

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

July 28, 2014

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, and James Cannon.

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

Also present: James Williams, Director of Operations; Brian Tipton, General Counsel; Ian Semmel, Accountant; Chris Pessolano, Purchasing Agent; 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 July 28, 2014 was given in accordance with the Open Public Meetings Act by forwarding a schedule of regular meetings of the Pollution Control Financing Authority of Warren County (PCFAWC) to the Warren County Clerk, the Warren County Board of Chosen Freeholders, the Express Times, and by posting a copy thereof on the bulletin board in the office of the PCFAWC. Formal action may be taken by the PCFAWC at this meeting. Public participation is encouraged".

MINUTES

Mr. Davenport presented the regular monthly meeting minutes from June 23, 2014.

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

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

Executive Session was not necessary on June 23, 2014.

CORRESPONDENCE

None

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

PRESENTATIONS

None

FACILITIES/RECYCLING

Mr. Williams stated that the treatment plant operations continue to run smooth. Mr. Williams has been in contact with Maser through emails regarding the leaking pipe issue. Mr. Williams is hopeful to have a response by the middle of August to report to Board.

Mr. Williams reported that the landfill operations continue to run smooth. Mr. Williams stated that within the next week or two, the next section of Cell 5 will be open, which is approximately two to three acres. Mr. Williams stated that this section of Cell 5 was projected to be open in the spring. Therefore, the waste flows are not overflowing the areas. Mr. Williams explained that the cells are divided into sections for storm water controls. When the new section is opened up, Mr. Williams stated that we will have to repair the liner system because there is a penetration going through it to divert all the storm water out. The liner company will be coming to do the repair. Mr. Williams stated that this will all be documented by Cornerstone.

Operations are running fine with no issues. The waste flows are good.

Mr. Williams stated that the H2S Removal System has no issues.

Mr. Williams reported on the Solar Panel Project. Mr. Williams contacted Energenic regarding the bill paying. Mr. Williams stated that Energenic did not pay the bills because they were estimated bills that we received. June was an actual reading. Energenic wanted to wait for the initial reading to be done before they paid the bills. Mr. Tipton will look at the agreement on the solar panel project for clarification regarding the bill paying.

Mr. Williams presented the Board with the Draft Landfill Feasibility Study from Cornerstone. Mr. Mark Swyka, from Cornerstone, will be present at the August meeting to review with Board. Mr. Williams stated that Cornerstone is recommending a purchase an acre and a half from a local land owner. Mr. Williams stated that by purchasing this land, it will allow us to get closer to the property line in accordance with regulations and will give us 900,000 cubic yards of additional air space for the expansion of the landfill.

Mr. Cannon suggested the August meeting date be changed because he will not be able to attend the date the meeting is scheduled. Mr. Williams will send out an email to Board members regarding availability for the August meeting.

Mr. Williams presented the Board with item A-2, the 829 Landfill Compactor rebuild versus a new purchase. A lengthy discussion was held among the Board members, Mr. Pessolano, and Mr. Williams regarding the purchase of a new compactor or the certified rebuild of the landfill compactor. Mr.

Pessolano, Warren County Purchasing Agent, discussed an option to the Board regarding an online auction to sell the landfill compactor if we decided to buy a new compactor. Mr. Williams will provide Board with detailed warranty information, service records, and new spreadsheets with more details than what was originally provided to Board. No action was taken. This item will be tabled until the August meeting.

FINANCE/PERSONNEL

Mr. Semmel stated that the financials are smooth. Mr. Semmel stated that the budget for next year will need to be discussed relatively soon.

Mr. Davenport stated a motion was needed to accept the Resolution R-07-01-14 To Pay the Bills.

On a motion by *Mr. Mach*, seconded by *Mr. Cannon* the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *July 28, 2014*.

R E S O L U T I O N
R-07-01-14
To Pay Bills – July 28, 2014

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

We hereby certify Resolution to Pay Bills in the amount of **\$705,745.94** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *28th* day of *July 2014*.

Jamie Banghart, Recording Secretary
James Williams, Director of Operations

Mr. Davenport stated that a motion was needed to accept Resolution (R-07-02-14) Approving the 2013 Annual Audit.

On a motion by *Mr. Mach*, seconded *Mr. Davenport*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *July 28, 2014*

R E S O L U T I O N
R-07-02-14

APPROVING THE 2013 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Secretary of the Board as per the requirements of N.J.S.A. 40A:5A-15, and a copy has been received by each member of the authority, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each authority shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of authority have reviewed, as a minimum, the section of the annual audit entitled:

General Comments

Recommendations

and

WHEREAS, The members of the authority have personally reviewed as a minimum the Annual Audit Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

As evidenced by the group affidavit form of the governing body, and

WHEREAS, Such resolution of certification shall be adopted by the Authority no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, All members of the Authority have received and have familiarized themselves with, at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local authority to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, That the Board of the Pollution Control Financing Authority, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Dated: July 28, 2014

Jamie Banghart, Recording Secretary

Mr. Cannon suggested that Executive Session may be required to discuss the additional maps the Board received today regarding the land purchase. Mr. Williams stated he could brief the Board on the land, who owns the property, and the importance of acquiring this land in Executive Session.

There are no changes in the 2014 Waste Disposal Fee Schedule.

NEW BUSINESS

Mr. Mach stated that they are going to start capping the Fenimore Landfill. Mr. Mach questioned what this will do to our ash supply? Mr. Williams stated that we have two different contracts for the ash, the Essex ash and the Warren ash. The Essex ash contract runs through the end of this year. Next year they will be bringing the delivery short falls that have occurred over the last two years. Mr. Williams stated

that the supply of ash we received from Essex and the ash we will receive in the remaining contract will supply our landfill with cover till 2021. The Warren ash agreement will expire in January 2015. Mr. Williams stated that this contract is done on a yearly basis, which is about 45,000 tons annually. Mr. Williams stated that Fenimore Landfill will most likely be capped with a membrane cap and not ash due to the problems that have occurred at that facility.

GENERAL COUNSEL'S REPORT

Mr. Tipton stated he had nothing to report at this time. Mr. Tipton will have a report on Energenic for the next meeting.

OTHER BUSINESS

None

CLOSING PUBLIC COMMENT

None

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

Mr. Davenport stated that there will be a need for Executive Session for discussion of possible contract purchase negotiations. Executive Session was entered at 9:51 am.

RESOLUTION

R-07-03-14

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. Cannon**

Seconded By: **Mr. Mach**

ROLL CALL:	Mr. Cannon	-	Yes
	Mrs. Mackey	-	Absent
	Mr. Yanoff	-	Absent
	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: 7/28/14

Regular session resumed at 10:05 am.

No action was taken in Executive Session.

ADJOURNMENT

With no other business to discuss, **Mr. Cannon** motioned to Adjourn, seconded by **Mr. Mach**, at 10:06 am.

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

Respectfully submitted by:
Jamie Banghart, Recording Secretary

Approved: 08/20/14