to have a container here at the landfill, or if it is something we are not interested in, then SWAC wanted Rotondi to get our approval stating that we didn’t want it. Mr. Norris introduced Mr. John Canace, Municipal Sales Manager from Rotondi, if we have any questions for him.

Mr. Davenport stated that we have to go through the Warren County Freeholders first before we can do anything about it. Mr. Williams stated that Mr. Norris may have missed what he said earlier regarding the discussion he had with Mr. Dave Dech a couple of weeks ago. Mr. Williams stated that Mr. Dech advised him that Rotondi’s “Class B” recycling plan with the DEP has not been approved as of yet. He also stated that there is a resolution passed by the Freeholders in February of this year with a number of conditions that had to be met. A good majority of them have not been met yet as he was told. Mr. Dech told Mr. Williams that we should hold off on doing anything with this here until those conditions have been met. Mr. Norris stated that this is one of the conditions out of the ten conditions. One of the conditions is that Rotondi go to Harmony and ask them if they want to have a container. He also stated that there is a few conditions that involve things directly that Rotondi has to do with getting the “Class B” facility down to the exempt levels before DEP will actually approve. He stated that as it stands now, SWAC did approve the plan with these conditions. The DEP requires within the six months that they get

PCFA's ok or no. This is one of the conditions that they need. Ultimately, these conditions give the final approval will never be given by DEP unless all these conditions have been met.

Freeholder Director Ed Smith stated that they just had a resolution for consideration for their Board, which was for a sixty day extension because there was a series of these conditions. He stated that his understanding was that this was to provide a means for which vegetative waste would have depositories elsewhere other than Rotondi's facility. This idea being that PCFA would not have to use landfill space for vegetative waste, which would then have to be recycled at Rotondi's facility. He questioned that the fee is from who to who? Mr. Norris replied that the fee is from Rotondi to the PCFA. Mr. Davenport stated that no that is not correct and that the PCFA is going to pay Rotondi the fee. Mr. Norris stated that the idea was is that it will not be a profitable thing for Rotondi. They are going to leave the container here. He also stated that it is really a service but they have to keep the container here and they will have to come drive and pick it up. For Harmony, it is completely free because they are going to supply the container and deliver it to Rotondi and Rotondi will accept the material for free. Mr. Norris stated that there are a lot of different ways and that is why Mr. Canace is here because he had the authority to make those decisions if we wanted to say if we were concerned about the price. He also stated that this is meant to be a service that Rotondi is providing to Warren County and the PCFA. He stated that even though the money will be coming to Rotondi, it is to offset the cost and not for them to make profit.

Mr. Cannon stated that basically Rotondi is required to offer this service to the landfill, PCFA, whether we accept, do not accept, interested, not interested, whatever the case may be, really is indifferent to them, but this is part of their punch list that have to provide to us. Mr. Norris stated that apparently there was a deal with Mr. Angelo Rotondi and PCFA years ago when he first got the site to have containers here for a certain period of time. This has stopped and he is willing to do that again and Mr. Rotondi is trying to be a good neighbor to Warren County as well as Harmony to the best that he can.

Mr. Pryor stated that he is fairly new to the Board, but this sounds almost parallel to the tires. He stated that we give people an opportunity to drop it off here and then we pay somebody else. We would have to come up with some sort of arrangement. Mr. Williams stated that this is something we could do here if the Board chooses as another service. The only thing that he does not think we will be able to do is get weights or charge because there is no weight to leaves and grass clippings. Mr. Pryor stated that if a home owner cleans up his yard, this gives him an outlet, but on the other hand, we do not want trucks from landscaping companies showing up and we have no vehicle for recovering costs.

Mr. Cannon suggests for our discussion purposes that we put this on next month's agenda. He has dealt with this on commercial properties and there are a lot of pluses and a lot of minuses. Mr. Williams stated that there are odors associated with taking vegetative waste in. He will have to check with the DEP because right now we are not permitted to accept vegetative waste, either for recycling or disposal in our landfill. Mr. Cannon stated that there are a whole lot of issues. He also stated that we put this on the agenda for next month and we discuss it. He also stated that we could turn the whole recycling center into an area that nobody wants to use because of the problem associated with it because it can stink. There is nothing you can do with the vegetative waste while it just sits there.

Mr. Mach stated that the charge of \$250.00 for pulling a container out here is entirely too high. Mr. Cannon stated that he thinks that is negotiable from what their counselor stated earlier. Mr. Norris stated that the thought is that the container would just sit here for so long. Mr. Mach questioned that the container would be going from here to Harmony, correct? Mr. Norris stated that it is really just because they think that the container would just sit here for a quarter of a year and not that many trips.

Mr. Davenport stated that before we go on any further, we need to find out what we have to do to make it legal. Mr. Cannon stated that we should have discussions whether we even want to do it before we have to go through approaching the DEP because if we do not want to do it then there is no need to go to the DEP. Mr. Davenport stated that if there is no way to legalize it then we should not need to go on.

Mr. Norris stated that he thinks that the PCFA will be able to get an exemption for containerized grass. Grass is really the only thing that is that much of a problem and needs to be containerized. He also stated that since everything will be containerized, it's simply applying for an exemption to the DEP and it is basically granted. He also stated that he could send something to Mr. Tipton if the PCFA are interested of how that works.

Mr. Mach questioned Mr. Williams that if he approaches the DEP, how quick would he get an answer? Mr. Williams replied that he could get an unofficial quick verbal. He thinks that there would be some modifications to our permit. It maybe something as simple as a letter saying that we are going to do this at our facility and that we are looking to entertain doing this. He also stated that an amendment to the County's plan would have to be done too.

Mr. Cannon stated that we have to decide as a Board whether we are interested in doing it. Mr. Mach stated that he thinks Mr. Williams' question could probably, if it comes back negative that we cannot do it, will probably stop an hour's worth of discussion here.

Mr. Davenport stated that we will put this on the agenda for next month.

Mr. Allen stated, just for the sake of clarity, that if this does get approved and we chose to do this, this is at no cost to us? Mr. Williams replied that this is at \$250.00, which is a negotiable number. There is a fee to us. Mr. Allen stated that Rotondi is in business to do this and they are going to make money on recycling this stuff and we are going to be charged \$250.00 for allowing them to use our site? Mr. Williams replied that is what they are requesting. Mr. Allen stated that this does not sound right to him. He does not know what anyone else thinks but it does not sound right to him. He also stated that if Rotondi wants to lease space here for a container that is a different story.

Mr. Norris stated that from what he understands then is the PCFA would actually charge a tipping fee to drop the material off which would be over and above what Rotondi would charge the PCFA for the container. In other words, the PCFA could make profit. Mr. Williams stated that trying to weigh in a bag of leaves, there is no weight there unless a landscaper is coming in. We do not have small scales. We have a big truck scale. He also stated that the minimum the scale does is twenty pounds. We may be able to do a flat fee. There are a number of things that the Board will have to have a discussion on; whether there is a fee or not, and what is that fee. Mr. Norris stated he could provide us with some conversion factor and some approximate pricing so that the PCFA can determine whether it's advantageous for us. Mr. Williams stated that that would be great if they could do that.

Mr. Williams stated that we received a letter dated July 23, 2015, from the DEP regarding the Operating Renewal Air Permit and was determined it is administratively complete. He stated that this is a renewal of our Air Permit. He also stated that the DEP requires us to submit this a year and half in advance. This has been submitted in the appropriate time frame and we are now considered with the application shield, that again like all our other permits once it is in, we are still covered under our existing permit if they go beyond the expiration date, we are covered.

Mr. Williams stated that we received a letter dated July 27, 2015 for the 2016 solid waste enforcement fees from the DEP. This is a typical letter that we would normally get from them of what the enforcement fees are for 2015 and also rolls into 2016. Mr. Mach questioned if it was higher or lower than last year? Mr. Olshefski stated that the fee was \$1.29 last year which was actually lower than this year. This fee is calculated by the County Health Department where they get their costs from what they have for the year and then submit it. Mr. Williams stated that these are the CEHA fees.

Mr. Williams stated the letter that was sent down on July 29, 2015 regarding the Avian Flu, he stated there has been no feedback from the DEP on that letter.

Mr. Williams stated a letter dated August 12, 2015 from Dave Dech to all the Municipal Clerks, regarding a public hearing that will occur on September 9<sup>th</sup> regarding the expansion of the landfill. Mr. Williams just wanted to get this out to everybody if anyone wanted to attend, but we will include this as a correspondence at our September meeting.

Mr. Cannon stated that our September meeting will have already passed? Mr. Williams replied yes. Mr. Mach stated that the sole purpose of this meeting is a public hearing. Mr. Williams stated that is correct.

Mr. Cannon asked if there was any requirements of the PCFA here, does anyone have to be there, are there any conditions that the County has promised that we need to fulfill? Mr. Williams replied no, everything that is included in this document, we have all seen already and what this refers back to is the presentation submitted by Cornerstone and what the Board had approved as far as the expansion capacity and the acreage goes.

Mr. Cannon asked what exactly will be presented. Mr. Williams replied it is in this correspondence, the resolution is in here. Mr. Cannon asked what about Cornerstone and/or the Expansion and/or explanations, drawings, what things are going to be presented to the public. Mr. Williams replied this is what he received from Mr. Dech of what is going to be presented.

Mr. Smith stated we have already done a resolution authorizing the study, the only difference is we are coming back with the number of cubic yards and a basic design because we have to quantify the size. He also stated that it is not necessarily a display of any items, it provides an opportunity for individuals who may have an interest in the project to appear before the board at the public hearing and provide any input that they may have prior to the vote of the Board to move forward with the modifications to the Solid Waste Plan.

Mr. Cannon asked if it was a question/answer period. Freeholder Director Smith stated that it is not, the public hearing aspect and as he recalls he does not think we had anybody last time. Mr. Smith asked Mr. Williams if he was going to attend, who responded he would, in the event that somebody had any specific questions that might be advantageous at least to just have someone who would be able to authoritatively answer those concerns. He also stated that unless someone from SWAC is intending to actually come and bring up an issue before the Board prior to the Freeholder vote. He stated that this is not usually a complicated aspect.

Freeholder Director Smith stated for clarification on the issue on what was going on with Rotondi was that they will be able to accept those materials directly at their site once they receive their permit. We are providing an expansion of the ability for us to deal with solid waste in the County. These two options, both the one for Harmony Township, because they are the host community, and Warren County

to make it to where we will be able to have a facilitation of accepting of these wastes. The recycling will still be available and can be done at their facility. These were some of the conditions that SWAC had put forward to them as a condition to come before the PCFA and offer this as an option, if the PCFA would choose. He stated that he was not aware of the fee. This is an optional scenario. He stated that Rotondi just had to come before this Board and make the request. If we choose not to do so, then that recycling will still be taking place at the Harmony facility. Now there will be an outlet for the vegetative waste.

Mr. Mach questioned about the public hearing, this public hearing is strictly for local purposes or is this the public hearing that the DEP is requesting for our permit? Mr. Williams replied no that this is for the County to amend the Solid Waste Management Plan. Eventually, Mr. Williams stated that the DEP will have a public hearing regarding the application that is submitted by Cornerstone on our behalf, which will be next year some time.

#### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

#### PRESENTATIONS

None

#### FACILITIES/RECYCLING

Mr. Williams reported that the treatment plan operations are continuing to run smooth. He stated that we are going to start preparing for the fall with our leachate levels and lagoons to make sure they are as low as possible in preparation for hurricane season.

Mr. Williams reported that the landfill operations are continuing to run fine with no issues with our heavy equipment. He stated that Covanta is slowing trickling in the last of the Essex ash. They have until the end of the year to make all the final deliveries. He stated that at the last meeting was approximately 10,000 tons left to deliver. Once this is finished, the revenues will drop accordingly.

Mr. Williams reported on the H2S removal system. There are no issues and everything is running fine.

Mr. Williams updated the Board on the solar project. He stated that we are continuing to see our reductions in our electric bill.

Mr. Williams presented the sub division survey proposal regarding Block 32, Lot 10 which is the Unangst property. Mr. Williams stated that Mr. Tipton has tried very hard to try to get us at least three possibly four proposals. He reached out to some entities as well. We received two proposals back; one from Finelli and one from Van Cleef. Mr. Tipton stated that the original proposal and the only one received was from Finelli which was in the \$7,000.00 range. He stated that Finelli was proposing more than we needed for purposes of this purchase. He asked Finelli to reduce the scope of services so that it was what we want because we do not want to pay for more than we need. He also reached out to Van Cleef to get a proposal from them and also reached out to Hatch Mott. Hatch Mott did not respond, which Mr. Tipton thinks this may be too small for them and the person who used to do work for the PCFA at Hatch Mott left the company. He asked the Board to make a decision on the two proposals that we did receive. Finelli proposal came in at \$4,000.00. Van Cleef was broken into two

categories. He stated that in order to get a survey, a drawing, and the deed decision that we need to take ownership of the parcel, we would have to combine the two categories, which would be \$6,000.00. Mr. Tipton stated that with the proposals we received, it is \$4,000.00 versus \$6,000.00. Van Cleef is a little bit more for the posts for the corner set, which is included. It is three corners. Mr. Williams stated that Finelli has done work here over the past years and are familiar with our site. Mr. Tipton recommends we take the cheaper one. It is a professional service and the Board can choose either one at this time for purposes of moving the project forward, Mr. Tipton would like to get a vote from the Board today, if possible.

On a motion by *Mr. Mach*, seconded by *Mr. Davenport*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on August 17, 2015.

## RESOLUTION

**R-08-01-15**

### AWARDING CONTRACT FOR PROFESSIONAL LAND SURVEYING SERVICES

**(BLOCK 32, LOT 10)**

WHEREAS, the Pollution Control Financing Authority of Warren County (Authority) requires the services of a Professional Land Surveyor Licensed in the State of New Jersey for a Partial Boundary Survey of Block 32, Lot 10 (1.5 acres) owned by Oscar Unangst located in White Township, NJ; and

WHEREAS, the Pollution Control Financing Authority of Warren County (Authority) obtained **two (2)** proposals for the above services;

NOW THEREFORE, be it resolved by the Authority that a contract for the Professional Land Surveying Services for Block 32, Lot 10 located in White Township, NJ, be awarded to **Finelli Consulting Engineers, Inc.** in accordance with their proposal dated **July 30, 2015** for the estimated amount of **\$4,000.00**.

BE IT FURTHER RESOLVED, this contract is awarded as fair and open pursuant to N.J.S.A. 19:44A-20.4 et seq.

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.

Date: August 17, 2015  
Jamie Banghart, Recording Secretary

Mr. Williams gave a report on an update of the tire recycling program. He stated that it has only been a couple of weeks since the last time we all met, and we went from collecting 182 tires in total to 386 tires to date. He also stated that in the last three weeks we have seen a 200% increase in the tires that we have collected here. The program is going well. Mr. Williams stated that this may be just a surge, but we will see over time. Mr. Mach questioned that 386 is the total number of tires? Mr. Williams replied with 386 as of this morning. Mr. Mach asked Mr. Williams how many tractor tires? Mr. Williams replied last month the tractor tires went from 8 up to 63 in three weeks. The automobile tires went from 153 to 285. The commercial size tires went from 21 to 38. Mr. Mach stated that this is good. Mr. Williams stated that this is working out very well. He also stated that everyone has been compliant and no issues with anyone. No dirty tires.

#### FINANCE/PERSONNEL

Mr. Davenport presented a resolution for authorization to auction online surplus heavy equipment 2001 Caterpillar 826 Landfill Compactor.

Mr. Williams stated that regarding the resolution, he spoke with Mr. Olshefski and Mr. Pessolano, the purchasing agent at the County. He stated that for us to sell this online on a public auction we need to prepare this resolution and adopt this resolution. He also stated that he provided Mr. Pessolano with fifty pictures of this compactor that are going to go online if the Board approves. It is set to go up for auction on September 12, 2015. The auction will end on September 16, 2015. He stated that the way this is structured is the Authority does not have to accept any of the bids, even though we did set a \$35,000.00 limit. This is really up to the Board to accept or reject it.

Mr. Cannon questioned don't they need a control there to know that if we have set a minimum ourselves at \$35,000.00, wouldn't they need to know that at the auction? Why bother bringing back a \$15,000.00 bid and going through this next month. He also questioned why isn't the minimum included in there? We should tell them up front. Mr. Mach agree but he did not hear that the \$35,000.00 minimum bid was not part of the plan. Mr. Williams stated that he spoke with Mr. Pessolano about this. He stated that Mr. Pessolano said that it has never been done like that before. Mr. Cannon stated that it is not here and it should at least be in the resolution. Mr. Olshefski questioned the Board, what if we do not get the \$35,000.00 and it does come in at \$15,000.00? Mr. Cannon replied that we are going to keep warming it up every month and riding it around, he guesses. Mr. Olshefski stated that he is not sure if the \$35,000.00 is a realistic number or not. He heard that number mentioned and he does not know what we have done to come up with that number or if we should just accept what we get and then decide collectively at the next meeting what the auction comes in at, if that is acceptable or not. Mr. Cannon stated that what we decided last month that the minimum should be the minimum, and we went through the bidding and everything on these machines. He thinks that \$35,000.00 is pretty darn reasonable. Mr. Davenport stated that it is a good deal. Mr. Cannon stated that he thinks that the resolution has to include the minimum because that is it what we said. The Board basically agreed that we are going to have a minimum and we picked the number so that should be part of the resolution. Mr. Davenport questioned if it was possible for them to put that on the website? Mr. Olshefski will check with Mr. Pessolano and believes it is possible. We could have that added in as the minimum. Mr. Olshefski thinks the understanding was that we do not have to accept any bids, so they would have to come back to

us to approve it anyways. This covers the same purpose. Mr. Williams questioned Mr. Olshefski that there is no cost associated with this to bid this online? There is no fee to us except if it gets sold. Mr. Olshefski stated that if it does get sold then it is a 3.5% fee to auction.

Mr. Cannon questioned if we could amend the resolution today? Mr. Davenport replied yes. Mr. Tipton stated we can add either another "Be it Resolved" or where the item shall be sold to the highest bidder with a minimum of \$35,000.00 for any such sale subject to confirmation, etc.

Mr. Cannon stated that with that change he will make a motion on the resolution, seconded by Mr. Davenport.

Mr. Mach requested a further discussion regarding this. He questioned did we just negate what Mr. Olshefski had said previously that we cannot accept any bid by the wording? He also stated that as it appears on the resolution "Be it Further Resolved that the items shall be sold to the highest bidder." Mr. Cannon stated that then add the language that Mr. Tipton just read. Mr. Davenport stated that "with the minimum of \$35,000.00 subject to confirmation." be added to the resolution.

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 August 17, 2015.

## **R E S O L U T I O N**

**R-08-02-15**

### **Authorization to Auction Online Surplus Heavy Equipment 2002 Caterpillar 826G Landfill Compactor**

**WHEREAS**, the Pollution Control Financing Authority (Authority) is presently storing surplus heavy equipment no longer needed for landfill operations use by the Authority;

**WHEREAS**, The Authority desires to authorize the auction of the surplus heavy equipment with an on-line auction with US Gov Bid a division of Auction Liquidation Services, Eatontown, for 3.5% full service package said vendor "approved" by the Division of Local Government Services as noted in LFN 2008-09 and LFN 2008-212-3-08 Sections 1. and 2.

**BE IT RESOLVED**, by the Authority pursuant to the provisions of N.J.S.A. 40A:11-36, that the said equipment, be and the same are hereby ordered to be disposed of by Public Online Auction, beginning on Saturday, September 12, 2015 beginning at 9:00 A.M. prevailing time and ending on Wednesday, September 16, 2015 at 6:00 P.M.

**BE IT FURTHER RESOLVED**, that Notice of said sale be published and in newspapers at least seven (7) days prior to sale;

**BE IT FURTHER RESOLVED**, that the item shall be sold to the highest bidder with a minimum bid of \$35,000.00, subject to confirmation, and the terms of the sale shall be sold as is and where is, without warranty or guarantee of any kind, upon payment of the full amount, subject to all lawfully advertised terms and restriction:

**NOW THEREFORE BE IT RESOLVED**, that the Director of Purchasing is hereby authorized

and directed to perform all acts and to execute, on behalf of this body, all documents required by Statute or this Resolution to effectuate said sale.

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

Dated: August 17, 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 presented the next item on the agenda. Mr. Williams stated that after he had a discussion with the chairman, they felt that Cornerstone should come in and have a discussion with the Board and go over the conceptual design and the Hydrogeologic Investigation. Mr. Williams asked Mr. Swyka and Mr. Soukup to be present at this meeting. Mr. Swyka will address the conceptual design and where we are with the overages. He will be able to answer any questions that the Board may have.

Mr. Cannon stated that he did not know that Cornerstone would be coming to the meeting today and he would request that we go into executive session for contract discussions amongst the Board because he had no idea that they were coming in. Mr. Cannon would like to make a motion to go into a short executive session as to contract discussion before we have Cornerstone make a presentation. He thinks it is important enough to have that discussion first before we hear their presentation. Mr. Davenport stated that he does not see any reason why we cannot go into executive session, but let's get rid of the rest of the items on the agenda first.

Mr. Davenport stated that we are going to skip over the two resolutions regarding Cornerstone.

Mr. Olshefski had two comments from the last meeting.

Mr. Olshefski stated that one had to do with the audit where the thought was that there were two typo errors. He went back and checked the audit report. The two sheets that were questioned with the year 2013 are actually correct. He stated that even though it is a 2014 audit, it is referring to 2013 if there was any recommendations, which the first sheet said there was not and the second sheet said if there were, what our corrective action is in plan for 2013. It is correct the way it was stated. We did not have to make a change on the audit report.

Mr. Davenport questioned if this nullifies the resolution? He stated that we made a resolution last month to accept the audit report with the changes that we inserted on those dates, we apparently were incorrect in doing so. Do we need to do another resolution to correct that? Mr. Tipton questioned what we did with that resolution, was it sent anywhere beyond this Board? Mr. Williams stated that the resolution has not gone out. Mr. Tipton stated that we should pass a motion to reflect that basically it was an error so that it can be corrected. He recommends us to do a resolution reversing the approval from last month's and then approving it as drafted.

**Mr. Davenport** made a motion reversing the approval of the 2014 Audit from last month's and approving the resolution as drafted, seconded by **Mr. Pryor**.

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

On a motion by **Mr. Davenport**, seconded **Mr. Pryor**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *August 17, 2015*

## **R E S O L U T I O N** **R-08-09-15**

### **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.

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: August 17, 2015

Jamie Banghart, Recording Secretary

Mr. Olshefski stated that the second discussion he would like to discuss from last month's meeting was what Mr. Allen brought up about the check register and if checks were sent out prior to the meeting and all that. Mr. Olshefski mentioned that the checks were held. He stated that, in fact, most are held. He stated that there are some checks that are released throughout the month and those are for reoccurring/ongoing/incidental expenses like utilities, supplies, state medical because there is a due date on this. He spoke with Mr. Williams about this. Mr. Williams stated that in July of 2007, the Authority's concern at that time was paying interest on invoicing and billing that went beyond thirty

days. The Authority agreed at that time, from that point moving forward, to keep costs down was to pay the incidentals. He also stated that the bills that are always held are when we are doing construction projects, engineering, attorney bills, and the large bills are always held for Board approval. Mr. Cannon questioned if there was a way we can delineate which ones are going in without “the Board’s approval”? Mr. Olshefski stated that we will have a bill schedule that shows the checks that are dispersed and then a schedule that is pending the Board’s approval. Mr. Cannon stated that he knows that there are some bills that if we do not meet the time, it will screw up everything and he understands that completely, but it would be nice to know exactly which ones are done.

Mr. Allen questioned Freeholder Director Smith if the County operates the same way? Freeholder Director Smith stated that they have a check register that comes out. Mr. Olshefski stated that the County does this every week and the Board meets every two weeks. There are some checks that are done each week. Mr. Allen stated that being new to the Board, he found this very confusing and thanked Mr. Olshefski for clearing this up for him.

Mr. Olshefski presented the July monthly report for the Board. He stated that, as Mr. Williams stated earlier, the cover ash will be closing down. He looked back at July 2014 report to the current report and cash is up \$3,000,000.00. Majority of the increase is from the ash cover. He also stated that as we move forward, we will have a budget that will be a break even type budget. We are going to start doing the preliminary budget. We will present this at the September meeting. He will put this in the state format for approval at the October meeting.

Mr. Cannon stated that our purpose was to build up a surplus and this was discussed in advance. We knew that the timeline was going to change but we discussed doing this purposefully as to building our surplus that up. Mr. Olshefski stated that we are on a pay as you go basis with the projects that we have coming up in the next few years.

Mr. Cannon questioned Mr. Olshefski about what he stated last month about the insurance amending, how soon does he need to do that, do we need to change some monies in there? Mr. Olshefski stated that we are going to do an amendment. He stated that we have talked earlier in the year about a potential payment to the County of \$100,000.00 that we would do it as an all-inclusive in one in the November meeting that will cover it. Mr. Cannon stated that we will do all amendments at one time then? Mr. Olshefski replied with yes.

Mr. Davenport stated that a motion was needed to pass the Resolution to Pay Bills (R-08-05-15).

Mr. Pryor questioned if the two Cornerstone bills that are under discussion are not part of this bill list? Mr. Williams replied that is correct. Mr. Pryor stated they are not, ok.

On a motion by *Mr. Allen*, seconded by *Mr. Cannon*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on August 17, 2015.

**R E S O L U T I O N**

**R-08-05-15**

**To Pay Bills – August 17, 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 **\$537,789.14** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 17<sup>th</sup> day of *August, 2015*.

Jamie Banghart, Recording Secretary  
James Williams, Director of Operations

Mr. Williams stated that there is a change to the 2015 Waste Disposal Fee Schedule. He stated that we have one contract, the Covanta tire contract. Mr. Cannon stated that this is the one that Mr. Williams sent via email and we now have a hard copy hand out today. Mr. Williams stated that this goes back to our tire recycling program that eventually we will need a disposal location. He presented Covanta as one of the locations and they are the cheapest. He stated that Covanta requires, of course, to enter into a disposal services agreement with them. Counsel has thoroughly reviewed this. This agreement would now invoice us \$35.00/ton for the disposal of tires at their Chester, PA location.

Mr. Cannon questioned the larger than tractor trailer size? Mr. Williams replied that they will go to a different location. Mr. Cannon stated that Covanta is not taking them but they will if we got the machine we talked about. Mr. Williams stated correct. Mr. Williams stated that this will be everything 24.5' and smaller. Mr. Cannon asked how many vendors do we have all together? Mr. Williams replied that there are three potential vendors. This is one and the other two are located in New Jersey, Lakewood and Hillside he believes are the other two. Mr. Allen stated that this will be an addition to this. Mr. Williams replied correct. Mr. Davenport questioned if Mr. Williams knew how much the trucking fee would be? Mr. Williams replied that he received two prices from Gary Gray, depending on the location, \$750.00 per load to round it off. He had it in his original proposal, it might have been \$749.00 or something to that effect.

Mr. Cannon said run him through that process. Mr. Williams stated that when the time comes when we are ready to take a load out, we will call Gary Gray, as an example, they will bring a 100 yard trailer here. We are currently collecting all these tires in 40 yard containers. We will take the 40 yard containers and dump them in the 100 yard trailer, then they will take them to market for us. Mr. Davenport asked how does this get dumped? Mr. Williams stated that what we will do is live load them here. The trailer will not sit here. The trailer will show up and we will load immediately, and off they go. This is a walking floor trailer that will go right to the incinerator, which is the Covanta facility. Mr. Davenport questioned if this was a manual process? Mr. Williams stated that we will dump them out of our roll off truck into their container and not by hand. Mr. Cannon stated that going forward, is there the possibility of having this walking trailer on site? Mr. Williams replied that their monthly rental cost is through the roof. This would not be cost effective for us. We could probably dump our trailers into theirs in a matter of about twenty minutes. We would empty our two 40 yard containers into their 100 yard container. He also stated that this is relatively quick for us to it since we will be right here. Mr. Cannon questioned that for an addition to the \$750.00 hauling there would be a monthly lease number that would be too large? Mr. Williams replied yes. Mr. Cannon stated that the money that they are making is only on the hauling? Mr. Williams said yes. Mr. Cannon stated that we are paying the charges that are occurred when they deliver. Mr. Williams replied correct. Mr. Cannon questioned that we are paying a flat fee on the trucking, period, and then the cost we already negotiated with the contracts that we know what they are. Mr. Williams replied with \$35.00/ton or whatever this happens to be. Mr. Cannon questioned that if we have a contract with Gary Gray at \$750.00? Mr. Williams stated that we do not have a contract with Gary Gray. Mr. Cannon stated that if we are going to have a number, then let's have a number and not have something that is loose. Mr. Williams will put this on the agenda for next month, a transportation contract and get this before us. He also stated that what they provided Mr. Williams with is the three different locations that way we will get them all in place.

Mr. Cannon questioned Mr. Williams if this was the only change for disposals? Mr. Williams replied correct and this is the only item for approval. Mr. Williams stated that this change was not on the waste disposal fee schedule and he will put it on for next month. Mr. Tipton questioned Mr. Williams if this contract was on for approval? Mr. Williams replied yes. Mr. Tipton stated that we are also approving a contract as part of this. He also stated that he did go through this with counsel for Covanta and they made every change he asked for.

**Mr. Cannon** made a motion to approve the contract for tire disposal with Covanta, seconded by **Mr. Mach**.

Mr. Pryor questioned if this is subject to attorney review? Mr. Tipton replied that he did review this. He also stated that, for the last month or so, he went back and forth with their counsel.

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

Mr. Davenport presented the Resolution for the Refusal to Accept Avian Flu Chicken Carcasses at the Landfill (R-08-06-15).

*Mr. Allen* made a motion that we refuse to accept Avian Flu Chicken Carcasses at the landfill, seconded by *Mr. Mach*.

Mr. Pryor stated that he researched a little bit on the internet. There actually is quite a bit written on it. The EPA published a paper in 2006. He also found the University of Georgia and the University of Delaware did a study. He stated that they all agreed that onsite treatment is the preferred alternative. They cite a lot of problems with moving this stuff around. Onsite composting seems to be the preferred alternative. He also found articles in Iowa. Sometimes in Iowa, the problem is so big that composting cannot keep up with it. They have brought onsite incinerators in. The governor made a plea to landfills. Only one landfill accepted and this has been a public relations disaster. People are following trucks around with cameras. There has been a lot of odor complaints. He also stated that they do not even know if these are justified, but it fired up the public. Mr. Pryor stated that there seems to be so many alternatives that we do not have to get involved in. He confirmed his own opinion. He thinks we are making the right choice here. Mr. Mach suggested that we make these articles part of the record. These articles will be attached to the resolution.

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 *August 17, 2015*.

## RESOLUTION

### R-08-06-15

#### Refusal to Accept Avian Flu Chicken Carcasses at the Landfill

**WHEREAS**, the New Jersey Department of Environmental Protection requested the Pollution Control Financing Authority of Warren County (the “Authority”) to consider accepting the disposal of a substantial amount of chicken carcasses if such chickens are exposed to the Avian Flu and euthanized; and

**WHEREAS**, the Authority discussed the significant potential health and environmental risks associated with the disposal of diseased chicken carcasses at the landfill; and

**WHEREAS**, the Authority balanced the benefit to the landfill and the County of accepting the disposal of the diseased chicken carcasses and the potential risks and harm to the landfill; and

**NOW, THEREFORE BE IT RESOLVED**, by the Authority that it will not accept for disposal diseased chicken carcasses at the landfill.

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

Dated: *August 17, 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

#### NEW BUSINESS

Mr. Williams stated that we have one resolution before us. He stated that this came in last minute. Resolution (R-08-08-15) Authorizing the Purchase of Real Property. He spoke with Mr. Tipton regarding this and to help speed up the process. This helps the Unangst family that we approve and pass this resolution today since we approved on the price that we would pay for the Unangst parcel. Mr. Williams stated that Mr. Tipton will contact Finelli to get him going on the survey, to get this process going. This should hopefully be done prior to our next meeting. He also stated that if the Board agrees, we can authorize payment of that piece of property with this resolution in advance. Mr. Cannon stated that there is no rush for us. He questioned Mr. Williams is there a rush for them then? Mr. Tipton stated yes and that he would rather discuss this executive session. He stated that he put this resolution together and asked Mr. Williams to get this on the agenda. Once the survey is complete, he already ordered the title, he can move forward and get this closed for all, because we have agreed on the price and we have agreed on the need for it. This gives him the ability to get the closing done as soon as all the pieces are in place. This has taken some time.

Mr. Tipton stated that we will hold this resolution until after executive session.

Mr. Davenport stated that he and Mr. Williams met with Covanta per their request to discuss about possibilities for them to have some new operations at their facility. They were unable to come up with sufficient details to give any information to go on. We have agreed for them to come back with a lot more of an analysis and information. Covanta agreed to do so. He stated that until they do that, we really do not have anything to work with.

#### GENERAL COUNSEL'S REPORT

Mr. Davenport stated that we will wait until executive session for anything else.

#### OTHER BUSINESS

None

CLOSING PUBLIC COMMENT

Freeholder Director Smith stated that he has received positive comments about the tire recycling program.

Freeholder Director commented on the completeness of our minutes and the transparency of this organization as a great model.

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

Executive Session was entered at 10:01 am for purpose of Contract Discussions.

**RESOLUTION**

**R-08-07-15**

**AUTHORIZING EXECUTIVE SESSION**

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

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. 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.

Jamie Banghart, Recording Secretary

Dated: 08/17/15

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

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

Regular session resumed at 11:02 am.

No action was taken in Executive Session.

Mr. Tipton stated that we discussed the contracts between the PCFA and Cornerstone for the Conceptual Design and the Hydrogeologic Investigation. He stated that we have had a long relationship between the Authority and Cornerstone and a good relationship to this point. He also stated that we do have some concerns over how these two contracts have been managed. The big issue here is the project management. There is a dissatisfaction of feeling amongst the Board that we have not had good communications in the cost overruns. Cornerstone obviously gave us estimates for both of them; one being \$25,000.00 and the other being \$169,000.00 and change. At this point and time, we have experienced bills in excess of both without appropriate notice under the contracts. He stated that Mr. Williams received an email back in May where he was told specifically that Cornerstone was not going to go over budget on the Hydrogeologic investigation. The concern here is with PCFA incurring costs that were not authorized by the Board because each contract was not to exceed. He also stated that we appreciate the fact that changes do occur and that is why Cornerstone has the mechanism to ask for more money on certain contracts. On the Conceptual Design, the Board is not going to consider paying the additional amount over what they already paid, which is \$26,000.00 and change because they felt that there were many opportunities for Cornerstone to advise this Authority if there were going to be cost overruns. This did not happen instead the PCFA just got a bill. There is a bill pending for \$9,000.00 and change that the Board is not going to consider at this time. Mr. Tipton stated that we do want to talk about the Hydrogeologic Investigation because obviously Cornerstone sent us a letter dated July 22, 2015 and have some materials here. We understand that those additional costs are estimate overruns that could be justified when you are dealing with sub surface investigations, a lot of things could come up, the subcontractor and issues with the drilling.

Mr. Tipton stated that we would like to see better communications and project management on Cornerstone's end with Mr. Williams, then Mr. Williams will feed the Board. So that we are not getting surprised and we are not seeing these big increases over estimates. Therefore, this will not be a surprise when it happens. We would like to have a more subsequent discussion about the Hydrogeologic Investigation issues that Cornerstone confronted and justification for the increase to the not to exceed

what Cornerstone thinks is \$233,000.00 and change, we think it is really \$236,000.00 because of an overrun. Mr. Olshefski stated that a test pit investigation that is the \$25,500.00 that we have mentioned is at \$28,522.00. Mr. Tipton stated that we would like to discuss this estimate going forward because obviously, Cornerstone is in excess of the \$169,000.00 with the one bill that Cornerstone submitted that is pending. He stated that technically Cornerstone is violation of that contract also because they did not come and ask for more until after it was billed and worked. We are concerned with the pattern of that happening on the concept and now happening on the Hydrogeologic and yet we have another contract that we just started. We just want to make sure we fix it now before we have any further problems.

Mr. Davenport stated that he would like to get started and listen to what Cornerstone has to say about the drillings.

Mr. Mark Swyka, from Cornerstone, was present for discussion. Mr. Swyka stated that he is a little bit concerned about what we are saying about the conceptual design. He also stated that Cornerstone has had a very long and very good relationship with the Board. He thinks and considers everyone here a friend and they work very hard to provide the very best in services. He also believes after seeing what goes around in the state with other engineers, that we (PCFA) get a very good value.

Mr. Swyka stated that Cornerstone has completed the Conceptual Design in accordance with our contract and every part of our contract was satisfied. He stated that Cornerstone came before the Board and made the presentation of the findings. He also stated that the Board specifically asked Mr. Swyka for additional work and authorized him at a meeting to perform additional work. That additional work comes with a cost. He stated that for him to sit here and be told that the PCFA will not consider compensating for these extra activities. He finds that hard to not address.

Mr. Tipton stated that Mr. Swyka is right that we did ask for some additional work to be done, but the issue with not knowing that it was going to be an increase in cost, not just a little increase but 40% or some large percent over the base. He also stated that we went from \$25,000.00 to \$36,000.00 is the issue. We already authorized over \$1,000.00 and change over the original because it was already paid. We are not going to try and take that back. He thinks the concern was that no one at any time said "Hey, PCFA, you want some additional work, it is going to be another \$5,000.00 or another \$10,000.00 or maybe another \$15,000.00." He also thinks that at no time did the Authority realize its request for additional information was going to be that much more in cost. This is the issue. The issue is not that Cornerstone did not tell us that they were going to do it, and that we did not ask for it. It is that we were never given a notice that it was going to cost us that much more. He stated that he is not saying that it didn't take or that Cornerstone did not actually do the work, he not saying that there is a quality issue. He stated that the knowing how much because the Authority has to watch the dollars that we spend. He also stated that this is why he said communication issue, project management issue because he thinks had it all been properly communicated, the Authority may have said "now wait a second, we are not going to do that. That is just too much for what we think we want." He stated that the Authority did not have a chance to make that decision. That is where the problem lies.

Mr. Swyka stated that he can appreciate what Mr. Tipton is saying but when someone is asked to do something there is a cost implicit in that always. He stated that had he been specifically asked what he thought the cost would be, he would have answered that question. He also stated that he never withheld anything from this Board and he knows that the Board would not work with him if they thought he would withhold information or deliberately try to do something like that. He sked the Board to reconsider this.

Mr. Cannon stated that he was part of the one asking for additional information but he thought the additional information was poor. He could not read half of the stuff that was up on the board and could not read the 8 ½ x 11 prints that he was given. He stated that if Cornerstone was going to give us a bill for \$11,000.00 for that additional information, to please not assume that we know how much it costs. He also stated that if Cornerstone was going to send out a bill for \$11,000.00 additional on that material that Cornerstone produced and we saw, and he stated that he made comments about how poor it was. This is part of the problem too. He stated that he does not think this Board should reconsider anything with that and certainly not currently. He also stated that he is not speaking for any other members. We reviewed an email here in May, and the email stated that Cornerstone will not exceed their contract. Then Cornerstone went right ahead and proceeded to exceed the contract. This is a business thing that is not done properly. He stated to Cornerstone that if they reach a point on their contract and will exceed it, then they need to let us know. An email can be sent to us all. We are trying to avoid this problem moving forward. We are taking a lot of time today because of this. He also stated that frankly we felt if we had not brought it up last month, then we are not so sure that some of this justification would have been produced. We did not get a single document up to that point. He stated that we have meetings here and drillings are going smoothly, no problems. There was nothing said to us and no one has produced a single thing to say that Cornerstone incurred all these problems out here. He said he sat here with both Mr. Swyka and Mr. Soukup and we had discussions here and in the field, and he asked them a number of times about the drilling. He said they said that they know the topography, they know the ground pretty well and that these numbers are good numbers. He said he grilled them a number of times on this. He stated that we are willing to talk to them about that number but the original number, we have made a decision with the \$25,000.00. We already paid in excess for that first contract. He stated that they exceeded that contract and we still paid them. Mr. Swyka stated that Cornerstone exceeded that contract because they were asked to do additional work. Mr. Cannon stated that he is not talking about the \$11,000.00 he is talking about this last little bill that came in that we paid above and beyond the contract. He also stated that we are not going to pay any more on that contract. Mr. Swyka stated that what we are talking about after the second meeting is that he attended and presented full scale color drawings and went through a detailed power point presentation where he explained everything. Mr. Cannon stated that he has this all with him and reviewed with anticipation of today. Mr. Swyka stated that he was still asked for more information.

Mr. Allen stated that it came as quite a surprise that it was going to be \$11,000.00. He thinks they could have avoided this situation that we are in right now if they would have notified us that what was requested was going to cost that. He said that we are talking about quite an increase in the original bill. He also stated that just to assume that because we asked for it that we would be willing to pay that amount, he thinks was a wrong assumption. Mr. Swyka stated that he understands what Mr. Allen is saying, but it was a significant volume of work. Mr. Allen stated that there are a couple of items on there that he would really question, to add a few more slides to a power point presentation was \$1,100.00? Mr. Swyka replied that it was pretty much a reworking of that presentation. Mr. Allen questioned how many more slides were added to the power point presentation as a result the request? Mr. Swyka replied that he does not know the specific number but we added all of the new drawings, new line of site drawing that were requested because we did produce, he thinks, six additional views that were requested. He also stated that it is a lot of work to do that. Mr. Allen stated that it would have been nice to know that up front that we would be billed for that amount of money and give us an opportunity to say that we requested it but do we really need it, is it worth the \$11,000.00 to see that information. It would have been nice to have that as an option for the Board to consider and we were not given that option. He thinks that is what the Board is upset about. Mr. Swyka stated that he understands what the Board is saying. Mr. Allen stated that we have thoroughly discussed this and we, Mr. Tipton has made his statement about it, and he does not know if the Board is going to reconsider. He also stated that this

is a business mistake that Cornerstone made and it would have been nice to have the option to consider that. This gives us concern about going forward with some of the other items. We would like the relationship to continue the way it has been.

Mr. Swyka presented Mr. Soukup to address the Board in what Cornerstone has found in their investigation.

Mr. Soukup questioned the Board if they wanted him to explain what they have found in terms of how it affects the design or more as to why we went over budget or a little of the combination of the two? Mr. Davenport replied a little combination of the two, the more the better.

Mr. Soukup started with how he came up with the original estimate. He stated that this was based on his experience in general, discussions with the driller (STS, who has some local experience), and going back to see what drillers have done in the past. Back in the 80's, there was an investigation done here and he looked at some of the drill progress reports from there. They got down 40 feet into the overburden in a day, and that was their experience. He stated that to him that meant that this would take about a day to get down through about 40 feet of overburden, which is what they assumed. He then about another day to drill through the rock and core it to about 25 feet. The driller was concerned that the rock would drill slowly because of the granite nature of it. So then he went to three days, which then they assumed each location would take three days of drill time. There were five locations; CEG 1, 2, 3, 4 and 5.

Mr. Soukup stated that the previous work was done on the existing landfill and down lower, so the conditions were a little bit different. They ended up finding that the overburden contained much more in way of cobbles and boulders than apparently the previous work did, which made the overburden extremely difficult and time consuming. He stated that, to give the Board a sense of what they encountered, a cobble is anything more than a couple of inches up to about the size of a basketball, and a boulder is anything bigger than a basketball. He also stated that when drilling through that material and you go through cobbles, and when you pull the drill bit out and try to go back down through it, those cobbles shift. Therefore, now you are trying to drill through some of the same material you already did and it caved in, the hole does not stay open. This was one of the problems. He stated that they found numerous boulders and extremely large one, some five feet in diameter. If you are drilling down and you hit the edge of a boulder, the drill bit is going to get skewed off to one side because it hits the edge of something hard. Then all of the sudden the hole is going on an angle. He stated to get that straight, you have to move over and try that again or you can try drilling that edge of a boulder. Either way it is going to be difficult to do. He also stated that if you drill through the center of the boulder and you go down a foot or two with the normal drilling process, you think that you are in bedrock because the boulder is the same composition as the rock itself. Therefore, you drill a couple of feet and then think this is where we should be seeing the top of rock. Then they get the core barrel out which they have to retool the entire drill rig and bring the core barrel out and start coring. When they would core down three or five feet, they would bust out of that boulder into more sand and gravel and then they realized that are not on top of rock. They realized that they just went through a big boulder. He also stated that they would have to retool all the machinery again and enlarge that hole that they do with the small core barrel through that boulder in order to keep drilling. He stated that this happened approximately four to five times on one location. The number and the size of the boulders and cobbles made it extremely difficult and time consuming just to get to the bed rock. When they got to the bed rock, it was not that it drilled slowly which they worried about, it was that it was so weathered. Weathering is a mechanical and chemical decomposition of the rock, which makes it unstable, it fractures and makes the rock loose. The weathering part of the rock was almost as unstable as the boulders were. He stated that every time they

drilled down, a piece of that rock would slide back into the hole at an angle because of the fractures. They had to go through this weather zone which did not keep the hole open like they anticipated.

Mr. Soukup stated that their proposal had called for an open rock bed rock well, another words they would just put the casing down, grout it into the rock and a screen was not needed because the rock would stay open. The rock was so busted up that they had to drill all through that and put a PVC, well screens, well casings, and sand packet to build that bed rock well. These are some of the highlights. He stated that in order to do this, they have to have a big size drilling rig, but they had an ATV rig because of the topography. They had an ATV rig to get to the top, which only has a five foot stroke and it is not as heavy and as powerful to get through some of that material as the rigs down below would be. He stated that after a couple of weeks of seeing the difficulties, they switched rigs. They actually had another rig brought in called a dual rotary rig. This is a little bit heavier, has a ten foot stroke and allows them to get through the boulders easier. This definitely helped them, but that rig could not get up on the hillside to do three and five, even though we had an access road up there it was just too steep. They were able to use the dual rotary on one and two. Therefore, they did not have the rig large enough to these two but the small rig was not strong enough to get down through the boulders. It did eventually but too longer. Instead of three days per hole, they were up to five days per hole and one hole took seven days. This one in particular had boulders and cobbles down to eighty five feet, which was much more that they anticipated.

Mr. Soukup stated that the good news of this is that the conditions that made it difficult to drill were also very favorable to landfill design. The one thing the overburden was dry, just like we saw in the test pit investigation. All the water levels that they have in all four locations where they put the wells in are down below the top of rock. The water levels are in the rock. The overburden is dry which is good for designing the base grade of the landfill. The fact that it is coarse material with no silts and clays, from a geo tech stand point, slope stability and so forth are in very good position. The rock is actually quite deep relative to our base grade layout. One possible exception down low on chart that they really do not have a problem with depth to rock. If they did where a couple of places they would get close, that rock, since it is so weathered, is rippable. It is not like they would hit a hard rock surface and they would have to redesign the bottom of the base grades. They can actually rip that rock out and put the base grade where they wanted. The conditions that made it difficult to drill were actually working in their favor now not that it is done essentially and the conceptual design is laid out for the base grades. He state that this is actually going to work out pretty well for us.

Mr. Soukup presented drawings for the Board. He discussed the cross section for CEG-4 down to CEG-1 with the overburden, out crop on steep part of the hillside and then the overburden gets extremely thick, eight five feet thick which is CEG-1. He pointed out the weather bed rock, highly decomposed rock. If our base grades come down and we start to dissect that, then this can be removed. He also stated the competent rock, the more solid rock, is what they were expecting at the surface. He then pointed out the water table that is seen in the rock. The overburden and the weather rock is dry. He stated that of course when we got down by the river, it is saturated.

Mr. Soukup stated that the other good news is that in order to design the base grades, there are two things that you have to look at; the top of rock elevation (contours) and ground water levels. We have to be above both of those. He stated that between the test pits and the wells, we did put in the existing data and were able to contour the top of rock quite nicely. This is a new layer in the auto cad program that Mr. Swyka uses to define the base grades. They were also able to have ground water elevations, with the existing wells and the new wells. He also stated that the test pits give us an indication of the least minimum of the elevation of the ground water table. They can contour the top of the water table

and then prepare that to a base grade to make sure they are well above the water table. There are no problems with ground water elevations here until we get to the bottom where we are starting to get very close but we will be above the water table there and the same with the top of rock. He stated that we are getting a little bit close there but it should work out fine. Mr. Cannon questioned what is getting a little close mean? Mr. Soukup replied that getting a little close means about ten feet to rock. Mr. Cannon questioned that you only have ten feet below the rock to it or from surface down? Mr. Soukup stated that this is from the projected base grade to the rock. He also stated that we do not have a data point right there. After coming up with the contouring of what they have done so far and also laying out the base grades, if we look at the two of them and look at where the data points are, it may be something worthwhile putting a boring right there to confirm that separation because we are interpolating between two points. Mr. Cannon questioned the water or the rock lining concerned about that? Mr. Soukup replied the rock. He also stated that with one boring we can find both actually. We can find the depth of rock and water table elevation to confirm that point. Mr. Williams questioned Mr. Soukup what is the difference between those two points and you're talking about putting one in the center now? Mr. Soukup stated that it is about four hundred feet. He stated that the base grades of course slope down and then there is a more or less deeper spot. This is where it does get a little bit deep and the ground water is a little bit shallower. Mr. Cannon questioned if that additional boring is in the revised estimate? Mr. Soukup stated that we could do one or two things. He also stated that we can take CEG-5, where they could not get to the actual overburden with the small rig they could not penetrate. They were able to go about fourteen feet. They were not able to hit rock, but they did get a greater than value. They did not put a well in. He gave the Board a projection as to what it would take to finish this, which is \$21,000.00. Mr. Cannon questioned the proposed boring there, is that included in their revised estimate? Mr. Soukup replied that it is tabled 2C. Mr. Cannon questioned so yes it is included? Mr. Swyka replied that it is one boring. The complete, initial program, one boring is what they included in that cost projection. Mr. Williams stated that this is 5 but not the additional one that he just mentioned. Mr. Cannon stated that it is not the one that he just said that we might want to put another one in. Mr. Swyka replied correct. Mr. Soukup stated that the cost on table 2C is to complete CEG-5 using a rotosonic drilling rig, which is a whole different methodology of drilling. Summit drilling would come out and do the drilling. That is what he estimated to complete CEG-5 and put the well in. He suggested that we could add another boring or we could simply forego doing that boring because he thinks that putting one here would give us more information that would be a benefit of the design. Mr. Cannon questioned the one in the middle of the drawing, what Mr. Soukup is saying that you could maybe not do it? Mr. Soukup replied yes. He stated that knowing what they know now and looking at the base grade design that they did not know before, this location now becomes more important than the other one. He does have some information based on the well. Mr. Cannon questioned the one below where Mr. Soukup is suggesting would not require the other machine? Mr. Soukup replied right. He stated that they could do this either way. They can do them both, and they would just simply move that machine over and within a half of a day blow down this rotosonic machine down pretty quick. We would only have to go down about thirty feet. Mr. Cannon stated that the rock and the under bed there is not what you anticipated would be the problem to use that drill but that drill would just work faster. Mr. Soukup stated that if we did them both, he would have this done in less than a day or forego that and reduce the amount of the overage here. Mr. Williams stated that to do them both, to finish 5 plus a new one, it will be above what Cornerstone is asking for? Mr. Soukup replied right. Mr. Williams stated that if we abandon 5 and go to the new one, then it would be included in the proposal. Mr. Cannon stated that 5B would be theoretically less expensive.

Mr. Cannon questioned what are the pros and cons of not having 5B? Mr. Soukup replied that the biggest thing is that we would not have a well in there to get another water level data point. He thinks that from a top of the rock stand point that there are no issues there so we really do not need to know

exactly where the top of the rock is. Mr. Williams questioned if it was more water there then? Mr. Soukup stated yes. He also stated that with CEG-5 we have a well here and a well here, and it is not coming close to the bottom line so it really is not that critical. Mr. Cannon stated that this area is much higher up so we are not have any liner issues. Mr. Soukup replied right because it is down into the rock. He stated that if he had to choose, he would say put this one in and not that one if we wanted to incur \$7,000.00 per day for the sonic rig plus their oversight. Mr. Cannon questioned even without expense, let's forget about money for a minute, you are saying that we can go forward perfectly fine if we do not put that corner one in without having to do it later on at some point? Mr. Soukup stated that it will have to come out anyway because it is in the footprint. Mr. Cannon stated so that one will have to be gone. Mr. Soukup stated that well will have to pulled out when we build it. Mr. Davenport questioned Mr. Soukup that what you have drilled there already has told you something? Mr. Soukup stated that it has told them something plus we have the test pits and some other data so he would be fine with writing out the report without that data point. He thinks the engineers would like it better if they could confirm exactly what they are going to have here so that there are no surprises when we go build the thing about rock and/or water. Mr. Williams questioned if that one could be done at a lesser cost? Mr. Soukup said that theoretically it is a day. It is essentially half of the price of the \$21,500.00.

Mr. Cannon questioned Mr. Soukup if he is more concerned about water or rock down there or both? Mr. Soukup stated he is concerned about a little bit of both. We are five to ten feet and we are getting close. Mr. Cannon questioned Mr. Williams that this area is a wet area? Mr. Soukup stated that this well is thirty feet to water. Mr. Cannon questioned which is our closest well to the river? Mr. Soukup replied that the closest well to the river is at elevation 335, which is right on the bank essentially. Mr. Soukup stated that there is a little bit of a gap before we get these other two data points, and that is where it is the deepest. He also stated that it is coming to life that it would be nice to confirm something there. Mr. Cannon questioned that this would also have to come out too? Mr. Soukup stated that he guesses they could put a piezometer in there to at least have a water level measuring point that they could go back to and use it in contouring.

Mr. Soukup stated that this is going to be years before this is actually built. Mr. Williams questioned that wouldn't that depend on how you design it because weren't we talking about going into that location for when it comes time to build? Mr. Swyka stated that their plan is to start on the north then work their way around to the west. Mr. Allen questioned when that construction would start? Mr. Williams replied two or three years, he is playing it safe. Mr. Swyka stated that we want DEP to approve this right away, but their history has not been very good. Mr. Williams stated that this will be around 2018. Mr. Soukup stated that if they pick up on the issues with questionable depths and getting close, it would be nice to prove it to them put that in the report that they we had separation that is required. Mr. Cannon stated that what we talked about going towards Rt. 46 and the water with the expansion, and now saying that is the first starting point, he thinks that would be important to them to have that down there. Mr. Cannon asked if it will be three more going north of that then? Is that the fourth one in then? Mr. Soukup stated if he means the data points that we have? Mr. Cannon replied yes. Mr. Soukup stated that we have one, two, and three. Mr. Cannon stated that the three are north of that one.

Mr. Williams stated that having heard what Mr. Soukup has given us, by abandoning 5 and coming in and recommending now to do 5B, what does this do to Cornerstone's proposal here that Mr. Soukup is asking for? Mr. Soukup replied that off the top it pretty much cuts table 2C task to in half, that estimate, so \$21,500.00 would go to \$11,000.00 or \$10,500.00 or whatever we want to call that. Mr. Olshefski stated that this looks like this is pretty hard total that we talked about earlier that \$236,570.00 down to approximately \$225,000.00, rounded off. Mr. Soukup stated that this would take about \$10,000.00-\$11,000.00 off of the bottom line.

Mr. Williams questioned that this is the only well left, right? Mr. Soukup replied yes. Mr. Williams questioned then that piece of the hydrogeologic will be all done? Mr. Soukup stated no that the drilling is all done but the other tasks have all been budgeted. He stated that the water level rounds have to be done once every two months for a year and then the slug testing to be done. This is just a matter of writing up a report on task 4 and task 5. Mr. Williams questioned if all that stays within budget? Mr. Soukup stated that this is all internal, and they do not have to worry about hitting anything not expected or whatever. This is just writing the reports.

Mr. Cannon questioned Mr. Pryor if he had some driller specific questions? Mr. Pryor stated no that he is the newest member of the Board. He thinks Mr. Soukup explained it well and he understands him. He understands a subsurface investigation is a work of discovery. Mr. Soukup stated that they were compromised by the topography, the machine they could get there and the number of boulders and cobbles, and more of up on the hillside. He stated that the amount that they went over about \$40,000.00; \$35,000.00 of which was the contractors cost and we had a couple of weeks of oversight at about \$5,000.00. This is how this broke out so it is largely the contractors. Mr. Pryor stated that his issues are not so much with the work program and he understands how these things go, it is the fact that the lack of notice and communication. Mr. Soukup stated that they had a first bad week. They did four first with difficulty getting down then they just hoped that it was a tough hole and the rest will be a little bit easier and maybe catch up by the end of the program. He stated that they always have that hope that it is going to get better and better, sometimes it gets worse. He said he knows and no excuses.

Mr. Williams asked Mr. Soukup if he could go back and revise the numbers to reflect the new proposal, of course if that is what the Board wants? Mr. Cannon stated that we could do that now and he thinks Mr. Tipton already did this. Mr. Tipton stated that whatever we agree to or do not agree to then we can do a verbal motion to increase the not to exceed figure at this time. He also stated that we do not need a document in front of us, if we have an agreement and if we want to do something then we can do that her today. That resolution will govern the modification to the existing contract. Mr. Williams questioned if this will be whatever is agreed upon today in a form of a resolution? Mr. Tipton replied that he thinks this should be a motion to approve amending the contract to modify the existing not to exceed. In the interest of time, we should do that now if we are going to do it, unless we need more information. Mr. Williams questioned if we want to reword the resolution we have before us and change the numbers? Mr. Tipton stated that this can be done. Mr. Williams stated that this resolution will be R-08-04-15. Mr. Tipton stated that we can use this document. Mr. Olsefski stated the total becomes \$225,845.00 if we cut the \$21,500.00 in half. He also stated that the resolution includes task #1, which the resolution we have before us includes task #2 through 5. He stated that we should include task #1 that way we have this on record. Mr. Williams stated that we are going to change in this resolution the \$144,360.00 to the original \$169,860.00 because now we are including task #1 in it.

Mr. Cannon questioned if Cornerstone is comfortable with that number with reduction of the half of that one and deducted that off the amended total that Mr. Olsheski had with the additional bill which comes to a total of \$225,845.00? Mr. Olsheski stated that this is taking all of the figures that Cornerstone has with the first task \$28,522.00 and then taking half of the \$21,500.00 and using all of your other numbers. Mr. Soukup stated yes and that will be what it is. Mr. Cannon stated that Cornerstone is willing to keep things moving along, which we all know is an issue. He questioned can Cornerstone agree to this today or do we have make a new resolution with a contract and they have to sign it and go back and forth or is that number a good number that is not going to be exceeded? Mr. Soukup stated that what this does is give PCFA one day of sonic, with Summit coming out, and Cornerstone overseeing it. We should be able to get down to fifty feet with that, which is what we need to do. Mr. Cannon stated that with in conjunction with the theme of today, we want to make sure that everything that we are going to both

need and/or require and what Cornerstone will need and require is going to be fitted in this amended number that it has exceeded 40% from our original estimate. He stated that this new estimate going forward, are we 100% with that beyond catastrophes? Mr. Swyka stated that Mr. Soukup was saying that was a good number for him then that is fine and he could work with that. Mr. Cannon questioned Mr. Tipton if we could do that with the resolution and make it that that is what the number is going to be? Mr. Tipton stated that again it will be a not to exceed. Mr. Allen questioned that this can be done with the resolution without amending the contract? Mr. Tipton replied that we can amend the contract by way of this resolution. Mr. Tipton stated that they are representing and they have the authority to agree with that, then this is fine. He stated that he would like to do is just send them a short letter addendum with a signature line, that way they have that. He also stated that this will be our Authority doing and we have their word, but he will follow up with a letter with a signature line and then we will add this as an addendum. Mr. Soukup questioned where is the scope going to be documented? Mr. Soukup stated that we changed the scope from our original proposal. Mr. Tipton stated that Cornerstone will have to resend the changes in the holes. Mr. Soukup will write up something regarding the discussion. Mr. Williams stated the letter will be as simple as Cornerstone abandoning CEW-5 in place and consider this complete. Mr. Cannon suggested that we not use the word abandon. Mr. Tipton suggested that Cornerstone write it up because there is that change of scope, put the new number in your letter to us then have signature lines on for Cornerstone, the executive director and the chairman. Mr. Tipton stated that we know what we are approving by way of this resolution. This will then make it crystal clear on the same document. It could be a one pager.

Mr. Cannon stated that in conjunction with that he thinks administratively we would like to moving forward, when we reach a threshold of a contract of 80% we need to have some sort of practice in place to where then we are getting full notice. He also stated that we are going to know what Cornerstone is encountering, why it is going to exceed and all the things we are going over today. We would like to make that a practice. He stated that we need to have as much information as possible as soon as we can have that information. He stated that it is difficult with meeting once a month, but Mr. Williams can transmit information to the Board. If the chairman or anyone feels we need to have a meeting, then if we have three members than we can have a meeting. He also stated that just as a practice, we talked about it and he knows that we have discussed change orders and everyone seemed to know what a change order was previously but we never received a change order.

Mr. Olshefski stated that he has one other item to bring up in terms of this, we did have the resolution for the conceptual design going from \$25,000.00 to \$36,000.00. We actually paid \$25,968.24. Mr. Cannon stated that this resolution has been tabled.

Mr. Davenport stated that resolution R-08-04-15 has changed to include task #1 \$169,860.00 to be amended to \$225,845.00. Mr. Tipton stated that one other change is in one of "Where As" clause is going to change from \$63,710.00 to \$55,985.00. Mr. Williams stated that the second "Where As" the #1 has to be put in the task and \$169,860.00, the fifth "Where As" the \$63,710.00 changes to \$55,985.00 and task #1 included here also, the last "Therefore Be It Resolved" Task #1 needs to be included, and the \$144,360.00 changes to \$169,860.00 and we are going to add the words "Not to exceed \$225,845.00." Mr. Williams stated that this is how we are going to do up the new resolution. Mr. Williams questioned if this is what we are going to approve today? Then we will just retype it. Mr. Davenport replied yes.

**Mr. Cannon** made a motion to approve the amended resolution to \$225,845.00 not to exceed, seconded by **Mr. Davenport**.

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 *August 17, 2015*.

**RESOLUTION**

**R-08-04-15**

**Amendment Non-Fair and Open Contract  
Engineering Services  
for the Hydrogeologic Investigation**

**WHEREAS**, the Pollution Control Financing Authority of Warren County (the "Authority") received a proposal dated October 22, 2014 from Cornerstone Environmental for Engineering Services, for the Hydrogeologic Investigation;

**WHEREAS**, the Authority on March 23, 2015 entered into a contract with Cornerstone Environmental for tasks #1,2,3,4, and 5 within their above referenced proposal in the amount of \$169,860.00; and

**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 received on July 29, 2015 a letter dated July 22, 2015 from Cornerstone Environmental requesting a budget revision in the amount of \$55,985.00; and

**WHEREAS**, the Authority has received all necessary documentation to allow award/amendment 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 the **Cornerstone Engineering Group, LLC** contract for Engineering Services for the Hydrogeologic Investigation, tasks #1,2,3,4 and 5 as described in and, in accordance with their proposal dated October 22, 2014, in the amount of **\$169,860.00**, and subsequently amended on August 17, 2015 to cease the completion of well CEG-5 and to proceed with CEG-6 to final completion, be amended to not exceed **\$225,845.00**.

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

Dated: August 17, 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. Tipton presented the resolution on the Unangst purchase. He stated that a motion is needed for (R-08-08-15) To Authorize Mr. Tipton to go forward with the survey, prepare the deed and close on the transaction for \$15,000.00.

On a motion by *Mr. Mach*, seconded by *Mr. Davenport*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *August 17, 2015*.

## R E S O L U T I O N

**R-08-08-15**

### **RESOLUTION OF THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY AUTHORIZING THE PURCHASE OF REAL PROPERTY**

**WHEREAS**, pursuant to N.J.S.A. 40:37C-5, the Pollution Control Financing Authority of Warren County (“Authority”) is permitted to acquire by purchase any land it determines to be reasonably necessary for any of its pollution control facilities; and

**WHEREAS**, the Authority has determined that there is a need, and undertaken steps, for the expansion of the Landfill at the Warren County District Landfill; and

**WHEREAS**, the Authority has determined that it is necessary and economically beneficial for the future expansion of the landfill to acquire abutting property to the already existing Landfill at the Warren County District Landfill; and

**WHEREAS**, the Authority, through legal counsel, has negotiated for the purchase of 1.52 acres located at 470 County Route 519, White Township, Warren County, Block 32, Lot 11 for \$15,000.00, which represents the assessed fair market value of the property.

**NOW, THEREFORE BE IT RESOLVED**, by the Authority that the Authority’s General Legal Counsel is authorized and directed to take all necessary steps for the purchase and acquisition of approximately 1.52 acres located at Block 32, Lot 11 at 470 County Route 519, White Township, Warren County for the amount of \$15,000.00.

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

Dated: 08/17/15

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

ADJOURNMENT

With no other business to discuss, *Mr. Cannon* motioned to Adjourn, seconded by *Mr. Pryor*, at 11:56 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: 09/28/15