

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

June 26, 2017

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

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

Also present: James Williams, Director of Operations; Daniel Olshefski, Chief Financial Officer; Brian Tipton, General Counsel; Edward Smith, Freeholder Deputy Director; Frank Jalosky, Mountain Lake Fire Company Chief; Peggy Hissim, Oxford Emergency Squad Captain; Chris Wilson, Oxford Emergency Squad Junior Member; Brian Rutter, Oxford Emergency Squad Senior Member; Mike Mack, Oxford Volunteer Fire Department Chief; Jamie Banghart, Administrative Supervisor; Crystal Gild, Recording Secretary.

The Pledge of Allegiance was led by Chairman Cannon.

Mr. Cannon read the following statement: "Adequate notice of this meeting of June 26, 2017 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. Cannon thanked the representatives of the Mountain Lake Fire Company, Oxford Emergency Squad and Oxford Volunteer Fire Department for attending the meeting and for their service to us and the community as first responders.

Mr. Williams announced the names of the representatives. He stated that Frank Jalosky was in attendance to represent Mountain Lake Fire Company. He then stated that Peggy Hissim was here to represent the Oxford Emergency Squad and asked her to name the other members of the Oxford Emergency Squad that were present. Ms. Hissim stated that Chris Wilson, a junior member of the emergency squad and Brian Rutter, a Senior EMT of the emergency squad were in attendance with her

today. Mr. Williams also stated that Mike Mack, Chief of the Oxford Volunteer Fire Department was the representative in attendance for the Oxford Volunteer Fire Department.

Mr. Cannon presented the checks to the representatives of the Mountain Lake fire Company, the Oxford Emergency Squad and the Oxford Volunteer Fire Department and photos were taken.

MINUTES

Mr. Cannon presented the regular monthly meeting minutes from May 22, 2017.

Mr. Pryor stated that he had a couple of small corrections for the minutes. Mr. Pryor complimented Ms. Gild and stated that he thought that the minutes were very well prepared, very easy to read and very complete. Mr. Pryor noted that on page 11, second paragraph from the bottom, that the word ran should be replaced with the word run. Mr. Pryor also noted that on page 12, third line after the end of the first paragraph, that the word regiment should be changed to regimen.

Mr. Cannon asked if the slides and presentations were going out in all of our minutes? Mr. Williams answered, yes. Mr. Cannon asked if we were sending out the minutes in color? Mr. Williams answered, yes.

Mr. Pryor made a motion to approve the revised regular monthly minutes of May 22, 2017 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 the executive session minutes from May 22, 2017.

Mr. Allen made a motion to approve the revised regular monthly minutes of May 22, 2017 as presented, seconded by **Mr. Pryor**.

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

CORRESPONDENCE

NONE

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

NONE

FINANCE (Dan Olshefski)

Mr. Williams presented A-1, Warren County's resolution that the Authority is required to pass and stated that this resolution is in regards to the Recycling Enhancement Act Tax Fund Entitlement Spending Plan for 2016. Mr. Williams stated that the resolution from Warren County that was provided to the board is not complete because they just approved it at their last meeting which was held on June 14th, 2017. Mr. Williams stated that the board needs to pass Resolution R-06-01-17 Approving the Recycling Enhancement Act Tax Fund Entitlement Spending Plan for 2016.

Mr. Cannon asked the board if they had any questions regarding the content of this resolution?

Mr. Allen asked why there was funding in the spending plan for electronics recycling even though the state does not currently have a program for it?

Mr. Williams stated that he is aware that the state is working on coming up with a program for electronics recycling but that he has not yet heard what that will be. Mr. Williams also noted that during last month's meeting he had stated that the PCFA would put the electronics recycling collection program out for bid again and see if we could get an event planned for this fall or next spring. Mr. Williams stated that he hopes that the state comes through with what they are working on to modify the regulations.

Mr. Cannon noted that the resolution from Warren County was essentially a copy of the one presented to the board last year and Mr. Williams agreed.

Freeholder Deputy Director Smith stated that the legislature has already moved for the legislation to reinstate electronics recycling and that they are still working on passing legislation regarding the funding component of the program.

Mr. Cannon asked how electronics recycling was being handled in the larger cities such as Jersey City, Hoboken and Newark? He asked if the televisions are being placed on the curb and just staying there? Freeholder Deputy Director Smith answered that he was not sure. Freeholder Deputy Director Smith noted that if the state was to finance and subsidize the market for electronics recycling that we would see the program come back.

Freeholder Deputy Director Smith stated that the dumping requirements set forth by the state are what is causing the issue with electronics recycling. He stated that he was just in Pennsylvania and that the televisions are set out on the curb and picked up with no issues. Freeholder Deputy Director Smith noted that our DEP has made it difficult to dispose of the electronics and that this is why the electronics recycling program is failing.

Mr. Cannon asked the board to make a motion to approve the resolution.

Mr. Williams stated that the resolution being passed was Resolution R-06-01-17.

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 *June 26th, 2017*.

RESOLUTION

R-06-01-17

RESOLUTION APPROVING THE RECYCLING ENHANCEMENT ACT TAX FUND ENTITLEMENT SPENDING PLAN 2016

Enabling Resolution Authorizing the filing of a Spending Plan for 2016 Recycling Enhancement Act Tax Fund Entitlement pursuant to P.L. 2007 c.311 et seq. hereinafter, the Act.

WHEREAS, P.L. 2007 c.311 et seq. provides for the awarding of Recycling Enhancement Tax entitlements by the Department of Environmental Protection to designated solid waste management districts to assist them in the preparation, revision and implementation of comprehensive solid waste management and recycling plans; and

WHEREAS, the Pollution Control Financing Authority of Warren County desires such financial assistance to fulfill its responsibilities under the Solid Waste Management Act and the Recycling Enhancement Act.

NOW THEREFORE, BE IT RESOLVED by the Pollution Control Financing Authority of Warren County:

1. That a Spending Plan be submitted to the Solid and Hazardous Waste Management Program for 2016 Recycling Enhancement Act Tax Entitlement in the amount of \$143,320.00.
2. That the Board Chairman of the Pollution Control Financing Authority of Warren County is hereby authorized and directed to execute and file such spending plan with the Department of Environmental Protection, to provide additional information and furnish such documents as may be required; to execute such documents as are required; and to act as the authorized correspondent of the Warren County Solid Waste Management District.
3. That the Pollution Control Financing Authority of Warren County designated by the Warren County Board of Chosen Freeholders as the implementing agency to perform the Recycling Enhancement Tax Entitlement on **June 14, 2017**.
4. That the Warren County Solid Waste Management District does hereby hold the State of New Jersey, and its departments and agencies harmless from any damages, losses and claims which may arise directly or indirectly from the execution of the entitlement.
5. That the Warren County Solid Waste Management District hereby accepts the terms and conditions set forth in the Act and the guidelines promulgated under it.

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

Date: 06/26/2017

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.

Crystal Gild
Recording Secretary

Mr. Cannon asked Mr. Olshefski to present the finance report.

Mr. Olshefski stated that as of the May report that 42% of the year has elapsed.

Mr. Olshefski stated that the volume of waste taken in during the month of May was only down 20 tons as opposed to the volume of waste brought in during the month of April which was down nearly 2,000 tons. Mr. Olshefski noted that he had expected the decrease in volume to continue to increase and that he was surprised that we have brought in approximately the same volume of waste that we had this time last year due to the fact that we lost haulers this year whom brought in significant tonnage last year.

Mr. Olshefski stated that the PCFA is doing well overall financially. He stated that the Restricted Cash Balance is up \$331,980.00 for the year. He also noted that there was a US Treasury Note that has come due which was good for the past five years with an interest rate of 3.2%. He noted that the Note was purchased at a premium and that the Note had matured and was sold, resulting in a loss of \$21,000.00.

Mr. Olshefski stated that the Restricted Cash Balance has a slow methodical growth.

Mr. Olshefski stated that the Unrestricted Cash Balance is up \$338,771.00 for the year and noted that last year we had gained two million dollars in Unrestricted Cash.

Mr. Olshefski stated that the receivables are slightly higher this period and that he believes that this is because more volume was taken in during the month of May.

Mr. Olshefski stated that with 42% of the year elapsed we are at 41% in revenues and 28% in expenditures.

Mr. Olshefski noted that the leachate is currently at 20% of the overall budgeted amount. He also noted that he expected the leachate costs to be up more due to the rain we have been having.

Mr. Williams stated that the costs will be higher in June.

Mr. Cannon asked if the gas company ever provided us with a quote? Mr. Williams answered, yes.

Mr. Pryor asked if we are maximizing what we can send to Passaic Valley? Mr. Williams answered that we are slowly working towards this. Mr. Pryor asked if we have a minimum amount we need to send to PRMUA? Mr. Williams answered, no.

Mr. Cannon stated that once we have all of the quotes in that we will give PRMUA the opportunity to come up with a better price quote for us. He also stated that if we do decide to no longer use PRMUA's services that we will give them at least 90 days' notice.

Mr. Pryor stated that he thinks that 90 days' notice is fair.

Mr. Cannon stated that PRMUA sees the minutes that we do each month and noted that Ms. Gild does a very good job of catching everything that is said during the meetings and putting it in the minutes. He noted that PRMUA should be aware of what is going on given the fact that everything is clearly dictated in the minutes.

Mr. Olshefski stated that in the capital budget this year there was one million dollars set aside for treatment that has not been used. He also noted that there is some cash in a money market account that is bringing in .06 percent on 3.5 million dollars and that he is going to look into some CD rates and that if the CD rates are better he will purchase a CD with that money.

Mr. Olshefski stated that the credit card sales are maintaining at 40% which is good compared to 30% last year. He noted that this percentage keeps slowly increasing and that having higher credit card sales lessens the amount of cash coming in and safeguards our assets.

Mr. Cannon asked Mr. Tipton what the status is with Lovenberg? Mr. Tipton answered that he would provide an update during Executive Session since we are currently in litigation with Lovenberg but that he could say now during public session that Lovenberg is following the proposed agreement.

Mr. Cannon stated that we would discuss payroll services during Executive Session.

Mr. Cannon presented resolution R-06-02-17 to pay bills in the amount of \$463,464.66.

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 *June 26, 2017*.

R E S O L U T I O N
R-06-02-17
To Pay Bills – June 26, 2017

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 \$ 463,464.66 to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 26th day of June, 2017.

Crystal Gild
Recording Secretary

James Williams
Director of Operations

PERSONNEL

NONE

PRESENTATIONS

NONE

FACILITIES/RECYCLING

Mr. Williams stated that regarding treatment plant operations we have received a quote from the gas company which has been passed on to the leachate evaporator company so that they can give us an official quote.

Mr. Williams stated that in about two weeks, mid-July, the bids will be in for leachate hauling.

Mr. Williams stated that we already have a quote from Passaic Valley.

Mr. Williams stated that we should have a definitive number for our July meeting in regards to what our hauling costs will be.

Mr. Williams stated that Dynatec contacted him a little over a month ago and offered to take a look at the report from T&M and to also take a look at the treatment plant to see what can be done to keep the treatment plant working. Mr. Williams explained that we purchased the treatment plant from Dynatec and that they will be doing this work at no expense to us. Mr. Williams stated that Dynatec is concerned with the high TDS levels and that they are going to find out if the treatment plant can continue to be operational with the high TDS levels.

Mr. Cannon noted that Dynatec's results could be compromised due to their conflict of interest.

Mr. Williams stated that hauling to Passaic Valley has been increased without any issues and that we have decreased the amount of leachate being pumped to PRMUA. Mr. Williams noted that at this time it is cheaper to haul the leachate than it is to pump it to PRMUA.

Mr. Williams stated that there are no issues with landfill operations.

Mr. Williams stated that the review of our Landfill Expansion Application seems to be going well. Mr. Williams stated that Cornerstone sent us an email stating that Ms. Janis Hottinger, our usual DEP representative is busy working on other items and that Ms. Mary Ann Goldman from the DEP has taken over the review of our application. Mr. Williams noted that Ms. Goldman requested a meeting with Cornerstone and the PCFA that will take place on July 20, 2017 at the Landfill. Mr. Williams also noted that the members of the board were welcome to attend this meeting.

Mr. Cannon stated that he believes that if there was a problem or an issue with our application that we would have heard something by now. Mr. Williams stated his agreement.

Mr. Williams stated that it looks like Ms. Goldman will be done with the majority of her review of our application before her on-site visit. Mr. Cannon noted that this would be before our July meeting. Mr. Cannon asked if Ms. Goldman would be conducting an interview? Mr. Williams stated that he believes that Ms. Goldman wants to familiarize herself with the site because she has taken over the review of the application.

Freeholder Deputy Director Smith asked what time the meeting with Ms. Goldman will be on July 20, 2017? Mr. Williams answered that the meeting will be at 10:30 am here on-site and noted that he had sent Freeholder Deputy Director Smith an email with the information regarding the meeting.

Mr. Cannon asked if there was any particular reason why the leachate totals will be higher in June other than rain? Mr. Williams answered that the numbers would be higher because of rain and noted that the amount of leachate being pumped to PRMUA has been further decreased and that more leachate is being hauled out.

Mr. Williams stated that there is no update on the Solar Panel Project.

Mr. Williams presented revised Agenda item A-3, the Waste Disposal Fee Schedule and stated that Oxford Township has requested an inter-local disposal contract due to the fact that they will now be paying for their township clean-ups.

Mr. Pryor asked if any other towns have agreements? Mr. Williams answered, yes and noted that they are all listed on the Waste Disposal Fee Schedule.

Mr. Williams stated that board approval is needed to enter into an inter-local disposal contract with Oxford Township and noted that this contract will begin on July 1, 2017 and run through the end of February 2018 along with all of the other contracts.

Mr. Williams called for a motion to approve and inter-local disposal contract with the Township of Oxford.

On a motion by *Mr. Cannon*, seconded by *Mr. Pryor*, the board approved the set-up of an inter-local disposal contract between the PCFA and the Township of Oxford that will begin on July 1, 2017 and end on February 28, 2018.

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

Mr. Mach asked if there will be a resolution to follow this motion? Mr. Williams answered that a resolution is not needed.

Mr. Cannon asked for an update regarding the evaporator company?

Mr. Williams stated that the evaporator company is working on our numbers to give us a final price.

Mr. Cannon asked if they have come on-site? Mr. Williams answered, no. Mr. Williams stated that we have sent raw leachate data to them and that they are checking the chloride levels and that some additional testing may need to be done regarding chlorides. Mr. Williams stated that the company told him that they may have some more information for us either today or tomorrow and that as soon as he had that information he would forward it to the board.

Mr. Williams mentioned that we could possibly have the leachate evaporator company attend July's board meeting. Mr. Cannon agreed that this was a possibility and reiterated that he thinks it would be good for the company to do an on-site visit. Mr. Williams noted that the company had been to the site to look around.

Mr. Allen stated that he believed the company went down to the site after May's meeting. Mr. Williams stated that he was correct.

Mr. Williams presented the updated 2017 collected tires report. He noted that May was a good month and that a lot of tires were brought in. He also noted that he knows that a lot of tires came in during the month of June but that those numbers are not available yet.

Mr. Williams stated that compared to last year we have brought in about half of the amount of tires that we had this time last year. He stated that this time last year we had brought in just a little over 800 tires and that so far this year we have brought in 441 tires. Mr. Williams noted that the difference in amounts could be normal and that the bulk of the tires could have been brought in last year.

Mr. Cannon asked if the disposal fees for the tires have gone up at all? Mr. Williams answered, no.

GENERAL COUNSEL'S REPORT

To be discussed during Executive Session.

OTHER BUSINESS

Mr. Pryor stated that there were discussions regarding charitable donations during last month's meeting but that nothing had been finalized.

Mr. Pryor suggested implementing the following five qualifications for entities requesting a charitable donation; the sponsoring organization should be a 501(c)3; have a chapter or significant activity in Warren County; services will be donated for only one event per year; set a maximum annual forgiveness amount and provide a Certificate of Insurance Indemnification and/or name us as additionally insured.

Mr. Pryor stated that if the qualifications he suggested are put into place and an entity requests a charitable donation of our services that Mr. Williams could simply approve the donation if the entity meets all five qualifications.

Mr. Pryor stated that the board did not need to decide on this today but noted that these were his thoughts regarding the matter.

Mr. Pryor also stated that he thinks Mr. Tipton should retool the document regarding charitable donations. Mr. Cannon agreed and suggested that Mr. Pryor should send an e-mail to Mr. Tipton with the information and copy the rest of the board on the e-mail as well.

Mr. Cannon stated that if an entity wanted to have our services donated for more than one event throughout the year that they could still come to board and the board could use their discretion as to whether or not to donate our services for another event.

Mr. Cannon asked Mr. Tipton if it would be an issue for these entities to provide us with the certificate of insurance or list us as additionally insured? Mr. Tipton answered that it typically would not be an issue for the entities and Mr. Pryor agreed.

CLOSING PUBLIC COMMENT

Deputy Director Freeholder Smith stated that he had a few positive comments to make.

Deputy Director Freeholder Smith stated that he often hears people speaking of the tire disposal program we have here and that people are very pleased to have a pathway for disposal of tires. He noted that he feels that this is a very good program.

Deputy Director Freeholder Smith also stated that the donations made today to the emergency squad and fire departments were a very nice gesture.

Deputy Director Freeholder Smith noted that he believes that giving PRMUA 90 days' notice if we decide to no longer use their services is fair.

Mr. Cannon thanked Deputy Director Freeholder Smith for his positive comments.

PRESS COMMENTS & QUESTIONS

NONE

EXECUTIVE SESSION

Executive Session was entered at 10:08 am to discuss litigation, contract negotiations and payroll services.

RESOLUTION

R-06-03-17

AUTHORIZING EXECUTIVE SESSION

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

Litigation, Contract Negotiations and Payroll Services.

It is not possible, at this time, for the Authority to determine when and under what circumstances the above-referenced item(s), which are to be discussed in Executive Session, can be publicly disclosed;

NOW, THEREFORE, Pursuant to N.J.S.A. 10:4-1 et. seq., BE IT RESOLVED by the Pollution Control Financing Authority of Warren County that the matter(s) as noted above will be discussed in Executive Session.

Moved By: **Mr. Allen**

Seconded By: **Mr. Pryor**

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.

Crystal Gild
Recording Secretary

Dated: 06/26/2017

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 11:04 am.

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

Mr. Cannon stated that during Executive Session the board had expressed an interest in transferring payroll services from the County of Warren to a private payroll company. He stated that the board has asked Mr. Williams and Mr. Olshefski to contact the private payroll company, review their bid and come back to the board with a contract that includes a final proposed cost.

On a motion by **Mr. Cannon**, seconded by **Mr. Pryor**, the board approved the negotiation of a contract between a private payroll company (ADP) and the PCFA.

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

Mr. Cannon stated that he has a conflict with the date for the August meeting which is set to be held on August 28, 2017 and suggested moving the meeting to August 21, 2017. Mr. Cannon asked the members of the board to let Mr. Williams know if they are available on August 21, 2017.

ADJOURNMENT

With no other business to discuss, **Mr. Pryor** motioned to Adjourn, seconded by **Mr. Allen**, at 11:06 am.

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

Respectfully submitted by:
Crystal Gild
Recording Secretary

Approved: 07/24/2017