

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

September 28, 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; Jamie Banghart, Recording Secretary.

The Pledge of Allegiance was led by Chairman Davenport.

Mr. Davenport read the following statement: "Adequate notice of this meeting of September 28, 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 stated that before we start and for the first order of business, he would like Mr. Williams to fill the Board in on the HHW and Electronic Event held yesterday.

Mr. Williams stated that we had our Household Hazardous Waste and Electronics Event yesterday. He stated that everything went really well. We ended up with a total of 654 customers in the four hour period.

Mr. Williams reported that during the last twenty minutes of the event, a suspicious looking device came in under the household hazardous waste. The Warren County Hazmat team who always show up for our HHW events, investigated the device. Mr. Williams stated that it was a water bottle which got knocked over and two wires were coming out of the top of it. This container was sealed underneath of the cap. He also stated that Tom, from Hazmat, called the Prosecutor's office, where he was told to call the State Police. The State Police showed up and the area was completely cleared. Mr. Williams stated that this happened after the event was over. The State Police called the bomb squad in from Passaic County. The bomb squad x-rayed it. He stated that it appeared to them at the time during their x-ray, there were four

cylinders inside. They did not believe at this time that it was a bomb. They then cut it apart and opened it up. It turned out to be a homemade battery pack that was made to put on a bicycle to possibly power a headlight.

Mr. Williams stated that other than that the event went very well.

MINUTES

Mr. Davenport presented the regular monthly meeting minutes from August 17, 2015.

Mr. Pryor made a motion to approve the regular monthly minutes of August 17, 2015 with minor wording modification on page 16, seconded by **Mr. Allen**.

Mr. Pryor stated that a wording modification on Page 16 will be changed from site to cite.

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

Mr. Davenport presented the executive session meeting minutes from August 17, 2015.

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

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

CORRESPONDENCE

Mr. Williams presented a letter regarding the Solid Waste Management Plan.

Mr. Williams presented a letter from the DEP regarding the recycling act tax and entitlement grant which was received for the amount of \$114,000.00. This covers our HHW/ Electronics Events for next year.

Mr. Williams presented a letter from Cornerstone date August 19 requesting reconsideration.

Mr. Williams presented a letter from Cornerstone which is the supplemental scope of work for the Hydrogeologic Investigation. Mr. Williams stated that the Board asked Cornerstone to provide this reevaluation of the Hydrogeologic Investigation. A contract was drawn up and reviewed by Counsel.

Mr. Williams presented a letter dated August 27 from Norris & Norris regarding S. Rotondi & Sons provide a container for vegetative waste to the PCFA. Mr. Norris was present at the meeting.

Mr. Williams stated that he did contact the NJ DEP regarding what we would need to do here if we were to move forward with a container on site for vegetative waste. The DEP would request a letter and some additional material would have to come from SWAC. He also stated that the process is a straight forward process. Norris & Norris, on behalf of Rotondi, provided the PCFA with an additional letter with a couple of options. Option #1, a pricing schedule. Option #2, where would not put a container here and the PCFA would direct traffic over to the Rotondi facility. Mr. Williams suggested to the Board, in his opinion, the PCFA choose Option #2. He also stated that we do not have the room here to put another container since we are doing the tire recycling program. This will also alleviate any possibilities of any future odors. He also stated that when people call, we will direct them over to the Rotondi site. He also stated that this is a good program that Rotondi is going to do for the County and residents.

Mr. Pryor has a problem with the conversion chart of the billing if we went with Option #1. He stated that this is hard to determine what a cubic yard of branches may be.

Mr. Allen made a motion to accept Option #2 in accordance with the Rotondi letter dated August 27, 2015, seconded by **Mr. Mach**.

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

Mr. Norris thanked the Board.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

PRESENTATIONS

None

FACILITIES/RECYCLING

Mr. Williams reported that the treatment plan operations are continue to run smooth. No issues.

Mr. Williams stated that we are still on a reduced flow rate due to the request of the PRMUA. Mr. Davenport questioned the level of discharge. Mr. Williams stated that we are at a discharge of about half of what we could do. He stated that we are discharging at approximately 30,000 to 35,000 gallons per day. Mr. Mach questioned what this is costing us per month. Mr. Williams stated that our trucking has decreased because of the low rainfall. He will have to look back at the billing. Mr. Cannon stated that in August it was \$67,000.00 between the two because of the lack of precipitation as Mr. Williams stated. Mr. Cannon stated that we are paying a lot of money either way, PRMUA and/or trucking, for precipitation going into the ponds. He stated that he thinks that there is a possible way to

engineer this to where we could get 75% of precipitation out of the ponds or deflecting it off of there. Therefore, we are not paying to truck water and snow. He also stated that we looked into this last year and it was approximately \$1,000,000.00. Mr. Williams stated that it was very expensive. He thinks that there are other alternatives that we can look into. Mr. Cannon stated that this is such a huge expense that if we were able to cut 70% of that, we may be able to find some sort of cover that can be rolled on and off, at least for the winter time. He thinks this is something we should visit again when we are spending \$1,000,000.00 per year, just because of precipitation. Mr. Mach questioned Mr. Cannon, for clarification, if he is talking about covering the ponds or covering the entire landfill? Mr. Williams and Mr. Cannon replied that this would be covering the ponds. Mr. Davenport stated that the majority of the liquids in the ponds come from the landfill. Mr. Williams stated that they are open ponds but rainfall does get in there. He also stated that he will go back and look into this. He knows the area of the ponds. Mr. Mach stated that Mr. Williams knows the area of the pond and how much rainfall we have received this year. Mr. Pryor stated that if it was 48", 4 feet times your area times 7.5 gallons, he thinks that this will be a smaller number than Mr. Cannon has in his mind. Mr. Mach agreed. Mr. Williams will look into this.

Mr. Williams reported on the landfill operations. There are no issues.

Mr. Williams reported on the ash deliveries from Covanta Essex. They still owe us a little over 4,000 tons. He stated that Covanta has until the end of the year to deliver. He also stated that he sends Covanta reminder emails that they do still owe this and they have until the end of the year. Mr. Cannon stated that this is \$64,000.00.

Mr. Williams reported on the H2S removal system. There are no issues. The system is running perfectly. He stated that all the meters are working properly. Mr. Davenport questioned if there are any fluctuation in the meters? Mr. Williams replied with no.

Mr. Williams presented a summary from Cornerstone. He stated that the Board will see this summary on a monthly basis. Mr. Williams asked Cornerstone to provide this to the Board to summarize where they are with their contracts on the expansion projects until the process is complete. He stated that Cornerstone goes through the Hydrogeologic Investigation, engineering design, stability analysis, storm water analysis, leachate generation, grading plan, wetlands investigation, archeological investigation, wildlife mitigation area, environmental health and impact statement, review, and eventually the site plan. Mr. Cannon stated that this is a step in the right direction but as far as the expense, he would like Mr. Williams to comment back to Cornerstone to give us an idea of what we are at up to date and how much more they have on the \$320,000.00 contract to remain on track. Mr. Olshefski commented on the \$320,000.00. He stated that Cornerstone has the figure broken down to nine or ten tasks. Each one has an itemized amount. He also stated that Cornerstone should state that within those tasks "X" amount are on target, and this one task even though it is within the \$70,000.00 this may go over on that particular task. Mr. Cannon stated that he would like more specifics on this. He also commented on the leachate with the increase with new cells down the road, he thinks that our numbers could increase. Mr. Williams stated that this is true when we open up a new cell. He also stated that it does not always work in our favor but we try to wait until a period of time where it is at a low rainfall. Mr. Cannon stated that this is an important issue with the leachate because it is going to be greatly increased at some point along the line. Mr. Mach stated that this summary is good to see in light of the discussion we had last month and perhaps this will give us a reason not to have those discussions again. Mr. Pryor questioned if this is a lump sum? Mr. Williams replied that this is billed by the hour and they have tasks as Mr. Olshefski stated. They have given us estimated numbers for these tasks. Mr. Pryor stated that if they show percent complete per task that we could compare that to the billing. Mr. Olshefski stated that Cornerstone does

list the tasks off of the billing and he could present a sheet as well that shows each task and what they billed to date. Mr. Cannon stated that this would be a good practice for Cornerstone as opposed to us doing this for them unless they are going to charge us additional monies to do it.

Mr. Williams presented the transportation contract for the scrap tires. This will be discussed in executive session.

Mr. Williams presented an update of the landfill compactor auction. He stated that the landfill compactor was put out for bid and the high bid came in at \$23,200.00, well below what the Authority requested of \$35,000.00. He also stated that this is up to the Board to accept this bid or try it again. If we were to go out for bid again, he stated that there is a possibility it could go either way, it could come back with a higher bid or it could come back with a lower bid. Mr. Davenport stated that he feels that the compactor is worth far more than \$23,000.00 and that it is at least worth one more shot at putting in up on the auction block. Mr. Mach questioned if the \$23,000.00 bid was still valid? Mr. Williams stated that he spoke with the gentleman who came in with the high bid. He told him that we would be having a meeting today and will be discussing it. He also stated that he told him that he would call him and let him know if it was accepted or not. It is still open. Mr. Olshefski stated that we cannot counter offer the bid. He also stated that there were a total of three bids on the compactor. Mr. Cannon stated that he does not see the sense of the compactor sitting here and the longer we sit on it the less value we have. Mr. Williams stated that when he was asked two months ago about what the compactor was worth, he stated that he believed it was only worth \$20,000.00.

Mr. Cannon made a motion that we accept the auction price of \$23,200.00, seconded by **Mr. Mach**.

Mr. Pryor stated that his impression is that there is a limited market for these things and the bid is close enough.

ROLL CALL:	Mr. Allen	-	Yes
	Mr. Cannon	-	Yes
	Mr. Pryor	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	No

FINANCE/PERSONNEL

Mr. Olshefski presented the August monthly report. He stated that we are consistent within budget, except the budget amendment for the medical insurance and the County contribution. He also stated that the revenues are slowing down because of the reduced cover with Covanta.

Mr. Cannon had some questions regarding the bill list.

Mr. Cannon questioned Mr. Williams what we were billing with ARC? Ms. Pluto stated that they come in. She also stated that the bills are very little and they do have an account. Mr. Cannon suggested that if it is something small then we should think about possibly waiving a fee for ARC. Mr. Williams stated that the bills for ARC are not that much and he believed that they are a non-profit agency. He also stated that if the Board wants to waive the fees, he would ask the Board to make a motion. Mr. Mach stated that it was the previous Board's decision to bill them. Mr. Williams stated that the decision previously was for ARC and Habitat for Humanity. Mr. Williams stated that he will come back to next month's meeting with reports and history on all non-profit accounts. Mr. Pryor questioned if the Board would be

prepared to do this for all non-profits? He also stated that it seems to him that we would want to come up with a template that would fit them all. This will be discussed next month.

Mr. Cannon questioned the accounts receivables. Ms. Pluto stated that they all have been paid in the 60-90 days. Mr. Cannon questioned the charge adjustments. Mr. Williams stated that this was with the size of the tires that were input improperly at the scale house and had to be corrected. Ms. Pluto stated that we reimbursed the customer.

Mr. Cannon also questioned the office equipment and the vehicle maintenance being over budget. Mr. Williams stated that he cannot control the vehicle maintenance. He would have to go back and look into the bills for the office equipment.

Mr. Cannon also questioned the auditor and thought that this was a fixed price. Mr. Olshefski stated that there is a proposal going out for the audit for 2016. He stated that we do not know that number but there are a couple of numbers that we project.

On a motion by **Mr. Cannon**, seconded by **Mr. Mach**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *September 28, 2015*.

R E S O L U T I O N

R-09-01-15

To Pay Bills – September 28, 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 **\$635,192.19** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 28th day of *September, 2015*.

Jamie Banghart, Recording Secretary
James Williams, Director of Operations

Mr. Williams reported on the update for the tires for the month of September. He stated that we hauled out of first load of tires to Covanta. He also reported that the revenue collected off the load of tires that we sent out was \$1,614.50. The transportation was \$750.00. The disposal cost was \$414.00. The total cost was \$1164.05. The Authority netted \$450.45 off of the first load of tires.

Mr. Williams presented the Board with a graph that shows the three different types of tires that we are collecting here. The graph shows how much they have gone up. The automobile tires continue to climb. It almost doubled this month in the collection from last month. He stated that what seems to have dropped in numbers, is the farm tractor tires.

Mr. Williams stated that at our HHW Event yesterday, Mr. Menegus commended him and the Board for this tire recycling program and how well this is going for White Township and the County.

Mr. Olshefski presented the draft 2016 budget to the Board. He stated that him and Mr. Williams have met and discussed this.

Mr. Olshefski presented the highlights of the budget to the Board. He stated that the revenues are reduced in 2016 due to the planned reduction in the cover materials. We had a \$7.8 million dollar budget this year and we will be down to around a \$7 million budget for next year, which is approximately 11% reduction. The appropriations are modest projected increases in the insurance lines, which is the medical, property and pension bill. The salaries will be projected at 2% increase. The escrow, host fee, and taxes are reflected off of the anticipated tonnage. He also stated that the amounts that are put away for the escrow, host fee and the taxes come out to \$1,500,000.00, which is 21% of our revenues. Mr. Olshefski stated that the leachate, between the hauling and the treatment, is \$1,800,000.00 which is almost 25% of budget. He also stated that the personnel costs, between the salaries and the fringe, is \$1,100,000.00 which is 16.5%. The personnel, leachate hauling and the closure escrows puts us at two thirds of the budget, 65%. He also stated that the other third are between our supplies, chemicals for pretreatment, and things like that which will be relatively flat as we go forward. The County contribution is included in the budget. He stated that we spoke of the \$100,000.00 base earlier in the year, and then the proposed worksheet that any revenues in excess of \$6.5 million that we will consider giving the County 10%. He took the basic calculation, \$155,000.00 for County contribution which has to be authorized and approved each year. This is just saying and does not have to be paid.

Mr. Williams discussed the Capital projects totaling \$370,000.00 for the Board.

Mr. Williams stated that the first item is the roll off boxes. They get a lot of wear and tear, especially now that we use the containers for the tire recycling program. He stated that we need to replace four of the containers. He received quotes from a couple of vendors. The quotes got us in the ballpark for when we need to purchase the new ones next year.

Mr. Williams stated that the second and third items on the Capital are the undercarriages for the bulldozers. Mr. Williams stated that what the undercarriage means is that all the rollers, tracks, chains, pins, idler arms, and sprockets will eventually need to be replaced over time. He stated that this is placed in the budget in the event that they do get wore out that the funding is available in our account. Mr. Cannon questioned if we have a schedule on this? Mr. Williams stated that this is usually done by hour meter on the machine. Caterpillar will come out and measure everything. They measure the thickness of metals, and when the pins and sprockets need to be changed. Caterpillar can pin point how close the undercarriage is to being replaced. He also stated that Caterpillar knows the hours on the equipment through a remote system. Mr. Davenport questioned the hours on the dozers, and if they fall into the 2016 budget for the undercarriage to be replaced. Mr. Williams stated that this is a possibility. Mr. Cannon questioned the down time of the machine when Caterpillar is replacing the undercarriage. Mr. Williams stated that this takes about two weeks.

Mr. Williams stated that item number four on the Capital is the change out of the media of H2S system. He stated that we changed out the media last year but this is in the 2016 budget just in case it needs to be done. He also stated that we do not know this until we see the H2S levels begin to climb. This way we are prepared. He stated that the H2S levels in the gas stream are continuing to drop to a much lower level. This should make the media last longer.

Mr. Williams stated that the next item on the Capital is for a new pickup truck. He stated that the 2001 truck we have is beginning to rot away. The truck is used for plowing. He also stated that we help the County a lot with keeping Mt. Pisgah Avenue plowed. This is the only vehicle that we can take off the property to plow behind the incinerator and out to Quarry Road.

Mr. Williams stated that the next item on the Capital is for replacement of the sidewalks and resealing the driveway around this building. The sidewalks from the salt over the years are starting to break apart and become a hazard. Mr. Williams stated that before the end of the year we will get some of the spots on the sidewalks temporarily filled in because this building is used by other agencies.

Mr. Williams stated that the last item on the Capital is for engineering for the treatment plant RO System. He stated that one of the applications that was known when we built our treatment plant was an issue with total dissolved solids. He also stated that we do not have a permit limit on the TDS but the PRMUA does. The suspended solids would need to be addressed at some point in time. He included \$40,000.00 in the budget to get an engineer here to take a look at and what we would need to do if we did have to implement a reverse osmosis system. The treatment plant was designed that a reverse osmosis system would fit right in. He stated that there is a possibility that we may have to address this at a further date. Mr. Allen questioned if this is currently affecting the cost of the leachate treatment? Mr. Williams replied with no. Mr. Pryor questioned what is our TDS concentration now? Mr. Williams stated that he does not have the numbers with him. Mr. Williams stated that what we are in the process of doing right now, is the permit renewal of our SIU permit which is the discharge to the treatment plant. PRMUA evaluates and could implement limits. PRMUA does have a say in our discharge permit to their facility. He also stated that whether PRMUA will ask for a new permit limit for TDS to be included, that he does not know. Mr. Cannon questioned how much water we add for the additional. Mr. Williams stated that it is approximately two to three gallons per minute. Mr. Pryor questioned how much we are discharging. Mr. Williams replied with 30,000 to 35,000 gallons per day. Mr. Pryor stated that it really is not much of a dilution. Mr. Pryor would like figures on what our concentrations are. Mr. Williams will provide Mr. Pryor with them. He also stated that we do monitor the numbers and we have spreadsheets. Mr. Mach questioned on how much we can discharge. Mr. Williams replied that he believes it is 70,000. Mr. Mach stated that we are running on half discharging. Mr. Williams stated that if we could discharge 70,000 this could save us money by reducing the trucking. This would also become an additional revenue for the PRMUA. Mr. Williams stated that if an RO System is the appropriate system to put in, it would be a significant expense. Mr. Pryor stated that they typically work on a high pressure, high horse power, and the power bills increase. He also stated that there would be a disposal associated with the waste stream that is concentrated TDS.

Mr. Mach commented about the adding water to the stream of the discharge to PRMUA. He stated that we have leachate ponds and we have lagoons. He questioned if we could use the lagoon water to dilute the leachate. Mr. Williams replied with that is what we do. Mr. Mach stated that if we had to get rid of the water in the lagoons, this would have to be trucked to a disposal site. Mr. Williams replied with correct. Only one of the lagoons has leachate in it. Mr. Mach stated that there is a benefit to diluting with lagoon water. Mr. Williams stated that there is a benefit to the open air lagoons, but then there is also a cost because it does create additional leachate. Mr. Mach stated that if we could get our pumping back up to 70,000 per day with the permission of PRMUA, we could get rid of a lot of water out of those lagoons. Mr. Williams replied with yes. Mr. Williams stated that since we have not had much rain, we have not had a lot of liquid to dilute the main tank.

Mr. Cannon questioned how we calculate the dilution so that PRMUA is happy. Mr. Williams stated that we test it in raw state to see what the concentration is and then test it in the diluted state.

Mr. Allen questioned the leachate treatment lines within the budget. Mr. Williams stated that the treatment is what we are doing here. Mr. Cannon stated that one line is the hauling and one line is the treatment. Mr. Allen questioned how much do we pay for the treatment. Mr. Cannon stated that it is \$800,000.00 for treatment and \$1,000,000.00 for hauling. Mr. Allen also questioned the sewer utilities. Mr. Williams replied that this the Town of Oxford. There is a line charge directly to Oxford and is based on our pumping rates.

Mr. Allen stated that from a budget standpoint, from what it looks like expenditures here to date, we are only at about 1/3 of what was budgeted for the year. He questioned is that inflated based on the fact that you do not have any idea of how much it is going to change during the year? Mr. Olshefski replied that the leachate that we have from the past year, and there is no way to predict it. Mr. Williams stated that we use the prior year's number to calculate this year. Mr. Allen questioned with how the PCFA compares to other landfills because this is the biggest item that we have on our budget. Mr. Williams replied that it is hard to compare because all landfills are different and that we are the smallest landfill in the State of New Jersey. He stated that he has never asked any of the other facilities what their discharge costs are. He also stated that he would hope ours is lower than theirs. He also stated that the incinerator ash as cover keeps our leachate discharges down. The more we can cover with the ash the better we are. Mr. Allen stated that this is a huge percentage of our budget and was wondering if we are within some normal parameters of the landfill. Mr. Olshefski stated that it is a huge number that is an unpredictable number.

Mr. Mach stated that Mr. Cannon asked for some further investigations on the Reverse Osmosis System. He asked if he was suggesting other technologies. Mr. Cannon stated that the number given by Mr. Williams at \$40,000.00, that this may turn out to be a lot more than. He would like to be open minded about this discussion and he understands that Mr. Williams gave this amount for figuring out what we need and this does not include the actual installation of something. Mr. Mach questioned if Mr. Cannon is looking at other systems. Mr. Cannon replied with yes that we should be looking at all technologies available out there. Mr. Pryor stated that the Reverse Osmosis System is one way to take the TDS out and he is sure that there may be other ways. He stated that a professional will have to scope the problem for us. Mr. Mach questioned Mr. Williams if he is asking for a consultation. Mr. Williams stated that this would be for us to hire an engineer, show them our TDS levels, the fixed permit limit at the PRMUA, how does the PCFA stay compliant, and what type of systems may be out there for us to stay compliant with what we have versus what we have to get our levels down to. He stated that a list be developed of different systems that may be out there, may be RO is the only one or maybe there are other technologies that may be better for us, but to evaluate our system and give us an ideas of what we may be able to do. Mr. Pryor questioned if we have a permit condition now? Mr. Williams replied no but the way the agreement is written, if we cause an exceedance with our discharge to the PRMUA then we become liable. Mr. Pryor stated that whether we do dilute, the PRMUA is still seeing the same amount of TDS going to the plant. He questioned how many gallons we send to PRMUA per day. Mr. Williams replied that this is around 30,000 gallons. Mr. Pryor stated that we are only diluting approximately 12%. He does not think that this is making measurable difference. He also stated that someone will have to look into this and that the \$40,000.00 covers this.

Mr. Allen questioned if we had a copy of the PRMUA's permit, if not then could we get one. Mr. Williams replied yes. Mr. Pryor stated that he would be glad to look at the permit. Mr. Mach stated that we are looking at two limits; the artificial limit that we put on ourselves so that PRMUA can meet their limit and the PRMUA limit. Mr. Williams stated that PRMUA assisted us on all the preliminary evaluations of building this facility. The TDS was an issue at that time. He also stated that the TDS would need to be addressed and PRMUA know what our levels are. Mr. Davenport suggested that Mr.

Williams get together the information that may help the Board make the decisions then we will talk about this at the next meeting.

Mr. Olshefski stated the operating budget will be put together in the State format for introduction at the October meeting with the revenues up \$7,041,875.00 in the Capital projects as listed. Mr. Mach stated that we are decreasing our revenues by approximately \$100,000.00. Mr. Olshefski stated that this is the cover. Mr. Mach questioned that our expenses are about the same. Mr. Olshefski stated that he mentioned the money that we take in for each ton, we put into the closure accounts and the taxes. He also stated that all the other line items are basically final. Mr. Mach stated that he is talking about revenue being about the same. Mr. Olshefski stated that the revenue that we are going to get for the solid waste is going to be about the same, and the only reduction will be the cover.

Mr. Williams stated that the State budget will be in a different format. This is our internal format with line item by line item. He also stated that when Mr. Olshefski puts together the State budget, we will not see all the individual line items.

Mr. Cannon questioned if there were any other issues in the budget for next year as far as beyond the Capital and the items we do not know. Mr. Williams stated that this budget should cover us. He stated that some of these we may not use as far as the Capital, but all the individual line items we have held our line for quite a few years and have stayed within budget. Mr. Cannon stated that percentage wise, we have stayed a little bit lower so far this year. He questioned if this was taken into account with forecasting the numbers. He also stated that for year to date, we are definitely under. Mr. Olshefski stated that we are under because we built up the unrestricted funds at \$800,000.00 as a line item which we knew we were not going to spend. He also stated that if you net that out then we are closer to what we have for next year.

Mr. Cannon questioned if we need a motion for Mr. Olshefski to come back next month. Mr. Olshefski stated that if we are in an agreement, we will put this together and we will have a resolution on for the next meeting.

Mr. Davenport stated that there are no changes on the Waste Disposal Fee Schedule.

Mr. Cannon questioned if we anticipated any changes in the fees for next year in our budget. Mr. Olshefski replied that he did not. He also stated that if this does happen then we will have an increase in our rates. Mr. Williams stated that we should start to discuss the rates in November to get them out because the current rates run through February. The rates renew in March.

NEW BUSINESS

Mr. Davenport stated that S. Rotondi & Sons vegetative waste was discussed earlier.

GENERAL COUNSEL'S REPORT

Mr. Tipton stated that he will have discussions in Executive Session.

OTHER BUSINESS

Mr. Mach stated that something for the Board to consider is, the appearance of this landfill going forward. He stated that what he means by the appearance is from outside of the landfill. The observation of the landfill from points on Rt. 46, Hot Dog Johnny's, the intersection of Rt. 519 and the surrounding community. He would like to make a proposal regarding the big open field east of Hot Dog Johnny's which really gives a view of the landfill. He would like to ask the Board if they would

consider having someone come in and tell us if we can put up a tree screen now or in the near future that will over the years, grow to the point where the trees will obscure some of that view of the landfill. Mr. Williams stated that we could look into this and if we could find a tree that would grow that high. Mr. Mach stated that we would need an arborist to tell us if we can find a tree that will grow that tall, which will be more than fifty feet tall. He also stated that if it is not possible then it is not possible. He thinks we ought to look into this for the best interest of the surrounding community and for future Boards. Mr. Cannon stated that he loves the idea but he does not think that it is feasible. Mr. Mach stated that an arborist will be able to tell us if we are able to do this.

Mr. Allen stated that the slopes that we can see from Rt. 46, they are basically just earth and slopes, correct? Mr. Williams replied no that it actually has a cap on it. The cap is a membrane and is two feet thick. The garbage is below the membrane. He also stated that we do have to keep the cap area mowed because we do not want trees or anything with a large root system to grow. This will damage the cap. Mr. Cannon stated that the slope that we see from Rt. 46 will not change too much with the landfill expansion. Mr. Williams agreed.

Mr. Williams will call someone and get a price to see what it would cost for a simple evaluation. He will then present to the Board at the next meeting.

Mr. Allen stated that at the first meeting that he attended, he brought up an issue with the minutes from the previous meeting, which he was not assigned to the Board at that time. This had to do with a vote on an issue, and was approved by two members. He also brought up the issue of the By Laws and he understands now that there were some resolutions to change the By Laws. He is not happy with the way the By Laws are laid out still. The resolution is in his set of By Laws but there is no definition as to what the resolution did to the By Laws. He has to go back and look at the minutes from whatever date the resolution was passed, which was back in 2012.

Mr. Allen suggested that he would like to have this item put on the Agenda for next month. He does not think that this Board, being accountable for \$7,000,000.00 plus budget a year to residents of Warren County, should be a majority vote on resolutions that effect anything. He stated that having two people vote is not doing justice to the residents of Warren County. He would like to see if we can't amend that again back to three. He would also like to see the By Laws cleaned up because the way By Laws now are, you just cannot figure out what was done when and what it should be. He would like to address this next month. He would like to get them cleaned up and see if we can get a resolution passed to change it back to three votes instead of two. Mr. Davenport stated that we did look into this and got a legal opinion on this. Mr. Allen stated that the changes were legally made in 2012 but he thinks the vote of two is wrong and should be three. Mr. Cannon stated that the findings was that because of the lack of clarity in our By Laws that we then reverted to Robert's Rules because there was not clarity in ours. He also stated that Robert's Rules is the majority of Board members present. Mr. Cannon also stated that three members present constitute a meeting, then two people can vote yes or no on anything. Mr. Allen stated that the original By Laws requires a vote of the majority of the Board and not the majority of those present. Mr. Cannon stated that this was changed in 2012. Mr. Allen asked if we can put this on the Agenda for next month to get closure on this. Mr. Davenport questioned Mr. Allen with what does he mean by cleaned up. Mr. Allen stated that the only time he has seen By Laws is if there is a change to the By Laws through some kind of amendment. He also stated that the amendment is up front in the book that you will know what it refers to and exactly what that change was to the By Laws that is currently not in the By Laws. He stated that the last page of his By Laws has a resolution on the last page that was passed in 2012. This resolution does not say what it did to the By Laws. He referred back to the By Laws and it simple said under quorum that you had to have a majority of the Board pass a resolution. He could not find anything in the By Laws that changed that and somebody pointed out, he believes it was Mr. Tipton through an email, that this was changed and amended back in 2012. He also stated that he was told that the resolution is in the By Laws, which it is in there but it does not say what it

did to the By Laws. Mr. Tipton stated, to clarify what he thinks Mr. Allen is saying, that Mr. Allen would prefer to see whenever the By Laws get amended it is incorporated into the document itself with maybe a reference where it has changed saying amended on this date. Mr. Allen stated that what he has seen in the past, is that we have a resolution and then the amendment stated it as it was and what it was amended to. He also stated that it is very clear to anybody that is new to the Board exactly what the By Laws require. This is not the case today. This is why he was very confused at his very first meeting.

Mr. Pryor compares this to the municipal code. He stated that we eventually conform them. Mr. Tipton stated the every time there is a confirmed By Law change, it is actually the document itself that has changed. He stated that we do not have to go through resolutions to figure this out. Mr. Allen stated that his main concern is that we should have a majority of the Board vote on resolutions. Mr. Mach suggested that someone go back and listen to the recording of the meeting and listen to what transpired during the meeting and where the resolution was made. Mr. Pryor stated that regardless of what the reason was, he understands Mr. Allen's concern. Mr. Allen does not particularly care what the reason was, he does not think it should have ever been done. If there was an issue of not having enough people here to make a quorum, then someone should have addressed the attendance issue and not change the By Laws so that you could get things done. He thinks this is the real issue. Mr. Davenport stated that he does not understand what Mr. Allen stated about changing the By Laws to get things done. Mr. Allen stated that why else would it have been done unless that it was the fact that you could not conduct business. Mr. Mach stated to go back and listen to the recordings because there could have been a very valid reason to change the By Laws. Mr. Davenport asked Mr. Williams to go back and dig up the recordings. Mr. Williams stated that he could tell the members right now why it was changed. He stated that the reason why the By Laws were changed was because the way they were originally written, there was too much power in the hands of the chairperson and not the full Board. This is why they were rewritten in their entirety as we see them today. He also stated that too much power was given to the chairperson at the time without consulting with the rest of the Board. He stated that they were changed to make it fair where the whole Board now becomes involved. Mr. Mach stated that there was an incident surrounding this.

Mr. Cannon stated that he made a vote that he believes would be an extension because there was three members present and he knew there was one or two more members coming on the Board. He thought the vote would hold until the next month, because the opportunity for new people. He stated that this is where we found out, due to the lack of clarity in our By Laws, that the motion was able to pass 2-0 because the By Laws were changed to majority of the members that showed up that constituted a Board, which was two of three. Mr. Tipton stated that we could put this on the Agenda for next month's meeting. He also stated that he could make whatever changes the Board decides as a group to make.

Mr. Mach again suggested that someone go back and listen to recording of the meeting or have the recording of the meeting available here. Mr. Cannon suggested that we make new minutes from that recording. He stated that they would not preempt the existing record because they have been approved but just so that we all do not have to come in and listen. He thinks the minutes used to be a little bit shorter so maybe the new minutes that are fantastic now and we could have some new paper minutes just for reference point and not for changing the existing minutes. Mr. Mach stated that he would rather hear the recording. Mr. Williams stated that we will burn audio CD's between now and by the end of the week to distribute to everyone. Mr. Cannon stated that if there is no clarity on the audio he suggests that we then go to minutes. Mr. Williams stated that we will get these out to the Board. Mr. Tipton and Mr. Williams will review the old By Laws and the new By Laws.

CLOSING PUBLIC COMMENT

Freeholder Director Smith stated that he has received positive feedback about the tire recycling program. He stated that the mosquito counts were better this year, partially due to dryer weather.

Freeholder Director Smith stated that with the discussion regarding the arborist, the Board may want to reach out to extension services at the County Administration building. He stated that they have a Rutgers' staff there who would be able to give us some specifications on different varieties of trees to find out whether they would survive.

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

Executive Session was entered at 10:34 am for purpose of Contractual Discussions.

RESOLUTION

R-09-02-15

AUTHORIZING EXECUTIVE SESSION

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

Contractual 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. Allen**

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: 09/28/15

Mr. Pryor 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 11:35 am.

No action was taken in Executive Session.

Mr. Tipton stated that coming out of executive session, we have a few decisions to be made in the public session.

Mr. Tipton presented the transportation contract for scrap rubber tires. He recommends that we add a “whereas clause” to the second page of the contract. He stated that it will read whereas the Authority has determined a total annual cost for scrap rubber tire hauling will not exceed the dollar amount of \$3,500.00 or \$4,000.00. He will check into and add the correct figure.

Mr. Cannon made a motion to approve the transportation contract for scrap tires, seconded by **Mr. Davenport**.

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

Mr. Tipton presented the auditor and legal counsel services. He stated that the options that the Board has before them to choose is; the Board either RFP as a professional service as either a fair and open or a non-fair and open for either service.

Mr. Davenport made a motion to do the RFPs for both the Legal Counsel and the Auditor Services, seconded by **Mr. Mach**.

Mr. Cannon questioned if we should group the two together. He suggested that the motion on the two services be separate. He also questioned why the RFP for counsel. Mr. Mach stated that this is strictly so that we have a basis that if someone should approach in the future that we are not directing our monies in one particular direction consistently without any challenge of any kind or any record of other costs out there. Mr. Cannon suggested that they be separate because his vote will be different.

Mr. Davenport made a motion for a fair and open RFP for Audit Services, seconded by **Mr. Pryor**.

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

Mr. Mach made a motion for a fair and open RFP process for the Legal Counsel Services, seconded by **Mr. Allen**.

Mr. Tipton clarified Mr. Mach's motion for a fair and open RFP process which would be to advertise and receive proposals back on Legal Services but we do not have to take the lowest bid. He stated that it is not a bidding process, it is simply an advertised process.

ROLL CALL: Mr. Allen - Yes
 Mr. Cannon - No
 Mr. Pryor - Yes
 Mr. Mach - Yes
 Mr. Davenport - Yes

Mr. Williams questioned the Board if they would like to see the RFPs before they are advertised. He stated that he could get them to everyone prior to advertising. Mr. Cannon questioned if they were both December 31 year ends and starts January 1. Mr. Williams replied yes and that he is doing them early because there will be others coming up over the next couple of months. He also stated that Mr. Olshefski has gone through the auditing and updated the dates. The RFPs are standard. He also stated that the RFP that we use for the Legal Services mirrors the County's.

Mr. Tipton presented the resolution to amend the non-fair and open contract for engineering services for the conceptual design on the landfill expansion to Cornerstone. Whereas, the original amount was \$25,000.00 and there is a request for reconsideration on an additional amount of money for that task. He stated that we had discussion in executive session. He also stated that now is the time if the Board desires to amend this to a greater number.

Mr. Olshefski stated that the original contract with Cornerstone was \$25,000.00. He stated that the bill that we are considering would bring the amount up to \$35,961.00. We have paid \$25,961.00.

Mr. Davenport made a motion to increase \$29,500.00, which has the \$4,500.00 which is half of the difference less the \$1,000.00 that we have already paid, seconded by **Mr. Mach**.

ROLL CALL: Mr. Allen - No
 Mr. Cannon - No
 Mr. Pryor - Yes
 Mr. Mach - Yes
 Mr. Davenport - Yes

Mr. Olshefski stated that what we have paid to date is \$25,968.24. We are over \$968.24.

Mr. Williams suggested for the record that we should state the outstanding invoice number 3994, Cornerstone, and say how much we are going to pay of this invoice. He stated that this invoice is for \$9,900.00 so a portion of this will be paid. Mr. Tipton stated that this is approximately \$3,500.00 and change. Mr. Olshefski will come up with the exact number. Mr. Tipton stated that we have amended it to \$29,500.00 and this will close out the issue.

On a motion by *Mr. Davenport*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *September 28, 2015*.

RESOLUTION

R-09-03-15

Amendment Non-Fair and Open Contract

Engineering Services

for the Conceptual Design of the Landfill Expansion

WHEREAS, the Pollution Control Financing Authority of Warren County (the "Authority") requested a proposal for Engineering Services, for the Conceptual Design of the Landfill Expansion;

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 on December 15, 2014 approved resolution R-12-04-14 in the amount of \$25,000 for the above referenced services; and

WHEREAS, the Authority requested on March 23, 2015 additional documentation and attendance at a future meeting(s); 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 an amendment to the **Cornerstone Engineering Group, LLC** contract for Engineering Services for the Conceptual Design of the Landfill Expansion as described in and, in accordance with their proposal dated December 9, 2014, in the amount of \$25,000.00 be amended to \$29,500.00.

ROLL CALL:	Mr. Allen	-	No
	Mr. Cannon	-	No
	Mr. Pryor	-	Yes
	Mr. Mach	-	Yes
	Mr. Davenport	-	Yes

Dated: *September 28, 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. Pryor questioned if this approval will be accompanied by some sort of matter that we were disappointed in the way this was administered. Mr. Davenport stated that this point was already made. Mr. Davenport asked Mr. Tipton to compose a letter explaining why we are paying this amount of money. Mr. Tipton will circulate the letter to everyone.

ADJOURNMENT

With no other business to discuss, **Mr. Mach** motioned to Adjourn, seconded by **Mr. Allen**, at 11:46 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:10/26/15