

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING  
November 25, 2013

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, Holly Mackey, Todd Yanoff (Conference Call), and James Cannon.

ROLL CALL:	Mr. Mach	-	Present
	Mrs. Mackey	-	Present
	Mr. Yanoff	-	Present (Conference Call)
	Mr. Cannon	-	Present
	Mr. Davenport	-	Present

Also present: James Williams, Director of Operations; Mark Peck, General Counsel; Pete Houck, Chief Financial Officer; Jamie Banghart, Recording Secretary.

The Pledge of Allegiance was led by Chairman Davenport.

Mr. Davenport read the following statement: "Adequate notice of this meeting of November 25, 2013 was given in accordance with the Open Public Meetings Act by forwarding a schedule of regular meetings of the Pollution Control Financing Authority of Warren County (PCFAWC) to the Warren County Clerk, the Warren County Board of Chosen Freeholders, the Express Times, and by posting a copy thereof on the bulletin board in the office of the PCFAWC. Formal action may be taken by the PCFAWC at this meeting. Public participation is encouraged".

MINUTES

Mr. Davenport presented the modified September 23, 2013 executive session minutes to the Board. Mr. Williams stated that the minutes, as presented, include recommendations from General Counsel.

**Mrs. Mackey** made a motion to approve the September 23, 2013 executive session minutes as modified by Counsel, seconded by **Mr. Mach**.

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

Mr. Davenport presented the minutes of the regular monthly meeting of October 28, 2013. Mr. Williams stated that on page 9 of the minutes, language was added regarding the SRVSA pricing for years 2014, 2015, and 2016.

**Mrs. Mackey** made a motion to approve the regular monthly meeting minutes of October 28, 2013 as presented, seconded by **Mr. Mach**.

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

Mr. Davenport stated that executive session was not necessary on October 28, 2013.

### CORRESPONDENCE

Mr. Williams discussed the correspondences.

The first correspondence discussed was the October 3, 2013 SWAC meeting minutes. Mr. Williams stated that these minutes were from the SWAC landfill tour and meeting that were conducted at the PCFA. Mr. Williams stated that the minutes included a favorable discussion regarding the landfill expansion.

Mr. Williams presented the next correspondence which is dated October 29, 2013 from Covanta to Freeholder Deputy Director Ed Smith. This letter stated that Covanta was in support of the expansion of the landfill facility. A discussion was held amongst the Board on the different projects Covanta suggests within their letter.

Mr. Williams presented a memo report to the Board dated November 3, 2013. This memo is from Mr. Dave Dech, on behalf of SWAC, with their recommendations and support of moving forward with an expansion of the landfill facility. Mr. Williams stated that he was informed that at the Freeholder meeting scheduled on January 8, 2014, modifications to the County's Solid Waste Management Plan would be discussed. Mr. Mach discussed the recommendations provided by SWAC in this memo. Mr. Davenport suggested he would meet with Mr. Williams to explore these recommendations and develop a response.

Mr. Williams presented a letter from the Warren County Habitat for Humanity to the PCFA dated November 7, 2013. This letter is asking the PCFA to waive their fees to help keep the cost of their projects down. Mr. Williams stated that Warren County Habitat for Humanity has a store in Washington that apparently has become a "drop off" and has caused the store to accumulate unwanted items. Mr. Cannon suggested the Authority place a limit on the amount of debris brought to the landfill at no charge. Mr. Mach stated that not only the debris from the store but also the demolition from the houses will be coming to our landfill. Mr. Mach suggested we charge them the minimum rate that we charge on the contract solid waste rates, (**which is \$31.00 per ton**). Mrs. Mackey suggested we charge the minimum rate available for the store debris, but waiving the rate is more charitable when it comes to the rehab of a house.

**Mr. Mach** made a motion to send a letter to the Warren County Habitat for Humanity that their charge will be the lowest available rate possible, seconded by **Mr. Davenport**.

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

Mr. Williams presented a letter from Mr. Houck to White Township regarding the 2014 Host Fee. Mr. Williams stated that this comes up every year.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

PRESENTATIONS

None

FACILITIES/RECYCLING

Mr. Williams stated that the treatment plant operations continue to run good. Good communication continues between the PCFA and the PRMUA staffs. PRMUA did receive bids for the Oxford plant upgrade. Mr. Houck stated that PRMUA did award the bid. Mr. Williams stated that the PRMUA upgrade will be moving forward. Mr. Williams stated that upon full approval from the Freeholder Board with the landfill expansion, we will need to address TDS within our leachate.

Mr. Williams reported that there are no issues with the landfill operations. All of the equipment is up and operational. The tonnages are still up. Ash flows are as expected.

Mr. Williams stated that the H2S Removal System continues to run flawlessly. Mr. Williams reported that MV Technologies will be coming to the facility to check on a couple of the influent flow meters. This has no effect on the effluent meters. These meters has been giving sporadic readings and require attention. Mr. Williams stated that MV believes the meters may just need a different probe to cease this from occurring.

Mr. Williams reported on the Solar Panel Project, which has no issues. Mr. Williams stated that we paid JCP&L the full rate for September and October. Energenic will credit us back the difference between the contract rate and the JCP&L full rate. Mr. Williams stated that we are seeing approximately a \$5,000-\$6,000 monthly decrease in the electric rates with the new scrubber system. Mr. Williams will report to the Board when the new electric bills are received from Energenic.

Mr. Williams presented the SRVSA revised Disposal Service Agreement to the Board. Mr. Williams stated that the revisions that were requested at the last meeting regarding the definition of sludge incinerator ash were added. Mr. Tipton has reviewed this.

**Mr. Mach** made a motion that we forward the SRVSA Disposal Agreement, seconded by **Mr. Cannon**.

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

Mr. Williams stated that Tilcon would like to meet with a couple representatives from the PCFA and the County engineer to discuss the hillside behind the PCFA and the road crossing on December 12, 2013. Mr. Mach, Mr. Davenport, and Mr. Williams will attend this meeting. Mr. Williams sent an email to Tilcon regarding the road crossing and the alternate route as meeting topics. The Board discussed the

alternate route and the pros and cons for the road crossing. Mr. Williams will contact Craig Durr from Covanta to see if he will be available to attend this meeting.

Mr. Williams requested an approval from the Board on the purchase of turkeys and gift baskets for the PCFA staff for Christmas.

*Mrs. Mackey* made a motion to approve Mr. Williams to purchase the turkeys and gift baskets for the PCFA staff for Christmas, seconded by *Mr. Davenport*.

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

Mr. Davenport presented the Waste Disposal Pricing Schedule. Mr. Williams discussed with the Board the existing pricing schedule for 2013, the 2014 proposed Number 1 pricing schedule, and the 2014 proposed Number 2 pricing schedule that were included within the agenda packets. Mr. Williams stated that we will have to act on this at our December meeting.

#### FINANCE/PERSONNEL

Mr. Houck stated that the monthly end report was prepared for October. Mr. Houck stated that we are still on course. The budget amendment that was approved at the last meeting was incorporated in the report. Mr. Houck stated that we are in good shape financially.

Mr. Davenport stated a motion was needed to accept the Resolution R-11-01-13 To Adopt the 2014 Budget for the Pollution Control Financing Authority of Warren County. Mr. Davenport stated that the Budget was presented to the State. Mr. Houck reported that the State approved it and Mrs. Mackey would need to sign the Budget.

## **RESOLUTION R-11-01-13**

### **2014 ADOPTED BUDGET**

#### **POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY**

**FISCAL YEAR: FROM January 1, 2014 TO December 31, 2014**

WHEREAS, the Annual Budget and Capital Budget for the **Pollution Control Financing Authority of Warren County** for the fiscal year beginning, **January 1, 2014** and ending, **December 31, 2014** has been presented for adoption before the governing body of the **Pollution Control Financing Authority of Warren County** Authority at its open public meeting of **November 25, 2013**; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of **\$9,019,000**, Total Appropriations, including any Accumulated Deficit, if any, of **\$9,019,000** and Total Unrestricted Net Assets utilized of **\$0**; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of **\$1,050,000** and Total Unrestricted Net Assets planned to be utilized of **\$1,050,000**; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the **Pollution Control Financing Authority of Warren County**, at an open public meeting held on **November 25, 2013** that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the **Pollution Control Financing Authority of Warren County** for the fiscal year beginning, **January 1, 2014** and ending, **December 31, 2014** is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

November 25, 2013  
Holly Mackey, Board Secretary

Moved by **Mr. Mach**      Seconded by **Mr. Davenport**      Recorded Vote:

Mr. Mach	<u><b>Aye</b></u>	Nay	Abstain	Absent
Mrs. Mackey	<u><b>Aye</b></u>	Nay	Abstain	Absent
Mr. Yanoff	<u><b>Aye</b></u>	Nay	Abstain	Absent
Mr. Cannon	<u><b>Aye</b></u>	Nay	Abstain	Absent
Mr. Davenport	<u><b>Aye</b></u>	Nay	Abstain	Absent

Mr. Davenport stated a motion was needed to accept the Resolution R-11-02-13 To Pay the Bills.

On a motion by **Mrs. Mackey** seconded by **Mr. Yanoff** the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *November 25, 2013*.

**R E S O L U T I O N**  
**R-11-02-13**  
**To Pay Bills – November 25, 2013**

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. Mach                 -     Yes  
                  Mrs. Mackey             -     Yes  
                  Mr. Yanoff                 -     Yes  
                  Mr. Cannon                -     Yes  
                  Mr. Davenport           -     Yes

We hereby certify Resolution to Pay Bills in the amount of **\$507,095.19** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 25<sup>th</sup> day of *November 2013*.

Jamie Banghart  
Recording Secretary

James Williams  
Director of Operations

There are no changes in the 2013 Waste Disposal Fee Schedule.

Mr. Davenport stated the Administrative Secretary position will be discussed in executive session.

NEW BUSINESS

None

GENERAL COUNSEL'S REPORT

Mr. Peck stated a request by WC Landfill Energy that the Board execute two agreements that are requested by Key Equipment Finance, one is a collateral assignment of landfill gas and site license agreement and the other is an equipment waiver and disclaimer. Mr. Mach recommended that these agreements be tabled until next meeting when Mr. Tipton will be in attendance. The Board agreed.

OTHER BUSINESS

Mr. Williams suggested to the Board that the meeting date of December 23, 2013 be rescheduled.

**Mr. Cannon** made a motion that the December 23rd meeting be moved up to December 16th at 9:00 am in lieu of holiday conflicts, seconded by **Mrs. Mackey**.

The rescheduled meeting date and time of December 16, 2013 will be advertised.

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

CLOSING PUBLIC COMMENT

None

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

Mr. Davenport stated that there will be a need for Executive Session for discussion of personnel. Executive Session was entered at 9:45 am.

**RESOLUTION**

**R-11-03-13**

**AUTHORIZING EXECUTIVE SESSION**

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

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. Cannon***

Seconded By: ***Mr. Davenport***

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

**Mrs. Mackey** made a motion to enter regular session, seconded by **Mr. Davenport**.

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

Regular session resumed at 10:00 am.

The results from Executive Session are as follows.

**Mrs. Mackey** made a motion to increase the Administrative Secretary position to a full time position effective December 1, 2013 upon signing a waiver of insurance. There was no second to this motion.

**Mr. Mach** made a counter motion for an effective date of January 1, 2014, to increase the Administrative Secretary position to full time, seconded by **Mr. Cannon**.

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

#### ADJOURNMENT

With no other business to discuss, **Mrs. Mackey** motioned to Adjourn, seconded by **Mr. Davenport**, at 10:03 am.

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

Respectfully submitted by:  
Jamie Banghart, Recording Secretary

Approved: December 16, 2013