

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

November 16, 2020

Vice Chairman Richard Mach called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:36 AM.

Authority Members present: Alex Lazorisak, James Cannon, Richard Mach.

Mr. Mach asked to call the Monday November 16, 2020 PCFA meeting to order, please call the roll.

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

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

The Pledge of Allegiance was led by Vice Chairman Mr. Mach.

Mr. Mach read the following statement: "Adequate notice of this meeting of November 16<sup>th</sup> 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. Mach stated that the first item on the Agenda was M-1 Regular monthly meeting minutes for the October 26 meeting

Mr. Cannon stated that he would make a motion to approve the Regular Monthly Meeting Minutes from October 26, 2020. Mr. Lazorisak stated that he would second the motion.

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

Mr. Mach stated that the next item was M-2 the Executive session minutes for the meeting of October 26, 2020.

Mr. Cannon stated that he would make the motion on the Executive session minutes.

Mr. Lazorisak stated that he would second the motion.

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

### CORRESPONDENCE

Mr. Mach stated that the next item was correspondence and he did not have anything on that.

Mr. Williams replied that the only one was the one that he had emailed to everyone. There was no need for discussion, unless they chose to do so. This was just the response to the State letter by John Draikiwicz.

Mr. Mach asked if that was what was on the Dias in front of them. Mr. Williams replied yes, and other than that, there was no other correspondence.

### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

### PRESENTATIONS

### FINANCE

Mr. Mach stated ok and moving on from there, they would go on to Finance.

Mr. Williams stated that the first item A-1 is actually a new topic, a Cooperative through the State of New Jersey. Mr. Williams stated that usually they purchase many supplies through a State contract, this was a new one that he became aware of which is a Co-op that a lot of Authorities and MUA's are a part of. It is through the State of New Jersey, it would allow them to buy heavy equipment. Mr. Williams stated that was the main reason that he suggests that they do it. They have equipment such as Caterpillar and they would not have to go out for bid, this was something that they could purchase through this Co-op / State Contract and speed up the process of putting a bid together. Mr. Williams stated that if the Board agreed, they would need to approve the resolution R-11-01-20 to join into the Cooperative pricing System for the Educational Services Commission of the State of New Jersey.

Mr. Cannon stated that he had a couple of questions. They were in the Morris County one previously? Mr. Williams replied that they were still in that one.

Mr. Cannon stated that that one did not have that option, they still had to go out to bid on the big machinery.

Mr. Williams stated that was correct and even the State contract does not list the big machinery. Just to give an example, the difference if they do this and he would use Caterpillar as an example. Mr. Williams continued that if they were to purchase through the regular bidding process a new bulldozer would be in excess of \$550,000.00, but through the Cooperative, it would be around \$450,000.00.

Mr. Cannon asked if there was a charge to be in the Co-op? Mr. Williams replied with, no it would be free of charge. The co-op that they do was the same as the State contract, they go out and get all the pricing.

Mr. Cannon asked if this just became available this year. Mr. Williams replied that he learned this information from Caterpillar. Mr. Williams stated that he thought that this had been around a while, he does not know if Mr. Lazorisak was familiar with it.

Mr. Lazorisak replied that that was a very good one. Unfortunately, Municipalities and Counties cannot get into that one. However, Authorities can. Mr. Williams replied wow, are you kidding? Mr. Lazorisak replied that it was correct. Mr. Lazorisak stated that it was geared for Schools within the State. Mr. Lazorisak stated that there were a lot more schools in that co-op so their pricing is very competitive, that would be a smart move.

Mr. Mach asked to help him understand that they would be in two co-op's then? They would be in the Morris County co-op and this co-op?

Mr. Williams replied that they were also in the State System. Mr. Mach replied so that was three. Mr. Williams replied that because they were in the Morris County one they are also in the Somerset one, so they are actually in a number of them. Mr. Williams continued that to give an example, through the Morris County they get a discounted off-road diesel fuel through that co-op. which was significantly cheaper than if they were to purchase it elsewhere not in the system.

Mr. Mach asked if there were any more questions. Mr. Cannon replied no.

Mr. Mach asked if someone would like to make a motion.

Mr. Lazorisak stated that he would make a motion for R-11-01-20 for Member Participation in a Cooperative Pricing Agreement.

Mr. Cannon stated that he would second the motion.

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

## A-2

Mr. Williams stated that the next item was A-2 the finance report. Mr. Williams stated that there were no surprises and everything was going good financially. Mr. Williams continued that they were 83% through the year, and then Mr. Williams asked Mrs. Banghart if all the haulers were up-to-date. Mrs. Banghart replied that they were all good.

Mr. Williams stated that they were still showing that they were making a slight modest profit even with the reduced waste coming into the facility. Mr. Mach replied good work.

Mr. Mach stated that he would entertain a motion for R-11-02-20.

Mr. Lazorisak stated that he would make the motion.  
Mr. Cannon stated that he would second the motion.

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

On a motion by *Mr. Lazorisak*, seconded by *Mr. Cannon*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *November 16, 2020*.

## RESOLUTION

**R-11-02-20**

### **To Pay Bills – November 16, 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	- Yes
	Mr. Mach	- Yes
	Mr. Perez	- Absent
	Mr. Accetturo	- Absent

We hereby certify Resolution to Pay Bills in the amount of **\$ 261,540.98** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *16<sup>th</sup> day* of November, *2020*.

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Mariann Cliff  
Recording Secretary

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James Williams  
Director of Operations

Approved: 11/16/20

**A-3**

Mr. Williams stated that the next item was A-3 the Broker of Record. Mr. Williams stated that he did not feel the need for Mr. Daly to be there. They have already begun the application process so as a formality there is a new Broker of Record agreement A-3 for the Scirocco Group that would begin tomorrow and end on December 31 of next year. Mr. Williams stated that if the Board chooses to do so he would need approval of A-3 the Broker of Record agreement and Resolution.

Mr. Mach asked if there were any questions for the Board.

Mr. Lazorisak stated that he would like to make a statement. Mr. Lazorisak stated that he thinks they have been treating the PCFA very well, even with the last claim.

Mr. Williams stated that they even received a lot of help from Mr. Daly getting reimbursed for the legal fees with the whole Sanico issue. That worked out well, he worked hard to make sure that that got through.

Mr. Mach stated that he would entertain a motion on the resolution R-11-03-20.

Mr. Cannon stated that he would make that motion.

Mr. Lazorisak stated that he would second

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

PERSONNEL

Mr. Williams stated that there was nothing for personnel or presentations.

## FACILITIES/RECYCLING

Mr. Williams stated that the next three items are A-4, A-5 and A6, these are three typical RFP's that the PCFA goes out for every year. Counsel has reviewed them, one was the Auditing services, the other was professional Legal services and the last one was the Arial Topographical survey.

Mr. Williams stated that he would need the Boards approval to get out these bids. Pricing would be back for our December meeting for award.

Mr. Cannon stated that he wished that they would get some more bids in once in a while. Mr. Williams stated that the other thing was, and it was really up to this Board, is that these are all professional services, and whether or not they want to continue to send out the bids. Mr. Williams stated that they don't get any other bids in, it is advertised in newspapers and other ways.

Mr. Cannon asked if they ever received another Arial bid ever? Mr. Williams replied no.

Mr. Williams stated that people have requested the package and that was as far as it has gone. Mr. Williams stated that they have always used the same three firms for the three different services for ten or more years. Mr. Cannon stated that they have used the Arial firm forever.

Mr. Williams stated that years ago they used Pequest Engineering to do it. Mr. Cannon stated that they mostly gave the bid to Robinson now because they were a better price. Mr. Cannon stated that the Pequest started going up and then went out of it. Robinson has been doing it now for around twenty years.

Mr. Williams stated that Robinson does a really good job and it used to be that the Topographic survey technology used to cost around \$30,000.00 a year. Now it has come down to around \$8,000.00 or \$9,000.00. Mr. Williams stated that now they were starting to do it with drones, you do not even need a person in the field except to drive the drone.

Mr. Mach asked if there were any questions from the Board.

Mr. Lazorisak stated that they need a motion authorizing the PCFA to put out the RFP for Auditing, for Legal services and for the Topographical survey. Mr. Lazorisak stated that he would make that motion.

Mr. Cannon stated that he would second the motion.

Mr. Mach asked if that was a motion for all three of them? Mr. Lazorisak replied that yes it was for all three.

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

***Mr. Perez joined the meeting via conference call at approximately 9:48am.***

Mr. Perez stated that he was sorry but he had forgotten that they had a meeting that day.

Mr. Williams replied that he had to bring the donuts next time. Mr. Mach agreed and stated that he needed to bring coffee also.

Mr. Perez stated that he would definitely bring some good Bayonne donuts.

Mr. Williams stated to Mr. Perez, that just to catch him up to speed, they were at the Facilities and Recycling. Mr. Perez replied ok.

Mr. Williams stated that the next item up was the resolution R-11-04-20, which was extending the contract, which was just a formality for Russel Reid this was a three-year bid. This extends it and if the Board approves it for the third and final year at a price of .0475 cents per gallon. Mr. Williams stated that next year they would have to go out for bid again.

Mr. Mach stated let the record show that Mr. Perez joined the meeting at 9:48am.

Mr. Mach asked if there were any questions on resolution R-11-04-20.

Mr. Mach stated that he would entertain a motion.

Mr. Lazorisak stated that he would make the motion.

Mr. Mach stated that he would second the motion.

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

Mr. Williams asked Mr. Perez if he could hear ok. Mr. Perez stated that he was trying to raise his volume to hear the meeting a little better.

#### Landfill Operations

Mr. Williams stated that the next item was for landfill operations and there was really nothing there, waste continues to come in as expected and everything was running smooth down below.

#### Cell 7 Construction

Mr. Williams stated that the next item after that was cell 7 construction. They sent the bid document to the Comptroller's office of the State of New Jersey for their review. That was approximately six weeks ago and their attorney did come back with comments within a weeks' time. Mr. Williams stated that Cornerstone responded to them, and then they came back three more times with additional comments to be added to the bid document. Mr. Williams stated that Cornerstone responded to all of them for a total of four different times. It was unusual that the State kept coming back and saying that they wanted other things added instead of doing it all at once. That really delayed the process, but on Friday, they approved the document.

Mr. Williams stated that the dates that they were going to go with, as far as publication, bid availability and so on are as follows.

Mr. Williams stated that the bids would be available next Monday the 23<sup>rd</sup> of November. The public notice would be in the paper this coming Wednesday. There will be a non-mandatory pre-bid meeting on

December 8. Mr. Williams stated that they originally had it as mandatory pre-bid meeting and the attorney from the State Comptroller stated that they could not say 'mandatory' so they had to take the word mandatory out.

Mr. Cannon asked wasn't it always mandatory in the past? Mr. Williams replied yes, always.

Mr. Williams stated that he thought it was because of the price of the project, they never had that kind of review done before. Mr. Williams stated that so the pre-bid meeting would be on December 8<sup>th</sup> and the Board members are welcome to attend.

Mr. Williams stated that questions regarding the bid document would be due on December 21<sup>st</sup> responses to the questions would be distributed on December 30<sup>th</sup>. Mr. Williams stated that the bid opening would be on January 8<sup>th</sup> and then what he would like to do, would be to schedule a special meeting for the authority to do an award of this on the 15<sup>th</sup> of January. Mr. Williams stated that they are so far behind schedule.

Mr. Perez asked if that was December 15? Mr. Williams replied January 15<sup>th</sup>. Mr. Perez stated that he got it.

Mr. Williams stated that this would be a special meeting, that would be his recommendation to the Board. This would just be to do this award to keep the project moving along. Mr. Williams stated that there are a lot of supplies that have to be ordered, especially the liner system, that takes a long time to get in.

Mr. Mach asked if this would be a special meeting in addition to their regular meeting. Mr. Williams replied correct, and it would only be for this specific reason to do an award.

Mr. Williams stated that what would happen was Cornerstone will get the bids on the 8<sup>th</sup>, he was speaking with Mr. Tipton earlier and he would get them also. Then the entire group will have their recommendations and comments to them for the January 15 meeting to do an award.

Mr. Williams stated that should be enough time for Cornerstone to talk to Mr. Tipton. Mr. Lazorisak replied to Mr. Williams that it was the 15<sup>th</sup> that he was looking at. Mr. Williams replied yes at 9:30 am.

Mr. Mach asked Mr. Williams if he needed a motion to approve that. Mr. Williams replied that yes to schedule a special meeting that would be necessary.

Mr. Mach asked if he could get a motion.

Mr. Cannon stated that he would make a motion to schedule a special meeting for bid documents acceptance on January 15, 2021

Mr. Lazorisak stated that he would second the motion.

Mr. Mach asked to call the roll.

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

Mr. Williams stated that he has been holding off on doing the QC, QA bids. Now that they finally got this straightened out with the State, he can get the QA bid out and they would be due sometime after they do an award. Mr. Williams stated that they might be able to do that at their January special meeting or

wait until the regular meeting. Mr. Williams stated that there is really no hurry to do that one, except that we have to do it.

Mr. Mach stated and you have to have a QA. Mr. Williams replied correct.

### SOLAR PANEL

Mr. Williams stated that there was nothing to report on the solar panel project.

### A-7

Mr. Williams stated that A-7 was the Waste disposal fee schedule – no change.

### A-8 A-9 A-10

Mr. Williams stated that A-8 through A-10 are the typical updates on the Electronics, Tire program and the Single Stream recycling. Everything was moving along good. Mr. Mach stated that they are still going along very well. Mr. Williams replied that yes they were still doing well, a couple of things went down slightly like the tires, not by much. Mr. Williams stated that they have collected a lot of tires and a lot of electronics.

Mr. Mach stated that the tires are amazing, where are they all coming from? Do people take their tires with them after they have a tire changed, and why? Mr. Williams stated that even the electronics was doing well, no issues or complaints from any of the general public regarding that.

Mr. Williams stated that the last thing was that they did conclude with their Township cleanups, for White Township and Oxford. That all went smooth, they both came in.

Mr. Williams stated that they had one complaint, not really a complaint but an inquiry from Knowlton Township why they could not do theirs. Mr. Williams stated that they just let them know nicely that it was the Boards decision because of the proximity of White Township and Oxford to this facility. Mr. Williams stated that they did not hear any more on that, so they understood. Mr. Williams stated that was all he had.

### GENERAL COUNSEL'S REPORT

Mr. Mach stated that they would move on to the general Counsel's report. Mr. Tipton replied that he had nothing to report.

### NEW BUSINESS

Mr. Mach asked if there were any new business.

Mr. Cannon asked are they looking at any capacity issues. He knows that the Arial view will give them a better idea. Have they looked as far as next year's incoming waste and correlating it to costs? Mr. Cannon stated that he knows that they trimmed it down substantially by getting rid of some and setting some ceiling limits without any forgiveness or overage charges. Mr. Cannon asked if that was going to be the same or would, they have to tweak that even more now going into the next year.

Mr. Williams replied that he thinks as soon as they get the survey done, and he would like to get that done in January. As long as they do not get any snow on the ground, they could get the survey done very quickly. Mr. Williams stated that then they could see what the capacity is, then, depending on that, the good thing is, regarding cell 7 a portion of it needs to be completed for our use by December of next year. Therefore, if everything goes well they would have capacity.

Mr. Cannon stated let us not go with that assumption now for arguments sake. Mr. Williams stated that he was not going to even use that assumption that that is going to happen, he was thinking that

they were going to have to reduce a bit more just to make sure. Mr. Williams stated that they would know what that would be after the survey was finished. Therefore, he does not want to do anything as far as contracts yet until they see what the survey says about our available capacity.

Mr. Cannon stated that they started to look into it last year by who were good payers, etc. they put everything into the pot and figured out which ones would be the best ones to keep.

Mr. Williams asked Mrs. Banghart he thinks there were five contracts that they did not renew. Mrs. Banghart replied from last year, she thinks that it was. Mr. Williams stated that the three big haulers they cut back on, and included in those contracts was that they could not go over.

Mr. Williams stated that to play it safe they may have to cut them back a little bit further. Mr. Cannon asked are any of those guys done and already filled? Mr. Williams stated that yes one of them LMR has been done for a couple of months since they have met their capacity, that does not renew again until March 1<sup>st</sup>.

Mr. Cannon stated that they opened up a little shop on 519. Mr. Williams replied that he had seen that.

Mr. Williams stated that they were the only one, Sanico has cut back and they are making their deliveries on schedule in accordance with their contract, they have not gone over.

Mrs. Banghart stated that LMR did have 19 tons left, that's it. Mr. Williams replied that as far as he was concerned they are done, that is one truck. Mrs. Banghart state that no one else is even close.

Mr. Cannon asked has no one complained and asked to pay more if they go over their limit?

Mr. Williams stated that LMR had brought that up and they were told that the PCFA needed to save the capacity, and the owner Rob understood, he is a decent person.

Mr. Williams stated that National was another big one that they cut back last year, and they are staying within their capacity limits. They started right from the beginning and trickled down their deliveries. Mr. Cannon replied that he got it. Mr. Williams stated that he was thinking that they might have to do that again, one more step just to play it safe.

Mr. Cannon replied that was what he was wondering about.

Mr. Mach asked if there were any other comments.

#### OTHER

Mr. Mach asked if there were any other business.

#### Closing Public Comments

Mr. Mach asked if there were any closing public comments.

#### PRESS COMMENTS & QUESTIONS

None

#### EXECUTIVE SESSION

Mr. Mach asked if there was a need for an executive session.

Mr. Mach stated that he sees that there is a resolution for R-11-05-20. Mr. Williams stated that is only if it is needed. Mr. Mach replied ok so they could move on.

ADJOURNMENT

Mr. Mach asked for a motion to adjourn.

Mr. Lazorisak stated that he would make that motion.

Mr. Cannon stated that he would second that motion.

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

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Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: November 16, 2020