

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

October 25, 2021

Chairman Angelo Accetturo called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:34 AM.

Authority Members present: Alex Lazorisak, Richard Mach, Dan Perez, Angelo Accetturo and Robert Larsen (via phone).

Mr. Accetturo asked to call the Monday October 25, 2021 PCFA meeting to order, and then asked please call the roll.

ROLL CALL:	Mr. Larsen	-	Present (via phone)
	Mr. Lazorisak	-	Present
	Mr. Mach	-	Present
	Mr. Perez	-	Present
	Mr. Accetturo	-	Present

Also present: Cathy Bombace; DEP Inspector, Pat Radomsky; Mott MacDonald, Brian Henning, Mott MacDonald, Brian Tipton, General Counsel; Jonathan Knittel, Director of Operations; Jamie Banghart, Administrative Supervisor, Mariann Cliff, Recording Secretary and Michelle Connors Weighmaster.

The Pledge of Allegiance was led by Chairman Accetturo.

Mr. Accetturo read the following statement: "Adequate notice of this meeting of October 25<sup>th</sup> 2021 was given in accordance with the Open Public Meetings Act by forwarding a schedule of regular meetings of the Pollution Control Financing Authority of Warren County (PCFAWC) to the Warren County Clerk, the Warren County Board of 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

M-1 Regular monthly meeting minutes – September 27, 2021

*Mr. Lazorisak* made a motion to approve the Regular Monthly Meeting Minutes from September 27, 2021, seconded by *Mr. Mach*.

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

M-2 Executive Session– September 27, 2021

*Mr. Mach* made a motion to approve the Executive Session Minutes from September 27, 2021 seconded by *Mr. Lazorisak*.

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

CORRESPONDENCE

Mr. Accetturo stated that for correspondence C-1, Email correspondences between OEM, FEMA, and PCFA regarding Ida Storm. Then asked Mr. Knittel if he would speak on that.

Mr. Knittel stated that in that handout in C-1 the correspondence started back as early as September first, the day of the storm with the State and then through different email updates to them, they eventually recommended that the PCFA submit a preliminary damage assessment to FEMA through our Warren County OEM. That has been submitted, which kicked Warren County over a threshold to include the County for FEMA relief. In those emails there was a resolution by the Governor's office to include Warren County and the process is continued now. They were coming for a formal damage assessment review that they already photo-documented with the County. They also have had an informal FEMA review of the site. The process was proceeding, they have receipts, time sheet entries, even some of the engineering costs in September, especially from TetraTech was associated with the storm water and slope evaluation of the damage that was incurred during Ida. They had itemized a projected number to OEM and they were going to finalize those numbers. There was a potential that they would receive some federal funding back from FEMA. However, they built their budget that they would discuss later in executive, assuming that they would get nothing. Then if they do get some FEMA reimbursement, it would put them in a more comfortable operating position to be able to address some of the remedial measures that NJDEP has identified through administrative orders. It would just make those remediation's get done in a more timely fashion.

Mr. Knittel stated that because they have had real expenses from the storm, mostly leachate and slope repair. They would just continue to track those expenses and see what happens with FEMA. They would keep them updated when they hear more about that. The rough estimate on paper was about a half a million dollars that they could potentially receive.

Mr. Mach asked how much they were going to spend.

Mr. Knittel replied that the number that they could be reimbursed, was more than the actual dollars out because FEMA has blue-book values for things like our dozer. They would take our dozer and our operator and say its worth 'this much' per hour. Now our internal cost was less to pay for that machine and that operator so the number expended would be substantially less than the number that would actually be received. Mr. Mach replied that was a good thing.

Mr. Lazorisak stated that FEMA only reimbursed up to 75% the other 25% was up to the state of New Jersey's Governor's office at that point, it would also depend on how much funding they get and how they decide to spend it.

Mr. Knittel replied that if their 25% was zero, they still would have most of the expenses covered.

Mr. Mach stated that there was a lot of work done in a very short period of time on this packet of paper, in a matter of three or four days this was assembled. Plus all of the background information, nice work.

Mr. Accetturo stated that next item was C-2.

Mr. Knittel replied yes, C-2 was an email from himself, to State of New Jersey Erosion Control. C-2 goes through a meeting that took place between PCFA Doug Speeney from NJDEP and John Fowler from Department of Agriculture. It was an in-depth review of our erosion control status of the entire facility, both operations end and construction related. These bullet items were the specific numbers 1 through 7. This was what they saw in the field and what they could do about it. One of the main things in there was to divert as much storm water from the property back into the retention pond. The easiest and most cost effective is to place a storm pipe through the solar field. That work has already begun under a T&M.

The letter, the next correspondence C-3 was the email from himself to Tomco to get them going on this. this pipe is material that the PCFA already owns, they had mark-outs done through the solar field to identify all of the electric cables. They had uncovered those cables by hand and the solar company was good enough to turn the power off for one day. They hand dug the cables and now were determining if the 24 or the 12 inch pipe would fit through all of the cables that were running in there.

Mr. Knittel stated that the reason that they were doing this job as the facility instead of Tomco, even though it helps them out in the short term was the hundred and fifty thousand cubic yards of material that they would leave behind in the stockpile would be shedding water right now to Titman road. Our on-site road that leads down to their neighbor's property. They could re-grade that now, direct all of the stockpile water from the present and the future into their pond, instead of having it effect their neighbor.

Mr. Knittel stated that it was sort of a point of non-negotiation between Mr. Speeney and Mr. Fowler from the State that they get the water from that stockpile back into their pond. This was the reason for the expedited nature of the installation. It should be a two-day installation with on-site pipe. However, the on-site pipe was 24 inches and it may have conflicts with some of the cables, so they may have to reduce it to a 12-inch pipe.

Mr. Accetturo replied ok, thank you.

#### PUBLIC COMMENTS (AGENDA ITEMS ONLY)

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

#### FINANCE

Mr. Accetturo stated since there were no public comments they would move on to Finance with Mr. Knittel and Mrs. Banghart, A-1 finance report.

Mrs. Banghart stated that as they see on page 2 they were still operating in the negative due to cell 7 payments and emergency leachate hauling that occurred higher in the month of September because of the Ida storm, Mr. Knittel would report on that in operations. Everything else was in order and is as expected, they also had township cleanups starting in the month of September.

Mr. Mach stated that before they move on, just one question on expenditures, under accounts receivable balances. The balance jumped up to 54% between august and September and there was a \$127,303 increase.

Mrs. Banghart replied that the tonnage went up in September as well. There was a lot of hauling from our contracted haulers due to the storm.

Mr. Mach replied thank you.

Mr. Accetturo asked if there was there a motion on the resolution R-10-01-21 to pay bills

Mr. Lazorisak stated that he would make the motion.

Mr. Accetturo asked if there were a second.

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 *October 25, 2021*.

## RESOLUTION

**R-10-01-21**

**To Pay Bills – October 25, 2021**

WHEREAS, the Pollution Control Financing Authority of Warren County has been presented with invoices for services, supplies and other materials rendered to it or on its behalf;

NOW, THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County that the following bills be paid:

*See Attached*

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

We hereby certify Resolution to Pay Bills in the amount of \$ 3,528,377.76 to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 25<sup>th</sup> day of October, 2021.

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Mariann Cliff  
Recording Secretary

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Jonathan Knittel  
Director of Operations

Approved: 10/25/21

Mr. Accetturo stated that next was an authorization form.

Mrs. Banghart replied yes, they need an authorization, a motion from the Board to authorize Mr. Knittel and herself to be signers at Unity Bank, Lakeland Bank, Provident Bank and Fulton financials.

Mrs. Banghart stated that what they need was a motion removing Mr. Williams and adding Mr. Knittel as a signer. Mrs. Banghart stated that she was a signer on Unity and she was not on Lakeland, Provident or Fulton. Therefore, no one that they know of were on those banks, so they could not even correct it, so they would need a motion from the Board.

Mr. Accetturo asked if they could do it with one motion for all of the banks. Mrs. Banghart replied yes.

Mr. Mach stated that he would make the motion.

Mr. Accetturo stated that he would second the motion.

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

## PERSONNEL

Mr. Accetturo stated that he sees longevity and merit bonus were the discussion items there. He then asked the Board, should they talk about this in executive session first? How would they like to proceed? Mr. Accetturo asked if they should just hear it from Mr. Knittel first. Mr. Mach replied that he thinks it best if they do it in executive session. Mr. Accetturo replied that they would save that for executive session.

The 2022 Draft Budget was presented to the board and further discussions will be held in executive session.

## PRESENTATIONS

Mr. Accetturo asked about presentations, if there were any today.

Mr. Knittel stated that they do have a guest there Mrs. Bombace usually sits in on their meetings. She was here and they have been working together closely on 12 main items that have been presented in an Administrative order that was presented to the PCFA some time back. The PCFA has made progress in eliminating several of those or correcting several of those problems. Including the tree removal around the retention pond. Removal of sediment from eight or nine hundred feet of swales, the west slope repair that was Ida induced they have repaired most of that.

Mr. Knittel stated that Mrs. Bombace was here today just to give us information on an Administrative consent order. They already have an Administrative order in place, which was twelve items that were in non-compliance. Even though they were working aggressively to fix those they cannot be fixed instantly and the do cost time and money to fix those.

Mr. Knittel stated that they have budget expenditures built in to implement a lot of that remediation, but Mrs. Bombace has a system in place called an Administrative consent order, in other words they would be consenting to a mutual agreement of communication and correspondence back and forth to agree to finish remediating the items that she identified. This gives us protections, this would be a good time to turn it over to Mrs. Bombace.

Mrs. Bombace stated that an Administrative Consent Order provides the facility operators time to address all of these issues. Providing the department with a time schedule in which each of these items would come into compliance. Additionally and she would use one that she had available to her at this time. Just to give them an idea it would go through the same format as what the Administrative order does, citing all of the findings, what all of the violations were and then they would give, based on what would be provided to them and acceptable to them. A time frame for addressing these corrective measures.

Mrs. Bombace stated that additionally within it would be some type of time frame for completion. Within that would be progress reports would have to be submitted, they may tailor this considering that she comes out monthly to inspect the landfill to see if compliance was met. They also could consider force majeure into this, because as they know there are things that sometimes are out of their control. They do require project coordination for this and then they do have stipulated penalties if they do not tell the department if there was to be an issue. That would then activate the stipulated penalties which are very minor considering what the penalties would be if they wind up having to go to an Administrative order with a civil notice.

Mrs. Bombace stated that what they provide was if they agree, she would draft it up, her supervisor would review it. They then send it to the PCFA for comment, you can look at it make any comments, any changes that you might want done. Then the department would look at it again to see if the changes were agreeable to them, then they send it back to the PCFA once both parties sign it, it becomes effective

at that point. Then it would stay in effect until all of the items were taken care of, then they reach a settlement agreement. Mrs. Bombace stated that was what she was proposing for the PCFA. This gives them the time they need, whether that was a year or 18 months or 2 years to get the landfill operating back to being in compliance with the permit and solid waste regulations.

Mrs. Bombace asked if anyone had any questions for her.

Mr. Knittel stated that he thinks that he could follow up yes. With the remediation items that they have identified and the put on a plan, they would have a table with the twelve items. Already several of those items have been completed already, it seems like it would be a 12 to 18 month process. More like 18 months because this budget in front of us here does not have all the necessary line items to get all twelve items done. However, they could chip away at the majority of them in 2022. A few of them may carry over to 2023 for example in their capital budget they have a line item in capital proposed for \$100,000.00 to purchase a machine that mows steep slopes that does not have an operator on it. It has a seventy-horse diesel engine flail mower that has rubber tracks and it mows steep slopes. Now that was something that they have never done there, they have intermediate slopes with brush and trees that have at least seven or eight years of growth on them. up to four inch diameter trees and that mower in capital would be purchased would be used with in-house labor in a safe manner. They would not take any type of skid steer or machine on a steep slope and possibly injuring or hurting someone.

Mr. Knittel stated that they would be expending that relatively small portion of capital to address one of the major concerns which was almost 30 acres of undergrowth that the Stated deems to be removed in order to even see problems that may be on those slopes. Mr. Knittel stated that he was aggressively in that budget funding and proposing line items to address those concerns that the State has. They could look at those line items in more detail, the problem being that it would be an 18-month process, to get this facility into what he would call an A+ category.

Mr. Knittel stated that literally in a year and a half from now he wants an award from the State to say that this was a model facility. He would like them to say they could bring people here from other facilities and say that this is what they want it to look like.

Mr. Knittel stated that he could not get it there overnight and from talking with the State and engineers including his former employer. This Administrative order was not for everybody, but in this case because of the repairs that set before him could carry out to 18-months provides them protection from monetary fines of substantial amounts that could be fined for even on a per day basis. It could be a fine of \$10,000.00 per day every day until it was fixed.

Mrs. Bombace stated that the maximum was \$50,000.00 per day, for each violation. That was the maximum.

Mr. Knittel stated that he believes that the State sees that in a very short period of time, they have attacked and she could correct him if he was incorrect. They have taken some serious conditions and remediated them in a very quick manner, cost effectively with in-house labor and machinery or rental equipment.

Mr. Knittel stated that he plans to continue to keep doing that and that he has budget increase in there for equipment rental for excavators on occasion or an extra haul truck once and a while to haul soil to slopes for slope modifications. With all of that said he has been told by multiple people that the consent order in this case is technically a good thing and then they can get out of the consent order once they have all of the items identified addressed. Therefore, a year and a half from now this would be resolved and anything that they draft up they would obviously send to Mr. Tipton for review, but his opinion at the current moment is that this would be advantageous for the PCFA to enter into that agreement.

Mr. Knittel stated this was really doing things that he was already doing. Communicating with the State on a weekly or monthly basis. Submitting status reports, progress of remediated items at this point Mr. Knittel stated that he does not have any reservations. This could be discussed with the Board in executive session.

Mr. Lazorisak stated that this was not an executive session discussion; the whole Board here would want to be compliant. He thinks that Mrs. Bombace knows and he knows that her Bosses know that there was a new Board here and there was new Administration / Management.

Mr. Lazorisak stated that obviously they do need to catch up and clean up a lot of the past. They do appreciate at least giving them the 18 month extension to do so.

Mr. Lazorisak stated that he certainly hopes that she takes into account that from the time that she came out to do the inspection to when they received the violation, a year had gone by because of Covid. Obviously closed everything down, slowed everything down. The PCFA probably lost a year of even trying to get some of this stuff addressed accordingly.

Mr. Lazorisak stated again that he hopes that the DEP would take that into account, they would do everything that they could to try to get things done within the 18 months that they could.

Obviously there was a lot going on, he does have a lot of confidence in the staff that they could do it. but if something does come up he hopes that they would take that into account, the additional consent order, they show good will to correct these items. If they do not take care of these items it ends up costing them money so, it was in their best interest also to get these things corrected and obtain compliance.

Mrs. Bombace stated that obviously for her to come out to this facility and constantly find issues such as, she was the one that found the leak in the tank. That was very disconcerting. To find other issues like the anchor trench along cell 5 worked open along with other areas and just not getting the proper response back. They do want this landfill to operate correctly, they do want it to be available for residents and for the haulers to bring solid waste. The DEP feels that this was a good asset to New Jersey but obviously, it needs to operate correctly. All of their landfills do. Historically each one had their own individual problems. It was unfortunate that the problem with this one was the generation of the leachate. Which was why prior to Ida coming she spoke with Mr. Knittel and asked what he was doing, because she knew what was coming. She had told Mr. Knittel that he needed to get on the horn with her superiors and ask for relief.

Mr. Knittel stated that Mrs. Bombace was instrumental in opening the door to the Bureau Chief.

Mrs. Bombace stated that after the inspection that she had with Mr. Knittel in the pouring rain, they were on the phone with her asking how bad it was. She then told them that they needed to give this facility relief now.

Mrs. Bombace stated that from the time since she was assigned to this facility until now, she has become very concerned. Mrs. Bombace stated that she used to come monthly to the facility, now she was coming weekly. She does not want to see more issues crop up, it is right about on that precipice.

Mrs. Bombace stated that she was thankful that the leachate was going down. that hopefully soon they could start addressing the storm water controls. The recirculating was only buying time, to get those storm water controls back operating correctly.

Mr. Lazorisak asked, if she had a copy of the consent order to give to their attorney for review?

Mrs. Bombace replied that she had not drafted one, as soon as she was given the ok that the PCFA was willing to enter into she would start drafting it. It would take a little bit of time to draft it and then it would go to her supervisor for review, before they send it to the PCFA for review and comment.

Mr. Perez asked then at the time that you draft that letter then they would go 18 months from that point forward?



Mrs. Bombace replied that it would be whatever you choose and she would mention it again to Mr. Knittel, just knowing prior facilities that have entered into such an agreement, give yourself more time. Mr. Knittel replied ok.

Mr. Lazorisak asked if they were going to put together a schedule for this?

Mr. Knittel replied that yes, they already have a draft schedule.

Mrs. Bombace stated that she did not mind if it even took two years or longer. Be realistic.

Mr. Lazorisak stated that was kind of his question before, she was telling them to add some time in there versus having to re-open a consent order and ask for additional time. Mrs. Bombace replied yes, by the time that this order becomes active it could be a month out.

Mr. Accetturo asked, about the progress reports, are those usually attached to these kinds of things whether monthly or quarterly?

Mrs. Bombace replied that typically it would be quarterly, but like she had mentioned considering that she was out here monthly she would have to consult with her supervisor.

Mr. Accetturo stated that the point he was trying to make was that in those reports, whether they were monthly quarterly or whatever. One of the reporting elements would be schedule. Mrs. Bombace replied yes.

Mr. Accetturo continued if there was a departure from what was agreed to 24 months or 30 months or whatever, they could notify the Bureau.

Mrs. Bombace replied that typically what she had done with hers was she would put in the agreement that if you find that you would not meet a certain deadline you have 2 weeks in which to notify the DEP. If it were legitimate, they would not have a problem with it. If it was something that was erroneous, that they feel should have been taken care of but due to being miss-directed and it was not addressed then they would address that.

Mr. Lazorisak stated that they would have to fine tune their schedule and cost based upon the consent order that she was going to prepare.

Mrs. Bombace stated that Mr. Knittel would provide a schedule then the DEP would hold you to that schedule. Mr. Lazorisak replied that they would be basing the consent order on the schedule.

Mr. Knittel stated that he did have one that was approximately 18 months for completion, but he would review it. Then he would send them an email with the proposed schedule and what the items were.

Mrs. Bombace stated that the only thing with going into Administrative consent order, only covers the items that were in the Administrative order. It does not cover any other violations outside of that.

Mr. Knittel stated that it does not give him a license to go out and do something silly somewhere else, he understands.

Mr. Lazorisak asked Mr. Tipton if they needed a motion authorizing Mr. Knittel and the engineer to put together a schedule to issue to the DEP for them to draft up this consent order?

Mr. Tipton stated that he does not believe that they need a motion yet; they would eventually have to approve the order itself. It would not hurt to do that if they wanted to do that now, nothing would be final until it comes back from the DEP. Right now, it was more of a continuing negotiation process.

Mr. Lazorisak replied ok.

Mr. Perez asked would that change the motion later on?

Mr. Tipton replied that there would be an official motion, for example, Mr. Knittel would do his best to give Mrs. Bombace what he has from scheduling sampling. She then comes back after she goes to her Director with an actual document, it would be at that time that that the PCFA either accepts the document or they go back again. So it would be a fluid process until they have a final order.

Mrs. Bombace stated that sometimes that does happen.

Mr. Accetturo stated that the PCFA was asking today whether they should prepare consent orders.

Mr. Lazorisak stated that the PCFA did not need a motion authorizing Mr. Knittel to prepare this. the DEP is asking for permission.

Mrs. Bombace stated that she could not start doing this until the Facility Operator or the Board stated that ok, they would consider going into an Administrative consent order.

Mr. Lazorisak stated that he would make a motion authorizing Mr. Knittel and the Engineer to put together a schedule to submit to the DEP to base a consent order upon.

Mr. Accetturo 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. Perez stated that he had one last question, and then asked what could cause this agreement to fall apart. What if there was something on our end that they did not do. What would cancel this?

Mrs. Bombace stated that she had an example from another facility but she could certainly provide an example of what would violate the whole thing. She should mention that even though it becomes a final order in New Jersey Superior Court, it would not preclude the department from taking immediate action or seeing or seeking relief against the Authority to protect public health and welfare and or the environment.

Mrs. Bombace stated that the DEP does retain the right to terminate the remainder of the ACO if such findings prove that the PCFA was not complying with it. The DEP would provide written notice of such an action.

Mr. Knittel replied if he broke off communication, they fail to update their schedule, or they cannot keep the schedule based on their own choosing set aside from force majeure. As long as they were communicating and making progress, everyone that he had spoken with that had been in these types of orders stated as long as you communicate and you show progress and you update your schedule. You were just working to the end goal just as if you would have; it just gives you more time and more protection while you are getting to that finish line. That was ultimately where they want to be anyway, they want the facility to be perfect, we want this to be a model facility because then it was safer and more efficient. The workers would take more pride in it, it was a home run deal to be in complete compliance with all of the regulations.

Mrs. Bombace replied that was what the department wants also, they want to see the facility running like a model landfill in compliance with all of the permit requirements. That it was not posing any problem to environmental health, safety for the workers and obviously protection for the environment.

Mr. Perez asked what would happen if they came up against a financial hardship. If all of a sudden they could not meet their financial obligations.

Mrs. Bombace replied that she guesses that it was something that would then be negotiated with the department.

Mrs. Bombace stated that it would have to be brought up to the department and it would definitely be a consideration. Obviously, any landfill must be maintained, hopefully they could resolve all of the issues and get this facility back to where it should be. That it could be inspected properly, train the staff to inspect it accordingly. That was a part of it also, knowing what to look for.

Mr. Knittel replied that has now changed and to answer Mr. Perez's financial question, spread out over 2 budget years, this 2022 budget and the following year, financially speaking the facility was in a good position to handle this.

Mr. Perez replied thank you.

Mr. Accetturo asked if there were any other questions.

Mr. Accetturo stated thank you Mrs. Bombace thank you Mr. Knittel for getting this set up.

Mrs. Bombace replied your welcome.

## REPORTS

Mr. Accetturo stated next were reports, were there any reports.

## FACILITIES/RECYCLING

Mr. Accetturo stated that they should go thru facilities and recycling and get through whatever they can that does not fall under executive session and then they would go into executive and finish up.

Mr. Knittel stated that he would go through this as quickly as possible. They have a D-6 arriving in the next week or so, they have capital funds set aside for that. Therefore, the check will be cut and they would pay for their new D-6 that was budgeted for this year. They also have a rental machine that has been on rental from Foley, which was also a D-6. They have a contract with Foley that states that all of our rental on the current rental machine would be applied to the purchase price including November and December if they continue to rent for the next two months. That is what he would recommend, that machine could be purchased under capital in January of this coming year. You would see that in the capital that they looked at earlier. The tank replacement is scheduled for this December, the tank, the \$180,000.00 plus \$9,000.00 in quality control. So it would be \$189,000.00 this would be done this December, they have operational funds to do that this year. They were right on track, they have gone from 99% capacity and they have dropped that down all the way down to close to the 50% mark on leachate in their holding tanks so if they keep progressing the way they are they should get all of the tanks empty by thanksgiving weekend.

Mr. Knittel stated the next was the Administrative Order they just had the DEP speak to that.

Mr. Knittel stated that the following item, the reduced reduced cell agreement. They have a letter to Christina Rodriguez who was their NJDEP case manager and also have a letter to Tomco that was in their packet they would look at both of those in executive.

Mr. Knittel stated that the leachate financial breakdown, they had already discussed that earlier today. ( the FEMA updates they had discussed that as well.

Mr. Lazorisak asked where were they with the liner replacement.

Mr. Knittel replied that the liner replacement was scheduled for December 6<sup>th</sup> thru the 8<sup>th</sup>. This was a five-day period this was five days of replacement. Mott MacDonald has given them a quote to do the quality control on that project the first week of December. They have a plan in place to bypass leachate for those five days to the lagoons, which they could not do previously because they were completely full.

Mr. Lazorisak asked what if they lose the temperatures? Mr. Knittel replied that the temperatures for the lagoons not a problem, they had Atlantic lining show up at the office, present their plan and they were submitting a cold weather plan according to this past Thursday's construction meeting.

Mr. Knittel stated that the cold weather plan for the first week in December, he was a deer hunter and he knows that time of year could be 5 degrees or that could be 50 degrees, you don't know. because it was a 120ft square tank that liner would be removed and sent to the landfill and that could be ventilated and temporarily heated with a propane torpedo heater at night-time. With a large 120 ft. tarp over it, that tarp was not cheap but it was something that Atlantic lining could provide or rent to us. They would cover that tank and heat it at night with a torpedo heater the tank was nice and warm for the following day. They expect that even if it was very cold out that they could continue welding that first week in December because of the ability to heat that area.

Mr. Lazorisak stated that obviously that would be above their original proposal, did they give you a total cost for that?

Mr. Knittel stated that the \$180,000.00 includes for the propane heating with our staff, they would provide the tarp and to his knowledge and he would have Mr. Henning verify that.

Mr. Henning stated that he did not see a problem with cold weather welding. He has done it in Tennessee and in the snow, and there are ways around it.

Mr. Knittel stated that Atlantic lining verified that that price was good for those five days, which is what he understood from their meeting. Mr. Henning stated that that was their worst case, with the idea that if they had cold weather provisions or if they needed cold weather provisions they were in the price already. Mr. Knittel stated that was good, that was his understanding as well. We also have a meeting this coming week with OEM and FEMA to do a more in-depth damage assessment.

Mr. Knittel stated that was what he had on the operations, then asked if there were any questions regarding operations.

Mrs. Banghart stated to Mr. Knittel they should mention, Tomco would be tying into the tank during that time.

Mr. Knittel stated that yes Tomco has a new penetration into that tank for cell 7, that would be coordinated that first week of December. That way no one would ever be into that liner to compromise or damage it. If they were ready to install that boot that week, great, if not there would be a blank/thimble placed through the new liner for them to attach to.

Mr. Accetturo asked if there were anything else for facilities or recycling that you would like to touch on or were they done.

Mr. Knittel stated that an update on the H2S removal, that system was going well. they monitor that on a daily basis, the leachate recirculation has not affected the numbers on the incoming gas at all. They were pleased to see that the raw H2S on the incoming side was still stable at around 550 parts per million. So

that means that their recirculation to this point which has been several weeks now, they were in there third week, has not affected new H2S generation. If it does, they could handle it, it would just mean that they would burn their media at a higher rate. However, they were not seeing that yet, they have seen some ticks in temperature, oxygen, CO2 a couple of numbers were changing. They were basically waking the landfill up to a healthy form bacteria that eats the trash, helps decompose it and generates more airspace. That was a temporary recirculation they do not expect very much long term benefit from decomposition of material. It was good to see that they were not drastically changing the chemistry of the landfill by recirculating. All of that data would be shared with the State. They were very interested to see our daily and weekly data because they were sort of a pilot program for recirculation in New Jersey.

Mr. Accetturo stated that was a slight bit of good news, was there any other bad news.  
Mr. Lazorisak replied that was for executive session.

Mr. Lazorisak stated that he sees that the draft proposal was ready to go out for Auditing services.  
Mr. Knittel replied yes that was A-9.

Mr. Lazorisak stated that he would make a motion to put the RP out for Auditing services.  
Mr. Accetturo 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. Lazorisak stated that he would make a motion for A-10 RP for Legal services.  
Mr. Accetturo 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 if there was any report from General Council.  
Mr. Tipton replied that he had nothing for public session.

#### OTHER

Mr. Accetturo asked if there was any other business.

#### Closing Public Comments

Mr. Accetturo asked if there was any closing comments.

PRESS COMMENTS & QUESTIONS

Mr. Accetturo asked if there was any press or comments.

EXECUTIVE SESSION

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

Mr. Mach stated that he would make a motion to enter into executive session.

Mr. Accetturo 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 11:16 am.**

**\*\*Mrs. Bombace left the Boardroom at approximately 11:18 am.**

**\*\*Mr. Radomsky and Mr. Henning left the Boardroom at approximately 12:16 pm.**

**\*\*Mr. Knittel, Mrs. Banghart and Mrs. Cliff left the Boardroom at approximately 12:26 pm.**

**\*\*Mr. Knittel, Mrs. Banghart and Mrs. Cliff returned to the Boardroom at approximately 12:41pm**

**\*\* Executive session ended at approximately 12:50 pm.**

Mr. Accetturo asked for a motion to get out of Executive session.

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

**\*\*Public session started at approximately 12:51 pm**

Mr. Accetturo stated that the first thing that they needed to do was make a motion on 2022 Draft Budget.

Mr. Accetturo stated that he took some notes that he would share, the change that he sees that they need to make in this Budget was they need to remove the Essex ash revenue, they need to decrease the White Township Host benefit and they need to increase revenue on landfill billings.

Mr. Accetturo asked if anyone would like to add to the changes. Did he miss anything?

Mr. Accetturo stated that he would make a motion that the PCFA 2022 Budget as it is with three changes, remove the Essex ash revenue, decrease the White Township Host benefit by 40,000 and increase revenue on landfill billings.

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

Mrs. Banghart stated that that also coincides with the resolution R-10-03-21 that would have to go with the corrections it was just the basic resolution.

Mr. Lazorisak stated that ok Mr. Accetturo just made a motion on R-10-03-21 with the amendments. Mr. Accetturo stated that was a better way to put it.

Mr. Accetturo stated that they need to make a motion to increase hauler maximum tonnage. Mrs. Banghart replied any of the contracts could be changed within 30 days.

Mr. Tipton stated that what you would be authorizing them to do, was to expand the limits by X tonnage for this contract year at X dollars per ton. To just give the flexibility on those contracts, you would really be amending the contracts per the contract.

Mr. Accetturo asked if they wanted to specify four haulers?

Mrs. Banghart replied that the 9,001 to 10,000 ton contracts for this year be amended with a \$10.00 per ton increase if they exceed 10,000 tons and not to exceed 13,000 tons for that contract.

Mr. Lazorisak stated that they would authorize Management to open up the existing contracts and extend them into next year, increasing above 10,000 tons to 13,000 tons with the additional cost of \$10.00 per ton as outlined in the contract. Mrs. Banghart stated not exceeding 13,000 tons.

Mr. Accetturo asked Mr. Lazorisak if that was his motion.

Mr. Lazorisak replied yes.

Mr. Accetturo asked if there was a second.

Mr. Perez stated that he would second the motion.

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

Mr. Accetturo asked if there was a motion on the Change Order from Tomco.  
Mr. Perez stated that he would make the motion.  
Mr. Mach stated that he would second the motion.

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

Mr. Lazorisak stated that he would make a motion authorizing the execution of the agreement with Tomco to build the revised cell 7.  
Mr. Tipton stated what they were doing was authorizing the letter to be sent as essentially a change order.  
Mr. Accetturo asked Mr. Knittel if there was anything that he may want to add.  
Mr. Knittel stated that that was ok with him.  
Mr. Accetturo asked Mr. Lazorisak if that was his motion.

Mr. Lazorisak replied yes it was.  
Mr. Mach stated that he would second the motion.

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

Mr. Accetturo asked if there was anything else that he might have missed.  
Mr. Knittel stated that this was their current fee schedule for next year. This will be discussed at a later date.

Mr. Accetturo asked if there was anything else.

### ADJOURNMENT

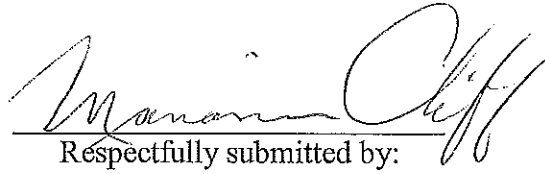
Mr. Accetturo asked for a motion to adjourn.

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



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

***\*\*Meeting was adjourned at approximately 1:04 pm.***

  
Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: November 15, 2021

