

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

October 28, 2019

Chairman James Cannon called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:35 AM.

Authority Members present: James Cannon, Richard Mach, Bud Allen, and Daniel Perez.

Also present: James Williams, Director of Operations; Brian Tipton, General Counsel; Alex Lazorisak, County Administrator; John Draikiwicz, Gibbons, P.C.; Jamie Banghart, Administrative Supervisor and Mariann Cliff, Recording Secretary.

Mr. Cannon stated that he would like to call the Monday October 28, 2019 PCFA meeting to order.

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

Mr. Cannon asked if Mr. Tipton was ready. Mr. Tipton and Mr. Lazorisak came to stand together facing each other.

Mr. Tipton asked Mr. Lazorisak if he had a draft in front of him. Mr. Lazorisak replied that he did.

Mr. Tipton asked Mr. Lazorisak to raise his right hand and repeat after him the following:

I, Alex Lazorisak , do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey; that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and that I will faithfully, impartially and justly perform all the duties of a member of the Pollution Control Financing Authority of Warren County according to the best of my ability. So help me God.

After Mr. Lazorisak repeated the above statement, Mr. Tipton stated congratulations. Mr. Lazorisak replied thank you.

Mr. Cannon asked Mr. Tipton if they should call a new roll. Mr. Tipton stated that he could do that.

ROLL CALL:	Mr. Lazorisak	- Present
	Mr. Perez	- Present
	Mr. Mach	- Present
	Mr. Allen	- Present
	Mr. Cannon	- Present

The Pledge of Allegiance was led by Chairman Cannon.

Mr. Cannon read the following statement: "Adequate notice of this meeting of October 28, 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".

MINUTES

Mr. Cannon stated that the agenda is subject to change, let us do minutes, first, there are regular meeting minutes from September 23 2019. Does he hear any questions or comments.

Mr. Allen replied that he did not have anything. Mr. Mach replied that he did not have anything either. Mr. Cannon stated that he had a couple of things, on the votes they should be all "abstain" not "sustained". Then on page 8 "judiciary duty" should be "fiduciary".

M-1 regular Meeting Minutes October 28, 2019

Mr. Cannon stated that was all he had and asked for a motion to approve the September 23 2019 minutes with the changes.

Mr. Allen stated that he would make the motion to approve.

Mr. Mach stated that he would second the motion.

Mr. Cannon asked that all in favor to say Aye, against, abstain.

Mr. Mach	- Aye
Mr. Allen	- Aye
Mr. Cannon	- Aye
Mr. Perez	- Aye
Mr. Lazorisak	- Abstain

M-2 Executive Session minutes October 28, 2019

Mr. Cannon asked if anyone had any corrections or questions from the October 28 2019 Executive Session minutes.

Mr. Cannon stated that hearing none could he get a motion to approve the Executive minutes from October 28, 2019.

Mr. Mach stated that he would make a motion to approve.
Mr. Allen stated that he would second the motion.

Mr. Cannon asked if there were any other questions. Then asked that all in favor say Aye, against, abstain.

Mr. Mach	- Aye
Mr. Allen	- Aye
Mr. Cannon	- Aye
Mr. Perez	- Aye
Mr. Lazorisak	- Abstain

CORRESPONDENCE

Mr. Cannon stated that everyone had received their copy of the correspondence, and then asked if anyone had any questions or comments.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

PRESENTATIONS

Mr. Cannon asked Mr. Williams when he would like to have Mr. Draikiwicz speak. Mr. Williams replied that they should let him speak right away. Mr. Cannon asked Mr. Tipton if they should do the presentation in executive.

Mr. Tipton replied yes. Mr. Cannon replied ok, and then asked if they should try to do all of the executive items in one shot? Mr. Tipton replied that it was up to Mr. Cannon.

Mr. Cannon stated that they would do the executive session just for Mr. Draikiwicz and then they would go back to their regular agenda then they would do another executive later at the end. Mr. Tipton replied ok.

Mr. Cannon stated that Mr. Draikiwicz was there to update them on the bond issue and some of that could be contractual. Mr. Tipton stated that as bond counsel there are legalities to any bonding that they perform so he believes that it would be better done in executive.

Mr. Cannon replied ok, then asked for a motion to enter into executive session.

Mr. Perez stated that he would make the motion.

Mr. Allen stated that he would second the motion.

Mr. Cannon asked if there were any further questions, then asked all in favor say aye, opposed, abstain.

Mr. Mach	- Aye
Mr. Allen	- Aye
Mr. Cannon	- Aye

Mr. Perez - Aye
Mr. Lazorisak - Aye

****Executive session started at 9:42 am**

****Executive session ended at 10:01 am**

Mr. Cannon asked for a motion to exit executive session.

Mr. Mach stated that he would make the motion.

Mr. Allen stated that he would second the motion.

Mr. Cannon asked if there were any questions. Then asked all in favor say aye, opposed, abstain.

Mr. Mach - Aye
Mr. Allen - Aye
Mr. Cannon - Aye
Mr. Perez - Aye
Mr. Lazorisak - Aye

Mr. Cannon stated that let the record show that they are back in public session, thank you very much Mr. Draikiwicz.

Mr. Williams and Mr. Allen also said thank you to Mr. Draikiwicz. Mr. Draikiwicz replied thank you all.

Mr. Draikiwicz left the boardroom at 10:04 am.

FINANCE

Mr. Cannon asked Mr. Williams if he was ready.

A-1 Finance Report

Mr. Williams stated sure, the next item up is A-1 the Finance Report. There are no issues and everything is going to plan. Mr. Williams continued that they are hoping on page 2 that the profit and loss eventually in the next few months comes down. They have spoken about it in the past, as you know the reason why that ended up being that way is due to all of the heavy rain and the leachate hauling blew the budget for the leachate hauling and treatment. He is hoping that they see by the end of the year that they are back in line and will not need any budget amendments. That is yet to come but it looks like it is heading in that direction, it should work out just fine, unless we start getting a lot of rain again.

Mr. Cannon stated it would be snow before you know it. Mr. Williams stated that he thought that they just said recently that the month of October has been the heaviest rain on record again. They have recorded about seven or eight inches of rain so far this month.

Mr. Cannon stated that a couple of things that he saw, first he would like to compliment Mr. Williams on the budget notwithstanding the leachate issue. To be at this point of the year very consistent as far as the numbers that we plugged into the budget last year and what they have turned out to be is really in line. Mr. Cannon stated that Mr. Williams has done a very good job on getting the real numbers in so they knew how to work with a budget.

Mr. Cannon stated the couple of things that he had were the standard questions he asks Mrs. Banghart, has Gaeta paid on time. Mrs. Banghart replied that Gaeta had paid \$50,000.00 and they are still waiting on a check from Global. Mr. Cannon replied ok and asked how about LMR? Mrs. Banghart replied they are all good.

Mr. Cannon stated the other question that he had was the recycling, they had put in \$40,575 and we are already exceeding, is that because of the volume. Mr. Williams replied yes, that is transportation, which is a good thing. Mr. Cannon agreed stating that if we have a number that is going to go over that is a good number to go over.

Mr. Cannon asked should we increase that number for next year. Mr. Williams stated that when he gets together with Mr. Dech they could adjust that number, right now that transportation cost is taken out of that annual grant. Mr. Cannon stated that we are basically a pass-through for the grant, his thought process is that it may go up. The more people know about it, the more we are going to get. Best Buy is closing in Greenwich so they will not be taking them anymore.

Mr. Williams stated that he did not think that it is done until early next year, March or April. Mr. Cannon stated that September's number is pretty big. Mr. Williams replied that yes, it is. Mr. Cannon asked if September was included in the Finance report for the transportation. Mrs. Banghart stated that September was in there yes. Mr. Cannon stated ok usually it does not get included if it is that close. Mrs. Banghart stated that they try to get it all the way to the end.

Mr. Cannon stated good job with the budget, and that was all that he had, then asked if anyone else had any questions.

Mr. Allen stated that yes, he had a question on page 1 of the bills, he usually scans over it and looks for something that is large or out of place, if he can understand it, he will not question it but 2/3 of the way down the page there is a 730-haul truck part and a repair fault totaling \$31,225.64. What is that?

Mr. Williams replied that the transmission on the 730-haul truck broke. Mr. Cannon asked if we had done that last month. Mr. Williams replied no, that was the D7 bulldozer. Mr. Allen stated that there was another one on page 35 CEHA quarterly. Mr. Williams replied CEHA is the money that we pay to the Warren County Health Department for inspections of the landfill. We are obligated to pay it, it is based on the tons that come into the landfill, it is a formula.

Mr. Cannon stated that it is like a tax. Mr. Allen replied ok.

Mr. Williams stated just an FYI for Mr. Lazorisak, on the financial report on the very first page, it will show you where we are through the year 75% and on page 2, it shows the actual realizing percentages on the right-hand side. Just so you know some of these are front loaded numbers like when it comes to health insurance they are all paid up front at the beginning of the year, you will see them at 97%. Mr. Williams would just like to point them out to Mr. Lazorisak. Mr. Lazorisak replied ok, thank you.

Mr. Cannon asked if there were any other questions or comments about the bills.

Hearing none he asked for a motion to pay the bills October 28 2019 in the amount of \$463,177.45

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 *October 28, 2019*.

R E S O L U T I O N

R-10-01-19

To Pay Bills – October 28, 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. Lazorisak	- Yes
	Mr. Perez	- Yes
	Mr. Allen	- Yes
	Mr. Mach	- Yes
	Mr. Cannon	- Yes

We hereby certify Resolution to Pay Bills in the amount of **\$463,177.45** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *28th day of October, 2019*.

Mariann Cliff
Recording Secretary

James Williams
Director of Operations

Approved: October 28, 2019

Mr. Williams stated that the next item was R-10-02-19 the 2020 Budget introduction Resolution. This is something that they discussed at the last meeting, the budget had been prepared on the State forms that was in front of everybody and this introductory resolution will need to accommodate the budget when it is submitted down to the state. As it always goes this would be submitted to the State, the State would come back with an approval and then they would do a final adoption, which normally takes place in December. So the numbers on the introductory resolution has all of the numbers in it that the budget represents.

Mr. Cannon stated that he is assuming that they want to amend the resolution to add Mr. Lazorisak on the bottom or handwrite it on the bottom of the resolution. Mr. Williams replied that he did not know and he did not want to guess. Mr. Lazorisak interjected that he would abstain, saying that the Board worked on it and that was his position.

Mr. Mach stated that Mr. Lazorisak should be shown.

Mr. Cannon stated that yes Mr. Lazorisak should be shown either way. Then asked if anyone had any questions about the formal budget that would be submitted to the DCA, which we already had reviewed. This is just the resolution to formally approve the budget. Mr. Williams stated that after this is approved it would be sent out right away.

Mr. Cannon asked if anyone would like to make a motion to accept the 2020 Authority budget resolution that covers the entire calendar year in the amount of \$5,975,876.00, we have capital appropriations set in the budget of \$66,000.00.

Mr. Allen stated that he would make the motion.

Mr. Perez stated that he would second the motion.

Mr. Cannon asked if there were any questions, then stated that hearing none asked for the roll to be called.

ROLL CALL:	Mr. Lazorisak	- Abstain
	Mr. Perez	- Yes
	Mr. Allen	- Yes
	Mr. Mach	- Yes
	Mr. Cannon	- Yes

FACILITIES/RECYCLING

Mr. Williams stated that the next item that they have and it was up to the Authority if they want to do the following together: A-2,3,4 and 5 which are our standard RFP's that we go out for at this time of the year regarding the Audits, Legal services, Topographic survey and the Household Hazardous waste. The Household hazardous waste is for 2 years all the others are for one year.

Mr. Cannon asked if there were any changes made to the Bid documents from the previous year. Mr. Williams replied that there were no changes.

Mr. Cannon stated that a few years ago setting a boiler plate so that now we have a boiler plate consistent across the board in all of the request for proposals. Does anyone have any questions or

comments regarding the above proposals? Hearing none Mr. Cannon stated that he would like to take A-2,3,4 and 5 and get a motion for all of them.

Mr. Perez stated that he would make the motion.

Mr. Allen stated that he would second the motion.

Mr. Cannon stated that this was for authorization for proposals for Auditing services, professional Legal services, Topographic survey aerial and our Household hazardous waste collection. Mr. Cannon stated that we had a first and a second motion please call the roll.

ROLL CALL:	Mr. Lazorisak	- Yes
	Mr. Perez	- Yes
	Mr. Allen	- Yes
	Mr. Mach	- Yes
	Mr. Cannon	- Yes

Mr. Williams stated that the next item was for resolution R-10-04-19, which is a resolution to extend the contract for removal, hauling, delivery and disposal of untreated leachate, generated at the Warren County landfill. This is something that we had discussed several months ago. Russell Reid is now the primary owner of the AWS who the original contract was with; Russell Reid has assumed all the responsibilities. They have agreed to accept the prices that were written in the original proposal so this is just a formality that we are going to adopt the pricing as set forth in the proposal that was received on July 13, 2017.

Mr. Cannon stated that this was more of a case reflecting the change of ownership. Mr. Williams replied plus that we are accepting and approving it, as mentioned before it is more of a formality.

Mr. Cannon asked if anyone had any questions. Mr. Lazorisak asked if this was the second year of the three-year contract. Mr. Williams replied yes.

Mr. Cannon asked for a motion for the resolution to award the contract extension with the change in ownership to Russell Reid it does not have an amount it was all rates per gallon, so does he have a motion for that?

Mr. Perez stated that he would make the motion.

Mr. Lazorisak stated that he would second the motion.

Mr. Cannon asked if there were any other questions and stated that this extends through October 31 2021. Mr. Williams stated October 31 2020, and then explained to Mr. Cannon that he was looking at the wrong line. Mr. Cannon asked if that was not the third year of the contract? Mr. Williams replied that this is going to be November 1 2019 through October 31 2020 @ \$0.0425 cents per gallon. Mr. Williams stated that is what we are approving today.

Mr. Cannon stated correct then asked, but why then does it mention the 2021? Mr. Williams replied that is another one, that if the Board chooses, we can extend again next year. Mr. Cannon asked at that rate? Mr. Williams replied yes. Mr. Cannon stated but they are not approving that now. Mr. Williams replied no. Mr. Cannon replied ok.

Mr. Williams stated that if you go to the very bottom of the resolution it stated what dates we are approving now. Mr. Cannon replied ok, he was just thinking to lock in that number that was his main concern.

Mr. Cannon asked if there were any other questions, if not please call the roll.

ROLL CALL: Mr. Lazorisak - Yes
 Mr. Perez - Yes
 Mr. Allen - Yes
 Mr. Mach - Yes
 Mr. Cannon - Yes

Stack Test Update

Mr. Williams stated that just an update on the Stack test, they mobilized and are on-site today. The Stack test will take place tomorrow and Wednesday. Representatives of the DEP will be on site to observe that. Mr. Lazorisak, just to explain, this is for the testing of the gas flare down below. We have to do a permit requirement every five years. We have to conduct a stack test on the emissions, so this is something that will take place tomorrow and Wednesday. This procedure has to be observed by the DEP.

Mr. Cannon asked how long it takes. Mr. Williams replied that it took two days, they mobilized today they came in and get all set up. Mr. Lazorisak asked do they test every stack or do they do an average? Mr. Williams replied that there is only one, but there are three different tiers in the flare itself. So they will be testing and monitoring all three of them.

Treatment Plant Mothball Update

Mr. Williams stated that for the Treatment plant mothball he is still waiting for the final report from Mott MacDonald. They said that they are continuing to work on it and finalizing it, when he receives it he will distribute it to the Board.

Mr. Cannon asked if there was some kind of a hold up on that, then stated that they have carried it over a couple of times now. Mr. Williams replied no, he keeps asking them where the report is. They are not billing us for it but he would like to have it, then they could submit their final invoicing. The good thing is that they are not invoicing us for it but he still would like to have it in his hand.

Landfill Operations

Mr. Williams stated that with the landfill operations everything is going good out in the landfill except for the occasional equipment downtime that we experience, other than that there are no issues.

Cell 7 Construction

Mr. Williams stated that there was nothing further to report on the construction document preparations for Cell 7 or 7-A.

Solar Panel Project

Mr. Williams stated that there was nothing more on the solar panel, system down below everything seems to be working fine as far as that goes. The billing is also being submitted in a timely manner.

A-6 - 2019 Waste Disposal Fee Schedule (NO CHANGE)

Mr. Williams stated that there were no changes to the waste disposal fee schedule.

A-7 Electronics Recycling Program

Mr. Williams stated that as you can see it shot way up again in the month of September. It seems to be mainly for the televisions. that seems to be the big-ticket item that is coming in, it is working out really well.

Mr. Cannon replied that wait until January after all of the new TV's come in for Christmas.

A-8 Tire Collection Program

Mr. Williams stated that the tire collection program is still moving along pretty good. Other than the large quantity that we received in May, it is staying pretty consistent.

A-9 Single Stream Recycling Program

Mr. Williams stated that the last item the single stream recycling we did a little under 80,000 pounds in the month of September so far year to date we are at 832,480 pounds of recycling received at the landfill. Another program that is working really well.

Mr. Cannon stated wait until we get to that million then we will have to bump up these numbers. Mr. Williams stated that he was confident that they would get there.

PERSONNEL

A-10 Merit Bonus Evaluations

Mr. Williams stated that he thinks that they should do A-10 in executive. Mr. Cannon replied that yes he thinks that they should do evaluations in executive session.

Mr. Williams stated that that was all that he had.

Mr. Cannon stated that we have the evaluations for executive session and Covanta issues.

Mr. Cannon stated that he guess it does not matter if it is in executive but Mr. Tipton did you ever receive any response from DEP on your letters?

Mr. Tipton replied no, nothing from his letters but Mr. Bell has also been reaching out to them repeatedly to see what kind of meeting they could get. As of the last time that he spoke with Mr. Bell, he had had no response.

EXECUTIVE SESSION

Mr. Cannon asked if anyone had anything else for public session, any new business other business? Hearing none could he get a motion to go back into executive session?

Mr. Allen stated that he would make the motion.
Mr. Perez stated that he would second the motion.

Mr. Cannon replied thank you. All in favor of going into Executive Session say Aye:

ROLL CALL: Mr. Lazorisak - Aye
 Mr. Allen - Aye
 Mr. Mach - Aye
 Mr. Perez - Aye
 Mr. Cannon - Aye

**Executive session started at 10:20*

AUTHORIZING EXECUTIVE SESSION

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

****Contract Negotiations and Personnel****

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. Perez***

ROLL CALL: Mr. Lazorisak - Aye
 Mr. Allen - Aye
 Mr. Mach - Aye
 Mr. Perez - Aye

Mr. Cannon - Aye

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: November 18, 2019

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

ROLL CALL: Mr. Lazorisak - Aye
Mr. Allen - Aye
Mr. Mach - Aye
Mr. Perez - Aye
Mr. Cannon - Aye

****Executive Session ended at 11:23 am***

****Public Session resumed at 11:23 am***

Mr. Cannon stated that in executive session, we discussed contract proposals; we discussed the merit bonus system. We directed counsel to send a couple letters and last but not least we need to approve the merit bonus system on work that was done this year.

Mr. Cannon stated that again if we want to change something next year that would be the proper time to do it but not at this time.

Mr. Cannon asked if he could get a motion to approve the merit bonuses as were provided to us by the Executive Director?

Mr. Perez stated that he would make the motion.
Mr. Allen stated that he would second the motion.

Mr. Cannon asked if there were any further questions. Then asked to call the roll.

ROLL CALL: Mr. Lazorisak - No
Mr. Allen - Yes

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

Mr. Cannon asked if they had anything else for public.

Mr. Tipton replied to Mr. Cannon that they had the fence contract. Mr. Cannon stated the fence issue ok, we do not have a resolution correct. Mr. Williams stated no, he just needs the Boards consent and approval that we are going to go out for bid.

Mr. Cannon stated ok would someone like to make that motion.

Mr. Lazorisak stated motion.

Mr. Mach stated second.

Mr. Cannon stated all those in favor say aye.

ROLL CALL: Mr. Lazorisak - Aye
Mr. Allen - Aye
Mr. Mach - Aye
Mr. Perez - Aye
Mr. Cannon - Aye

Mr. Cannon stated also quickly as to the audit he thinks that zero recommendations as to anything the Board is not doing correctly or things that they should correct, he thinks is a compliment to them all and Mr. Williams.

Mr. Cannon also stated that the results that they had no incidences of non-compliance on all manners that are required to be reported under government ordnances. They are doing a good job there also, so thank you Mr. Williams.

Mr. Cannon asked if anyone else had anything else.

Mr. Perez stated that he did have a question for Mr. Lazorisak, was he working as a liaison to the County?

Mr. Lazorisak replied no, not really. Mr. Lazorisak continued that actually, he is a taxpayer so he is sitting on this Board in that capacity as well as, yes, obviously he could be a liaison to the County, which he will be. So yes dual role.

Mr. Perez asked all right, but would you not have some kind of conflict working as a liaison to the County and being a part of this committee. Mr. Lazorisak replied that they sent it down to Mr. Bell's office to do a review, he did a review of the statue and did not find anything against it.

Mr. Lazorisak stated that then again he is not a Freeholder he is an Administrator, so the Freeholders vote.

Mr. Tipton stated just by way of history going way back this Board used to have all of the freeholders on it. They would play both rolls, then for many years Mr. Chamberlain sat on here by himself. So he was always at both and there was never a conflict back then. Mr. Tipton stated that he thought about the same issue, he does not believe that there is a conflict. Mr. Perez replied ok.

PRESS COMMENTS & QUESTIONS

None

ADJOURNMENT

Mr. Cannon asked if there were any other questions or comments.

Mr. Cannon called for a motion to Adjourn. **Mr. Allen** motioned to Adjourn, seconded by **Mr. Perez**, at 11:27 am.

ROLL CALL:	Mr. Mach	-	Yes
	Mr. Lazorisak	-	Yes
	Mr. Allen	-	Yes
	Mr. Perez	-	Yes
	Mr. Cannon	-	Yes

Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: November 18, 2019