

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

August 22, 2016

Chairman James Cannon called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:37 am.

Authority Members present: Richard Mach, James Cannon, Joseph Pryor and Marc Pasquini.

ROLL CALL:	Mr. Allen	-	Absent
	Mr. Pasquini	-	Present
	Mr. Pryor	-	Present
	Mr. Mach	-	Present
	Mr. Cannon	-	Present

Also present: James Williams, Director of Operations; Katharine Fina, General Counsel; Dan Olshefski, Chief Financial Officer; Freeholder Ed Smith; Mark Swyka, Cornerstone; Matt Beebe, Cornerstone; Jamie Banghart, Recording Secretary.

The Pledge of Allegiance was led by Chairman Cannon.

Mr. Cannon read the following statement: "Adequate notice of this meeting of August 22, 2016 was given in accordance with the Open Public Meetings Act by forwarding a schedule of regular meetings of the Pollution Control Financing Authority of Warren County (PCFAWC) to the Warren County Clerk, the Warren County Board of Chosen Freeholders, the Express Times, and by posting a copy thereof on the bulletin board in the office of the PCFAWC. Formal action may be taken by the PCFAWC at this meeting. Public participation is encouraged".

MINUTES

Mr. Cannon presented the regular monthly meeting minutes from July 25, 2016.

**Mr. Mach** made a motion to approve the regular monthly meeting minutes as presented, seconded by **Mr. Pasquini**.

Mr. Pryor stated that he has a typo correction where it states "billing in customer service" to be changed to "billing and customer service."

Mr. Cannon stated that he also has a typo correction to the minutes on page 15, last paragraph, to change "no withstanding" to "notwithstanding."

ROLL CALL: Mr. Allen - Absent  
Mr. Pasquini - Yes  
Mr. Pryor - Yes  
Mr. Mach - Yes  
Mr. Cannon - Yes

Mr. Cannon stated that he would like Mr. Swyka and Mr. Beebe to both have a copy of the July 25, 2016 minutes now that they are approved. Mr. Swyka and Mr. Beebe received a copy of the minutes. Mr. Cannon stated that this is for reading sake and what we are going to talk about today.

Mr. Cannon presented the Executive Session Minutes from July 25, 2016.

**Mr. Mach** made a motion to approve the executive session minutes of July 25, 2016 as presented, seconded by **Mr. Pryor**.

ROLL CALL: Mr. Allen - Absent  
Mr. Pasquini - Yes  
Mr. Pryor - Yes  
Mr. Mach - Yes  
Mr. Cannon - Yes

#### CORRESPONDENCE

Mr. Williams stated that the first correspondence is a letter from the USDA regarding the test burn of the non-infected chickens that occurred at the incinerator. He stated that the report speaks for itself.

Mr. Pryor stated that there was one thing in the report that caught his eye where it said that they all burned and they all worked. There was a cost effective analysis, but he thinks that there was a statement at the end that questioned whether they would be feasible on a large scale basis. Mr. Williams stated that his assumption is, is that it is not feasible. He questioned is that how you read it too? Mr. Cannon replied with yes. Mr. Williams stated that meaning to move them offsite and burn them. Mr. Cannon stated that he sees the ones that also were most expensive were also shockingly most efficient and most safe as opposed to the ones that fell off of the truck and/or fell off the pallet. He also stated that the plastic drums seem to be the cleanest as to transporting them, but it did not seem to matter for burning. The only other reason with the other ones were just price. They all burned. Mr. Pryor stated that there was no residue. Mr. Cannon stated that hopefully they will not ever have to face that issue.

Mr. Williams stated that the next correspondence is a letter he received from Alex Lazorisak from the County of Warren. He stated that this is a letter that Mr. Lazorisak received from the Ridge & Valley Chapter Trout Unlimited. They are requesting to go in and clean up the embankment along the Pequest River which is located by the town of Belvidere and adjacent to the A&P shopping center. They have asked the County for assistance with loading the debris and transporting it for disposal to a facility such as ours. Mr. Williams stated that he went to the site and there is not a lot of debris there, less than a dump truck load. He stated that the last he spoke with Alex, he was going to inquire with the warden at the County jail where they have a program where the inmates go out on the weekends and do litter clean up. He reached out to Mr. Lazorisak and has not heard back from him. If it comes here, Mr. Williams stated that we have always waived the fees for the County.

Mr. Cannon stated that we really do not have an answer yet so really he does not want to say anything yet because we are not sure how it may proceed. He also stated that we want to be careful as to making

sure that it is County. Mr. Pryor stated that there is watershed associations, other groups, environmental commissions that do this on a local level. Do we want to go the whole route? He does not have a problem with that but we would have to treat everybody the same. We would have to come up with criteria and they have to be sponsored by the municipality or the County, something like that is his feeling.

Mr. Mach stated that he thinks that we ought to consider doing exactly what Mr. Pryor just said about setting a criteria for things like this. He stated that with this one he would vote in favor of going ahead with it.

Mr. Cannon stated that we need a clarification from the County whether it is going to be a prison program or how that may come out.

Mr. Williams stated that if the Board is in agreement with this and if the County uses the prison program, would everyone agree to proceed?

Mr. Pasquini stated that they pointed out that they already have insurance and neither White nor Warren County will be held liable.

Mr. Pryor stated that they would have to get an insurance certificate though.

Mr. Pasquini stated that one thing he is sure that they are a nonprofit organization and that they should be looking at Clean Communities running it through White Township. In supporting Trout Unlimited, they could make a sizable amount of money because they are already stating it in here that they are doing numerous cleanups.

Mr. Williams stated that in the end the County will be bringing it in. We have always waived their fees so if the County brings it in, does the Board want to waive the fee for the County? This is where we are. He thinks that the insurance is literally between the County and this agency really not us.

Mr. Cannon stated that he would like the clarity from Counsel that we had a little something drawn up to be clear as to liability issues and on this particular project that it was just limited to just that. He thinks that what Mr. Mach said is that we have to have something a boiler plate format. He does not know how to formulate that but if we are going to go down the route of looking at everybody and treating everybody equally then we should have something for ourselves that covers a checklist, the insurance and whatever we need. He questioned the Board if this sounds agreeable? Mr. Mach and Mr. Pasquini agreed.

#### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

#### FINANCE/PERSONNEL

Mr. Olshefski reported on the July Financial Report. He stated that it is always good to report on the activity here because we are having such a solid year. Our solid waste receipts is 3% higher than last year, and that is what we base our budget on. He stated that our average fee per ton is very healthy this year compared to last year, especially the cover which is up nearly 30%, \$23.56 compared to

\$17.48 last year. This reflects in our cash balances. Cash balances have grown so far this year, \$1.6 million total and over \$1.1 million in our restricted which is used for our operations. He also stated that we basically have \$11.5 million for Capital as we go. This is a very healthy situation.

Mr. Olshefski stated that there are no issues with the receivables.

Mr. Olshefski also stated that the budget reflects why we have the \$1.1 million. Our revenues are at 63%. We are 58% through the year, and our overall expenses are at 41%. He also stated that we are having a very solid year.

Mr. Olshefski stated that he and Mr. Williams will put together our 2017 preliminary budget. They will have that to present at the September meeting. He stated that once this gets the consensus to move forward, they will put it into the state format for approval at the October meeting.

Mr. Olshefski reported on the investments. He mentioned at the last meeting, we did have a CD mature. They renewed it and we actually got a slightly higher rate.

Mr. Olshefski stated that they transferred \$1 million from our Fulton Bank up to Lakeland's money market because they gave us a higher rate. He stated that between the CD and the money market at Lakeland, we have over \$10 million of our \$11 million in higher invested. We keep enough on hand for our cash flows.

Mr. Cannon stated that with the budget for next year, do we need to have a separate meeting? Mr. Williams replied with we can. Mr. Williams stated that we could have a meeting with a full Board or do you want to form a subcommittee? Mr. Olshefski stated that he thinks that so that the Board members have a chance to review it, he could meet with Mr. Williams within the next two weeks and once we get it into this excel spread sheet, they could forward it to all the Board members for review. If any questions pop up then they could get back to either Mr. Williams or himself prior to the next meeting, then we could have a full discussion at that point if that is satisfactory? Mr. Cannon replied that with yes he might like to join that meeting and that may save us a bunch of questions.

Mr. Cannon stated that regarding the year to date versus balances, it seems as though we are ahead of the game in almost everything. Mr. Olshefski replied with right. Mr. Cannon stated that the leachate treatment seems to be just about exactly where we have budgeted.

Mr. Pryor had a question regarding the tipping fee revenues. He stated that we did not seem to be as far ahead as some of the others. Does our traffic slowdown in the winter? Mr. Williams replied with it all depends on how bad the winter is. He stated that if it is a rough winter then it does drop. Mr. Pryor stated that it could turn around in two months or so. Mr. Olshefski stated that if you look at last year, September and October were very healthy months.

Mr. Cannon presented the Resolution to Pay the Bills (R-08-01-16)

On a motion by *Mr. Pryor*, seconded by *Mr. Pasquini*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *August 22<sup>nd</sup>, 2016*.

## RESOLUTION

**R-08-01-16**

### **To Pay Bills – August 22, 2016**

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	-	Absent
	Mr. Pasquini	-	Yes
	Mr. Pryor	-	Yes
	Mr. Mach	-	Yes
	Mr. Cannon	-	Yes

We hereby certify Resolution to Pay Bills in the amount of **\$345,411.79** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *22<sup>nd</sup>* day of *August, 2016*.

Jamie Banghart, Recording Secretary  
James Williams, Director of Operations

### PRESENTATIONS

None

### FACILITIES/RECYCLING

Mr. Williams reported on the treatment plant operations. He stated that everything continues to run smooth.

Mr. Williams stated that he has been in contact with T&M. He also stated that we did finish up last week our fourth and final round of sampling that they had asked for. He also stated that we have not received those results back from the lab yet. Hopefully they come very shortly. He also stated that T&M met with a vendor last week regarding leachate evaporation. Mr. Williams has not heard how that discussion went but that was one of the items that we wanted them to look “out of the box” for other alternatives so they are in the process of investigating that.

Mr. Williams reported on the landfill operations. He stated that everything is going smooth. He stated that we had to send our D7 bulldozer to Foley Caterpillar a few weeks ago. We are having overheating issues with the final drives on the hydraulics and the steering brakes in the final drive. This is down at their shop being repaired as we speak. Mr. Williams stated that this machine has approximately 18,000 hours and is a fairly old machine. This should be coming back in hopefully a week or so.

Mr. Williams reported on the solar panel projects. He stated that there are no changes there.

Mr. Williams reported on the H2S removal system. He stated that there are no changes there.

Mr. Williams stated that A-1 which is the Cornerstone updates on the landfill expansion will be discussed later in the meeting.

Mr. Williams stated that there were no changes to A-2 2016 Waste Disposal Fee Schedule.

Mr. Cannon had a question regarding the copies of the hauler letters that had the status of tonnage deliveries that Ms. Pluto copied to the Board. Ms. Pluto stated that they were sent out to the haulers advising them of their deliveries to date. She also stated that this is just an FYI.

Mr. Williams presented A-3 which is the truck scale repair quote from Atlantic Scale regarding repairs/upgrade to the electronics. He stated that he did reach out to other scale companies. He stated that the quote from Atlantic Scale is to replace all the load cells, convert it over to a no junction box system. Their quote is in the amount of \$22,750.00 to do those repairs/upgrades to our existing system.

Mr. Pasquini stated that if we run the RFB and we chose to go the direction to replace, do we still need to do this? Mr. Williams replied that this will get both of the scales up to date with the electronics. The electronics that Atlantic Scale is going to put in under this repair quote is the exact same electronic or equivalent in the RFB. He stated that so this way they are both going to communicate to each other. Mr. Cannon stated that this is strictly for updating existing scale with electronics. He also stated that we made this an apples to apples last month so we made sure this was fair and that Mr. Williams spoke to the other vendors. Mr. Williams stated that what this does not do is do anything to the infrastructure, meaning the concrete work. This is just the electronics. The infrastructure will come at a future point and time. Mr. Williams stated that Atlantic Scale estimated that we could hopefully get three years or possibly maybe five years on the existing infrastructure.

Mr. Cannon stated that he has two questions with this.

Mr. Cannon questioned was there a timeline as far as down time with this? Mr. Williams replied that they said that they will need a day and a half, tops. He stated that if we were to hire them today, they could perform the work on a Wednesday, Thursday which is the slowest days for us. Mr. Cannon stated that the other question he has is that he sees a service contract requirement. He questioned so

this is not including the service contract? Mr. Williams replied with correct. Mr. Cannon questioned that we have no price for a service contract? Mr. Williams replied that they are currently doing the service now for us. Mr. Cannon stated right but it says here “ten year warranty on the load cells with the purchase of a service contract.” Mr. Williams replied with correct, that is not in this. Mr. Cannon questioned that it is not in this? Mr. Williams replied with right. Mr. Cannon questioned so we have a warranty on the electronics, the new electronics or we need an additional contract to be warranted on that? He stated that this was just not clear to him on what is included in the labor, travel parts, so on and so forth. He also stated that this seems to be open ended to him. Mr. Williams stated that he is wondering if their wording is not right here because he thought it automatically came with a ten year warranty. Mr. Cannon stated that he thinks that was the conversation, and he thinks that we had this conversation with them twice and he believes that was the fact. He does not believe that there is an additional cost. Mr. Williams stated that this is his understanding also.

Mr. Pasquini stated that since we did get any other bids, we are making a motion now and he would like to make that motion. Mr. Williams stated that there is a resolution that goes along with this.

Mr. Pryor questioned Mr. Pasquini if he was making the motion subject to clarification of the ten year warranty? Mr. Pasquini replied that he believes that as Mr. Williams stated that he thinks that it is in the price but let’s leave the clarification to them. Mr. Cannon stated that the resolution be conditional that the ten year warranty on the Mettler Toledo load cell kit is included at the \$22,750.00 and that there is not an additional price. The Board agreed. Mr. Pasquini stated that this is his motion for Resolution (R-08-02-16) Awarding Contract for Truck Scale Repair.

On a motion by *Mr. Pasquini*, seconded by *Mr. Pryor*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *August 22, 2016*.

**R E S O L U T I O N**  
**R-08-02-16**  
**AWARDING CONTRACT**  
**FOR**  
**TRUCK SCALE REPAIR**

WHEREAS, the Pollution Control Financing Authority of Warren County (Authority) has a need repair/replace the existing load cells and weigh indicator on the existing scale at the Warren County District Landfill; and

WHEREAS, the Pollution Control Financing Authority of Warren County (Authority) contacted three (3) firms to obtain quotes for the repair/replacement of the existing load cells and weigh indicator and to eliminated the need of any junction boxes on the existing scale at the Warren County District Landfill;

NOW THEREFORE, be it resolved by the Authority that the truck scale repair be awarded to Atlantic Scale Company, Inc., 136 Washington Avenue, Nutley, New Jersey 07110 in the estimated amount of \$22,750.00 as stated in their quote dated July 29, 2016.

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	-	Absent
	Mr. Pasquini	-	Yes
	Mr. Pryor	-	Yes
	Mr. Mach	-	Yes
	Mr. Cannon	-	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  
Date: 08/22/16

Mr. Williams presented the next item on the agenda, A-4 as the Board requested. Mr. Williams stated that Ms. Fina, Mr. Tipton, and he moved forward with putting an RFB together for the installation of a new truck scale. This is before the Board today.

Mr. Pasquini questioned if we are going to get the same response? In other words, Atlantic is going to be only one that is going to respond? Mr. Williams replied with you never know. He stated that this will get advertised, put in the newspaper and we will put it out for bid. Mr. Williams stated that it is not a professional service so we have to put it out for bid. Mr. Pasquini stated that based on that, the results that you received for the service on the electronics, he suggested that we not put it out there for thirty days. He also stated that if these guys are not going to respond, then we put it out there for a two week period because his understanding from the past meeting that the concrete has to be poured by a certain time and date. He also stated that if we hold it off and hold it off then we are talking about next year. Mr. William replied that this is true if we get later into the year and it does get too cold to do any concrete work then that gets put off until next spring.

Mr. Cannon stated that following up with his point, we really are not in an emergency situation as to installing another scale. He also stated that this is an additional scale. This is locking in a price and he does not believe that we have a timeline but he thinks the opposite that if we wait the longer time we offered the RFB, we would be better off with possibly getting some comparisons. Mr. Cannon stated that he thinks that we will get some more quotes but he certainly would want to leave it out a longer period of time. He also stated that if we did not do this until the spring, there is no rush to get it in before the end of this building season.

Mr. Pasquini stated that the repairs that we did the last time, how long is that? Mr. Williams replied with twelve month guarantee on the concrete. Mr. Pasquini questioned when does this end? Mr. Williams replied with that will end either December or January. Mr. Pasquini stated that is he talking about doing this after that? Mr. Cannon replied with I think so. We are running through that guarantee and he thinks that we have to see what kind of bids we get. There is no need to put a project up there in that area in the middle of winter. He stated that if it necessitates it, then we will have an RFB answered with a price that if the warranty expires and then the next day that scale blows, then we

have an RFB set, a bid in, we have accepted, then we tell them we have to do this in the winter time. He also stated if we could get by not having to do this in the winter time, and we could ride that out a few more months then he thinks that we will be better off and probably less expensive.

Mr. Pasquini stated that when Atlantic Scale sat here, they said pouring the cement is not going to be done during the winter. Mr. Williams stated that it does work to our benefit to do it fall/winter this year because if we put it off until the spring, we get back into the busy season, the township cleanups are going on. There is a lot more traffic coming in and out of the facility in the spring versus the fall. Mr. Cannon stated that we cannot control the weather. There is really no idea how we would go as far as cold weather but he certainly does not agree with two weeks. He thinks it should be thirty days. He stated that he likes the company but he thinks we should see a full RFB and send it out for thirty days at least.

Mr. Pryor stated that his feelings are that we specified the scale. There is concrete work. There is metal work. There is a lot of other stuff so somebody could put a package together if they are really interested in it. We could get some general contractors.

Mr. Pasquini questioned are we going to put this out for thirty days? Mr. Cannon replied with that he would hope that.

**Mr. Pryor** made a motion to approve the RFB (Request for Bids) Site Work and Installation New Truck Scale at the Warren County District Landfill, seconded by **Mr. Pasquini**.

ROLL CALL:	Mr. Allen	-	Absent
	Mr. Pasquini	-	Yes
	Mr. Pryor	-	Yes
	Mr. Mach	-	Yes
	Mr. Cannon	-	Yes

Mr. Williams presented that next item on the agenda, which is A-1 Cornerstone's update on the feasibility study, the expansion and their most recent letter that was forwarded to everyone on Friday. Mr. Mark Swyka and Mr. Matt Beebe were present for discussions.

(Mr. Olshefski was excused from the meeting at 10:11 am.)

Mr. Cannon stated that the reason he gave Mr. Swyka and Mr. Beebe the minutes from last month, he has had some discussions with some of the Board members and Mr. Williams, from the proposal that we received on Friday and some of the things that they had said in last month's meeting seem to be completely opposite right now on some of the issues. He wants to make sure for clarity. We talked about wetlands and we could do them onsite and now we cannot do them onsite. There are just some things that he wants to make sure of in our discussions. If there is a clarification needed in those minutes, then he wants to give Cornerstone the opportunity.

Mr. Beebe stated that he believes he understand what Mr. Cannon is talking about as far as the mitigation onsite. He also stated that they said that they thought it was going be onsite. Mr. Beebe also stated that talking with their expert, his thought is that because of the small size of it, the wetland

bank or the wetland credits would be the only way to go because it would be difficult to establish a small wetland to replace the small wetlands that we have onsite.

Mr. Cannon stated that he has a couple of items to be discussed. He stated that he believes Mr. Mach asked for a tonnage number for what we would lose. Mr. Mach questioned how many cubic yards it would affect and more importantly how many years of life will it take off the landfill expansion?

Mr. Cannon stated that comparing that to how far we would necessarily go down the wetlands/archeological investigation versus we pull back so we did not have to engage all the issues that seem to be coming up with the wetlands and a lot of the assumptions. We could have a lot more issues down the road that we are not certain of. Mr. Mach stated that the question was raised so that we are not getting ourselves in the continuing spiral of adding money, adding money for perhaps three, four, five years of the landfill. Mr. Cannon stated correct.

Mr. Cannon stated to be fair to Cornerstone, they do not know the answers to a lot of those questions and he understands. He also stated that obviously we, the Board, do not know the answers to a lot of those questions. We started off with wetlands that they were not going to be an issue. We started off with archeological, no way that is going to be an issue. We started off with we could put the wetlands onsite and now we cannot do that. What may happen thereafter is where the assumptions are going. He questioned is this fair to paraphrase up to this point?

Mr. Mach stated that to recap a little bit, we were working towards, what he believed and seems to remember, is that the existing landfill as is, will reach capacity at around fall to winter of 2021. He questioned does this sound about right? Mr. Cannon stated 2021 based on current numbers, he thinks that this is the best guesstimate that we can work it. Mr. Mach stated that at the same time we were looking at the landfill being available to accept waste in late winter/early spring of 2021. This is a very small time frame. Mr. Cannon questioned does he mean with the new expansion part? Mr. Mach replied with yes, the expansion part. We have already slipped about four months and what that has done, is made that closing date, the date that the landfill reach capacity theoretically, and the date that the new landfill expansion will be ready, has slipped four months. He also stated that we are now down to maybe a cushion of six, seven, eight months where we had a year before.

Mr. Cannon agrees. He thinks that we understood that we could make adjustments if necessary to extend what we have based on the problems that we are encountering. That is not a date that is in concrete where the closed sign goes up. Mr. Mach stated that he agrees and it is the best guess. Mr. Cannon stated exactly and we can slide that date a little bit. We were going to submit April/May, another four months could disappear in a heartbeat. Mr. Mach stated exactly.

Mr. Cannon questioned Mr. Pryor, would you like to hear what Cornerstone has to say and we will go from there or how would he like to do this because you are the expert up here? Mr. Pryor replied that no he is not an expert on this, but he read everything and he read the notes again and he has a couple of concerns. One is that he is still very confused where we are in the wetlands, whether we had actually done the delineation or we just did the presence/absence or what? It seems to him that if we had done the delineation already and all we need is an application and workout the wetlands thing. The price seems a little high. He also stated that he does not want to seem adversarial, it is just his observation. He also understands that we had \$25,000.00 set aside for archeology and wetlands, and he does not know where that \$25,000.00 has gone and what the work product is.

Mr. Pryor stated that on the cultural resource survey, we never saw the phase 1A report. He does not think that it is unreasonable to see that because as he has read this, and the only criteria that is discussed here is the fact that it is less than 15% and it appears to be undisturbed. He also stated that the ones he has seen, have some kind of sensitivity analysis that discussed the likelihood of something being there and they compare and describe the history of the area. They look at the history of adjacent sites. They look for other surveys that may be available and they come up with a likelihood that somebody is going to settle here. Why did they settle on this acre as opposed to three hundred yards down the river? He stated that he did not see anything like that. His impression is that they are quick to jump to 1B here.

Mr. Cannon stated that this was one of his questions. He is clear that he heard last month that the \$25,000.00 was set aside for this. He also stated that when he first got this on Friday, he assumed that the \$25,000.00 was coming off the cost of this because we were not sure of the cost last month. He did not see a breakdown of that \$25,000.00. He also questioned have we not done any archeological or wetlands investigation or have we? He assumed that we had the bulk of that left to address this proposal.

Mr. Cannon stated that he does not want this to be adversarial. He does not want this to be about money but there are a lot of assumptions here. He also understands that they are not sure on some of the things. He is not saying that they know and they are not telling us. He does not mean that whatsoever. He would like some clarity.

Mr. Pasquini stated that the fact that they are working with the DEP would tell you that there are a lot of questions that you cannot get answers for. He stated that he has seen what has happened to that so he does feel their pain on working with them.

Mr. Pryor stated that he understands this and has had experience also, but this grid that is laid out for the phase 1B just seems very aggressive based on the fact that it is just less than 15% and is undisturbed. He also stated that if you had a hundred acre site and you apply that to the whole hundred acres, these costs would be bigger than anything he has ever seen.

Mr. Cannon questioned Mr. Swyka, we are not dealing with the DEP yet? Mr. Swyka stated that there has been no submittal to the DEP.

Mr. Pasquini questioned do we have a timeline on this? Mr. Cannon replied with no. Mr. Cannon stated that we have not even been down the road yet of what the DEP will allow or not allow so just to be clear with that.

Mr. Beebe stated that he will address the \$25,000.00. He stated that of the \$25,000.00 we have already dealt with SHPO (state historic preservation office) on the Titman House, the Titman Mine and the phase 1A which came out of that \$25,000.00 plus the initial wetland presence/absence and the delineation so that has eaten the entire \$25,000.00 with those different things that we have covered.

Mr. Beebe stated that the phase 1A report has not been completed yet. He stated that they are working off of preliminary email that they sent. Mr. Pryor stated that the other thing is that he is still confused with what was done with the wetlands. Did we do a delineation or not do a delineation? Mr. Pasquini stated that in here it says it will be done by September. Mr. Beebe replied with that the ground work for the delineation was completed. Mr. Pryor stated that they looked at the vegetation and soils but they never put that into a report. Mr. Swyka stated that they were taking that information and that

would be compiled into a file environmental impact assessment. Mr. Pryor stated but you still need that report to get your delineation approval. Mr. Swyka stated that he was going to compile that information with the permit application so they do not have that information compiled yet because they have not been authorized to submit the permit application. Mr. Pryor stated alright.

Mr. Beebe stated that the phase 1A report will be forthcoming now because his preliminary findings showed that a phase 1B will be required. He also stated that typically what he said is that he would combine the phase 1A with the phase 1B report. Mr. Pryor stated that the only thing conveyed to the board is that it is less than 15% and that it is undisturbed. Mr. Swyka stated that when you say 15%, they are talking about slopes. Mr. Pryor replied with he knows and it is flatter than 15% and it is undisturbed but there has been no discussion with history or what else has been found there.

Mr. Beebe stated that there has been three sites that have been found within one mile of the project area that have been slated and that SHPO is aware of. This would trigger them to want to further investigate. Mr. Pryor stated that maybe part of his problem is that it has not be conveyed to the Board. Mr. Beebe stated that he can look and see about getting the Board draft phase 1A.

Mr. Beebe stated that the sensitivity analysis and the reason that this area was chosen, was the fact that it was close to the Pequest. It is level grounded and it overlooks the Pequest. With current vegetation you cannot see the Pequest, but because the vegetation at the time would have been old growth and more visible down through, it is likely you would be able to see the Pequest below and it would give some good advantage points. He also stated that other areas were disqualified because of the slope, distance from the water and disturbances.

Mr. Cannon stated that he hates to harp on the \$25,000.00 but Mr. Williams brought it up last month thinking that the archeological would be included already. Mr. Cannon is not comfortable today signing an agreement to extend another \$50,000.00 with the list of assumptions in here. He is going to be fair and upfront to them.

Mr. Cannon questioned that within thirty days we blew through \$25,000.00? Mr. Beebe replied that was \$25,000.00 from their proposal that they submitted last year. Mr. Beebe stated that as you go through the status updates, the \$25,000.00 is paying for those products that came up through and then you have seen the no changes now that things have come up. He stated that they have spent that \$25,000.00.

Mr. Cannon stated that this is not what you stated last month and this is his point. He stated that the representation was that money was still available to us last month. Now we have an archeological wetlands issue and you responded, and he is paraphrasing this, we set \$25,000.00 aside for this issue if it came up and now you are saying it did come up? Mr. Swyka stated that it was not intended to be interpreted that way.

Mr. Cannon questioned is there work product then related to previous archeological and wetlands that we were not aware of? Mr. Beebe stated that the work product for some of that would have been the letters to SHPO for the archeological, correspondence with SHPO, the phase 1A report which we do not have yet, and the presence/absence study for the wetland delineation that was done last year. Mr. Cannon stated that the phase 1A happened after last month, correct? Mr. Beebe replied that phase 1A happened after last month but that came out of that \$25,000.00. Mr. Cannon stated that ok so some of this was used already in between this thirty days? Mr. Beebe replied with yes. Mr. Cannon stated that

because we do not have that draft and knowing what that cost that your saying was a portion of the \$25,000.00 that you said, ok.

Mr. Swyka stated that what they have before the Board is the extension of the wetlands, essentially applying for the permit and everything that associates with the permitting, and for this next step in the archeological. Mr. Beebe stated that again there is assumptions out there and this is only, the assumption is that we are only doing the 1B. The proposal does not go any further than the 1B if they do find stuff that would go further, that would be another proposal for additional.

Mr. Swyka stated that he thinks that we should stop for just a second, he thinks that we should talk about the volume impact. Mr. Beebe stated that he thinks that we should probably get back to the volume impact because the wetlands hinges on that volume impact. He stated that as we stated before is to avoid the wetland area, we would have to move the berm south. We move the berm to the south and that created a stability issue where the floor of the cell is where we gain our stability allowing us to provide a buttress against the movement of the waste. By moving the limit of the landfill back in, we lost some of that buttress. He stated that they look for a 1.3 factor of safety to make sure the landfill will be stable. By moving the berm in, we lost that factor of safety, we are down to a 1.2 something, he believes. As they stated last month, they would have to decrease the slope on the final grades of the landfill to get to our 1.3 factor of safety they would have to decrease to a final slope of 4.25:1 versus the standard 3:1 outside slope.

Mr. Cannon questioned how much of what would normally be a 3:1 it would now be a 4.25:1? Mr. Beebe replied that it would be your northern slope and the eastern slope that faces the existing cell now. Mr. Cannon questioned if we have the drawing here?

(Mr. Williams left to get the drawing from upstairs.)

Mr. Beebe and Mr. Swyka used the drawing for discussions with the Board.

Mr. Cannon questioned that the 3:1 slope is what we currently have and what we are currently using? Mr. Beebe replied it is currently what we are using and is typical with landfill expansion.

Mr. Mach questioned the number 4.25:1, what does that mean? Is that 4 feet of elevation per foot of run? Mr. Beebe replied that it is 4.25:1 foot of run for every foot of elevation.

Mr. Beebe pointed out the rough location of the wetlands and where the berm may be placed to minimize the amount of loss. By doing that, they ran cross sections, which are the same cross sections that they used for the original stability report on this cross through here and cross section through here. He stated that we lost stability by keeping the 3:1 slope. Mr. Cannon questioned through the existing, you needed to? Mr. Beebe stated that we have one cross section coming off of the existing landfill and down through because we have that slope already so you have a driving force, which will be buttressed by this berm.

Mr. Beebe stated that we also have a cross section coming across this buttress by this berm. He also stated that by moving this in, we affected our stability on those cross sections. We reduced it below our 1.3 factor of safety that they required. They looked at what kind of slope on the final grade they would need to use to maintain that 1.3 factor of safety. They found that they would have to decrease the slope. They would not have to do any with the other slopes, but certain slopes would have to get reduced to 4.25:1:1 slope.

Mr. Cannon stated that this is where he loses him. He questioned that to maintain the 1.3 factor safety, you are increasing the slope? Mr. Beebe replied decreasing the slope. Mr. Cannon questioned that decreasing the slope? Mr. Beebe replied yes to keep our factor of safety.

Mr. Beebe stated that the volume of your original growth, now this does not account for other loses due to roads and other things, was a gross volume of 8.54 million. Mr. Cannon questioned now what do you mean by roads? Mr. Beebe replied with access roads and storm water features. Just features that would be out there that we have not accounted. Mr. Cannon questioned but is 8.4 million the green area on the map? Mr. Beebe stated that 8.4 million cubic yards would be what is in here (pointing to the map) and going over top of the existing landfill. Mr. Swyka stated that the green on the map represents this 34.3 acres.

Mr. Cannon questioned if there is a percentage of roads? You were saying that there are other infrastructures or something that would come off of that number? Mr. Swyka stated that the final cover comes out of that number, intermediate cover comes out of that number and if we do have to have an access road cut into the landfill that would reduce the volume and that is why Mr. Beebe is saying it is a gross number. Mr. Cannon stated that he wants to be clear that that is not a net number by any way shape or form. Mr. Beebe stated that is not your net number. That is before you take out any. Mr. Cannon questioned if we have a percentage on that?

Mr. Beebe stated that before we do this, he is going to use gross numbers before and after so it is apples to apples. He pointed to the map and stated that by cutting this in by moving the berm in, cutting our slope down this way and cutting our slope this way, we lose 1.7 million cubic yards. Your gross air space is now 6.7 million cubic yards. Mr. Cannon questioned so like 15%? Mr. Beebe replied with probably closer to 25%. Mr. Cannon asked Mr. Beebe to say the number again. Mr. Beebe stated 8.4 to 6.7.

Mr. Mach questioned if they put a number of years? Mr. Beebe replied with that they have been counting on 200,000 cubic yards per year, so it is roughly 14 years. Mr. Mach stated 14 years.

Mr. Williams stated that the 200,000 cubic yards includes cover material. He stated that when we do the topography survey every year, why he watches what we put in our landfill is the tonnage plus cover material to keep us at or under that 200,000 cubic yards and that is how we monitor our fill progression.

Mr. Mach stated that 200,000 cubic yards per year, he comes up with 8 years. Mr. Swyka stated 8 ½ years by that amount. He does not think that losing that space is worth it. Mr. Mach questioned that Mr. Swyka thinks that it is not worth losing that space? Mr. Swyka replied with he thinks that it is easier to permit the wetlands and move forward. Mr. Mach stated that in his mind it is a push.

Mr. Beebe stated that here is the other thing, we are trying to do this quickly to get a quick number for you. There is going to be some other work that they would have to redo around here which could affect that 1.7 million cubic yard loss because we just cut that across and did a quick tie in. Mr. Mach questioned if it would not double it, would it? Mr. Beebe replied with that it would not double it, he thinks, but they would have to reengineer the berm. Mr. Mach stated that he understands and now that he brought that up, any idea what the reengineering costs would be, ballpark, not to be held to a number? Mr. Beebe stated that it is decent amount of grading to redo. Mr. Mach stated that he understands that and this is a tough question to answer. Mr. Swyka stated to Mr. Mach that he does

not know the answer, he would like to think it would be something less than \$50,000.00 but he does not know that answer. Mr. Mach stated ok and that is good enough.

Mr. Pryor stated that his impression is that when you look at the plan, the impact does not look that big but when you look at the volume the impact is much more significant. Mr. Williams stated that this is where it is huge.

Mr. Beebe stated that this slope was designed for specifically for a 3:1 final grade to tie into nicely. He is not certain how far back up they would have to chase that to get 4.25:1:1 to tie into nicely. Mr. Mach stated that he understands.

Mr. Pryor had another question and does not know if this has feasibility or not, if time is an issue, if the timeline is truly what is wearing us, would it make any sense to phase this thing and cut it back now and then work out a third expansion at our leisure? Or do we have to do this all at once? Mr. Mach stated that this is part of the question. Time is a part of the question and there is cost involved too, but don't lose the question. He stated that there is cost involved. We have \$50,000.00 in front of us as a proposal which is the beginning of a spiraling cost that we have no idea where that spiral of cost is going.

Mr. Williams stated that if you look at \$50,000.00, he is just using a rough number, to do a redesign, at some point and time down the road if this facility wants to expand this further, now there is an additional cost associated with that, then to do it now. He stated that so it is a double cost there to put it off then to do it now. Mr. Beebe stated that we also do not know what the regulations will be down the road.

Mr. Swyka stated that he would like to offer another perspective just so we do not miss it in the process of having the discussion. He stated that the concept is to pull this back because we are doing the archeological investigation because it is a technicality associated with the wetland permit. So they are saying well we want to avoid the wetland permitting in order to avoid the archeological investigation just because we do not know that we might find something that might somehow impact the project. He also stated that if we do that, go ahead and get the permit, go out and there is something there during construction and we dig it up, it impacts the project. It impacts it much more significantly than what we are talking about. He also stated that if there is something there, you will find it. You want to find it and you want to know that it is there. It is important to our culture and he thinks that it is really in everybody's best interest to take the direct route, answer the questions, then we could go forward.

Mr. Cannon questioned Mr. Swyka so you think that he is in agreement then that we should do all the wetlands, all the archeological, everything else before we submit this expansion plan to the DEP? Is that what I just heard you say? Mr. Swyka replied no I did not say that. Mr. Cannon stated that that is what he thought he said. Mr. Swyka stated that what he was saying is, if there is an archeological significance over here, it does not matter when you find it. It is there so you want to find it sooner rather than later.

Mr. Pryor stated that SHPO only gets involved under certain situations. Where would they have jurisdiction if we did not have to go through land use? Mr. Swyka replied that if during construction, obvious artifacts were unearthed, then they would then. Mr. Pryor questioned that if an arrowhead was found, they would then stop the project? Mr. Swyka replied no, if you find an arrowhead now it would not stop a project. Mr. Beebe stated that only if you find a clay pot or a group of artifacts, Indian

burial ground. Mr. Pryor stated that it was a legitimate question that was asked and we are exploring it but he has to be convinced that who would know? You have a contractor out there and finds a clay pot. Who would even know? Mr. Mach stated that the practicality says that. Mr. Pryor stated that the project would go. Mr. Swyka stated that that is just the point and if that is all that we find then it does not matter.

Mr. Cannon stated that he thinks that this is the point that he has made and that is why I asked you and you said no, and he thinks that is what we heard, but his point all along is: Why would we submit an expansion plan on that exact footprint without being certain as to our wetlands issue and our archeological issue? Mr. Beebe stated that with the archeological, that has been explained to him by the archeological guy, the only thing that could stop the project, archeological wise, would be an Indian burial ground. He also stated that he said that is not even one that could completely stop it, you could get a court order to proceed and move that burial ground. It basically comes down to if they find something they have to dig it up, catalog it, and send it off.

Mr. Pryor stated that he has one other question. Can you show us on that map where they are doing this grid for 1B? Mr. Beebe pointed to the map and stated that here is the ridge line that comes up through. The location would approximately be here. Mr. Williams stated that it is small.

Mr. Beebe pointed to the map and stated that of your area, you have already disturbed most of this portion down here with soil borrow and other operations. Mr. Mach questioned why is that significant? Mr. Beebe replied with that they do not have to look at that. That does not come under their jurisdiction since it has been disturbed previously. He also stated that up here, you have this area that was pasture previously and it has been disturbed. It is still something they would look at because of the slopes but they do not worry about that. So you have narrowed yourself down to this area (pointing to the map). Then it is maybe they find something, maybe they do not. Mr. Beebe also stated but if they do, if you look at it now and find it now, then you could take care of that and you are not going to be tied up during your construction period versus if we adjust everything here and still go out there and find something significant during construction, let us say it is not just a pot but it is something significant, the show is off. Now we are in the middle of construction and you are not going to get your project done in time.

Mr. Pryor questioned who would even know? He means are they going to have an archeologist onsite? He stated that you have a guy sitting in the cab of a backhoe. Mr. Mach stated and moving tons and tons of dirt. Mr. Pryor agreed and they are not going to know. It is a practical aspect of construction. Mr. Pryor stated that he is just asking a practical question. Mr. Mach stated exactly. Mr. Pryor stated that usually when there are doubts, there is a requirement that an archeologist be onsite. They have the power to suspend a job until it gets sorted out.

Mr. Pryor stated that it may be easier if he just summarized his position here so you know how he sees this. He thinks that you are in the landfill business and he thinks you would want the capacity. He thinks that you would have to address these things. It is probably the more cost effective way. He stated that Mr. Cannon's question is a valid one, should we do this first before we invest in finalizing all this and making a submission. He still holds that question out there.

Mr. Mach stated that he does not understand Mr. Pryor's position. Are you saying that we should not go ahead with the delineation to take off that corner? Mr. Pryor replied that he is saying that we should. We are in the landfill and we want the capacity. The preferred alternative to him, would be to implement that design and if we have to deal with the wetlands and the archeological then we do it.

He stated that the alternative is to knock 1.7 million cubic yards out of there and address this later. Mr. Mach stated exactly. Mr. Pryor stated that if the time becomes critical, maybe that is an option and it allows us to proceed and then we deal with the 1.7 million later. Mr. Mach stated the he thinks you are at the point where the time is approaching being critical and the slightest glitch will get us way behind schedule. Mr. Pryor stated that he is laying it out there and the rest you guys debate that.

Mr. Mach stated that his feeling, just so everybody is certain, is we cut off that corner of the landfill. We lose the 1.7 million cubic yards for now and if the Board in the future wants to go ahead and expand this landfill even further, they can do it. They could go through the archeological studies. They could go through the wetlands things and they could do all of that stuff.

Mr. Williams stated that if we leave the landfill footprint alone, it is going to go to 2052. He also stated that if we cut the corner of it off, then we are going to knock eight years off of it so it would be 2042/2044 somewhere in that area by cutting the corner off. Mr. Cannon questioned what is the difference in years? Mr. Mach and Mr. Williams replied with eight years. Mr. Cannon questioned what is the gross number as to the full expansion? Mr. Williams stated that 2021 now to 2052, so it is thirty one years.

Mr. Swyka stated so let us fully understand what happens because we do not get into the meat of the volume of the expansion until we get into this part of the construction. Everything that we reduce here with the flat slopes, we are taking a lot of that volume decrease from the earlier part of the construction. We end up constructing new phases more quickly. He stated that, so we say ok we are still going to have thirty years of life and we lose eight years off the end. Well we do not really lose eight years off of the end from a dollars expended perspective. We lose more of that off of the beginning than we do off of the end.

Mr. Cannon stated that he has a couple questions and he knows that they are all over the place but he just wants to make sure. He stated that it is clear now that last month we thought we could replicate the wetlands onsite, we cannot do that now, correct? Mr. Swyka replied with correct.

Mr. Cannon stated that you said something about you guys choosing a bank. That certainly would not be the case. We would want to look at the options as to what is available out there, possibly all of them. He also stated that Mr. Swyka brought this up and we did not want to be told which bank we would have to go to. They need to get some numbers on that. Mr. Pasquini stated that he can help on that.

Mr. Cannon stated that he thinks that we had a bunch of issues. Let us see if we can boil a couple of items down.

Freeholder Smith stated that he thinks that one of the things to look at is, so we are looking at 1.7 million cubic yards, what is the delta cost if you were to include that original footprint as taking it out and he gets the time in this parts. He thinks that there might be the ability to petition the DEP under public purpose because we are talking a larger issue here in terms of landfill capability. There may be a way to reach out to the department to get answers to these things in a more timely fashion because of the concern of our ability to continue to take waste.

Mr. Cannon stated that just to follow up on that though, we are not preventing the ability of that difference of 1.7 million cubic yards to happen. He also stated that we are just not doing it now.

Freeholder Smith stated that he understands as to whether or not we are doing it now. He stated just to step back, we should look at the marginal costs overall.

Freeholder Smith applauds this Board for the fact at looking at three decades in advance which for a public organization is outstanding. He also stated but for 1.7 million cubic yards, even with the wetland mitigation costs and the worst case scenario, that you would be talking about and he knows that it is always hard to ascertain, but that marginal cost for 1.7 million cubic yards may actually make those 1.7 million cubic yards very inexpensive compared to what you are looking at overall. If it was tied fast to this to where we are looking at a grand scope here and he means even if you were looking that it is \$200,000.00 to address the issues here, you are picking up 1.7 million cubic yards for \$200,000.00. He stated that the question that he would throw out, and just for the Board to consider is, what would be the cost per cubic yard of the project construction wise with looking at this?

Freeholder Smith stated that to Mr. Pryor's point, we are in the landfill business, are we going to end up with a construction cost virtually the same to complete 1.7 million cubic yards less other than for the delta of the cost to deal with the other issues. Then, if we were looking at that grand scheme, the DEP could be petitioned as a general health safety and welfare to expedite to insure that we do not miss our deadline.

Freeholder Smith thinks that Mr. Mach's point is well taken. We do not want to have to put the closed sign up, but at the same time, he thinks that even the DEP recognizes the fact that landfill capacity is very, very important. Mr. Mach questioned how long would the petitioning take? Freeholder Smith stated that he guesses that the first question is whether or not it is cost effective. He means if we are talking that you are going to pick up 1.7 million cubic yards for a couple hundred thousand dollars, because your construction costs are going to be basically the same. That's a wheel of a deal. He thinks if that was presented to the highest levels, and that would be the potential to reach out to the DEP in a timely fashion now because you are at such a juncture and put it in their lap and say well we could get 1.7 million cubic yards further, but we have a concern as to whether or not we are going to meet our deadlines. Then dump it in their lap and let them maybe answer the question for you because they may say oh Warren County that is such an important thing for the overall health safety and welfare of the State of New Jersey and our ability to deal with responsible solid waste management that we are going to be able to say that we are going to move this forward and make it so you are not going to be late. He stated that we are picking up 1.7 million cubic yards. If they say well we cannot make an exception to the rules, then your fallback plan is to hack that off and move forward on the timeline. He thinks as he is reading here, your biggest concern is that you are not going to be able to work on any kind of a schedule because of contingencies. Freeholder Smith also stated to make that where it becomes their job 1. He is not going to say that it is impossible that we could reach to the highest levels based upon that type of issue. That is a huge amount of volume that you are talking about.

Mr. Mach stated that he does not want to argue with Freeholder Smith, and it is not an argument but he thinks that his \$200,000.00 he pulled it out of the sky and that is ok. It is as good as any number but that is only part of the number. The rest of the number is the \$50,000.00 into the phase 1B investigation and the related expenses that may come after that may be another \$200,000.00. Maybe the numbers still work out and maybe we are looking at \$400,000.00. Freeholder Smith stated so let us even day \$1,000,000.00, that would mean that you are picking up 1.7 million cubic yards for \$1,000,000.00 that is not even a \$1.00 per cubic yard, if the construction costs are the same. What he is hearing here, is that the construction cost could get perhaps even go higher because of the way that

you are going, because you are having to change the buttress in and the redesign. He stated that we are talking about a million cubic yards here and it is hard to get your arms around that kind of volume.

Mr. Cannon stated that he gets Freeholder Smith's points and he understands completely. He thinks when you approach the DEP and say we want a special permit, we want a special process here because we can only extend the life of landfill for another thirty three years and we want to extend it for forty years, he loses the sense of urgency. He also stated that without the numbers, which he thinks that they are all in agreement, there are a lot of questions here that we do not have answers to. He also stated again to be able to compare those and to be able to go ahead with a thirty three year life extension without opening up "Pandora's Box" maybe on some issues and also a budgeting issue that twenty years down the road, fifteen years down the road, the landfill could be in better or worse shape, to where they could then budget for an additional expansion at that time or possibly thoughts of change and does not want expansion or they have created the best system in twenty years from now so there is no garbage coming in, whatever the case may be. He understands the special permits from the DEP but you guys could do your plan right now and get thirty three more years of life. Mr. Cannon stated that there are so many open end questions.

Freeholder Smith stated that where he was going with this is it might be as simple as a letter and let them actually make the decision for you. He also stated that no we are not prepared to make that type of commitment, in which case this Board is responding to a DEP that has made it more important over an acre of wetlands and maybe historical issue than 1.7 million cubic yards. That could be as simple as a letter to the commissioner and saying we have a dilemma, we have a timeline, we are looking for guidance as to where to go. He is just throwing it out to where it becomes less. Mr. Cannon stated that he has no problem sending the letter. There is no harm in sending the letters. Freeholder Smith stated that it is just a case to where he sees us at a huge cross roads right now in terms of a long term thing. He just wants to say, and he cannot say this enough, he appreciates that fact that this Board has had such a forward look and a thirty year landfill expansion is a laudable effort in itself, indeed. He also stated that when this was originally talked about and a lot of the members were not even on this Board at this point, when we started to look in terms of decades of potential capacity and streamlining that into one design. Thirty years was quite candidly, he thought oh we are not going to get anywhere and now my goodness we are dancing around with the possibility of forty.

Freeholder Smith stated that Mr. Cannon's points are well taken. We may have 100% recycling utilization in dumps may become a thing of the past, who knows, but he does not know if that is ever going to happen with ID13. He appreciates it.

Mr. Pryor stated that he guesses in the projects that he has been involved with, your first attempt is to get this presence/absence determination and somebody says that there is no wetlands on the site and you can go ahead. He stated absent that you do a delineation and you get an LOI which you can count on for five years and you just design around that. Then everybody says yes that is the limits to the wetlands and you are not going there.

Mr. Mach stated so we get an LOI, what does that do for us? If it says that there is wetlands, then that means that we have to deal with the wetlands out here. Mr. Pryor replied with no because you are staying away from them but the whole world agrees that is the only wetlands on the site and you are not near there. Mr. Cannon stated that to get our interpretation agreed to by them, so we are all on the exact same page. Mr. Pryor stated that he is not a wetlands guy, does this make sense? Mr. Mach questioned how long does this take? Mr. Pryor stated the he does not know but he thinks it is a lot

quicker than trying to go through mitigation and all of that. Mr. Mach questioned a month or three months? Mr. Pryor stated that he thinks that we could expedite that.

Mr. Cannon stated that he is trying to tie this all together. He thinks that with Freeholder Smith's suggestion of letter, the possibility of reducing the footprint and still extending for thirty three years, to a degree, he thinks change is our urgency of timeline to a degree, especially if we got a letter sent. He thinks that helps. He stated that we have asked Mr. Swyka and Mr. Beebe a lot of things today and a lot of questions and punch list items. There are a lot of things that we would like to get back. Mr. Cannon stated that maybe we mitigate some of that timeline either by a letter or a thirty three year expansion as opposed to a forty two. He also stated so we do not have to decide today that point is what he is trying to get to. He thinks we have a list of things for Mr. Swyka, Mr. Beebe and Tetra Tech that we would like to get definitively back as far as the work with the \$25,000.00, the 1A results, the numbers on the cubic yards versus the slope because they were not sure of the one side because you have not worked the one side as far as the slopes. He thinks that there is enough there for us to get something that we would like to see.

Mr. Pryor stated that he thinks that we need a ballpark estimate on the cost to construction of the full project versus the truncated project.

Mr. Cannon is asking members now for any additional questions. We would like to have a document from our engineers that is showing that these are the reasons that we chose from Column A, Column B, Column C, whatever it may be and get a better delineation as to where this \$25,000.00 was spent/partially spent. Then he would also like to see in these two items of additional expenses, a little bit more of a breakdown as to what would need to be included in Task 1 and Task 2.

Mr. Pasquini questioned on the wetland portion, what acreage are we looking at that would be mitigated, ballpark? Mr. Williams stated that it was not even an acre, was it? Mr. Cannon replied that it was less than half of an acre. Mr. Beebe stated that what it looks like based on this proposal is the total wetland acreage is .23 acres.

Mr. Cannon stated that we would also like to see the bank options too so that we have what is out there, obviously we would want it in Warren County if we can.

Mr. Cannon questioned Mr. Swyka and Mr. Beebe do we have clear direction for you guys for what we want to see for next month? He stated that we will then have a clarity for a decision on 1B because we will have 1A to look at. Maybe we will get something from Tetra Tech in writing. He would also like to look at a not to exceed. He thinks that if you guys are confident when you have the information that we ask for and the information that Tetra Tech may provide to you, then we could get to the point of having a not to exceed. He also stated that certainly we have illustrated enough with the \$25,000.00 questions.

Mr. Williams stated that the only thing he would want to add, and he thinks that Mr. Mach raised this, about let us chop it off and let the next Board worry about it down the line. Mr. Cannon stated that he does not think that he said that. Mr. Williams stated that he is paraphrasing. Mr. Mach stated well that was pretty close. Mr. Williams stated that what is being forgotten here is when that does get added on by the next Board, and he will not be here either, but whoever has to go in there and fill that, it is going to be very difficult to fill that area to get that 1.7 million cubic yards filled. He is meaning the workers that will be here at that time. It is going to be very difficult to fill that side slope, then if it was done today. Mr. Swyka stated that is true.

Mr. Mach stated again we do not know what we are dealing with thirty three years from now, in general as a whole with regards to the landfill. Mr. Williams stated that he is just saying that to fill a slope it is very difficult to do then the flat area and build it from that spot up.

Mr. Swyka stated that not to further complicate things, but in the interest of trying to keep things moving, we did schedule people to be in the field to do the shoveling survey and he believes that is scheduled September 15<sup>th</sup> and 16<sup>th</sup>. He also stated that if he is being told not to do that, he would now have to cancel that schedule and he does not know when he can reschedule it. Mr. Cannon questioned Mr. Pryor what he thinks about that? He stated that we are going to have to do that either way, right? Mr. Swyka stated that he would like to hold the schedule. Mr. Pryor stated well no you are talking about for the cultural resource survey, right? Mr. Beebe replied with yes. Mr. Pryor stated that if we went the one direction you would not have to. Mr. Mach stated but the shovel test cost is low. Mr. Beebe stated that he believes it is around \$15,000.00. Mr. Pryor stated that it is significant because they are laying out a grid and they are poking for pottery and whatever. He questioned did Native Americans have pottery or what else are you looking for? He does not know.

Mr. Cannon stated that it would be fair to next month to be able to say yes we have our questions answered, then we can make a decision at that point. He also stated to schedule somebody else come out for 1B for October. Mr. Cannon stated the he would be happy pushing it back for thirty days. He is not comfortable right now having that included with where we are at here. Mr. Pryor agrees. There are a lot of options ahead of us and there is not a consensus yet and it makes sense to pursue this in an orderly fashion.

Mr. Cannon stated that he thinks that we answered Mr. Swyka's question. Mr. Pasquini questioned if we are looking at the resolution that is before us? Mr. Cannon replied with no. Mr. Pasquini stated that in other words we are pushing it back too. Mr. Cannon stated that we may be able to add a not to exceed to that.

Freeholder Smith stated that just so he is clear, if the excavation was done that is being proposed for those two things, would that better guide the Board in terms of where they are going to be in terms of making a decision whether to cut it back or not? With that investigation? Mr. Cannon replied no because that is in another spot. Freeholder Smith stated that is on the other spot. Mr. Cannon stated that we just found out today that it is on the other side. Freeholder Smith questioned that was going to be another cut back as well, wasn't it? Mr. Beebe stated that if you are looking to avoid that, it would be another cut. Mr. Swyka stated that if we knew the answer, and we knew that there were no artifacts of cultural significance in that area, then yes it would help guide the Board to say yes and go ahead and finish the application and make the submittal. Freeholder Smith stated that looking at the timeline, and when we are looking at in terms of the potential, we are picking up 1.7 million cubic yards here. He also stated that a \$15,000.00 cost of investment, he does not necessarily know that is imprudent with what is on the table if it would provide definitive answers to this Board. Mr. Cannon stated well no, how it was represented that would not change the footprint on that side, that archeological would not. He also stated that this was said an hour ago because we thought it was more towards the Pequest and it is actually on the west side. Freeholder Smith stated ok and he did not catch that part. Mr. Swyka stated that we are not talking about the change to that side of the landfill. We are talking about whether or not we can cut back for the life.

Mr. Cannon stated to Mr. Beebe and Mr. Swyka to please feel free to send emails for clarification. We will gladly go back and forth so that we do not have to repeat questions and answers. He thinks that we covered it.

Mr. Williams stated to Mr. Swyka that he is confused here, the phase 1B, does that have to be done regardless? Mr. Swyka replied that he is going to have to ask that question because he thinks there is a possibility that it might have to be because of what we have already done. He also stated maybe not but he will have to ask that question.

Mr. Cannon thanked Mr. Swyka and Mr. Beebe.

(Mr. Swyka and Mr. Beebe left the meeting at 11:27 am.)

### NEW BUSINESS

Mr. Williams stated that he put in front of the Board today, the updated tire recycling. He also stated that on September 22<sup>nd</sup> we are going to do our tire amnesty day for Warren County residents. We will start advertising for that next week with an ad in the paper once every week for the next four weeks.

Mr. Cannon questioned Freeholder Smith if there has been no movement on electronics? Mr. Williams replied with no. Mr. Cannon stated that he does not know what all of these people are going to do with all of these TVs.

Mr. Pasquini stated that outside of his position here as the Mayor of Oxford, he is asking if there is a way for help with a cleanup that they are doing, much like it is to White Township, on their Jonestown property. They have uncovered and collected some approximately a hundred tires, commercial, farm type and residential, that were dumped on the property. He questioned if there is something that they can do as a town to bring tires here? Mr. Cannon stated for Mr. Pasquini to submit something formal. He thinks that it is unfair for us to give you any type of guidance at this point except for him to send us a letter and give us a rough idea of numbers, and then Mr. Williams can look at that and give us advice as to what it may cost us to dispose of through our subs going out and go from there.

### OTHER BUSINESS

None

### GENERAL COUNSEL'S REPORT

Ms. Fina stated that there was no report.

Mr. Cannon stated that just so we are clear and it was a long time ago that we are going to look at some sort of boiler plate documents for whatever entities come to us and clarity as far as liability.

### CLOSING PUBLIC COMMENT

Freeholder Smith would like to emphasize how happy he is that the worst case scenario is thirty three years. He stated that just so that he is clear and that he had the approval of the Board, if he was to reach out to his contacts at the DEP, is that question something that this Board wants him to propose or do you want to get a little further down the road before that question is asked? Mr. Cannon replied that he thinks that we gave Cornerstone a clear punch list today that we got a lot of questions to them.

Freeholder Smith stated that he would be more than glad to reach out to do that at whatever point the Board feels appropriate.

Mr. Pryor stated that is always a two edge sword and he appreciates Freeholder Smith's contact. Freeholder Smith is going to take it at this point that he will stand by for further direction.

Mr. Mach questioned Mr. Williams when is the HHW scheduled? Mr. Williams replied with September 25<sup>th</sup>. He stated that it is actually on the Sunday before our next PCFA meeting.

#### PRESS COMMENTS & QUESTIONS

None

#### EXECUTIVE SESSION

Executive Session was not necessary.

#### ADJOURNMENT

With no other business to discuss, **Mr. Pryor** motioned to Adjourn, seconded by **Mr. Pasquini**, at 11:31 am.

ROLL CALL:	Mr. Allen	-	Absent
	Mr. Pasquini	-	Yes
	Mr. Pryor	-	Yes
	Mr. Mach	-	Yes
	Mr. Cannon	-	Yes

Respectfully submitted by:  
Jamie Banghart, Recording Secretary

Approved: 09/26/16