

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

February 28, 2022

Director Jonathan Knittel called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:34 AM.

Authority Members present: Angelo Accetturo, Alex Lazorisak, Richard Mach
Also present (via google meets) Dan Perez, Rob Larsen.

Mr. Knittel stated that the first order of business was to swear in Mr. Lazorisak.

OATH OF OFFICE – Alex Lazorisak, (Brian Tipton, General Counsel)

Mr. Lazorisak stated:

I, **Alex Lazorisak**, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey; that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and that I will faithfully, impartially and justly perform all the duties of a member of the Pollution Control Financing Authority of Warren County according to the best of my ability. So help me God.

Mr. Accetturo replied congratulations.

Mr. Knittel asked for the roll to be called.

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

The Pledge of Allegiance was led by Mr. Knittel.

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

Mr. Accetturo read the following statement: “Adequate notice of this meeting of February 28th 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”.

Mr. Knittel stated that at this meeting would be the annual reorganization, they would be asking for the nominations and elections of officers for the Authority.

Mr. Knittel stated that according to the Agenda the Director would assume the Chair for the nominations and election of the Chairperson.

Mr. Knittel asked for nominations for Chairperson.

Mr. Mach replied that he would like to nominate Mr. Accetturo.

Mr. Larsen stated that he would like to nominate Mr. Accetturo.

Mr. Knittel stated that they had two nominations for Mr. Accetturo, then asked if there were any other nominations at this time for Chairperson.

Mr. Knittel stated that hearing none, they would move on to the election of the Chairperson.

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

Mr. Accetturo stated that they would now take nominations for Vice Chairman.

Mr. Lazorisak stated that he would like to nominate Mr. Mach for Vice Chair.

Mr. Accetturo stated that he would second.

Mr. Accetturo asked if there were any other nominations at this time for Vice Chair, hearing none then called for roll.

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

Mr. Accetturo stated that they would now take nominations for Secretary.

Mr. Lazorisak stated that he would like to nominate Mr. Perez for Secretary.

Mr. Mach stated that he would second.

Mr. Accetturo asked if there were any other nominations at this time for Secretary, hearing none then called for roll.

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

Mr. Accetturo stated that they would now take nominations for Treasurer.

Mr. Accetturo stated that he would like to nominate Mr. Larsen for Treasurer.

Mr. Lazorisak stated that he would second.

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

MINUTES

Mr. Accetturo stated that the minutes M-1 regular monthly meeting from November 15, 2021. Was there a motion on the minutes?

Mr. Mach stated that he would make the motion to approve the regular meeting minutes from November 15, 2021

Mr. Accetturo stated that he would second the motion.

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

Mr. Accetturo stated that the minutes M-2 Executive session from November 15, 2021 was next. Mr. Accetturo stated that he would make a motion on the minutes, then asked if there was a second.

Mr. Perez stated that he would second the motion.

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

Mr. Lazorisak stated that he would make a motion on the minutes M-3 from January 24, 2022.

Mr. Accetturo stated that he would second the motion.

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

Mr. Accetturo stated that he would make a motion on the minutes M-4 Executive session from January 24, 2022.

Mr. Lazorisak stated that he would second the motion.

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

Mr. Accetturo stated that now they would move on to the annual resolutions. Was there any reason why they could not do all of them in a batch?

Mr. Mach replied that they could do that as long as no one objects to anything in them.

Mr. Lazorisak stated that there were no budgets in there. Mr. Mach replied that as long as no one wanted to pay closer attention to any item in there.

Mr. Lazorisak asked Mr. Tipton if there were any legalities to taking R-02-01-22 through R-02-11-22 all in one batch? Mr. Tipton replied that they could do that.

Mr. Lazorisak stated that he would make a motion on R-02-01-22 through R-02-11-22.

Mr. Accetturo stated that he would second that motion.

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

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

CORRESPONDENCE

Mr. Knittel stated that the correspondence C-1 Notice of Violation from Douglas Speeney, NJDEP re: Unauthorized discharge of turbid storm water. That N.O.V. was given to the PCFA, it was for construction storm water from the stockpile area and obviously that was a construction control means and methods for the contractor. However, the N.O.V. does come to the PCFA, so, they documented the condition. They met with Doug Speeney, they did make site upgrades. The PCFA made the site upgrades, not the contractor, even though this was a contractor's responsibility.

Mr. Knittel stated that they made upgrades in the lay down area, they evicted the contractor from a portion of the lay down area. They gave them space on top on higher ground, toward the admin building. The PCFA used part of that lay down area to do exploratory test pits, engineering, design and installation of an infiltration bed.

Mr. Knittel stated that the infiltration bed was not a detention pond, it was actually meant to take storm water and infiltrate it into the earth. They were fortunate enough to be blessed with geologic conditions, it was probably an old channel of the Pequest that had cut through there in geologic time. It was sands and gravel, very porous material. They did the test pits and followed best management practices. They had an engineering company do the test pits for them and log them. They actually installed that basin this past week and they had their first storm event. It took all of the stormwater from the stockpile area. The question came up that why did they not do this six months ago and the answer was that they could not. The site was dynamic and the stockpile area was filled literally with millions of dollars' worth of cell 7 construction material such as GCL, fabrics, supplies, pipe and now that most of that material has been used in the cell, they were able to reclaim a part of the lay down yard and do this infiltration basin.

Mr. Knittel stated that he would anticipate that the site will be a zero-discharge site. Except for the largest of the storms where they were permitted through two ponds to have outfalls to the Pequest. They do not anticipate any turbid water events at any time in the future, hopefully they could repair the relationship with their neighbor and then meet with the DEP at the end of this.

Mr. Knittel stated that he had some emails and comments that they would discuss a little more in depth in executive session, regarding some of the communications between the various parties. Because of a potential litigation matter they could not discuss it there. That was correspondence C-1.

Mr. Knittel stated that correspondence C-2 was a pending draft administrative consent order. It was still marked 'draft' because they had not received the final offer from the State of New Jersey. This administrative consent order as you know was to help join a relationship between the DEP and the PCFA to take care of some outstanding maintenance type corrections at the landfill such as brush clearing and repairing a couple of swales that were slightly damaged by Ida storm. There was also a list in that consent order that the State wants fixed.

Mr. Lazorisak asked if he remembered correctly, they had gone over this many times, wasn't the DEP going to wave the \$17,500.00 fine?

Mr. Knittel replied that yes, that fine has been cut in half already, verbally. Then they wanted to cut it all the way down to \$2,000.00 if they were willing to help the NJ DEP utilize soils in Warren county

that were improperly placed on private property. They could then use that soil for daily cover. They were waiting on the written description of that offer from the DEP.

Mr. Knittel stated that they were told at that time not to pay any fines, that they been reduced multiple times. That was because the PCFA had corrected any of the problems that they had seen in the past and that they were willing to work with them to help to cleanup some of these sites that have soil in Warren County.

Mr. Lazorisak stated that after reviewing the order, he did not see where the DEP was rescinding the \$17,500.00 he thinks that should be a part of this agreement.

Mr. Tipton stated that he could work with Mr. Knittel on reaching out to the DEP to make sure that was clear.

Mr. Lazorisak replied ok, if the DEP wants the PCFA to help them out with taking this dirt it cannot be verbal, it needs to be in writing.

Mr. Knittel replied yes and he believes that the enforcement inspector with her oversight Mr. Fontaine from the DEP will be providing something more substantial in writing. They thought they would have had it by now, so they would not move forward with C-2 until they receive a written correspondence from them.

Mr. Knittel stated that was all that they had for correspondence.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

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

FINANCE

Mr. Accetturo stated that they would move on to Finance with A-1.

Mrs. Banghart stated that as they saw on page one, their current year to date waste volume had decreased and that was due to the contracts that they had set for 2021 which were expiring today. The new contracts begin tomorrow, then the increase in tonnage would go up.

Mr. Perez stated that he was sorry to interrupt but he was unable to hear Mrs. Banghart.

Mrs. Banghart moved closer to the dais and continued.

Mrs. Banghart stated that what she had said was that the increase in the tonnage begins tomorrow. The actual year to date waste volume was low due to the 2021 contracts.

Then on page two they were in the positive only because the insurance bills had not been cut in January.

Mr. Knittel stated that the insurance payments for the year had cleared the first week in February. Mrs. Banghart agreed.

Mrs. Banghart stated that that was \$251,000.00 in insurance and they would see that in February. They were also operating in the positive due to receiving approximately 5,000 tons of ash in the month of January. Mr. Knittel replied yes, that was the nice thing about bringing ash.

Mr. Lazorisak asked if this was Covanta ash under the new contract.

Mr. Knittel replied correct, and as for the contract, perhaps Mr. Tipton would have an update for them. Mr. Knittel stated that because this was contractual it would probably be done in executive.

Mr. Knittel stated that this what they had in place so far, they have started taking in Covanta ash and then asked Mr. Tipton if he could talk about those contracts and the Covanta deal with the Omnibus agreement in public.

Mr. Tipton replied that he could give them a quick update, he reached out to Covanta's counsel a couple of times last week and they were in the process of getting the documents signed. Everything was agreed to per their last meeting, the one X factor was Oxford Township had not approved the new host agreement yet. Counsel had the draft agreement and he believes that they were meeting this week and hopefully that would be approved and signed at that meeting. Not much has changed since the last meeting except that they were waiting for the documents to be signed.

Mr. Knittel replied ok.

Mrs. Banghart stated that they had also received the quarterly payment from Covanta for the first quarter of 2022.

Mr. Knittel stated that regarding ash payment, there was a miscommunication on the Covanta end, they actually tried to invoice us \$18.00 a ton for some ash at the same time they were paying us, so they have corrected their accounting on their end. They realized that their waste product although it is usable for cover, there still was a charge of \$18.00 that works in our direction not theirs.

Mr. Mach asked Mrs. Banghart the average fee per ton of cover \$19.63 that reflects Covanta, correct?

Mrs. Banghart replied yes it does.

Mr. Knittel stated that while they were talking about cover even though they were in finance, the State had asked him to amend the Operations and Maintenance manual. Therefore, it would update their solid waste permit and what that update would be was to include street sweepings and potential soil as optional cover material. Without it being in their Operations and Maintenance manual, they technically cannot use the soil from Warren County. It was a small minor edit, there should not be any fees. Mr. Knittel stated that he would work with Christine, their NJ DEP case manager to update their solid waste permit to allow for street sweepings and soil to be used as daily cover on a case-by-case basis and with all the regulations and the testing that was required.

Mr. Knittel asked if there was anything else on finance.

Mr. Lazorisak stated that if there were not, he would make a motion on the resolution R-02-12-22 to pay the bills.

Mr. Mach 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. Mach**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 28, 2022*.

RESOLUTION

R-02-12-22

To Pay Bills – February 28, 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	- Yes
	Mr. Perez	- Yes
	Mr. Accetturo	- Yes

We hereby certify Resolution to Pay Bills in the amount of **\$ 1,088,436.75** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 28th day of February, 2022.

Mariann Cliff
Recording Secretary

Jonathan Knittel
Director of Operations

Approved: 2/28/22

PERSONNEL

Mr. Accetturo asked that on personnel, the new job description for Mrs. Banghart, were they going to do that in public session or executive session. Mr. Knittel replied that Mrs. Banghart job

description had been updated and with that, there was some executive discussion about compensation for that job title change.

Mr. Lazorisak stated that should be discussed in executive.

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 he had hinted that they had a stormwater event. They really jumped on that one hard, the cost to implement this detention basin was minor. They were able to use a rental machine from their neighbor, and they used PCFA's truck and operators and labor. Mr. Knittel stated that they were able to dig that basin within a five-day period with the current staff.

Mr. Knittel stated that they had requested the onsite contractor to step up and do this for stormwater control. The contractor replied that maybe they could help the PCFA dig that in five weeks when they mobilize back to the site with a full staff. Mr. Knittel stated that that was unacceptable to the State, to himself and to any potential storms that may be coming. The PCFA was able to get that infiltration basin done this past week.

Mr. Knittel stated that cell 7 construction has been very slow due to frozen ground and weather conditions. The weather is improving and it looks like their 2-week look ahead has them starting to mobilize a full crew for the wall construction, the north MSE wall in two to three weeks. With that being said that north slope was still exposed soil and as soon as they can get in there and dress it up they were going to put down erosion control matting on that north slope to help mitigate any stormwater runoff there.

Mr. Knittel stated that he does not think cell 7 construction has any other updates, other than the reduced, reduced cell. Construction wise, it is complete. Administratively all of the submittals were in to NJ DEP, and it is now in their hands to approve that reduced, reduced cell.

Mr. Knittel stated that at the time that they approve it, they could start trash placement in the reduced area. However, we will try to delay that as long as possible. They would continue to use up the airspace on the current cell and utilize that airspace as long as possible. The minute they put any trash in the new cell, then any rainfall on those six acres would become leachate. As they all know leachate is the number one expense here at this facility. Mr. Knittel stated that was all he had on cell 7 construction.

Mr. Knittel stated that A-4 was a change order #3, the bulk of that change order was the drainage pipe in the solar field. There was a couple of other small items that were added to it, but 90% of that was the solar field drain pipe installation. They went through those daily reports with a fine-tooth comb. That price was accurate and it was actually very fair considering the amount of effort it took to excavate through the solar field, through multiple conduits and in a very boulder laden soil.

Mr. Knittel stated that that pipe was worth its weight in gold, it has been taking water from the stockpile, which was about six and a half acres, a hundred- and fifty-thousand-yard stockpile. It has

been taking stormwater now into our retention pond which allows silts and clays to settle out of the water and that pond rarely if ever discharges to the Pequest, even though it was permitted to do so. Mr. Knittel stated that it was a great feature to have that solar pipe. Mr. Knittel stated also FEMA has asked him to submit that entire bill as part of facility upgrades. Apparently with the Ida damage that they took, and they have a claim in to FEMA, you were allowed to have a small percent of that bill to be stormwater upgrades to your site to prevent future offsite discharges. So, FEMA had told Mr. Knittel to submit it and they would review it and let them know.

Mr. Lazorisak asked Mr. Knittel if he was talking about the entire \$49,326.33 being submitted. Mr. Knittel replied that he would have to break out anything that was not stormwater related, but the bulk of that bill was stormwater change order from the contractor. Mr. Lazorisak replied that he had a question on item 10a and 10b, increased contract quantity by 40,000 cubic yards was revised to 113,106 at a positive \$284,400.00. Then you have the reduced contract quantity by 10,353.11 cubic yards, total revised quantity at 8167 cubic yards for a deduction of \$284,400.00.

Mr. Lazorisak stated that the amounts were the same but the quantities were drastically different. Mr. Knittel replied that those quantities in 10a and 10b, they had a baseline survey and it made assumptions with certain quantities. Some of those quantities were estimated on widely spaced borings and test pits. He believes that he could get a formal response from Mott MacDonald the engineer to answer their question more thoroughly but those changes in quantities for line items were estimates in the cell 7 construction budget some of those quantities had changed.

Mr. Lazorisak stated so there were different values to the quantities per cubic yard in those line items. Mr. Knittel replied that he believed so, there was a delta between some of the line items yes.

Mr. Lazorisak stated that the delta was exactly \$284,400.00, while it may be possible it seems unlikely.

Mr. Knittel replied that he would have Mott MacDonald break that down into a more thorough fashion for them.

Mr. Lazorisak asked if they wanted to table that until they get a better understanding. Mr. Lazorisak stated that he presumes that they would need a motion on that. Mr. Knittel replied that yes on a change order they do need a motion to close the loop. Mr. Knittel stated that was fine, they could table that until he could have Mott MacDonald just break down those items further.

Mr. Lazorisak stated that they could just make the motion on PCO 13,14,15 and 16.

Mr. Knittel replied that would be fine to clear that.

Mr. Lazorisak stated that it would still be the same monetarily. Mr. Knittel replied that that would be a great solution, and then they would get a break down for 10a and 10b.

Mr. Lazorisak stated that he would make a motion authorizing PCO 13, PCO 14, PCO 15, and PCO 16 for a total amount of \$49,326.33 and tabling 10a and 10b until further description from Mott MacDonald.

Mr. Accetturo stated that he would second Mr. Lazorisak motion.

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

Mr. Knittel stated next was H2S, this was Mr. Mach's favorite subject and he does have an update. Their H2S readings were well within guidelines, the maximum reading was 120 allowed on their permits and they were creeping into the 30, 40 parts per million range on H2S. That was a significant jump, almost doubling from last month. They were starting to get an indication that their media, their iron-sponge media is nearing its useful life. Based on past plots that he was able to obtain from records, it looks like there was about a two-month to a three-month window. Therefore, proactively they had gotten lead times on the media and the nets and the gaskets, everything that was needed. They would be putting out a purchase order today, that lead time was four weeks. So, they should have the ability to do the H2S change in April or perhaps May if the media shows us that it was still lasting. They would try to use as much of it as possible but, they do not want it to creep and shoot from 60 to a 100 in a month, then they would be nearing the levels that could cause an offsite odor or worst case a permit violation. The main thing was to purchase it which they could do now, and it has to be weather protected and freeze protected so they already have space cleaned up in one building to locate the materials. Mr. Knittel stated that he would have an update next month on how the material supply was coming and probably two months later they would have an update that it had already been installed.

Mr. Mach replied do not let it surprise you, when it starts to move it goes quick. Mr. Knittel replied no they wouldn't let it surprise them. Mr. Mach stated especially the last couple of weeks, don't dawdle on it. Mr. Knittel replied that was correct.

Mr. Knittel stated that there was a written procedure, he had read through minutes of past Board meetings. They have a very clear process, safety protocols and steps to follow to replace the media. He was looking forward to tackling that project.

Mr. Mach stated as a backup just in case it fools them this time and goes faster than it has in the past, he thinks he remembered that they could use the flare to flare off anything that would have come through that media.

Mr. Knittel replied that, he thinks that they could recirculate. It goes from the flare to the H2S but he believes that they could return exhaust air from H2S back into the flare for a second burn.

Mr. Mach stated that failing the H2S system, removing H2S, they could flare it off.

Mr. Knittel replied that, he believes that there was a mechanism in place. The written procedure on that was not as clear but he did reach out to SCS and also Tetra Tech Cornerstone to see if they had any advice on how that could be plumbed, but it was not a typical way of moving the air flow; thank you for bringing that up.

Mr. Knittel stated next was the update on the solar panel project. They have quite a large field of solar panels at this facility. it was in its tenth year of operation, there was a warranty issue with some of the panels that were delaminating. Those panels were replaced just prior to this past summer. The project has mostly wrapped up with the panel replacement. With that in mind he did ask for a formal update from both the solar panel manager, QE solar, and from Goldman Sachs. They were in the process of having information sent in, it seems like in the six months that he had been at the PCFA there had been a lack of certain information that should be shared monthly. Mr. Knittel stated that he was trying to get back on the same page with Goldman Sachs. In other words, how much power was being generated, how much was being used. The extra electricity that was not being used, where it was going back to the grid. They also have a strange situation where they have the top part of the site

was on one meter and the bottom portion of the site was on the solar and there was some swapping of electric bills that was supposed to be happening at the front half of the site.

Mr. Knittel stated that it seems like that system of communication was a little out of whack, so they were going to jump on that. They have a conference call on Wednesday with the solar company and Goldman Sachs to work out all of the communication on that. There was an option to buy in the tenth year which was this year. From his precursory review of the contract and the value of the field, it does not seem like something that he would pursue at this time. He would give more numbers and the value after the call.

Mr. Knittel stated that the bottom line was that they used to a lot more power as a facility in the past. Now they were more efficient, they use less power in the pretreatment building as you could imagine, as that pretreatment building was not being utilized right now. Also, their pumps and motors were much more efficient, they used to have multiple 100 horsepower electric motors running 24/7 and they do not have that any longer. Therefore, their electric consumption was quite a bit lower, had it been still high then perhaps they would want to purchase they field for themselves. At this point he does not see the value in purchasing it. Let it run its course for the next decade, he believes at the 20 year mark the solar field becomes the possession of the facility. Mr. Knittel stated that he would update them at the next meeting more of what happens on their Wednesday conference call with the solar company.

Mr. Knittel stated moving on to A-5 2022 waste disposal fee schedule. They have a list of all haulers, all of their hauler contracts. The hauler disposal contracts were their larger haulers. Then they have their interlocal disposal contracts and other. The ones marked in red on the table A-5 have already signed and given us back their waste disposal agreement, which would actually begin this week March 1st. A couple of the ones in black typically over the last year or two had not responded to us. The one exception was they had a last-minute change with Sanico and they had sent that back out and straitened up the tonnage. Sanico would like to be in the 14,000 – 20,000 tier and with that the associated fee for that was shown on the table.

Mr. Knittel stated that it was generally a 3.00 increase for most haulers, however the increase for the top two tiers was less than 3.00.

Mr. Accetturo asked how exactly did that happen.

Mr. Knittel replied that the tier system from 0 tons to 1000 then 1000 tons to 2000 etc. on the rate fee is basically a linear graph the more tonnage that comes in they get a price discount. That was the way it has been in the past and he had followed that model. Mr. Knittel stated that he believes that the rate fee table was approved in the last Board meeting as a group. The idea being that your larger haulers. (Mrs. Banghart came in with a revised schedule) Mr. Knittel stated that they did now have the signed Sanico contract and the Gaeta contract.

Mr. Knittel asked Mr. Accetturo if he understood the discount. Mr. Accetturo replied that he noticed that the larger contracts only went up a \$1.50 while everyone else went up \$3.00.

Mr. Perez stated that he had a question, with everything that was going on with prices going up had they taken under consideration what was going on around them. Was the current situation impact the facility in any way? Mr. Knittel replied yes.

Mr. Lazorisak stated that they did when they looked at the rates three months ago.

Mr. Knittel stated that yes, they did, and without discussing all of their financing in an open meeting, the two main things were fuel costs and their trucking fees for their leachate. Also, they have a loan for cell 7 that they borrowed from one of their own accounts and they were replenishing that account.

With all of that their budget has stayed much the same except for purchasing fuel and energy which is propane and diesel fuel plus the transportation cost because the truckers' fees across the whole country had gone up tremendously. Mr. Knittel stated that they saw a 70% jump in hauling fees for the leachate and that was why there was a rate increase.

Mr. Knittel asked Mrs. Banghart about table A-10. Mrs. Banghart replied yes there was a revised one in the packet and handed it to him. Mr. Knittel stated that he was going to jump ahead to A-10 while they were talking about the disposal pricing. Because they did revise this with a 20,001 ton to a 24,000 ton bracket.

Mr. Knittel asked everyone to go to A-10 in their packet and they would look at the solid waste disposal pricing schedule.

Mr. Perez apologized to Mr. Knittel if he ruined the schedule. Mr. Knittel replied that it was good because it reminded him that A-10 in the packet was the waste disposal fee table and based on cell 7 construction nearing completion, several of our haulers asked to increase their tonnage. As you may recall last year they were restricted basically 9,000 to 10,000 tons, they were able to give them a little relief at the end of the year to go from 10,000 to 13,000 for a little bit higher fee. For this year they have the 10,000 to 14,000 for \$50.50. Then they have the 14,001 to 20,000 range at \$49.00 then they have a new tier from 20,001 to 24,000 tons at \$48.00.

Mr. Knittel stated that if you plotted that linearly it was the \$48.00, \$49.00, \$50.00 were the three tiers, and those three tiers encompass our four main contract haulers which was Sanico, Gaeta, LMR and NTI. Those four haulers make up a significant portion of our total solid waste at this facility. Therefore, those four haulers all fall between \$48.00 and \$50.50. Then there were significant jumps, they actually do not have any one in the 6,001 to 10,000 range. They have one hauler in the 2,001 to 6,000 and multiple haulers in the lower 0 to 1,000 tons.

Mr. Lazorisak replied that they could get into this a little more in executive, because one thing they all need to start talking about considering the contract was going to be executed, they hope, by Covanta. They would have to establish type 10 rates. This was all contractual. He would like to wait until they get into executive session, to talk about establishing type 10 rates sooner than later if this gets executed.

Mr. Accetturo replied that he agreed with Mr. Lazorisak they should discuss this in executive session. Mr. Accetturo stated for them to move on to A-6.

Mrs. Banghart stated that A-6 was their electronics recycling for the month of January charted out for them to see. A-7 was the tires that came in the month of January. A-8 was the single stream recycling that came in.

Mrs. Banghart stated that she would just go right on with A-9 that was the annual recycling report for Warren County that has been completed and sent out to all municipalities.

Mr. Knittel stated that he hoped that everyone heard online that, Mrs. Banghart just went through A-6 through A-9 those handouts were all in the packets.

Mr. Knittel stated that for A-11 they had the revised grass mowing bid, there was an edit in the old grass mowing bid that caused a problem. It was to remove any mention of chemical spraying of grass in the drainage swales. That according to the DEP they would like that to all be mechanical weed whacking. There were some issues with some of the bidders had decided they would like to use chemicals another bidder wanted to weed whack it and it became a problem with the bids not being fair. As it was worded because of that update from the DEP so this bid reflects that change and it should be ready to go out to bid tomorrow. Mrs. Banghart stated it would be ready on Wednesday.

Mr. Lazorisak stated that he would make a motion to put the revised grass mowing contract out for bid.

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. Knittel stated next was A-12 their household hazardous waste clean-up bid, which was a multi-year bid. They have red lines on this, they got approval or recommendations from Mrs. Fina. Mr. Lazorisak asked who Mrs. Fina was. Mr. Knittel replied that she was from Mr. Tipton's office. The yellow issues on page three number six, was a bid bond guaranty. A bid bond guaranty according to Mrs. Fina was not required for jobs less than a \$100,000.00 and especially when they were not construction projects. This was a service so the question was, do they need a 10% bid bond and then a 100% surety bond. Typically, or historically, it does not look like they had been requiring this 10% and 100% bonding for the HHW contractor. Mrs. Fina has left it up to them as the Authority either to require it or not require it.

Mr. Lazorisak stated that he thought that they should. They do not want to be left with all of this if they don't perform, then what. Mr. Knittel replied if they don't show up yes, then the customers were there.

Mr. Lazorisak stated that they could go out of business.

Mr. Knittel asked ok so leave it in?

Mr. Lazorisak replied that that was his thought.

Mr. Knittel asked Mr. Tipton if he knew if they gave the PCFA a 10% bond and then win the bid, do they get that check back? Does the PCFA just hold the check and don't cash it? Then, when they give the PCFA the 100% bond, does the PCFA actually deposit the money until they finish the service?

Mr. Tipton replied that they would not keep the money, the PCFA would hold the check and it would be returned if they complete the job.

Mr. Knittel replied ok, so they could physically hold the check and not deposit it electronically. Mr. Tipton replied yes.

Mr. Lazorisak stated that the County always gives the bid bonds back. Mr. Knittel replied ok.

Mr. Knittel stated the other changes in the HHW were to basically remove municipalities and small quantity generators from participating, it was something that was relayed to us through the County level. Mrs. Banghart added and also from the State.

Mr. Knittel stated that the HHW was only for residents of Warren County to participate in. there can not be any schools, municipalities, businesses or even the small quantity generators. Those were the only other basic edits in this document. Therefore, they could make the edits to include the bond and the surety and accept the red-line changes that Mrs. Fina was fine with and then that could go out to bid as well this following week with those changes.

Mr. Lazorisak stated that he would make a motion authorizing this contract to out as marked by the attorney.

Mr. Larsen stated that he would second the motion.

ROLL CALL: Mr. Larsen - Yes
 Mr. Lazorisak - Yes
 Mr. Mach - Yes
 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 for public. He did give the update on Covanta and that was the main item he had, every thing else was for executive session.

NEW BUSINESS

Mr. Accetturo asked if there was any new business.

OTHER

Mr. Accetturo asked if there was any other business.

Mr. Lazorisak stated that he had one item, he thought Dave Dech sent out the letter but the DEP did approve the County's revised, updated solid waste management plan. That was good news, eventually, someday they would be able to take type 10 in, approved by the DEP.

Mr. Perez stated that under new business, he was not sure if they wanted to do this today or the next meeting. The salaries for Mr. Knittel and Mrs. Banghart need to be discussed. Mr. Perez stated that he had sat and spoke with them and would like to know when they could discuss it.

Mr. Accetturo replied that they would be in executive session in just a short while and that belongs in there with the discussion on Mrs. Banghart job description.

Closing Public Comments

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

Mr. Bowers from Sanico approached the dais.

Mr. Accetturo invited Mr. Bowers to speak.

Mr. Bowers stated good morning, introduced himself from Sanico. Mr. Bowers stated that he was primarily there to inquire about the status of type 10 and if he read between the lines correctly half of his questions were answered and he also knows that he probably won't get a strait answer on the rest of them, yet.

Mr. Bowers stated that Sanico was Warren County's largest hauler and has been since they were founded in the seventies. it has been an exceedingly difficult three years, going from 2 disposal sites from the County to a half.

Mr. Bowers stated that he would like to acknowledge and thank this current Board, he follows the meeting minutes very closely and he has been very encouraged with what he has seen and heard from this Board. This includes the type 13 contract that they were presented with, everything was looking positive but the big elephant in the room for Sanico was the type 10. When would it be available, was there an intention to make if available for this contract year? What would the rates be? Would it be combined with their type 13, would it be a separate contract? These questions were the reason he was there today.

Mr. Bowers stated that before the Board convenes into the executive session he asked if the Board had any questions for him, he would be happy to answer them.

Mr. Lazorisak stated yes, to all of the above, when, they don't know.

Mr. Knittel stated that one question that he would ask was, he had met with all of the contract haulers that were willing to sit down and talk with me about what their needs were. When you brought up the question was type 10 available, he could not answer it he did not know what the answer was. Mr. Knittel stated that he did ask of Sanico what type of quantity that they thought tonnage wise be able to bring here if it was available.

Mr. Knittel stated that he believes that it was around 15,000 tons? This would be in addition to what Sanico already brings as item 13.

Mr. Bowers stated that they pick up approximately 12,000 tons of Warren County type 10 and an additional 3,000 tons of Hunterdon County type 10 which was not flow-controlled. Mr. Bowers stated that he would bring both there instantly and happily if he was allowed to, if the rate was attractive. Mr. Bowers stated that depending on how the PCFA approached it, that was the tonnage that Sanico could bring in 15,000 tons ready to go.

Mr. Knittel stated that obviously they have a new contract for item 13, so if item 10 did become available the easiest way would be to have a completely separate contract for item 10. That way your item 13 would still be intact. Then they would add the second contract, at least for this calendar year if it was a partial year, if they were able to get item 10.

Mr. Bowers replied that from his point of view there was precedents to approach it in both directions if he could think of other agreements that he had with other disposal sites.

Mr. Bowers stated that sometimes it was combined and sometimes it was separate, historically at Warren County, when the burner was still operating, they maintained the rate schedule for type ten separate from type 13. It was a just a formality because the type 10 was directed to the burner, but there also existed a clause for bypass waste in the event that the burner couldn't or wouldn't take it. So, their needed to be some restructure at Warren County for the type 10.

Mr. Lazorisak stated that Covanta had to approve that bypass and they never did. That is why we are at this point now.

Mr. Bowers stated that he does not get it, but he understands now why we were at this point.

Mr. Bowers stated that he does not know if any of this helps.

Mr. Knittel replied that the tonnage does help them plan, obviously they have a certain amount of tons in our closure and post closure plan. Documents that say they have a forty-year-life at this rate, it doesn't mean that they couldn't adjust that rate slightly, if item 10 becomes available. Mr. Knittel stated so yes, it does help them to plan depending on what happens with Covanta.

Mr. Bowers replied good, and once again he was certainly encouraged.

Mr. Knittel stated that they would be updated as soon as they had anything official.

Mr. Bowers stated just like the PCFA, many disposal sites look for year long contracts for the tonnage. This puts him in a difficult position not knowing could he or should he expect a home for type 10 here in Warren. There was certainly an urgency on his side to understand even if there was not a firm start-date, was there going to be one? Could he expect one in the next couple months.

Mr. Lazorisak replied that the only thing that he could tell him at this point was that there was a non-compete still in place. Until an agreement is struck between the PCFA and Covanta releasing that non-compete they have to hold where they were holding.

Mr. Lazorisak stated were they getting closer, yes. Could they give Sanico a specific date, no. they have been working on this for 18 months now. They were getting closer but they could not give them a date.

Mr. Bowers replied was it least their intention if that non-compete disappears to aggressively take the type 10 as quick as possible, rather than say let's just do it in 2023.

Mr. Lazorisak replied absolutely. The Board of County Commissioners over at the Administrative Building want Warren County type 10 in this landfill. Therefore, it is a priority to this Board.

Mr. Knittel stated that as an operations Director, he needs item 10 for the new cell as a cushion material. Right now, he does not have a good option to put down on the liner as the first trash layer. Item 13 as you know was quite bulky and has a lot of sharp objects, angular, whereas item 10 was household garbage it was much more fluffy and softer and it was porous too. It would be a perfect layer to put down in a brand-new cell, so he would struggle to get that new cell operational without item 10. Mr. Knittel stated that his goal was to survive long enough with the available airspace that he has, then once item 10 becomes available then they could begin the new cell with that material.

Mr. Knittel stated that he would personally as a Director push as much as he can on attorneys and such to get him access to item 10, for the new cell that he would plan to open perhaps this summer.

Mr. Knittel stated that he did not know if that helped Sanico understand his point of view but the rest of it was out of his hands.

Mr. Bowers replied thank you, fair enough. Thank you for your time.

Mr. Knittel replied thank you.

****Mr. Bowers left the Boardroom at approximately 10:35 am***

EXECUTIVE SESSION

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

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

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

****Executive session started at approximately 10:36 am**

****Executive session ended at approximately 11:52 am**

Mr. Perez stated that he would make a motion to come out of Executive session.
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

**** Public session started at approximately 11:53 am**

Mr. Accetturo asked what they needed to do.
Mr. Lazorisak stated that they needed to make a motion on the new salaries.

Mr. Accetturo stated that he would make a motion on the new salaries, Mrs. Banghart is now at \$83,500.00 and Mr. Knittel is now at \$114,000.00 was there a second.
Mr. Perez stated that he would second the motion.

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

Mrs. Banghart stated that she had one question. Was that starting as of today, or would it be retro for payroll reasons.
Mr. Accetturo replied that it happened today so it would be as of today.

Mr. Knittel asked does that motion also include Mrs. Banghart's title change to assistant director?

Mr. Accetturo replied that they could make that a separate motion.
Mr. Accetturo stated that he would make a motion that Mrs. Banghart's new title will be Assistant Director.
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

ADJOURNMENT

Mr. Lazorisak stated that he would make a motion to adjourn.
Mr. Accetturo stated that he would second that motion.

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

*****Meeting was adjourned at approximately 11:55 am***

Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: