

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

June 21, 2021

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

Authority Members present: Richard Mach.

Authority Members present via phone: Robert Larsen and Dan Perez.

Mr. Mach asked to call the Monday June 21, 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	-	Absent

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

Mr. Mach stated let the Secretary note that there were only three members out of five, just barely enough to make a quorum. They would have an abbreviated Agenda. They would go over items that have to be done. They really should have the full Board there or as close to the full Board with at least the Chairman Mr. Accetturo. Mr. Mach stated that he thinks that Mr. Lazorisak would like to be there also. There must have been some kind of emergency.

Mr. Mach stated that what he thinks they should do is just to decide on another date to hold the meeting. Then go through as many items on the Agenda today as they could and they would take care of the other ones at a special meeting.

The Pledge of Allegiance was led by Vice Chairman Mach.

Mr. Mach read the following statement: “Adequate notice of this meeting of June 21st 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”.

Mr. Mach stated that this Agenda was subject to change by the PCFAWC before and or during the scheduled meeting. That would certainly apply today.

MINUTES

Mr. Mach stated that the first items they would go over were the minutes, does he have a motion to approve M-1 the meeting minutes from May 17, 2021.

Mr. Larsen made a motion to approve the Regular Monthly Meeting Minutes from May 17, 2021, seconded by **Mr. Perez**.

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

Mr. Mach stated that the next item was M-2 Executive meeting minutes, does he have a motion to approve.

Mr. Larsen made a motion to approve the Executive Session Minutes from May 17, 2021, seconded by **Mr. Perez**.

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

FINANCE

Mr. Mach stated that now that was taken care of, let us move on to Finance.

Mr. Mach stated that under Finance they had item A-1 the Finance report. Were there any comments or questions?

Mr. Williams replied that the only thing regarding the Finance report as they could see on page two, they were starting to get the billing in for the Cell 7 construction. They were still operating in the negative but that was expected because they cut the waste flow back to conserve air space, while Cell 7 was being built. Other than that, everything is pretty much in order of what was expected. Mr. Williams stated that that was all there was regarding the billing.

Mr. Mach asked Mrs. Banghart if she had any comments. Mr. Banghart replied that she did not. There were no other problems. Mr. Mach replied ok.

Mr. Mach asked if there were any comments from the Board members. Mr. Perez and Mr. Larsen replied that it was all good.

Mr. Mach asked if there was there a motion to approve item A-1 the Finance report.

Mr. Perez stated that he would make the motion.
Mr. Larsen stated that he would make a second.

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

Mr. Mach stated that he would like to make a correction, should be for the resolution R-06-01-21 to pay bills

On a motion by *Mr. Perez*, seconded by *Mr. Larsen*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *June 21, 2021*.

R E S O L U T I O N

R-06-01-21

To Pay Bills – June 21, 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 - Absent

We hereby certify Resolution to Pay Bills in the amount of \$ 901,571.89 to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *21th day of June, 2021*.

Mariann Cliff
Recording Secretary

James Williams
Director of Operations

Approved: 06/21/21

PERSONNEL

Mr. Mach stated that the next item was Mr. Williams with Personnel.

Mr. Williams replied that there was only one item, it was the Director of Operations position. To give everyone here an update of what they did, the Ad was published in the Star Ledger for 10 days on a daily basis, it was also published in the SWANA NJ website and anybody who was a member and they have a membership of three hundred, it was emailed directly to them. Mr. Mach replied oh my goodness.

Mr. Williams stated the SWANA NJ got it out to many people via email. He thinks that they were going to have a lot of trouble trying to find somebody that was already in a position like this. To leave that position because they were already comfortable where they were. Mr. Williams stated that three applicants submitted a resume and two of the three in his opinion do not even meet the qualifications.

Mr. Williams stated that it was completely up to the Board who they would like to interview and hire for this position. He would strongly suggest that they really take a look at somebody that has qualifications in this line of work. It could go downhill very quickly, that was all he had to say on the matter.

Mr. Mach replied fair enough, thank you for your comments Mr. Williams he does appreciate them.

Mr. Perez stated that he would like to make a comment on this also. Mr. Mach replied certainly go ahead.

Mr. Perez stated that again he would like to approve Mrs. Banghart as the candidate for this position being that she has worked the area, she has worked on the job under the guidance of Mr. Williams. He cannot see a better candidate coming from the outside to fill this position other than her. Mr. Perez stated that his opinion again, was to ask that Mrs. Banghart would be the replacement for Mr. Williams.

Mr. Mach stated fair enough, they would note the comments in the minutes and they would deal with it when they have the whole Board here. Mr. Mach stated that he thought in his opinion that the Chairman should be there for it.

Mr. Larsen stated let us not put the horse before the cart here. Mr. Mach replied that they could note the comments in the minutes Mr. Larsen, was that where he was going? Mr. Larsen replied yes.

Mr. Mach stated that it would be so noted in the minutes. Apparently, they would have to go for a special meeting with the whole Board to be there in a very short period of time, Mr. Williams was leaving in five days.

Mr. Williams stated that next Wednesday would be his last day.

Mr. Perez asked Mr. Williams if he would hang around for a little while longer.

Mr. Williams stated that time flies, sorry. He could not now, his pension has been approved.

Mr. Perez stated that they were going to miss him. Mr. Mach stated absolutely without a doubt.

PRESENTATIONS

Mr. Mach stated that moving on, there were no presentations.

REPORTS

Mr. Mach stated he did not believe that there were any reports, were there. There was a report from SCS Engineers. Mr. Williams replied that there was a proposal A-2 that he would recommend that they deal with the SCS proposal today this was something that SCS has done for us over the past years. It is a renewal of a previous proposal that they had with them. They do this item every year. They assist us with all of our air permitting needs, since the majority of the requirements within our air permit requires an engineer to do the submittals for us. Mr. Williams stated that he has asked them to prepare this proposal to up them for another year. There was also incidentals included within this proposal in the amount of \$10,000.00 which was general consulting. They have not used a good portion of that, in this year's proposal that is expiring they have it added in there on an as-needed-basis.

Mr. Mach stated that it was Mr. Williams's recommendation to deal with item A-2 the proposal from SCS Engineers title five. Mr. Williams replied correct.

Mr. Mach stated that they would deal with that today, he thinks with the time crunch and Mr. Williams's suggestion to get it out as soon as possible, he would accept the motion to approve the proposal from SCS Engineers title five.

Mr. Mach stated that he would make the motion.

Mr. Perez stated that he would second the motion.

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

FACILITIES/RECYCLING

Mr. Williams stated that the next item was A-3 this was the report that they asked Mott MacDonald to put together for them at the April meeting.

Mr. Williams stated that Rich Gesumaria from Covanta was here today. He gave Mott MacDonald and us access to tour the Covanta building, which allowed them to put this report together. This is in front of all of us today and if they had a chance to take a look at it, Mott MacDonald still has some questions that were still unanswered.

Mr. Williams stated that he thought that it would be in their best interest to allow Covanta to have a copy of this report. This would allow them to look at it and give some responses back to this Board. In case Mott MacDonald missed something or they were overseeing something. If they would be in agreement, he had a copy that he could give to Mr. Gesumaria today to take a look at and go from there.

Mr. Williams stated that a couple of questions that they had just so Mr. Gesumaria was aware, in the Wood report they had the underground structures. The pit and the underground pump station had the concrete work that goes down about approximately 8 feet. One of Mott MacDonald's questions is whether or not all of it was coming out all the way down or were they going to leave a good portion of the concrete of the pit underground.

Mr. Williams stated that they came up with some varying costs of what it should or maybe what it should not be. Is it \$600,000.00 or \$1,600,000.00 above and beyond what the Wood report said. Mr. Williams stated that he thought it would be good if Covanta would take a look at it. Mr. Gesumaria replied that he would be more than happy to get that addressed for them.

Mr. Mach stated that he thinks under the circumstances that they have a minimum number of members to vote on this, he thought that this should be carried to a special meeting where they have more of the Board present.

Mr. Gesumaria asked was it ok to take the questions back? Mr. Mach replied yes. Mr. Gesumaria replied ok great.

Mr. Mach stated in preparation for a meeting, they would notify Mr. Gesumaria when the meeting would be. It has to be somewhere between today and next Wednesday. Mr. Gesumaria replied ok.

Mr. Mach stated thank you Mr. Gesumaria for coming down. Mr. Gesumaria replied thank you.

Mr. Mach stated sorry that we did not have a better turn out this morning but it is what it is. Mr. Mach continued they were going to take item A-3 and review it again at the special meeting.

Mr. Williams stated that the next item Cell 7 construction, everything was moving along regarding cell 7, all the liner material that was in question a few months ago that has all been ordered and it was expected to start arriving sometime around August. Earthwork is underway, they have moved a lot of material. In addition, the blasting has started and has been going on for a couple of weeks now. They still have another month or two of blasting to go, there was a lot of rock that has to come out. They were on schedule as of right now, the schedule that they submitted in is around the middle of December as far as a completion date. Now of course that was all subject to change, but everything is moving along.

Mr. Mach asked where is the rock going. Mr. Williams replied that they, the contractor, were having discussions with Tilcon about possibly doing a swap with the quarry. Right now until those negotiations were over, the rock is being stockpiled on-site. If those negotiations fail, it was always going to be located on-site anyway.

Mr. Mach asked is this the kind of rock that Tilcon can use? Mr. Williams replied yes they can use it, they saw all of the borings that they did back a few years ago. There is an interest, it was whether or not they could make a deal and work something out between Tomco and Tilcon directly. Mr. Mach replied ok.

Mr. Williams stated that there was nothing on the H2S Removal system. Nothing on the Solar panel project, actually there is one thing to report on that. All of the new panels are here, they just have not been installed yet. The contractor should be starting sometime in July to replace all of the existing panels. Remove them from the property and then install the new ones in their place. They would not see any disruption with service or anything like that. Mr. Mach asked how long have those panels been in place. Mr. Mach then asked if it was six or seven years. Mr. Williams replied no, longer than that, he thinks that they were half way through their life, about ten years.

Mr. Mach stated that that was somewhat short, the predictability was fifteen to twenty-five.

Mr. Williams stated that the ones they found on the ones that are here, they were recalled for delamination. They started to separate, he did not think that they found that here but they have all been recalled of course at no cost to the contractor. With the recall they were paying for all of the cost for removal. There is no out-of-pocket expenses.

Mr. Mach replied that was good. Mr. Williams stated yes because once they put the new panels in you would get another twenty years out of it.

Mr. Mach replied you get twenty more years and they would be able to get that because it was on their property, if they chose to buy it. The efficiency goes down over the years, they were producing less

electricity than they did when they were initially installed. Therefore, they would be starting all over, the hidden benefits are pretty good. Mr. Williams agreed.

Mr. Mach asked Mr. Williams if he had covered the landfill operations, did he have anything to say about that. Mr. Williams replied that there was nothing really to report, everything was still running smooth. They were still waiting for the new bulldozer to show up. Mr. Mach stated that it would be here next Wednesday. Mr. Williams replied probably July or early August, it was in the manufacturing process.

Mr. Williams stated that A-4 nothing new to report, that would probably stay the same for the remainder of the year.

Mr. Williams stated that was just an update on the electronics, A-6 update on tire collection program dropped off a little bit in the month of May, he was sure that it would bounce back.

Mr. Mach stated that they were still going right along they seem to be growing them out there.

Mr. Williams stated A-7 single stream recycling same thing, still working out well.

Mr. Williams stated and just one last thing if everyone had seen in their agenda packet the State of New Jersey sent us a letter on June 8th 2021. This was in response to a January letter that was sent to them regarding the IBank. We answered a series of their questions and it took them almost six months to get back with some additional questions. We are so far beyond this now because of course the project has already started. They would not be going back and re-doing their design drawing and its specifications over to go along with what the IBank wants so it was a moot point now.

Mr. Mach asked have we not awarded all of the things that had to be awarded. Mr. Williams replied yes and that is why now it is moot. They were saying in that letter that they would like a response back within 30 days.

Mr. Williams stated that he told Mr. Draikiwicz that he would bring it up at the meeting today. that this was really a moot point now, they were not going to go through the IBank anymore, the project was out there and it has been awarded and started. If the Board was ok with that he would let Mr. Draikiwicz tell the State and IBank.

Mr. Mach stated that he would rather have the whole Board here present for that discussion. Mr. Williams replied that they had better do it quick, they have 30 days from the letter.

Mr. Mach replied that yes, they could do it on Tuesday, or something close to that. Mr. Williams stated ok.

Mr. Mach asked Mr. Williams if he had all of the information for that. Mr. William replied that it was just the letter. Mr. Mach stated that they would do it at the special meeting, he would rather have the whole Board there. Mr. Williams replied ok, that was all he had.

Mr. Mach stated that that took them through most of the Agenda.

GENERAL COUNSEL'S REPORT

Mr. Mach asked Mr. Tipton if he had anything to report. Mr. Tipton replied that he did not have anything to report.

OTHER

Mr. Mach asked if anyone had any other business.

Closing Public Comments

Mr. Mach asked if anyone had any closing public comments.

PRESS COMMENTS & QUESTIONS

Mr. Mach asked if there was anything else, any comments.
Mr. Mach asked if there was any need for executive session.

ADJOURNMENT

Mr. Mach stated that he was not going to call for adjournment. They have one thing that they have to discuss. They have a need for a special meeting to discuss item A-2 the proposal from SCS Engineers and also to discuss. Mr. Williams interjected that they had already done the proposal A-2.

Mr. Mach asked which one did we need the special meeting. Mr. Tipton replied the Mott MacDonald one. Mr. Mach replied yes, there it is, A-3 he was close.

Mr. Williams stated A-3 the State of New Jersey letter, and this position.
Mr. Mach stated what they were going to do for an operations manager. Mr. Williams replied Director of Operations.

Mr. Mach stated that the first thing that they have to do was get availability of the other Board members to see what day they could hold that meeting.

Mr. Williams stated that sometime between now and Tuesday.

Mr. Mach asked who could do that. Could somebody from the office here find out what the schedules are of the other people?

Mr. Williams asked Mr. Perez and Mr. Larsen if there were any days between now and next Tuesday that they would not be available to hold a special meeting.

Mr. Larsen replied that he was pretty flexible.

Mr. Mach asked Mr. Perez if he was available.

Mr. Perez stated that he was looking at his schedule, he would not be available on Thursday.

Mr. Mach asked this Thursday? Mr. Perez replied yes, other than that he was pretty good.

Mr. Mach stated so they were good for Tuesday, Wednesday, Friday then Monday was a holiday.

Mr. Perez stated that Tuesday was not good either.

Mr. Mach stated so they were good for Wednesday, Friday Monday was a holiday, right? The fourth of July. Mr. Williams replied no that is the week after.

Mr. Mach stated that ok Monday was available then so they have four days to choose from. Mr. Mach stated that he was available any of those days.

Mr. Williams stated that the 23rd, 24th, 25th, then asked Mr. Perez if he said that he could not do Thursday? Mr. Perez replied no he could not do Thursday.

Mr. Williams stated that they had the 23, 25, 28th and 29th. Mr. Mach asked that they have to give how many days notification in the newspaper?

Mr. Tipton replied that forty-eight hours was the standard for emergency meetings. Mr. Mach replied two days. Mr. Tipton replied yes.

Mr. Mach stated that they have to block off two days from today. They could send a notice out now, immediately if they can.

Mr. Williams stated that they have to poll the other two members for availability. Mr. Mach replied ok, send out a notice as quickly as possible. So the earliest date that we could do something is now would be Thursday which was not available to Mr. Perez.

Mr. Tipton stated that they could probably pull off Wednesday. There was no law or rule that says it has to be 48 hours, it was just kind of an industry standard. Mr. Tipton stated that he would say under

these circumstances, if they needed to have it on Wednesday because of everyone's availability, you could. Mr. Mach replied ok, thank you for the guidance. Just figure from Wednesday on. Mr. Williams stated that he would give Mr. Accetturo and Mr. Lazorisak both the dates. Mr. Mach replied that they need to respond as quickly as possible.

Mr. Mach asked if there was anything else. Mr. Williams replied that was it. Mr. Mach asked if there was a need for executive session. Mr. Williams and Mr. Tipton replied no.

Mr. Mach asked for a motion to adjourn.

Mr. Mach stated that he would make that motion.
Mr. Perez stated that he would second that motion.

Meeting was adjourned at approximately 9:57

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

Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: July 26, 2021