

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

December 19, 2016

Chairman James Cannon called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:30 am.

Authority Members present: James Cannon, Richard Mach, Bud Allen, and Joseph Pryor.

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

Also present: James Williams, Director of Operations; Brian Tipton, General Counsel; 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 December 19, 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 (M-1) the regular monthly meeting minutes from November 28, 2016.

**Mr. Pryor** made a motion to approve the Regular Monthly Meeting Minutes from November 28, 2016 as presented, seconded by **Mr. Allen**.

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

Mr. Cannon presented (M-2) the Executive Session minutes from November 28, 2016.

**Mr. Allen** made a motion to approve the Executive Session Minutes from November 28, 2016, seconded by **Mr. Pryor**.

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

CORRESPONDENCE

Mr. Williams stated that the Board received the Tilcon letters today.

Mr. Tipton incorporated the input that he received into the letters.

Mr. Cannon asked the Board if anyone had any questions regarding this that we can do in our public session. Again, he stated that this is what we talked about previously and put it into a letter and made our concerns in black and white.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None.

FINANCE

Mr. Williams presented A-1, which is the proposal regarding the 2016 audit. We received one bid from Nisivoccia. He also stated that before us today is the Resolution (R-12-01-16).

Mr. Cannon questioned how long was this bid out for? Forty-five days? Mr. Williams replied with yes it was out there for forty-five days.

Mr. Williams stated that the 2016 price was \$38,500.00 and the 2017 price is \$38,760.00 so it went up \$260.00 from last year which is a small increase.

Mr. Cannon stated that a motion is needed for approval to award open contract for audit of financial statements for 2016 in the amount of \$38,760.00.

On a motion by *Mr. Pryor*, seconded by *Mr. Allen*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *December 19, 2016*

**RESOLUTION**

**R-12-01-16**

**AUTHORIZING THE AWARD  
OF A FAIR AND OPEN CONTRACT FOR  
AUDIT OF FINANCIAL STATEMENTS**

WHEREAS, the **Pollution Control Financing Authority of Warren County** has a need to acquire **an audit of its financial statements for year ended December 31, 2018**, as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.1; and,

WHEREAS, a total of one (1) proposal was received by the Authority on November 30, 2016.

WHEREAS, the **Chief Financial Officer** has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one* year; and

WHEREAS, **Nisivoccia & Company LLP**, has submitted a proposal indicating they will provide the **auditing of the Authority's basic financial statements for the year ended December 31, 2016** for an amount not to exceed **\$38,760.00**; and

WHEREAS, **William F. Schroeder** has completed and submitted a Business Entity Disclosure Certification which certifies that **Nisivoccia & Company LLP** has not made any reportable contributions to a political or candidate committee in **Warren County** in the previous one year, and that the contract will prohibit **Nisivoccia & Company LLP** from making any reportable contributions through the term of the contract, and

WHEREAS, the **Chief Financial Officer** of the **Pollution Control Financing Authority of Warren County**, has ascertained that there are available sufficient uncommitted appropriations in the 2017 Budget to award a contract to **Nisivoccia & Company LLP for auditing the Authority's basic financial statements for the year ended December 31, 2016**. Funds for certification are therefore being made available and certified as required by N.J.A.C. 5:30-5.4, and any other applicable requirement.

NOW THEREFORE, BE IT RESOLVED that the **Pollution Control Financing Authority of Warren County** authorizes **Chairman, James Cannon** to enter into a contract with **Nisivoccia & Company LLP** as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

ROLL CALL:

Mr. Allen	-	Yes
Mr. Pasquini	-	Absent
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

Dated: **December 19, 2016**

Mr. Williams stated that the next item on the agenda is (R-12-02-16) Resolution to Adopt our 2017 Budget. This is the last formality and it has been approved by the State of New Jersey.  
Mr. Cannon stated again, we have already approved our Budget. This is after the submission to the State and they now approved what we already approved, basically.

Mr. Cannon stated that a motion is needed to formally Adopt the 2017 Budget (R-12-02-16).

**Mr. Mach** made a motion to Adopt the 2017 Budget, seconded by **Mr. Allen**.

ROLL CALL:

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

## RESOLUTION

**R-12-02-16**

### 2017 ADOPTED BUDGET

### POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY

**FISCAL YEAR:**      **FROM:**      January 1, 2017      **TO:**      December 31, 2017

WHEREAS, the Annual Budget and Capital Budget/Program for the **Pollution Control Financing Authority of Warren County** for the fiscal year beginning **January 1, 2017** and ending, **December 31, 2017** has been presented for adoption before the governing body of the **Pollution Control Financing Authority of Warren County** at its open public meeting of **December 19, 2016**; 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 \$ 7,156,200, Total Appropriations, including any Accumulated Deficit, if any, of \$7,311,200 and Total Unrestricted Net Position utilized of \$155,000; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$1,280,000 and Total Unrestricted Net Position planned to be utilized of \$1,280,000; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of **Pollution Control Financing Authority of Warren County**, at an open public meeting held on December 19, 2016 that the Annual Budget and Capital Budget/Program of the **Pollution Control Financing Authority of Warren County** for the fiscal year beginning, **January 1, 2017** and, ending, **December 31, 2017** 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.

Joseph Pryor, Board Secretary  
December 19, 2016

Governing Body Member:	Recorded Vote			
Mr. Allen	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Mr. Cannon	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Mr. Pryor	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Mr. Mach	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Mr. Pasquini	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input checked="" type="checkbox"/> Absent

Mr. Williams stated that the next item on the agenda which is the November Financial Report. He stated that what Mr. Olshefski has always reported over the months, financially we are doing very well. We are 92% through the year and on average we are in the high eighties with our expenditures to date. Everything is good as far as that goes. He also stated that the revenues coming in are still good.

Mr. Williams stated that there is a Resolution To Pay Bills (R-12-03-16) in the amount of \$381,608.57.

Mr. Cannon stated that with the lack of rain, it has really brought down our leachate treatment dollars and cents as far as what we budgeted for. He sees that through November 30<sup>th</sup>, we are only at 52% of what we budgeted at Passaic Valley. He also stated that this may be a nice chunk of savings that we may have depending upon going forward but it is nice to be in that direction.

Mr. Williams stated that there is one item that is listed within these agenda items which is the \$100,000.00 payment to the County. He stated that this is something when we approved our budget late last year for this year. There was a \$100,000.00 payment to be made to the County and that is included within this Resolution To Pay Bills.

Mr. Cannon questioned is this the number we arrived at a year and a half ago or almost two years ago? Mr. Williams replied with yes. Mr. Cannon stated that he knows that the County greatly appreciates it. He also stated that Mr. Steve Marvin has given us a response that they cannot tailor the money specifically to a particular expense but has given us an overview on the paving of various County roads as far as how much they get back from the State and then how much the County costs involved. He thinks that it was over \$2,000,000.00 at least a year for that.

Mr. Cannon questioned if we got a clarification as to full payments on Cornerstone? Mr. Williams replied that we are right at where we should be. There have not been any overpayments. He also stated that we have not had any bills come in regarding the expansion.

Mr. Cannon stated that a motion is needed to pass Resolution To Pay Bills (R-12-03-16).

On a motion by *Mr. Allen*, seconded by *Mr. Pryor*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *December 19<sup>th</sup>, 2016*.

## **RESOLUTION**

**R-12-03-16**

### **To Pay Bills – December 19, 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 - Yes  
Mr. Pasquini - Absent  
Mr. Pryor - Yes  
Mr. Mach - Yes  
Mr. Cannon - Yes

We hereby certify Resolution to Pay Bills in the amount of **\$381,608.57** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 19<sup>th</sup> day of *December, 2016*.

Jamie Banghart, Recording Secretary  
James Williams, Director of Operations

PERSONNEL

No report.

PRESENTATIONS

No presentations.

FACILITIES/RECYCLING

Mr. Williams stated that the next item on the agenda is A-2, which is proposal for General Counsel Legal Services 2017. One proposal was received from Florio Perrucci Steinhardt & Fader, LLC. There numbers this year reflect last year's numbers, \$75.00 per hour for paralegal and \$160.00 per hour for Mr. Tipton's services. He also stated that these numbers did not change from last year.

Mr. Cannon stated that a motion is needed to approve Resolution Authorizing the Award of a Fair and Open Contract for General Counsel 2017 (R-12-04-16).

On a motion by **Mr. Pryor**, seconded by **Mr. Mach**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *December 19, 2016*.

**RESOLUTION**

**R-12-04-16**

Awarding a Fair and Open Contract for General Counsel, Legal Services  
for  
Calendar Year 2017

WHEREAS, the Pollution Control Financing Authority of Warren County (the "Authority") requested a Non-Fair and Open proposal for General Counsel, Legal Services for Calendar Year 2017,

WHEREAS, a total of one (1) proposal was received by the Authority on November 30, 2016.

WHEREAS, a review of these bids by the Authority revealed that Florio Perrucci Steinhardt & Fader, LLC as the lowest responsible and responsive proposal received price and other factors considered through the Fair and Open Process in accordance with N.J.S.A.19:44A-20.4.

NOW, THEREFORE BE IT RESOLVED, by the Authority that the law firm of Florio Perrucci Steinhardt & Fader, LLC be awarded the contract for General Counsel, Legal Services, for Calendar Year 2017, in accordance with their proposal received on November 30, 2016.

ROLL CALL:

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

Dated: December 19, 2016

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. Cannon congratulated Mr. Tipton.

Mr. Williams stated that the next item is A-3 which is the 2017 Holiday Schedule. This is something that always that gets included within our hauler contracts. Everything mirrors basically what the County does. He also stated that we need this Holiday Schedule approved and then we can move forward with getting our hauler contracts in the mail. Mr. Cannon questioned if we have any conflicts on meeting days? Mr. Williams replied that we have not set the meeting schedule yet and we will do that in February. Mr. Cannon stated right but going along on the third week he does not think that we have any conflicts. Mr. Williams replied with that the only one that comes up is possibly Christmas which we will move that up.

Mr. Cannon stated that a motion is needed to approve the 2017 Holiday Schedule (R-12-05-16) for business at the PCFA.

On a motion by *Mr. Allen*, seconded by *Mr. Cannon*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *December 19, 2016*



# RESOLUTION

R-12-05-16

## ADOPT THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY 2017 HOLIDAY SCHEDULE

WHEREAS, this Holiday Schedule is prepared pursuant to the direction of the Pollution Control Financing Authority of Warren County (PCFAWC) (the “Authority”);

WHEREAS, the attached Holiday Schedule is to inform the public and interested parties as to days when the Warren County Landfill and Convenience Center will be closed;

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 December 19, 2016, the 2017 Holiday Schedule is hereby adopted.

### ROLL CALL:

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

Dated: December 19, 2016

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Jamie Banghart, Recording Secretary

Mr. Williams stated that the next item is A-4, which is the annual Aerial Topographic Survey of the Landfill for 2017. He stated that we received one bid back from Robinson Aerial Survey, who did it for us last year. Their amount was \$9,300.00 for this year and in 2016 it was \$8,500.00. It went up \$800.00 from last year.

Mr. Cannon questioned if anyone had any questions. He stated that this is a State mandate that we have to do this annually and Robinson is the sole bidder.

Mr. Cannon stated that a motion was needed to approve the Resolution Awarding Contract for 2017 Aerial Topographic Survey (R-12-06-16).

Mr. Allen questioned why do they require it be done every year? It is not going to change much unless we expand the landfill. Mr. Williams replied with actually it does. He stated that the State wants to see the volume that is being used on a yearly basis. There is a set capacity for a landfill and that is how we determine how much volume is used. He also stated that what they will do, along with a little bit more than just taking this picture, they will do a summation of the volume used from one year to the next. Mr. Allen questioned that are they able to determine that from an aerial photo? Mr. Williams replied with yes. He stated that they actually provide us with contour maps on two foot intervals which is not depicted here but it is very complex how they do it. Then they overlay last year's over this year's and run it through the system and come up with numbers of the volume used.

On a motion by *Mr. Pryor*, seconded by *Mr. Allen*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on December 19, 2016.

## RESOLUTION

R-12-06-16

### AWARDING CONTRACT FOR AERIAL TOPOGRAPHIC SURVEY

WHEREAS, the Regulations of the New Jersey Department of Environmental Protection require an aerial topographic survey of all areas of a sanitary landfill to be completed during the period between January 1, 2017 and March 31, 2017; and

WHEREAS, the Pollution Control Financing Authority of Warren County (Authority) operates a sanitary landfill known as the Warren County District Landfill;

NOW THEREFORE, be it resolved by the Authority that the contract for the completion of the 2017 Aerial Topographic Survey of the Warren County District Landfill, in accordance with Specifications dated October 25, 2016, be awarded to **Robinson Aerial Surveys, Inc.** Amount not to exceed **\$9,300.00** as stated in their proposal received November 30, 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	-	Yes
	Mr. Pasquini	-	Absent
	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: December 19, 2016

Mr. Williams reported on the treatment plant operations. He stated that everything continues to move fairly smoothly.

Mr. Cannon stated that he thinks that going forward, he would like to add in Mr. Williams' section on the Agenda where he is reporting on the monthly updates, to add a T&M line as to where we are at with T&M. He also stated that as far as to what is the latest request of tests. He thinks that this should be a regular schedule in the Agenda every month. Mr. Williams stated that he will put a subcategory under the treatment plant operations.

Mr. Williams stated that with the operations, we are not having any issues. He also stated that since we met with T&M at our last meeting after their presentation, they provided us with a list of additional testing that they wanted done. He also stated that we have given that to them over the last week. Last Friday we provided them with what we did the previous week. He also stated that they like what they saw and everything seemed to match up from our hand-held meters. This was really the key because did our hand-held meters match the inline meters which they did. Mr. Williams stated that what they asked us to do this week was to follow up on that same testing and get another week in there with the pH, DO, and two other parameters. This is all moving forward fairly well. He also stated that there is nothing more to report on the T&M side but once they get all this information after this week, then they are going to put everything together and let's see what they come up with. They will then get back to us regarding the possibility of the lime additions and moving forward with honing in on what types of systems they may or may not use as far as the operation goes here. This is still a work in progress. There is nothing more to report as far as this goes until they get the additional data from us.

Mr. Cannon questioned do we have to do a change out on the charcoal? Mr. Williams replied that he was going to get to that when we get to the H2S System.

Mr. Williams reported that the landfill operations have no issues. He stated that all the waste is coming in according to plan. There are no issues with that or our equipment.

Mr. Williams reported on the H2S Removal System. He stated that over the last two weeks we started to notice a pretty drastic increase in the H2S levels again in the vessels. He also stated that we are going to need to change out again with the media. He also stated that what that gives us, is that we got two years out of the media this time. We got a year and a half the last time. The last time that we did this was January of 2015. We are looking at possibly doing this in January of 2017.

Mr. Williams stated that the prices that he has received so far from the vendors basically mirror what it was a year and half ago. Mr. Cannon stated that he knows that it seems to him that everyone was extremely satisfied with the previous company who did the work, is this something that we are going to have to proposal again or is this something that is particularly important to have it done absolutely correctly that we would not want to take a chance on it if someone had given us a lower price necessarily? Mr. Williams replied with that he thinks that the problem that we run into here is not knowing when it is going to need to be done to get proposals ahead of time. Mr. Tipton stated that emergencies are really emergencies and not something that we can prepare for. So, he thinks that we have to be careful there.

Mr. Pryor stated that then you are not obligated to award even if you bid it and did not need it. Mr. Tipton stated that there are reasons that you can reject. He also stated that there are five statutory basis so it is possible that if the need all of the sudden is no longer there then we can then reject. The vendor

has to consent to the extension but with something like this they probably would. Mr. Tipton stated that emergencies are like when your boiler goes down on a weekend or something like that. Mr. Cannon also stated that it sounds like Mr. Williams has received a couple of prices already. But what is our window of where the H<sub>2</sub>S numbers are at now to where we would feel it has to be done? Mr. Williams replied with where they were two weeks ago, were normal at ten ppm and below. Then they shot up to seventy ppm. He also stated that in that two-week period it jumped that much. Mr. Cannon stated that it was a 700% increase in two weeks. Mr. Williams stated that where it will go two weeks from now, who knows.

Mr. Allen stated that if we know we need this periodically, then why does it have to be done on the basis of waiting for it to happen? Why cannot we have them in stock someplace? Mr. Williams replied that we could have changed this six months ago, but then are we kind of throwing our money away by changing it prematurely. Mr. Cannon questioned how much was this? Mr. Williams replied with the vendor, he is just going to round up, it was \$30,000.00 and \$63,000.00 for the media. He stated so it was ninety some thousand dollars give or take. Mr. Cannon stated that if we can squeeze six months out of \$90,000.00 that is the thought process behind it is to squeeze it out as long as possible.

Mr. Cannon stated that he is open to solution and that is all he is looking for. He had it on his list and he remembers what we did the last time because the numbers came to us as a complete surprise where it was fine, fine, fine. Mr. Mach stated that the last time it went from being about where it is now to extremely bad in a short period of time, like a month. He also stated that once it starts, it perceives somewhat exponentially. We have to get this done soon.

Mr. Tipton stated that if at the next meeting, we have the bid responses and then all of sudden everything is back to normal then we can reject all bids. Mr. Williams stated that it is not going to be back to normal. We might be over our permit limit by then. He also stated that this is the only reason why he is bringing this up now.

Mr. Pryor stated that he would like to ask one other question. What is the total cost of the job? Mr. Williams replied with say \$95,000.00. Mr. Pryor stated so we are over the bid limit. Mr. Tipton replied with yes and he guesses if in two days there was an emergency to the point where we are going to exceed out limits, he thinks that would justify. Mr. Williams stated that what it is, it takes several weeks to get the media here. They literally have to make the media. It is not sitting there. He also stated that the vendor is ready at any time to come in. There are two suppliers of the media, one is in Chicago and the other one is in Texas. He also stated that this media is not sitting there ready to be shipped. The media is woodchips soaked in a certain type of iron solution. Mr. Tipton questioned Mr. Williams is he saying that you could theoretically be violating our permit limits tomorrow or the next day or the next couple of weeks if we do not do something? Mr. Williams replied with that he does not know if it would be that quick, but it continues to increase over time.

Mr. Mach questioned that if it went bad in a hurry and our system was plugged up, then could we still flare off the gas? Mr. Williams replied with yes but then we would be sending raw gas (untreated gas) through the system and we would be exceeding our air permits because of the hydrogen sulfide levels.

Mr. Pryor questioned when did we ask for this proposal? Mr. Cannon replied with we did not. This just happened. Mr. Pryor questioned how did we get the price? Mr. Williams replied with he got it from them last week.

Freeholder Smith stated that he thought that we had the second vessel? Mr. Williams replied with that we have three vessels. Freeholder Smith questioned so why cannot you flip to the other vessel? Mr. Williams replied with that is what we do. We are not using one exclusively. What it is, it is the system as a whole. Freeholder Smith questioned so we do not have one in reserve? He thought that is the way we were doing it. Mr. Williams replied with what we do, there is always one that is sitting there idle but we switch them out every couple of days. Freeholder Smith questioned so when you do the media

change, then you are doing it for all three? Mr. Williams replied with all three. This way it is kept equally with all three vessels. Mr. Mach stated that when one goes, they all go. Freeholder Smith stated ok and it is not a case of where we have one in reserve then. Mr. Williams replied with correct. Mr. Cannon stated that we cannot put a clean one online. Freeholder Smith stated he thought we had one on standby. Mr. Williams stated that we have two running and the third is on standby in case something was to happen but every two or three days we switch them. He also stated that what we do in the winter, because there is a possibility of the media freezing, instead of waiting three days to switch the vessels, we do it ever two days. That way the heat from the gas keeps the media from freezing.

Freeholder Smith stated that in theory, they are pretty much all on the same life span. Mr. Allen stated that they have to be used periodically just to keep them. Mr. Cannon stated we cannot purchase media and put them in the building. We do not want the media sitting for six months or turning frozen or whatever the case might be. He also stated that it has to be self-lubricating for lack of better words. Mr. Williams stated that the media has to be kept moist. It cannot be left to sit for months on end because it will dry out and then the effectiveness significantly decreases. This is straight from the vendor.

Mr. Allen questioned that we have been doing this on an emergency basis? Mr. Williams replied with this is only our second media change.

Mr. Mach questioned how long does it take to mobilize, Mr. Williams? Mr. Williams replied that they can mobilize within a couple of days once the media is onsite. Mr. Mach stated that the media is the issue, getting the media prepared and ready for us. Mr. Williams stated that then in three days they are done.

Freeholder Smith questioned is the media itself proprietary? Mr. Williams replied with yes and there are only two vendors.

Mr. Mach questioned if the media is the same? Mr. Williams replied with the same media for both. Mr. Cannon stated that is required as to what media can go in there. Mr. Williams stated that we do have two proposals for the media. Mr. Cannon questioned a difference of? Mr. Williams replied with \$63,000.00 to \$75,000.00, so \$12,000.00 difference.

Mr. Cannon stated that his feeling with this one is that we do not take a chance with vendors, with holidays coming up, and with getting this media done. He thinks that there is enough here that we have heard that this could constitute an emergency and if we had to make that argument to someone then we could. He thinks thereafter, we would have to look at this harder, Mr. Tipton, and see where we could get a better process in place with maybe bids on how long we could have them type of stuff or maybe we start earlier. Now that we got a little bit of a calendar as to the timeline as far as year and a half to two years, we could get that three to six months going with a bid type of stuff. He is concerned with both the frozen time of the year right now and the issue as to getting media made and holidays. He thinks that we have enough components to make the argument that this could be constituted as an emergency and we would go forward from there.

Mr. Mach stated that he agrees with Mr. Cannon.

Mr. Pryor stated that he could support that.

Mr. Allen agreed also.

Mr. Cannon stated that he thinks that we have a window of when the media needs to be changed out now. We could say fourteen months to twenty-four months. Mr. Williams stated that if the trend continues. Mr. Cannon stated that is what he saying based on the information that we have currently as far as two change outs in that timeline in there. He is sure that we could figure out a window and maybe get close to where for the next one that we could have a bid that would fit at the time. Mr. Williams stated that whole timeframe. Mr. Cannon stated that certainly at least we go through the process and again an emergency may present itself but at least we are attempting to set up a bid and do the process "correctly" so that we could address it. If the emergency happens, then we do what we have to do then.

Mr. Cannon asked the Board if anyone had any other emergency thoughts. He is prepared to move forward with a motion today if anyone else is or have any other questions to add to that but he thinks that we have enough points that we can make as to constituting an emergency. Does anyone have anything to add to that? He also stated that this is the same vendor that we used the last time.

Mr. Cannon stated that hearing none, would anyone like to make the motion to award a bid that Mr. Williams will send us out the exact numbers?

Mr. Williams stated that Kline Services are \$29,000.00 and change. He stated that we could say Kline Services as a contractor to do the media change not to exceed \$30,000.00. Then he stated that we could do MV Technologies which is \$63,000.00 and change, we can say not to exceed \$65,000.00 for the media supply for the three vessels.

**Mr. Mach** made the motion, seconded by **Mr. Pryor**.

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

Mr. Cannon questioned that regarding the old media, do they put that in the landfill? Mr. Williams replied with yes. Mr. Cannon questioned if it had to dry out or anything? Mr. Williams replied with no.

Mr. Williams reported on the Solar Panel Project. Everything is running fine.

Mr. Williams stated that just an update with DCO, as of last Friday, they have removed all of their components from within the building. The engine is gone. The radiators are gone. They sealed up all the openings for venting for the engines so that building is completely empty down there.

Mr. Cannon questioned if T&M went in that building the last time? Mr. Williams replied with they have been in it before. Mr. Cannon stated that Mr. Peeples did not go in there.

Mr. Williams stated that the next item on the Agenda is A-5, the Waste Disposal Fee Schedule. There are no changes as far as that goes.

Mr. Cannon stated that we do have one discussion for that for Executive Session with a contract issue. We will do that in Executive Session.

Mr. Williams presented the next item on the Agenda is A-6, "Revised Draft" Request for Bids, Site Work and Installation of New Truck Scale.

Mr. Williams stated that as everybody knows that we have talked about the scale quite extensively over the past couple of months. Comments were incorporated and given to Mr. Tipton. The revised draft is in front of the Board today. He also stated that he wanted to add that the existing warranty that they gave us does expire in January for the concrete work.

Mr. Cannon stated that he sent an email back to Mr. Williams, he knows Mr. Williams started the scale issue. He thinks that we have enough open issues now with the landfill expansion. This time of the year being the middle of winter, expansion issues, our neighbor issue, and the specs on this scale he is afraid we have gone down the road of too specific to a degree in his opinion. He is not sure if now is the time, which is his personal opinion. He also stated that we certainly do not want them working out there in January, February or March either. He also stated that he just thinks that it is something we should hold off for a little bit and he is open minded but we may be getting a little too far ahead ourselves. He knows

as far as warranties on what we have there and if we have to fix something then we can fix something or maybe we will not have to fix something right away. There may be a difference in layout with what is going on with Tilcon. There are a couple of different proposals out there that we may not be happy with where it would be proposed to have to be installed in this spec and maybe that would change. He does not know. It may exactly need to go in that spot but he does not think that we have to make that decision just yet is his opinion.

Mr. Williams stated that if we were to go out for bid, this would not go out until January. We would not see bids back until March. He also stated that they would not be starting until April. He also stated that the winter is the best time to do concrete. Mr. Cannon stated that unless you are doing the concrete. Mr. Williams stated that the winter is the best time to do it because concrete likes cold weather.

Mr. Cannon questioned would anyone like to comment? He stated to take an account of all the things we have taken account with.

Mr. Pryor stated that he thinks that Mr. Cannon raised two issues. One is just the timing of all of this and letting some things run their course and defining our requirements a little better. It is hard to argue with that. He also stated that the other one is the spec writing.

Mr. Cannon stated that what Mr. Pryor said was what he was talking about to a degree as far as going through this more specifically and he certainly would like to have Mr. Pasquini's input but he is sick and could not be here. He asked Mr. Allen if he has some thoughts on it.

Mr. Allen stated that he is in somewhat of an agreement with Mr. Cannon about what ifs with Tilcon and what it might do to the traffic and what not and to have something like this pending. We may run into some changes that have to be made. He thinks that it may be wise to postpone this a bit. As for the spec, he stated that it is so technical. He does not know what to say with them because it is way over his pay grade as to what the specs should be so he hears what Mr. Pryor was saying. He thinks that spec writing is somewhat difficult when you get into tailoring it for one vendor. That is kind of dangerous.

Mr. Cannon stated that he is not inferring that is the case either but he feels like we have gone down a rabbit hole a little bit too much. He thinks that the Tilcon issue, not to get long winded on that, but there may be some negotiation points that we would have with them going forward maybe that we could take advantage of. He does not want to limit us in any way of where maybe another road might be or an entrance may change or we may have an entrance and an exit scale or not sure maybe that would not be adjoining but working with them he would like to think outside of the box as much as possible. He thinks that they are going to need to start thinking outside of the box but that is another story for another day. We then would be able to incorporate those a little bit. He thinks that we will find out maybe sooner than later on that as far as where we are going. He was all for wanting to get another scale and he thinks it is a great idea but he thinks that we have built in a little window time of opportunity that we may be able to use that opportunity for something else.

Mr. Mach stated that he has nothing more than what has already been said. He will leave this up to the pleasure of the Chairman.

Mr. Tipton stated that he does not know what the differences are right now. He will agree and as far as the specs go, they struggled because they are lawyers and not engineers. He did not know what to do with this because it is so detailed and they tried to break it down but maybe it is best to start all over and go much more general. He also stated that he almost feels like we almost need an engineer to draft it or someone. He also stated that usually they do not get involved in doing technical specs. They do their best to make sure we are not violating the law but it is tricky.

Mr. Allen questioned what was the genesis for the document to start with? It is so technical. Where did you get this draft from? Mr. Williams replied that it came from the scale manufacturer.

Mr. Pryor stated that as he recalls the second one objected, right? Mr. Williams stated that we "dummied" it down for the lack of better words. Mr. Tipton stated that maybe the next time when we

are ready to do this again, we start from scratch and just get it real general and leave it open to a variety of options and the cost will reflect that.

Mr. Cannon stated yes and he thinks that we went down too much on the vendor rabbit hole is what he was trying to say and maybe Mr. Williams could put together the thoughts of what the real needs are from the PCFA's viewpoint as opposed to just replicating a new scale. He also stated that looking at the different ideas and then we could go back and forth and see if we got input from someone. He stated that is there are other ideas that we would maybe want to have that would be fruitful for twenty years down the road because that is where we are at with this scale. How many years is that scale without the repairs? Mr. Williams replied with twenty-six. Mr. Cannon stated so it is twenty-six years old and he is sure technology is changing every five minutes.

Mr. Williams stated that we just went through and changed out the load cells. We changed that deck in 2004. Everyone saw the email that he sent out and saw what that cost was then. He also stated that we changed out the load cells a couple of times and most recently was this year. Technologies do change but a scale is a scale.

Mr. Williams stated to the Board to let him know when they are ready to do it again.

Mr. Cannon stated that for everyone's information the A-6 is the final version of what was proposed but we may need to create a simpler document.

Mr. Tipton stated that he would much rather change the specs further. He thinks it needs some real thought from Mr. Williams and the operators.

Mr. Pryor stated that he would like to go back to when the second vendor objected, he objected to four areas? Mr. Williams replied that he thinks that it was four. He thinks that one had something to do with lightning protection. Mr. Tipton stated that it was a one or two-page letter. Mr. Williams stated that it was not very many. Mr. Pryor questioned that you addressed those four areas? Mr. Williams replied with yes. Mr. Pryor stated that was the objective of this. Mr. Williams stated to take their objections into consideration and make those modifications in here. He also stated that he thinks that the other one was junction boxes. The original had no junction boxes and we put junction boxes back in. This was one of the items that will now allow other vendors to bid. It was exclusive having no junction boxes with a particular vendor. Mr. Pryor stated that competition is good as long as you do not compromise the function or the quality.

Mr. Cannon stated and that is where we are at. We are not sure where that line is. He thinks that we are all in agreement that we are going to table that for now and we will certainly consider anything going forward.

Mr. Cannon gave an overview of Cornerstone's leachate generation rate table.

Mr. Allen questioned what was the proposed cost of that element in the contract? Mr. Williams replied with they do not have that broken down. This is all part of the final submission when they submit the permit application in March. Mr. Cannon stated that he is sure everyone remembers that this was listed as 90% complete for the last fourteen months on their monthly updates. We had asked a number of times for this. He also stated that for some reason it was never produced and this suddenly was produced after a response to an email. It really does not show us how these numbers were generated. It does not show us where the numbers frankly are inclusive of what our current number is plus what they project out in the future. It does not break it down. Mr. Allen questioned how was this conveyed to us? Mr. Cannon replied that they sent an email on Thursday. Mr. Allen stated that is was through an email. So, we emailed to them with our decision about the final. Mr. Cannon stated that yes, we asked Mr. Williams to send them something to let them know we were not going to consider any overages until they have their whole deal done. Mr. Williams stated until they fulfill their original obligations. They basically accepted that.



Mr. Cannon stated that when Cornerstone asked if they needed to be here today to discuss anything, it was no because we did not have anything going but we are still looking for the leachate table and then it showed up. We have not sent them any extra monies. He thinks that we will have them in January and we will go over that. He also stated that if anyone would like to speak about actual contract monies in Executive, then we can add that on there today.

Mr. Williams stated that based on their last schedule that they provided us, according to their schedule they are looking at a possible submission of the permit application in March. Sometime between now and March we are going to sit down with them and go over the draft submission. He also stated that we may begin to address any change orders at that time but as Mr. Cannon had mentioned.

#### GENERAL COUNSEL'S REPORT

Mr. Tipton had no report for open session.

#### NEW BUSINESS

None

#### OTHER BUSINESS

None

#### CLOSING PUBLIC COMMENT

Freeholder Smith stated that he would like to speak on behalf of the Freeholders, he appreciates the continued support of maintaining the structure of the County. It does not go unnoticed.

Mr. Cannon stated that we are glad that he appreciates it.

#### PRESS COMMENTS & QUESTIONS

None

#### EXECUTIVE SESSION

Executive Session was entered at 10:32 am. Mr. Cannon invited Freeholder Smith to stay for our Executive Session because he is part of that discussion.

## **RESOLUTION**

**R-12-07-16**

### **AUTHORIZING EXECUTIVE SESSION**

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

**Contract Negotiations**

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. Pryor

Seconded By: Mr. Allen

ROLL CALL:	Mr. Allen	-	Yes
	Mr. Pasquini	-	Absent
	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.

Recording Secretary  
Jamie Banghart

Dated: 12/19/16

*Mr. Allen* made a motion to come out of Executive Session, seconded by *Mr. Pryor*.

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

Regular session resumed at 11:02 am.

Mr. Cannon stated that we are back in public session.

Mr. Williams stated he had one last item to discuss regarding replacement of the Dodge Durango. He also stated that if the Board has no objection he will move forward getting it from State contract. It would be a Ford Explorer and the price will be approximately \$27,323.00. He also stated that we had \$40,000.00 budgeted. This would be directly through a State contract.

Mr. Williams stated that the reason being is that the Dodge Durango when you are driving especially at night time the headlights do not like to stay on. He said it is very scary when your headlights go out. He also stated that the Durango is getting a lot of body rot. He thinks what we can do with that is put it up for public auction and let the next person take care of the issues that it has.

Mr. Cannon stated again we are part of the Morris County Coop and the State of New Jersey. We discussed replacing the vehicle and put it in the budget. If we spend less than what we proposed in the budget, then that is a good thing. Mr. Cannon questioned if Mr. Williams needed a motion on this. Mr. Williams replied with if everyone is ok with it. Mr. Cannon stated that everyone is ok with it.

#### ADJOURNMENT

With no other business to discuss, **Mr. Allen** motioned to Adjourn, seconded by **Mr. Pryor**, at 11:04 am.

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

Respectfully submitted by:  
Jamie Banghart, Recording Secretary

Approved: 1/23/17