

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

February 25, 2019

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, Richard Mach (via Conference Call) and (Joseph Pryor Absent).

ROLL CALL:	Mr. Mach	-	Present (via Conference Call)
	Mr. Pryor	-	Absent
	Mr. Allen	-	Present
	Mr. Cannon	-	Present

Also present: James Williams, Director of Operations; Brian Tipton General Counsel; Jamie Banghart, Administrative Supervisor and 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 February 25, 2019 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 thanked Mr. Mach for calling in and stated that there was going to be an Agenda change, Mr. Williams had spoken with Counsel and due to the small forum, they are going to push off the Reorganization of the Authority and the approval of the January meeting minutes until next month.

MINUTES

M-1 Regular monthly meeting minutes – January 28 2019

M-2 Executive Session minutes – January 28 2019

M-3 Executive Session minutes – January 28 2019

Mr. Cannon stated that they were going to get to the things that they could do. Mr. Cannon asked Mr. Williams, which Resolutions could we do, or do we have to hold the entire list until next month.

Mr. Williams replied that we could do the Resolution to Pay Bills. We probably should add to this the Gas Wells and one other bill. Mr. Williams stated that he had it in an email, but he did not have it in front of him.

Mr. Cannon asked if Mr. Williams made a new resolution to pay bills. Mr. Williams stated that there was a new Resolution to pay bills that he sent to everyone by email.

Mr. Cannon asked if they could do any of the Resolutions in the Agenda from R-2-01-19 thru R-2-10-19. Mr. Williams stated that we would put all of those off until next month. Mr. Cannon replied ok, you jumped the gun with the bills, and he wanted to make sure that there was nothing else we could do.

Mr. Williams stated that we could do A-1 the Draft Meeting Schedule but the rest we should put off until March. Mr. Cannon stated that was because it includes next month's meeting right? Mr. Williams replied correct. Mr. Williams stated that they should do the very last one, which was R-02-10-19. Mr. Cannon replied that he thought legally we had to do that one, in order to advertise the meeting for next month.

Mr. Cannon asked if everyone had that one handy.

Mr. Cannon asked if anyone had any issues with the 2019 Meeting Schedule. So we could approve and announce the March 25<sup>th</sup> meeting. Obviously, we would be able to discuss them later on if there needs to be changes.

Mr. Allen stated that he was going to have a problem in May and would not be here for that meeting. Mr. Cannon and Mr. Williams both stated that had been changed already to the week before, the meeting was originally set for May 20<sup>th</sup> and is now going to be May 13<sup>th</sup>. Mr. Allen stated that was good.

Mr. Cannon stated that this would include the first two meetings of next year again just like last year, so we would be covered through February of next year.

Mr. Cannon asked if someone wanted to make a motion to approve the 2019 Meeting Schedule. Resolution R-02-10-19.

Mr. Allen stated that he would make that motion. Mr. Cannon asked Mr. Mach if he would second the motion. Mr. Mach replied that he would. Mr. Cannon asked for a roll call.

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

## CORRESPONDENCE

None

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

(NONE)

Mr. Cannon asked Mr. Williams if he would like to go right to finance. Mr. Williams stated that yes that was next.

Mr. Allen asked if they wanted to do the Petty Cash Resolution and Mr. Williams replied that they could wait on that one until next month.

FINANCE

A-2 Finance Report

Mr. Williams stated that with this month's Finance Report A-2 there is nothing out of the ordinary. Regarding the CD that is going to be due at the end of March, that is the \$6,500,000.00 CD at Lakeland. Mr. Williams stated that this is what he is going to do since there is no schedule in place yet of when we may or may not be constructing Cell 7.

Mr. Williams stated that he would get pricing on splitting that CD in half once it matures. Then get a CD rate for 6 or 9 months for one-half of it and put the other half out for a year. Since it looks like we may not have to use those funds this year. Mr. Williams continued that they are trying to get a number from Mott MacDonald when they will complete their items. They have told him that once they get the CADD files from Cornerstone, which Cornerstone said they would supply, they would need about a month to get all of their items in order for us to be ready to go out for bid.

Mr. Cannon stated that what Mr. Williams and he spoke about was 75% - 80% of that total amount of moneys they could turn over again to another CD. The thinking was if they allot themselves 20% of that it should be enough to cover whatever they have to use up-front since the bulk of the money would not be needed until 9 – 12 months down the road. That way the PCFA could pick up a good amount of interest with the rising rates. Mr. Cannon stated that they would obviously leave enough in reserve to handle any day-to-day business. Mr. Cannon also stated that if we did need more, we could always take the money out and pay the penalty.

Mr. Cannon then asked what they made from the last one. Mr. Williams and Mrs. Banghart replied that the interest from the last one was approximately \$140,000.00.

Mr. Cannon stated that they should take the most that they could get since the schedule is so far out. Mr. Cannon then asked Mr. Williams if they would need them by March's meeting.

Mr. Williams replied that yes, he would have the rates for everyone by the March meeting, before the current CD matures.

Mr. Cannon stated that so after leaving the meeting, Mr. Williams would be ready to make the change and take care of it. Mr. Williams replied yes, there would still be 5 or 6 days to have the funds transferred if it goes through a different bank. Mr. Cannon stated that the closer we get to it the better the rates are going to be. Does that sound good to you Mr. Mach? Mr. Mach replied that it does.

Mr. Williams stated that other than that, there is nothing outstanding with the bills. Mr. Cannon asked about the bill that was added on. Mr. Williams replied that the one they added on was for the Gas Wells, which was \$565,000.00. ALCO had completed the majority of the work but they have some minor survey work which was not included. There will be a small bill remaining that may be around \$20,000.00. Mr. Cannon asked if they received a down payment. Mr. Williams replied no, this will be the bulk payment for the majority of the project.

Mr. Allen asked that they wanted no money up front? Mr. Williams stated no, what they originally tried to do was to get it all done within our period of time and they almost got there. Everything is working well with no issues. We have a couple of the wells that are very high gas producers, which is a good thing. A couple of them are not good at all but the areas that we were getting a lot of the odors from was the largest area where the gas production is so we hit the spot.

Mr. Williams stated that what you have in front of you is a revised Resolution to pay bills that included the original amount that was in your packet plus the Alco for the Gas Well Installation. Mr. Cannon stated that it went from \$715,000.00 to \$1,000,000.00. Mr. Williams replied \$1,246,083.42 yes.

Mr. Williams stated that they may want to wait on the Resolution until they have a quick Executive session, there was another bill in there which is the County bill. Mr. Cannon stated that he did not know that it was included in this. Mr. Williams stated that yes it was.

Mr. Cannon stated that they would need to have the discussion in Executive before they could approve the bills. He then asked if anyone had any questions on the bills as they were presented, then the County contract discussion they will have in executive.

Mr. Mach stated that he had no questions.

#### PERSONNEL

None

#### PRESENTATIONS

None

#### FACILITIES/RECYCLING

A-3

R-02-12-19

Mr. Williams stated that the next item was A-3 the Recycling Enhancement Act Tax Fund Entitlement Spending Plan 2018. This just came all of a sudden from Mr. Dave Dech over at the County. What is included in the plan that was never there before was the cost to cover our staff to do the recycling of the electronics so now there are funds in there for a full-time person to monitor the electronics program for us on a full-time basis.

Mr. Mach asked did we purposely miss the resolution to pay the bills. Mr. Williams replied that they were putting that off for executive first. Mr. Mach replied ok. Mr. Williams replied that there are one or two bills that need to be discussed before it is approved.

Mr. Williams stated that everything else regarding A-3 is pretty much the same. Mr. Cannon stated that he understood this to be a pass-through and the County decides for their paperwork to get the money from the state. They delineate how this goes, is that a good way to put it? Mr. Williams stated that he had had input. Mr. Cannon stated ok so Mr. Williams you are saying that the big change now is that we are creating another position or the amount of money divided out of that grant would allow us to pay somebody. Mr. Williams replied correct. Mr. Cannon stated that it is not creating a position. Mr. Williams replied correct.

Mr. Cannon asked Mr. Williams to show him that one and what they are calling it. Mrs. Banghart stated that it was on page 3. Mr. Cannon stated that the title was on page 3, then asked so which one is the title. Mr. Williams replied Jamie Miksch, Custodian – Electronic Waste Monitoring under item number 2 and that reflects on page 4 item A-1 task no. 11. Mr. Cannon asked if Jamie works for them now. Mr. Williams stated yes, it says Custodian \$31,200.00.

Mr. Cannon stated that theoretically the numbers are not changing whatsoever, all they are doing is taking a sliver of the Grant and reconstituting it in a salary per se to a person who is already working here but we are saying that part of that money is going to go to that. Mr. Williams stated correct.

Mr. Cannon stated that in other words the bottom line does not change. Mr. Williams replied correct the grant money is the grant.

Mr. Cannon asked if Mr. Dech had just sent it over to Mr. Williams. Mr. Williams replied yes last week.

Mr. Cannon asked Mr. Mach if he had any questions on that. Mr. Mach replied that no he did not it was pretty much the same as last year. Mr. Cannon also asked Mr. Allen if he had any questions. Mr. Allen replied that no he did not.

Mr. Williams stated that there is a Resolution 02-10-19. Mr. Cannon asked could he have someone make a motion on that resolution approving the Recycling Enhancement Act Tax Fund Entitlement Spending Plan 2018.

Mr. Allen stated that he would make that motion. Mr. Cannon asked for a second. Mr. Mach replied that he would second the motion.

Mr. Cannon asked that all in favor say Aye.

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

Mr. Cannon stated opposed, sustained, and ok.

Treatment Plant Operations

Landfill Operations

## Cell 7 Construction

A-4

Mr. Williams stated that the next item was A-4 he has no report from Cornerstone for #17 so there is no update.

Mr. Cannon stated that they were going to discuss that contract further in Executive session.

## H2S Removal System

Mr. Williams stated that there was nothing further to report on the H2S removal system except that it was completed and everything is working well. We are down to a zero reading for hydrogen sulfite coming out of that system since we have changed the media.

## Solar Panel Project

Mr. Williams stated that there were no changes, they have been in contact with the new company, received their emergency contact names and numbers in case the main breaker below trip we have a way of getting in touch with them. They have been on site here. Mr. Cannon asked that if it is off hours is that what you would call an emergency? Mr. Williams replied yes, here is an example: if the main power structure is down and depending on where an outage may be since that is back feeding to the line. JCP&L has the power to trip that breaker and if they do that. Mr. Cannon interjected with, based on what, their demand?

Mr. Williams replied that it is based on if there is an issue with a line or a substation; it is not back feeding to hurt them. Then what will happen is our emergency generator will kick in. The only way for it to be reset is to contact the vendor for the Solar Company, they make sure it is ok with JCP&L to go in there and reset this breaker. They are the only ones that have access to it, so they would have to reset it. Mr. Williams stated that they have had to do that since the panels have been here probably ½ dozen times. Many of the times, it was due to the substation over on Pequest road in Oxford.

## A-5 - Waste Disposal Fee Schedule

Mr. Williams stated that the next item A-5 was the 2019 Waste Disposal Fee Schedule that was current as of Friday. All the Vendors that submitted their disposal contracts to us are all highlighted in red. Just to go through them quickly they have all signed with the increase in fees, which is Environmental Transfer Group, Junk RX, Tassielli Disposal, National Transfer, Pinto Service, Russell Reid, S&L Equipment Rental, Liberty Township. There are still some Vendors that have not submitted as of yet, they have until the end of the month. Mr. Cannon stated that some of them tend to come in right at the end of the month. Mr. Williams stated that yes, they do, right at the end. Therefore, we just need the Boards approval on the Haulers that he just read off to sign their contracts for 2019 and we will move on.

Mr. Cannon asked if anyone would like to make that motion for the new contracts for the coming year with the haulers.

Mr. Allen stated that he would make that motion. Mr. Cannon asked if he had a second. Mr. Mach stated that he would second the motion.

Mr. Cannon asked that the Roll be called.

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

Mr. Cannon stated that the two others they have strategy-wise but not public-wise, with our current schedule of how we are looking at available space. If for some reason, they did not re-up Mr. Williams has let him know that a couple of other companies have offered to increase their loads. One of the vendors has been paying above his contract fees for 2 or 3 months, so if we needed to make those waste numbers up, we would have the opportunity with a couple of other haulers. The numbers should stay the same as far as what we want to bring in for 2019.

Mr. Allen stated that the Covanta contract line shows March 31<sup>st</sup>. Mr. Williams replied correct. Mr. Cannon stated that we would discuss that in Executive session.

Mr. Williams stated that was all he had.

#### GENERAL COUNSEL'S REPORT

Mr. Cannon asked Mr. Tipton if he had anything for Public. Mr. Tipton replied no.

#### OTHER BUSINESS

None

#### PRESS COMMENTS & QUESTIONS

None

#### EXECUTIVE SESSION

Mr. Cannon asked if there was anything else for Public Session. Hearing none asked for a motion to go into Executive session

On a motion by, **Mr. Allen**, seconded by, **Mr. Mach**, the Board agreed to enter the Executive Session at approximately 9:53 am at the Pollution Control Financing Authority of Warren County at a meeting held on *February 25, 2019*.

**R-02-13-19**

### **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. Allen**

Seconded By: **Mr. Mach**

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

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

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Recording Secretary  
Mariann Cliff

Dated: February 25, 2019

Mr. Cannon stated that he needed a motion to come out of Executive session.  
**Mr. Allen** made a motion to come out of Executive Session, seconded by **Mr. Mach**.

Mr. Cannon stated all in favor say aye.

Mr. Mach	-	Aye
Mr. Pryor	-	Absent
Mr. Allen	-	Aye
Mr. Cannon	-	Aye

*\*Executive Session ended at 10:39 am*

*\*Public Session resumed at 10:40 am*

Mr. Cannon stated that we are going to do the Resolution to Pay the Bills, which is the Revised Resolution. The correct one is \$1,246,083.42.

Mr. Cannon stated the grand total then is the sheet that everyone should have in front of them is \$1,246,083.42.

Mr. Cannon called for a motion to pay the Bills, February 25, 2019 in the amount of \$1,246,083.42.

On a motion by *Mr. Cannon*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 25, 2019*.

## **RESOLUTION**

**R-02-11-19**

### **To Pay Bills – February 25, 2019**

WHEREAS, the Pollution Control Financing Authority of Warren County has been presented with invoices for services, supplies and other materials rendered to it or on its behalf;

NOW, THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County that the following bills be paid:

*See Attached*

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

We hereby certify Resolution to Pay Bills in the amount of **\$ 1,246,083.42** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *25<sup>th</sup>* day of *February, 2019*.

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Mariann Cliff  
Recording Secretary

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James Williams  
Director of Operations

Approved: 02/25/2019

Mr. Cannon stated that there was nothing else for the bills, we have held over for next month all of Resolutions starting with Annual Reorg thru Resolution R-02-09-19 so that will all happen next meeting. Mr. Williams stated along with the meeting minutes. Mr. Cannon replied along with the meeting minutes from that month as well as from January. Mr. Cannon stated that Mr. Mach needed to be at the next meeting because you will have to proof these minutes.

Mr. Mach replied that he believes he can do it, he should be able to drive by then and that will make a world of difference. Mr. Cannon replied terrific, does anyone else have anything for today? Hearing none, asked for a motion to adjourn.

#### ADJOURNMENT

Mr. Cannon called for a motion to Adjourn. **Mr. Allen** motioned to Adjourn, seconded by **Mr. Mach**, at 10:52 am.

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

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Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: March 25, 2019