

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

January 22, 2018

Chairman James Cannon called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:37 am.

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

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

Also present: James Williams, Director of Operations; Freeholder Director, Ed Smith; Brian Tipton, General Counsel; Dan Olshefski, CFO; Jamie Banghart, Administrative Supervisor; Crystal Gild, Recording Secretary.

The Pledge of Allegiance was led by Chairman Cannon.

Mr. Cannon stated that there is a Revised Agenda and directed everyone to not use the original Agenda.

Mr. Cannon read the following statement: "Adequate notice of this meeting of January 22, 2018 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 stated that the Meeting Agenda is subject to change as we see today.

MINUTES

Mr. Cannon presented (M-1) the regular monthly meeting minutes from December 18, 2017.

Mr. Cannon asked if anyone had any comments regarding the Regular Monthly Meeting Minutes from December 18, 2017?

Mr. Pryor stated that in the 2<sup>nd</sup> sentence of the 2<sup>nd</sup> paragraph on page 9 the word, eliminating should actually be the word limiting.

Mr. Pryor stated that in the 6<sup>th</sup> paragraph on page 9 he is not sure if the statement is paraphrased or if it is what he actually stated. Mr. Pryor stated that he did not say what he meant very well. Mr. Pryor read the sentence he was referring to as follows: “Mr. Pryor stated that he is a PCFA Board Member and is no longer an Engineer and that he is not here to do Mr. Donati’s job.” Mr. Pryor stated that this sound accusatory and if it came out that way he apologizes. Mr. Cannon stated that he believes that we can soften the wording up a bit. Mr. Pryor agreed. Mr. Pryor stated that he is still an engineer and that the point he was trying to make is that he sits here as a commissioner and not as a professional and that he does not question our professional consultants. Mr. Allen stated that he knows that this is not what Mr. Pryor meant by his statement. Mr. Cannon suggested changing the sentence to the following: “Mr. Pryor stated that he is a PCFA Board Member and an Engineer and is acting in an advisory role.”

Ms. Crystal Gild asked if the following wording is what the sentence should be changed to: “Mr. Pryor stated that he is a PCFA Board Member and an Engineer and is acting in an advisory role”? All agreed.

Mr. Pryor stated that in the 3<sup>rd</sup> line up from the bottom of page 9 the word rate should be replaced with the word classification.

Mr. Pryor stated that in the 3<sup>rd</sup> paragraph from the bottom of page 26 the wrong form of the word heals is used and that the word should be heels instead.

**Mr. Pryor** made a motion to approve the amended Regular Monthly Meeting Minutes from December 18, 2017 as presented, seconded by **Mr. Allen**.

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

Mr. Cannon presented (M-2) the Executive Session minutes from December 18, 2017.

**Mr. Pryor** made a motion to approve the Executive Session Minutes from December 18, 2017, seconded by **Mr. Mach**.

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

## CORRESPONDENCE

Mr. Cannon asked Mr. Williams if there is any correspondence?

Mr. Williams stated that there was some correspondence that came in late, which is a letter regarding Technical Notice of Deficiencies from the NJDEP. Mr. Williams stated that this letter had been forwarded to everyone.

Mr. Williams stated that this morning he provided the board with a draft letter that was prepared by Cornerstone in response to the letter from the NJDEP. Mr. Williams stated that the draft letter from Cornerstone is based on two conference calls between Cornerstone, himself and Solid Waste Representatives of the NJDEP. Mr. Williams noted that these calls took place on Thursday, January 18, 2018 and Friday, January 19, 2018.

Mr. Williams stated that what Cornerstone has put together regarding the Technical Notice of Deficiencies is a letter stating that most of the items that are of concern to the DEP have been addressed. Mr. Williams also stated that the DEP has verbally agreed to allow 3 of the 4 big items in the notice to be addressed as permit conditions when the permit is finally issued. Mr. Williams also stated that the last item from the notice which deals with the Wildlife Mitigation Area will have to be addressed at a future date between the County, the PCFA and Fish and Game. Mr. Williams noted that when it comes time to address this issue we will have more to discuss regarding it.

Mr. Cannon stated that other than the Wildlife Mitigation issues the other issues were more so punch list items that the DEP had mentioned when he and Mr. Williams had met with them here. Mr. Cannon stated that he believes that the DEP is looking to dot their T's and cross their I's. Mr. Cannon stated that they were all very simple issues other than the Wildlife Mitigation Area. Mr. Cannon stated that Cornerstone was going to send the DEP some things that they had not seen and that the DEP wanted it formatted differently.

Mr. Williams stated that the biggest item that the DEP was concerned with aside from Wildlife Mitigation is addressed on the last page of the document that Cornerstone put together which is a timeline. Mr. Williams stated that the DEP is ready to issue our permit once the Wildlife Mitigation issue is resolved so they had asked for a timeline regarding where we are with air space and a construction timeline. Mr. Williams stated that right now we are at the point where we need to get the permit in hand ASAP to begin our process here for construction drawings and designs for further approvals. Mr. Williams also stated that at this point the 2018 construction period is gone and that we would not be able to begin construction until sometime in 2019. Mr. Williams noted that this brings us closer to our end date of 2021 when we will be out of air space. Mr. Williams also noted that the DEP wanted to see long-term construction phases as well and that this has been included in the document compiled by Cornerstone as well. Mr. Williams stated that the expansion will take us out to the year 2060.

Mr. Pryor stated that the DEP is asking for a Berm Design Report, which they flagged as an extra. Mr. Pryor stated that he considers this to be an open issue because of what the DEP wants as far as calculations. Mr. Pryor asked if the Berm Design was completed without calculations? He noted that this does not sound right to him.

Mr. Cannon stated that if he recalls correctly the Berm Design Report was completed with everything that was necessary, but for some reason it was reviewed differently than a similar report that Cornerstone had submitted for Sussex County within the last couple of years. Mr. Cannon stated that according to Cornerstone they followed the exact same procedure that they had done with Sussex County with no issues and that they were going to follow up with someone from the DEP to see why there was suddenly an objection to our Berm Design Report. Mr. Pryor stated that he is good with this, but noted that he flags it as an open item because it was neither accepted nor denied. Mr. Cannon stated that yes, it was an

open issue in the letter from the DEP, but that Cornerstone was going to follow up with the DEP with a phone call hopefully either today or tomorrow.

Mr. Williams stated that the DEP wanted the Berm Design Report in advance, but what has typically been done is submission occurs when the construction drawings are prepared for final DEP review. Mr. Williams stated that the DEP verbally agreed that when the construction drawings are done that the calculations could be put in the document then instead of having to do it twice.

Mr. Cannon stated that he believes that the DEP thought the Berm Design Report was already done and that they wanted to know why it was not included in the application. Mr. Cannon stated that the DEP possibly thought that we had it and just excluded it from the application, when in fact it has not been completed yet.

Mr. Cannon asked if Mr. Williams if he was going to get a follow up from Cornerstone after they speak to the DEP. He noted that he is not sure if the person who was reviewing this still has a job with the DEP. Mr. Williams stated that he will get a follow up from Cornerstone if the DEP representative is still employed with the DEP.

#### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None.

#### FINANCE

Mr. Cannon asked Mr. Olshefski to present the December 2017 Finance Report.

Mr. Olshefski stated that we do have our December 2017 report.

Mr. Olshefski stated that the solid waste tonnage is down 8% from last year and noted that the solid waste was down 8,000 tons for the year and that our cover was down 11,000 tons for a total decrease of approximately 20,000 tons. Mr. Olshefski explained that this is directly related to Mr. William's strategy of saving air space going forward and noted that what we planned came through. Mr. Olshefski stated that our average fee per ton was nearly \$2.00 higher than it was last year, which corresponds with our cash balances for the year. Mr. Olshefski stated that our cash balances are up \$2,270,123.00 for the year. Mr. Olshefski stated that he looked back at 2015 and that our cash balance as of December 31, 2015 was \$39,400,000.00 and that we are now at \$44,826,534.00. Mr. Williams noted that this reflects nearly a \$5,400,000.00 increase over a 2 year period which is tremendous.

Mr. Olshefski reported that our receivables at year-end are in line with what we normally have on a monthly basis. He noted that he had touched base with Mrs. Jamie Banghart prior to the meeting regarding Lovenberg which is one of the companies that owes us money. Mr. Olshefski stated that Lovenberg still has a small outstanding balance remaining. Mr. Olshefski noted that Mrs. Banghart stated that there had been some correspondence back and forth between herself and Lovenberg. Mr. Olshefski asked if Mrs. Banghart wanted to make any comments regarding this? Mrs. Banghart stated that Lovenberg is in the process of paying their bill and explained that they fell into tough times at the end of December and that they were unable to send a payment in. Mrs. Banghart noted that she is supposed to hear from Lovenberg this week or next week regarding their payment. Mr. Williams explained that the final payment that Lovenberg owes us is basically just the interest that had accumulated and noted that their actual balance of the bills has been paid. Mrs. Banghart agreed. Mr.

Cannon stated that we had Lovenberg on a set monthly payment schedule and that what is still due is the last payment that they need to make. Mrs. Banghart agreed.

Mr. Olshefski stated regarding the revenues for 2017 that we brought in \$6,926,460.00 in revenues, which was 97% of what we had projected.

Mr. Olshefski stated that our expenses for 2017 were \$5,065,417.00 which is 69% of what was projected. He noted that this shows how we are adding cash to the bottom line. Mr. Olshefski stated that we have had another good year. Mr. Olshefski stated that Mr. Williams and his staff really control the costs where they can and that this is reflected in the bottom line total of the expenses for the year.

Mr. Olshefski stated that payment by credit card came in at an average of 40.5% for the year. Mr. Olshefski stated that he and his staff did an analysis to compare payments via credit card, cash and check. Mr. Olshefski stated that 90% of payments made to us are via check and that 5% of the payments are via cash and the final 5% of payments are made via credit card. Mr. Olshefski stated that we had a total of \$327,000.00 worth of credit card payments for the year and \$338,000 worth of cash payments for the year. Mr. Olshefski stated that last year the payments via credit card were only \$270,000.00 and noted that the credit card payments are continuing to increase. Mr. Olshefski stated that this limits the amount of cash in the system which he feels is a good thing.

Mr. Olshefski stated that the leachate is obviously a big component as to why our costs are down. He noted that you can see the comparison for both Passaic Valley and the PRMUA for 2016 and 2017. He stated that we switched to sending more leachate to Passaic Valley because their cost was less than the cost from the PRMUA. Mr. Olshefski stated that there will be discussions regarding this as we go forward. Mr. Cannon stated that the representatives from the PRMUA will not be at the meeting today so we will not be discussing it today.

Mr. Olshefski stated that on page 6 of the financial report, we can see the breakdown of the cover and solid waste brought in. Mr. Olshefski stated that in 2016 we brought in a total of 163,776 tons and that in this year we brought in a total of 143,767 tons.

Mr. Olshefski stated that his office is in the process of completing the year end items regarding the IRS requirements. He noted that they are finalizing the W-2s, the ACA (Affordable Care Act) and the 1099s for the vendors with payments of over \$600,000.00. Mr. Cannon asked for clarification as to how much the payments to a vendor need to be for us to need to send them a 1099? Mr. Olshefski stated that the amount of payments to a vendor needed for a 1099 to be issued is anything over \$600.00. Mr. Cannon noted that Mr. Olshefski had stated \$600,000.00 dollars and Mr. Olshefski corrected himself and stated that the amount is \$600.00. Mr. Olshefski stated that the 1099s will be completed by the end of the month and meet the due date with the IRS.

Mr. Olshefski stated that the transition seems to be working well. He noted that he knows that R&L is now processing the payroll and that he has not seen any glitches with the reports and getting journal entries set up regarding the payroll. Mr. Olshefski stated that he thinks that the transition went well. Mr. Olshefski asked Mr. Williams if he had anything to add regarding the transition?

Mr. Williams stated that he believes that the transition has gone pretty well. Mr. Williams stated that he feels that we have everything that we need. Mr. Williams explained that Mrs. Banghart, Ms. Gild and Ms. McGarvey and he all sat down last week to start to put together weekly tasks, bi-weekly tasks and so on and so forth. Mr. Williams stated that eventually this will be transitioned into revised job descriptions. Mr. Williams stated that now we have the history as to how things are going to unfold he can begin working on revised job descriptions. Mr. Cannon stated that he feels that this is an excellent approach as

opposed to pigeonholing it ahead of time and making certain things that need to be done as part of an employee's job description and then finding out that the employee works better with one task rather than another. Mr. Cannon stated that as we begin doing the work we will find out if there are any wrinkles and then revised job descriptions can be compiled. Mr. Williams agreed.

Mr. Williams stated that as Mr. Olshefski had mentioned R&L is now doing our payroll and that he believes that the payroll coming up is our 3<sup>rd</sup> payroll with them. Mrs. Banghart agreed and stated that we have completed 2 payrolls with R&L so far and that the payroll coming up will be our 3<sup>rd</sup> with them. Mr. Williams stated that we have had some minor issues regarding email notifications to the staff, but other than that it has been going really well. Mr. Williams noted that R&L has been very responsive when we have had inquiries with them.

Mr. Cannon asked how things were going regarding deposits for the taxes and other items? He asked Mr. Williams to explain how this is done? Mr. Williams stated that both R&L and the PCFA are doing these tasks and that it is all working out really well. Mr. Williams explained that this is why we had to sit down internally to get dates on our schedules as to when certain things need to be done. Mr. Williams stated that we will be putting together monthly schedules until we have it firmed up. Mr. Williams also stated that we are putting a document together, literally a document for dummies, so in the event that none of us are here anyone could pick up the document and go through it page by page and complete the tasks. Mr. Williams stated that the document includes detailed instructions and screenshots.

Mr. Williams stated that the transition is working out well and noted that Mr. Olshefski and his staff have been very helpful with the transition. Mr. Williams stated that he is sure that Mr. Olshefski and his staff will continue to be a phone call away and joked that as of Friday the phone line had not been disconnected. Mr. Olshefski stated that he expects that there will be a lot of items regarding the 2017 Audit that we will need help with and that he and his staff will be assisting with that process.

Mr. Williams stated that he feels that the last thing that is kind of a glitch has to do more with Pentamation and the ability to print checks at our office. Mr. Williams noted that this is still trying to be worked out. He also noted that the problem seems to be security related issues between the County's system and our system. Mr. Williams stated that other than this everything is going well.

Mr. Cannon asked how the issue regarding the check printing is being worked out? Mr. Williams answered that the County's IT person Mr. Lax Ramakrishnan was here last Thursday and that he needs to look into a few more things on the County's side. Mr. Williams stated that there is something that is preventing us from printing the checks here, which could be a firewall in our system or their system. Mr. Cannon stated that we can physically print out checks, but we cannot get the information printed on the check. Mr. Williams and Mrs. Banghart agreed.

Mr. Olshefski stated that he believes that it is a firewall within the network and that there is a security issue because we obviously do not want people to be able to print checks on their own personal computer so there is coding that is done to prevent this. Mr. Olshefski noted that the County will be going through an upgrade to their financial system this spring, which will have the system going through the cloud which should make printing remotely more available. Mr. Olshefski stated that if we cannot get the problem solved before the upgrade that it should be available once the upgrade is completed. Mr. Williams stated that regarding security that check printing will be designated to one computer and one printer and that we will know who is printing checks by who logs in to do it. Mr. Williams stated that it is going to be very limited as to who has access to the check printing. Mr. Cannon stated that he agrees that this is a good idea.

Mr. Cannon asked if someone from our office has to physically go over to the County and pick up the checks? Mr. Williams stated that they are sent over interoffice mail so that it is fine for now.

Mr. Cannon asked Mr. Olshefski if he foresees any issues going down the road?

Mr. Olshefski stated that he is aware that Freeholder Director Ed Smith is going to have a presentation regarding the DEP. Mr. Olshefski stated that whichever way things end up going that the PCFA has \$44,000,000.00 worth of cash. Mr. Olshefski stated that the potential cost of a closure is approximately \$40,000,000.00. Mr. Olshefski stated that the expansion is going to cost \$6,000,000 and that we have \$14,000,000.00 in unrestricted funds. Mr. Olshefski stated that we are poised with cash to make the right decision and that we are covered either way things end up going.

Mr. Cannon stated that even if we locked the gate tomorrow that he believes that the \$14,000,000.00 would get burned with just the monitoring and everything else that needs to be done at our facility. Mr. Cannon stated that the money is sitting there, but it is supposed to take care of the Landfill forever. He noted that it may seem like a lot of money now, but between testing and 50 years down the road the money could be used up. Mr. Cannon stated that no one is going to be putting any additional money towards the closure either. Mr. Cannon noted that he does not believe that the property will be a hot commodity to put a golf course on like they did in Jersey City. Mr. Cannon stated that he is happy that the closure fund is in place because if his children and grandchildren stay in the area there will be a sense of security.

Mr. Cannon asked Mr. Olshefski if he had anything else to add regarding the financials? Mr. Olshefski answered, no but stated that we will keep in contact as we go along. Mr. Williams explained that the bill list is high this month because the insurances were paid during the month of January and noted that the insurances are paid in advance for the year.

Mr. Cannon asked if there were any other questions or comments regarding the bills, or the transition and with no further issues arising he called for a motion to adopt Resolution R-01-01-18 to pay bills in the amount of \$773,624.26.

On a motion by *Mr. Allen*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *January 22<sup>nd</sup>, 2018*.

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

### **R-01-01-18**

#### **To Pay Bills – January 22, 2018**

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           -     Yes  
                  Mr. Mach            -     Yes  
                  Mr. Cannon          -     Yes

We hereby certify Resolution to Pay Bills in the amount of **\$773,624.26** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 22<sup>nd</sup> day of *January, 2018*.

\_\_\_\_\_  
Crystal Gild  
Recording Secretary

\_\_\_\_\_  
James Williams  
Director of Operations

Dated: 01/22/2018

Mr. Cannon thanked Mr. Olshefski for all of the help with the transition and also thanked him in advance for the future help they will be giving us. Mr. Olshefski thanked Mr. Cannon for his statement of appreciation.

#### PERSONNEL

Mr. Cannon asked Mr. Williams if he needs the salary readjustment approved?

Mr. Williams stated that the next Agenda item was a Resolution R-01-05-18 asking for approval for the 2018 annual salary adjustment of 3% for the PCFAWC staff. He noted that this was the budgeted salary increase.

Mr. Pryor asked what the percentage is? Mr. Williams answered, 3%.

Mr. Williams stated that he sees that the resolution says that everyone has approved the resolution and he advised the board to not pay attention to this.

Mr. Mach asked if 3% is consistent with what the county is doing? Mr. Williams answered that he does not know what the county is doing?

Mr. Pryor asked if the increase was 2% last year? Mr. Williams answered, yes. Mr. Cannon agreed.

Mr. Cannon asked for a discussion regarding the salary increase.

Mr. Cannon asked what the county was doing in regards to salary increases? Mr. Smith stated that the County is doing a 2% increase and asked Mr. Olshefski to verify this. Mr. Olshefski agreed. Mr. Allen asked if the County increase was 2%? Mr. Smith answered yes.

Mr. Mach asked why we are increasing our salaries by 3%? Mr. Williams stated that this is the amount that was included when the 2018 budget was prepared. Mr. Williams noted that it is open for discussion.

Mr. Allen asked what the COLA (Cost of Living Adjustment) was for the year? Mr. Olshefski stated that when the County did their 2018 budget that the COLA was 2.5%. Mr. Allen stated that the County is below COLA. Mr. Olshefski explained that the County has a 2% cap. Mr. Pryor asked if we are subject to the cap laws? Mr. Olshefski answered, no.

Mr. Pryor stated that he would recommend with an increase of 2.5% given what was just discussed.

Mr. Mach stated that he feels that we should be consistent with the County and noted that we have been for a very long time. Mr. Mach stated that he would approve an increase of 2%.

Mr. Pryor asked if Mr. Mach wanted to make a motion to that effect? Mr. Mach made a motion to approve a salary increase of 2% and Mr. Pryor seconded the motion.

Mr. Cannon asked if there was any further discussion regarding this matter?

Mr. Cannon stated that he is aware that we have followed what the County does in the past. He noted that he was not involved with coming up with the 3% figure. Mr. Cannon stated that he feels that the employees here, maybe do a little better of a job than County employees and maybe we should recognize that. Mr. Cannon apologized that his statement to that effect was going to be on the record. Mr. Cannon stated that Mr. Olshefski just went through the finances and that he feels that Mr. Williams does an unbelievable job as far as budgeting and staying on top of not having incredible added costs and/or mistakes which just cost more money. Mr. Cannon stated that he feels that Mr. Williams treats the budget and the PCFA checkbook as if all of us treat our own checkbooks as opposed to what is going on currently a little south of us in Washington D.C.. Mr. Cannon stated that this is his consideration as to why he would like to see a better increase than 2%, but that he does not have agreement with 3%. Mr. Cannon stated that this is where he stands, but that he would like to hear from everyone regarding this.

Mr. Mach stated that with regard to performances that Mr. Williams does an outstanding job and has over the years that he has been on the board. He also stated that Mr. Williams keeps careful watch over the bank accounts and the budget and that he has a lot of weight on his shoulders. Mr. Mach reiterated that Mr. Williams does an outstanding job, but stated that he still feels the salary increase should be 2%.

Mr. Mach stated that he is not sure if we could do something to the effect of when someone merits more than a 2% increase or a bonus that we could do this on a case by case basis. Mr. Mach asked if we have the ability to give a little bit of extra money to particular individuals on a merit basis? Mr. Cannon stated that he surmises that we cannot do bonuses, but that he is not sure. Mr. Williams stated that he defers to Counsel regarding this matter. Mr. Cannon stated that he is certainly aware that other Authorities give out bonuses, but that he is not sure what our policy is. Mr. Cannon stated that he figures that if we have the ability to do it that the past boards would have done it by this point. Mr. Mach stated that previous boards have given out bonuses. Mr. Williams agreed.

Mr. Williams stated that he would like to say that he appreciates all of the nice comments, but that his successes can only be done with a great staff. Mr. Williams stated that even though he is the head of the helm here without having a good supportive staff it would be very difficult to achieve what he does. Mr. Williams stated that he feels that the staff deserves credit as well.

Mr. Mach stated that Mr. Williams' point is taken. Mr. Mach stated that having been in a position where one has to decide who gets 2% and who does not and who gets 2.5% is a tough decision. Mr. Mach stated that this should be done based on some kind of effort over and above what the typical performance is. Mr. Mach stated that if an employee is doing an outstanding job that they would certainly deserve recognition for that.

Mr. Cannon stated that to back Mr. Williams up that he would say that the team with taking over the finances is something that has been spread out amongst many of the employees. Mr. Cannon also stated that recognition should be given to the employees who take part in how efficiently, we have run the cells themselves this year which he feels is a team effort. Mr. Cannon also stated that he feels with payroll taxes coming down soon, thanks to the Federal Government, that the amount of the salary increase would be a wash. Mr. Cannon stated that he would be happy to see a 2.5% salary increase because he feels that it demonstrates that we are doing a little bit better than others. Mr. Cannon stated that he also agrees with Mr. Mach that he does not like to pick and choose as far as which employee gets what. Mr. Cannon reiterated that he sees no issue with a 2.5% increase and noted that we do not have employees here making millions of dollars. He stated that the employees work hard every day, they work during incredible weather conditions, they keep things going when there are call outs and other things like that. Mr. Cannon reiterated that he has no problem with a 2.5% increase given all of these factors.

Mr. Pryor stated that personally he would not dig his heels in at 2% or 2.5%, but that he does appreciate Mr. Mach's comments and noted that the municipalities are subject to caps and that 2% is the prevailing standard for public employment right now. Mr. Pryor also stated that he has no way of knowing that the people at the County do not do their best and noted that the people he works with always have. He also noted that in his town they actually skip raises some years for their administrative employees. Mr. Pryor stated that it is his understanding that 2% has been pretty consistent as to what we have always done. Mr. Pryor stated that having heard the discussion he would have to agree with Mr. Mach's motion to approve a 2% salary increase.

Mr. Cannon asked Mr. Allen if he had anything to add?

Mr. Allen stated that he is sure that Mr. Williams is doing annual reviews such as employee performance reviews. Mr. Williams shook his head no. Mr. Allen asked no? Mr. Allen stated that the problem with issuing or giving people merit bonuses or anything of the sort is that unless you have a procedure in place to give a performance feedback and fully document it that it is difficult to justify how you are doing it fairly. Mr. Allen stated that without having the ability to do that and not having done it that giving out bonuses is not something you really want to do. Mr. Allen stated that he hears Mr. Williams' and Mr. Cannon's comments and that he somewhat agrees with them, but that he is going to go with Mr. Mach's and Mr. Pryor's decision.

Mr. Allen noted that he believes that we should do a 2% salary increase for the time being. Mr. Allen stated that civil service employees do not get bonuses, but noted that we are not civil service employees and so here at the PCFA we have the ability to give out bonuses. Mr. Allen stated that in his opinion, we should implement some sort of merit based bonus system with annual performance reviews. Mr. Allen stated that if we are not documenting what employees are doing well or what they

are doing wrong that we do not have the ability to justify firing somebody. Mr. Allen stated that if we are going to give bonuses out we need to be able to justify that as well. Mr. Allen stated that if annual employee reviews are not being done that he recommends that we begin to do them so that we have the ability to give out bonuses.

Mr. Allen stated that in terms of a bonus for Mr. Williams it is his opinion that the board would have to perform his annual review and approve his bonus.

Mr. Allen stated that he has given his opinions and that he is going to go with the motion made by Mr. Mach, and seconded, by Mr. Pryor that the board approve a 2% salary increase for 2018.

Mr. Pryor stated that he wanted to add to what Mr. Allen had stated. Mr. Pryor stated that he has worked with an Authority that was formed under a different statute and happened to be a sewage authority. Mr. Pryor noted that this Authority did give out annual bonuses based on certain criteria that they had laid out. Mr. Pryor stated that if the criteria were met that they had a bonus pool and that the bonuses were then given. Mr. Pryor noted that he is not suggesting that we take this particular approach, but that he is thinking that there needs to be some sort of quantitative measure for the bonuses. Mr. Pryor also noted that he feels that we can look into this further. Mr. Pryor stated that the budget is for the entire year and stated that the board will give 2% now and that they can look at possibly giving more at the end of the year.

Mr. Mach stated that the only thing he would add with all due respect to what has been said is that he has been in the position in which was just described as to not having done performance reviews. Mr. Mach added that however we do have job descriptions for the jobs of all the employees that we have. Mr. Mach stated that if an employee is doing over and above what their job description entails that he believes that there would then be a justification for salary increases. Mr. Allen agreed. Mr. Allen stated that this is typically what merit based bonuses are based on. Mr. Allen also stated that things that would be taken into consideration for a merit based bonus are typically items such as tardiness, unexcused absences and other factors of the sort. Mr. Mach added that you could take a look at the employee and say is the employee a willing employee, does the employee respond to a request that is outside of what is in their job description. Mr. Mach stated that at the bottom of every job description it states "and all duties as assigned" and explained that some employees readily jump in to do the work and others just sit back and travel with the pack.

Mr. Cannon stated that we seem to have a consensus. Mr. Williams stated that the consensus is a 2% salary increase. Mr. Cannon stated that we are in the middle of a motion to approve a 2% salary increase for 2018. Mr. Cannon stated that we have finished our discussion and that we have had our first and second so now he would like to call the role on the motion that was presented by Mr. Mach, and seconded by Mr. Pryor.

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 *January 22nd, 2018*.

## **RESOLUTION**

### **R-01-05-18**

Approving the Annual Salary Adjustment for Employees of The Pollution Control Financing Authority of Warren County for Fiscal Year 2018

WHEREAS, the Pollution Control Financing Authority of Warren County (the "Authority") desires to adjust the annual salaries of all its full and part-time employees as a remuneration for services rendered; and

WHEREAS, the Authority has determined that the adjustment to the annual salaries in the amount of 2% for said employees is deemed to be equitable.

NOW, THEREFORE, BE IT RESOLVED, by the Authority that the salary adjustment of 2% be approved for all its full and part-time employees and be made effective January 1, 2018.

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

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

\_\_\_\_\_  
Recording Secretary  
Crystal Gild

Dated: *January 22, 2018*

Mr. Cannon stated that obviously that there is consensus also that we should consider some sort of merit based system that we can attribute any possible bonuses to with something credible presented in black and white. Mr. Cannon stated that he would love for Mr. Allen to take this over because he knows that Mr. Allen has done this in the past. Mr. Cannon stated that Mr. Allen could set something up in conjunction with Mr. Williams. Mr. Cannon stated that he feels that this is something that we could do. Mr. Allen addressed Mr. Williams and stated that the two of them can get together regarding this. Mr. Cannon stated that the sooner we have some sort of formula laid out on paper that the board could look at that they may then agree to further increases or bonuses and that potentially we would not wait until the end of the year. He noted that maybe we could do something mid-year. Mr. Williams stated that we do already have something established in our personnel manual regarding employee evaluations. Mr. Cannon agreed and stated that possibly this needs to be looked at and updated. Mr. Williams stated that it is a graded evaluation and that they used to be done years ago, but that previous boards did not want to do merit based bonuses or increases and that they had just wanted to keep it equal across the board. Mr. Cannon stated that he understands. Mr. Williams stated that this is why employee evaluations have not been done since then. Mr. Cannon stated that the economy is booming now so we are going to look into some options. Mr. Mach stated that he thinks this is a good idea.

Mr. Smith stated that he just wanted to mention that the County has not always been at a 2% increase. He noted that there have been times that the increase has been less than that. Mr. Smith stated that this year's County budget is probably one of their best budgets.

Mr. Smith stated that to counter Mr. Cannon's commentaries regarding the County staff since we are on the record that he feels that the County staff does a great job. Mr. Smith stated that the County is actually able to have a tax cut this year based on capital savings and not operating savings because they are still within the 2% cap.

Mr. Cannon asked if we would have a new resolution for the 2% salary increase? Mr. Williams answered that we will just change the 3% within the proposed resolution to 2%. Mr. Cannon stated that this would be fine.

### PRESENTATIONS

None.

### REPORTS

None.

### FACILITIES/RECYCLING

Mr. Williams presented Agenda Item A-5 (Recycling enhancement Act Tax Fund Entitlement Spending Plan 2017) and Resolution R-01-06-18 (Resolution Approving the Recycling Enhancement Act Tax Fund Entitlement Spending Plan 2017) to the board. Mr. Williams stated that Agenda Item A-5 was sent over late last week from Mr. Dave Dech, Warren County Planning Department. Mr. Williams stated that it is his understanding that this will be on the Agenda of the Warren County Freeholders meeting on Wednesday. Mr. Williams stated that Mr. Dech had asked if the PCFA board could approve the resolution today. Mr. Williams noted that this is the same as what has always been done in the past. Mr. Williams stated that the Spending Plan outlines how the money is being spent and noted that there is nothing unusual in it and that it is pretty much the same document that we have seen before. Mr. Williams stated that there was one addition and that he had asked Mr. Dech to include our staff's pay and hours for the Household Hazardous waste events in the spending plan. Mr. Williams noted that this is shown on page 4 of 8 of the Spending Plan. Mr. Cannon asked if these were bonuses? Mr. Williams answered, no. Mr. Williams stated that basically the PCFA will be reimbursed for our time with the monies from this grant. Mr. Williams reiterated that these are not bonuses. Mr. Williams stated that the way he looked at it was that the PCFA should not have to incur those costs and that it should come out of the grant.

Mr. Cannon asked what the Radiac number was based on and if it was last year's amount? Mr. Williams stated that those are actually the numbers that just came in this year. Mr. Cannon asked if this was for 2 events? Mr. Williams answered, yes. Mr. Cannon asked if each event costs \$31,700.00? Mr. Williams asked what page Mr. Cannon was looking at? Mr. Cannon stated that he was on page 5. Mr. Cannon stated that the bids for this year are substantially less. Mr. Williams agreed and stated that the numbers on page 5 are not correct and that they should be lowered. Mr. Cannon asked if Mr. Williams was referring to the \$63,456.00 being lowered? Mr. Williams answered, yes and stated that this figure is incorrect. Mr. Williams stated that the amount should be the amount of the bid from MXI Environmental Services LLC., which would be 2 events at \$22,900.00 each. Mr. Williams stated that he would give Mr. Dech a call regarding this.

Mr. Cannon stated that this has an impact on the computation of the grant and that this difference in amounts would need to be reallocated. Mr. Williams reiterated that he would check with Mr. Dech regarding this.

Mr. Cannon stated that he does not recall Radiac even having cost that amount last year. Mr. Williams stated that we used Care Environmental last year and that the cost per event was approximately \$25,000.00. Mr. Cannon stated that it was not over \$30,000.00 that's for sure.

Mr. Olshefski stated that if the board recalls last year the County made an amendment because there was some money left over. Mr. Cannon stated that he recalls this.

Mr. Cannon asked how we should proceed? Mr. Williams stated that he thinks that we can approve it with the amended figures. Mr. Cannon stated that the figures being wrong will mess up the bottom line and explained that the procedure for this is to work backwards. Mr. Olshefski stated that it is not going to mess up the bottom line and noted that Mr. Dech would just have to reallocate the difference in the amounts. Mr. Cannon agreed. Mr. Olshefski stated that it could be done now during the application or at any point throughout the year. Mr. Williams asked Mr. Olshefski if the total amount of the grant is a fixed number? Mr. Olshefski answered, yes. Mr. Williams stated that we could still pass the resolution then. Mr. Cannon asked if the total figure in the resolution is \$143,320.00? Mr. Williams and Mr. Olshefski agreed.

Mr. Cannon asked if we should just pass the resolution based on the total amount of \$143,320.00 and not the allocation of the funds? Mr. Williams and Mr. Olshefski agreed.

Mr. Cannon called for a motion to approve Resolution R-01-06-18 approving the Recycling Enhancement Act Tax Fund Entitlement Spending Plan in the amount of \$143,320.00.

On a motion by *Mr. Allen*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *January 22, 2018*.

**RESOLUTION**  
**R-01-06-18**  
**RESOLUTION APPROVING THE RECYCLING ENHANCEMENT ACT TAX FUND**  
**ENTITLEMENT SPENDING PLAN 2017**

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 2017 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 January 22, 2018.
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. 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.

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 Crystal Gild  
 Recording Secretary

Date: 01/22/2018

Mr. Cannon stated that we approve the resolution pending to the correction of the amount stated regarding Radiac. Mr. Williams agreed. Mr. Mach asked if we need to re-vote on the resolution? Mr. Cannon and Mr. Williams, both answered, no. Mr. Mach stated that we are amending the motion after the vote has been taken.

Mr. Cannon called for a motion to approve the Recycling Enhancement Act Tax Fund Entitlement Spending Plan of 2017 in the amount of \$143,320.00 on the condition that the amount stated regarding Radiac Research Corp be corrected.

On a motion made by **Mr. Mach**, seconded by, **Mr. Pryor**, the above resolution was adopted on the condition that the amount stated regarding Radiac Research Corp be corrected by the Pollution Control Financing Authority of Warren County at a meeting held on *January 22, 2018*.

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

Mr. Williams presented Resolution R-01-02-18 (Resolution Authorizing the Award of a Fair and Open Contract For General Legal Counsel 2018) to the board.

Mr. Williams stated that he spoke with Mr. Tipton and that it is going to be a while before his firm changes their name. Mr. Williams explained that this is the resolution that we tabled last month and stated that we are going to leave it the same as it is stated Florio, Perrucci, Steinhardt & Fader, LLC as our reappointed General Legal Counsel for the year 2018.

Mr. Cannon asked if there were any questions?

Mr. Cannon called for a motion to approve Resolution R-01-02-18 Awarding fair and Open Contract for General Counsel, Legal Services for Calendar Year 2018 for the PCFA to Florio, Perrucci, Steinhardt & Fader, LLC.

Mr. Pryor stated that he has a question before the motion is made. Mr. Pryor stated that the above mentioned firm has done some personal work for him and his family in the past. Mr. Pryor asked if he was allowed to vote on the motion? Mr. Cannon and Mr. Tipton both answered, yes.

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 *January 22, 2018*.

## **RESOLUTION**

### **R-01-02-18**

Awarding a Fair and Open Contract for General Counsel, Legal Services  
for  
Calendar Year 2018

WHEREAS, the Pollution Control Financing Authority of Warren County (the "Authority") requested a Non-Fair and Open proposal for General Counsel, Legal Services for Calendar Year 2018,

WHEREAS, a total of one (1) proposal was received by the Authority on November 27, 2017.

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

NOW, THEREFORE, BE IT RESOLVED, by the Authority that the law firm of Florio Perrucci Steinhardt & Fader, LLC be awarded the contract for General Counsel, Legal Services, for Calendar Year 2018, in accordance with their proposal received on November 27, 2017.

ROLL CALL:

Mr. Allen	-	Yes
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.

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Recording Secretary  
Crystal Gild

Dated: *January 22, 2018*

Mr. Williams presented Agenda Item A-3 (Household Hazardous Waste Bid Results and Attorney Review) and Resolution R-01-03-18 (Resolution Awarding Contract Furnishing Services For Household Hazardous Waste Collection, Recycling And/Or Disposal to MXI Environmental Services LLC.) to the board.

Mr. Williams stated that 5 companies submitted bids which is actually a pretty good turnout. Mr. Williams stated that the bids were reviewed by Counsel and himself and reported that it was found that MXI Environmental Services, LLC was found to be the lowest responsive bidder in the amount of \$22,900.00 for each event. Mr. Williams stated that this bid covers 2 years with 2 events being held per year for a total of 4 Household Hazardous Waste Events. Mr. Williams stated that the board needs to approve Resolution R-01-03-08 in the amount of \$91,600.00 for the 4 events.

Mr. Cannon stated that we pay per event. Mr. Williams stated that this was correct.

Mr. Cannon asked if Mr. Williams has used this company before? Mr. Williams answered, no. Mr. Williams explained that from the list of bidders, we have used Radiac and Care Environmental in the past. Mr. Allen asked if MXI has ever bid on this before? Mr. Williams answered, no.

Mr. Cannon directed his question to Mr. Tipton and asked regarding the Certificate of Insurance issue if the changes we made are working for us and if it is going to be consistent going forward? Mr. Tipton answered, yes. Mr. Cannon stated that maybe this is why we received 5 bids since the

companies bidding knew that they would only need to have us named as additionally insured on their insurance if they were awarded the bid. Mr. Tipton agreed with this statement. Mr. Cannon stated that he thinks that this is something that everyone should be mindful about and that the insurance issue seemed to be prohibitive before with previous bids. Mr. Cannon noted that this may have potentially saved us \$12,000.00 because the bidders possibly were not expecting much competition. Mr. Williams agreed.

Mr. Cannon asked if there were any other questions?

Mr. Cannon called for a motion to approve Resolution R-01-03-18 Awarding Contract Furnishing Contractor Services For Household Hazardous Waste Collection, Recycling And/Or Disposal to MXI Environmental Services, LLC for the years 2018 and 2019 for an amount of \$22,900.00 per event for a total of \$91,600.00 for 4 events with 2 events being held each year.

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 *January 22, 2018*.

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

### **R-01-03-18**

#### **AWARDING CONTRACT FURNISHING CONTRACTOR SERVICES FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION, RECYCLING AND/OR DISPOSAL**

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 furnish contractor services for household hazardous waste collection, recycling and/or disposal; 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, five (5) Bids were received on January 10, 2018 and were evaluated by staff and General Counsel and **MXI Environmental Services, LLC** was found to be the lowest, responsive bidder; and

NOW THEREFORE, be it resolved by the Authority that **MXI Environmental Services, LLC** be awarded the contract for 2018/2019 for furnishing contractor services for household hazardous waste collection, recycling and/or disposal as stipulated in the bid document dated November 2017. Amount estimated at **\$22,900.00 per event for a total of \$91,600 for four (4) events** in accordance with their Bid received on January 10, 2018.

BE IT FURTHER RESOLVED, the Chairman and the Director of Operations of the Authority are authorized to execute a contract with **MXI Environmental Services, LLC** for these services.

ROLL CALL:     Mr. Allen                 -     Yes  
                  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.

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Recording Secretary  
Crystal Gild

Dated: January 22, 2018

Mr. Williams stated that regarding Treatment Plant Operations there really is not much to report. Mr. Williams stated that we are on a very limited flow to the PRMUA as we have been discussing for several months now. Mr. Williams stated that included in everyone's packet was Agenda Item A-2 (PRMUA Raw Leachate Pilot Program). Mr. Williams stated that originally CP Engineers and a representative from the PRMUA were going to be here today to go over this document. Mr. Williams stated that he received an email late last week stating that they would not be attending our meeting and at the time of the email they had not yet received a response back from the DEP. Mr. Williams stated that the DEP has asked PRMUA for additional testing to be shown within the report. Mr. Williams noted that CP Engineers is going to revise the document and get it back to us for our review. He also noted that they will be attending our February meeting. Mr. Williams stated that if anyone has any comments regarding this they can still provide them to him and he will send them to CP Engineers.

Mr. Cannon stated that he has some comment to make now. Mr. Cannon asked Mr. Williams if he had shared the email in which Mr. Williams responded to the fact that the Raw Leachate Pilot Program was already submitted to the DEP? Mr. Williams stated that he believes that he had copied everyone on the email. Mr. Williams stated that he will send everyone another copy of the email just in case.

Mr. Allen stated that it was his impression that they already had preliminary approval from the DEP. Mr. Williams and Mr. Cannon both said no. Mr. Williams stated that the the last discussion we had with them at our last meeting (CP Engineers/PRMUA) was that they were going to get this document to us in draft format and be here today for us to provide comments and feedback regarding the document.

Mr. Cannon stated that this is the thrust of his objection for the record. Mr. Cannon stated that when they were here last month he firmly understood and he thought that they did as well that is that we would review what they had put together before it went to the DEP. Mr. Allen stated this was his understanding. Mr. Cannon stated that obviously this did not happen and noted that his concern is that the DEP may review the document and make a ruling on something that we are not in agreement with. Mr. Cannon stated that he saw that Mr. Williams had sent them an email which stated that the draft was supposed to come to us and reviewed by us before being submitted to the DEP. Mr. Cannon stated that he feels as if it was "poo poed" and they were saying do not worry about it, you guys will have input. Mr. Cannon stated for the record that until we agree with what the submission will be to

the DEP whether it be fruitful or not we need to be in agreement on that submission before it goes to the DEP. Mr. Cannon noted that Mr. Pryor may have an opinion as to whether the plan is fruitful or not.

Mr. Cannon stated that he is a little concerned that the plan has been submitted to the DEP and that it has already been kicked back. Mr. Cannon stated that in his opinion, this opens up more of a problem because maybe what was submitted could have been tailored to have less issues. Mr. Williams stated that with Mr. Cannon having said that, that he believes the email he received from Mr. Joe Mikulka from CP Engineers was that the DEP's response was that they want us to be in agreement with the document as well. Mr. Williams noted that he paraphrased the DEP's response. Mr. Cannon stated that he had not seen this email. Mr. Williams explained that he had only just received the email on Friday.

Mr. Pryor asked if he could say a few things? Mr. Cannon said sure. Mr. Pryor stated that he is not going to get into the ppm and things like that.

Mr. Pryor stated that if you read the purpose of the study that they are making some statements on our behalf that he is not sure that we all would agree with. Mr. Pryor stated that he understands that the PRMUA does not want to lose the flow and that he understands that they are trying to preserve revenue. He reiterated that he understands all of this, but he explained that they are discussing a limit of approximately 10,000 gallons per day. Mr. Pryor stated that it is his understanding that that the PRMUA runs the plants jointly and that they have a joint budget and a joint rate schedule. Mr. Pryor stated that they take in approximately 550,000 gallons of combined plant flows per day and when they are discussing less than 10,000 gallons coming from us it is actually less than 2% of their flow. Mr. Pryor also stated that there are some savings associated with this as well by eliminating the flow coming from us. Mr. Pryor stated that he is curious as to why they want to go through this whole pilot study process if that is how little we are discussing. Mr. Pryor stated that he is just making a general statement. Mr. Cannon stated that he does not believe that Mr. Pryor is the only one that is thinking this.

Mr. Cannon stated that he feels that more insight of that email that Mr. Williams stated that he had received late last week will help. Mr. Cannon stated that in his opinion Mr. Williams needs to send a "crystal clear" response that the board is unanimous regarding the fact that the PRMUA may be trying to represent our position to the DEP and that this is something that he feels that we are all very much against. Mr. Mach stated that he agrees with this. Mr. Cannon stated that he thought that they had fully understood this last month regarding the fact that everyone would have to agree with what is going to be submitted to the DEP before it gets submitted. Mr. Cannon stated that in his opinion, this is not a good way to start. Mr. Cannon stated that he has trust in Mr. Williams to be able to convey the Board's feelings regarding this to CP Engineers and the PRMUA so that they do not continue to spend more money on their engineers for reports and/or paperwork that we are not in agreement with. Mr. Cannon stated that he would like to get an agreement together and then go from there. Mr. Cannon asked if this addresses what Mr. Pryor was saying? Mr. Pryor answered, yes. Mr. Cannon asked Mr. Allen what he thinks about getting on the same page before any action is taken? Mr. Allen stated that he agrees with this.

Mr. Williams stated that there is nothing to report regarding Landfill Operations. Mr. Williams stated that he feels that Mr. Olshefski covered it pretty well with his report regarding waste flow intake and so on and so forth. Mr. Williams stated that we are trying to conserve the limited air space that we have left. Mr. Williams stated that everything is going well and that there are no issues regarding the Landfill.

Mr. Williams stated that the next item on the Agenda is the Landfill Expansion Application.

Mr. Allen asked what the status of the scale is? Mr. Williams stated that the scale has been installed. Mr. Allen stated that he thought he saw it there this morning when he came in. Mr. Williams stated that the scale has been installed and calibrated but that it is not functional yet. Mr. Williams stated that there is some additional wiring that needs to be done. He also stated that there is also a red light/green light stop/go signs that need to be installed. He further stated that some electrical controls need to be installed within the scale house as well.

Mr. Cannon asked if they are waiting to do this because of weather related issues? Mr. Williams stated that he is not sure, but noted that we did get some snow, but that he does not think that it is weather related because all of the underground conduits are in place for them to run their cabling and so on. Mr. Cannon stated that Mr. Williams is saying that the scale was installed 10 days ago and we are not moving forward yet. Mr. Williams stated that there is some minor wiring that needs to be done and noted that he is not sure if they were having an issue with an electrician but that he has not actually spoken to them. Mr. Williams stated that there is a gate that needs to be installed and that there is also a grated walkway that needs to be put in alongside the scale. Mr. Williams stated that the walkway could not be put in until the scale was installed. Mr. Cannon stated that his only objection is that they had asked for a partial payment, which we made and now all of a sudden there is not as much work being done as there was before. Mr. Cannon asked Mr. Williams to speak with them today and say that the board would really like to get this done, in addition the fact that we did give them a partial payment. Mr. Williams stated that he would take care of this.

Mr. Allen asked if we need to put up additional signage for traffic flow with this change? Mr. Williams stated that we are going to put do not enter signs up once the scale is ready to go.

Mr. Williams stated that the camera system will be updated so that there are cameras on the new scale as well. Mr. Williams stated that all of the cameras are being updated. Mr. Cannon asked how old the cameras were? Mr. Williams stated that the cameras were put in around the year 2000. Mr. Cannon stated that the technology is probably incredibly different now. Mr. Williams agreed.

Mr. Williams stated regarding the Landfill Expansion Application that he feels that we covered the Technical Notice of Deficiencies and Cornerstone's response. Mr. Williams reiterated that the DEP is ready to write the draft permit.

Mr. Cannon asked Mr. Smith if we want to have the discussion now regarding where we stand with the DEP and the ongoing Wildlife Mitigation Area issue. Mr. Smith answered yes. Mr. Williams stated that Mr. Smith has had some discussions with the DEP. Mr. Cannon asked Mr. Smith to give the other board members who are not aware of what the discussions have entailed a brief synopsis. Mr. Cannon asked if this should be discussed during Executive Session? Mr. Cannon answered, no. Mr. Smith stated that certain portions may want to be discussed in Executive Session.

Mr. Williams directed the Board's attention to the drawings of the Landfill property that he has on display and noted that these are for the entire site. Mr. Williams stated that Mr. Mach had requested this so that we could see the areas that we are discussing regarding Wildlife Mitigation and so we could point these areas out if need be. Mr. Mach thanked Mr. Williams for putting this together.

Mr. Cannon asked Mr. Smith to give us a synopsis of what has occurred since he and Mr. Williams met with the DEP here through this past Friday.

Mr. Smith stated that Mr. Cannon and Mr. Williams had met with representatives from the DEP and that they did discuss the possibility of giving the DEP a 91 acre area parcel which he pointed out on the map. Mr. Smith stated that this is also the area where Mr. Bastedo is situated. (Mr. Williams used the laser pointer to show where the 91 acre area is). Mr. Smith stated that the area is County property which is why the Freeholders became involved. Mr. Smith stated that the biggest issue is what the disposition would be of the person who is living there and Mr. Smith noted that this should be discussed during Executive Session.

Mr. Smith stated that the DEP has come back and suggested a 4:1 ratio. Mr. Smith stated that he has been pressing for a legal citation for the 4:1 ratio. Mr. Smith stated that Mr. Corey Tierney, Administrator of the Warren County Department of Land Preservation, found a legal citation, just this morning. Mr. Cannon stated that the meeting on December 27, 2017 with DEP/Fish and Game and Mr. Williams was a follow up on-site property visit of the area in question. Mr. Mach stated that the ratio is typically 3:1. Mr. Smith stated that it is interesting because the difference is in what the application of the land would be and noted that he is assuming that this fits within that category. Mr. Smith stated that interestingly enough that if you look at the memo from the DEP that they are more interested in money and that money is 4:1. Mr. Smith stated that, however the citation does say that diversions or disposals, public purpose for lands which appraisals are obtained 2:1 or lands in which appraisals are not obtained 3:1 and for cash transactions 4:1. Mr. Smith stated that interestingly enough the DEP's preferred mechanism would be to go for a cash transaction. Mr. Cannon stated that we should get an appraisal of the land and noted that he believes that the appraisal would come in at a fairly low figure. Mr. Smith stated that he believes that if we look at the appraisal that we would appraise the properties that we are looking at.

Mr. Smith stated that he had the opportunity to attend Governor Phil Murphy's inaugural ceremony and then subsequent to that he reached out to the DEP to see where we stood regarding the Wildlife Mitigation issue. Mr. Smith stated that with that being said there was a subsequent call set up with County Counsel, which he was on along with the individuals from Green Acres. Mr. Smith stated that the DEP raised the bar and stated that they want the 91 acres with the following stipulations: eviction of the tenant, elimination of all of the structures and accumulated items left by the tenant and another 13 acres of land from down along the railroad tracks. Mr. Smith stated that he cannot say that his board would support this. (Mr. Williams used the laser pointer to show the 13 acres that Mr. Smith is referring to). Mr. Smith stated that this request brings us into giving the DEP over 100 acres of land and then the costs involved with their stipulations which he feels should be discussed during Executive Session.

Mr. Smith stated that the County has responded to the DEP with a Resolution that would be calling for SWAC to begin to investigate what type of modifications would be necessary for the County's Solid Waste Management Plan if the Landfill were to close. Mr. Smith stated that this Resolution will be passed on this Wednesday, January 24, 2018 and if we have not come to a resolution with the DEP by January 31, 2018 that SWAC is to come back with a proposal by July 1, 2018 in terms of how to move forward. Mr. Smith stated that if you look at the note you will see that the DEP did mention the fact that this is revocable up to a point, but that he believes that the PCFA Board has consistently stated that we are up against a deadline and that we either need to get to a point where we are going to open up an additional cell or not.

Mr. Smith stated that based on the information provided to him by Mr. Tierney this morning, he is not surprised that the DEP is looking at the 4:1 option so that they would end up with somewhere between \$600,000.00 to \$800,000.00 depending upon the appraisal of the land. Mr. Smith stated that this is a pretty salty pill for us to continue to provide a public service which not only entails providing

solid waste management within Warren County but also other provisions in areas of the State as well as fulfilling significant Emergency Management Response capabilities for agricultural issues as well as storm damage.

Mr. Smith stated that to add all of this into the dynamic of the timeline he was dismayed that he had not heard anything from the DEP for quite a while and then he found out that anyone that held a position above Director at the DEP had been instructed to submit their resignation effective Inaugural Day. Mr. Smith explained that this means that there is no management left at the DEP as of right now. Mr. Smith stated that he understands that on the day before this occurred that someone did manage to reach out to the DEP Administration and point out that it might not be best for there to be no management in place at the DEP. Mr. Smith stated that the order for resignations had been temporarily rescinded. Mr. Smith stated that he feels that one of the biggest challenges we are facing right now is that there is no management at the DEP establishing policies, despite the fact that we may or may not have predispositions in terms of how we think it is going to be subsequent to the administration change at the DEP. Mr. Smith noted that he believes that the DEP still recognizes the fact that there is a need for solid waste capability and he also believes that at the end of the day that more reasonable positions will prevail.

Mr. Smith stated that he does want to discuss some of our options with the Board during Executive Session.

Mr. Smith asked if there were any questions?

Mr. Mach asked what the topographical nature of the land in question was? He asked if it is pasture land, steep slopes or wooded? Mr. Cannon stated that the land is pretty level. Mr. Williams explained that the top half of the land is all farmland and that the lower half goes down to old Quarry Road, which is a heavily wooded areas and is not of any significant use other than for Wildlife.

Mr. Pryor asked if the tenant is farming the land? Mr. Williams answered, no. Mr. Williams explained that the County leases out all of the farmland. Mr. Smith stated that the lease on the farmland is up for renewal and the purchasing department for the County has asked what we are doing with that land. Mr. Cannon asked if there is going to be a hold put on renewing the lease? Mr. Smith stated that right now there is a hold on renewing the lease.

Mr. Smith stated that the other thing that he wants to mention is that the DEP has cited the Doctrine of Public Trust. Mr. Smith stated that he found this to be particularly interesting because when he looks it up it refers to repairing entitled areas and access to ocean beaches. Mr. Smith noted that he thinks that this is a bit of a reach on the DEP's part. He also noted that he does not believe that there is any access to the 20 acres we have now.

Mr. Smith stated that he will be looking for direction from the PCFA Board when we discuss this further in Executive Session.

Mr. Pryor stated that what Mr. Smith just stated is interesting because when someone tells him he has to do something in particular he always tells them to show him proof as to why it needs to be done. Mr. Pryor stated that there are a lot of public lands and that we have parks where we have done land swaps, we acquire land when people do not pay their taxes and so on. He stated that there are public lands all over the place and we trade, sell or donate them on a regular basis without dealing with the DEP the way we are now. Mr. Pryor stated that he is curious where the DEP's interpretation comes from, if it has ever been litigated or if there is any case law related to it. Mr. Pryor stated that it seems to him that someone came up with a wacky idea and just threw it out there. Mr. Smith stated that he

just sees the DEP raising the bar which he finds troublesome because they have waited until the eleventh hour to come up with their demands. He noted that we really did not know about any of this until December. Mr. Smith stated that he feels like we are being blackmailed at this point. Mr. Pryor stated that it does sound like that. Mr. Pryor stated that he finds the County's counter proposal interesting.

Mr. Pryor asked if we have a feel for how many county residents as opposed to out of county residents use our Landfill? Mr. Williams stated that if he uses the convenience center as an example that more in county residents use it than out of county residents. Mr. Williams stated that if you look at the landfill disposal side, then approximately 75% of it is out of county. Mr. Pryor stated that with that being said, we are benefiting the entire State. Mr. Smith and Mr. Williams agreed. Mr. Pryor stated that even though we benefit the entire State the County has the burden of keeping the Landfill open. Mr. Williams stated that as Mr. Smith had said before, here we are at the eleventh hour after we have already put close to \$500,000.00 into design work and submissions and also installed a \$200,000.00 scale and now the DEP is throwing all of this at us.

Mr. Smith stated that we had provided a proposal within our permit application to the DEP for the Wildlife Mitigation Area which the DEP rejected at the very end and now the DEP is looking for alternative lands. Mr. Smith this is not a situation where we did not acknowledge the fact that we had to reallocate land for Wildlife Mitigation. Mr. Smith stated that the DEP is choosing to try to create the most lucrative scenario for themselves. Mr. Cannon agreed. Mr. Cannon stated to be clear that the Board along with Cornerstone made sure that the Wildlife Mitigation plan was done properly within the permit application. Mr. Cannon explained that Cornerstone felt that we would be able to use the area that we included in our application as a substitution for the land that we would be using but the DEP minions did not like what was offered. Mr. Williams stated that 13 of the acres that the DEP is now requesting is part of what was proposed by Cornerstone in our permit application. Mr. Cannon stated that they can forget about that because they were going to be off of the PCFA's land if we were going to substitute the 91 acres of land.

Mr. Cannon stated that the DEP hung their hats on the fact that the wildlife area needed to be enhanced so that it could accommodate more wildlife. Mr. Cannon noted that this constituted of cleaning out the brush in the Wildlife Mitigation Area. Mr. Cannon stated that the DEP is hanging their hat on the fact that they did us a favor with the Wildlife Mitigation Area last time and we did not "properly maintain the area" according to them so now we are going to have to toe the line which in Mr. Cannon's opinion was the representation made by the Fish and Wildlife representative that was at the meeting.

Mr. Smith stated that the County is going to OPRA the entire file regarding this to see where these obligations are coming from and what instructive information, notice of violations or the notice of deficiencies were given to us. Mr. Smith stated that there should be a paper trail if there has been blatant violations and lack of cooperation on our part. Mr. Smith stated that it will be interesting to see what he receives from the OPRA request. Mr. Smith noted that County Counsel is currently in the process of drafting the OPRA request. Mr. Mach stated that this is a great move. Mr. Cannon stated that he does not believe that there will be anything found.

Mr. Allen asked for an explanation as to what is motivating the DEP to do this? Mr. Smith stated that he believes that it is a power play to a degree and noted that he could speculate on a lot of things but that he will not do that on the record. Mr. Smith stated that it appears that there are individuals within the DEP who want to get the most that they can and he understands this because everyone likes to excel in whatever they do. Mr. Smith stated that to look at Warren County with the thousands of acres

that we have preserved and to suggest that the pressures on wildlife is going to force them to go and eat farmer's fields. Mr. Smith stated that his argument there would be is that if they take the cash and the 91 acres that could provide that relief he would understand that but they want to take the cash and go somewhere else. Mr. Smith stated that he would like to know if the DEP is going to provide busing for the wildlife to the new land because what the DEP wants to do does not make any sense. Mr. Smith stated that the DEP stated that their first preference will be form the cash. Mr. Cannon stated that this will not happen on his watch. Mr. Mach agreed.

Mr. Allen asked if he is correct that within the 91 acres there is a resident? Mr. Smith answered, yes. Mr. Allen asked if there is concern with having to mitigate environmental issues? Mr. Smith stated that he feels that this is something that should be discussed during Executive Session. Mr. Cannon agreed. Mr. Allen stated that he was okay with this.

Mr. Cannon stated that he feels that our initial offer to the DEP was a fantastic offer for everyone involved. Mr. Cannon stated that how it would be handled down the road was a different subject. Mr. Cannon stated that he feels that we should give them the same offer of what we are willing to do. Mr. Cannon noted that he was hoping to get this settled before the new Administration took over, but unfortunately that did not happen. Mr. Cannon stated that quite, frankly, he feels that our initial offer of the 91 acres was more than fair.

Mr. Allen stated that the memo that went out regarding the resignation of the DEP management is something that he has been worried about in terms of our permit application getting approved. Mr. Allen noted that with a change of Administration that there are a lot of people just sitting around wondering if they are still going to have a job. Mr. Smith agreed. Mr. Allen stated that with or without the memo this is how they would be feeling because of the new Administration. Mr. Allen stated that these people are probably out hunting for jobs and Mr. Mach agreed. Mr. Smith stated that if someone was able to demonstrate that they were able to bring a big windfall to the department that it would put them in a better position moving forward. Mr. Smith stated that there are a lot of dynamics going on here and that it is unfortunate that where we are with our timeline happened to fall within this administrative transition.

Mr. Smith stated that he was surprised that he was invited to the Governor's Inaugural Ceremony. Mr. Smith stated that he is going to try to extend an olive branch and possibly even reach out to the Governor himself. Mr. Smith stated that he intends to point out the facts of what the PCFA does for the entire State.

Mr. Smith stated that he looks forward to what we will discuss during Executive Session and that we will go with a game plan from there.

Mr. Mach stated that he has 2 questions. Mr. Mach asked who owns the 91 acres? Mr. Smith and Mr. Cannon stated that the County owns the 91 acres. Mr. Mach asked where the original Wildlife Mitigation Area is that we originally proposed that precipitated these issues. (Mr. Williams showed the existing Wildlife Mitigation area on the map by using the laser pointer).

Mr. Pryor asked if the DEP is saying that the Wildlife Mitigation Area is so filled with brush that a deer could not walk through it? Mr. Williams answered that apparently that is what they are trying to say. Mr. Pryor asked if this is true? Mr. Williams stated that he has never been over there. Mr. Cannon stated that he does not believe that it is true.

Mr. Pryor stated that in Lopatcong Township they have a Jersey Central Easement and he noted that Jersey Central does not maintain that area which has been there for 40 years and that deer run through

that area constantly. Mr. Pryor further noted that if a deer can run through the area, he assumes that other types of wildlife can too. Mr. Cannon stated that he feels that the DEP is just trying to find the 1 string that they could pull to have an objection and to go for what they really want because otherwise they had nothing to go on because we submitted a plan with Cornerstone to match the amount of the Wildlife Mitigation Area that we were required to have. Mr. Cannon stated that the only reason the DEP did not like what we proposed was because of the animals not being able to get through the area. Mr. Cannon stated that this was the only negative feedback and noted that our facility is run as clean as a whistle. Mr. Cannon stated that goes to Mr. Smith's point as to if we were not doing what we needed to be doing, when were we cited by the DEP for violations? Mr. Cannon stated that he does not believe that any citations exist and Mr. Cannon and Mr. Williams both agreed. Mr. Cannon stated that he does not feel that the DEP is standing on firm ground and noted that he thinks that we can submit an offer that would be more than substantial and hopefully we could move forward. Mr. Cannon stated that he would want the offer made a condition of the permit which is what he told the DEP when these discussions began.

Mr. Cannon stated that we will cover anything else pertaining to this in Executive Session.

Mr. Mach stated that before we go into Executive Session he has something to say. Mr. Cannon stated that we are not going into Executive Session right now and noted that we still have other items on the Agenda. Mr. Mach stated that Mr. Williams had pointed out the original Wildlife Mitigation Area to all of us on the map. Mr. Mach stated that we could still drastically reduce the size of this expansion in his opinion and not even bother with disturbing the current Wildlife Mitigation Area. Mr. Mach stated that we can discuss this later. Mr. Cannon stated that the Cornerstone information is on the record. Mr. Williams pointed out on the map where the expansion will be and noted that it is all outlined in orange. Mr. Cannon asked Mr. Williams to show on the map where Cornerstone proposed to put the new Wildlife Mitigation Area. Mr. Cannon stated that the DEP did not like the buffer area. Mr. Smith asked if the area that Mr. Williams had just pointed out is the 13 acres the DEP is now asking for. Mr. Williams answered, yes. Mr. Smith stated that the DEP had initially said that that area was not appropriate to be a buffer but now they want it. Mr. Williams agreed.

Mr. Williams showed on the map which part of the original Wildlife Mitigation Area was not going to be disturbed and stated that it is approximately 17 acres. Mr. Cannon agreed. Mr. Mach stated that we should have a discussion regarding drastically reducing the size of the expansion during Executive Session. Mr. Mach stated that this could just be an alternative plan and then we could still go ahead with a smaller expansion. Mr. Cannon stated that the cost associated with that would be too much because the whole process would have to start over. Mr. Allen and Mr. Mach both asked why? Mr. Williams stated that Mr. Cannon is correct. Mr. Allen stated that you could simply just eliminate a couple of cells. Mr. Cannon stated that the DEP will not be happy with that plan and it will have to be completely reviewed again. Mr. Williams agreed and stated that the whole expansion application will need to be resubmitted. Mr. Cannon affirmed this. Mr. Williams stated that he was actually discussing this possibility with Cornerstone earlier this morning just in case we needed to go down that route and Cornerstone had stated that it would be a complete redesign.

Mr. Smith asked about the elevation issue because he knows that one of the components of our expansion was an increase in elevation. Mr. Williams stated that we did ask for an increase in height. Mr. Smith stated that the increase in height would be applicable to the existing area as well. Mr. Williams agreed. Mr. Smith stated that he feels that these are all things that we should discuss in Executive Session.

Mr. Williams stated that there were no updates regarding the H2S Removal System or the Solar Panel Project.

Mr. Williams then presented Agenda item A-4 (revised schedule of the 2018 hauler contracts.) He noted that the haulers that have signed their contracts are typed in red.

Mr. Cannon stated that it looks like over half of the contracts have come in so far. Mr. Williams agreed.

Mr. Williams listed the following haulers for approval of their 2018 contracts: Blue Diamond, Junk RX, LLC, Montella Landscaping, N. Tassielli Disposal, Pinto Service, Russell Reid, S&L Equipment Rental, Frelinghuysen Township, Hampton Boro, Lambertville City, Liberty Township, Phillipsburg Housing Authority and Warren County Habitat for Humanity.

Mr. Pryor asked if anyone objected or made any counter offers? Mr. Williams answered, no.

Mr. Cannon and Mr. Williams stated that the companies that have not signed contracts still have until February 28 to sign the 2018 contracts.

Mr. Williams stated that if 1 or 2 of the haulers do not come back that it is not the end of the world. Mr. Williams explained that we picked up a new hauler, LMR Disposal, who will make a big difference if 1 of our larger haulers does drop off. Mr. Williams noted that it is not going to hurt us. Mr. Cannon stated that by next month's meeting all of the 2018 contracts should be in. Mr. Cannon stated that he feels that we will be coming in with numbers that are exactly where we want them to be. Mr. Williams agreed.

Mr. Cannon called for a motion to be made to approve the currently presented 2018 hauler contracts.

**Mr. Pryor** made a motion to approve the current 2018 hauler contracts as presented in Revised Schedule A-4 and authorized Mr. Cannon and Mr. Williams to execute the contracts, seconded by **Mr. Allen**.

ROLL CALL:

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

Mr. Williams stated that he wanted to address one last item that he handed out to everyone today. Mr. Williams stated that it is a draft for Special Conflict Counsel that he had received from Counsel. Mr. Williams stated that this is just for everyone to take a look at and noted that we do not need to discuss it today. Mr. Williams stated that this should cover us if in the event we go out for a proposal for Special Counsel in the near future. Mr. Cannon stated that Mr. Tipton is aware that if and when we get on the same page with the PRMUA that there would need to be some sort of a signed agreement between the

PCFA and the PRMUA. Mr. Cannon stated that Mr. Tipton had told him that he would not want to be involved on either end of the agreement. Mr. Cannon asked everyone to take a look at the document and to get any comments back to Mr. Williams and then we would go from there and we will have it if we need it. Mr. Cannon stated that he would like to approve this at the next meeting.

### GENERAL COUNSEL'S REPORT

Mr. Tipton had no report for open session.

### NEW BUSINESS

Mr. Williams stated that he has been emailing back and forth with a vendor regarding a computer and electronics collection. Mr. Williams stated that he and Mrs. Banghart are going to be speaking with the vendor on the phone tomorrow. Mr. Williams stated that the vendor is very interested in doing a program with us and he has done programs within the State in the past. Mr. Williams stated that the vendor is aware that the covered electronics are not to be charged for. Mr. Williams stated that what he would like to do based on the discussion that he and Mrs. Banghart have with him tomorrow is to reduce the usual bid down to the NJ Covered Electronic items and put it out for bid again. Mr. Cannon stated that in consideration of the gray areas that he would only want to do one event. Mr. Williams stated that we can do that. Mr. Cannon stated that he would not want to tie the vendor or us into something we were not aware that we were getting into. Mr. Cannon stated that at least for this trial run he would like to see what happens. Mr. Williams agreed. Mr. Mach asked if this vendor is out of state? Mr. Williams stated that the vendor is out of Massachusetts and reiterated that they have done events in New Jersey before. Mr. Cannon stated that if things go well, we can tell the vendor that we want to continue this relationship.

Mr. Williams asked Mr. Tipton how that would work? Mr. Williams asked him if this is considered recycling? Mr. Williams asked if we would need to go out for bid again, but stated that Mr. Tipton did not need to answer the questions now. Mr. Tipton stated that he does not have the answer off the top of his head. Mr. Cannon stated that this is a good point and that he thinks that we may not have to. Mr. Smith stated that we would not have to if it is below the threshold and the vendor is just coming in to implement the state program. Mr. Cannon agreed. Mr. Smith stated that it would be under the \$19,000.00 threshold. Mr. William stated that there should not even be a fee. Mr. Smith agreed. Mr. Cannon stated that this is the ultimate goal.

Mr. Williams stated that once he and Mrs. Banghart speak with the vendor tomorrow that he will send an email out to everyone regarding how the conversation went. Mr. Williams stated that there is possibly light at the end of the tunnel.

### OTHER BUSINESS

Mr. Pryor addressed Ms. Gild and stated that he knows that he has been annoying regarding the minutes sometimes. Mr. Pryor stated that these minutes are very complicated and that there are a lot of technical terms and that in his opinion Ms. Gild is doing a remarkable job with them. Mr. Cannon stated that he knows that everyone loves to read them. Mr. Pryor stated that he just corrects things because he can. Mr. Pryor stated that the last set of minutes were very long and complicated with lots of technical terms and that he feels that we are establishing a pretty good record of our meetings. Mr. Pryor told Ms. Gild not to mind him if he wants to make corrections or changes. Mr. Cannon stated that the minutes are the best

way to get quickly educated as to what is going on at the PCFA and that this will be very helpful with the potential of a new member coming onto the PCFA Board.

CLOSING PUBLIC COMMENT

None.

PRESS COMMENTS & QUESTIONS

None.

Mr. Cannon stated that there would be a 5 minute break before entering into Executive Session.

Mr. Cannon called for a motion for a 5 minute break before entering into Executive Session.

On a motion made by *Mr. Allen*, and seconded by *Mr. Pryor* a 5 minute break was taken before resuming the meeting to enter into Executive Session.

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

EXECUTIVE SESSION

Executive Session was entered at 11:10 am.

**RESOLUTION**

**R-01-04-18**

**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	-	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.

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Crystal Gild  
Recording Secretary

Dated: 01/22/18

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

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

Regular session resumed at 12:14 pm.

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

No action was taken during the Executive Session.

ADJOURNMENT

With no other business to discuss, *Allen* motioned to Adjourn, seconded by *Mr. Mach*, at 12:14 pm.

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

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Respectfully submitted by:  
Crystal Gild  
Recording Secretary

Approved: 02/26/2018