

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

May 17, 2021

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: Angelo Accetturo, and Dan Perez.

Authority Members present via phone conference: Robert Larsen, Richard Mach

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	-	Absent
	Mr. Mach	-	Present
	Mr. Perez	-	Present
	Mr. Accetturo	-	Present

Also present: Brian Tipton, General Counsel; Brian Henning and David Heber, Mott MacDonald; 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 May 17, 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

Mr. Accetturo stated that the first item was M-1 Regular monthly meeting minutes – April 26, 2021 was there a motion on the minutes.

Mr. Perez made a motion to approve the Regular Monthly Meeting Minutes from April 26, 2021, seconded by **Mr. Mach**.

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

Mr. Accetturo stated that there was no Executive Session on April 26, 2021.

CORRESPONDENCE

Mr. Accetturo stated that there was correspondence, dated April 29, 2021 from Tomco construction to Mott MacDonald.

Mr. Williams stated that this, along with a memo from Mott MacDonald would be discussed and he would suggest that they do that in executive session. Then asked Mr. Tipton if that was correct since it was contractual. Mr. Tipton replied that it was correct.

Mr. Accetturo stated that he would make a motion that they move into executive session to discuss this contract.

Mr. Williams asked if Mr. Henning and Mr. Heber would like to move closer to the dais so that the folks on the phone would be better able to hear the conversation.

Mr. Accetturo asked if they had a second on the motion. Mr. Mach stated that he would second the motion.

Mr. Williams stated to Mr. Mach and Mr. Larsen, that they have Dave Heber and Brian Henning there.

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

Mr. Accetturo stated that they needed a motion to come back into regular session.

Mr. Mach stated that he would make the motion.

Mr. Accetturo stated that he would second the motion.

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

Mr. Accetturo asked if there was a motion on the change order.

Mr. Mach stated that he would make the motion, he stated that he would imagine that Mr. Tipton would do the wording on the motion.

Mr. Accetturo stated that that would be a motion to approve the change order in the amount not to exceed \$922,450.00. Mr. Mach replied sounded good to him.

Mr. Williams added, to Tomco for the cell 7 project.

Mr. Accetturo stated that he would second Mr. Mach's motion.

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

Mr. Williams stated thank you to Mr. Henning and Mr. Heber, then said to them that they could stay for the rest of the meeting if they wanted to, or they could leave, it was up to them.

Mr. Heber replied thank you and enjoy. Mr. Henning replied thank you for having them.

****Mr. Henning and Mr. Heber left the Boardroom at approximately 10:15 am.**

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

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

FINANCE

A-1

Mr. Accetturo stated that next was Finance with Mr. Williams.

Mr. Williams stated that A-1 was the Finance report and he hoped that everyone had received the revised Finance report to accompany the one that was in their packages. As Mrs. Banghart stated in her email that there were some updates to the banking and the latest Tomco invoice was also submitted and included within that number. Other than that everything else was in order and no issues. Mr. Williams asked Mrs. Banghart if that was correct. Mrs. Banghart replied that it was.

Mr. Williams stated that if there were no questions, there was a resolution R-05-01-21 a revised resolution to pay bills.

Mr. Accetturo stated that he would make a motion on the resolution R-05-01-21 to pay bills

Mr. Mach stated that he would make a second.

ROLL CALL:	Mr. Larsen	- 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 *May 17, 2021*.

RESOLUTION

R-05-01-21

To Pay Bills – May 17, 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	- Absent
	Mr. Mach	- Yes
	Mr. Perez	- Yes
	Mr. Accetturo	- Yes

We hereby certify Resolution to Pay Bills in the amount of \$ 616,357.11 to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 17th day of May, 2021.

Mariann Cliff
Recording Secretary

James Williams
Director of Operations

Approved: 05/17/21

PERSONNEL

Mr. Williams stated that the next item was A-2 the draft Director of Operations job description.

Mr. Accetturo asked if anyone had any comment on the draft.

Mr. Williams stated that the only comment that he had which had been sent to the entire Board, by changing the line in item #1 in education from the original one, this would exclude Mrs. Banghart whom he had recommended for the position from applying.

Mr. Accetturo asked to what part of the draft was he referring. Mr. Williams stated that if you go to the original section under education. Item #1, the last sentence that states 'this requirement may be waved in lieu of experience.'

Mr. Williams stated that that language had been stricken from the draft. Mr. Accetturo replied that he would be in favor of putting it back in.

Mr. Larsen stated that something else that he had picked up on was that in his experience sometimes you have individuals that would have a degree in one discipline but a tremendous amount of experience in the field. He thinks that they may be excluding some potential candidates if they put specifics regarding Environmental Science or Engineering.

Mr. Accetturo replied that he was in favor of a more open pool. Mr. Mach stated that he was in agreement.

Mr. Williams stated then they need to put the original language back in that was in the existing description.

Mr. Williams stated that it was only fair and that he agreed. Mr. Larsen replied that that leaves the door open for them to do what they feel is right in the hiring process, rather than it being black and white and possibly excluding anyone. Mr. Williams replied correct.

Mr. Perez stated that he had left his packet behind; were they talking about if they do that would that exclude Mrs. Banghart from having an opportunity to apply?

Mr. Accetturo replied no they are pretty much falling into the lines of what the comments were, so they could have a bigger pool of people that could apply. Mr. Accetturo stated to Mr. Perez that it was more keeping in line with the letter that he had sent. Mr. Perez replied ok.

Mr. Williams stated that then the only thing now was what the Board wants to do with this. Within the PCFA personnel manual it has to be, and the Board could do what they want, but it is stated that it has to be advertised in house first. Mr. Williams stated that he believes that it is ten days and time is ticking by very quickly.

Mr. Perez asked if Mr. Williams was here until the end of the year correct?

Mr. Williams replied that he could be virtually, they could have that discussion at some time if they so choose.

Mr. Perez stated that he would like to open it up in-house first and see what they have here and give someone an opportunity to apply for the job. He does not see any harm in doing something like that.

Mr. Accetturo asked Mr. Tipton what his opinion was. Mr. Tipton asked if he meant having the description more open? Mr. Accetturo stated no, he thought that was established that everyone was in favor of having it more open. The next question that Mr. Williams raised was in accordance with the personnel manual they would have to wait 10 days after they advertised it in-house, one or two people who were in house would apply. Then a committee would conduct the interview process. Those folks would say they were satisfied or unsatisfied, and if the answers were unsatisfied, then they go through and do the whole advertising everywhere.

Mr. Williams replied that he would be gone by that time.

Mr. Tipton stated that they certainly could and it was fairly easy, that was not a legal question it was more of a practical question. It would really be up to whatever the Board wishes. Mr. Accetturo stated that he would be in favor of advertising the position, but he understands Mr. Williams position that

before they advertise the position they have to make that step. Mr. Accetturo stated that he was asking Mr. Tipton if indeed they have to make that step, or in the interest of time, do it all at once.

Mr. Williams stated that he was not saying that they had to, he was just saying that it was in the personnel manual. Mr. Perez replied it was an option. Mr. Williams stated correct.

Mr. Accetturo stated that he would forgo that option and just advertise it in full so they could have a possible ten candidates. Possibly two from here and eight from the rest of the world they would be able to do it all at one swath.

Mr. Tipton stated that it sounds like you would want to do the advertisement anyway so they probably should do it all at one shot. Mr. Accetturo replied yes they should do it all at once.

Mr. Tipton stated that he had not looked at the manual for this particular issue so he could not say that it was a requirement or a step that was in the manual. He would be surprised that it would be required legally, but he does think that time is of the essence right now.

Mr. Accetturo asked Mr. Williams where they would advertise, what would be the protocol. Mr. Williams replied that it was up to the Board.

Mr. Accetturo asked where they advertised in the past. Mr. Williams replied that in the past it would be in the Easton express and on the PCFA website. Mr. Accetturo asked perhaps the professional journals of any type? Mr. Williams replied that they have never done anything like that.

Mr. Mach stated that he would suggest that they advertise in any kind of newsletter that SWANA has.

Mr. Williams replied that they do have an employment section on the SWANA NJ website.

Mr. Mach replied that he would suggest that they advertise there. Mr. Accetturo asked was there not a site also through the County or the State where they posted these jobs? Mr. Williams replied that he did not know.

Mr. Accetturo asked Mr. Tipton if he was familiar with anything like that. Mr. Tipton replied no.

Mr. Accetturo replied ok, so they advertise in SWANA and the Express Times, was that what they were looking at? In addition, of course our own website.

Mr. Mach stated that this was his favorite pitch, he thinks it should go in the Star Ledger as well.

Mr. Accetturo replied that he agreed with that. Mr. Williams stated that it could go in there as well. He believes that they are both affiliated with each other now. Mr. Mach replied that however it works, he likes the readership that the Star Ledger has to be able to see this advertisement.

Mr. Accetturo asked do you want to just stick with the Star Ledger and the SWANA. Mr. Mach replied that was fine.

Mr. Accetturo replied Star Ledger and SWANA it is. The draft that is in, is this sufficient enough? Who would write the addition in. Mr. Williams replied that the job description should be posted, and anyone wishing to apply submit their resume to wherever and they would put the info@pcfafa email address.

Mr. Mach stated that what they were suggesting here wasn't that a job for Charlton, Art Charlton?

Mr. Accetturo replied that was what he thought, that the County did something over there for this. There was something on the County website that posted County jobs.

Mr. Williams stated that they do the same thing for County jobs, but you do not need the resume's going over there. Mr. Accetturo replied no. Mr. Mach stated that the resumes should go to Mr. Williams.

Mr. Williams stated that it all depends on how long they want this advertisement out there. Mr. Mach replied two weeks.

Mr. Accetturo asked what the deadline should be, two weeks from the point of advertisement. Whatever date they get from the Star Ledger? A two-week period of receiving resume's.

Mr. Williams replied that the Star Ledger was fairly quick, within a couple of days. So let us say if they said two weeks from this Friday, perhaps the Star Ledger could not run it until Friday for some reason.

Mr. Accetturo stated two weeks from whatever that date is, does that sound reasonable?

Mr. Mach replied that it sounded ok to him, there was either going to be somebody out there or there was not, they would know it in short order. Mr. Accetturo agreed.

Mr. Accetturo asked Mr. Williams if they needed anything else. Mr. Williams replied no, that he would update the draft Director version, leave all the other language except for number one in the education back to the original, leave all the rest of it the same. Mr. Accetturo replied ok.

Mr. Williams stated that the only other thing that Mr. Perez interjected that he just wanted it noted that he disagreed. He thinks it should be advertised in house first. He would like to have that noted. Mr. Accetturo replied so noted.

Mr. Mach asked if that could be repeated, as he did not hear what was just said. Mr. Accetturo replied that Mr. Perez was in opposition of what they were saying. He would like to go in-house first.

Mr. Mach replied that that would just cause delays that was all that would do. They were going to evaluate in-house versus anything that comes in anyway. Mr. Mach stated that it would be unfair and not wise to not see what was out in the public as well as what was in house. He thinks that they should advertise in both areas at the same time. Evaluate everybody on the same basis.

Mr. Larsen stated that he thinks to Mr. Mach's point, regardless of what you come up with in-house you are still going to put it outside just to check the waters so he thinks doing it concurrently would be a waste of time. Mr. Mach replied doing it sequentially would be a waste of time. Mr. Larsen replied yes, sorry.

Mr. Accetturo replied that he agreed with both Mr. Mach and Mr. Larsen.

Mr. Williams stated that the only other thing he was looking at that now, even though it says that in the requirements that they have to have a valid NJ driver's license. Of course, you have to live in the State of NJ to have a license but he wonders if they should add in there that they must maintain a residency in the State. Mr. Mach asked what was said. Mr. Williams stated residency in the State of NJ, Authorities like the State and the County have to employ residents within the State of NJ.

Mr. Mach stated that he thought that was found illegal. Mr. Accetturo stated that it seemed like they loosened up on it quite a bit.

Mr. Williams asked Mr. Tipton if that was correct. Mr. Tipton replied that he thought that it had been loosened up, it was a rule at one time but he does not think that it held up.

Mr. Larsen stated that for whatever it is worth he would like to see someone from NJ get the job.

Mr. Tipton stated let us face it, you can make that decision as you interview people also. They did not necessarily need to make it a requirement.

Mr. Mach stated that you could sort out the ones from Utah when you are doing the evaluation of the responses.

Mr. Accetturo asked if there were anything else. Mr. Williams replied no.

Mr. Accetturo stated ok then they would move on.

PRESENTATIONS

Mr. Accetturo asked if there were any presentations.

REPORTS

Mr. Accetturo asked if there were any Reports.

FACILITIES/RECYCLING

Mr. Accetturo asked Mr. Williams if there was anything for utilities and recycling.

Mr. Williams stated that the landfill operations, everything was still going fine. No issues.

Mr. Williams stated that the Cell 7 construction, well they just had a long discussion on that. Overall, it was moving along, it could be a little faster but other than that, there was no major outstanding issues right now.

Mr. Williams stated that there were no updates or changes on the H2S system. The Solar panel people did bring some equipment last week and put it on site none have been delivered as of yet. They were still moving forward with getting the new ones on-site before they start removing all the old ones and replacing them.

Mr. Williams stated that A-3 has no update. A-4 the electronics recycling has taken a nice step in the positive direction upwards that has increased. Tire collection is also A-5 has increased quite significantly also. Single stream recycling was down a little bit which was ok it was not an issue.

Mr. Williams stated that the last item was a renewal it was a resolution to enter into an agreement with the Morris County Cooperative pricing Council. Mr. Williams stated that this is a five-year agreement and it does not cost us anything. What this helps us do is get reduced cost on a lot of things, fuel, heavy equipment etc., it is a good co-op to be part of. Therefore, there is a resolution before them that he would suggest they move forward with, to continue with the savings that they are currently getting.

Mr. Perez asked Mr. Williams if he was looking for a motion on that one. Mr. Williams replied yes, the Authority has to approve it.

Mr. Perez stated that he would make the motion.

Mr. Accetturo stated that he would second the motion.

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

Mr. Williams stated that that was all he had.

Mr. Perez asked where are they with the bulldozer?

Mr. Williams replied that it was being made as they speak. That was the best he could tell him. It was a long manufacturing process, which is in Illinois where there has been a bit of a slowdown. The order was placed and we shall receive it one of these days.

Mr. Perez replied one of these days.

Mr. Williams stated that it would probably be early summer before it would arrive. Hopefully sooner but, possibly later. Mr. Perez replied ok.

GENERAL COUNSEL'S REPORT

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

Mr. Tipton replied that the only update that he had was on Covanta, they were doing the on-site inspection this Friday with Mott MacDonald Mr. Williams and himself. This was to take a look at the facility, other than that there were no new updates on Covanta. Also nothing other than earlier when they spoke about Tomco.

Mr. Williams replied and to follow along with that, he had a discussion with Mott MacDonald this morning on when they would be able to have a report to us. Once they do the site visit, they expected

two to three weeks tops. So they would have a report from them on their site visit, their review of the document that was provided to them by Covanta on their decommissioning of that facility. Mr. Williams stated that they should have it at the June meeting.

OTHER

Mr. Accetturo asked if there was any other business.

Closing Public Comments

Mr. Accetturo asked if there was any closing public comments.

PRESS COMMENTS & QUESTIONS

Mr. Accetturo asked if there was anything else, any comments.

ADJOURNMENT

Mr. Accetturo asked for a motion to adjourn.

Mr. Perez stated that he would make that motion.

Mr. Mach stated that he would second that motion.

****meeting was adjourned at approximately 10:31am***

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

Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: June 21, 2021