

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

December 19, 2022

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

Authority Members present: Angelo Accetturo, Alex Lazorisak, Richard Mach and Dan Perez (via google meets)

Mr. Accetturo asked to call the Monday, December 19, 2022, PCFA meeting to order, please call the roll.

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

Also present: Brian Tipton, General Counsel (via google meets); Jonathan Knittel, Director of Operations; Jamie Banghart, Assistant Director; Pat Radomsky, Mott MacDonald; Michelle Connors, Recording Secretary.

The Pledge of Allegiance was led by Chairman Accetturo.

Mr. Accetturo read the following statement: “Adequate notice of this meeting of December 19<sup>th</sup> 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 there was a motion for M-1 the regular monthly meeting minutes from November 14, 2022.

*Mr. Lazorisak* made a motion to approve the Regular Monthly Meeting Minutes from November 14, 2022, seconded by *Mr. Mach*.

Mr. Mach stated that he would make the motion to approve the Regular and Executive Monthly Meeting Minutes from November 14, 2022.

Mr. Lazorisak stated that he would second the motion.

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

#### CORRESPONDENCE

No correspondences.

#### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

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

#### FINANCE

Mr. Accetturo stated A-1 for discussion.

Mr. Knittel stated that the year is almost wrapped up. We are pushing our appropriations for the year as expected up to the limit of 8 million. We brought in more revenue than that, which is great news. However, if we do go over the 8 million, we have a resolution today to give us a small cushion over that 8 million and that is a state requirement. They are expecting it and they know our fuel has gone over and our general costs for the year have been higher. Our auditor she will be looking at anything that we went over by 10%. The new State requirement for 2023 Budget is any line item that goes 10% over Budget we must explain why. There has been like fifty lines that went over by 10% or more because of inflation, fuel, medical costs, etc. Other than the numbers are fascinating. We brought in more Revenue than Expenses due to the reasons we stated in our last meeting. We adjusted the new budget to go along with the inflation so I think we will be ok on that.

Mr. Lazorisak asked if there was there a motion on the Resolution (R-12-01-22) to pay bills.

Mr. Lazorisak stated that he would make the motion to approve Resolution (R-12-01-22), seconded by Mr. Accetturo.

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

On a motion by *Mr. Lazorisak*, seconded by *Mr. Accetturo* , the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *December 19, 2022*.

**REVISED  
RESOLUTION**

**R-12-01-22**

**To Pay Bills – December 19, 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 - Absent  
Mr. Lazorisak - Yes  
Mr. Mach - Yes  
Mr. Perez - Yes  
Mr. Accetturo - Yes

We hereby certify Resolution to Pay Bills in the amount of \$ 1,945,634.92 to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *19<sup>th</sup>* day of *December, 2022*.

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Michelle Connors  
Recording Secretary

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Jonathan Knittel  
Director of Operations

Approved: December 19,2022

Mr. Accetturo asked if there was there a motion on the Resolution (R-12-02-22) to Amend the 2022 Budget.

Mr. Lazorisak stated that he would make the motion, seconded by Mr. Mach.

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

***On 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 December 19, 2022.***

**RESOLUTION  
 R-12-02-22  
 TO AMEND THE 2022 BUDGET FOR THE  
 POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY,  
 PURSUANT TO N.J.A.C. 5:31-2.8.a.2**

WHEREAS, N.J.A.C. 5:31-2.8 provides that the Division of Local Government Services may approve the amendment of the budget of any Authority or District when there is a need to amend the 2022 budgeted and

NOW, THEREFORE, BE IT RESOLVED, by a Majority Vote of the Board members of the Pollution Control Financing Authority of Warren County that the Authority hereby requests the Director of the Division of Local Government Services to approve the following amendments to the 2022 Budget.

|                        | From               | To                 | Increase / (Decrease) |
|------------------------|--------------------|--------------------|-----------------------|
| Revenues:              |                    |                    |                       |
| Non-Operating Revenue: |                    |                    |                       |
| Covanta                | \$720,000          | \$920,000          | \$200,000             |
| <b>Total Revenues</b>  | <b>\$8,000,000</b> | <b>\$8,200,000</b> | <b>\$200,000</b>      |

Appropriation:  
 Cost of Providing Services

|                             |                    |                    |                  |
|-----------------------------|--------------------|--------------------|------------------|
| COP Other Expenses          | \$6,216,577        | \$6,416,577        | \$200,000        |
| <b>Total Appropriations</b> | <b>\$8,000,000</b> | <b>\$8,200,000</b> | <b>\$200,000</b> |

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

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

Respectively submitted by:

\_\_\_\_\_  
 Michelle Connors  
 Recording Secretary

Approved: December 19, 2022

Mr. Knittel stated we have a third resolution that is not on the agenda it is a 2023 Adopted Budget Resolution. We have already approved this and now we are adopting this budget for 2023.

Mrs. Banghart stated that you should have it in your handouts.

Mr. Accetturo asked if there was there a motion on the Resolution (R-12-04-22) to Adopt the 2023 Budget.

Mr. Lazorisak stated that he would make the motion.

Mr. Accetturo stated that he would make a second.

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

# 2023 ADOPTED BUDGET RESOLUTION

## RESOLUTION

R-12-04-22

### POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY

#### AUTHORITY

**FISCAL YEAR:2023 FROM: January 1, 2023 TO: December 31, 2023**

WHEREAS, the Annual Budget and Capital Budget/Program for the Pollution Control Financing Authority of Warren County for the fiscal year beginning January 1, 2023 and ending, December 31, 2023 has been presented for adoption before the governing body of the Pollution Control Financing Authority of Warren County at its open public meeting of December 19, 2022; and

WHEREAS, the Annual Budget Page F-1 and Capital Budget page CB-3 as presented for adoption reflects each item of revenue Budget page F-2 and appropriation budget page F-4 in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Pollution Control Financing Authority of Warren County, at an open public meeting held on December 19, 2022 that the Annual Budget and Capital Budget/Program of the Pollution Control Financing Authority of Warren County, for the fiscal year beginning, January 1, 2023 and, ending, December 31, 2023 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

DANIEL PEREZ  
(Secretary's Signature)

12/19/22  
(Date)

Governing Body  
Member:

Recorded Vote

|               |   |     |         |  |
|---------------|---|-----|---------|--|
| Mr. Larsen    | Aye                                     | Nay | Abstain | <input checked="" type="checkbox"/> Absent |
| Mr. Lazorisak | <input checked="" type="checkbox"/> Aye | Nay | Abstain | Absent                                     |
| Mr. Mach      | <input checked="" type="checkbox"/> Aye | Nay | Abstain | Absent                                     |
| Mr. Perez     | <input checked="" type="checkbox"/> Aye | Nay | Abstain | Absent                                     |
| Mr. Accetturo | <input checked="" type="checkbox"/> Aye | Nay | Abstain | Absent                                     |

PERSONNEL

Mr. Accetturo asked Mr. Knittel if there was anything on personnel.

Mr. Knittel replied not at this time.

PRESENTATIONS

Mr. Knittel stated that there were no presentations.

REPORTS

Mr. Knittel stated there were no reports.

FACILITIES/RECYCLING

Mr. Knittel stated that he wanted to talk about dig outs. The current fee for those is at \$60. I am asking to raise the dig outs to \$90. The price is fair with our competitors around the area and is consistent with the time it takes to perform each dig out.

Mr. Accetturo stated that he would make a motion authorizing Mr. Knittel to raise the rate for Dig Outs to \$90, seconded by Mr. Mach.

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

Mr. Lazorisak stated that there was one thing in correspondence in regards to Sanico and their contract.

Mr. Knittel stated that he would like to discuss that in Executive Session.

The Board agreed to discuss more on this in Executive Session

Mr. Knittel stated that the construction of Cell 7 is moving well. We have all our liners are installed. Atlantic Lining is off site. Tomco is in their last few weeks of work. They do demobilize work after the week of Christmas. They are expected to come back in January. They do have some items that still need to be finished, guardrails, squalls and some chain link fencing. Those items are schedule for January. Pat Radomsky is here from Mott MacDonald.

Mr. Knittel asked if there was anything he wanted to add?

Mr. Radomsky stated that they still have to construct the Operational berm between cell 7A and future Cell 6.

Mr. Knittel stated yes that it is a critical item. That berm between 6 and 7 we will be opening back up in about 8 years from now. So, we need to make that tie in as easy as possible. This is comparable to one of the larger change orders other than force majeure in Cell 7 which was the tie in between the old cell and the new cell. It was a difficult tie in and there were some change orders associated with that and want to avoid those 8 years from now. I have spoken to Mott McDonald that we need to have QC onsite for these last few weeks to finish the job strong especially with that berm, guardrail, fences and the gabion mattresses.

Mr. Knittel asked Mr. Radomsky if he had to add anything else?

Mr. Radomsky stated that you have the operational berm and you have the completion of the gabion swales guardrails, and the fencing. Their subcontractors may work next week.

Mr. Lazorisak asked if they could do the swales in the winter?

Mr. Radomsky stated that the swales are excavated. The reason they are excavated the entire swales on the north berm is that as the freezing weather occurs it gets harder and harder to dig. It is basically dug it's a matter of making the gabion baskets and doing the labor-intensive task of filling with the stone.

Mr. Lazorisak asked if any work that remains to be done can be done in January or February when it is cold and snow is on the ground?

Mr. Radomsky stated that they will try to finish in a few weeks in January.

Mr. Lazorisak asked if they are going to come back and say they cannot finish and say that its too cold? Are these things that can be done in the cold? It seems like this has been their MO.

Mr. Radomsky stated that they should be able to finish and these items can be done in the winter. The Operational Berm is constructed out of soil and they may have difficulty they may have to dig to get to stuff that isn't frozen to construct the operational berm, but it can be done.

Mr. Lazorisak asked that it can't be stabilized until the spring?

Mr. Radomsky stated that it will be stabilized because they are going to cover it with liner. Atlantic Lining is basically out of here as far with the base liner. They will be back for the rain flaps and the liner that goes over the Operational Berm.

Mr. Lazorisak asked if they were welding this liner?

Mr. Radomsky stated yes, they are welding this liner. They have a cold weather plan. They will be doing extrusion gun welding. There are some protentional issues with doing cold weather work.

They submitted a cold weather plan and if Atlantic Lining feels like they cannot do the job properly than they will not.

Mr. Lazorisak stated that there could be possibility that they could possible not finish the work this winter.

Mr. Radomsky stated yes.

Mr. Knittel stated with that in mind we do have the entire cell spilt into three different sections and two have been approved by the State of New Jersey. Only the third section would be held up by any future delays by Tomco.

Mr. Knittel stated on the Wall Construction bidding that there were several bidders and all three of the bidders pulled out in the final week for various reasons that we can talk about in Executive. Next, we have the Gas Wells Bid for cell 7 upgrade to our gas collections system. The Bids are coming in and we have our Bid opening on Tuesday the 20<sup>th</sup>. This is the first step of the 2023 capping construction.

Mr. Knittel stated on to the H2S system we have Klines coming out here this month to help with the media. We hope to have this done end of December beginning of January.

Mr. Knittel had no update on the solar panels.

Mr. Knittel stated going on to A-3 as we all know we have reset our contracts year from January 1<sup>st</sup> through December 31<sup>st</sup>. So, we have these in yellow that have come in. We have two that are highlighted in red that we would like to talk about in Executive Session, which would be N.T.I and Sanico. They have both sent over a request to look at two lines and we will go over that in Executive Session. The rest of the contracts can be approved.

Mr. Knittel stated that we have two other contracts to go over which is Somerset Raritan Valley Sewerage Authority and Stony Brook Regional Sewerage Authority. We use these haulers for daily cover. Then we have a third contract to over which is Covanta Ash for 2023 which will be discussed in executive session.

There was a lengthy conversation in regarding what the benefits are for using ash for cover.

Mr. Lazorisak made a motion to approve Somerset Raritan Valley Sewerage Authority (SRVSA) 2023 and 2024 Contract, seconded by Mr. Mach.

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

Mr. Lazorisak made a motion to approve Stony Brook Regional Sewerage Authority (SBRSA) 2023 and 2024 Contract, seconded by Mr. Mach.

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

Mr. Knittel stated our third contract that we have before us is Covanta which is our annual ash agreement. We have a proposed amendment to the ash agreement. We are asking to change the tonnage from the contract tonnage of fifty thousand tons per year to increase that to sixty-five thousand tons per year. This is beneficial to us for daily cover.

Mr. Accetturo stated that they are getting fifteen-thousand more tons at the cheaper rate.

Mr. Knittel stated that he was correct.

Mr. Lazorisak stated that the rate is going up thirty-six cents.

Mr. Knittel stated that yes it does by contract.

Mr. Accetturo asked why are we giving them ten-thousand more tons at a cheaper rate?

Mr. Accetturo stated that they will discuss this more in Executive Session.

Mr. Knittel presented (A-4) Electronics Recycling Program, (A-5) Tire Recycling Program, (A-6) Single Stream Recycling Program. These programs have been going very well.

Mr. Knittel stated that we had a company come to PCFA and asked if we wanted to put clothing bins in the convience center.

After a discussion amongst the board members, having a clothing bin was not a good option for the public because clothing bins are located throughout the county already and would create more foot traffic in the congested convenience center.

GENERAL COUNSEL'S REPORT

Mr. Tipton stated that he did not have anything for public.

OTHER

No Other business.

Closing Public Comments

No Closing Public Comments.

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

Mr. Accetturo stated that there was need for Executive session.

Mr. Lazorisak stated that he would make the motion to go into Executive session, seconded by Mr. Mach.

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

Executive session was entered at approximately 10:31am.

**RESOLUTION**

**R-12-03-22**

**AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Authority has a need to discuss the following matter(s) in Executive Session:

2023 Contractual Discussion

It is not possible, at this time, for the Authority to determine when and under what circumstances the above-referenced item(s), which are to be discussed in Executive Session, can be publicly disclosed;

NOW, THEREFORE, Pursuant to N.J.S.A. 10:4-1 et. seq., BE IT RESOLVED by the Pollution Control Financing Authority of Warren County that the matter(s) as noted above will be discussed in Executive Session.

Moved By: **Mr. Lazorisak**

Seconded By: **Mr. Mach**

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

I hereby certify the above to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the date above mentioned.

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Recording Secretary  
Michelle Connors

Dated: December 19,2022

***\*\*Executive session ended approximately 10:31am.***

Mr. Accetturo made a motion to come out of Executive Session, seconded by Mr. Mach.

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

Regular session resumed at approximately 10:32am.

Mr. Lazorisak made a motion to submit to Sanico and National Transfer counter proposal of 90 days termination agreement and to not exceed 28,000 tons, seconded by Mr. Mach.

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

Mr. Accetturo made a motion that we approve the following 2023 Disposal Contracts: Environmental Transport Group, Gaeta Recycling Co. Inc., Intrepid Carting, Junk Rx, LMR Disposal, Montella Landscaping, Pinto Service, Russell Reid, S&L Equipment Rental, Harmony Township, Town of Belvidere, and Warren County Habitat of Humanity, seconded by Mr. Lazorisak.

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

Mr. Lazorisak made a motion that to write off the NSF Check from October 22, 2022, in the amount of \$40.00, seconded by Mr. Mach.

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

Mr. Lazorisak made a motion to amend the Covanta Disposal agreement with PCFA noting we will keep the 50,000 tons as on the contract at \$18.36 a ton, but amending paragraph #1 that Covanta may determine that they need additional space for the disposal of type 27I Waste, PCFA will accept the additional waste at the landfill as well as agreeing to the parties to agree on an additional 20,000 tons at \$22.00 per ton for the remainder of the 2023 calendar year for tonnage greater than 50,000 tons, seconded by Mr. Accetturo.

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

ADJOURNMENT

Mr. Lazorisak stated that since there was nothing else to discuss, he would make a motion to adjourn, seconded by Mr. Mach.

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

***\*\*Meeting was adjourned at approximately 11:14 AM***

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Respectfully submitted by:

Michelle Connors

Recording Secretary

Approved: January 23, 2023