

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

December 14, 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 December 14, 2015 was given in accordance with the Open Public Meetings Act by forwarding a schedule of regular meetings of the Pollution Control Financing Authority of Warren County (PCFAWC) to the Warren County Clerk, the Warren County Board of Chosen Freeholders, the Express Times, and by posting a copy thereof on the bulletin board in the office of the PCFAWC. Formal action may be taken by the PCFAWC at this meeting. Public participation is encouraged”.

Mr. Davenport welcomed Freeholder Director Ed Smith to the PCFA meeting.

MINUTES

Mr. Davenport presented the regular monthly meeting minutes from November 16, 2015.

**Mr. Pryor** made a motion to approve the revised regular monthly minutes of November 16, 2015 as presented, seconded by **Mr. Davenport**.

Mr. Allen stated that he had a minor word change to the minutes on page 10, “omitted” changed to “emitted”.

**Mr. Pryor** made a motion to amend his previous motion to include the change cited by Mr. Allen to improve the revised minutes of November 16, 2015, seconded by **Mr. Davenport**.

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 November 16, 2015.

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

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

## CORRESPONDENCE

Mr. Williams presented a letter from Warren County Landfill Energy (WCLE) dated November 11, 2015 regarding the plant retirement proposal. Mr. Williams stated that early last week counsel, the chairman and he met with DCO. Mr. Tipton will have discussions regarding this in executive session under contract negotiations.

Mr. Williams presented a letter dated November 17, 2015 from the PCFA to Warren County Landfill Energy (WCLE) regarding a consent letter that the Board agreed to at the last meeting to send out. He stated that DCO thanked the Board for consenting to transfer the membership interests in Warren County Landfill Energy.

Mr. Williams presented a letter dated November 24, 2015 from the NJ DEP Historic Preservation Office regarding the landfill expansion project. He stated that apparently there is a mine shaft that dated back to late 1700's or early 1800's which was called the Titman Mine Shaft that they would like a little exploration to see if this still exists on the property. He also stated that this is in Cornerstone's hands.

Mr. Mach stated that this is in Cornerstone's hands but he has a question regarding the italicized writing in the last paragraph. He stated that they cite a number of agencies in here that may be interested in talking about this. He also stated that he has gone through this in incidences in his town that this to him is very ominous and very time consuming. He questioned how soon will we know if we are going to have a problem? Mr. Williams stated that Cornerstone has been in discussion with the DEP. He also stated that if the Board agrees to have a workshop meeting with Cornerstone early next year then we can discuss this more in depth with them at that point and time. Cornerstone should have more information regarding this at that meeting.

Mr. Allen stated that he is more worried about this not from an archeological stand point, but we are talking about a mine shaft. Mr. Williams stated that this is something that Cornerstone and our engineers

should really discuss further with the Board. Mr. Mach questioned what part of the expansion would it impact? Mr. Williams stated that the house area was not in the expansion phase. He also stated that the silo is still there but where the house sat is not part of the expansion. Mr. Mach questioned that the location of the mine may be an issue? Mr. Williams stated yes but no one knows where that is located. Mr. Mach stated that when we talk to Cornerstone hopefully there will be more information regarding this.

Mr. Williams questioned if the Board would be interested in setting a date to do a workshop meeting on either January 5<sup>th</sup> or January 6<sup>th</sup>? Mr. Mach questioned what time would we have the meeting? Mr. Williams replied that this is up to the Board. Mr. Cannon stated that he would prefer if you send out some dates and then we get back to you. He also stated that January 6<sup>th</sup> is a conflict for him and deciding right here on the spot without double checking everything is also a problem. He suggested Mr. Williams send out an email, since we can do emails now on some things, with some proposed dates and see the availability of the Board. Mr. Allen stated that he is gone from January 9<sup>th</sup> to January 23<sup>rd</sup>. Mr. Cannon stated that he has problems the first week of January.

Mr. Cannon stated that he is also concerned that we are just leaving this in Cornerstone's hands. He also stated that he has helped someone involved in this before and instead of just waiting to see what happens sometimes we have to be a little proactive so that we don't get reamed. He also stated that this can easily happen with the agencies here in this letter where it can just turn into a nightmare.

Mr. Williams stated that this is not what he was saying. He stated Cornerstone has gone through this with their expansion projects and they can brief the Board on what steps to take or who to contact to look into this if it is not going to be through Cornerstone maybe it is another agency. Mr. Cannon stated that his concern is that Cornerstone did their due diligence already, how come they were not able to find this? Mr. Williams stated that they did searches. Mr. Cannon questioned so they did not do a search on where the expanded area was for historical references themselves? Mr. Williams stated that this is where the Titman house came up. Mr. Mach stated that that question ought to go to Cornerstone. Mr. Mach stated that the only good news here is that it is in the northern portion of the expansion so we can back that portion up with the expansion before we put the application in. Mr. Cannon questioned if the Titman house was on this side of the river? Mr. Williams replied that the house was on this side of the river. Mr. Williams stated that if the Board remembers when we went down to the railroad tracks when we were looking at the different expansion areas, the silo was still there. He also stated that originally we discussed expanding further to the railroad abutment and the Board decided not to expand to that area.

Mr. Williams presented the Board with a map showing the north side of the landfill and where the Titman house was located. He also stated that we did a test pit right next to where the house was.

Mr. Mach stated that the good news is if it smells bad after our meeting with Cornerstone then we can back off on the expansion in the northern section. Mr. Williams stated that Cornerstone can explain this to the Board further.

Mr. Cannon stated that concept plan #1 would have been a large problem. Mr. Williams replied with yes. Mr. Mach thanked Mr. Williams for explaining the location with a map.

Mr. Williams presented an email from Anthony Fontana from the NJ DEP with an attachment regarding the avian flu. He stated that he and Mr. Davenport had a discussion with counsel regarding this and asked Mr. Tipton to do more research on this.

Mr. Tipton stated that the DEP is asking us to be prepared for this avian flu waste and they are asking this from all landfills. He stated that he has no reason or basis for them to mandate us to take in this waste. He contacted Mr. Fontana. Mr. Fontana stated that the Attorney General's office is looking at the issue but he could not provide any legal requirement that makes the PCFA take the waste in. He stated that other than if the Governor was to institute a state of emergency, then the DEP can mandate that we take the waste in. Mr. Tipton recommends that the Board not do anything until there is a state of emergency. He stated that if the state of emergency happens, then the DEP is going to have to provide us with a protocol on how to deal with the waste. He also stated that they cannot force us to take it and not provide us with the expertise on how to deal with it.

Mr. Pryor stated that he is thinking beyond that if they declare the state of emergency, could we request to be indemnified? Mr. Tipton stated that it is always hard to get indemnity from the State of New Jersey, but he is sure we can request it. Mr. Pryor stated that why should their problem become our problem? He also stated that if they are going to force us to do it then they take responsibility for it. Mr. Tipton stated that the only way that the state can force us to take this waste is to institute legal act and we could still say no even if there was a state of emergency. Mr. Pryor stated that from this email, Mr. Fontana does not quote any authority.

Mr. Tipton stated that he let Mr. Fontana know that the Board discussed this issue before and that the PCFA is not interested. He thinks that Mr. Fontana was caught off guard and he could not give him any reason to what he could do. Mr. Tipton thinks that we are fine doing nothing at this point in time. He stated that in the worst case scenario is we have an emergency meeting if there is an emergency.

Mr. Cannon questioned if we should at least send Mr. Fontana what we already decided. Mr. Mach thinks that we ought to restate our position. Mr. Cannon stated that we should send our letter to Mr. Fontana that the Board decided on two months ago. Mr. Tipton stated that it cannot hurt to put our position in front of Mr. Fontana again in response to this.

Mr. Cannon suggested that we send the letter. He stated that the threshold to declare state of emergency is pretty high especially for something like this. He thinks that we are on very good footings.

Mr. Pryor stated that what he read in the mid-west, which really had a problem, they could not force any of the landfills to take the waste.

Mr. Cannon questioned if the Board was in agreement with the letter. Mr. Mach stated that this would be us taking our position. Mr. Davenport stated that he is just wondering about the protocol which is what Mr. Fontana is asking us for in this letter. He stated that we obviously do not have resources to do right now. He also stated that in the letter we should mention that we do not have a protocol. Mr. Cannon suggested that he would not say this. Mr. Williams suggested that we just reiterate what we discussed today and here is what we stated the last time. Mr. Cannon stated that we were proactive on this 60-90 days ago. Mr. Pryor questioned if Mr. Tipton should send out this letter? Mr. Cannon stated that Mr. Tipton should send out a cover letter and attach the resolution that we already passed.

#### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

Freeholder Director Ed Smith stated that the last time that we approved the resolution for the avian flu, he received a call from the deputy commissioner. He stated that the higher ups are definitely aware of this. He also stated that this is apparently from the Federal level for them to establish a protocol.

Freeholder Smith stated that they are trying to establish some type of protocol in the event that there was an emergency. He also stated that they are being asked by the Department of Agriculture at the Federal level on how they would handle it because it is a health issue that comes under C.E.H.A., County Enforcement Environmental Health Agency. That is where this is going back and forth. Freeholder Smith stated that he did discuss with the Assistant Commissioner that they do have the option to do it onsite, which he acknowledged but he thinks that they are trying to come up with some way where it is probably easier for them point well taken.

## PRESENTATIONS

None

## FACILITIES/RECYCLING

Mr. Williams reported that the treatment plant operations are continuing to run smooth.

Mr. Williams stated that he went back to look into a question that Mr. Cannon questioned him on last month regarding the trucking. He researched this and it was a little bit more than opening up a new section of the landfill. He stated that back at the August meeting, he stated that before the fall we always start to begin to prepare for the hurricane season so we intentionally lower all of our lagoons and holding basin. This is why the trucking was higher in August, September, and October along with the opening up of another cell.

Mr. Williams reported on the landfill operations. He stated that everything continues to run smooth with no issues with our heavy equipment.

Mr. Williams stated that the landfill compactor has finally left our site last week. He also stated that we did receive the money for this.

Mr. Williams reported on the H2S removal system. He stated that there are no issues. He also stated that we continue to monitor everything. We are not seeing any spikes in the H2S levels.

Mr. Williams stated that there are no issues with the solar panels and everything is fine.

Mr. Allen stated if we could back up to the landfill operations. He questioned Mr. Williams if he sent out an email or anything regarding the scale? Mr. Allen questioned if it was fixed? Mr. Williams replied with yes. Mr. Allen stated that at the last meeting we found out that the scale was not working. Mr. Williams stated that the scale is back up and running. He also stated that there is still foundation work that has to be done. The steel plates were replaced. He also stated that the contractor is not available yet to do the concrete work, but the scale has been back up and operating.

Mr. Williams stated that now that we are going through this major expansion, we kind of touched a little bit on it about different possibilities as far as our scale goes. He stated that originally 2021 was going to be it for the landfill and now we are looking at 2050 or maybe beyond that. Along that lines of looking into the future as far as this facility goes, he stated that every other facility that is like ours actually has two scales, inbound and outbound scale. He stated that we never had one here. When we do have failures with our scale, we use the incinerator scale. Mr. Cannon questioned if this was free of charge for us? Mr. Williams replied with they do not charge us for the use of their scale, but it could become a burden to them. He does not want us to be held hostage by any other entity by allowing us to use their

scale. He did some preliminary research on what adding an additional scale would cost here. He stated that the cost is approximately between \$70,000.00 and \$100,000.00 completely installed. This would give us an outbound scale. He also stated that if the Board would like him to look into this further and start to put an RFP together, he could do this.

Mr. Cannon questioned if Mr. Williams is just duplicating the scale we already have that is 35 years old? Mr. Williams replied that a scale is a scale. Mr. Cannon suggested that he is sure there are other scales out there where people do not have to get out of their cars which he is sure is a safety issue. He is sure there are a lot of different things that have been tweaked over the years that would be a more adequate system that works better for everybody. Mr. Williams questioned Mr. Cannon if there is something that he sees that is inadequate with our system? Mr. Cannon replied with no. He also stated that modern technology has come a long way. He is just saying to spend that much money on the exact same style of the scale. Mr. Williams stated that he can research other facilities around the area to see what is out there. Mr. Pryor suggested that before we go to RFP to contact some vendors and other facilities. Mr. Cannon stated to bring vendors in and have them sell us what their innovations are today instead of an RFP. Mr. Williams stated that he will arrange someone to come in and to see what is out there. Mr. Mach questioned operationally if we were to have a second scale, does this mean that we are going to add the staff or another scale operator? Mr. Williams replied with no this will all be done out of the same system. He stated that we have a scale on the right side of the scale house and the new scale, if we were to move in that direction, it would be on the left side of the building. The window is there and it is just a matter of literally putting a scale in, if we were to duplicate what we have. He also stated it would be the same computer system.

Mr. Williams stated that he will look further into the scale options for the Board.

Mr. Williams presented the next item on the agenda which is A-1 Cornerstone's status report. He stated that he will get dates out to see when we can get Cornerstone scheduled for a workshop meeting. He also stated that this meeting will be specifically for this topic. Mr. Williams questioned Mr. Cannon if it was one day that he was not available for the meeting the first week of January or is it the whole week? Mr. Cannon replied with it is not the whole week but a large part of the week he is not available. He stated that the 5<sup>th</sup> is no good, Tuesdays are not good for him. Mr. Williams stated that he did not want to schedule the meeting for Monday because it is the first day back from the holidays. Mr. Cannon agreed and he is not around on that Monday. Mr. Williams will check with Cornerstone on other dates. Mr. Cannon stated that right now Tuesday, Wednesday and Thursday are not good for him definitely that first week of January.

Mr. Williams stated that he will send an email out if everyone can get back to him fairly quickly on dates and we will go from there.

Mr. Williams presented the next item on the agenda, A-2 Proposals for the Grass Mowing. He stated that we did go out for bid again. The bids were sent over to General Counsel to review. General Counsel did provide us with a bid review sheet. He also stated that the same three vendors were the only three vendors that bid again.

Mr. Allen questioned the liability insurance certificate. He is not sure he understands the need that PCFA is listed as insured? Mr. Williams stated that we are listed as additionally insured at the bottom of the page. Mr. Allen questioned the disclosure of Iran activity? Mr. Tipton stated that this has been out for a few years now and is a requirement that you provide proof that you are not doing business with Iran. He also stated that this is on every state, county, and town project. He does not think every town

requires it but it is a requirement. He learned of this on a state job that he was working on and ever since he has told all of his clients that they have to have that certification. He stated that it is highly unlikely that it has ever going to be an issue at this level but it is out there.

Mr. Allen commented that he was kind of surprised that it was out for bid and we had a very short timeline on getting bids back considering the contract does not begin until March. Mr. Williams stated that one thing we have to remember is that these guys have to start scheduling what they are doing the next year. They usually schedule during the winter months.

Mr. Allen questioned if the same guy got it that did it the last time? Mr. Williams stated that currently we have A.C.E. Landscaping and they came in with the low bid.

Mr. Cannon questioned how long the bid was advertised on the County website? Mr. Williams replied with since our last meeting. Mr. Cannon questioned that if it went on at the last meeting and it advertised that bids had to be in by when date wise? Mr. Williams replied the bids had to be in by December 7<sup>th</sup>. Mr. Allen stated that he was kind of disappointed because he never even had a chance to contact the two companies that he was considering. Mr. Cannon questioned that they had three weeks to get their bids in? Mr. Pryor stated that it was three full weeks. Mr. Cannon just does not understand what the rush was for. Mr. Pryor stated that the timeline is not terrible for a job like this. Mr. Cannon stated no it is not terrible but two months would have been better.

Mr. Williams stated that this is up to the Board and this is the second time that we did go for bid for this. Mr. Cannon stated that the PCFA website has been determined that we are not fielding enough bidders. He hates to give the appearance that we are only opening up to the select few who have the inside information or are previously already doing the job so of course they are looking for the bid. He stated that the fact that we are talking about this in the beginning of November on a contract that does not expire until March, it seems like an expedited time schedule there. He also stated that the longer a bid is out there, the more action we will receive. Mr. Cannon questioned Freeholder Director Smith on how much timeline does the County give on bids? Is there an average timeline as far as advertisements for bids, accepting or rejecting? Mr. Olshefski replied that is three to four weeks is normal. Mr. Pryor stated that three weeks for a job like this is not bad. He stated that he used to do much larger jobs and he only did a month. He questioned Mr. Tipton on when he rebids and rejects all bids, you have to have a reason? Mr. Tipton replied with you have to have a reason. He stated that we did reject, and rejecting for lack of response we have to be careful there. He also stated that we did receive three bids with the grass mowing but when we rebid the transportation for recyclables we only had one bid there was a justification there. He also stated that there is no case law on that particular type of rejection but it was warranted on that one. When we have three responses and it is the second time we bid it and it is something we do every year, then it will be tough to reject the lowest bidder under these circumstances. He suggested that the Board can do whatever they want, but he does not know that he would say there is strong legal basis to do so.

Mr. Davenport questioned if we have a standard time period for all of our bids or is that each one? Mr. Williams stated that there is a certain amount of time that Mr. Tipton just eluded to it. A certain amount of time that we have to go out for bid, where we have exceeded that. Mr. Pryor questioned Mr. Tipton that the statutory is only ten days? Mr. Tipton responded with it is ten days so we did what we had to do.

Mr. Allen questioned the need proof of insurance and does this mean that they have not provided the insurance yet? Mr. Tipton stated that we relaxed this standard on the insurance requirements pre-bid so that people could bid on it that maybe would not have if we had that as a requirement upfront. He stated

that what we did with the insurance is if the bidder satisfies all the other criteria, and the bidder is the lowest bidder, then the bidder pre-sign the contract. The bidder then has seven days after the award to provide the proof of insurance. Mr. Tipton stated that we do not make the bidders go get the insurance before they found out they were the lowest bidder because this could be a cost issue for the smaller contractors. Mr. Allen questioned if this was the reason we rejected the last time we had the RFP? Mr. Tipton replied with yes and this is why we relaxed it because it was a problem for certain bidders. He stated that we actually opened the door for more bidders. Mr. Allen questioned if A.C. E. has provided the necessary insurance information? Mr. Williams replied that they have seven days upon award. Mr. Tipton stated that they have seven days up us voting. Mr. Allen stated that in other words, if we pass a resolution today, and if they do not have the insurance within seven days then they are out? Mr. Cannon stated that all they have to do is call up their insurance and add the PCFA on the policy. Mr. Allen questioned what is taking so long, and he does not understand this? Mr. Cannon stated that the reason was we didn't want to have them spend the money for the additional premium on their insurance just to submit a bid and then find out that they did not receive the bid. There is no reason to insure PCFA on their liability insurance because they do not have us as a customer until they are awarded the contract. Mr. Allen stated that we rejected the bid last time because he did not have it. Mr. Cannon stated right but this is why we changed the bid so that they did not have to get the insurance ahead of time but to add us on a customer for their liability purposes is not an issue with an insurance company. He also stated why pay for it if you wind up not getting the bid.

Mr. Davenport questioned if the Board wanted to go ahead and award this bid? Mr. Mach questioned Mr. Williams with essentially the two bidders for the lawn care are \$10.00 apart, is Mr. Williams satisfied that A.C.E. is the better contractor for the job? Mr. Williams stated that A.C.E. has been doing this for us for the last two years. He also stated that everything that they have done for the last two years has been satisfactory. Mr. Mach questioned Mr. Williams that Total Lawn Care we really have no experiences with so he really cannot comment? Mr. Williams replied with no he has no experiences with them. Mr. Cannon stated that he is shocked at how close the numbers are with the bids. Mr. Mach stated that it is amazing. Mr. Allen stated that he went online trying to find Total Lawn Care, unless it is a franchise, there is a ton of them all over the country. He could not find one that was local. Mr. Williams stated that Total Lawn Care is located in Somerset. Mr. Tipton stated that the bidders saw each other's numbers from the last time so it makes it more likely that they are going to be tighter.

Mr. Davenport asked the Board for a motion to accept this bid.

On a motion by *Mr. Mach*, seconded by *Mr. Pryor*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *December 14, 2015*.

**R E S O L U T I O N**  
**R-12-01-15**  
**AWARDING CONTRACT**  
**FOR GROUNDS MAINTENANCE**

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

WHEREAS, the Authority is in need of services to maintain the grass and grounds around the Administration Building and Landfill sites; and

WHEREAS, the Authority requested fair and open bids pursuant to N.J.S.A. 19:44A-20.4 et seq. for said services; and

WHEREAS, three (3) Bids were received on December 7, 2015 and were evaluated by staff and General Counsel and **A.C.E. Landscape Contractors LLC** was found to be the lowest, responsive bidder; and

NOW THEREFORE, be it resolved by the Authority that **A.C.E. Landscape Contractors LLC** be awarded the contract for 2016/2017 for the grass mowing and grounds maintenance around the Administration Building and Warren County District Landfill as stipulated in the bid document dated November 2015. Amount not to exceed **\$31,115.80** in accordance with their Bid received on December 7, 2015.

BE IT FURTHER RESOLVED, the Chairman and the Director of Operations of the Authority are authorized to execute a contract with **A.C.E. Landscape Contractors LLC** for these services.

ROLL CALL:	Mr. Allen	-	Yes
	Mr. Cannon	-	Abstain
	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  
Date: December 14, 2015

Mr. Cannon stated that he does not have a problem with this bid but we do need to set a standard so we have as long of a possible time now that we are newly advertising on the County site. Mr. Davenport stated that he supposed that this can vary depending on when we want to get something done. Mr. Cannon stated that this bid was four months in advance. Mr. Cannon questioned if this was for two years? Mr. Williams replied with yes. Mr. Davenport stated that his instruction to Mr. Williams is to make it as long of a period as possible. Mr. Cannon questioned why this is a two year contract? Mr. Williams stated that this can be awarded one year, we have always done the two year contract with the grass mowing in the past. He stated that we can make it one year if the Board decides to do this. He also stated when the contract is for two years, they are locked in with a solid price for the second year, which could provide a benefit to the Authority with a cheaper rate then have them come back in a year and raising their rate. Mr. Cannon questioned the bulk of our contracts are yearly? Mr. Williams stated that certain contracts can go out longer than a year. Mr. Williams stated that we have a couple coming up next month, the HHW and the computer recycling programs. The recycling that we have out now with Colgate is a four year contract. This is due in Friday for discussion at the January meeting. Mr. Cannon questioned that this is a four year contract because it has always been a four year contract? Mr. Williams replied with that is correct. He stated that he believes by law, counsel correct him if he is wrong, that the recycling we can go to four years. Mr. Tipton stated that he believes so and will double check the section but there are a variety of contracts that can be done for more than a year. He also

stated that professional services are a year by law. Mr. Cannon stated that the four year contracts prevent competition.

Freeholder Smith stated that one thing that they have done on the County contracts is if they are longer term contracts, then they have the option to renew at the given rate. He stated that they do a lot of the contracts where the options are set in there at each anniversary the Authority, the Freeholder Board, has the right to step away if they want to. He also stated that they also have the ability to do a renewal without having to go through the bid process. Mr. Cannon questioned if we have that? Freeholder Smith is just throwing this out in terms the way that the County does it. Mr. Mach stated that we could take Freeholder Smith's suggestion from this point forward. Mr. Cannon thinks that this is an example of what we should be doing with the contracts. He stated that this will save us money on RFP's, if we are happy with the customer then we can renew and if we are not happy with the customer then we do not have to go through sending them a letter. Mr. Davenport stated that this is a good idea and we could do this in the future.

Mr. Cannon stated that he is not clear on the contract with the landscapers. He questioned Mr. Tipton if he knew what period of time if we did have a problem? What we have to do to go through the process if we award the two year contract? Mr. Williams stated that he believes that the contract is written within thirty days and two written notices that we can throw them out. Mr. Tipton stated that we definitely have termination provision for poor performance. Mr. Cannon questioned can we give them thirty days because we do not like what they are doing? Mr. Tipton replied with yes but he does not have the contract in front of him. He also stated that we are the owner and we have the discretion to make that judgement call. He also stated that they could challenge it. He also stated that with any other situation we could also have a breach of contract case.

Mr. Cannon asked if we could add to the proposed award a clause, as Freeholder Director Smith suggested, that after a year we can have a review with the vendor. He also stated that this does not change the parameters of pricing, and does not change the parameters of the term. Freeholder Smith stated that we are dealing with the local bidding contract law. He also stated that we already made a bid with specific terms and conditions. Mr. Pryor stated that usually the contract is put out there at the bid time, so they know what the terms and conditions are. Mr. Davenport stated that he is giving us a price and maybe that price is based on two years. Mr. Cannon questioned if anyone has the contract? Mr. Williams stated that the Board was given the contract two months ago. Mr. Cannon stated that he just expected to see more bidders. Mr. Williams also stated that the contract was included in the bid document.

Mr. Tipton stated that he will provide a chart on the contracts that we generally issue and what the minimum and maximum year durations are and that way the Board will know going forward what the options are within that arrange.

Mr. Williams presented the next item on the agenda, A-3 Aerial Topographic Survey. He stated that we advertised on our website along with the County's website. We received one bid in the amount of \$8,500.00. He stated that last year's bid was \$10,970.00. He also stated that this was a decrease compared to last year from Robinson Aerial Survey in Hackettstown. Hatch Mott MacDonald provided the service last year for us, and they did not bid on it this year.

Mr. Cannon questioned if this was a three week window for these bids and they went onto the County's site after we discussed this last month? Mr. Williams stated that he believed this one was also the same time period. He stated that another vendor, Langan Engineering, bid on this but was fifteen minutes late

with their bid. That bid was never opened since they were late. He also stated that the way the bids are written, that once it is late, the bid is rejected.

Mr. Williams stated that this bid is a decrease from last year, a one year contract and is a one-time event. He also stated that this is bid now because the time frame to do this is January 1, 2016 to March 31, 2016.

Mr. Allen questioned if this has to be done annually? Mr. Williams replied with that is correct and it is an NJDEP requirement.

Mr. Cannon questioned Mr. Williams if he has received bids from these two previously? Mr. Williams stated that we received a bid from Robinson two years ago and he believes it was \$8,700.00 two years ago. He also stated that we received one last year from Hatch Mott MacDonald.

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 *December 14, 2015*.

## RESOLUTION

R-12-02-15

### 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, 2016 and March 31, 2016; 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 2016 Aerial Topographic Survey of the Warren County District Landfill, in accordance with Specifications dated November 12, 2015, be awarded to **Robinson Aerial Surveys, Inc.** Amount not to exceed **\$8,500.00** as stated in their proposal received December 7, 2015.

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

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

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

Jamie Banghart, Recording Secretary

Date: December 14, 2015

Mr. Allen had a question regarding the RFP's. He stated that we are currently only advertising on our website and the County's website. He personally thinks that we should advertise in a public newspaper we are leaving ourselves with less exposure to someone saying that we are keeping it in house and nobody knows what we are doing. He questioned how many people are looking at the PCFA's website? He recommends that we advertise in two newspapers, The Star Ledger and The Express Times. Mr. Williams stated that as we go further in the agenda, there is a resolution prepared by Counsel that addresses that.

Mr. Williams presented the next item on the agenda, A-4 which is a draft and has not gone out for bid for the new roll-off containers that was in the PCFA budget. He stated that this has been reviewed by Counsel and if there is no objection from the Board, we will be able to go out for bid in accordance of the resolution that we will be approving shortly of advertising in the newspapers, County website, and PCFA website which will continue from this point on through. Mr. Davenport questioned when this bid is due? Mr. Williams stated that we could leave this out for thirty days which is not a problem. Mr. Cannon stated that it should go out longer and it is a perfect one to test on to see if the longer period of time gives us an opportunity to get more bidders. He suggested that we make the bid date February 1, 2016. Mr. Williams will set the date for February 1, 2016 for the bid opening.

Mr. Williams presented the next item on the agenda which will be discussed in executive session regarding the meeting that he, Mr. Tipton, and Mr. Davenport had with Warren County Landfill Energy regarding the gas to energy project.

Mr. Williams stated that there are a couple of handouts that were in front of the Board today regarding the waste water treatment plant. He stated that Mr. Pryor had brought these up at the last meeting. He printed them out for the Board to see what Mr. Pryor was referencing.

## FINANCE/PERSONNEL

Mr. Davenport presented the next item on the agenda, A-5 the 2016 Holiday Schedule.

Mr. Williams stated that this is something that we do every year. He stated that the Board received a revised copy today. The revision was made to July 4<sup>th</sup> which had the Landfill-Convenience/ Recycling Center "Open" and was revised to "Closed." This is the same holiday schedule that is followed by the County.

**Mr. Davenport** made a motion to accept the revised 2016 Holiday Schedule, seconded by **Mr. Allen**.

Mr. Pryor had one question regarding the holidays are always part of labor agreements and custom. He questioned if we were union? Mr. Williams replied that we are not union. Mr. Pryor questioned that this is something that we have just been doing? Mr. Williams replied with yes.

On a motion by *Mr. Davenport*, seconded by *Mr. Allen*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *December 14, 2015*

## **RESOLUTION**

**R-12-03-15**

### **ADOPT THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY 2016 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 14, 2015, the 2016 Holiday Schedule is hereby adopted.

#### ROLL CALL:

Mr. Allen	-	Yes
Mr. Cannon	-	Yes
Mr. Pryor	-	Yes
Mr. Mach	-	Yes
Mr. Davenport	-	Yes

Dated: *December 14, 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. Olshefski reported that the November finances have been going along smoothly. He stated that we met our anticipated revenues of \$7.8 through November. We actually received \$7.9. The budget by category is within line now after we did the amendment last month. He stated that we had a profit for the year of \$2.4 million.

Mr. Olshefski stated that the CD matured at .65 of 1% and we received .63 of 1%. We rolled the CD out again. He stated that this is a lot better than checking market, money market of .15 that we have been

receiving. Mr. Williams questioned Mr. Olshefski if this is with the same bank? Mr. Olshefski replied that yes the bank is Lakeland. Mr. Mach questioned the term of the CD? Mr. Olshefski stated that the first one we did six months and this one we did for four months.

Mr. Olshefski commented on the bids with the County perspective. He stated that it depends on the type of service. The County could get bids where there are only two or three or they may get numerous bids. He also stated that obviously the longer we put the bid out there, the more exposure. He stated that he did not want the thought that the County is receiving so many bids, like twenty bids or whatever, on every type of service because that is not correct. This all depends on the type of service the bid is going out for.

Mr. Olshefski stated that we received approval from the State on our budget and there will be a resolution to pass our 2016 budget.

Mr. Davenport stated that a motion was needed to pass the Resolution To Pay Bills (R-12-04-15).

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 14, 2015*.

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

**R-12-04-15**

### **To Pay Bills – December 14, 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 **\$538,369.07** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *14<sup>th</sup>* day of *December, 2015*.

Jamie Banghart, Recording Secretary  
James Williams, Director of Operations

Mr. Davenport stated that the waste disposal contracts will be discussed in executive session. Mr. Cannon questioned what we were going into executive session for? Mr. Tipton stated that there is a contract negotiations issue regarding Covanta. Mr. Williams stated that for executive session it will be Covanta and DCO (Warren County Landfill Energy).

Mr. Davenport presented the next item on the agenda, A-7 Amended By-Laws of the PCFAWC. He stated that this is the second reading and we can now pass this.

**Mr. Allen** made a motion to accept Resolution Amendment to the By-Laws of the Pollution Control Financing Authority of Warren County (R-12-05-15), seconded by **Mr. Cannon**.

Mr. Mach stated that there is a minor wording change in this resolution. He stated that the wording change is on the first page under the amended language where the line starts out saying “three (3) affirmative votes is required”. The “is” should be changed to “are”.

**Mr. Allen** made a motion to restate his motion to include the minor wording change of “is” to “are” as amended in the resolution, seconded by **Mr. Cannon**.

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 14th, 2015.

## **RESOLUTION**

### **R-12-05-15**

Amendment to the By-Laws of the Pollution Control Financing Authority  
of Warren County

WHEREAS, the Pollution Control Financing Authority of Warren County (the “Authority”) has a need to amend their By-Laws; and

WHEREAS, the specific sections of the By-Laws referred to as A-9 and listed within the Authority’s Meeting Agenda dated November 16, 2015 and referred to below as “Original Language” and “Amended Language”; and

### **ARTICLE III – MEETINGS**

#### **Original Language:**

Section 4. Quorum. The powers of the Authority shall be vested in the

Commissioners

thereof in office from time to time. Three (3) Commissioners shall constitute a quorum for the

purpose of conducting its business and exercising the powers and for all other purposes, but a small number may adjourn from time to time, until a quorum is obtained.

**Amended Language:**

Section 4. Quorum and Voting. Three (3) Commissioners shall constitute a quorum for the purpose of conducting its business and exercising the powers and for all other purposes.

However,

three (3) affirmative votes are required for the Authority to make any decisions pursuant to N.J.S.A.40:37c-4(f).

**ARTICLE XI – PARLIAMENTARY AUTHORITY**

**Original Language:**

B. The ultimate powers of the Authority rests with the Board which shall make decisions, unless otherwise required herein or by applicable law based on a majority vote.

**Amended language:**

B. The ultimate powers of the Authority rests with the Board which shall make decisions,

unless

otherwise required herein or by applicable law based on at least three (3) affirmative votes pursuant to N.J.S.A. 40:37c-4(f).

WHEREAS, the Authority complied with Article VIII – Amendments to revise the By-Laws in that the text of the revisions was supplied to the Board 30 days in advance of the vote, and the revisions were discussed at two successive meetings, and

NOW, THEREFORE BE IT RESOLVED, by the Authority that the above referenced revisions to the By-Laws become the official Revised By-Laws of the Authority until further amended by resolution of the Authority.

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

Dated: December 14, 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. Davenport presented the next item on the agenda, the Resolution to Adopt the 2016 Budget (R-12-06-15).

*Mr. Cannon* made a motion to Adopt the 2016 Budget, seconded by *Mr. Mach*.

**RESOLUTION**

**R-12-06-15**

**2016 ADOPTED BUDGET**

**POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY**

**FISCAL YEAR: FROM: January 1, 2016 TO: December 31, 2016**

WHEREAS, the Annual Budget and Capital Budget/Program for the **Pollution Control Financing Authority of Warren County** for the fiscal year beginning **January 1, 2016** and ending, **December 31, 2016** 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 14, 2015**; 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 \$ 7,041,875, Total Appropriations, including any Accumulated Deficit, if any, of \$7,196,875 and Total Unrestricted Net Position utilized of \$155,000; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$370,000 and Total Unrestricted Net Position planned to be utilized of \$370,000; 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 14, 2015 that the Annual Budget and Capital Budget/Program of the **Pollution Control Financing Authority of Warren County** for the fiscal year beginning, **January 1, 2016** and, ending, **December 31, 2016** 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.

James Cannon, Board Secretary

December 14, 2015

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

Mr. Williams presented the next item on the agenda, the Resolution Publication of Notice for Bids, Requests for Proposals, Requests for Qualifications (R-12-07-15).

Mr. Williams stated that after our discussion last month the Board asked Counsel to put a resolution together to where we publicize for our bids. Mr. Tipton put this resolution together to include newspapers, the PCFA website, and the County’s website. Mr. Williams questioned Mr. Tipton if this included both newspapers, the Express Times and the Star Ledger? He stated that the resolution states the official newspaper of the PCFA. Mr. Tipton stated that we designate the official newspaper at our reorg meeting so whatever our reorg resolution says is the official newspaper. Mr. Allen questioned which paper is this? Mr. Williams stated that the official newspaper is the Express Times. Mr. Tipton stated that if we add the Star Ledger newspaper that we could tweak this resolution to say that we are going to advertise in both papers and be specific. Mr. Mach stated that we are going to get circulation and he is of the opinion that we ought to have the Star Ledger. Mr. Allen agrees. Mr. Williams questioned the Board that this resolution will include the official newspaper and the Star Ledger? Mr. Williams questioned Mr. Tipton if we could name two official newspapers? Mr. Tipton replied with he does not think we could name two but there is no reason why you cannot do more than one. Mr. Williams stated that the roll-off container bid that the Board has, there is actually a notice which is attached and he believes this is the first two pages of the bid. He stated that this is typical of the notice that we put out there. Mr. Williams stated that the example he gave with the roll-off bid, the page and a half is what we would advertise as our legal notice. Mr. Cannon thinks this could be condensed. Mr. Williams stated that in the future he can check with Counsel to see what we can take out and what has to be left in legally. Mr. Tipton stated that he thinks we can reduce the notice for purposes of what is published. He stated that he agrees with Mr. Cannon whereas we should shrink our notice to bidders to include what is necessary and what is going to get us the most responses.

Mr. Williams stated that if we make the official newspaper the newspaper advertising then we could make that determination of adding a second newspaper each time a bid comes up.

Mr. Williams questioned that if we are just leaving the resolution as it is written as the official newspaper for now and then as bids come up? Mr. Cannon replied exactly.

Mr. Williams questioned regarding the roll-off bid that we discussed earlier, do we want to add the Star Ledger to this? Mr. Cannon replied with yes. He also stated that he thinks to find out how we do since we are doing it for a length of time and both advertising. He also stated that we can see what the cost is and what comes back. The Board agreed to advertise in both newspapers.

Mr. Davenport stated that a motion was needed to pass Resolution Publication of Notice for Bids, Requests for Proposals, Requests for Qualifications (R-12-07-15).

On a motion by *Mr. Allen*, seconded by *Mr. Davenport*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *December 14th, 2015*.

## RESOLUTION

### R-12-07-15

#### PUBLICATION OF NOTICE FOR BIDS, REQUESTS FOR PROPOSALS, REQUESTS FOR QUALIFICATIONS

WHEREAS, a purpose of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., is to promote and secure competition for the benefit of the taxpayers; and

WHEREAS, the New Jersey Local Public Contracts Law requires a public agency to advertise for bids and proposals in an official newspaper of the contracting unit and does not limit a public agency from advertising for bids through other mediums; and

WHEREAS, to promote and secure competition in obtaining bids for public contracts, the Pollution Control Financing Authority of Warren County (the "Authority") desires to expand the number of potential bidders.

NOW, THEREFORE BE IT RESOLVED, by the Authority, all advertisements for Requests for Proposals, Requests for Quotations, and Notice for Bids for public contracts to be awarded by the Authority shall be published on the Authority's website and Warren County's website, in addition to any other medium required by law.

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

Dated: December 14, 2015

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

Jamie Banghart, Recording Secretary

### NEW BUSINESS

Mr. Williams provided the Board with a handout in the agenda packets of the updated tire recycling for the month of November. He stated that the automobile tires were higher than October but the farm tractor and the heavy duty tires went down. He also stated that so far to date since July we have collected 1,361 tires. This is still working very well.

Mr. Cannon questioned how we are advertising this? Mr. Williams stated that we have this on our website. Mr. Cannon questioned if we have this advertised on the County website? Mr. Williams stated that the County had it advertised at one time about the program and he is not sure if it is still on their site. Mr. Mach stated that we also advertise the bi-annual recycling. Mr. Williams stated that this is the newsletter that goes out twice a year that we help the County with and it has our HHW events. Mr. Cannon questioned if we should keep the tires on the County's website? Freeholder Director Smith stated that it should be under the recycling because he thinks SWAC has recycling on there. Mr. Cannon questioned how often do we advertise for the HHW and Electronics? Mr. Cannon suggested that we should do some sort of advertising for the tires on the slow time of the year for us. Mr. Williams stated that what we could do is replace the ad that we ran previously about this program, what the costs are and it is a quarter of a page ad. Mr. Cannon questioned which paper did we advertise in? Mr. Williams stated that it went into the Express Times, which is affiliated with the Warren Reporter. Mr. Cannon suggested that we should advertise this quarterly in the newspaper to keep the word out there. Mr. Williams stated that we will run this ad quarterly.

Mr. Williams stated that he put together a draft RFP for TDS evaluation for everybody to take a look at. He thinks he captured everything that we may need. He stated that if anyone has questions, comments or concerns, then to get back to Mr. Williams. We could have an in depth discussion at our January meeting regarding this. Mr. Cannon stated that he thinks we discussed bringing a couple companies in, talking to them and seeing if they can present us with some ideas. He thinks Mr. Pryor brought this up last month or the month before. Mr. Pryor stated that this is a request for proposals and we could include interviews in this. Mr. Cannon questioned Mr. Pryor that he thought he wanted to talk to the companies before the RFP went out? Mr. Pryor stated that he does not know what we would get out of that because they really have to come in and take a look at the situation. He stated that it is not just treating TDS, it is the whole set up. He also stated that this is in depth thing. Mr. Williams stated that in the evaluation are rain covers versus no rain covers, it is really looking at the big picture. He also included to evaluate if we need to do enhancements to our current system. Mr. Pryor stated that we could go through RFP's. He would encourage interviews because people would come out and look at the plant, then we will hear some good ideas. Mr. Williams stated that this is a professional service and we can invite them back multiple times before we make an award to discuss their proposal and either enhancing it or decreasing it. We do have flexibility here. Mr. Tipton stated that is correct.

### GENERAL COUNSEL'S REPORT

Mr. Tipton stated that his report is for executive session.

Mr. Cannon questioned Mr. Tipton on Tilcon? Mr. Tipton stated that the update he got was that Tilcon wanted to meet with the engineering department. Mr. Bill Gleba told Mr. Tipton this last week. They were supposed to meet on Thursday. Mr. Williams reached out to Mr. Gleba and never heard anything back. He stated that he does not think the meeting happened. Mr. Cannon has a few things to discuss in executive session regarding Tilcon.

OTHER BUSINESS

None

CLOSING PUBLIC COMMENT

None

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

Executive Session was entered at 10:32 am for purpose of Contract Negotiations and Contractual Matters.

Mr. Williams addressed Mr. Davenport if we can have Freeholder Director Smith stay with us for executive session.

**RESOLUTION**

**R-12-08-15**

**AUTHORIZING EXECUTIVE SESSION**

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

**Contract Negotiations and Contractual Matters**

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. 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: 12/14/15

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

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

Regular session resumed at 11:09 am.

No action was taken in Executive Session.

Mr. Williams stated that a motion is needed to be made to amend the Essex County ash deliveries for the remainder of 2015 in the amount of \$22.00 per ton. Mr. Tipton stated that we would amend the prior agreement for \$22.00. He stated that he could come up with an agreement.

**Mr. Davenport** made the motion to amend the Essex County ash deliveries for the remainder of 2015 in the amount of \$22.00 per ton, seconded by **Mr. Allen**.

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

#### ADJOURNMENT

With no other business to discuss, **Mr. Pryor** motioned to Adjourn, seconded by **Mr. Davenport**, at 11:11 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: 01/25/16