

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

November 17, 2017

Chairman James Cannon called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:40 am.

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

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

Also present: James Williams, Director of Operations; Dan Olshefski, Chief Financial Officer; Katherine Fina, General Counsel; Edward Smith, Freeholder Deputy Director; 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 October 23, 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".

MINUTES

Mr. Cannon presented the regular monthly meeting minutes from October 23, 2017.

**Mr. Mach** made a motion to approve the regular monthly meeting minutes of October 23, 2017 as presented, seconded by **Mr. Allen**.

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

Mr. Cannon presented the executive session minutes from October 23, 2017.

**Mr. Allen** made a motion to approve the executive session minutes of October 23, 2017 as presented, seconded by **Mr. Mach**.

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

Mr. Cannon presented the special meeting minutes from October 13, 2017.

Mr. Mach stated that on page 14, paragraph 3 of the October 13, 2017 special meeting minutes that the word culpabilities should be changed to the word capabilities.

**Mr. Allen** made a motion to approve the revised special meeting minutes of October 13, 2017 as presented, seconded by **Mr. Mach**.

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

Mr. Cannon stated that there were no executive session minutes from the October 13, 2017 special meeting because executive session had not been necessary.

### CORRESPONDENCE

Mr. Williams stated that the correspondence is a letter from Mr. David Dech, Warren County Planning Department to the State of NJ with a very stern frustration letter from the County of Warren regarding the State's assistance with the electronics recycling program and funding.

Mr. Williams stated that in his opinion the letter was well written.

Mr. Allen stated that with the way the letter is worded it seems that the DEP is discriminating against Warren County. Freeholder Deputy Director Smith stated that he will have some comments to make regarding this during the public comments section of the meeting.

### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

Mr. Smith stated that SWAC had a meeting and that they are pressing the DEP for us to be on the front end of the manufacturer approved covered electronic device collections in 2018. Mr. Smith stated that it is his finding that the disposal of CRTs is a covered disposal and noted that because of this we should not be charged to dispose of CRTs. Mr. Smith also stated that when we are bidding for electronics collection that the manufacturer approved program should be made available to us. Mr. Smith stated that he did have a discussion with Senator Oroho's office regarding this issue and noted that Senator Oroho's office is going to reach out to the DEP as well. Mr. Smith explained that it seems that if we try to get into

the manufacturer approved program at the earlier part of the year before all of the money is gone that the discrimination towards us will “disappear”. He further explained that the money in the manufacturer approved program gets used up quickly, locally, and then when the money is gone there is no obligation to perform to gather anymore electronics. Mr. Smith stated that he believes that the reason we did not receive any bids from the manufacturers was because they had already expended the appropriated amount for the year. Mr. Smith stated that hopefully by making “the ask” to be eligible for the program earlier in the year that we will be able to use the program to hold an event.

Mr. Smith reported regarding the raw leachate and the PRMUA that it is his understanding that the PRMUA will absorb the cost of everything regarding the pilot program with the exception of transportation. He also stated that the PRMUA will accept full liability for the pilot program as well. Mr. Smith stated that it is his understanding that the PRMUA made a Resolution to the effect of the aforementioned. Mr. Smith stated that this is a good thing in terms of us moving forward. Mr. Smith also stated that if we look at the possible local impacts to rate payers that we should do our best to try to keep things in county if we can.

Mr. Mach asked how the PRMUA was going to handle the liabilities? Mr. Smith stated that the PRMUA is going to accept all liabilities. Mr. Smith noted that there was some dissent amongst the PRMUA board regarding this. Mr. Smith stated that it was his understanding that Freeholder Director Gardner attended the PRMUA meeting and that Mr. Gardner had spoken very strongly in terms of the fact that this is beneficial to the county and that there should be a “cooperative spirit” from the PRMUA and the PCFA to come up with a way to minimize the financial impact. Mr. Smith explained that if we were to maintain the current “flows” going from the PCFA to the PRMUA that we are not discussing a large amount of money. Mr. Smith noted that he believes the amount of money is \$87,000.00 per year. Mr. Smith stated that he would ask that we do not move in any direction to “undermine” this until we have a chance to fully explore our options. Mr. Olshefski stated that \$87,000.00 is the amount of revenue that the PRMUA is generating from what we are currently sending them.

Mr. Smith stated that there had been discussions between himself and other members of the Board of Chosen Freeholders regarding our proposed 2018 rates. Mr. Smith noted that he understands that we have limited air space and he also noted that he knows that we will be voting on the increase of our rates for 2018. Mr. Smith stated that the PCFA is not “hurting for money”. Mr. Smith noted that he does not feel that we should raise our rates “just because we can”. Mr. Smith stated that he does agree with the provisions that the board has made regarding the increases in rates above the contracted amount. Mr. Smith stated that he feels that we are somewhat inconsistent if we are allowing the in excess of contract amounts and using valuable air space when the limited air space is the justification for the rate increases. Mr. Smith also stated that he feels that we should “hold their feet to the fire” until we get the approval to expand. Mr. Smith stated that he has always told everyone that we are raising our rates because we are trying to conserve air space and that now it is his understanding that we have some haulers bringing in more than their contracted amount. Mr. Smith stated that we are sending somewhat of an inconsistent message if we are increasing our rates to preserve air space while still allowing someone to bring in more than their contracted amount.

#### FINANCE (Dan Olshefski)

Mr. Olshefski stated that the 2018 budget had been sent to the State and that the State has already reviewed our 2018 budget and has authorized us to adopt our 2018 budget in December as scheduled. Mr. Williams stated that we did receive the budget back from the state a few days ago. Mr. Olshefski stated that this is pleasantly surprising because it usually takes longer to get the budget back from the

State and that the State typically has a few comments regarding our budget. Mr. Olshefski stated that the State had no comments this year.

Mr. Olshefski stated that the annual letter to White Township regarding the host fees is ready to go. Mr. Olshefski stated that the current rate is \$4.06 per ton and that the rate will increase to \$4.15 per ton which is a 2.27% increase. Mr. Olshefski noted that the rate is based on tonnage amounts and rates that we receive for the tonnage. Mr. Olshefski reiterated that this letter is ready to go out to White Township.

Mr. Olshefski stated regarding the monthly finance report that it is following the same pattern that it has all year. Mr. Olshefski noted that there is a slight decrease in our waste volume, the average fee per ton is slightly higher than last year and that our cash balances keep increasing. Mr. Olshefski state that our cash balance has increased \$1,900,000.00 for the year with \$761,000.00 (3%) of the increase in restricted cash and \$1,200,000.00 (10%) in unrestricted cash.

Mr. Olshefski stated that we are having another solid year with regards to the budget. Mr. Olshefski stated that the receivables are in line and that with 83% of the year elapsed that we have realized 84% of our revenues and that we have only expended 59% of our budget.

Mr. Olshefski stated regarding the transition of the financial duties from the County to the PCFA that Ms. Crystal Gild prepared a mirror report of the October Financials and that she did an excellent job. Mr. Olshefski stated that the report was excellent for it being Ms. Gild's first time completing it and noted that there were a few minor formula errors and that he feels that Ms. Gild clearly understands how to resolve those issues. Mr. Olshefski stated that this is very encouraging.

Mr. Olshefski stated that in discussions with Mr. Williams he is aware that Mrs. Jamie Banghart and Ms. Cathy McGarvey are being trained on certain duties as well to maintain a clear segregation of duties.

Mr. Williams stated that after the first of the month that everyone involved in the financials are going to get together and meet to discuss the list of items that need to be completed and make sure that there are no issues with anything. Mr. Williams stated that the transition seems to be going relatively smooth.

Mr. Olshefski stated that they are receiving some feedback from R&L Payroll who will be taking over the payroll as of January 1, 2018.

Mr. Olshefski stated that there will be quite a few changes regarding the financial reporting starting the New Year.

Mr. Cannon asked if anyone owes us any outstanding monies other than those vendors that we are currently in litigation with? Mr. Olshefski and Mrs. Banghart both answered, no.

Mr. Cannon asked if the amount of credit card sales has stabilized and if we are no longer seeing an increase in credit card sales? Mr. Olshefski stated that the credit card sales are still holding at approximately a 40% increase and noted that yes, it seems to be stabilizing.

Mr. Williams stated that he and Mrs. Banghart were discussing Lovenberg earlier today and noted that he believes that we have 1 payment left that Lovenberg owes us which will include all of the interest and back interest. Mrs. Banghart agreed. Mr. Cannon asked if Lovenberg was supposed to be paid in full by the end of the year? Mr. Williams answered, yes. Mr. Williams stated that they have been making their monthly payments as agreed upon. Mr. Williams stated that Gaeta Interior Demolition is another issue and noted that he believes that Ms. Fina has filed some paperwork with the court regarding them. Mr. Cannon asked if Lovenberg has come back looking to be a customer again? Mr. Williams answered, no.

Mr. Williams reiterated that Lovenberg is making good on the agreement. Mr. Cannon noted that they have been doing so all along. Mr. Olshefski stated that in October we received a payment from Lovenberg for \$2,037.00 and that at that time there was still a balance of \$9,000.00 owed. Mr. Cannon stated that Lovenberg knows that this needs to be paid by the end of the year. Mr. Olshefski agreed. Mrs. Banghart stated that Lovenberg makes a payment of \$5,000.00 each month. Mr. Olshefski agreed. Mr. Cannon asked if they have already paid \$5,000.00 towards the \$9,000.00 remaining balance? Mrs. Banghart answered no, and stated that Lovenberg still owes us \$9,000.00. Mrs. Banghart stated that we should receive another payment of \$5,000.00 from Lovenberg on November 30, 2017 and then most likely another payment by the end of December. Mr. Williams stated his agreement. Mr. Cannon noted that the final payment may be less than the usual payment because it will just be the balance due and Mrs. Banghart agreed.

Mr. Cannon presented Resolution R-11-01-17 To Pay the Bills of November 17, 2017 in the amount of \$434,842.80.

On a motion by *Mr. Mach*, seconded by *Mr. Allen*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *November 17, 2017*.

**R E S O L U T I O N**  
**R-11-01-17**  
**To Pay Bills – November 17, 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. Pryor	-	Absent
	Mr. Mach	-	Yes
	Mr. Cannon	-	Yes

We hereby certify Resolution to Pay Bills in the amount of **\$434,842.80** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *17<sup>th</sup> day of November, 2017*.

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Crystal Gild  
Recording Secretary

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James Williams  
Director of Operations

Approved: 11/17/17

Mr. Cannon stated that he recommended to Mr. Williams that for the end of the year he delineates who is responsible for what regarding the financial work. Mr. Cannon also noted that there is cross training being done with Ms. Gild and Mrs. Banghart. Mr. Cannon asked Mr. Olshefski for his thoughts? Mr. Olshefski stated that it is good to have cross-training but that the segregation of duties is important as well. Mr. Olshefski also stated that we need to make sure that the person handling the cash is not the person reconciling the account. Mr. Cannon stated that he asked Mr. Williams specifically to add the new duties to the current job descriptions. Mr. Cannon explained that this needs to be done so that we know what each person is responsible for in the event that any unforeseen situations come up in regards to personnel. Mr. Cannon noted that if there is an issue down the road that it will be spelled out in black and white who was responsible for the issue. Mr. Cannon also noted that we need updated job descriptions for any future hires.

Mr. Cannon stated that Mr. Olshefski will be available to help us next year. Mr. Olshefski stated that the County will handle all the Federal IRS reporting for the year-end since they were responsible for the financials in 2017. Mr. Olshefski stated that this will take the County into January or even early February. Mr. Cannon asked if Mr. Olshefski was going to provide the board with a year-end report? Mr. Olshefski answered, yes.

Mr. Allen asked if job descriptions have been updated regarding the new tasks coming from the financial transition? Mr. Williams answered, no and explained that we are still working out the details as to who is responsible for what. Mr. Allen asked if at some point we will have new job descriptions? Mr. Williams answered, yes. Mr. Allen stated that he feels that it is important to document the changes in the job descriptions. Mr. Cannon agreed and stated that he and Mr. Williams have discussed this. Mr. Williams stated that he believes for the most part we have it figured out as to who is going to be responsible for what but that a little more refining needs to be done before we “put pen to paper” and draft new job descriptions. Mr. Cannon stated that he feels that Mr. Williams is handling the job descriptions in a good manner with trying not to have one person taking on too much work and another not having enough work. Mr. Williams stated that he is trying to distribute the new tasks evenly. Mr. Cannon agreed. Mr. Cannon stated that there will still be cross-training. Mr. Williams agreed. Mr. Williams explained that he has a business to run and that he needs to make sure that it runs regardless of who is doing the job. Mr. Cannon agreed.

#### PERSONNEL

NONE

#### PRESENTATIONS

NONE

#### FACILITIES/RECYCLING

Mr. Williams stated that Mr. Smith had given us an overview of Agenda Item A-1 (PRMUA Raw Leachate Pilot Program) and noted that we will see what comes from the PRMUA and move from there.

Mr. Williams presented Agenda Items A-2 (2018 Solid Waste Disposal Pricing Schedule) and R-11-02-17 (Resolution to Adopt the 2018 Solid Waste Disposal Pricing Schedule) to the board. Mr. Williams stated that during last month’s meeting we voted on an approval of increasing the rates by \$2.00 per ton for 2018.

Mr. Cannon stated that he wanted to address some of the points that Mr. Smith made earlier in the meeting. Mr. Cannon stated that we did not have an outlet to stop the hauler that was bringing in tonnage amounts over their set contracted amount. Mr. Cannon stated that he feels that with the new pricing agreements we have the option to stop them from bringing in more than their contracted amount. Mr. Smith stated that if we had a contract for a given amount on tonnage that he does not understand why we would not have the provision to stop them from bringing in more. Mr. Smith stated that this could continue unabated until the end and “gobble” our air space up. Mr. Cannon stated that he agrees but noted that there was no entity in the contract stating that they could not exceed their contracted amount. Mr. Smith stated that if it was silent and the contract was for a given amount that we should have been able to stop them from exceeding the contracted amount. Mr. Cannon explained that the contract covers the price range that the tonnage amounts place the haulers in and not the limitation of the tonnage amounts specifically. Mr. Cannon further explained that the hauler was required to meet the minimum tonnage for the price range but that there was no specific limitations regarding going over the maximum tonnage amounts.

Mr. Cannon stated that upon review of the contracts with counsel it was found that there was really nothing in the contracts that would allow us to stop the hauler from bringing material to our facility in excess of the tonnage amounts for the pricing. Mr. Cannon stated that we did send the hauler a few letters asking them to limit the amount of waste they were bringing in. He also stated that the board had discussed the issue and that they did not want to tell our hauler who brings in a large portion of our yearly revenue to “take a hike”. Mr. Smith stated that he understands this and noted that we have a set of unique circumstances due to our air space issues. Mr. Cannon agreed. Mr. Smith noted that he is happy to see that we are tightening up on this issue.

Mr. Cannon stated that he feels that we have addressed this issue the best way that we can with the new \$10.00 per ton surcharge for those who go over their contracted amounts. Mr. Cannon stated that he feels that this is a prohibitive number and that going forward he feels that we will not have any haulers exceeding their contracted tonnage amounts. Mr. Cannon stated that he did not believe that we could have singled out one individual hauler and made a special rule just for them. Mr. Cannon stated that he feels that we needed to instill a policy that covered all of the haulers and that this had been discussed with counsel as well. Mr. Cannon reiterated that there was not an option for us to force the hauler to stop bringing in material to our facility. Mr. Smith stated that if the hauler continues to bring in over their contracted tonnage amount once the surcharges take place that it should be very instructive as to where the market is currently.

Mr. Cannon stated that we have discussed possibly stabilizing and not necessarily increasing prices once the expansion is complete and there are not such drastic limitations to our air space.

Mr. Cannon stated that he feels that we have done everything that we can do at this point regarding the hauler who is exceeding. Mr. Mach stated that this is contrary to anything that he has seen in his work career. Mr. Mach stated that it is not standard business practice that when a customer gives you more volume and a potential for more revenue that they are charged a “tax”. Mr. Cannon agreed. Mr. Mach stated that in the normal course of business that he is accustomed to that if he had exceeded the limits of the contract as proposed that he would have come back and tried to negotiate for a lower price. Mr. Williams stated that the hauler is already in our lowest price range. Mr. Cannon agreed and stated that he also agrees with Mr. Mach.

Mr. Cannon presented Resolution R-11-02-17 To Adopt the 2018 Solid Waste Disposal Pricing Schedule.

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 *November 17, 2017*.

**RESOLUTION**  
**R-11-02-17**  
**AUTHORIZING THE PROPOSED**  
**2018 SOLID WASTE DISPOSAL PRICING SCHEDULE**

WHEREAS, the Pollution Control Financing Authority of Warren County has a need to implement disposal rates for the Warren County District Landfill.

NOW THEREFORE, BE IT RESOLVED that the Pollution Control Financing Authority of Warren County after review and discussion approves said 2018 Solid Waste Disposal Pricing Schedule, (attached hereto as A-2).

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

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Crystal Gild  
Recording Secretary

Dated: 11/17/17

Mr. Williams presented Agenda Item A-3 (Authorization to seek Bids for the 2018/2019 Household Hazardous Waste Events) to the board. Mr. Williams explained that our previous contract is up and that the new bid document has been reviewed by counsel. Mr. Williams stated that the bid is ready to go upon approval from the board. Mr. Cannon asked if this is for 2 events? Mr. Williams answered that this is for 2 events per year for a total of 4 events. Mr. Cannon stated that he was asking if the bid was for 2 years. Mr. Williams stated that he was correct. Mr. Cannon asked if the “boiler plate stuff” that we wanted to have in all of the contracts had been added to this document? Mr. Williams answered, yes.

Mr. Smith asked that given what we have been dealing with regarding the hazardous waste, whether or not inclusion of provisions of the statute that mandated the funding for CRTs should be pointed out within the bid document? Mr. Williams explained that this is the bid document for household hazardous waste and not for electronics. Mr. Williams stated that Mr. Smith made a good point for when we do another electronics bid. Mr. Smith stated that when we do electronics and that if we do it in a timely fashion for 2018, which he strongly recommends, that we should make sure to put what he just stated in the bid document. Mr. Smith stated that he agrees that the DEP “dropped the ball” because they had a mandate from the legislature to provide the service and they did not. Mr. Cannon stated that he agrees. Mr. Smith stated that we cannot use our recycling grant to pay for an electronics event. Mr. Cannon agreed but stated that we are not discussing an electronics event currently. Mr. Smith stated that he understands.

Mr. Cannon called for a motion Authorizing Mr. Williams to seek bids for the 2018/2019 Household Hazardous Waste Events

On a motion made by **Mr. Mach**, seconded by **Mr. Allen**, the board Authorizes Mr. Williams to seek bids for the 2018/2019 Household Hazardous Waste Events.

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

Mr. Williams stated that there are no issues regarding Treatment Plant Operations. Mr. Williams stated that we are discharging roughly 6,000 – 7,000 gallons of leachate to the PRMUA. Mr. Williams explained that to send this amount of leachate to the PRMUA that 50% of it is pure water because we need to dilute the leachate that much to process it through our treatment plant. Mr. Williams noted that it may sound like we are sending a lot to the PRMUA but that half of it is pure water that is added to it because of the high TDS levels. He also noted that we have been maintaining this over the last few months. Mr. Cannon stated that hopefully we get something back from the PRMUA so that we can move forward and have discussions with them regarding the leachate. Mr. Cannon stated that we want to dilute as little as we possibly can and noted that this is something we have been stating repeatedly. Mr. Williams stated that in the end that we send about 250,000 gallons per month to the PRMUA but that about half (125,000 gallons) of that is pure water. Mr. Williams stated that if it does work out that the PRMUA can accept the untreated leachate that it would be a “win, win” for both entities.

Mr. Williams stated regarding Landfill Operations that there are no issues as far as the operations themselves go. Mr. Williams stated that one of our bulldozers is at Foley Caterpillar for an undercarriage replacement which was one of our capital budget items for 2017. Mr. Williams explained that new tracks and rollers are being put on the bulldozer and so on. Mr. Cannon stated that the undercarriage “takes a beating”. Mr. Williams stated that it does and explained that the ash is hard on the undercarriage because it is almost like a sand and gets inside the bearings and the rollers and starts to “eat them away”. Mr. Williams stated that we should hopefully have the bulldozer back the week of November 27, 2017.

Mr. Williams stated that we had two new employees start recently and noted that one was hired as a weighmaster and the other was hired as an apprentice equipment operator / scale house operator. Mr. Williams stated that he is impressed with both of the new employees and how quickly they picked up the operation of the scale. Mr. Williams stated that one of the new employees, Mr. Mike Pearson, had picked up on the scale operation especially quickly. Mr. Williams stated that Ms. Mariann Cliff is the name of the new employee that was hired as a weighmaster and that she has also picked up on things quickly. Mr. Williams stated that the training of the new employees was almost flawless and noted that it is not that it has not been flawless in the past but that things are really good.

Mr. Williams stated that the smooth transition of the new employees helps us in the office with the transition of the financial work. Mr. Williams explained that it takes a lot of pressure off of Mrs. Banghart’s shoulders. Mr. Williams stated that Mrs. Banghart has been great with helping out with the training of the new employees and in the office as well.

Mr. Williams stated that Mr. Pearson has started going down with Mr. Brian Heater into the landfill to start learning how to operate the equipment. Mr. Williams explained that Mr. Pearson goes down to the landfill in the morning and then comes back to operate the scale in the afternoon. Mr. Williams stated that he spoke with Mr. Heater yesterday and that Mr. Heater had stated that Mr. Pearson is doing a good job learning how to run the equipment. Mr. Williams noted that it will take some time for Mr. Pearson to learn how to operate all the equipment but that it is working out well.

Mr. Williams stated that eventually he will have some of the operators from the landfill come up and learn how to run the scale. Mr. Williams noted that he will probably have two employees from the landfill do this. Mr. Williams stated that in the event that something were to happen on a Saturday, such as the scheduled weighmaster not showing up, that one of the employees from the landfill would be able to come up and operate the scale. Mr. Williams explained that this would also alleviate Mrs. Banghart from having to go over and run the scale herself. Mr. Cannon asked if Mrs. Banghart would still be able to operate the scale if we needed her to? Mr. Williams answered, yes.

Mr. Williams stated regarding the Landfill Expansion Application that we had a meeting here at the PCFA yesterday with the DEP. Mr. Cannon stated that we would discuss this during Executive Session. Mr. Williams agreed.

Mr. Williams stated that there is no update regarding the H2S System or the Solar Panel Project.

Mr. Williams presented Agenda Item A-4 (2017 Waste Disposal Fee Schedule) to the board. Mr. Williams stated that the Washington Township Board of Ed had contacted us to setup an Inter-Local Waste Disposal Contract for the remainder of the contract term. Mr. Williams stated that this Inter-Local Agreement would be identical to all of the other Inter-Local agreements. Mr. Williams stated that we need board approval to enter into a waste disposal agreement with them. Mr. Cannon asked if the Board of Ed has their own dump trucks? Mr. Williams answered, yes and stated that they have their own registered vehicles. Mr. Cannon asked if they are going to bring in computers and things like that? Mr.

Williams answered, no. Mr. Williams explained that previously the Board of Ed had been contracting out the hauling of their waste to our facility. Mr. Cannon asked if the waste would be coming from just their regular dumpster then? Mr. Williams answered, yes. Mr. Williams stated that Mrs. Banghart has been having discussions with them and that the Board of Ed discovered that they would save money if they entered into a contract with us and brought the waste here themselves since they have their own DEP registered vehicles. Mr. Cannon asked how many tons they will be bringing in? Mr. Williams stated that they will be contracted for 0 – 1,000 tons. Mr. Cannon asked if they reach 1,001 tons if they will be charged the \$10.00 surcharge? Mr. Williams stated that they would come next year when the new contracts go into effect. Mr. Cannon asked if the Washington Township Board of Ed decided that they would be bringing in 0 – 1,000 tons or if we placed them into that category? Mrs. Banghart and Mr. Williams stated that it was the Board of Ed’s decision. Mr. Williams noted that they are not going to come close to bringing in the full 1,000 tons. Mr. Williams also noted that he believes that the hauler for the Board of Ed had brought in only about 100 tons of waste from them.

Mr. Cannon called for a motion from the board to Authorize the PCFA to enter into an Inter-Local Disposal Contract with the Washington Township Board of Ed for the remainder of the 2017 contract term, ending on February 28, 2018.

On a motion made by **Mr. Mach**, seconded by **Mr. Allen**, the board Authorizes the PCFA to enter into an Inter-Local Disposal Contract with the Washington Township Board of Ed for the remainder of the 2017 contract term, ending on February 28, 2018.

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

Mr. Williams presented Agenda Item A-5 (emails regarding the leachate evaporator) to the board. Mr. Williams stated that everyone has received these emails already. Mr. Williams noted that these emails are an update from Heartland regarding the leachate evaporator. Mr. Williams stated that Heartland answered all of the questions that we had asked. Mr. Williams noted that he believes we have more to look into regarding this. Mr. Cannon stated that he and Mr. Williams have had a couple of conference calls this week regarding the costs and trying to “drill down” the exact costs. Mr. Cannon also stated that Mr. Williams has put together an outline already and that he and Mr. Williams had went over it when he was here yesterday and decided that they were going to expand it more. Mr. Cannon stated that they are trying to compare “apples to apples” as to what the current costs are and what the costs would be using the leachate evaporator. Mr. Cannon explained that they are trying to determine what costs would no longer apply by using the leachate evaporator and what new costs we may incur from using the leachate evaporator. Mr. Cannon stated that they are trying to get the “real” numbers. Mr. Cannon stated that we want to fairly compare everything. Mr. Cannon reiterated that Mr. Williams has put a sheet together but noted that we are not going to discuss it today. Mr. Cannon stated that the board has been provided copies of the cost comparison sheet the Mr. Williams created and that they should review it for the next meeting. Mr. Williams stated that the board should take a look at the sheet but noted that we are still trying to work something out with the PRMUA. Mr. Williams explained that the sheet shows the costs

today and the information that came from Heartland. Mr. Cannon stated that the board should keep A-5 (the emails) and the sheet that Mr. Williams provided them together. Mr. Cannon asked the board to review the information for discussion at the next meeting.

Mr. Williams stated that he has nothing further to report.

### GENERAL COUNSEL'S REPORT

Ms. Fina stated that General Counsel has nothing to report.

Mr. Cannon stated that the board had asked Mr. Williams to create a cover letter to be sent out with the new contracts regarding our policy changes. Mr. Cannon stated that we discussed the contract changes earlier in the meeting.

Mr. Williams stated that there is new language included in the disposal contracts regarding the change in policy. Mr. Cannon asked if the contracts were going to be sent out with the changes in red as presented? Mr. Williams answered, no. Mr. Cannon suggested that the changes to the contract be bolded. Mr. Williams stated that this is a good idea and that we would do this.

Mr. Cannon stated that he feels that the letter is pretty clear and lacks ambiguity. Mr. Cannon also stated that he feels that the changes to the contract give us the ability to enforce something if we need to.

Mr. Smith stated that typically with legislation a note is made stating that changes are underlined. Mr. Smith stated that this usually is enough to emphasize exactly where the changes are in the document. Mr. Cannon agreed. Mr. Cannon asked Mr. Williams if he could make a note stating how the changes are presented in the document? Mr. Williams answered, yes.

Mr. Cannon called for a motion from the board to Approve the addition of a cover letter and the changes in verbiage as presented to the 2018 Solid Waste Disposal Agreement Contracts.

On a motion made by **Mr. Mach**, seconded by **Mr. Allen**, the board Approves the addition of a cover letter and the changes in verbiage as presented to the 2018 Solid Waste Disposal Agreement Contracts.

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

### OTHER BUSINESS

Mr. Mach stated that we had discussed Aerial Surveys during the last meeting. Mr. Williams stated that he was planning on discussing this next. Mr. Williams stated that the Aerial Survey of the landfill had been completed and that he had just received the results yesterday. Mr. Williams began to present the findings from the Aerial Survey and Mr. Cannon interjected and stated that he was not sure if we should discuss this during Public Session. Mr. Mach asked Mr. Cannon if he wants to discuss it during Executive Session? Mr. Cannon answered, yes. Mr. Cannon explained that the discussion could present

the need for negotiations in the future which is why he wants to have it in Executive Session. Mr. Smith asked Counsel if a permit application is considered contractual? Ms. Fina asked if he was referring to a permit application to the DEP? Mr. Smith answered, yes. Mr. Smith stated that it is subject to OPRA. Mr. Cannon explained that the issue is that the DEP wants to negotiate with us. Mr. Smith stated that he understands. Mr. Smith stated that we could present the discussion after it is held in Executive Session. Mr. Cannon agreed that we will hold the conversation in Executive Session and if it is decided that we can discuss it during Public Session then we will present it after Executive Session. Mr. Cannon stated that the findings could potentially be used as a negotiating tool which is why he does not want to discuss them at this time during Public Session.

### CLOSING PUBLIC COMMENT

Mr. Smith stated that the members of the Board of Chosen Freeholders have asked him to make the PCFA aware of their concerns regarding the cost comparison of the leachate removal options. Mr. Smith stated that there is an ancillary cost to the elimination of the flow to the PRMUA. Mr. Smith stated that he is not sure how we can quantify that number. Mr. Smith asked Mr. Olshefski if there is any way to quantify the number? Mr. Smith stated that the PRMUA is another entity of the County and that he feels that there will be an impact to that utility if we choose to take a pathway that eliminates the flow to the PRMUA in its entirety. Mr. Smith stated, for the record, that his colleagues from the Board of Chosen Freeholders share this concern. Mr. Smith stated that we do provide a public service and sometimes that there is not just a “black and white” economic number.

Mr. Smith stated, for the record, that Covanta has indicated concerns regarding our rates. Mr. Smith stated that we can discuss this further during Executive Session. Mr. Smith reiterated that Covanta had expressed concerns and noted that he felt that the PCFA board should be advised of this. Mr. Cannon stated that he does not feel that a discussion regarding Covanta should be held during Executive Session. Mr. Cannon stated that this is Covanta’s annual “the sky is falling” plea and that they have been doing this forever. Mr. Mach agreed that Covanta has been doing this for as long as he can remember. Mr. Cannon stated that Covanta’s plea is a little more emphatic now because it has “fallen on deaf ears” for the last few years. Mr. Smith stated that we may choose to make a modified comment after we come out of Executive Session and that he hopes he gets a chance to discuss this with the board. Mr. Cannon reiterated that he is not sure why we would have to hold the discussion during Executive Session. Mr. Smith stated that ultimately it is contractual.

### PRESS COMMENTS & QUESTIONS

NONE

Mr. Cannon called for a motion to enter into Executive Session.

EXECUTIVE SESSION

Executive Session was entered at 10:33 am to discuss contracts and negotiations.

**RESOLUTION**

**R-11-03-17**

**AUTHORIZING EXECUTIVE SESSION**

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

Contracts and 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. Mach***

Seconded By: ***Mr. Allen***

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

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

Recording Secretary  
Crystal Gild

Dated: 11/17/2017

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

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

Regular session resumed at 11:14 am.

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

Mr. Cannon stated that Mr. Williams received the results from the Aerial Topographic Survey of the landfill. Mr. Williams stated that as we discussed at our last meeting we did have an Aerial Survey of the landfill completed to see how much air space we used during the first 9 months of the hauler contract terms. Mr. Williams stated that we have used 167,000 cubic yards of our air space within the 9 month period. Mr. Williams stated that this comes down to about 19,000 cubic yards of air space per month. Mr. Williams noted that there is still about 3 months left in the contract term. Mr. Williams stated that we are using up the remaining 800,000 cubic yards of air space.

Mr. Williams stated that during the discussions with the DEP yesterday that we had stated that there is not much air space left until the permit expansion is in place. Mr. Williams stated that “time is of the essence” with the State of NJ to get our permit issues resolved.

Mr. Williams stated that as we continue to move forward and if we need to start reducing our waste intake that this would result in a loss of revenue. Mr. Williams stated that it is imperative that the State of NJ moves forward with our permit application as quickly as possible.

Mr. Cannon asked what the price difference was between this Aerial Survey and the one we have completed annually? Mr. Williams stated that this Aerial Survey was about half the cost of the annual one and stated that this survey cost \$4,500.00 and that the annual survey costs approximately \$9,000.00. Mr. Cannon asked if this survey cost less because the reports that are needed for the annual survey were not necessary? Mr. William stated that this is correct.

Mr. Williams stated that we have air space but that there is not much left.

Mr. Cannon asked if the company that did the survey has done it for us before? Mr. Williams answered, yes.

Mr. Allen asked if it is possible that if a natural disaster were to occur that our waste intake would increase? Mr. Williams answered, yes and provided the example that when Hurricane Sandy hit we were contacted by the NJDEP and notified that we would be one of the outlets for waste disposal regardless of how much air space we had left. Mr. Williams stated that we would have had to comply to assist the State of NJ.

Mr. Cannon asked if we have received any horses from the horse farm that was quarantined? Mr. Williams answered, no.

Mr. Smith stated that Mr. Allen made a good point because the PCFA is obligated under the Department of Agriculture to be the accepting facility.

Mr. Smith stated that given how much air space is left and the timeline we have that they are both significant factors when we have further discussions with the DEP. Mr. Cannon agreed.

Mr. Cannon stated that it was a great idea to have the Aerial Survey completed and thanked Mr. Mach for presenting the idea. Mr. Cannon stated that we are managing the air space well now but that we have no way of knowing if something unforeseen is going to come up.

Mr. Williams asked Mr. Mach and Mr. Allen to come upstairs before they leave today because he has something for both of them.

Mr. Cannon wished everyone a Happy Thanksgiving.

Mr. Cannon called for a motion to adjourn the meeting.

ADJOURNMENT

With no other business to discuss, **Mr. Mach** motioned to Adjourn, seconded by **Mr. Allen** at 11:19 am.

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

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Respectfully submitted by:  
Crystal Gild  
Recording Secretary

Approved: 12/18/17