

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

April 26, 2021

Chairman Angelo Accetturo called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:30 AM.

Authority Members present: Alex Lazorisak and Angelo Accetturo.

Authority Members present: (via phone) Robert Larsen, Richard Mach and Dan Perez.

Mr. Accetturo asked to call the Monday April 26, 2021 PCFA meeting to order, please call the roll.

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

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 Chairman Accetturo.

Mr. Accetturo read the following statement: “Adequate notice of this meeting of April 26th 2021 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

M-1 Regular monthly meeting minutes – March 22, 2021

Mr. Accetturo asked if there was a motion to approve the Regular Monthly Meeting Minutes from March 22, 2021.

Mr. Lazorisak stated that he would make a motion to approve the Regular Monthly Meeting Minutes from March 22, 2021.

Mr. Mach stated that he would second the motion.

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

M-2 Executive Session– March 22, 2021

Mr. Accetturo asked if there was a motion to approve the Executive Session Meeting Minutes from March 22, 2021.

Mr. Accetturo made a motion to approve the Executive Session Minutes from March 22, 2021.

Mr. Mach stated that he would second the motion.

Mr. Perez stated that they needed to speak up a little he was having trouble hearing. Mr. Williams moved the phone closer to the Chairman, and then asked Mr. Perez if it was better. Mr. Perez replied that it was much better. Thank you

Mr. Accetturo called for roll.

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

CORRESPONDENCE

Mr. Accetturo stated that the next item was correspondence C-1, Proposal dated April 5, 2021 from Mott MacDonald to James Williams, PCFA Director Re: Cost Estimate Review, Decommissioning of the Warren County WTE Facility.

Mr. Williams stated that actually Mott MacDonald has begun to work, they were reviewing the documents that were presented to them. Soon they would be requesting a site visit at the Covanta facility and asked Mr. Tipton to please correct him if he was wrong but Covanta has agreed to allow that to happen. Mr. Tipton stated that that was correct.

Mr. Williams stated that they were moving forward with that review.

Mr. Lazorisak stated that to recap, they had discussions regarding hiring someone, third party to review any proposals from Covanta for dismantling the facility producing an NFA. If the Board recalls they had sent something over a few months ago that was over all of our heads, whether or not what the engineer the Wood group gave us was accurate. So again, this was a proposal to have an in-

house third party and obviously Mott MacDonald was on-site overseeing their expansion. Honestly for \$11,400.00 he thinks this was a smart investment on their behalf to check what Covanta has been submitting or will submit once they hopefully continue the decommissioning negotiations.

Mr. Accetturo asked if they wanted to make a motion to move ahead?

Mr. Williams replied that they had already been hired. There was approval given at the last meeting as long as it stayed under a certain cap and they met that. There was nothing further that they had to do for that. Mr. Williams stated that it was a good FYI though.

Mr. Williams stated that there was one more correspondence that was not listed that everybody received. That was the April 20th letter from Mott MacDonald that was sent to Tomco regarding the Force majeure liner system cost increase. That was just another piece of correspondence that everyone had received via email. They are still awaiting a response from Tomco regarding that issue. Mr. Williams stated that he would get a little more into that discussion when they talk about the Cell construction later on. Mr. Accetturo replied ok. Mr. Williams replied very briefly though.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

Mr. Accetturo asked if there were any public comments for agenda items only, then said there were no public, so there would be no comments.

FINANCE

A-1

Mr. Accetturo stated next was Finance with Mr. Williams, Jamie Banghart.

Mr. Williams stated that the Finance report A-1 had no surprises, everyone received the revised bill list over the weekend. That was just an inclusion of the Tomco invoice. Other than that, some additional insurances and pensions were paid out which was why the bill was so high for the first quarter. Everything else was going smoothly. In addition, the leachate hauling was up too, because of all the snow melt in March.

Mr. Accetturo asked if there was there a motion on the resolution R-04-01-21 to pay bills

Mr. Lazorisak stated that he would make the motion on the resolution R-04-01-21.

Mr. Accetturo stated that he would make a second.

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

On a motion by *Mr. Lazorisak*, seconded by *Mr. Accetturo*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *April 26, 2021*.

RESOLUTION

R-04-01-21

To Pay Bills – April 26, 2021

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. Larsen	- Yes
	Mr. Lazorisak	- Yes
	Mr. Mach	- Yes
	Mr. Perez	- Yes
	Mr. Accetturo	- Yes

We hereby certify Resolution to Pay Bills in the amount of \$ 864,253.87 to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *26th day* of April, *2021*.

Mariann Cliff
Recording Secretary

James Williams
Director of Operations

Approved: 04/26/21

PERSONNEL

Mr. Accetturo asked Mr. Williams if he had anything for Personnel. Mr. Williams replied that he did not.

PRESENTATIONS

Mr. Accetturo asked if there were any presentations. Mr. Williams replied they had nothing.

REPORTS

Mr. Accetturo asked if there were any reports. Mr. Williams replied that there were but they will go under facilities and recycling.

FACILITIES/RECYCLING

Mr. Williams stated that the landfill operations, everything was still going smooth waste intake definitely slowed down in the month of February but was picking back up again. They have all the township cleanups going on between now and the end of June. Every week has been booked up with a different municipality to do their clean ups here and it was moving along. It seems to get more and more in the spring and since they did not have any last spring either.

Mr. Lazorisak stated that he wanted to bring this up. He took a day off last week and came down here. Cathy was down in the scale and believe him, she was hustling, but it probably took him about an hour and a half to get in and get out. During these cleanups, is it possible to have two individuals working the booth? Mr. Lazorisak asked if the scales could operate independently of each other. Mr. Williams replied yes they could.

Mr. Lazorisak stated that he knows you cannot let too many people in because there was only so much queuing down by the dumpsters. Mr. Williams replied exactly.

Mr. Lazorisak stated that it might help whoever is down there in the booth.

Mr. Williams stated that especially on the township cleanups they do not weigh any of those vehicles. They just get their vouchers and off they go. So none of those were being weighed in.

Mr. Lazorisak stated that it could have just been that one day, if you could just take a look at it. Mr. Williams replied yes, and then asked was it a Monday? Mr. Lazorisak replied no, it was a Tuesday and they were all the way down to the four way stop.

Mr. Williams stated that Monday's were pretty hectic but they would take a look at it.

Mr. Lazorisak stated that he had to say that Cathy was really hustling down there, no doubt about it.

Mr. Williams replied that they definitely would take a look at it.

Mr. Williams stated that with cell 7 construction they should finished up this week with all the land clearing. It was a big difference from what it looked like a couple of weeks ago to where it was today. They were going to be stripping off all of the overburden and topsoil. They expect to start blasting probably as early as next week. It was progressing on schedule, they were not behind at all. It was moving along pretty good.

Mr. Williams stated that they did have a construction meeting with them every two weeks. This most recent one which was last Thursday, they had a discussion with them after the meeting regarding the April 20th letter which was sent to them letting them know that as the letter states, there was a contract in place and they could really only operate within the four corners of this contract. If they could demonstrate or show them somewhere, where a Force majeure may apply, or give them some legal information that they could maybe bite on to assist with this they could take a look at it.

Mr. Williams stated that this is in their hands, to look at. One thing that they did ask at the meeting was if they talk to Atlantic lining, could they submit a revised price from the original one that they gave us. Mr. Williams stated that they told them that they could submit whatever they wanted but they still need

to address this letter. They did send an email taking their increase from approximately \$1,200,000.00 down to 940,000.00. Mr. Williams stated that email just came in late on Friday, which was all it was, here was the revised price. Mr. Williams stated that he told them that he would bring that up to the Board, but they still need to address that letter. The contract was the contract and that was it, no guarantees were given to them at all. Mr. Williams stated that that was all that he could report on that subject. Mr. Williams asked Mr. Tipton if that was correct. Mr. Tipton replied that it was.

Mr. Lazorisak asked Mr. Tipton what his thoughts were. Mr. Tipton replied that he did not want to comment on it beyond what Mr. Williams had already said in the public portion of the meeting. Those were the objective facts as they remain right now in the public correspondence. If they want to talk about the legal side of it he would prefer to do that in executive session.

Mr. Lazorisak replied maybe next meeting when they have more information.

Mr. Tipton stated that he would think that next meeting would be more appropriate when they have a more substantial response from them. Mr. Lazorisak replied ok.

Mr. Williams stated that there was no report on the QC engineer, nothing from the QA engineer. No updates needed on the H2s system.

Mr. Williams stated that the Solar panels they have on-site here have all been recalled, no cost to us. They have all been recalled because they de-laminate. So the owner of the system in the next couple of weeks are going to bring four or five tractor trailer loads of new solar panels in. Mr. Williams stated that they would be taking the old ones off-site and putting the new ones in. It would not interfere with them at all, and they do know that they have a construction project going on.

Mr. Williams stated that they expect it to take six to eight weeks to replace them all. It was almost seven acres of solar panels.

Mr. Williams stated that again, they would all be removed off site and new ones put in place.

Mr. Williams stated that A-2 there was an updated 2021 Solid waste disposal fee schedule. The new ones were all highlighted in red. Mr. Williams stated that this would complete everybody that was provided a contract. Mr. Williams stated that he would need the Board to approve the updated A-2 2021 waste disposal fee schedule to include all of the haulers highlighted in red.

Mr. Lazorisak stated that he would make a motion to approve the updated disposal fee schedule A-2.

Mr. Perez stated that he would second the motion.

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

Mr. Williams stated that regarding A-3, A-4 and A-5 as they could see from the sheets from February to March there was a significant decrease to a significant increase. As they all know, that was all due to the severe weather they had with the heavy snow. Now it appears that everything was back to normal with all of the recycling that was being done here.

Mr. Williams stated that the last item that he has was on April 18 they had the Household hazardous waste event. They did not have any last year so this was the first one in a year and they had 400 cars that participated. Mr. Williams stated that he believed that it covered every municipality. The event went

very well and it was a nice day for it also. The next one was scheduled for the first week of October on Sunday. Mr. Williams stated that was all that he had.

GENERAL COUNSEL'S REPORT

Mr. Accetturo asked for the general counsel's report.

Mr. Tipton replied that he had nothing to report.

OTHER

Mr. Accetturo asked if there were any other business.

Mr. Lazorisak replied that he had one item. Mr. Lazorisak stated that he apologized for the delay but this was fresh off the printer this morning, he did revamp the Director of Operations job description.

Mr. Lazorisak said to Mr. Mach that he incorporated some of his comments, thanks for sending them over. Mr. Lazorisak asked Mr. Williams to make a copy of the description and get it out to all of the Board members today.

Mr. Lazorisak stated that he was trying to have it in everyone's hand for today's meeting, but it did not work out. Mr. Lazorisak stated take a look at it as he had not gone through it again as a double check. Please look at it and if anyone has any other additions or comments or you want anything taken out, let him know.

PRESS COMMENTS & QUESTIONS

Mr. Accetturo asked if there was any press, comments, questions.

EXECUTIVE SESSION

Mr. Accetturo asked if there was a need to go into executive session.

Mr. Tipton replied that not unless as he had mentioned earlier they wanted to talk about Tomco, but he thinks at this point it would be premature. Mr. Accetturo replied ok.

ADJOURNMENT

Mr. Accetturo asked for a motion to adjourn.

Mr. Mach asked that before they adjourn, Mr. Chairman what was the progress on filling Mr. Williams's position. Mr. Accetturo stated that Mr. Lazorisak just addressed that. Mr. Accetturo asked Mr. Lazorisak to re-address the subject.

Mr. Lazorisak stated that as he was saying earlier, he just revised the job description this morning and got it completed.

Mr. Lazorisak said to Mr. Mach that he wanted to thank him for his comments. He incorporated what he had sent over to him. Mr. Lazorisak stated that he was going to give it to Mr. Williams to make copies and get it out to all of the Board members today.

Mr. Lazorisak stated that everyone can review it, look at it and if anyone has any additional comments or questions, get them back and they would try to have this wrapped up for the next meeting.

Mr. Perez asked that this was for Mr. Williams's position correct. Mr. Lazorisak replied yes.

Mr. Mach stated ok but the time is short. Mr. Lazorisak asked Mr. Mach what he said. Mr. Mach replied that the time is short. Mr. Lazorisak replied yes.

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

Mr. Accetturo stated that he would make that motion.

Mr. Lazorisak stated that he would second that motion.

****Meeting was adjourned at 9:48am***

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

Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: May 17, 2021