

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

September 24, 2018

Chairman James Cannon called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:33 AM.

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

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

Also present: James Williams, Director of Operations; Ed Smith, Freeholder Director; Brian Tipton, 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 September 24<sup>th</sup> 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”.

MINUTES

Mr. Cannon then presented (M-1) the regular monthly meeting minutes from August 27, 2018 and asked if anyone had any corrections or changes.

Mr. Allen stated that he had none.

Mr. Cannon stated that he had a couple of corrections, one on page 9, 6<sup>th</sup> paragraph, should have read Mr. Cannon stated ‘that’ not ‘so’. In addition, page 34, 3<sup>rd</sup> paragraph, should have read ‘roto-rooter’ not rotor-rooter. Mr. Cannon also stated that the minutes were quite comprehensive.

Mr. Williams stated that this was Mariann’s first real time doing the minutes and they were well done.

Mr. Allen suggested that maybe we could print this double-sided to save paper.

Mr. Williams agreed to double-sided print.

*Mr. Pryor* made a motion to approve the Regular Monthly Meeting Minutes from August 27, 2018 as amended, seconded by *Mr. Allen*.

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

Mr. Cannon presented (M-2) the Executive Session minutes from August 27, 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 August 27, 2018, seconded by *Mr. Allen*.

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

## CORRESPONDENCE

Mr. Cannon asked if Mr. Williams would like to go over the correspondence.

Mr. Williams stated that the first one was C-1. Mr. Cannon stated that C-2 was going to be saved for the Executive Session.

Mr. Williams continued C-1 is a memo from Cornerstone to Mott MacDonald. This is in regards to a series of questions that Mott MacDonald proposed to Cornerstone and Cornerstone responded. These were based on questions that Mott MacDonald handed out to Cornerstone when they were all in the audience with us at our last meeting. Mr. Williams also stated that there was nothing unusual about it, just Cornerstone's responses.

Mr. Cannon stated that Mott MacDonald asked that certain issues be clarified and the Board suggested that they get together with Cornerstone to make sure they received everything they needed.

Mr. Allen asked Mr. Pryor if he was comfortable with the material that they spoke about?

Mr. Pryor stated that his expertise was not aligned with everything that Cornerstone talked about but their answers seemed credible. Most was just clarifications.

Mr. Cannon stated that, the Air Compliance was something separate, but would Mr. Williams like to go over it now?

Mr. Williams answered that there was a handout for you this morning, which was from Cornerstone. This is an update regarding Mott MacDonald's question regarding the Air Permit for the landfill and any modifications that would need to be done. Cornerstone did some research and we received this on Friday from Cornerstone. Some items will need to be addressed as we move forward with the Landfill Expansion. Some of the items that they have listed are just normal permit requirements that we do annually and semi-annually anyway. Other ones will have to be modified, one is the Title V Air Permit. They put this time-line together for taking care of that in early January. A lot of this has to do with the increasing size of the Landfill Footprint and that will cause a change in the Title V Air Permit. This is really an FYI for everyone, as we get closer we will have some discussions with Cornerstone to find out if this is going to be within their original scope or not. If it is not, then we will have to have them provide us with some proposal if necessary so we can move forward in the beginning of next year.

Mr. Allen stated that he thinks it was at the last meeting that he recalled asking the question regarding Air Permits and he thinks the response from Cornerstone was, no, there would not be any requirements for it. He is glad that Mott MacDonald is on top of it.

Mr. Cannon stated that he agreed with Mr. Allen and he thinks that may have been a good catch by Mott MacDonald. He also stated that it may turn into being more than that. Mr. Cannon further stated that, Mr. Williams explained it to him that it is moving from one category to another because of the size of the area. The requirements will obviously be different because we are in a different category due to the changing size.

Mr. Williams stated that he believes that they base it on metric tons. He is not sure but thinks that once we get over a certain size for example 2.5 million metric tons, with the increase of the footprint it will put us over the size limit and cause modifications to our permit.

Mr. Pryor questioned the fact that with these changes it could cost more money. He also stated that he does not think that we should even ask the question because it could actually invite more money. He stated that Cornerstone knows about it and would just like to see how they react to it. Mr. Cannon stated that he was thinking the same thing. Mr. Williams suggested that we just let it go.

Mr. Allen stated that there is no question that they will charge us for everything that they are doing. Mr. Pryor responded that Cornerstone might say that there will be an extra charge for it and we can at that point, at least counter it with why did Cornerstone not think of this and include it before.

Mr. Cannon stated that he believes Mr. Allen is correct, he believes that he did ask that at a prior meeting and we did get an affirmation from them saying that there would not be any changes required in the permit.

Mr. Allen stated that he believes the answer that they had was that it was going to be the same flare. The flare can only burn so much at one time so there should not be any requirement for new permits, which sounded reasonable to him at the time.

Mr. Williams stated that the flare is not changing. It is the permitting requirements because the footprint is increasing. The infrastructure is not changing, it puts us into a different category of the tests we need to do with the emissions' coming off the landfill. Mr. Allen suggested that we be pro-active and ask what they plan on doing about it and how much is it going to cost.

Mr. Pryor stated that he is of the opposite mind-set. He would rather not ask how much it is going to cost.

Mr. Allen asked why.

Mr. Pryor stated that it is like inviting extra. Mr. Allen stated that he believes that they are going to charge us for it. Mr. Pryor stated that there is a procedure for that and he would like to see if they follow it.

Mr. Cannon stated that he agreed with Mr. Pryor, he thinks that there are two scenarios,

A: if they want to go through that process fine.

B: if we go through inclusions on their contract, that this was included.

Mr. Cannon stated that he is almost certain that Air Permits were included in the total package. This means to him that any additional cost should not automatically default to us.

Mr. Allen asked Mr. Tipton if he thought this fell into the 'not to exceed' category? Then he pointed out that they did estimate the job.

Mr. Tipton answered that it is hard to say, he thinks it may be best to see what position they take, and then react to that. He does not think that we should initiate that conversation.

Mr. Cannon agreed with Mr. Tipton and stated that one of the scopes of the original contract was that this would be in compliance for our Air Permit.

Mr. Cannon stated that everyone agrees that we are not going to do anything pertaining to that. Mr. Williams agreed.

Mr. Cannon stated that this should stay with the Cornerstone material.

Mr. Williams stated that the next item was C-3, as C-2 will be done in Executive Session. C-3 is the letter from the Highlands Counsel and it is straight forward, there is nothing major that we need to do on our end. I will just go over the contents briefly with the Board. On page 2 regarding the forest, we are in compliance. On page 3 regarding the critical habitat, they are looking for some nesting boxes to be included as we move forward with the capping of the landfill. That is not going to be any issue. The prime ground recharge bullets have to do with the Quarry's property, they are asking if that eventually comes up for sale that maybe the County may have an interest in purchasing it from the Quarry.

Mr. Cannon stated that he was not clear on the nesting boxes, was that the County's property that they want to put the nesting boxes on or ours?

Mr. Williams replied that this would be on the cap. Mr. Cannon replied ok. Mr. Williams further stated that we already do have certain nesting boxes proposed but they are asking for some additional ones. This will not be an issue.

Mr. Williams stated that regarding the closure plan, on page 4 they have some recommendations regarding the vegetation on the cap itself. That is something that he will need to talk with our Engineer about. They are asking to change the vegetation to a different type. Currently we just have grass growing and we mow it. They are looking to possibly incorporate something different. We will talk to the Engineer when the time comes to do these modifications to the closure plan and capping.

Mr. Cannon asked for clarities sake, these are simply recommendations. They cannot put any requirements on us. Mr. Williams agreed and stated that one thing we have to make sure of is that there is nothing deep rooted planted there because it can go through the cap. We have to be careful of what kind of planting will be done there.

Mr. Williams stated the next bullet down is Storm Water and there are no issues regarding that. Then their final determination is on the very last page. He stated that it was a very straight forward letter. Nothing that will cost the Authority any significant funds.

Mr. Pryor stated that he thinks they actually used the words non-binding in the letter when he read it.

Mr. Williams stated that he thinks it may be in the first page.

Mr. Pryor stated that he is still puzzled by the ground water re-charge comment that says, 'the Highlands Council notes that the 11.41 acre parcel adjacent to the lands being traded around by Tilcon, due to constraints on this parcel, it may be difficult for the Quarry to expand its operations in this direction.' That would preserve it right there, why would the County want to spend money acquiring this parcel?

Mr. Williams replied that he would think, that with this particular issue, they need to take it up with the Quarry.

Mr. Pryor stated that is what he thinks. It says that the County should consider purchase. Why should the County consider purchasing? Mr. Cannon asked if this came up at the Highlands Meeting?

Mr. Williams stated that it actually never did come up.

Mr. Cannon stated that if it did not come up at the Meeting the only time he has seen that was when Tilcon made a presentation to White Township. Where they offered that when the future of the Quarry would no longer be pumped out, it could be a great park, the County could take it over, and they had boats and boat ramps and everything else around there. Now this is going back a few years but if Tilcon made any impressions to the Highlands those two are the only times he has heard them, one being now, and the other back at the White Township Presentation.

Freeholder Smith stated that he would call this extra "jurisdictional" because their jurisdiction here was advisory only, because it is in the planning area. These are just suggestions and he does not know what Tilcon's property has to do with this Facility anyway.

Mr. Pryor stated that, that was his point, they used the word 'purchased' and they could re-cast and say that Tilcon should consider giving it to them. Mr. Cannon stated that the only time he has heard these two-time suggestions was here and at Tilcon's presentation at White Township's Planning Board. It was not a fee. It was just the ability for them not to worry about a closure plan. To stop having to pump out of the Quarry. It was a good for everybody type of way that they presented the plan.

Freeholder Smith replied except the County picks up the liability for that.

Mr. Pryor stated that he thinks it is more Tilcon's problem and that it seems strange to mention it on our project.

Mr. Cannon asked Mr. Williams if there was anything else with this. Mr. Williams replied that there was not.

#### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

Mr. Cannon asked Freeholder Smith if he would like to add anything under Public Comments.

Freeholder Smith stated that the review by the Highlands Council is a testament to the fact that this Board as well as Cornerstone was very thorough in their application. If there was anything that they could have found, they would have brought it up but they did not.

## FINANCE

Mr. Williams stated that the next item under Finance is A-1 the Finance Report, and the Revised pages that were handed out. The Revised pages as usual is just the additions that were made in between when the Report was printed. Mr. Cannon stated that there was a big gap.

Mr. Williams stated that nothing unusual was going on. Everything is good as far our finances go. If you go to page 2 under the Profit and Loss, if you recall in prior months we were still operating in the negative and we have now gone to a positive. This was due to a number of different things and he asked Mrs. Banghart to explain them further.

Mrs. Banghart stated that Covanta Ash came in with an additional \$70,000.00. Mr. Williams stated that this is an additional revenue to us now.

Mrs. Banghart also stated that there were 3 payrolls that ended up coming out of July, and that plus a large Pension payment made the difference.

Mr. Cannon also stated that it was also the largest Leachate Treatment fee of the year.

Mr. Williams stated that financially we are doing well. The bills coming in are in order he believes that there are no bounced checks.

Mr. Cannon added that in the Revised report there were no changes, that was just the 2-week additional. Mr. Williams replied, correct and pointed out that the bill list was behind the additional revision.

Mr. Allen asked for an explanation on the bottom of page 5. Mr. Williams replied that this is what we have paid year-to-date to PRMUA and Passaic Valley in the right column. In the left column is the Host Fee's we pay to White Township. This has also increased for the month of August and will continue as long as the Covanta ash comes in. They are getting a dollar a ton so White Township will be getting an additional 3 to 4 thousand dollars a month moving forward until that ash stream ceases.

Mr. Cannon stated this comes off the fee that we are charging Covanta. Mr. Williams replied correct.

Mr. Cannon asked if anyone had any questions. Mr. Allen stated that he did not have any. Mr. Cannon asked Mr. Pryor if he had any questions. Mr. Pryor stated that he noticed that we are maximizing what goes to Passaic Valley and minimizing what goes to PRMUA.

Mr. Williams stated that was correct and would cover it in his report.

On a motion by, **Mr. Allen**, seconded by, **Mr. Pryor**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *September 24, 2018*.

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

**R-09-01-18**

**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*

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

We hereby certify Resolution to Pay Bills in the amount of **\$371,871.95** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *24<sup>th</sup> day of September, 2018.*

Mariann Cliff  
Recording Secretary

James Williams  
Director of Operations

Mr. Williams stated that the next item is A-2, which is the Draft 2018 Budget, which everyone has. Mr. Williams also stated that he has put that on the provided State Forms. The numbers listed on the state forms come from the accompanying PCFA year 2019 Budget Excel spreadsheet that has been included. Mr. Williams stated that if anyone would like to get together and discuss this please let him know. Mr. Williams also added this will be on the Agenda for the October Meeting for approval.

Mr. Williams also stated that since it was his first time doing this, he worked with Dan Olshefski at the County. He put it together and had Mr. Olshefski do a review of it to ensure everything was done properly. He received the ok from Mr. Olshefski that everything looked good.

Mr. Cannon stated that he and Mr. Williams will get together in the next couple of weeks and if someone else wants to attend, they are more than welcome to. We will be going through every line, as is the practice of the last couple of years. Mr. Williams stated that Mr. Olshefski was a big help with

completing this budget. He also suggested that if anyone had any comments or concerns between now and our next meeting please let him know.

Mr. Cannon stated that Mr. Williams would send out a notice to all when they will gather to go over the budget.

## PERSONNEL

Mr. Williams stated that the next item under Personnel are the Merit Bonus Evaluations. Mr. Williams stated that he will start doing these during the month of October and have them completed along with recommendations to the Board at either the October or November Meeting.

Mr. Cannon asked if Mr. Allen would be involved with the evaluations. Mr. Allen replied that we should all be involved. Mr. Williams asked Mr. Allen if he would like to be involved with the staff evaluations? Mr. Allen responded, no, not the staff.

Mr. Pryor stated that he did have a request; he would like to see the salary roster. However, he would also like to see what the burden rates are. He would like to get an idea of the true cost. Which would include our share of the taxes, vacation, pension, and holidays. He would like to see that calculation. Mr. Cannon stated that it is the full number that Mr. Pryor is looking for, the true cost of an employee. It could be training, equipment, boots any cost associated with an employee.

Mr. Pryor believes a calculation applied across the board just going back to the budget. Mr. Cannon stated that it probably is not just a simple calculation because each position is going to be different. Mr. Pryor stated this is something we should know, you have a rate and you have a burden rate. Sometimes the burden rate is very generous.

Mr. Cannon stated that you may be able to separate it and that he has done it before. You can separate it from office personnel from field personnel so you could have two categories. You can start there and if you wanted to boil that down further, you can go from there. Mr. Cannon also stated that he knows what Mr. Pryor means, is that a \$20.00 an hour employee could be costing you \$47.00 an hour.

Mr. Pryor stated that he is not looking to make a PHD project out of it. He just wants to get a feel for what it costs.

Mr. Williams stated that it should be easy enough to do. Mrs. Banghart stated that in the finance report, if you look on page 2, it is broken down by department. Mrs. Banghart asked would you want to see it broken down even further by employee? If you look under operation expenses on page 2, there is administrative, landfill and pretreatment, there are salaries listed. Mr. Cannon replied that this is close to it. You would take the numbers from there and divide it by 6 for the office personnel and by 12 in the field etc.

Mr. Williams stated that this is where the health care breakdown would also be located.

Mr. Pryor stated that, just as a starter, you would have 350 over 465, which is like 75% burden before you even, start. He does not know if that includes employer taxes and stuff like that. If you could just give us an explanation, something the Board could understand. Mr. Williams replied ok.

Mr. Cannon stated that those 3 subtotals are going to be the 3 you can use. They are set operating expenses without pretreatment so that is good. Mr. Cannon asked if equipment is included in the operating expenses along with boots also? Mr. Williams replied that yes they are.

Freeholder Smith stated that what we do within the categories is, you have salaries, plus fringe and ancillary benefits that would be boots or individual hardware. Your burden expenses that you are talking about is the employer side of the taxes and things like that. That is just the cost of doing business. That is not really a number that we charge individually to the payroll so to speak because it is not really a benefit to the employee.

Mr. Pryor stated that it is our share, our cost of putting a person out in the field. Freeholder Smith stated that again, that is the cost of doing business.

Mr. Cannon stated that he thinks it is there and that Mr. Williams could probably come up with something that would satisfy the Board rather easy.

Mr. Williams agreed and stated that he would put something together and get it out there so they could look at it. Then if the Board wants, more or less we can do that. It is something that should be easily available for us to get.

## FACILITIES/RECYCLING

### Treatment Plant Operations

Mr. Williams stated that there were no issues, as you can see just from the finances that our pumping is down and we have still not heard anything from the DEP regarding the PRMUA application with the pilot study. Mr. Williams reminded the Board that previously we have talked about shutting the system down because half of the liquid going out of that system is clean water that we are treating. With the reduced flows that we now have, Mr. Williams asked how much longer we want to continue to go on with the operation of the treatment plant. Mr. Williams stated that when you look at the PRMUA Pilot Study that is under review by the DEP, untreated leachate would be sent to the PRMUA. Mr. Williams stated that it is getting to the point where it is more costly to operate the system at 6,000 gallons a day than to truck it out.

Mr. Williams stated that the bill last month to the PRMUA was only \$3,000.00 for treatment costs but operational cost are much greater.

Mr. Cannon stated that he understands but overall the limited business that we are doing, if you want to talk about costs, we do not know what the cost of taking fresh water out of the ground and adding it to dilute that. We do not have a dollar figure on that. Everything else, the treatment and operational costs, it may be worthwhile to come back with a number of what it is really costing us on that small amount and let the Board see. We are maintaining a consistent level going forward.

Mr. Williams stated that the pre-treatment costs are in the Finance report on page 2.

Mr. Cannon stated you could add in to how many hours does Brian have to be in there. How many hours does someone else have to be in there? How many hours do we have to have something tested? Is it quarterly or yearly, he would like to get a fine-tuned number on that.

Mr. Williams stated that number is on page 2 for the pre-treatment plant. Mr. Williams stated \$508,849.00 per year is what we have budgeted.

Mr. Cannon stated that he understands that number is the budgeted number.

Mr. Williams stated that the biggest cost in the operating expenses is with the chemicals. As you see our chemical usage is way down, what we had budgeted was \$508,000 and we have only expended \$151 thousand of the total. Mr. Cannon stated but the salary is in there and it is at 63% achieved of that which is going to be close to a 100% while the other numbers are different or down but that's a number you really cannot change no matter if its 20 gallons going thru there or 5,000 gallons. Mr. Williams stated correct and that is what he was getting at by sending 6,000 gallons a day. Our bill to the PRMUA is 3 or 4 thousand dollars a month times 12 so there is \$48,000.00 in treatment costs and we are spending \$84,000.00 in personnel.

Mr. Cannon asked if this was just in personnel. Mr. Williams replied, yes, just in personnel. Mr. Williams also stated that maybe we want to start to address this if we do not hear anything from the DEP by the end of the year. Mr. Cannon stated that maybe we put it on the agenda for next month and come prepared for a little more discussion, maybe Freeholder Smith could find out if there is anything going on at PRMUA.

Freeholder Smith stated that Mr. Cannon was talking about a significant capital expense that was going to have to happen, in addition to your operating expense. He knew that we looked at some equipment pertaining to the treatment. Is there a definite life span to what we have, or would that just continue? Is that upgrade necessary?

Mr. Williams replied that the upgrade would have only been necessary and it would have been short-lived, to possibly allow more pumping to go over to PRMUA. Freeholder Smith replied, right.

Mr. Cannon stated but that is not included in here though. Mr. Williams replied no it is not included.

Freeholder Smith stated that if there is a capital component that is going to require something to happen at a given time, he thinks that would be a trigger worth throwing to the DEP in an effort to try to get that to move. He does not think it is PRMUA holding it up, but the DEP, they have not done anything and maybe we just need a reason.

Mr. Cannon asked, do you mean tell the DEP that we want to spend more money? Freeholder Smith stated no. Mr. Cannon stated that the capital improvement of what we would have to do to produce a lot more to PRMUA, would cost us money.

Freeholder Smith stated that, with what we have now is there any 'line in the sand' so to speak, in terms of the fact that if we don't do something, what we have will not be able to continue? He stated that he is trying to think if there is a way to say to the DEP that if, we do not hear something we are going to have to choose.

Mr. Cannon stated that he does not believe that that is true.

Mr. Pryor stated that he thinks we can operate this way indefinitely. We can always send something to PRMUA, but that would not be cost effective.

Mr. Cannon stated that what Mr. Pryor is saying, is that it is not cost effective now, but equipment wise if we didn't change or increase we could go along with what we have. Mr. Pryor stated that we can

handle what we handle now right? Mr. Williams and Mr. Cannon agreed. Mr. Pryor stated that maybe we could even handle a little more.

Freeholder Smith stated that there is no capital expenditure necessary.

Mr. Pryor stated that equipment wears out and you are always doing renewal and replacement. Mr. Williams stated that what is trending is the TDS. It continues to increase which means as that continues, more clean water will need to be added for dilution. Mr. Williams stated that we are currently doing a 50/50 mix, as the TDS rises does the mix trend to 40/60, 30/70 leachate to clean water ratio?

Mr. Pryor stated that he keeps getting back to what started this whole conversation, the ammonia is what the issue is. Mr. Williams stated no, it is the TDS. Mr. Cannon stated the Total Dissolved Solids.

Mr. Williams stated that the ammonia is why we put the treatment plant in place, to take care of that. Mr. Pryor stated that when the TDS goes up the efficiency of that treatment plant falls apart. Mr. Williams stated that this is because of the TDS.

Mr. Pryor stated but it is the impact on the ammonia, if you go back and you read the history they had what they call catastrophic upsets and in those catastrophic upsets, TDS was not the discharge parameter. It was the ammonia that we were treating and that is what upset PRMUA. When the TDS rose above about 20,000 mg per liter that process degraded. We could not treat ammonia anymore so we diluted the TDS so that we could continue to treat ammonia.

Mr. Cannon asked, at the end of the line it is TDS though right? That is their permit. Mr. Williams replied correct, the ammonia is not an issue.

Mr. Pryor stated that he would have to review it but ammonia was always an issue. Mr. Williams stated that is why we put the plant in place because of ammonia. Mr. Pryor stated that is right, but the plant did not work when the TDS went about 20,000 mg per liter. Mr. Williams stated but ammonia was not an issue now, TDS is.

Mr. Pryor stated that it was because you were not treating ammonia, you could not treat ammonia here. Mr. Williams replied that is why we put the plant in place.

Mr. Pryor stated, now bear with me you put the plant in place and it worked fine. Mr. Williams replied correct. Mr. Pryor stated that until the TDS went above 20,000 mg per liter. Then the treatment of ammonia degraded.

Mr. Williams stated that once it got that high, the PRMUA sent us a letter requiring us to reduce our discharge because of high TDS levels. Mr. Pryor stated that whole discussion came up later with the discussion of the Delaware River basin permission. That was later, that was after we had the initial failure.

Freeholder Smith stated that, that is the overlying issue. That is why the capital expense does not make any difference, because if PRMUA cannot have more than a given amount of TDS anyway, we are dead on arrival. Mr. Williams replied correct and Mr. Cannon stated no matter what we do, yes.

Mr. Pryor stated that because that issue came up since he came on board. Mr. Williams replied right. Mr. Pryor stated the catastrophic failures occurred long before that and so did the dilution issues.

Freeholder Smith stated that the UV was not able to work because of the opacity of water with the high TDS content.

Mr. Pryor stated that TDS may or may not add color and that he cannot comment on that, it could be an issue. Mr. Pryor states that he did not look at that and he will come prepared next time.

Mr. Cannon stated let us put this on the agenda for October. Mr. Pryor stated that the bottom line is diluting or putting in clean water to dilute something and then treating the clean water has never made sense. Mr. Williams replied correct. Mr. Cannon stated, and then paying for treatment of clean water.

Mr. Pryor and Mr. Williams both agreed.

Mr. Cannon stated that theoretically if you want to be super environmentally friendly and not dilute, the PRMUA could dilute it on their end and you could just write them a check for the ½ load that we are sending. In addition, you keep the water in the ground. You guys take it on your end, we will send it down to you and we will still write the same amount. Instead of taking 1500 gallons out or whatever it is daily. Mr. Williams stated that he thinks even if the DEP comes back and approves this today, when C&P was here months ago they hinted that they would not want to start this pilot during the winter months because of the treatment of ammonia.

Freeholder Smith stated the point of my question was, if there was any reason or advantage to him poking a stick at DEP that type of excuse would be handy, if he was going to do that. Mr. Cannon replied that we do not have that as an excuse. Freeholder Smith replied ok.

Mr. Allen stated that it would be nice to know what the status of the pilot is. Mr. Cannon stated that he was sure if PRMUA knew something they would let us know. Mr. Williams stated that he hoped that the DEP would address us first since it was requested by the PCFA and under the PCFA permit.

Mr. Allen stated that it might not be the DEP because they may not have finished the pilot. He wonders what the status of the pilot is.

Freeholder Smith stated that we have not given them the data and / or they have not gotten the effluent from us in order to do the pilot. This was the permit to allow this to happen, as he understood it. Mr. Williams stated that was correct.

Mr. Pryor stated that he would like to go backwards for a second. If they get this pilot program approved, they are going to be taking un-pretreated effluent from us and treating it at their plant. Their plant does not treat TDS. Mr. Williams replied correct, absolutely right.

Mr. Pryor then stated that they never did, so how can TDS be the issue then, if they are going to take untreated TDS.

Freeholder Smith stated to Mr. Pryor, that is what it was for, the waiver was for the pilot. Mr. Pryor stated but the plant does not treat TDS and never will. Mr. Williams replied correct. Mr. Pryor stated that they are treating ammonia over there.

Mr. Williams stated that, then it becomes an issue because we are sending them untreated leachate, ammonia. Our ammonia is high in an untreated state. That is what the purpose of the pilot is. Mr. Pryor

stated that everything was fine initially until the plant got upset when the TDS became too high. Mr. Williams replied correct.

Mr. Cannon stated ok, let us bring it back next month and have the numbers. Have a sheet or handout for that, this is where we are right now. You can certainly shoot an email over to PRMUA and ask if they have anything to tell us. He is sure we would have heard something from them had they heard anything.

Mr. Cannon stated that looking at the dollars and cents at our end specifically for next month would be a good idea. Send something over to PRMUA to see if they have anything.

Mr. Williams stated that it does not affect the pilot being done whether that plant is operational or not. It saves us a few bucks. Mr. Cannon stated that it is definitely something for us to look at.

Freeholder Smith stated that he is not sure that there is any point in summoning them. Mr. Cannon stated that we are not really summoning them. Mr. Tipton stated that if we are going to inquire with anyone he would inquire with Steve Donati, he was not at the last meeting but he would be the point of contact. Mr. Williams agreed that Steve Donati would be the contact.

Freeholder Smith stated that he would have to be empowered by that Board to attend. Mr. Tipton stated if you are asking about status, he could give you a status. He would not have the authority to attend without the Board.

Mr. Cannon asked so are we good with this? Mr. Williams replied yes.

#### Landfill Operations

Mr. Williams stated that there was nothing to report there, waste flows coming in are fine. As Mrs. Banghart stated earlier we are getting some additional revenue now from the Covanta ash. No issues as far as that goes.

#### H2S Removal

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

#### Solar Panel System

Mr. Williams stated we would be discussing that in Executive Session.

#### Cell 7 Construction

##### A-3

Mr. Williams stated that Cell 7 Construction A-3 what you have in front of you is the progress reports number 7 & number 8 and behind number 8 is a financial update from Cornerstone. Everything is moving forward, there are no issues, and they are due to come back with their draft documents in November.

Mr. Cannon stated that this was correct and that is why we moved the November Meeting date to the following week. They all agreed here last month that they could have everything to us for the November meeting.

Mr. Cannon stated that up until now he had not been looking for any updates including the Air Quality, so unless he is missing it, maybe that is an issue that we need to have them add to their update #9 or progress report #9. He stated that he was not looking for it until this morning.

Mr. Williams stated that it was not included, we will add that in the progress report. He thinks that is a good point, we should include that in their progress report.

Mr. Cannon asked Mr. Pryor if he saw anything in either report 7 or 8 that he would like to comment on. Mr. Pryor stated that he did not.

Mr. Allen asked what we decided to do with the pre-qualification process. Mr. Pryor stated that he reviewed that last night, after much discussion we decided not to pre-qualify. We are going to put some minimum qualifications in the bid documents and have the documentation available to support them. The reason for that is to justify it and insure that it is not overly restrictive. If a fight comes up, we will fight the fight. Mr. Cannon stated that it was a long conversation that we had last month.

Mr. Williams stated that when Cornerstone has that prepared in a draft as far as the proper use of language, we would get it to everybody well in advance. We do not want to wait until the November Meeting if they have it prepared. That way we can review it and council can review it.

Mr. Cannon stated that we would try to put as much in there as we can because of the time-line. Mr. Pryor replied, without going overboard and recognizing that there could be a protest and you deal with it at the time.

Mr. Cannon asked if that answered Mr. Allen's question.

Mr. Allen asked if the time-line was because the process is too long to pre-qualify? Mr. Pryor answered yes. Mr. Pryor stated that you have to get approval from the director and division of local finance and more.

Mr. Cannon stated that A-4 and A-6 would be done in Executive Session.

#### A-5 2018 Waste Disposal Fees & Contracts

Mr. Williams stated that there was no change to A-5.

Mr. Williams stated that he had an update on the Electronics Collection Event we did on September 9<sup>th</sup>. It was just a little over 500 vehicles that came in, it was well attended though way down from attendance in the spring. It was still a good event.

Mr. Cannon asked how much did they take out? Mr. Williams replied that he did not have that number but thinks it was about 8 tractor trailer loads. Better than 17!

Mr. Cannon asked how many hours it ran. Mr. Williams replied that we actually opened up when ERI was ready about 7:15 and even then there were only 10 cars in line and once we started it was a steady one or two cars at a time.

Mr. Cannon stated that the last time they had to stay a bit longer, so time-line you still were able to get 8 loads in two or three less hours?

Mr. Williams replied yes. Mr. Cannon stated that if you projected out the two or three hours and added that on you could have had 15 trailers or so. He thinks that basically it is the same amount just less hours. We got a lot out of the way in the spring. Therefore, if we do something permanent we are not going to be inundated.

Mr. Williams answered correct, it looks that way, we should be fine. Even though the last hour we were quite slow, which is good. It appears we got the big slug of it out of there. It went well.

### GENERAL COUNSEL'S REPORT

Mr. Cannon asked Mr. Tipton if he had anything to share. Mr. Tipton stated that he would give his report in Executive Session.

### Closing Public Comments

Mr. Cannon asked Freeholder Smith if he had anything to add to the Public Comments.

Freeholder Smith stated yes he would like to applaud the Authority over the Electronics Cleanup, he thinks that was a job well done. We addressed a definite need that was there, we discussed it in SWAC and that has been a long discussed topic at SWAC. Seeing that resolved and ultimately, hopefully, having a long-term solution to this I think is going to be a good thing.

### Executive Session

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 10:26 am to discuss Contract Negotiations, at the Pollution Control Financing Authority of Warren County at a meeting held on *September 27, 2018*.

## **RESOLUTION**

**R-09-02-18**

### **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	- Absent
	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  
Mariann Cliff

Dated: September 24, 2018

At approximately 11:21 am, Executive Session ended.

Regular session resumed at 11:22 am.

Mr. Tipton stated that he thinks we do want to approve the ERI agreement subject to insurance broker review. We do not need an authorization for you to respond to Marina Energy. Just the agreement should be approved.

Mr. Cannon stated that he needed a motion to approve. Mr. Williams stated A-6 version 2.

Mr. Cannon stated that he needed a motion to the agreement listed as A-6 second revision with ERI for Electronics Recycling and the agreement only become valid after we have our insurance representative review liabilities of the attached agreement.

**Mr. Pryor** made a motion to approve the agreement listed as second revision of A-6 with ERI Electronics Recycling and the agreement only become valid after we have our insurance representative review liabilities of the attached agreement, seconded by **Mr. Allen**.

Mr. Cannon asked for any further questions then asked Mr. Tipton if this was good as far as the motion. Mr. Tipton agreed.

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

Mr. Cannon asked if there was anything else.

Mr. Williams stated that this Sunday is our HHW event we will end up with about four or five hundred cars for this event and then that will be it for the year. This is the paint, pesticides, acid, lot of light bulbs etc. Mr. Cannon stated ok.

#### PRESENTATIONS

none

#### PRESS COMMENTS & QUESTIONS

None

#### ADJOURNMENT

Mr. Cannon called for a motion to Adjourn. **Mr. Pryor** motioned to Adjourn, seconded by **Mr. Allen**, at 11:23 am.

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

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Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: September 24<sup>th</sup> 2018