

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF Special MEETING

May 25, 2018

Vice Chairman Bud Allen called the special meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:29 am.

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

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

Also present: James Williams, Director of Operations; Brian Tipton, General Counsel; Edward Smith, Freeholder Director; Crystal Gild, Recording Secretary.

The Pledge of Allegiance was led by Vice Chairman Allen.

Mr. Allen read the following statement: “Adequate notice of this special meeting of May 25, 2018 was given in accordance with the Open Public Meetings Act by forwarding a copy of this special 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. Allen stated that the main purpose for today’s Special Meeting is to review the Cell 7 Bid Design Proposal provided by Cornerstone, dated May 8, 2018. Mr. Allen stated that this proposal has been amended based on the results of the meeting held between Mr. Tipton and Cornerstone’s Attorney. Mr. Allen stated that we would be discussing this today, review any comments and hopefully sign the contract.

Mr. Allen turned the meeting over to Mr. Tipton.

Mr. Tipton stated that during the last meeting he was tasked with going back to Cornerstone’s Attorney and working out the legal terms and other issues within the proposed contract.

Mr. Tipton stated that at this time it would be best to enter into Executive Session to discuss the details of the contract.

EXECUTIVE SESSION

On a motion made by, **Mr. Pryor**, seconded by, **Mr. Mach**, Executive Session was entered into at 9:31 am.

RESOLUTION

R-05-08-18

AUTHORIZING EXECUTIVE SESSION

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

Contract Negotiations.

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

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

Moved By: **Mr. Mach**

Seconded By: **Mr. Pryor**

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

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: 05/25/2018

On a motion made by, **Mr. Mach**, seconded by, **Mr. Pryor**, Executive Session ended at 10:19 am.

Regular Session resumed at 10:19 am.

Mr. Allen stated that having discussing the contract in Executive Session, the PCFA Board made some modifications to agreement. Mr. Allen stated that there was a change to page one, Article 1 of the agreement, regarding allowing the PCFA to have the right to ask for the contract to be changed if desired. Mr. Allen stated that we added Article 16 to the contract, which covers the terms regarding the use of documents. Mr. Allen stated that Article 16 includes two separate items. Mr. Tipton stated that Article 16 is two paragraphs in length.

Mr. Allen asked if there were any other questions regarding the contract and/or changes to the contract?

Hearing none, Mr. Allen called for a motion to approve Resolution R-05-05-18.

On a motion by, **Mr. Mach**, seconded by, **Mr. Pryor**, the following resolution was adopted as amended by the Pollution Control Financing Authority of Warren County at a meeting held on *May 25, 2018*.

R E S O L U T I O N

R-05-05-18

To Award a Non-Fair and Open Contract
Engineering Services
Cell 7 Design/Bid Documents
at the Warren County District Landfill

WHEREAS, the Pollution Control Financing Authority of Warren County (the "Authority") requested a proposal for Engineering Services, Cell 7 Design/Bid Documents at the Warren County District Landfill;

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 et. seq.) requires that a resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, this contract is awarded in accordance with N.J.S.A.19:44A-20.4, as a non-fair and open contract; and

WHEREAS, the Authority has received all necessary documentation to allow award of this contract including the Business Entity Disclosure Certification, Certificate of Compliance With Campaign Contribution Law and the Determination of Value and these forms are on file; and

WHEREAS, the Authority awarded a contract by resolution R-05-05-18 on May 25, 2018 to **Cornerstone Environmental** for Engineering Services, Cell 7 Design/Bid Documents at the Warren County District Landfill as described in and, in accordance with their proposal dated May 8, 2018, and subsequently amended in the amount of \$ 336,100.00; and

NOW, THEREFORE BE IT RESOLVED, by the Authority that the **Cornerstone Environmental** contract for Engineering Services, Cell 7 Design/Bid Documents at the Warren County District Landfill as described in and, in accordance with their proposal dated May 8, 2018, and subsequently amended in the not-to-exceed amount of \$ 336,100.00.

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

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: May 25, 2018

Mr. Allen called for a motion to adjourn the PCFA special meeting of May 25, 2018.

ADJOURNMENT

With no other business to discuss, **Mr. Mach** motioned to Adjourn, seconded by **Mr. Pryor** at 10:21 am.

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

Respectfully submitted by:
Crystal Gild
Recording Secretary

Approved: 06/25/18