

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

July 27, 2020

Chairman Angelo Accetturo called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:31 AM.

Authority Members present: Alex Lazorisak, James Cannon, Richard Mach and Dan Perez (all via conference call).

Also present (via conference call): Brian Tipton, General Counsel.

Also present: James Williams, Director of Operations; Jamie Banghart, Administrative Supervisor and Mariann Cliff, Recording Secretary.

Mr. Accetturo asked to call the Monday July 27, 2020 PCFA meeting to order, and to please call the roll.

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

The Pledge of Allegiance was led by Chairman Accetturo.

Mr. Accetturo read the following statement: "Adequate notice of this meeting of July 27th 2020 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. Accetturo asked if there was a motion on the minutes M-1 Regular, monthly meeting minutes from May 26, 2020. Mr. Accetturo asked if there was any discussion or motion on the minutes. Mr. Accetturo stated that he would make a motion on M-1 Regular, monthly meeting minutes May 26, 2020 then asked if there was a second. Mr. Cannon stated that he would second it.

Mr. Accetturo asked for roll:

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

CORRESPONDENCE

Mr. Accetturo stated that for the correspondence C-1 and C-2 the first one a letter dated June 19th from the State of New Jersey to Richard Sandner of Covanta in regards to type 10 waste. The second one C-2 a letter dated June 19th from the State of New Jersey to David Dech Warren County Planning Department regarding type 10 waste.

Mr. Accetturo stated that because they have the attorney on the phone if everyone would like, they could move into executive session first to discuss a couple of these items. There was a proposal in front of him and there would be a Covanta discussion. Mr. Accetturo asked if anyone had a problem with doing that, then they could jump back to the rest of the meeting.

Mr. Cannon asked Mr. Accetturo what he had in front of him. Mr. Accetturo replied that there was a proposal there from D&B Engineers and Architects, this was out of a discussion that the County Administrator had with them, for assistance with issues pertaining to the decommissioning of the waste facility.

Mr. Cannon asked if that was the one that was emailed to them about a company that contacted Mr. Lazorisak. Mr. Lazorisak stated that he would discuss it in the executive session and give the Board the whole background on it.

Mr. Accetturo stated that he would make a motion to move into executive session.
Mr. Lazorisak stated that he would second the motion.

******Executive session started approximately 9:35 am***

Executive Session

On a motion by, ***Mr Accetturo***, seconded by, ***Mr. Lazorisak***, the Board agreed to an Executive Session at approximately 9:35 AM to discuss Contract Negotiations, at the Pollution Control Financing Authority of Warren County at a meeting held on *July 27, 2020*.

RESOLUTION

R-07-03-20

AUTHORIZING EXECUTIVE SESSION

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

****Contracts****

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 on January 27, 2019.

Moved By: ***Mr. Accetturo***

Seconded By: ***Mr. Lazorisak***

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

******Executive session ended approximately 10:35***

*****Public session resumed at approximately 10:36***

Mr. Cannon stated that he would make a motion to come out of executive session.

Mr. Accetturo stated that he would second the motion.

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

FINANCE

Mr. Williams whispered to Mr. Accetturo that Mrs. Banghart was going to give his finance report.

Mr. Accetturo stated that they were back to the Finance report, and then asked Mrs. Banghart to go ahead.

**** Mr. Lazorisak left the conference call at approximately 11:37****

A-1

Mrs. Banghart stated that A-1 was the finance report from May and that everyone received it last month but the meeting was cancelled. Mrs. Banghart asked if there were any questions on the May Finance report. Hearing none, they would need a resolution R-06-01-20 to pay bills.

Mr. Accetturo stated that he would make the motion.

Mr. Cannon stated that he would second the motion.

Mr. Accetturo asked for roll.

ROLL CALL:	Mr. Cannon	- Yes
	Mr. Lazorisak	- absent
	Mr. Mach	- Yes
	Mr. Perez	- Yes
	Mr. Accetturo	- Yes

On a motion by **Mr. Accetturo**, seconded by **Mr. Cannon**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *July 27, 2020*.

RESOLUTION

R-06-01-20

To Pay Bills – July 27, 2020

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. Cannon	- Yes
	Mr. Lazorisak	- absent
	Mr. Mach	- Yes
	Mr. Perez	- Yes
	Mr. Accetturo	- Yes

We hereby certify Resolution to Pay Bills in the amount of \$605,317.01 to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 27th day of July, 2020.

Mariann Cliff
Recording Secretary

James Williams
Director of Operations

Approved: July 27, 2020

A-2

Mrs. Banghart stated that A-2 is the Finance report from June, everything was good, but with one question that they are going to need to take care of. There is the matter of Global Waste had an outstanding balance of \$13,564.30 that needs Board approval to write off. This was from last July, that was the only problem that was in the Finance.

Mr. Mach asked if they had tried every means possible to get that \$13,564.30 including suing them?

Mrs. Banghart replied yes and referred the question to Mr. Tipton. Mr. Tipton replied that they had done everything possible without going to court, it was discussed that it would not be worth the money that would be spent.

Mr. Cannon stated that he did not think that they had discussed that one, not the thirteen thousand. Mrs. Banghart stated that it had been carrying over since last July.

Mr. Cannon asked Mr. Tipton how much it would cost to chase thirteen thousand dollars.

Mr. Tipton replied that they would have to file a complaint and it could go as high as five thousand. He thought the concern was, that they are not operating any longer so there is nothing that they could chase. It would cost money to get a bunch of paperwork that is not worth the paper that it was written on. If they were operating then you would have a chance of getting something, he thought that this had led into the discussion about being more careful on letting companies get ahead of us.

Mrs. Banghart stated that is what happened, they went out of business. Mr. Cannon stated that was an old game, they painted the trucks and put another name on them.

Mr. Tipton stated that he thinks that they have all seen this game played before, he does not mind doing the work and making the money but he thinks that if it were his business he would not chase it.

Mrs. Banghart stated that it had been over a year.

Mr. Accetturo asked so what do we need a resolution to pay the bills? Mrs. Banghart replied yes.

Mr. Accetturo stated that for June 2020 he would make a motion that they pay the bills, could he get a second?

Mr. Mach stated that he would second the motion.

Mr. Perez stated that before they vote on this with this motion do they include in there that we are not going to go after the thirteen thousand dollars owed to us by Global?

Mr. Accetturo replied that Mr. Williams just informed him that that would be a separate motion.

ROLL CALL:	Mr. Cannon	- Yes
	Mr. Lazorisak	- absent
	Mr. Mach	- Yes
	Mr. Perez	- Yes
	Mr. Accetturo	- Yes

On a motion by *Mr. Accetturo*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *July 27, 2020*.

RESOLUTION

R-07-01-20

To Pay Bills – July 27, 2020

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. Cannon - Yes
 Mr. Lazorisak - Absent
 Mr. Mach - Yes
 Mr. Perez - Yes
 Mr. Accetturo - Yes

We hereby certify Resolution to Pay Bills in the amount of **\$ 594,148.83** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *27th day of July, 2020*.

Mariann Cliff
Recording Secretary

James Williams
Director of Operations

Approved: July 27, 2020

Mr. Accetturo stated that now he would make a motion that the Board writes off Global waste's bill of \$13,564.30, then asked if he could have a second.

Mr. Perez stated that he would second the motion.

Mr. Accetturo asked for roll.

Mr. Cannon stated that he thinks the motion should also should include that this is by counsel's recommendation. Mr. Accetturo replied that is fine, he likes that.

ROLL CALL: Mr. Cannon - Yes
 Mr. Lazorisak - Absent
 Mr. Mach - Yes
 Mr. Perez - Yes
 Mr. Accetturo - Yes

Mrs. Banghart stated that A-3 is the 2019 Audit. The Audit was completed no issues were noted.

A-4

Mrs. Banghart stated that A-4 was the Audit affidavit everyone needs to sign and mail these forms back as soon as possible please, a live signature is required. Everyone was given a postage paid envelope to get them back quickly.

Mr. Accetturo asked if they had gotten a response. Mr. Williams whispered no.

Mr. Cannon asked if they had to get their own notary for the affidavit. Mrs. Banghart replied that she could notarize the forms for everyone. Mr. Cannon replied ok.

Mr. Accetturo stated that the resolution R-07-02-20 2019 Audit Resolution, could he have a motion on the Audit.

Mr. Mach stated that he would make the motion.

Mr. Perez stated that he would second the motion

Mr. Accetturo asked for roll.

ROLL CALL:	Mr. Cannon	- Yes
	Mr. Lazorisak	- Absent
	Mr. Mach	- Yes
	Mr. Perez	- Yes
	Mr. Accetturo	- Yes

FACILITIES/RECYCLING

Treatment Plant Operations

Landfill Operations

Mrs. Banghart stated that there were no issues and everything is running smooth.

Cell 7 Construction

Mrs. Banghart stated that for cell 7-construction financing, an email was sent last week to obtain an update on where the DEP is on this. Mrs. Banghart stated that this was Mr. Williams speaking by the way. He has not received a response as of yet, they had previously sent in an email a few weeks ago that the review was completed regarding using our closure funds and was moved to upper management for final review approval. Mr. Williams was not sure what the hold-up was.

Mrs. Banghart stated that the cell-7 construction document preparation the QA, QC plan was submitted to the department several weeks ago. This is a required document that needs to be submitted 90 days prior to the PCFA going out for bid for cell-7.

Mrs. Banghart stated that for the QC Engineer Update and the QA Engineer Update, there is no report.

H2S

Mrs. Banghart stated the update on the H2S removal system was running smooth with no issues.

Mrs. Banghart stated that for the Solar panel project, there was no change.

Mrs. Banghart stated that A-6 2020 Waste Disposal Fee Schedule had no changes. A-7 Electronics recycling program was doing very well as per the chart. A-8 the Tire recycling program was doing very well as per the chart and A-9 recycling was doing well also.

Mr. Perez stated that he had one question, did they take a vote on resolution R-07-01-20 to pay bills?

Mr. Accetturo replied that yes they did. Mr. Perez stated thank you.

GENERAL COUNSEL'S REPORT

Mr. Accetturo asked if there was anything else for the general counsel report.

Mr. Tipton replied that there was no other report from him all he had was Covanta.

NEW BUSINESS

Mr. Accetturo asked if there was any new business.

OTHER

Mr. Accetturo asked if there was any other business.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

Mr. Accetturo asked if there was any public comment.

ADJOURNMENT

Mr. Accetturo asked if there was a motion to adjourn.

Mr. Accetturo stated that he would make the motion, and then asked if there was a second.

Mr. Mach stated that he would second that motion.

ROLL CALL:	Mr. Cannon	- Yes
	Mr. Lazorisak	- Absent
	Mr. Mach	- Yes
	Mr. Perez	- Yes
	Mr. Accetturo	- Yes

Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: August 24, 2020