

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

August 27, 2018

Chairman James Cannon called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:31 am.

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

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

Also present: Bill Ryan, Deputy Mayor of Oxford; Rich Gesumaria, Covanta; Todd Frace, Covanta; Brian Henning, Mott MacDonald; Joe Kohler, Mott MacDonald; James Williams, Director of Operations; Freeholder Director, Ed Smith; Katharine Fina, General Counsel; Jamie Banghart, Administrative Supervisor; Mariann Cliff, Recording Secretary.

The Pledge of Allegiance was led by Chairman Cannon.

Mr. Cannon read the following statement: “Adequate notice of this meeting of August 27th 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 we may jump around in the agenda in consideration of Mr. Ryan’s schedule.

Mr. Williams introduced new Administrative Assistant, Mariann Cliff, saying that Mrs. Cliff has been with the PCFA since last fall as Weighmaster.

MINUTES

Mr. Cannon then presented (M-1) the regular monthly meeting minutes from July 23, 2018.

Mr. Cannon stated that there were some minor changes to the minutes, mostly typos. On page 5 in the middle of the page should have been ‘an’ interest rate. On page 6, fourth paragraph, should have been ‘the’ instead of ‘a’. On page 7, 7th paragraph ‘this is the biggest ‘problem’ that the PCFA’. On page 18 4th paragraph, correction to misspelled ‘review’. On page 19 3rd paragraph Dave’s last name is ‘Dech’ not Deck. On page 23, second to last paragraph, ‘blank’ check, not ‘blind’.

Mr. Cannon then passed to Mr. Pryor.

Mr. Pryor stated that he only had one correction, on page 7, 4th paragraph he stated that ‘collective’ should have been ‘collaborative’.

Mr. Cannon asked if anyone had any other comments regarding the minutes. Hearing none, Mr. Cannon called for a motion to approve the Regular Monthly Meeting Minutes from July 23, 2018 as amended.

Mr. Pryor made a motion to approve the Regular Monthly Meeting Minutes from July 23, 2018 as amended, seconded by **Mr. Allen**.

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

Mr. Cannon presented (M-2) the Executive Session minutes from July 23, 2018, asked if anyone had any questions. Then called for a motion to approve.

Mr. Pryor made a motion to approve the Executive Session Minutes from July 23, 2018, seconded by **Mr. Allen**.

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

Mr. Cannon stated that Covanta representatives are here to tell us what their plans are for the immediate future and not so distant future. He also stated that he is not sure what our relationship is about this but this meeting is open to everybody.

Mr. Williams interjected with, could the Covanta representatives please state your names for our records please.

Mr. Rich Gesumaria introduced himself as, Business Manager from Covanta along with Mr. Todd Frace, Facility Manager from Covanta.

Mr. Gesumaria thanked the Board for seeing them today. He also thanked Mr. Ryan.

Mr. Gesumaria stated that effective April 2019, Covanta will cease operations of the Warren Facility. He wanted to make sure that everybody was on the same page regarding that. He stated that due to economic conditions (most notably diminishing energy pricing and tip fees), along with the age of the plant, and increasing maintenance costs led that decision to be made. We have been trying now for a number of years to prevent this from happening. Covanta has been trying to cut cost to try to keep it sustainable, but it is not. The target date is April 1, 2019 is when Covanta will cease operations.

Mr. Ryan asked is this moth-balling the plant or closing it?

Mr. Gesumaria replied with Covanta is ceasing operations. He stated that one of the options would be that they might choose in the future to reopen it. Right now, they are just focused on the task-at-hand which is ceasing operations.

Mr. Ryan replied with what does that mean for the Town of Oxford? Mr. Gesumaria answered that effective upon Covanta ceasing operations, the host fee will cease as well. Mr. Ryan replied “they are going to bankrupt the town”. The host fee is a significant portion of our revenue. Mr. Gesumaria stated that this is very unfortunate all around.

Mr. Williams asked Mr. Gesumaria if this is your formal notification or will there be a letter? Mr. Gesumaria stated that this is public knowledge. Mr. Williams questioned is this it or will there be a letter coming to the Board? Mr. Gesumaria replied with Covanta can certainly have a formal letter sent.

Mr. Cannon stated “it is what it is” until we have a formal letter. Mr. Gesumaria stated that if we would like to discuss contractual details we can certainly do that in executive session or a later date when our legal person is present along with Mr. Rick Sandner then we can get into details. Mr. Cannon stated that he thinks that there may be some requirements as far as notification on their part, which would be an official notification. Otherwise, we do not really have any contractual issues.

Freeholder Smith questioned Mr. Gesumaria what about the Solid Waste Management Plan that has to be done for the County? As of right now, all type 10 waste comes to Covanta and that would obviously have to change. We would have to amend our Solid Waste Management Plan with the DEP. Freeholder Smith stated we are going to have a meeting coming up, it would be appropriate for someone from Covanta to attend the next Solid Waste Advisory Counsel (SWAC) meeting, because that will require a plan amendment. Mr. Williams stated that is a process too right Freeholder Smith? Freeholder Smith replied with yes, that is a process. He stated that we have to have public hearings for that and Dave Dech is the contact person. Mr. Gesumaria stated that we will make sure someone is at the next SWAC meeting to discuss it. Freeholder Smith replied with ok, and he will advise the chair as such. Mr. Gesumaria asked when the next meeting will be? Mr. Williams replied that it is coming up next Thursday. Freeholder Smith concurred that it is on September 6.

Mr. Cannon asked if anyone else had questions or comments that they would like to share. Mr. Pryor stated that he was not really prepared to ask any questions. Mr. Pryor stated that there were too many moving parts at this time.

Mr. Williams stated that the SWAC meeting might be good for someone from Oxford to attend. It is at the county building at 7:30. Mr. Ryan agreed.

Freeholder Smith stated if Covanta decided to resume operations then Covanta would have to modify the Solid Waste Management Plan again, because it is a separate process each time.

Mr. Gesumaria questioned Freeholder Smith if a change is absolutely necessary? Freeholder Smith stated that type 10 waste is going to get dropped off at your door unless we modify the plan. He also stated that all the haulers have to comply with the Solid Waste Management Plan, just like we had to do with the expansion. We had to do a plan amendment when we did the liquid injection, so that is going to change too. There are many aspects to that and that is all done through the Solid Waste Division in Trenton.

Freeholder Smith also stated that every time the County has to amend the plan there has to be a public hearing. The Freeholder Board has to move to respond to the SWAC's recommendation, so there is at least a 2 or 3-month process from when that happens. Freeholder Smith stated that they would have to have an effective scenario because we are looking at all municipal haulers and everybody who is handling these things. They have to have a place to dispose of their solid waste. At this point right now, Mr. Gesumaria stated that they do have an option.

Freeholder Smith stated he understands, but right now the current arrangement makes it where the type 10 waste goes to Covanta. Mr. Gesumaria stated or out of state. Freeholder Smith stated is Covanta suggesting that were going to have everyone ship type 10 out of the state.

Mr. Gesumaria stated that Covanta is not officially making that statement. Freeholder Smith replied with he thinks it is a significant factor for all the local haulers in how they are going to handle their municipal solid waste.

Mr. Gesumaria stated that we are certainly going to do what we can to assist them in the transition. Freeholder Smith stated ok.

Mr. Cannon thanked the gentlemen from Covanta and wished them good luck.

Mr. Gesumaria and Mr. Ryan both thanked the Board for allowing them to speak about this. Covanta Representatives, Mr. Gesumaria and Mr. Frace, along with Deputy Mayor of Oxford Mr. Ryan left the room at approximately 9:50 am.

CORRESPONDENCE

Mr. Cannon stated that there are no correspondence to review.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

Mr. Cannon stated that we covered our Public Comments Agenda items with our Covanta discussion above.

FINANCE

Mr. Cannon presented the Finance Report and the revised sheets for page 1 and 2. He suggested that we go over the revisions.

Mr. Williams stated that the revisions to page 1 were the numbers that were input incorrectly. They were in the wrong category. Mr. Williams explained that the unrestricted (the highlighted portion) number of \$13,719,230 is the number that changed. Mr. Cannon asked if it was on page 1? Mr. Williams replied page 1. He stated that the one that is in your packet is \$13,715,142, so it changed by \$4,000.00. That is the revision.

Mr. Cannon questioned the revisions to page 29, bill schedule? Mrs. Banghart replied the revision to page 29 is the addition of the August bills that were paid and the meeting bills. Mr. Cannon stated so it was the ones post-meeting that were added to that, which made the difference, because it is a substantial amount. Mr. Cannon inquired that most of those bills came in after the meeting? Mr. Williams replied with yes.

Mr. Cannon stated that these are the revisions to the bill schedule and it carries all the way through. Mrs. Banghart agreed all the way up to today.

Mr. Williams added that there are updated revised bills in the back on page 35 & 36. These are the revised bills that have been added to what is already in front of us. Mr. Allen questioned is this the list of bills that came in after the meeting? Mr. Williams replied with yes.

Mr. Cannon asked does anyone have questions pertaining to the balance of the bills and incorporating those changes. He thinks that we are right on our target.

Mr. Williams stated that financially we are doing well. We are all aware that our waste flow is down which is intentional to conserve air space while we get into the construction next year. Everything else is spot on as far as the budget goes and where we stand financially to date.

Mr. Cannon stated as an FYI, that Cornerstone and Mott MacDonald are coming in at 10:30am. We are hoping to get the regular meeting agenda out of the way by then.

Mr. Pryor stated that he just want to say we are in the red for the year, according to this at 58%. Mr. Williams replied with yes and we are slowly crawling out of it. Mr. Pryor stated it looks like a break-even year; it does not look like a banner year. Mr. Williams replied that we knew that coming in. Mr. Cannon stated that was our plan. Mr. Williams stated that it is because PCFA is decreasing the waste. Mr. Pryor stated that he understands that the reserves are in good shape. Mr. Cannon asked if anyone has any questions on the bills.

Mr. Allen stated just in general that with the change in staff, is everything running smooth? Mr. Williams replied with yes, he stated that actually the transition was made much easier with the cross training that we have been doing. Not only with Mariann and Cathy, but with our landfill staff too. In addition, Mrs. Banghart has been showing Mariann and Cathy all along all of the different roles, categories and functions that are done, not only with the finance department but even the Administrative Assistant piece of it. It is actually going quite well and Mariann has picked up the pieces of it quickly. Mr. Cannon stated so that covers Personnel.

Mr. Cannon called for a motion to approve Resolution R-08-01-18 to Pay Bills in the amount of \$519,287.80.

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 *August 27, 2018*.

RESOLUTION

R-08-01-18

To Pay Bills

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

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

We hereby certify Resolution to Pay Bills in the amount of **\$ 519,287.80** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *27th day of August, 2018.*

Jamie Banghart
Recording Secretary

James Williams
Director of Operations

Dated: August 27, 2018

Mr. Williams presented A-2, which is 2019 PCFA Budget Spreadsheet. This is the excel spreadsheet of the complete breakdown of our budget items. A number of the items that are highlighted in red, are our insurances. We don't have any of those numbers in from our Broker as of yet. Mr. Williams stated that he increased them all about 10% as a 'just in case' number. We seem to have done that over the past years and it has worked. Some of the times, actually insurance has come in much lower. That is really the difference with the items that you see highlighted in red.

Mr. Williams stated that actually, the budget has decreased approximately \$200,000.00 from where it is this year. The decrease is the reduction in treatment plant costs, with the chemicals and other incidental items throughout the budget, as comparisons, you will see 2018 vs 2019.

Mr. Williams explained that there are subcategories that he will go through. Some items have increased. As an example, the salaries now include the merit bonuses for the staff. This does not necessarily mean that we have to do it, but those funds are there for the 2019 budget. Pretty much everything has almost stayed the same if not increased slightly. They may have decreased, also. This is not something we need to deal with today. Mr. Williams stated that this will be placed on the agenda as a Draft Budget for the September meeting.

Mr. Williams stated that he did receive an email from the state of NJ that included all the state budget forms that are necessary. Mr. Williams reported that he will start inputting these numbers into the State Budget Forms. Mr. Williams stated that between now and our September meeting, if anybody has any comments, questions, concerns regarding what's in A-2, to please let him know. We will get a draft presented for further discussion at the September meeting.

Mr. Pryor stated that he has a comment as to where we are with our waste flow and so on. He also wonders if a reduction of only \$200,000.00 is realistic on both sides, the expenses and the budget but we will have another month.

Mr. Cannon stated that he and Mr. Williams will sit down and another member is more than welcome to go through every single line in the budget.

Mr. Williams stated that the other thing as far as when we do our budget, we budgeted around a certain amount of waste coming into the facility. If we decrease those amounts, many other numbers decrease along with that. Mr. Pryor stated that he understands that but you go with the best data that we have at the time. He stated that we seem to be down and that is probably going to continue for a while right? Mr. Williams replied with he would probably say we go through 2019 the same as this year. The unknown is what is going to happen with construction. If anything happens, bad winter, delays etc., we still have some reserved air space here without overfilling ourselves prior to the next cell being done.

PERSONNEL

Mr. Williams stated that we previously covered Mrs. Cliff as the new Administrative Assistant. The Weighmaster position is posted on our website and it has been advertised in the Express Times. He did receive one application this morning and he is expecting that we will probably get quite a few more.

Mr. Pryor questioned if the Weighmaster position has to have their certificate already as a credential. Mr. Williams stated no, actually no certificate is required. Years ago, the state did require us to have licenses for the Weighmaster but they have since did away with them since we are not a certifying scale. If we were a certifying scale, then we would have to have licenses.

Mr. Cannon asked, so what do we do for our certification? Mr. Williams asked as it pertains to? Mr. Cannon replied, our scale. Mr. Williams stated we do it two ways; the State of New Jersey comes up and certifies it with their own equipment. This is the department of Weights and Measures. We also do quarterly calibrations with Atlantic Scale as a side check.

Mr. Cannon asked if we use Covanta for anything. Mr. Williams responded that we have used Covanta in the past if our scale was down as a backup. Now we have two scales. Mr. Cannon replied ok.

FACILITIES/RECYCLING

Mr. Williams stated that the next item on the Agenda is Treatment Plant Operations. The discharge from the plant is low as expected. We still did not receive anything from the State of New Jersey regarding the Pilot that the PRMUA had proposed. We submitted this to them back in March or April, and we have heard nothing since.

Mr. Williams stated that there are no issues with the Landfill Operations. Everything is running smooth. Covanta is hauling in ash. As we heard this morning, this will continue through the end of March of next year.

Mr. Williams presented A-3, which is the progress reports from Cornerstone. We will get into this further with our discussion with Cornerstone around 10:30.

Mr. Cannon stated could we separate Mott MacDonald and Cornerstone somehow?

Mr. Williams stated yes that is where the QC Engineer update is.

Mr. Williams stated the QC Engineer is Mott MacDonald, and at a future date in time the QA Engineer will eventually be selected and added to the agenda

Mr. Cannon stated so in the future can we put Mott MacDonald next to QC. Mr. Williams agreed.

Mr. Cannon stated that he is hoping to make it more collaborative between the two firms. Mr. Williams stated that they do have a very good working relationship with each other outside of the PCFA so they are respectful to each other.

Mr. Williams stated that to make everyone aware, everything that Cornerstone has produced to date has been given to Mott MacDonald. They have everything that we have. Mr. Allen asked if they are coming here today too. Mr. Cannon and Mr. Williams both said yes.

Mr. Williams stated that he had one other additional document that he provided Mott MacDonald because he knew they had wanted to review the MSE berm design so they now have that too.

Mr. Williams stated that there are no issues with the H2S removal system.

Mr. Williams stated that the next item is the update on the solar panel project. We have an A-4 attachment that Marina Energy is selling the solar portion of their company off and they have supplied us with a consent to assign, which Ms. Fina and Mr. Tipton have both reviewed. Ms. Fina is here to report on that and what we should do with it.

Ms. Fina stated that from a legal standpoint we have no objection to it, because the company that would be assuming it, GSRP, is from our research a subsidiary of Goldman Sachs. They would be stepping in the shoes of Marina Energy taking over all rights and responsibilities, so any obligations that Marina has, GSRP would assume. Ms. Fina asked if there are any additional issues with it, or questions.

Mr. Cannon stated that he had a few questions. One was that they did not include the original agreement so they are saying the agreement that we currently have is going to be exactly as the agreement with the new assigner?

Ms. Fina stated correct.

Mr. Cannon stated that because they did not include it. Ms. Fina replied they did not.

Mr. Pryor stated that without seeing it we could not be sure it will be the same. We will not sign anything until we see the agreement. They can say that they are not going to change the agreement but we do not know that for sure. Right? Until we see the agreement.

Ms. Fina stated legally they could not because what they are saying is they are stepping into the shoes of Marina. They cannot just unilaterally change the terms of the agreement that the PCFA already has with Marina. From a legal standpoint, they cannot change it.

Mr. Cannon stated that, in the second paragraph, it states that the assignee shall be bound by the terms and conditions of this agreement and will assume all obligations of the assigner who would be Marina Energy. Ms. Fina replied, yes. Mr. Cannon asked if they are taking everything on. Ms. Fina replied, everything yes, they cannot change anything.

Mr. Cannon stated that he got it and his second part was that he did not realize that we have first option / first refusal as far as buying it. Ms. Fina stated yes, that is her understanding.

Mr. Williams stated that this agreement was done 6 years ago on December 12, 2012. We can buy them out after a 10/15/20 year period. After 20 years, they can sign it over to us for a dollar.

Mr. Cannon stated yes but and/or if it is assigned to someone else, then that kicked in too. Ms. Fina replied, correct.

Mr. Cannon stated forget about the time line, once it is assigned to a new entity, GSRP then we would have the ability to take it.

Mr. Williams stated that we do not give up any rights. Mr. Cannon stated he was saying that we have to give it up in order for them to assign this. Mr. Cannon stated that just for the conversation why are we not getting this for a buck now? Mr. Williams stated that it is too new. We would be paying a lot of money for it.

Mr. Cannon stated well I am wondering is it an asset? Mr. Williams stated that yes there are monetary values involved.

Mr. Cannon stated that we have first option on it and we are not getting anything for giving it away.

Mr. Williams stated that what we are getting is a reduced electrical rate. Mr. Cannon stated no, there should be, in a normal agreement we would get something. Mr. Williams stated that he would like to explain. In the agreement, once you get to a certain date in time, then we could ask to purchase this from them. There is a cost associated with it. Mr. Cannon stated that he understood that completely but, that is not what he is talking about. He stated that what he was talking about and maybe Counsel could explain clearer, the agreement states that, (and without seeing the agreement) we have first option on it if they go

to sell it to somebody else. They cannot sell it to somebody else unless we agree to give up our first option. Does not matter timeline, does not matter where we are as far as energy as far as we are making money etc.

Mr. Cannon stated that if they sold it in 6 months after the first purchase, then they would have to have us give up our ability to buy it. So, we are giving that up to them for nothing is his point here. He does not know where we are at with the energy level or the timeline or whatever but, we don't have to wait for 10 years to get it necessarily. It may be an option to where it may be worthwhile to this Board to look at;

A: we receive compensation in some way with the rates is obviously the easiest one for granting our option refusal.

B: is it a scenario where it would be worth investing the money and getting it now.

Mr. Cannon continued. We do not just sign off and give away an option, He has never done that before, and usually they would have to kick in a little something for us to refuse. The least we should do is get a better rate, for the fact that we do not have that.

Mr. Williams stated the rate that we have established with them goes through the duration of the agreement.

Mr. Pryor stated that he follows what Mr. Williams is saying. He stated that we had a right of first refusal from day 1. It may be at a higher price according to the agreement but that goes through the entire agreement. Now they are selling it, we should have the right of first refusal. Without the agreement in front of us and without an opinion from the attorney, it is hard to know how it shakes out.

Freeholder Smith stated that there are 2 things that come to mind here. Number 1 is it is the first refusal. We would have to know what their price was and then we would need to choose to take it or not. He does not think we are in a position to bargain down the rates because it is a transfer but if you wanted, you could buy it for whatever they are selling it to this company for.

Freeholder Smith stated that the other question that he has is, what's the financial stability of the purchaser? Because they're going to be taking those assets and are we leaving from a company that is financially very sound into a spinoff that may not be?

Mr. Cannon stated by signing this agreement we are confirming that we will not exercise our option.

Freeholder Smith stated right, he thinks that the only right we have under the contract, or at least the other ones that we have had, is we are allowed to ask how much they are paying. If you want it for what they are paying and it is a sweetheart deal, we can take that. Mr. Cannon stated that he thinks we can negotiate. Freeholder Smith stated that he does not think we have any standing to do that.

Mr. Pryor stated again he follows what Mr. Cannon is saying, if whatever is in the contract for example we can buy it for \$10.00 but they can sell it to the other guy for \$15.00. It's profitable for them to go the other direction rather than us, so we ought to get a piece of that. Mr. Cannon agreed.

Freeholder Smith stated that if you do not want to pay 5 million for it then they would get it. He does not think we are in position to negotiate the terms of the contract for a lower rate but he is not an attorney.

Ms. Fina stated that she is going to go back and actually look at the entire agreement because she saw there was a right of first refusal but she wants to see what the entire agreement says about that upon assignment.

Mr. Williams stated that the end of the year is when they are going to sell. Ms. Fina stated that closing is scheduled for December 31, 2018.

Mr. Cannon stated year-end so we have time to figure it out. Ms. Fina stated that from what she found they filed 8K with the SEC that this is part of a larger deal.

Mr. Williams stated that this is all of their solar fields it is not just this one. It is all of them as a whole

Mr. Allen stated they probably have been assigned SREC value to it.

Ms. Fina stated that she wants to say not individual pieces. It was the entire portfolio.

Mr. Cannon stated so we have some leverage is what you're saying.

Mr. Williams stated that we the Authority, put out no money for this. Mr. Cannon stated that he understands that's how it started. However, somebody was smart enough to put in a first refusal and we know the first refusal means something. It is not just a piece of paper. They can't move forward on a 10 billion dollar deal because if this individual piece is worth X amount of dollars and we agree to pay it, based on an estimate that's a fair estimate of the property and we have the first right of refusal. That's has some worth in it. It is something to look into. We can still sign off and give it up and so forth down the road, but we should do a little more work is my point. How does everybody feel?

Mr. Pryor stated Ok.

Mr. Cannon stated so we are going to look into the agreement and see exactly what the agreement is and give us a clean nuts & bolts from that and possibility of sending a letter to see what our options are. If it is sold to us for a buck after 10 years, maybe it's not worth much right now, maybe it's more advantageous, maybe we could send some electric over to Oxford or something after Covanta disappears.

Mr. Williams stated it cannot leave the property. Mr. Cannon asked, the electric cannot leave the property?

Mr. Williams stated that we cannot sell it off the property. Mr. Cannon replied how is not some of that electric leaving the property? Mr. Williams replied it is not. Mr. Cannon stated through the public utilities it is not? Mr. Williams stated through the BPU we are not allowed.

Mr. Williams stated that we had looked into trying to get the White Township School hooked into this; we cannot sell it off the property because we are not a supplier. This is what the BPU saying. Mr. Pryor stated but we can sell it back to the grid can't we? Mr. Williams stated that we are not considered an energy producer/supplier. Covanta is, but the landfill is not.

Mr. Cannon stated maybe we should be an energy producer. Mr. Williams replied he does not know, that's all BPU territory. Mr. Allen questioned were we trying to sell it to the school? Mr. Williams replied that we had looked into it through Marina Energy if there was any excess power available, then we could do something with the school but we could not do it. Mr. Allen questioned could we not donate the electricity to them? Mr. Williams replied he does not know.

Mr. Cannon stated that he is sure if we owned it, that we could sell it to a public utility. Freeholder Smith stated that he is not necessarily sure of that. Mr. Williams stated that there is a big process. Mr. Cannon stated that he would like to find out more about it. He is not willing to sign what they sent over here. Mr. Cannon questioned if the current agreement is going to be the same then they should produce that agreement correct? He also state that they are saying it is going to be currently what it is. Ms. Fina replied it absolutely has to be. Mr. Cannon stated yes, so we need to know exactly what that agreement says.

Mr. Allen stated that if we were to take it over, now or in the future, what does that do? What is the requirement, the maintenance etc. What is the cost factor in that? Mr. Williams stated there are converters down there that are a lot of money to replace when they fail. Mr. Cannon stated we will see. Let us look into it at least.

Mr. Pryor stated the other observation that he had is the solar industry in general is getting more efficient. Equipment from years ago is more expensive than the current equipment, which is more efficient. We do not want to overpay for old equipment. Mr. Cannon stated that is where he can not get his head wrapped around, where he remembers that the agreement originally was after a certain amount of time it gets sold back to us for a dollar then why is it worth so much now? Do we have a pile of junk in 5 years? Mr. Williams stated well think about it, when this deal is done, after 20 years, this is outdated equipment. Mr. Cannon replied with correct.

Mr. Williams stated that is why we are going to get it at a much lower rate. Mr. Cannon stated yes we are going to get it alright. Mr. Williams stated as of today it still has some monetary value. Mr. Cannon stated that's his point, do we want to be involved with it when it has monetary value, or do we want to be involved with cleaning up the mess when it doesn't have monetary value?

Mr. Williams stated well they do have to clean up the mess.

Mr. Cannon stated so we will table it and Counsel is going to get back to us with a thorough review of the current agreement and the possibility of our options. We will have to see what the agreement says we can or cannot do.

Mr. Williams stated one, next item is A-5 Waste Disposal Fee Schedule, this is just approving the Covanta Ash agreement at \$25.00 per ton that expires March 31st of next year. Even though we did approve the contract at the last meeting, it's just been added to the schedule. Mr. Williams stated so that is the only change to A-5.

Mr. Williams stated next item is A-6 ERI agreement for the Permanent Electronics Drop-off at the landfill.

Mr. Cannon stated that now we are not going to hit the Counsel up too hard because he is not here, but last month we requested Counsel to thoroughly review the terms and conditions of this contract and to get it back to us. There seemed to be some confusion, we were emailing Saturday and Sunday and maybe there is confusion as to if we were talking about the singular event versus the one that is going to be here on a permanent basis. Mr. Cannon also stated that a couple of changes the Board requested last month, he sees now we are added as an insured. A couple items he gave to Mr. Williams this morning on our pre-meet meeting. As to the terms and conditions, he does not think there was any review done in it that he saw. Mr. Cannon stated that he asked Mr. Tipton to get it back to us, he did not know if this Board is willing to now go down the road of agreeing to arbitration on this instead of any suits. There are a lot of issues in these terms and conditions of this contract. Again, the permanent one when they are on

site here every day as opposed to twice a year. That does not have the boiler plate items that we talked about a number of times. Mr. Cannon stated that he is not sure about Mr. Tipton's last email on Saturday, it seemed to be a little confusing to him as to whether he reviewed this one, or reviewed the one from the 2 separate times we have them here for pickup. We are in no rush to have to do it and Mr. Williams says they are very agreeable.

Mr. Cannon stated that he advised Mr. Williams of a couple of changes on the front page, for some reason last month's agreement under "packaging" we had, the gaylord boxes and the pallets would be given to the customer at no cost including dropping off. For some reason that disappeared on the new agreement.

Mr. Williams said he was sure that they would add that back in. We did add in what we discussed last month, to try to get them to pick up materials within a 24-hour period. He does not believe that there are any other changes, he looked back on the minutes quickly and he thinks that those are the only changes. Mr. Cannon stated that Counsel still has to review the whole document.

Ms. Fina questioned would you like us to reach out directly to ERI? Mr. Cannon stated I do not think we have to, Mr. Williams says they are agreeable. Mr. Williams stated that he was going to give them a call this afternoon or tomorrow to ask them to make those changes. Once they revise that, then I will get a revised copy back to you and Mr. Tipton.

Mr. Cannon stated that the front-page changes don't seem to be an issue. Just thought about terms and conditions for Counsel to look at as far as making sure that this Board is willing to sign off if its arbitration now and then it is an entirely different thing.

Mr. Pryor state that he was just looking at their boilerplate and the environmental impairment liability policy, which he thinks, is important. It says limits available upon request. I'd just like to know what they have.

Ms. Fina replied with absolutely.

Mr. Cannon stated the working one for everybody will be the newest one.
Mr. Williams replied A-6.

Mr. Cannon stated corrected A-6, you will make the changes on that with them, and then we will get an update on that one and then we will get some from Counsel.

Mr. Williams stated we will look at it again at the September meeting.

Mr. Cannon stated ok, sounds like a plan.

Mr. Williams stated that he just has a couple final things, an update, we did receive the Tilcon boring logs after the last meeting, and if anyone wants to review them they are upstairs. They are straightforward, they are the soil boring logs of what they found when they were on the property quite a while ago. Mr. Allen asked was there a summary? Mr. Williams stated it is a log and it shows the footage of how deep each well was and what they hit. It is typical of the boring logs that he has always seen.

Freeholder Smith stated that what they did was determine that the overburden starts to slope off and gets deeper as we get closer to the landfill. It is back by their hole where it's the best. The County will be having a geologist look at it to do an interpretation, to understand what is there.

Mr. Allen stated that it is just a listing of their findings no projection. Mr. Williams stated correct. Mr. Pryor stated and that is what we asked for, just the data.

Mr. Williams stated that there are two other quick items to discuss. We have the Electronics event coming up on September 9th with ERI. The HHW event on September 30th.

Mr. Williams stated that the last item he has is, last Wednesday the 22nd 2 members of the Highlands Council, Kerry Greene and Christina Petagna visited the landfill for about a 2 ½-hour tour of the site. They viewed the areas that are going to be donated to the State in lieu of the current wildlife mitigation area. They are very pleased with what they saw.

Mr. Williams stated that he asked them if they were going to have any comments regarding the permit, the application or the expansion and they did not have any at the time of relative importance. The only item that they were thinking about suggesting to the DEP was to have the closure plan periodically reviewed as far as wildlife, if additional nesting boxes could be placed on the capped areas of the landfill but other than that, that was it.

Mr. Cannon stated that Mr. Allen and he were at the last White Township meeting for a variety of things but we went over that with the committee too, to give them an idea of what was going out there.

Mr. Williams stated he put a sheet out for everyone this morning that Freeholder Smith will speak to regarding the division of the properties and cost to the Authority.

Freeholder Smith stated that the broken down prices that are allocated to the PCFA, which would be components to the landfill permit. These have a line under them. The Warren County loss, which would be the back farmland area and then the triangular piece they have circles around them and they would be County costs. Freeholder Smith stated he anticipated that it was going to be in the mid \$40,000.00. Mr. Williams stated that it is \$43,950.00.

Freeholder Smith stated that this would be the cost to the PCFA and then the county would pick up the cost for creating the right of way to the back lot. That includes the plan to do the subdivision. It is the survey, the subdivision and some of the cost for the individual lots. Ones that are going to Green Acres have different requirements that have to be done so they were somewhat more expensive to do than the others were.

Mr. Williams asked would legal still need to be added to this? Freeholder Smith answered, yes because the deed will still have to be done by legal after this is complete.

Mr. Cannon stated that he brought this up with Freeholder Smith this morning, and he does not think it's proper that White Township should be charging their standard fees as if this was a developer. He knows that Freeholder Smith talked to Mr. Herb, but he does not know what Mr. Herb said on that.

Mr. Cannon stated that he thinks generally when it's a County entity the fees are waived. From a County to a township, we send them hundreds of thousands of dollars. It is frankly insulting if they want to charge us any fees.

Freeholder Smith stated that it is generally a courtesy review but he cannot say that the County has that type of cooperation from the municipalities across the scope. Whether or not they will, they certainly may waive the fees for a public entity, they do have that right to do so.

Mr. Cannon asked are those fees currently incorporated in these numbers?

Freeholder Smith stated no, because that would be legal. They have to do the subdivision plat. They have to do the breakdowns. Freeholder Smith stated that the Green Acres lots, as he understands, have to be surveyed to a different status, and then they have to have concrete monuments put on all corners as opposed to just a pole.

Mr. Cannon stated so not included in this, are the legal and municipal fees if there are any?

Freeholder Smith stated that was correct, but this does include the appearances before the Board and dealing with whatever concerns they would have in that process. Mr. Cannon stated in front of the Planning Board? Freeholder Smith stated Correct.

Freeholder Smith stated that when we were dealing with the library, we had to come to Counsel and County Engineer.

Mr. Cannon stated that if he is figuring he's got to go to 4 meetings and the Planning Board of White Township is incorporated into this, then we shouldn't have to be paying him for that for White Township, what do you think Mr. Pryor?

Mr. Pryor stated there is going to be a filed map or something that they are going to have to pay to review. They do not want to pay those fees, he understands it.

Freeholder Smith stated then also there are two public meetings regarding the sale of the property, which technically speaking we are doing a transfer. Mr. Cannon stated that is your meeting, that is the County.

Mr. Pryor stated this is a major subdivision right? Freeholder Smith stated yes. Mr. Pryor stated all right, it has to be done by map not deed, so they are going to have their person review the map after which it has to be filed. Freeholder Smith stated that he did want to get the breakdown on it per estimate per lot like the ones that were the county lots. We are not expecting PCFA to cover those costs.

Mr. Allen stated that when we did bring this up at a Township meeting the big question that Sam Race had and he was not sure which piece of land he was talking about but, he wanted to know if whoever is farming the land could continue to do so.

Freeholder Smith stated yes, at this point yes. He could not say what future Boards will do.

Mr. Allen stated whoever is farming that property, are they paying the County a fee to do that? Freeholder Smith stated not a tremendously high one because there is a lot of deer loss up there, but that is another chapter. Freeholder Smith stated it does goes out to bid.

Mr. Cannon replied, ok. Does anybody else have any other questions?

GENERAL COUNSEL'S REPORT

Ms. Fina stated that she did not have a report at this time.

Freeholder Smith had one thing to discuss. He thinks that we should enter executive session regarding the situation with some of the comments that Covanta has made. Mr. Cannon replied, sure.

Mr. Pryor questioned if he can go back to the attorney for a second. Last meeting we talked about bidding options, pre-qualification and so on and we asked Mr. Tipton to make a report. He does not know whether we want to defer that or you are going to do that in executive.

Ms. Fina stated that she could do that now.

Mr. Cannon stated that he did not think that needed to be done in executive, does it? Mr. Pryor stated no, it is just options, nothing contractual. Mr. Cannon stated ok.

Ms. Fina stated that it was her understanding that we are looking for pre-qualified contractors prior to contracting for the expansion of the landfill. Under local appellate contracting law, in order to put any type of restriction on contractors, which must meet certain qualifications, you must develop what they call regulations. They can be rules or regulations. Ms. Fina went on to state that a contractor must meet certain experience, requirements, financial requirements, capital requirements, or equipment requirements. However, once you develop them, it has to be scheduled for a public hearing. You must provide notice of that hearing prior to passing those rules and regulations. Those rules and regulations then must go up to the director of the division of local government services and they have 30 days to approve it. One of the benefit of it is that you can also work with the director in developing those rules and regulations. What they are really looking to review is that the rules and regulations do not unnecessarily discriminate or prevent unfair competition or prevent competition from occurring, which would be in violation of the law. It is somewhat of a lengthy process but it does then permit you to restrict the type of contractor who can submit a bid or even get the specification.

Mr. Pryor stated that he would like to ask Ms. Fina to follow up on that, do we have this procedure and these rules and regulations adopted and approved? Do the contractors apply to get on the bidders list?

Ms. Fina replied with correct. So, as part of the rules and regulations you would develop almost like a questionnaire sheet or some type of document that bidders would have to fill out, submit it to the PCFA so you can evaluate whether they are qualified and meet the qualifications you developed in these rules and regulations.

Mr. Pryor stated now let us say you did not do this, and you just put it out to bid and everybody bids. The standard for accepting a low bidder is much lower than if we did it this way. Is that a fair statement?

Ms. Fina replied that yes, so just to clarify obviously, if you do not have these qualifications you must accept the lowest responsible bidder, whether they have 5 years' experience or 20. Or even more than that, but if you do have this qualification you can set that standard that you want them to have certain years of experience in this type of project with so many landfill expansion projects under their belt. You would have arguably or that would be the intent that you would have higher qualified contractor.

Mr. Pryor asked what are the criteria for tossing them assuming we did not have the pre-qualification. We have moral turpitude though we always had that correct?

Ms. Fina replied, it is a very high standard and you have to provide them with a public hearing.

Mr. Pryor stated and beside moral turpitude, the way he understood it is, a reasonable man would conclude that he was so lacking in experience and resources he could not do the job. Is that fair?

Ms. Fina replied yes you would have to hold the responsibility hearing with them and generally you can only reject a bidder if you have a prior negative experience or you find that they are so lacking in experience. I can tell you there's not much law on it but it's a very high threshold and for us to recommend that you shouldn't award the contract to the lowest bidder based on that, you could be fighting an uphill battle in the court.

Mr. Allen stated that to get the pre-qualification with the rules and regulations, you have to build an argument as to why you want to have that. What is the criteria that this agency is going to look at?

Ms. Fina stated the rules and regulations and the requirements be related to the project. The fact that you just want to create them, you do not need any threshold, but this Board and you discussed this, you are going to look into what type of qualifications, that she is not concerned about. Why do we want 10 years of experience or 10 projects under the contractor's belt? It needs to be somewhat related to the project.

Mr. Allen stated that if we just go out to bid without doing the pre-qualification thing, we cannot set any qualifications in that bid request?

Ms. Fina stated technically no, to reject a bidder because they don't meet certain qualifications.

Mr. Allen stated here is the job, here is what it is projected to be, and you come in and bid. Ms. Fina replied yes.

Mr. Allen stated that he does not know how everybody else stands but he thinks pre-qualification is what we have to do, even if it takes a little while to do it.

Mr. Cannon stated that he thinks you can hang your hat on just environmental safety, how important that is right there and that would be enough to make that the reason why. You can then put those pre-qualifications in and that would be enough.

Ms. Fina replied yes.

Mr. Allen stated that he would say given the nature of the job and the complexity of the job and so forth would be enough.

Ms. Fina stated absolutely.

Mr. Allen stated that maybe we ought to get that moving as quickly as possible.

Mr. Pryor stated just his observation he has never pre-qualified a bidder in the projects that he has been involved in and they have had many fights. It is not necessarily us, it may be the second bidder but you just leave yourselves open to that. He has always wondered why more people did not take advantage of

the pre-qualification process and he thinks it is simply because it's so laborious. It takes time and effort and most people will not do it.

Ms. Fina stated that usually timing is always of the essence with these projects. Municipalities and Counties want to get it done, with a project like this.

Freeholder Smith stated that you might have a problem though, sometimes when you have a lengthy pre-qualification you get no bidders. In which case you have to hit that balance to where you are not going to get stuck.

Mr. Pryor stated that he thinks what we mention is the more restrictive you are on the qualifications the smaller the bidder pool. So is it better to open it up to 20 bidders and half of them have never done anything.

Mr. Williams stated that he would like to give an example. In Sussex County, they are doing a similar project right now and Mr. Swyka can speak to this when he gets here. They had six bidders. They did it the standard way. The first two bids they actually had to throw out because of errors in their submissions, so they ended up literally going to the 3rd bidder. Which is a good qualified contractor who they ended up hiring.

Mr. Cannon stated that the lowest 2 bidders were thrown out on a technicality? Mr. Williams replied yes, there were issues with their submissions. Mr. Cannon asked if they were less qualified. Mr. Williams replied that he did not know what the qualifications were or what the actual issues were.

Mr. Pryor stated that he did not know the details but that it could open us up to a fight and the attorney would tell you there are certain defects, which you cannot correct.

Ms. Fina stated correct.

Mr. Pryor stated you can have a person you love, you can have a price you love but you lose.

Mr. Cannon stated Mr. Williams knows the bidding best here as far as previous ones but you can run into the issues of having trouble, we have been somewhat lucky.

Mr. Williams stated we did a pre-qualification when we did the solar field. It took several months to go through the entire process from start to finish. Close to 6 months.

Mr. Allen stated that we do not have 6 months. Mr. Williams replied that gets back to, if we started today as we discussed, it is a long process. Mr. Cannon stated you were creating a pre-qualification for a solar field that was started from scratch. Mr. Williams stated that we wanted to make sure the right developer got in here.

Mr. Cannon stated that he was saying the pre-qualification that was created for the solar field was something not done before from here. We had to create the pre-qualification new, where for this he knows that there are some legal technical parts of it for us to do, but the fact is that we could just use environmental sensitivity as our reason. We could probably hit the road running. It is not as if we would have to create first the reasons why. We could make that a boilerplate. It is because of environmental sensitivity.

Ms. Fina stated that yes she was not concerned about that. Mr. Cannon stated that was right and that process there we need a guestimate.

Ms. Fina stated that she thinks her question is, and it goes back on to us as to what does the Board want, what type of experience and financial requirements are we seeking out of our contractor?

Mr. Cannon stated this is what he was going to ask as far as the pre-qualification. If a minimum of say 10 million square feet is used, is that the right number? Mr. Williams replied it is something like 10 million, he did not remember the square feet of liner installation.

Mr. Williams stated that who needs to be the most qualified is the liner installer. The rest of it is groundwork. Mr. Allen asked if we have to do that for each one.

Mr. Cannon stated that if a low bidder did not have that, are we in trouble. We can say we want someone and recommend that they have done 10 million square feet, but if the low bidder did not do that, are we setting up a pre-qualification problem? Ms. Fina replied with yes. Mr. Cannon stated that was his point, that's what he was trying to get to.

Ms. Fina stated you cannot restrict competition so much that you only have one bidder. Then obviously you wouldn't have any competition. That creates a problem.

Mr. Cannon stated the question is where does reasonable get as close to the point of not doing the pre-qualification? Ms. Fina stated correct that is the line you have to call.

Mr. Pryor stated is it not true that most courts will accept the decision of a public board as long as they were reasonable in the way they put it together. Ms. Fina replied that is the standard, you cannot act arbitrarily. Mr. Pryor stated so ask yourself do I need 10 million square feet? How many acres is this expansion? Mr. Williams replied with 5 acres which is 43,000 square feet an acre. Mr. Pryor stated all right you got 5 acres that is 250,000 square feet. Let us say the contractor did 4 jobs he would have proven himself, so you say a million. It does not have to be 10 million. You have to have a logic to it, I do not want him to just have one job and get lucky. He should have showed repeated performance. Mr. Cannon stated that we could have our requirements without having a pre-qualification as long as their reasonable. Ms. Fina and Mr. Williams replied with yes.

Mr. Cannon questioned is that the route the Board would like to go because we face the timeline that we all know we face. If we have an issue with that, we will try to make them as reasonable as we can. We have two engineers that we are paying hundreds of thousands of dollars. Maybe they can give us a good parameter window of things that should be reasonable, but will assure us to a degree of confidence that, if we get the low bidder, if we don't know who he is but he met the reasonable qualifications that we built into the bid that everyone would be ok with that. That is where we are.

Mr. Pryor stated that he can't give us a hundred percent one way or the other, his experience has always been not pre-qualification and every now and again you get a fight. You can get a person who you question but you live with him and you fight through the job. Pre-qualification gives you more control but everybody has heard here it takes time and effort.

Mr. Cannon stated that maybe that is something we should have thought of 3 or 4 months back. He thinks we can reinforce what you are saying, that the courts are holding for public entities with reasonable pre-qualifications and if 1 or 2 of the bidders don't meet them and we don't want to use them and we have reasonable qualifications built in then we'll cross that bridge when it comes. Is everybody happy with that?

Mr. Pryor stated yes.

Ms. Fina stated yes it is a gray area, but you see it and I'll tell you right now how it should be worded. A bidder must show, again I will look for direction from the Board, at least 2 or 3 jobs where they've had a hundred thousand, you guys tell me, what type of the qualifications you want in there.

Mr. Williams stated that we could, when we get there as they develop this, show you the language. We have used a similar language in the past. If there is a saving-grace out of this whole thing, it is these liner companies, 15 years ago they were crawling out of the woodwork, now it has dwindled down to the good ones. They are all good liner companies out there today. It is really the contractor who could make the project go in the wrong direction.

Mr. Cannon stated that is why we hired someone for a half million dollars to keep an eye on them. Mr. Williams replied with exactly.

Mr. Cannon stated that a motion was needed for Executive Session (R-08-02-18)

On a motion by, *Mr. Pryor*, seconded by, *Mr. Allen*, the Board agreed to an Executive Session at approximately 10:49 am to discuss Contract Negotiations, at the Pollution Control Financing Authority of Warren County at a meeting held on *August 27, 2018*.

RESOLUTION

R-08-02-18

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. Pryor*

Seconded By: *Mr. Allen*

ROLL CALL: Mr. Mach - Yes
 Mr. Pryor - Yes
 Mr. Allen - 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
Jamie Banghart

Dated: August 27, 2018

At approximately 11:03, Executive Session ended followed by a short break.

Regular session resumed at 11:18 am.

Mr. Pryor stated so moved Mr. Allen stated moved

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

PRESENTATIONS

Joining the meeting at approximately 11:18 was:

Brian Henning – Mott MacDonald
Joe Kohler – Mott MacDonald
Paul Mutch – Cornerstone
Mark Swyka – Cornerstone
Matt Beebe - Cornerstone

Mr. Cannon stated to all that entered thank you everyone for coming in to see us. Mr. Cannon stated that he was not sure how Cornerstone wanted to proceed with the update, would you want to go through everyone's questions. How would the Board like to proceed?

Mr. Swyka replied with I'm going to have Mr. Beebe speak to the drawings mostly because he's really the one who knows all the nuts and bolts and can answer all the questions. We are here today because we are at the point where we have completed enough engineering to say that the project is essentially 50% engineered. We do not have 50% of the drawings, we do not have 50% of the final documents, but 50% of the engineering has been completed and is represented by the drawings you have in front of you.

Mr. Swyka stated that he, Mr. Henning, Mr. Kohler, Mr. Mutch and Mr. Beebe were able to have a sidebar discussion and worked through many of their questions, which was good.

Mr. Swyka stated that what he would like to do is, have Mr. Beebe present the drawings.

Mr. Beebe stated that they were going to skip the existing conditions because nothing has changed. Essentially, there has been no changes on the grading from what it was in the permit conditions. All we have really done with the grading is we worked on our tie-in and went and did some test holes and found the location of the liner and we worked our tie-in a little better. The look of the sheets changed a little bit because we are only showing the cell 7 area now.

Mr. Beebe stated that the main points that we need to discuss at this point is the berm. We have the 2 MSE berms and then we've got the more conventional berm along with our access road coming in. When we prepared these, we figured we would tie on to your existing access road and bring an extension of it to the MSE berm. We figured that would be your standard road width and be paved up until we get to the berm, on the top of the berm we assume it would be gravel. We cut the berm as it was in the permit drawings.

Mr. Cannon questioned is that going to be the main road around the perimeter, not truck access? Mr. Beebe stated the permit drawings represented a one-lane road for the site access to bring machinery down. Mr. Cannon stated that he and Mr. Williams were just talking about it. We are more down towards proposed cell 6 as far as making sure the loop is there for the future but he wants to make sure the same is true.

Mr. Beebe stated as it is drawn right now, it's a 15 ft. wide lane, one way traffic, one lane of traffic. Mr. Cannon stated that is just for access to the cell but eventually with the closure plan that would be the same route as far as what is going around the perimeter now. Mr. Beebe stated it is just a one-lane route right now. Mr. Cannon stated down the road that is going to be the lane that is going to go around the perimeter. Where is that road going to go?

Mr. Beebe stated once cell 7 is closed, we would figure your landfill access as far as bringing trucks in would go on the old route. Mr. Cannon stated ok that is all I needed.

Mr. Swyka stated he is talking about just perimeter access and you are talking about access for the landfill trucks. Mr. Cannon replied, correct.

Mr. Cannon asked, where cells 6 & 7 would be going together, where are we going to have that berm?

Mr. Beebe stated we will have a 10 foot high separation berm there, that's basically just to keep your storm water from rolling into cell 7, we'll have our underdrain system, we'll talk about that when we get to our storm water sheets. We will have a pipe there to pick up storm water and convey the storm water directly to the basin. Mr. Cannon stated and there will be access to that to right? Because that is going to be a service spot, we will have to get into there. Mr. Beebe stated what we are envisioning is during the construction of the site you are going to have your trucks bringing excess soil up to your stockpile area, so they will have to have some kind of service road in and out of there. That service road will continue to be used to get into that area, also there is an existing roadway that was put in when we did the test pit up here and that will get you part way down into that area. There may have to be a little bit of modification but when you do the construction, you can have that extended down. We did not draw anything in for a roadway.

Mr. Cannon stated you and I have talked about this a long time ago with the roadway issue, I don't want to get stuck on it but I'm trying to look down the road 40 or 50 years, obviously with the closure we have to have vehicle access. We also need to be able to get around the property, test wells etc. Whoever is going to be doing the monitoring program is going to need full access to everywhere they need to get to. Mr. Beebe stated that 100% of this road will extend all the way up and around for a pickup truck. It's going to be steep in areas obviously, but with a pickup truck you should be able to get around, or a utility vehicle of some sort.

Mr. Swyka stated we discussed with Mr. Williams last week what we would include in this contract is any repaving of existing roadways; it makes sense to do so in conjunction with the construction. Mr. Beebe stated as part of that, your main access road coming down certainly has some potholes that we talked about that probably needs to be excavated down to sub base and re-done and we can incorporate that into the plans.

Mr. Cannon asked, is that why the rumble strips are down there? Mr. Williams answered, no it is further down around the bend and has been an area that has been a problem for a while, and this is the best time now to correct. It has been 25 years since that road was touched. It is time for a good re-surfacing of that along with the rest. Mr. Cannon asked, now is that going to change any of your drainage issues? Mr. Williams answered no.

Mr. Beebe stated we can put that into this contract so when they are paving other sections, you can get that taken care of at that time. Mr. Cannon stated there are a couple test wells in the road. Mr. Beebe stated that yes there are, you have groundwater wells and those will have to be abandoned. There are multiple solutions there, we can leave them in place, extend them up with manholes or you can leave them in the road. It is a paved road and you will be able to snow plow over them, they will be in the road though for sampling.

Mr. Cannon asked if they are groundwater monitoring wells? Mr. Beebe stated they are just groundwater monitoring wells, but you have multiple other groundwater monitoring wells around there so those should be able to be abandoned if that is the choice, or re-drilled outside of the road. Mr. Cannon stated all we would have to do for those that are paved is put a cap on it and manhole. Mr. Beebe stated that we would have to extend them up, we would have to bring the casing up to grade, we would have to do a little bit of work there. Mr. Cannon stated I would not like closing off any monitoring wells, and keeping them all available for whatever the future holds. You never know when you can find something in one spot that is not in another spot. Who knows what goes on next door over here.

Mr. Pryor stated if you did close it you would have to fill it or plug it in some way right? Mr. Beebe stated yes, it would have to be closed properly. Mr. Williams stated the area that Mr. Beebe is talking about is a cluster of 3 wells, you can't manhole them, they're too far apart, it would take up the entire road. They would have to be abandoned or re-located. Mr. Cannon asked if each one could have its own manhole. Mr. Beebe stated you probably could do 3 separate manholes. Mr. Swyka stated we are going to look at it in further detail.

Mr. Beebe stated we have not gotten that far. He guesses the other thing is when we were here on Friday Mr. Williams brought up that there is an inclinometer well somewhere in the location that will have to be abandoned also. That was put in to check the stability of the landfill, it is used to measure movement of the landfill. Mr. Pryor asked what does it show? Mr. Williams stated there has been no movement.

Mr. Allen asked if it monitored by telemetry or does somebody have to go in and look at it? Mr. Williams stated it is an inclinometer probe that we use. This, is dropped down into a slotted pipe in the well and it picks up if there is any movement. It goes down 78 feet and there are 3 of these wells.

Mr. Cannon asked, where are the other 2? Mr. Beebe stated there is 1 behind a building and the other at the base of cell 1-E.

Mr. Cannon inquired if any of the berm requirements were needed? Mr. Swyka stated there was a period of time when the DEP felt that inclinometers were required because they did not feel comfortable with the landfills. The older landfills in NJ were relatively flat and people were filling in low-lying areas, they were filling in old quarries. We are filling very high and then at the point in time when organizations like the PCFA and other private entities were permitting facilities they didn't have the experience with steeper fills and they were requiring inclinometers. We haven't had an inclinometer requirement in a landfill permit in probably 15 or 20 years. Mr. Cannon stated that he would think the berm would be the perfect place to have one per say if there was any shifting that is the most pressure right? Mr. Swyka stated that we would do that if we were going higher, but we do not have any significant fill heights on these berms.

Mr. Cannon stated Sussex County did not need a plan and now all of a sudden you have to submit something for this one. Mr. Swyka stated we did discuss it with DEP, so there was the question, we talked through it, and DEP and we determined that it was not necessary. Mr. Cannon replied with ok.

Mr. Beebe asked, are there any other questions? Sheet 3 is just the overall site plan, we have combined all the sheets on one sheet just so that when the contractor gets this they would see the interaction of all the parts and see what's going into it. We have the gas layout, the base liner layout, the storm water, we've got the leachate and all the other site-grading going on all at once.

Mr. Williams stated Mr. Beebe, can you go through the storm water controls you put in and where it is going to go from cell 6? Mr. Swyka stated let us go there since Mr. Williams is bringing it up. Mr. Beebe stated that with the storm water we have a few things we have to deal with, one is the cell 6 area, once we build this here, we want to stop the storm water that is coming off from cell 6 area, running into here and creating more leachate. What we're proposing and what was done in the permit plan set is, we're going to line through here, and put an operational berm in to stop the water and we're going to have an under drain pipe. That under drainpipe is a 24-inch PVC schedule 80 pipe. Mr. Cannon stated that is that spot he spoke to you about before. Mr. Beebe stated yes and we will pick up the water there and will drain it directly down to basin # 2 underneath the liner system. That has been sized adequately so we do not have water running over your berm. It can handle all the water coming

down and put it right in the basin. Then we have got on the perimeter berm a channel system with catch basins. Once you get the final grade, it is going to be more important or even once you get to the interim grades. In the beginning, you are not really going to see much use out of this, until you get to higher grades.

Mr. Cannon stated then it will be coming off of the cell faces. Mr. Beebe stated yes, so how the system works is, you have the channel to collect any runoff that comes off the berm and underneath that channel, there is going to be a series of storm water pipes to collect and convey that down the berm. That will keep the size of our channels smaller. Mr. Cannon stated so the only one going through a cell is the one from 6 at that berm. Mr. Beebe stated yes, we have the one from 6 coming down and going underneath and then once we start construction of 6 that will be extended off to pick up storm water within 6 the same way we did cell 5. That way you can do a staged filling.

Mr. Cannon stated would they trench on the outside of 6 too? Mr. Beebe stated this version of the berm continues up around 6 up until you get to the southwest corner and then the berm from the southwest corner heading east would be the same style berm you have now where your perimeter channel is off the berm at the base. Mr. Cannon stated so the face of 6 is still being taken by that berm and the channel is going to be continued all the way around so you're only getting what's at the bottom really coming out from underneath then for 6 right? What is coming across 7, it's not the whole load is what I'm saying. Is that everything you are anticipating from 6? Mr. Beebe stated what you're going to be getting, going underneath 7 from 6 is you're going to be getting this face of cell 5 and you're going to get this area of cell 6. You are going to get a lot. Mr. Cannon stated mostly everything. Because this is not going to be developed you're still going to get some attenuation of the water as it goes into the soil or the foliage will slow it down.

Mr. Cannon stated it is always a concern when going through a cell is that this is one-and-done so you want it done right the first time as robust as possible. This is going to carry a lot of water. Mr. Mach asked if 24-inch diameter would be enough? Mr. Allen stated that there is a detention pond prior to the entrance to that. Mr. Beebe stated the 10 ft. high berm is going to act as a detention. Mr. Cannon stated it is a lot of ground that is going to be producing a lot of water. Mr. Beebe stated if some of it should spill over we are still going to have storm water flap within cell 7. Let us say water does spill over top of that berm there, it will spill into 7 where we already have other storm water flaps that will take that water out.

Mr. Cannon stated for lack of better description that is a detention basin. If it overflows, you are saying it can go another way besides the pipe. Mr. Beebe stated yes it would just go over top of the liner system into cell 7 and we're going to have a flap around the 420 contour, we're going to have another flap at the 470 contour. This 470-foot contour would catch that water and pass it. Mr. Cannon stated that it does not pass through, it passes along the flap and goes down.

Mr. Mach stated we have had many torrential rains lately have we considered that in this design? Mr. Swyka stated yes. Mr. Mach stated and the carry off that you need to get rid of that water? Mr. Allen stated you are saying if it is going to overflow that berm what is to prevent erosion of the berm? Mr. Beebe stated that the berm is lined so you have your geomembrane on there to stop the erosion. Mr. Allen stated ok, it has a liner underneath the topsoil. Mr. Beebe stated yes the whole thing is going to be lined over top. The only thing that is over top of the liner is going to be your leachate blanket, which is going to be stone.

Mr. Cannon stated then if that happens in theory the 24-inch pipe is full rolling. Mr. Pryor stated I am not going to go over the hydraulic, if you get a full pipe, it only takes a little bit of head to increase the capacity through there. The more head you get the more flow you get. Mr. Swyka stated it is a steep pipe all of the storm water calculations consider a 100 year design storm. Mr. Allen stated ok.

Mr. Swyka stated the DEP only requires a 25-year design storm, for solid waste facilities. Cornerstone does not consider that adequate. We want a 100-year design storm, on all the storm water features the channels, the culverts, the basins. Mr. Cannon stated so how much do you think would be overflowing the flaps of 7 in a heavy rain cycle? Are you still anticipating that the 24-inch pipe is going to take it all, but if it does not then you still have another system backup with the flaps on cell 7 to then divert it passed the cell so we are not disturbing the cell. Mr. Swyka stated correct.

Mr. Beebe stated that we would still have that, up until we take out the flap at the 470 contour, we will still have that as a backup. Once we take that flap out and start filling here, then we have lost that backup at that point but you are almost into cell 6 anyway. Mr. Cannon answered with right. Mr. Mach stated that when you said it was steep in there, how steep is it? Mr. Swyka asked the culvert? Mr. Mach stated yes. Mr. Swyka stated I do not know the slope exactly but it is in excess of 10% for most of its run. Mr. Swyka asked if those are storm water points you wanted to touch on Mr. Williams.

Mr. Williams stated that here is the other thing, if you want to touch on the cap, existing storm water controls that are on the existing cap that are going to be relocated. Mr. Beebe stated in the shaded area is where you already have existing cap placed and with that you've got 2 existing down drains that pick up the water from these swales on the side slope. We are going to have to re-locate the one down drain in the project. What we are proposing is a piped down drain, it will be a culvert pipe that runs down to the cell 7 basin. That will pick up the existing swales on the outside of the project and then inside the project what we are going to do is run a pipe over to the existing down drain locations just below the swales, to pick up those swales. As construction progresses, we don't envision removing all this cap right up front, that would be more something to be staged as filling progresses and you get up to the capped area then you come in and remove that section of cap as you work.

Mr. Cannon stated what is the elevation difference with that, with cell 7? How much are you going to have to come off to do that piping? Is it going to be below the level now, or how deep is that going to be when you would have to take that off, that over burden? Mr. Beebe stated this piping would go in during the construction.

Mr. Cannon stated and currently the water there is being diverted? Mr. Beebe replied currently the water is coming down into the main channel downward and going into the pond. This will cut off water by using the existing structures that are out there. Mr. Cannon stated so it's not going to go anywhere near cell 7 it would just go directly across not even touching cell 7. Mr. Beebe stated yes and then this way by keeping these swales that are out there and piping them over to the newly constructed down drain gives Mr. Williams a staged approach to taking those swales out. Then he is protected from that water running on during that time. I haven't done the calculations to know exactly how long each one is going to last but let's say it's one year per, that's how much water your cutting off and coming in.

Mr. Mach stated that he is still uncomfortable about this 24-inch pipe, just one more question. Besides the 24-inch pipe in anticipation and anticipating that there is going to be overflow, have you anticipated where that overflow is going to go. Can we go to a size larger, like a 30 or 36-inch pipe?

Mr. Swyka stated I don't think we've anticipated that there is going to be overflow, what Matt was saying is we are not specifically designing for overflow. When he was talking about the diversion flaps that we're putting in the cell, that's a standard operational procedure to minimize the amount of leachate that we generate in open areas of the cell that don't have waste. Mr. Mach replied that he understood that. Mr. Swyka stated that he was saying even if, something went wrong, it would be picked up by these storm water diversion flaps. Mr. Mach replied that is the part that still bothered him. Mr. Swyka stated the 24-inch pipe works. It is a big pipe and it is a steep slope. Mr. Beebe stated for reference in cell 5 what we did is we used a 12 inch pipe, the 24 inch pipe is about four times the capacity of the 12 inch pipe.

Mr. Mach stated Mr. Pryor what is your gut feeling? Mr. Pryor answered, short of looking at the hydraulics. You have a 24 inch pipe at a 10% grade and if you have any head on it at all, it's going to take a lot of flow and he gets what Mr. Swyka is saying and he is sure that they ran the calculations and it all works. Even if it goes beyond, they have this other protection. Your only concern here is the damage to the berm, it is not like your flooding a basement, so if you have this temporary retention and nothings damaged, no harm no foul.

Mr. Cannon stated well you have the cell itself could have damage. Mr. Pryor stated that is what he was saying we want to protect the cell. Mr. Beebe stated essentially we are managing the storm water so you do not make leachate. We are not trying to prevent erosion somewhere the cell is lined so you are not going to damage the liner with the water. Mr. Cannon stated that we want to get it out of there. Mr. Beebe stated you do not want to turn storm water into leachate.

Mr. Cannon stated you did a 12 inch on cell 5? Mr. Beebe stated cell 5 is piped out and ran into your perimeter channel. We used a 12 inch pipe to do that and cell 5 was 8 ½ acres.

Mr. Cannon stated I guess the question is can we go bigger?

Mr. Swyka stated that we start to get at the practical limit of suppliers that manufacture schedule 80 pipe in large diameter, so at that point we probably have to go to 2 pipes. Mr. Beebe stated that or we change the material of the pipe. Mr. Cannon stated concrete is not an option? Mr. Swyka stated concrete's not an option. We would have to go to steel. Mr. Allen asked if the life span of concrete is an issue. Mr. Swyka answered, loading actually, when we look at reinforced concrete loading options we just cannot get enough to support all of the landfill. That is what the issue is. Mr. Cannon stated that we are using the maximum right now is what you are saying, without going to steel. Mr. Swyka stated we are comfortable we can get a 24-inch schedule 80. I do not know if we can get a 30 inch, we can look into it. Happy to do that.

Mr. Cannon stated it seems to me there could be, a lot coming down over there, our neighbor over here whoever it is going finally be is not concerned about it. I don't know what they're going to do over there, then there's Tilcon, there is a lot of water in that quarry over there. There pumping out an incredible amount of water. Mr. Swyka stated actually the DEP property and Tilcon they actually slope the opposite direction away from the cell.

Mr. Cannon stated well Tilcon's pumping, if they are not pumping that is a whole other story he would say. Mr. Beebe stated there not pumping then it affects ground water. Mr. Cannon stated right, I think there could be more ground water coming if whatever their future plans are, I've seen one that they were going to turn it into a lake, again I am trying to extrapolate it way down the road.

Mr. Beebe stated we handle the ground water with we've got the subgrade stabilization layer which is the foot of stone that goes below the liner, so if the ground water levels rise, and become involved that system should drain in the basin.

Mr. Cannon stated that he has seen a plan where they presented that it was going to be turned into a recreational area with boats and everything else. He does not know what kind of head pressure would be on that but that's a lot of water up there. Mr. Swyka stated if it will make everybody more comfortable, we will double those pipes. We will have 2 side by side we will have plenty of space. Mr. Mach stated that he hated to be the only one. Mr. Cannon stated you are not the only one, when you are involved in the cell it is an important thing. If it were outside of the cell, it would be a whole other story. Who wants to go back in there afterwards, do it once and be done with it.

Mr. Cannon asked Mr. Pryor his opinion. Mr. Pryor answered, I'm confident they've engineered this correctly, you define your tributary area there's storm water curves you go into that you can compute the rate of run-off. He is sure they've done all that, having said that if everybody's comfortable with another pipe and the cost of a second pipe, if you're going to put it in, now is the time to do it. The cost is cheap now compared to what you would have to do later.

Mr. Swyka stated we will take care of it. Mr. Cannon stated ok

Mr. Swyka stated back to the leachate drawing now. Mr. Cannon stated Mr. Williams, are you happy with what you are going to deal with down here with the new connections? What you are going to have coming through as opposed to what you had coming through before? This is all passing the roads now. Mr. Williams stated it's all going underneath, yes we have had a pretty lengthy discussion on Friday about a number of those things. The liner flaps, the width of the roadway, many of these drawing have not been prepared. Mr. Cannon stated would you need this paved? Mr. Williams stated no we do not, the pavement can end right where it's at because it's only going to be for a 4 or 5 year period in use. Then the gravel can be fine but the width of it is a problem. The width of it is not wide enough. Mr. Cannon replied, ok Mr. Williams stated that is what we had a discussion on so they will take a look at that.

Mr. Cannon stated that you are going to be undermining it now 2 or 3 more times with the piping? You are going to be taking that pipe underneath that road, 3 more pipes underneath that road? To get to the storm water? Mr. Williams pointed out that all of the dotted lines on the map go underneath the road. Mr. Cannon stated that all of these are new ones going underneath the road that he's saying is not wide enough. Mr. Williams stated yes but it has not been built yet. Mr. Cannon stated right so you want to make it wider is there a height, issue then where the pipes will be set.

Mr. Beebe stated that the pipes are not affected by widening the road. Mr. Williams stated that there is also a drainage swale here and there is a possibility of shifting that around to get us some additional road width. Mr. Beebe stated that on Friday we discussed a few different ways to gain that road width. Mr. Cannon stated oh, ok. Mr. Beebe stated this will be easier with the permit drawings. Mr. Williams stated that we will be looking at tractor-trailers on site. Mr. Cannon stated if it is already a width issue and then you are going to have a water issue. He also sees what you are talking about with heavy trucks going on the berm. Mr. Williams stated it will be designed for that.

Mr. Beebe stated this is the design of the berm, you have your outside slope face, you are going to have some width taken up with the fence and guardrail and right now we have a 15 ft. wide roadway. 2 ft. of shoulder 10 ft. wide of channel and then 16 ft. to the top of the inside of the cell. So all

together you've got 50 ft. top width on this berm as it's constructed. Now what we've discussed with Mr. Williams is we have some options of what we can do there, during the beginning of the cell you're not going to need all the storm water that is there for interim conditions of water coming down the slope. You are not going to need it for your final condition so we can essentially take the channel out, we still have the storm water catch basins in place. We can slope the top of that berm so the water still goes to those catch basins and be taken care of but you would essentially be able to claim this extra 12 ft. there. Which gives you the 27 ft. wide roadway and because you do not have your final cover in place yet you actually get this much back. You end up with your 30 ft. wide roadway in the beginning.

Mr. Cannon stated except that you are putting a live load on those pipes as you extend that, you do have to worry about the live load on those pipes. Mr. Swyka stated but we can get the width. Mr. Beebe stated the other option that we discussed is right now the outside slope of the berm along that storm water basin is a 1 to 1 slope. The other MSE berm we have got on the North West slope is at a ½ to 1 slope so it is steeper. If we did that made this berm steeper that would gain us about 15 ft. extra width on the top of that berm. Instead of being a 50 ft. top of that berm, you would have a 60 ft. 5 ft. wide top of berm and you can get your roadway in at 30 ft. wide from the beginning. Now with that, we have already submitted that in engineer form.

Mr. Cannon stated that he does not know from an engineering point of view, Mr. Pryor, Mr. Williams, which one is better? Mr. Pryor stated well a 30 ft. road is your normal cart way on a municipal. Mr. Beebe stated that if you do the option you are going back in and doing some more construction later to put the channel back in and to do that work later. If you do the second option just increasing the steepness of your berm you are done. You have got it built, you are done, but you do have to go back to the DEP and tell them that we are changing what we have already done. Mr. Cannon stated that eventually this would look like this if we did it over the piping. Mr. Swyka stated that it will also increase the cost of the berm because of all the additional fill soils. Mr. Cannon stated that he does not like increasing the slope of the berms if we do not have to. Mr. Beebe stated that it does not change the stability of the berm all you are doing is adding mass to the berm, which actually should increase your stability. Mr. Swyka stated the point of this berm is that it is all internally reinforced, so increasing the slope is not an issue.

Mr. Cannon stated so what is this piping underneath here now? Mr. Beebe stated this is your storm water pipe that channel that goes around the entire perimeter of the berm. Mr. Cannon asked what size is that? Mr. Beebe stated that varies as we come around the berm, it starts at 30 in. and as you come around I think it is either a 42 or a 48 inch pipe. Mr. Cannon stated and that's not cement. Mr. Swyka stated it is concrete. Mr. Beebe stated that in the permit it is written as concrete, but we decided to go with the ADS piping because it is cheaper and easier to install. Mr. Cannon stated ok, it has no load on it so that is why it is different from what we talked about. Mr. Beebe stated that he thinks we might have varied them from what it was in the permit plan. I think the smallest on within the system is a 30-inch pipe and by the time it exits to the basin, it's either a 42 or 48 inch pipe. I would have to double check those. Mr. Cannon inquired with recommendation as to widening the road would be to go over the proposed drainage. Mr. Swyka stated right, temporarily make full use of the top of the berm until you need to have a surface channel and then define that surface channel. Mr. Cannon stated ok.

Mr. Cannon asked if Mott MacDonald was with you on Friday? Did you go over this too? Mr. Swyka stated no, I would have liked to have them there but they were otherwise occupied unfortunately. Mr. Cannon asked if anyone had any input as far as the road width increase was concerned? Where the

perimeter piping would have to be delayed per say to go in the file plan. For now we would use that extra 15 ft. as road until we no longer needed it as a road. Is that what the proposal is Mr. Beebe? Mr. Beebe stated your just eliminating the surface channel. You will grade the top of the berm to drain to those same catch basins. Mr. Cannon stated that is what I meant to say.

Mr. Cannon asked what else did you guys go over Friday? Mr. Williams stated the width of the road, the storm water channels, and the flaps. Mr. Cannon asked the flaps weren't there before? Mr. Williams stated no. Mr. Cannon stated was there was a concern that you needed flaps. Mr. Williams stated that we have already exceeded our rainfall for this year so this is a good year for an example. Mr. Pryor stated that from what he was hearing he did not have any concerns. Mr. Cannon stated that this may have been done before but Mott MacDonald needs to be incorporated. Mr. Pryor agreed. Mr. Williams stated that this might have been prepared before Mott MacDonald.

Mr. Pryor questioned that the concern about the width, it is just not wide enough to handle the big trucks. Mr. Williams stated when these trucks come down, they are going to be real close, and a tractor-trailer is 60-80 ft. long. This is what we were talking about. Mr. Allen stated is this going to be a loop? They will have to turn around somewhere. Mr. Williams stated that is what we were talking about we were putting in a loop. Mr. Williams went on to state that a 15' wide roadway would not be sufficient for the type of truck traffic utilizing the landfill.

Mr. Williams stated this may be short-lived. It may take us a year or a year to a year and a half to get that bottom filled in, to where we stop using the road, and we can actually drive into the landfill. Mr. Cannon stated you mean for that, because we will be using the road forever. Mr. Williams stated once that waste gets to the height of that road, and the trucks can then drive right into the landfill. Mr. Cannon stated but that road will be used forever. Mr. Williams answered correct.

Mr. Swyka stated do we have an opinion? Mr. Mutch stated I think it will work as long as you build this structure at a later date raise it up to grade and use some stability control, as far as putting filter fabric underneath your catch basin grates so you do not fill your pipes up when you're progressing here with trucks. Mr. Beebe stated then it would just be a maintenance issue. You would be cleaning out the filter fabric, the socks or whatever you are going to use.

Mr. Cannon stated so that would keep anything from the road surface not getting into the pipe system. Mr. Swyka stated that is correct.

Mr. Pryor stated I want to go back to the 24 and 30-inch pipe a little bit. I know that plastic pipes in the larger sizes had their limitations, particularly polyethylene but there has been advances made they have composite pipe now and stuff like that. Have you exhausted all of those possibilities, of throwing in a 30-inch pipe there? Mr. Swyka stated we are going back to the underdrain on the south side right? Mr. Pryor stated yes. Mr. Swyka replied, ok. Mr. Pryor stated that you were talking that it was feasible that you would have to go to two pipes. I am saying that there is lots of new exiting stuff out there now. Mr. Swyka stated well for construction generally we think of polyethylene, we think about PVC and we think about concrete we think about iron. We really don't even think about steel for what we do in civil construction works so ,when we were looking at the pipe size initially we were at a pipe size were we didn't believe we could get that size in a plastic pipe. We prefer plastic, PVC is robust we have proven it at landfills for the last 30 years so we like it. We like the way it works. Polyethylene is not the same, we find that polyethylene has a very low module of elasticity and over time it creeps so we go from what starts as a circular pipe to after a long period of time to something that's much less than circular. There are places we can use it. Mr. Beebe stated we have talked to

ADS they have a pipe that they say is for deep burial and we got the calculations for them from that. Mr. Pryor stated there have been many advances in the last few years and have you looked at that? Mr. Swyka stated we did not look at ABS and we did not look at fiberglass. Mr. Pryor stated and there are composite materials these days too. Mr. Swyka stated we did not look at any composites. Mr. Cannon stated so you are proposing that there is a better pipe that we could get larger or less expensive? Mr. Pryor stated no, not proposing, just make sure we know what is out there. Mr. Cannon stated that he thinks they are going to check on a little something before we go to 2 pipes right? Mr.

Cannon stated ok let us move on and go over the site plan quick, and then go to the specific drawing.

Mr. Beebe stated leachate for cell 7 is going to be different from what we are used to at this site. All the leachate currently gravity drains to the treatment facility. Because of the grades here on cell 7, we cannot gravity drain it, we have to use pumps. The same as we have done everywhere else we are collecting all the leachate through collection pipes at the lowest point in the cell. At that point, we are going to install sumps and sump risers. We are proposing 2 primary sumps with pumps and one secondary, the reason for the 2 primary's is just in case one pump should fail you have a secondary pump. Mr. Swyka stated if they do fail this provides redundancy.

Mr. Mach stated you are talking about 3 pumps or 2 pumps, are they all the same size? Mr. Beebe stated there are three pumps, two are the primary leachate and one for your secondary, they are all the same size, if you have a spare sitting on the shelf it will work in anyone of those. Mr. Williams asked the two primary pumps, are they a lead and a lag set up? As far as, say we got high flows will they both run at the same time? Mr. Beebe stated yes, we could have them set up however you like. Mr. Swyka stated there are two primary and one secondary pump so when Mr. Williams' talks about the lead and lag he is talking about the 2 primary pumps, will both of them operate at one time. The preferred operation is to have them alternate. Have one operate for one pumping cycle the next time there is a pumping cycle the other pump will operate and that way both of them get exercise on a regular basis, you do not end up with something just rotting down on the bottom of the landfill.

Mr. Cannon asked you say there are two but one is primary and one is secondary. Mr. Williams stated it is for the secondary liner system, correct Mr. Beebe? Mr. Beebe stated yes the secondary one is for secondary liner system. Mr. Swyka stated what Mr. Williams is asking if we can run them both at once if our level is high. The answer is yes it is just a part of the programing. Mr. Pryor stated on the low flow, your lead pump comes on if it continues to rise at the next level, your second one comes on and they both operate together, they'll draw it down faster and if they empty it they both shut off and the next cycle they reverse in terms of what's lead and what's lag.

Mr. Swyka stated the objective may not be to empty the cell rapidly, from a leachate management. From a large storm, you have 7 days to draw down the cell. Depending on the leachate system capacity, it may be more advantageous to draw that liquid out at a slower rate, Mr. Pryor stated so you would just set the lag level higher so it would be an emergency thing rather than a daily thing. Mr. Beebe stated yes.

Mr. Williams asked, have you looked at yet where you are going to run the underground electric? Inside the channel closer to the landfill or the outside? Mr. Swyka replied, did we not discuss that yet? Mr. Beebe questioned Mr. Mutch on where the electric is going to be run, whether it is on the inside of the channel way or the outside of the channel way? Mr. Mutch stated he did not get to that. Mr. Swyka stated that it has not been laid out yet. Mr. Williams stated if we are putting the channel in

later, you do not want to go through the electric. Mr. Swyka stated either way, the utilities would not conflict. Mr. Cannon stated how do we know that it is not going to conflict? Because the electric is not designed yet as far as where it is going to be placed. We are first going to decide on our width and our trench and then we are going to decide on the electric. Is that what you are saying? Mr. Swyka stated correct.

Mr. Cannon stated so, for the width of that road with all of the piping calculations' is that done by footage or is that just going to be adjusted as we need to. My question if the road is 5 ft. or 10 ft. wide it does not matter for the leachate line right. Mr. Swyka stated essentially all of the piping that would be buried would be suitable for the h20 loading of the trucks. Mr. Cannon stated ok, just making sure that the load-bearing pipe was ok throughout the area in case we widen the road at some point. The pipe will be the same whether or not there is a truck on it.

Mr. Williams stated just so everyone knows, all the electric for this will be tied into the emergency generator at the treatment plant for backup. Mr. Pryor stated and that is sufficient size? Mr. Williams stated yes. Mr. Pryor stated that in this area we have had some long electrical outages. Mr. Beebe stated that the pumps we are using are all 5-horse power 3-phase pumps. You should not experience a lot of liquids in your secondary so I wouldn't figure on you needing to use that pump often and again the primary would be lead / lag under your normal condition you would only be using one of those pumps on and off.

Mr. Cannon stated are we good with that? Do you want to go over the leachate pipe drawing proposed quick or no? Mr. Beebe stated continuing with the leachate during this construction we are going to have to put in service for cell 6 also because we are going to be running those pipes through cell 7. So we will have to install pipes to service cell 6 when it's constructed. We are proposing to install the vaults and chambers that will go with that cell 6 leachate at this time. Mr. Cannon stated where do you think the leachate pipe for 6 is going to come from? Mr. Beebe stated we are going to start right here at the operational berm and were going to follow this line here and bring them out through the perimeter berm and we have a series of vaults and manholes.

Mr. Cannon stated that is an active area over there, that culvert right? We are going to be using the heck out of that. Mr. Swyka stated there are separate pipes, there are separate elevations and separate alignments. This leachate pipe is for future leachate tie-ins. Mr. Cannon stated you've got one below the liner, you've got one that's going to have the groundwater that's coming off of both cells 6 & 7 and then we are going to have the one that's – only one from the leachate from cell 6. Mr. Beebe stated 2, you've got one for your secondary liner area and then one for your primary liner.

Mr. Cannon stated ok in the same spot. Mr. Beebe stated yes they will be together. Until we get to the berm then we have to separate them out because we need to have them side by side, so we can do one vault for your secondary and one for your primary. Mr. Cannon stated so we are putting all the cell 6 access pipes in there now? Mr. Beebe answered we have to do the ones through the cell all at this point. Because you are going to be doing all your construction in here at this time, we would propose putting all the vaults and controls for the cell 6 leachate in during this construction rather than wait for the cell 6 construction.

Mr. Williams asked are they going to require pumps too? Mr. Beebe stated we will require a small pump as it's designed. Currently a small pump for the secondary leachate so that the secondary leachate can fall into a manhole and pump it up for flow measurement. Mr. Williams stated the reason he brings that up, if electric has to be run to those, do we run the conduit with the other conduit going

back to the treatment plant now. Mr. Swyka stated right, we would and the only question with this is we want to have the structures in with the construction of the berm because we don't think it's a good idea to come in at a future date to do those excavations into that area. So we would put the chambers in, he thinks it is a preference for the Authority whether or not we put the internal components in those chambers now so that they all talk to everything else and so we know they work or, if we leave that until the construction of cell 6. Mr. Swyka sees that as a preference item.

Mr. Williams asked does that become a maintenance issue, not knowing how long it is before we build cell 7. Mr. Swyka stated it is possible that they could wear out, by doing nothing before you build cell 6. That is a possibility. Mr. Cannon stated or there may be something that will be built better than what is currently available to us now. Mr. Swyka stated correct. Mr. Cannon stated that he does not see a reason to put it in now.

Mr. Beebe stated ok we will put the structures in, we'll do the piping between structures but anything within the structures we'll leave open. We will just cap the pipes and the structure. Mr. Cannon stated does that make sense guys? Mr. Henning stated yes it does.

Mr. Williams stated it might help to add an extra conduit in there too since the trench is open. Mr. Beebe stated it never hurts to have extra conduit. So with the leachate also you have got existing areas capped, that cap will stay. On cell 5 we've got an open slope that will be open for a while.

Mr. Beebe stated when we did the calculations for leachate that we gave you last year. Those calculations assumed that we would be putting in a temporary cap on cell 5 so we want to be generating leachate in that area. Also capping of any of your areas that are going to be at final grade, that are not going to be overfilled with the expansion. That will cut down on your leachate generated from those locations. Anywhere that you'll be going over top, will either receive a temporary cap or you would leave open. We are trying to cut down the areas that you will be generating any leachate. We just do not want to have you generating a lot of leachate there, plus new leachate. That would be part of this plan set also. Mr. Cannon stated it is not free. You have to pay to get that leachate moving somewhere, the less of it the best.

Mr. Beebe stated then any of the leachate that comes out of cell 7 is pumped off. Cell 6 in the future will come down to this location also from there all the leachate will be combined, primary, secondary both cells and we'll have a gravity drain pipe going down here to your existing leachate tank, the concrete tank and be treated just like any of your other leachate. Mr. Williams asked that's not tying into the 1-A manholes? It is by itself? Mr. Beebe stated no, they are not tying into the 1-A manholes. Those manholes are pretty deep we really don't want to go in and disturb that area. Anything else on leachate that you can think of Mark? Mr. Swyka stated that he does not think so, they tried to keep it as simple as possible.

Mr. Cannon stated so the only pumping is the far end of cell 7 right? Mr. Beebe stated cell 7 is all pumped we will have a pump in cell 6 for the secondary for metering of it. Mr. Mutch asked Mr. Swyka if he would like to bring up the capacity issue? Mr. Williams asked Mr. Beebe, cell 6 will gravity drain? Mr. Beebe stated 6 will gravity drain, we don't have it in the permit drawings but we're proposing putting an electrometric flow meter on that gravity drain from cell 6, so you'll be able to tell how much leachate is coming from cells 6 and 7. Mr. Williams stated so cells 6 & 7 will be completely independent of each other. Mr. Beebe stated until they combine in this manhole.

Mr. Williams asked what about the gas collection line that is there now? Does that stay in place? Mr. Beebe stated for landfill gas, let me switch to that page, we are going to have to move the pipe out of the way for the construction. I guess the other part of the leachate is we are going to have to extend all those cleanouts down to the berm, so we will be proposing that we tie on to cleanouts. Mr. Williams asked, on the north side of 1-A. Mr. Beebe stated yes, those cleanouts plus the one cleanout off from cell 5. They will just be run with extensions, we will just tie on to an elbow and run them down the berm and pop them out here. You will have long runs. We all know that jetting out cleanouts, there is a limit to how far you can jet. You can't get around that but the state requires us to have those accessible, so we are going to extend them and they will be accessible for you but there is a practical limit on what you can jet from those locations.

Mr. Cannon asked, how far are you extending them? Mr. Williams stated so you are going to go from the west side of 1-A all the way down? Mr. Beebe stated they are all going to extend down. Mr. Williams stated that he did not even know if you could get a line that long. Mr. Beebe stated let's not forget that once you've capped and closed this area you're not going to be generating a lot of leachate out of those areas anyway.

Mr. Cannon stated that even though, you cannot get a roto-router in there, by code you need to say you can. Mr. Pryor stated how far is that run between the cleanouts. Mr. Beebe stated the furthest cleanout down to the berm looks like its somewhere around 800 ft. Mr. Cannon stated maybe we make it big enough for a guy to get in there. Mr. Pryor stated there are things besides jettors, mechanical sump machines, things like that. Mr. Cannon stated he did not think you have a choice, there's no option involved.

Mr. Swyka stated it is what we proposed to DEP, they have approved it. They recognize that there is a benefit that you receive, that is at the cost of that accessibility.

Mr. Pryor stated what are you putting in there a manhole or just a cleanout? Mr. Beebe stated we're just going to extend the cleanout, we're going to tie on to it with new pipe and run a new pipe down to the perimeter. Mr. Williams asked, is this going to be 8 inch? Mr. Beebe replied, they would be 8 inches. Mr. Beebe stated that to Mr. Williams since you asked about the existing landfill gas pipe that runs up through there and ties onto those cleanouts. Because they are going to be doing the tying at that location, they are going to have to dig that up and because within a couple of years you will be filling in over the top of that area. What we are proposing is that we cut and cap and pipe at the new berm location, we bring in new 8 inch pipe all the way up over the landfill. We take the existing gas wells that are in the capped area and we remote weld them up to that new pipe. We eliminate that pipe at this time because it no longer is going to be in service. The wells that are out in that area would get remotod out of the way so you wouldn't even have to deal with them during your operations as you fill up you won't have to worry about them being in the way.

Mr. Cannon stated can you explain remoting away. Filling and changing locations of them or will they still be pumping up from where they are existing currently. Mr. Beebe stated what we've got is, if this is your slope of your landfill and you've got your well drilled down in. typically your header pipe would be below the well and you would run your gas down through a pipe to that header pipe. That way any liquids that fall out within the gas as it cools will run down slope and eventually get to your knockout pop by the flare. So you would be collecting and taking care of your liquids at that point. Because we are going to be running our header pipe above the existing well we need to run that pipe up slope. Any liquids that come into that pipe running it up slope will then drain back towards your well and be trapped there. We want to be able to collect the gas. What we end up doing is we

take the wellhead off the pipe down below grade, we take and cut the casing, and we extend the casing underground up here and bring our wellhead up to the top. Your well is still down at the bottom you just moved the well casing up to here, remoting, so the gas still flows up, any liquids that fall out within that portion will just drain down into your well as it would already and you can tie on to your header pipe at the top slope.

Mr. Williams stated so we will stay above the liner. Mr. Beebe stated yes and that would stay above your existing cap, obviously, when your operations come over top of that, you would remove your cap in that area but the weld would stay in service as you go over the top with it. You just have to make sure you do not crush your well pipe at that time you do your filling. After you have filled up beyond that then we would come through and have you drill the new wells once you are at final grade.

Mr. Allen stated the wells are to get through to where the gas is? Mr. Beebe stated the well right now you are collecting the gas out of the existing cell. Once he fills again he is still going to be collecting from that existing well, while he's operating. He is going to fill above that once he gets up to his final grade, we would come back in and drill new wells in those locations. Mr. Allen stated the new cell, there is no need to put anything in initially for that? I know gas does not start to generate in a cell until a few years later. Mr. Beebe stated not at this time there is no need to. Mr. Allen stated so it is just a matter of drilling a well down, now the gas is heavier than air so you have to suck it out right? Mr. Beebe replied, yes the flare system that you have creates the vacuum that pulls that gas out. Mr. Allen stated it is just the vacuum from the flare? Mr. Beebe stated yes I think your run it somewhere around 30 inches of vacuum at the flare, that's enough to pull the gas out.

Mr. Cannon asked have you done the projections? Mr. Beebe stated we've done the projections right now because of the amount of ash that you take, you don't generate a lot of landfill gas, it's a very minimal amount. Once you do get up to where you are up outside of the perimeter berm, then we put the headers on the slope of the landfill at that time. Mr. Cannon stated Mott MacDonald, do you have an update on that? Mr. Henning stated the only question I had is, I am assuming you have an air permit? Mr. Cannon and Mr. Williams replied, yes. Mr. Henning stated do we need an air permit mod for this expanding the footprint of the infrastructure, does that trigger an air permit modification? Mr. Swyka stated the expansion triggers an air permit modification, the gas well work does not. Mr. Henning stated ok, an expansion. Mr. Swyka stated the approved landfill expansion. Mr. Henning stated ok. Mr. Cannon stated it already has that incorporated.

Mr. Williams asked Mr. Swyka, when we go to drill new wells in the expansion area then the air permit modification takes effect at that time. Mr. Swyka stated what I probably need to do is to have Ed Vallis provide a summary for that, because he knows that better than anybody else Ed Vallis he's the air permitting specialist who works for you right now.

Mr. Cannon stated that with the approval of it the understanding is there is going to be a change in the air permit. You cannot change that. Mr. Swyka stated yes there is a timeline within which that new information will have to be filed, which he thinks that's a year, right? Mr. Henning stated that he didn't know how it applies to a landfill gas system, he did know that anytime we do a change at solid waste facilities, it requires an air permit modification or calculations to suggest that you're not changing the loading conditions, or if there's new equipment. He stated that he just did not want us to get caught.

Mr. Cannon stated so we will need some clarification on it for next month. The other question is, is there anything else with cell 6 that you think should be in place now. Is there something else we should do now ahead of time for cell 6 while we're making this mess? Could there be anything else that would be beneficial, he knows you have probably already looked at it, but while we are still on that same vein, anything else that needs to be tied in, cleanouts or access or anything?

Mr. Swyka stated up to this point he thinks we've only assumed that we would disturb the minimal amount that needs to be disturbed to construct cell 7. This area is all treed and it could be logged, but he does not know if there is any benefit to doing any earthwork in that area at this time. Mr. Cannon stated that he wonders if there anything that we are coming across with this middle berm that's going to have all extensions you talked about. You have everything for cell 6 that needs to be hooked into, everything has already gone across the road, the cells 5 and 7. Everything has gone over that's going to need to go over to cell 6. Mr. Swyka stated yes, because what is it? Its grading, leachate, landfill gas and storm water.

Mr. Beebe stated the only decision to be made now, would be if you want to log and clear that. As far as construction, get that out of the way. Mr. Cannon stated we would like to keep the trees as long as possible. Mr. Beebe stated if we can switch back to landfill gas, we are proposing to remotely connect as we talked about the wells that are up in the cell area that we are going to be overfilling. Remote the new header location and drill new wells, because cell 5 has been in place for a while and we have not placed any wells in there. At that time drill wells and pick up some landfill gas there and tie back in with our new header up on the south side of the landfill.

Mr. Williams asked so you are thinking to put wells in, next year in cell 5 as part of all this? Mr. Beebe stated yes as part of this construction. The other thing is we are proposing to put in a temporary cap in there so we would like to have wells in that location before we put the temporary cap in. Any landfill gas issues? Mr. Williams stated as long as you do not take that other pipe out of commission until this is all in place. Mr. Beebe asked, which pipe? Mr. Williams answered, the good one, the header. Mr. Swyka stated that he thinks this is where we stand with each of the components. Are there other questions that the Board would like to ask?

Mr. Pryor stated for his own information, where do you induce the draft on this whole system, you have something near the flare? Mr. Beebe stated the flare itself is inducing the draft Mr. Pryor stated so as you burn that is going to pull everything through? Mr. Beebe stated the blower is generating, I am not sure what the maximum is that your blower can generate. Its 60 inches I think, it is pretty typical. Mr. Williams stated yes. Mr. Pryor stated do you have to balance these wells in some way? Mr. Beebe stated yes. Mr. Williams stated that PCFA has 4 guys that do it. Mr. Beebe stated you have four guys on staff that monitor the wells at least monthly. They balance them out, tune them and they all tie in to the existing header system that is out there. The gas is conveyed down to the flare system, the blowers are pulling the vacuum on and it goes through the H2S treatment system then back out to the flares to either be burned through the candlestick flare or the enclosed flare.

Mr. Allen stated Mr. Williams do we have a record of the amount of gas that we know is increasing still, is it increasing still? Mr. Williams stated no it is not increasing, it is actually decreasing, right now it has leveled itself out. Mr. Beebe stated you are down to what about 3 or 4 hundred scfm? Mr. Williams stated about 450 scfm. Mr. Allen stated and he is talking about possibly adding wells to cell 5, how old is cell 5? Mr. Beebe stated we started in 2012? Mr. Williams answered, we started in 2011 or 2012 yes, the majority of that waste is ash, so there is probably some gas there, and we might get a

little bit of gas out of it. Mr. Beebe stated you are not going to get a substantial amount of gas from that because the amount of ash in there.

Mr. Swyka stated that he thinks what you are probably thinking is, when you add a new well the amount of gas collected increases and it will. Waste decomposition is a decay reaction that builds up and then it decays and so the whole mound, everything that is in there once its reached its peak is decaying, the peak is very quick, it's like 2 to 5 years you hit the peak generation and then everything decays off of that. So the question is with the number of wells that we install would we increase the amount that we collect in those new wells, more than the total mass of the landfills decaying and I think what Mr. Williams was trying to say before, is probably going to stay close to constant even though we add those new wells. There might be a quick spike but unless the waste composition of the materials coming into the landfill changes, it will probably continue the way it is right now.

Mr. Beebe stated and currently your flare system is designed to handle up to 2200 scfm and the h₂s treatment system is designed to handle up 2200 scfm. Mr. Allen stated so the flare system is probably adequate. Mr. Beebe stated your flare system is more than adequate. In fact it's hard to trim it down to the level that you are at right now. Mr. Swyka stated that he must say, that he saw a news item about some plans that Covanta may or may not have. Mr. Cannon stated yes they were here earlier today to announce that they are closing up shop. Mr. Swyka stated that he would just say that if that occurs and if you cease to take ash as your principal waste material and you start to take raw MSW as your principal waste material, then everything will have to be reviewed again. That will be a major change to what you are taking and it would significantly impact landfill gas generation. At that point in time we don't know for sure whether the system will be adequate. So it will have to be reviewed, there is no need to do anything until you know.

Mr. Beebe stated we have already discussed the storm water, the leachate. Mr. Swyka stated so we are done.

Mr. Cannon stated that the couple questions/comments that he had, the quality assurance the quality control plan. Mr. Cannon stated that we hired Mott MacDonald so they would have to be incorporated into that plan. Mr. Pryor stated that the general comment is you should both look at it and make sure it is coordinated. The more detailed comment he had, as the design engineer you have a very limited role according to this, reviewing approvable change orders, there would be submittals we would expect some periodic visits. We do not want you to disappear for the duration of the construction, so you may want to look at that. He is sure that you want to participate in inspections at the various stages.

Mr. Beebe stated there is the quality assurance and quality control, so there are 2 different roles there. Mr. Pryor stated that the design engineers should have the opportunity to the submittals relate to your design, certainly they have a role in the change orders and he thinks they should have periodic visits. Mr. Pryor stated you have to be here enough at the principle stages of construction to see what's going on. That is the customary things usually, participation. Final inspection, he guesses there is not much to look at, at the end.

Mr. Swyka stated no but that is a nice time to take photographs. Mr. Swyka stated there is a question here on this plan, we construct this to satisfy DEP, if you want to build in more activities, that is fine and you can. If you want to do more activities, we typically do not communicate those to the DEP otherwise they are going to expect more. Mr. Pryor stated that he understood what they were saying, this goes to DEP but there's going to be a contract amendment down the road and you are going to

have more than just change orders. Mr. Cannon stated that he is not sure what are you getting at, with Mott MacDonald being involved with it? Mr. Pryor stated that no, he was saying Cornerstone submittals, certainly they have to review submittals because they impact the design. You should have some visits at the primary stages of construction, just to observe the general progress. Mr. Swyka stated no, that's not included in our contract, and actually he does appreciate what you're saying because that's not common in the landfill industry and its not common with our experience here in the past. When a different firm has been selected to provide quality assurance, so I think it is a good thing to do and I agree with you, but we will have to scope that.

Mr. Pryor stated let's say you picked a certain type of pipe and the guys going to make the submittal on that pipe, the designer should see that submittal and be able to say that it meets our design intent. There may be contractor proposal changes, which may result in a change order.

Mr. Williams stated when we get there and that is going to happen, he thinks we are going to need to do a different arrangement with Cornerstone as to retainage. Mr. Pryor stated they have a design contract and it ends at the end of the design. And it ends at the end of bidding. Certainly, the change orders are addressed in here but not addressed by contract. Submittals are addressed here but not by contract. So give some thought to that. Mr. Cannon stated and you are saying these are generated by contractor. Mr. Pryor stated the contractor will make proposals for changes. He is obligated to make submittals all the materials, pipes, pumps, somebody has to approve those and the designer should be in that loop. Mr. Cannon stated for above-and-beyond change orders, the contractor is another issue in as far as if a designer says that this is what it should be and the contractor says another thing, then we have to hire someone to look in it for us. Mr. Pryor stated the designer should always get a crack at anything that impacts his design. Mr. Cannon stated yes, but this is what is approved and this is it. We are not paying to reinvent Rome.

Mr. Pryor stated they are going to specify and 'ABC' pump and the guys going to come in with a 'DEF' pump, that has to be approved, that should be approved by the designer. Mr. Cannon stated I guess you are talking less monetary change orders. Mr. Pryor stated a submittal may not be a change order at all. It is just what he submitted, is it acceptable and incorporated in the work.

Mr. Williams stated I get what Mr. Pryor is saying. Mr. Cannon stated now I do. Until we have to then do their additional QA, QC, requirement for them, then the additional overseer for the DEP? Mr. Swyka stated that is correct. Mr. Cannon stated since we did something different, with hiring an outside firm. As you said this is not standard procedure, I would submit to DEP how much of that they would be willing to go along with. Because we have 2 eyes on the project maybe we don't have to hire a 3rd one. If a Mott MacDonald report could be constituted as something that they would possibly take.

Mr. Henning stated that there is a provision in here that says something along the lines of, this independent 3rd party can be released at any time pending DEP approval. he thinks what happens is, they've got this individual that comes in and he reports directly to the NJ DEP borough of solid waste and he thinks if he comes in and looks at the level of documentation that our team is doing, and gets a good sense of confidence, he doesn't need to come back anymore. That is the way he has read this, he has never seen it and he does not know if Mr. Swyka has seen it either. Mr. Swyka replied that he has never seen them walk away.

Mr. Williams stated in our last construction phase it went from 4 days a week to one day a week. The DEP cut it back because they had confidence in what they were getting from all the parties involved.

Mr. Cannon stated so the amount of oversight that QA would have had was much less than required so the QA cost was much less. Mr. Williams stated that it started at 4 or 5 days a week. Mr. Cannon stated that he did not know if there was something that could be submitted to them, to show the layers of oversight. Keep that in consideration for the requirements for the regulations and maybe we do get an exception after the first visit, you never know. Mr. Henning stated the scheduled frequency of inspections by the independent quality assurance inspectors, may be reduced or discontinued if approved by the department.

Mr. Cannon asked if anyone else had any more questions. Mr. Allen stated maybe you can give us a 5-minute summary. You mentioned that before you started, some things were discussed. Can you give us a little overview? Mr. Swyka stated that Cornerstone was able to give Mr. Henning and Mr. Kohler a thumbnail sketch of everything that was going on. One of the things we learned in that discussion is they have not had the benefit of being able to go through the permit documents. At this point they have only been able to see what you have seen as the 50% they don't have the background that you have with everything that went into the permit doc, so I think it would be beneficial for them to have that so that they can see the big picture of what we're trying to accomplish. That was the summary and Mr. Kohler had some suggestions about the storm water that we are going to take under advisement to see whether we can incorporate it. This is specific to getting water into the new down shoot location, so we are going to look at that. Mr. Cannon stated good. Mr. Henning stated that they have a geotechnical team that reviewed the MSE berm design. The team came up with a series of comments that he gave to Mr. Swyka He summarized it in a nice email. He will forward the email to Mr. Williams.

Mr. Kohler and Mr. Henning had questions relating to some of the details and the storm water, which could have been answered, if they had the permit drawings or something with a little bit more substance. Mr. Cannon stated so could we get them 100% of everything that we are up to? Mr. Swyka answered that he thinks the permit set would be appropriate.

Mr. Cannon stated is there anything else you would like to get that you do not have? Mr. Henning and Mr. Kohler stated that they would like a copy of the permit drawings and some of the storm water drawings. Mr. Swyka replied with sure. Mr. Henning stated that the only other thing he think Mr. Swyka covered but with the expansion of the footprint of the landfill there is an expansion of the potential leachate generation. He knows that provisions are in place to control that and they looked at the leachate storage tanks that have a finite capacity and they probably are sufficient for this expansion. Mr. Beebe stated in the final capping would shut off leachate from the old landfill, so then the new landfill generation would have the capacity. Mr. Henning stated ok. That was our only other question.

Mr. Swyka questioned Mr. Henning and Mr. Kohler if they would like to see the leachate calculations? Mr. Henning stated no, just the philosophy of expanding the potential for leachate generation but the tanks remain the same size. It sounds like it is not a concern from the design side. Mr. Cannon stated we are hoping to close as much face existing so that would decrease the leachate from that. So opening the new one would be a trade-off. Mr. Henning stated that is all he had.

Mr. Beebe stated that he guesses the other thing was we did give you a bid form with bid items, are there any questions on that form. Mr. Swyka stated the intent is we are going to structure it, as unit price contract and those will be the items that we would have the contractor sign unit prices too. Mr. Cannon stated ok could you review that for us, it looks standard fare to me. Mr. Henning stated we are looking at it from a content standpoint, but the quantity has not been determined yet.

Mr. Williams questioned Mr. Swyka and Mr. Beebe what is the next phase, after today. Mr. Swyka stated after today we go back, we finish everything to 90% completion, and then we will provide those documents to the Authority and to Mott MacDonald. Mr. Williams asked when does that happen? Mr. Beebe stated the due date to you is November 30. Mr. Swyka replied, yes by our contract it is November 30th. We are internally planning to get that to you sooner. Because Mr. Henning and Mr. Kohler are going to need more than a week. Mr. Cannon stated Early is good, you guys can go back and forth on some stuff without us per say. Going forward it is a better situation, we are looking at October 22nd for our October meeting and November meeting is the 19th which is Thanksgiving week. Mr. Williams had an issue in October, maybe. Mr. Williams stated maybe.

Mr. Pryor stated he would like to go back to what was said before, as he understand it their contract ends at award, are you going to have some meetings during the construction period? They are doing the inspection but reasonable intervals. Mr. Cannon stated that his point about that was to try to get Cornerstone ahead of time knowing our schedule is screwy no matter what. Anything you can get done ahead of time as far as looking at it is more important to them than anything. Mr. Swyka stated that we did not set a hard date but he expects it will not be in time for the October meeting. Mr. Cannon stated the November meeting is either going to be moved up or moved back. Maybe we move it back to the week after Thanksgiving. November 30th – December 1st, 2nd, 3rd somewhere in there. We will have that done by then and build in a little review time. How about that Mr. Williams? Mr. Williams stated that he will send everybody here an email to check schedules. Mr. Cannon stated he would prefer Tuesday or Wednesday. Let us pencil that in so we have it in front of us. Mr. Cannon stated send it out and see what we have Mr. Williams. Mr. Williams replied yes. Mr. Cannon stated he would be back for September's meeting.

PRESS COMMENTS & QUESTIONS

None

ADJOURNMENT

Mr. Cannon called for a motion to Adjourn. **Mr. Pryor** motioned to Adjourn, seconded by **Mr. Allen**, at 1:01 pm.

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

Respectfully submitted by:

Recording Secretary

Approved: