

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

January 24, 2022

Chairman Angelo Accetturo called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:29 AM.

Authority Members present: Angelo Accetturo.

Also present (via google meets) Dan Perez, Rob Larsen and Alex Lazorisak (via google meets).

Mr. Accetturo asked to call the Monday January 24, 2022, PCFA meeting to order, please call the roll.

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

Also present: Brian Tipton, General Counsel (via google meets); Jonathan Knittel, Director of Operations; Jamie Banghart, Administrative Supervisor and Mariann Cliff Administrative Assistant.

The Pledge of Allegiance was led by Chairman Accetturo.

Mr. Accetturo read the following statement: “Adequate notice of this meeting of January 24th 2022 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 County Commissioners, 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 they could make a bulk motion for M-1 through M-4 the monthly meeting minutes from November and December 15, 2021.

Mr. Lazorisak stated that they did not have a quorum for the November 15th meeting, they may have to keep that one for the next meeting.

Mr. Accetturo replied ok, now for December 8th was there a motion on M-3 and M-4 the minutes from regular and executive sessions?

Mr. Lazorisak stated that he would make the motion to approve the Regular and Executive Monthly Meeting Minutes from December 8, 2021.

Mr. Accetturo stated that he would second the motion.

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

EXECUTIVE SESSION

Mr. Accetturo stated that they were going to go into Executive session first since Mr. Lazorisak had to leave at approximately 11:00. Mr. Lazorisak replied that he would need to leave at 10:55.

Mr. Accetturo stated that they would get through everything that they needed to first and then see what else they could get done today.

Mr. Lazorisak stated that he would make the motion to go into Executive session.
Mr. Accetturo stated that he would second the motion.

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

*****Executive session started at approximately 9:34***
*****Mr. Perez joined the meeting at approximately 9:36***
*****Executive session ended at approximately 10:33***

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

Mr. Accetturo - Yes

*****Public session began again at approximately 10:34***

Mr. Accetturo asked if the first thing to address was C-1.

Mr. Lazorisak stated that he would make the motion to authorize the Director to purchase a used Roll-off up to \$100,000.00.

Mr. Larsen stated that he would second the motion.

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

Mr. Lazorisak stated that he would make a motion on the purchase of the D-6 for \$189,000.00.

Mr. Larsen stated that he would second the motion.

Mr. Accetturo stated that he would add to the motion a not to exceed \$200,000.00 on the D-6 from Foley Cat.

Mr. Lazorisak stated that he would amend his motion on the purchase of the D-6 for up to \$200,000.00.

Mr. Larsen stated that he would second the motion.

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

Mr. Accetturo stated that on the fines from the DEP regarding the use of a UHAUL, does there need to be a motion on that? Or was Mrs. Bombace supposed to come back to Mr. Knittel with something. Mr. Knittel replied probably not, he would have her provide her proposal in writing.

Mr. Accetturo stated that the pricing schedule was next, the change from \$2.00 a bag to \$3.00 a bag. Also as printed \$18.00 for ash and all the new rates as presented in A-6. Was there a motion for that?

Mr. Larsen stated that he would make the motion.

Mr. Accetturo stated that he would second the motion.

ROLL CALL:	Mr. Larsen	- Yes
	Mr. Lazorisak	- Yes

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

Mr. Accetturo asked Mr. Tipton if he would like to present A-13 through A-15.

Mr. Tipton stated that what they have to vote on was the Omnibus agreement, between PCFA and Covanta. This terminates the service agreement and incorporates a new host community agreement between the PCFA and Oxford, and a trash disposal agreement between the PCFA and Covanta. The Omnibus agreement that they had before them would have two minor amendments to it that they discussed in executive. One, was to include a paragraph to clarify that ID 10 waste from the County would now be disposable in the landfill, as a result of the service agreement termination. The other was the addition of the language being proposed by the County regarding termination of the easement that Covanta currently has.

Mr. Tipton stated that he would make those minor changes with approval today on that agreement. It should be done in one vote because the Omnibus agreement includes as conditions precedent, the ash disposal agreement and the host fee agreement. On the ash disposal agreement, they would make one minor modification suggested by Mr. Knittel to reference the need to state that the ash needs to satisfy all DEP requirements to make it crystal clear that the ash would be legally acceptable by the facility. Mr. Tipton stated that the host community agreement that they have, A-14 which was also a condition precedent of the Omnibus agreement, would be revised to include two annual township cleanups as part of the free services being provided to Oxford.

Mr. Lazorisak stated that he would make a motion for A-13, A-14 and A-15 based upon their attorneys' amendments.

Mr. Accetturo stated that he would second the motion.

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

Mr. Accetturo stated that now they could go back to the regular Agenda.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

Mr. Accetturo asked if there were any public comments for agenda items only.

FINANCE

Mr. Accetturo stated A-1 was the November 2021 finance report, then asked Mr. Knittel or Mrs. Banghart if they would present this.

Mrs. Banghart stated that actually they were just going to go to A-2. A-1 was the November finance report, since they were cancelled in December A-2 was the summary of the both and the end of the year. Mrs. Banghart stated that they would see on page 2 that they were still operating in the negative. This was due to the unexpected leachate hauling from the Ida storm and waste flow being cut back.

Mr. Knittel stated that he could add on that, and that was December. The year ended with them under budget on expenditures which was interesting. That includes about \$300,000.00 in disposal fees associated with the Ida storm and some damage to the facilities that was sustained in that September Ida event. With the damage that was done they had applied to FEMA for some assistance with the repair costs and the leachate generation. They have had multiple meetings with FEMA and that process was moving along very well, including their enforcement inspector from NJ DEP had advocated on their behalf to include her testimony, photographs and documentation describing what Ida did to the facility and how it resulted in excessive leachate generation.

Mr. Knittel stated that even with the year being slightly in the negative, they do anticipate receiving some FEMA relief, which would correct that. On the revenue end, when they compare even though they were under budget on expenditures, they still went slightly negative without the FEMA considerations. This was because our revenues were lower than anticipated. Their revenues were down on two main items, one was their tipping fees were around 86% that was mainly because of cell 7 construction. The other item that they fell short on was investment income, in the past as they all knew interest rates were much higher and investment income was more substantial in years past. These they definitely fell short on investment income; they had corrected that in the current budget for 2022.

Mr. Knittel continued that for one, they had to adjust for interest rates, but to also adjust for the fact that there were no bonds or CD's or anything that would be cashed in for 2022. Therefore, the investment income, that unrealized revenue there, was the main contributing factor for them.

Mr. Knittel stated that had it not been for that, their tipping fees still would have been enough to put them well into the positive range.

Mr. Knittel asked Mrs. Banghart if she had anything to add to that. Mrs. Banghart replied that another contributing factor was their salaries, they also had one person retire.

Mr. Knittel replied sure there were extra expenditures that went along with the retirement. Overall with the 2022 budget they do have a resolution to adopt that budget, and they look forward to 2022 budget being attainable and their leachate concerns from last year, and Ida damage that was incurred, both repairs were substantially complete. Also, the leachate levels of generation have returned to much more normal, historic generation rate. Therefore, the 2022 budget has some cushion in it because of the unknowns with the leachate. Now that they had that under control, they felt very confident with the 2022 projections.

Mr. Accetturo asked if there was there a motion on the resolution R-1-1-22 to pay bills

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 - Yes

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

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 *January 24, 2022*.

RESOLUTION

R-1-01-22

To Pay Bills – January 24, 2022

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 - Absent
Mr. Perez - Yes
Mr. Accetturo - Yes

We hereby certify Resolution to Pay Bills in the amount of **\$ 3,124,935.14** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 24th day of *January, 2022*.

Mariann Cliff
Recording Secretary

Jonathan Knittel
Director of Operations

Approved: 1/24/22

Mrs. Banghart stated that there were forms that needed to be signed by everyone.

Mr. Larsen stated that he would come out and sign them today.

Mrs. Banghart stated that they had the Audit group affidavit. They have the Resolution for the 2020 Audit, which was R-01-02-22.

Mr. Accetturo stated that he would make the motion for the Resolution for the 2020 Audit.

Mrs. Banghart stated that they would need the secretary's signature on that Resolution as well.

Mr. Lazorisak stated that he would second the motion.

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

Mr. Accetturo stated that he would make a motion for the 2022 budget R-01-03-22.

Mr. Perez stated that he would second the motion.

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

Mrs. Banghart stated that just so everyone knows A-4 was the 2021 Escrow Audit. That was just for all to see what was on their escrow accounts. That was done at the end of September every year.

Mr. Accetturo stated that they had A-5 Broker of Record Agreement, this was between PCFA and the Scirocco Group.

Mr. Lazorisak stated that he would make a motion to award Broker of Record, R-01-04-22.

Mr. Accetturo stated that he would second the motion.

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

Mr. Accetturo stated that they had already done the solid waste disposal already.

PERSONNEL

Mr. Accetturo stated that they were going to skip personnel, Mrs. Banghart's job description would be addressed at the next meeting.

PRESENTATIONS

Mr. Accetturo asked if there were any presentations.

REPORTS

Mr. Accetturo asked if there were any reports.

FACILITIES/RECYCLING

Mr. Accetturo stated that the Landfill Operations would be with Mr. Knittel.

Mr. Knittel stated that the purchase of the roll-off was imminent, they were going to get that done very early in the year. They have discussion going on at PCFA about purchase of a steep slope mower, this would be presented to the Board perhaps early in this year prior to the growth of vegetation. They have significant acreage of growth that needs to be cut down and mowed twice a year. This is the intermediate cover areas of the landfill, some thirty acres of steep slope. It has a lot of brush and some trees. They had begun to remove the brush and trees to the extent possible manually.

Mr. Knittel stated they may look at a purchase of a steep slope mower. That would be an in-house piece of equipment that could be operated remotely, not by an employee on the machine but by remote control. This equipment could handle cutting and mulching up to four-inch trees, best serviced for twice a year mowing of the steep slopes.

Mr. Knittel stated that that would get us into compliance and they have about a year and a half to two years to be in compliance with removal of vegetation, in the agreement with NJDEP.

Mr. Knittel stated that the next line item was the D-6 rental, they have had the rental at the facility for some time. They have equity built up in the machine and they were looking to purchase that as a capital investment. That would be occurring here in the next month or so.

Mr. Knittel stated that cell 7 construction has continued to progress, the contractor has a reduced, reduced scope area of the future cell 7 substantially complete with three check list items that need to be completed in the next week or so. They were pushing to finish it this week so that the contractor has no liquidated damages for that reduced, reduced effort. There definitely is one item that they would not finish in January, that was the guard rails for the trucks entering the new cell. The guard rail material was backordered, they were trying to negotiate with their contractor and figure out a way to get some guard rails in, however in the meantime they still have airspace available for the facility on the current cell.

Mr. Knittel stated that the QC engineer and the QA engineers had no reports for today.

Mr. Knittel stated that H2S removal system, they anticipate a media changeout later this spring, probably April or May. Their numbers were still excellent on their H2S removal but because of supply chain economics, they anticipate placing their order for materials quite soon. That material must be stored indoors in a heated environment. Therefore, they would be trying to have that material show up in April or May so that it would not have to be in a heated building. They do want to get that order placed sooner rather than later. They would like to have it on hand for when they do need it, later this year.

The solar panel project was proceeding, he had asked for a formal update but did not receive the update in time for this morning's meeting. As far as Mr. Knittel could tell they had replaced most of the panels that were under warranty that had any issues.

Mr. Knittel stated that the new cell 7 does tie in to use solar power as well as their backup generator in the pre-treatment building.

Mr. Knittel stated that the next item, was not on the agenda but he would mention it here as part of their facilities, they did use the pretreatment building as temporary storage of leachate during their leachate emergency. That was due to Ida, the tropical storm that hit them in the first week of September. That facility has been returned to its prior moth-ball condition at no cost to the PCFA other than the time and effort to store leachate then remove the leachate for off-site disposal. Now that facility has been returned to its former state, it was a very nice option to have 200,000 gallons of on-site storage in addition to their lagoons.

Mr. Knittel stated that the next items were, electronic recycling, tires and single stream recycling. Mrs. Banghart stated that these were all of the charts showing what has been brought in each month and these were fully completed for the year 2021.

Mr. Knittel stated that on their single stream recycling they did have some questions and comments to the NJDEP about very large loads of cardboard coming in. It seems like some businesses and small businesses in the County has lost their former location to get rid of cardboard. They did inquire about it to the DEP, and they said that they don't have any oversight on recyclable products. Therefore, if they were to make any changes with their recycling program, as of right now they were trying to make recycling available just for the residents of the County. They have been encouraging small businesses and commercial businesses to use their own recycling haulers to get rid of large amounts of cardboard.

Mr. Lazorisak stated that he did not mean to interrupt but he did have to leave for his next meeting. He continued saying, thank you to everyone and that he would swing by the PCFA that afternoon for the signatures needed.

Everyone replied with, thank you Mr. Lazorisak, have a good day.

****Mr. Lazorisak left the meeting at approximately 10:58AM.**

Mr. Knittel stated that that covered A-8, 9 and 10.

Mr. Knittel stated that they were at A-11.

Mrs. Banghart stated that on December 8th they received bids for the Auditing services, Nisivoccia was the only bid received. Everyone should have the RFP review which was A-1. They have the resolution to pass R-01-06-22 to award the contract for Auditing services for 2022.

Mr. Accetturo stated that he would make a motion for R-01-06-22.

Mr. Larsen stated that he would second the motion.

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

Mr. Accetturo asked if it was the same for A-12.

Mrs. Banghart replied yes, it was December 8th that they received one bid for legal services. Therefore, they could do the resolution R-01-07-22 to award contract for legal services for 2022.

Mr. Accetturo stated that he would make a motion to move the resolution.

Mr. Larsen stated that he would second the motion.

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

GENERAL COUNSEL'S REPORT

Mr. Accetturo asked for the General Counsel's report.

Mr. Tipton replied that he did not have anything beyond the agreement that they discussed, unless anyone had any questions.

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 stated that since there was nothing else, he would make a motion to adjourn.
Mr. Perez stated that he would second that motion.

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

*****Meeting was adjourned at approximately 11:12 AM***

Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: