

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

February 27, 2023

Director Jonathan Knittel called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:35 AM.

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

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

OATH OF OFFICE – Walter Orcutt, (Brian Tipton, General Counsel)

Mr. Orcutt stated:

I, **Walter Orcutt**, 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.

The Board congratulated Mr. Orcutt.

Mr. Knittel asked for the roll to be called.

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

Also present: Brian Tipton, General Counsel; Jonathan Knittel, Director of Operations; Jamie Banghart, Assistant Director and Michelle Connors Recording Secretary.

Mr. Knittel read the following statement: “Adequate notice of this meeting of February 27<sup>th</sup> 2023 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”.

The Pledge of Allegiance was led by Mr. Knittel.

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

Mr. Perez stated that he would second the motion to nominate Mr. Accetturo.

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

Mr. Accetturo stated nominations are Vice Chairman, Walter Orcutt, Secretary, Dan Perez, and Treasurer, Robert Larsen Mr. Lazorisak stated that he would second the motion.

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

Mr. Accetturo stated that moving on to the Nominations and/or Formation of Liaisons or Committees.

Mr. Lazorisak stated that he would make the motion for the Liaisons (as follows)

Finance- Mr. Accetturo and Mr. Larsen

Personnel- Mr. Perez and Mr. Lazorisak

Site Operations- Mr. Perez and Mr. Orcutt

Capital and Long Range/ Planning- Mr. Lazorisak and Mr. Orcutt. Mr. Accetturo stated that he would second the motion.

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

### MINUTES

Mr. Accetturo stated he would make the motion to approve the M-1 regular monthly meeting from January 23, 2023, seconded by Mr. Larsen.

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

Mr. Accetturo stated he would make the motion to approve the M-2 Executive monthly meeting from January 23, 2023, seconded by Mr. Larsen.

ROLL CALL:     Mr. Larsen                   - Yes  
                  Mr. Lazorisak               - Abstain  
                  Mr. Orcutt                       - 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. Tipton replied that they could do that as long as no one objects to anything in them.

Mr. Lazorisak stated that he would make a motion on R-02-01-23 through R-02-09-23, seconded by Mr. Accetturo.

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

On a motion by *Mr. Accetturo*, seconded by, *Mr. Lazorisak*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 27, 2023*.

**RESOLUTION**  
**R-02-01-23**  
**AUTHORIZING SIGNATURES**  
**FOR FISCAL YEAR 2023**

BE IT RESOLVED, by Authority of the Pollution Control Financing Authority of Warren County that the following are hereby authorized to sign checks or withdrawal slips where a combination of two signatures is required and;

BE IT FURTHER RESOLVED that where two signatures are required, one of the signatures must be the Chairperson or Treasurer and the second signature must be the Director of Operations or the Administrative Supervisor;

CHAIRPERSON  
TREASURER  
DIRECTOR OF OPERATIONS  
ASSISTANT DIRECTOR

BE IT FURTHER RESOLVED, that signature cards with the signatures of the persons authorized to sign be forwarded to all Depositories.

ROLL CALL: Mr. Lazorisak - Yes  
Mr. Larsen - Yes  
Mr. Orcutt - 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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Michelle Connors  
Recording Secretary

Dated: 02/27/2023

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 *February 27, 2023*.

## RESOLUTION

**R-02-02-23**

### **AUTHORIZING ASSISTANT DIRECTOR'S OFFICE**

**TO MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$100.00  
FOR FISCAL YEAR 2023**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Assistant Director's office for the Pollution Control Financing Authority of Warren County; and

WHEREAS, said Petty Cash Fund was established by resolution dated February 2, 1994, by the Pollution Control Financing Authority of Warren County; and

WHEREAS, said Petty Cash Fund received approval from the Director of Local Government Services; and

NOW THEREFORE, be it resolved on this **Twenty Seventh** day of **February, 2023**, by the members of the Pollution Control Financing Authority of Warren County, that;

1. During the year 2023, the Assistant Director, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.
2. The Assistant Director, having been bonded, will have custody of the Petty Cash Fund in accordance with the laws and regulations governing its operation.

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

Michelle Connors  
Recording Secretary

Dated: 02/27/2023

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 *February 27, 2023*.

## **Resolution R-02-03-23**

### **AUTHORIZING THE ASSISTANT DIRECTOR'S OFFICE TO MAINTAIN A PETTY CASH FUND DESIGNATED FOR SCALE HOUSE USE FOR FISCAL YEAR 2023**

WHEREAS, N.J.S.A. 40A:5-21 designated a Petty Cash Fund for the Pollution Control Financing Authority of Warren County for Scale House use; and

WHEREAS, said Petty Cash Fund was established by resolution dated February 2, 1994, by the Pollution Control Financing Authority of Warren County and approved by the Director of Local Government Services; and

NOW THEREFORE, be it resolved on the **Twenty Seventh** day of **February 2023** by the members of the Pollution Control Financing Authority of Warren County, that;

1. During the year 2023, the Assistant Director be, and is, hereby authorized and permitted to maintain the current Petty Cash Fund at the scale House in the amount not to exceed \$200.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Scale House Petty Cash Fund is designated for use by the Scale House operator to make change for residents using the convenience center.
2. The Assistant Director, having been bonded will have custody of the Petty Cash Fund in accordance with the laws and regulations governing its operation.

ROLL CALL: Mr. Lazorisak -Yes

Mr. Larsen -Yes  
Mr. Orcutt -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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Michelle Connors  
Recording Secretary

Dated: 02/27/2023

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 *February 27, 2023*.

## RESOLUTION

### R-02-04-23

#### DESIGNATING A PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O.)

WHEREAS, there exists a need for a designated public agency compliance officer (P.A.C.O.) for the Pollution Control Financing Authority of Warren County in order to meet its responsibilities under the law;

NOW THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County that the Authority's Director of Operations, *Jonathan Knittel*, be appointed as the designated Public Agency Compliance Officer (P.A.C.O.) to insure that all contracts have Affirmative Action language incorporated.

ROLL CALL: Mr. Lazorisak - Yes  
Mr. Larsen - Yes  
Mr. Orcutt - 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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Michelle Connors  
Recording Secretary

Date: 02/27/2023

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 *February 27, 2023*.

## RESOLUTION

**R-02-05-23**

### DESIGNATING A CUSTODIAN OF RECORDS

WHEREAS, there exists a need for a designated Custodian of Records for the Pollution Control Financing Authority of Warren County in order to meet its responsibilities under the law;

NOW THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County that the Authority's Director of Operations, **Jonathan Knittel**, be appointed as the designated Custodian of Records in accordance with the Open Public Records Act (OPRA) (P.L. 2001, c. 404).

ROLL CALL: Mr. Lazorisak -Yes  
Mr. Larsen -Yes  
Mr. Orcutt -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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Michelle Connors  
Recording Secretary

Date: 02/27/2023

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 *February 27, 2023*.

## RESOLUTION

R-02-06-23

### TO PARTICIPATE IN THE STATE OF NEW JERSEY'S DISTRIBUTION AND SUPPORT SERVICE FISCAL YEAR 2023

WHEREAS, in the past, the Pollution Control Financing Authority of Warren County has availed itself to the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, it is contemplated that it will be necessary or desirable to obtain materials, supplies or equipment under such contract or contracts entered into on behalf of the State of New Jersey by said Division during the year 2023;

NOW, THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County, that it is hereby authorized to purchase such materials, supplies and equipment from the Division of Purchase and Property in the Department of the Treasury, pursuant to N.J.S.A. 40A:11-12 and N.J.S.A. 40A:11-3, as it may from time to time deem necessary or desirable.

ROLL CALL: Mr. Lazorisak -Yes  
Mr. Larsen -Yes  
Mr. Orcutt -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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Michelle Connors  
Recording Secretary

Dated: 02/27/2023

**POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY**

**R-02-07-23**

**RESOLUTION ADOPTING A CASH MANAGEMENT PLAN DESIGNATING  
OFFICIALS AUTHORIZED TO INVEST AND DISBURSE FUNDS,  
AUTHORIZED DEPOSITORIES, PERMITTED INVESTMENTS AND  
REPORTING REQUIREMENTS FOR THE POLLUTION CONTROL  
FINANCING AUTHORITY OF WARREN COUNTY**

BE IT RESOLVED, by the Pollution Control Financing Authority of Warren County that from February 27, 2023 the following shall serve as the cash management plan.

The Assistant Director is directed to use this cash management plan as the guide in depositing and investing the Pollution Control Financing Authority of Warren County's funds.

**CASH MANAGEMENT PLAN FOR THE  
POLLUTION CONTROL FINANCING**

# AUTHORITY OF WARREN COUNTY

## I. STATEMENT OF PURPOSE.

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investments ("Permitted Investments"), pursuant to NJSA 40A:5-15.1, of certain public funds of the Pollution Control Financing Authority of Warren County (PCFAWC), pending the use of such funds for the intended purposes. The plan is intended to assure that all public funds identified herein are deposited in interest bearing deposits, to the extent practicable, or otherwise invested in investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done so to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested and to minimize the risk to the market value of such Deposits or Permitted Investments. All investments shall be made on a competitive basis insofar as practicable.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN AND OFFICIAL DEPOSITORIES.

The Plan is intended to cover the deposit and/or investment of authority owned funds of the PCFAWC in authorized institutions which are GUDPA certified pursuant to the provisions of NJSA 17:9-44; (the "Official Depositories").

The following banks and financial institutions and / or their successors are hereby designated as Official Depositories for the deposit of all public funds, including any certificates of deposit, referred to in the plan which are not otherwise invested in Permitted Investments as provided for in this plan: Bank of America, TD Bank, First Hope Bank, IRCO Credit Union, Morgan Stanley Smith Barney, Investors Bank, Lakeland Bank, Public Financial Management (PFM), PNC Bank, Fulton Bank of NJ/Fulton Financial, Santander Bank, Provident Bank, Visions Federal Credit Union, Valley National Bank, Unity Bank, and Wells Fargo.

All such depositories shall acknowledge in written receipt of this Plan by sending a copy of such acknowledgement to the Chief Financial Officer.

Additionally, pursuant to NJSA 40A:5-14g, any official involved in the designation of depositories or in the authorization for investments as permitted pursuant to section 8 of PL 1977, c396 (C.40A:5-15.1), or any combination of the preceding, or the selection of an entity seeking to sell and investment to the Authority who has a material business or personal relationship with that organization shall disclose that relationship to the governing body of the Authority.

III. DESIGNATION OF OFFICIALS OF THE PCFAWC AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

Upon consultation with the Finance Committee members and Director of Operations, the Chief Financial Officer (the Designated Official) of the PCFAWC is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the PCFAWC are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIAL MAY DEAL.

The following brokerage firms and/or dealers and other institutions and / or their successors are hereby designated as firms with whom the Chief Financial Officer of the PCFAWC may deal for the purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits: TD Bank NA, First Bank, First Hope Bank, Provident Bank, Lakeland Bank, Valley National Bank,

PNC Bank, Fulton Bank of NJ, Santander Bank, Investors Savings Bank, Unity Bank, PPFM Asset Management LLC, Visions Federal Credit Union and IRCO Credit Union.

All such brokerage firms and/or dealers shall acknowledge in writing the receipt of this Plan by sending a copy of such acknowledgment to the Chief Financial Officer.

Pursuant to NJSA 40A:5-15.1 and as disclosed in Section V below, the securities dealers' retained by the Authority will comply with said statute and Section V when acting on behalf of the Authority in any and all financial transactions.

## V. AUTHORIZED INVESTMENTS.

Except as otherwise specifically provided for herein, the Chief Financial Officer, upon consultation with the Finance Committee and Director of Operations of the PCFAWC, is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- A. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- B. Government Money Market Mutual Funds;
- C. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- D. Bonds or other obligations of the Authority;
- E. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- F. Local Government Investment Pools;
- G. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281(C.52 : 18A-90.4); or
- H. Agreements for the repurchase of fully collateralized securities if:
  - 1. the underlying securities are permitted investments pursuant to paragraphs 1 and 3 of this subsection a;
  - 2. the custody of collateral is transferred to a third party;
  - 3. the maturity of the agreement is not more than 30 days;
  - 4. the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17: 9 - 41); and
  - 5. a master repurchase agreement providing for the custody and security of collateral is executed.
- I. Any investment instruments in which the security is not physically held by the Authority shall be covered by a third party custodial agreement which shall provide for the designation of such investments in the name of the Authority and prevent unauthorized use of such investments;

J. Purchase of investment securities shall be executed by the “delivery versus payment” method to ensure that the securities are either received by the Authority or a third party custodian prior to or upon release of the Authority’s funds;

K. Any investments not purchased and redeemed directly from the issuer, government money market mutual fund, local government investment pool, or the State of New Jersey Cash Management Fund, shall be purchased and redeemed through the use of a nation or State bank located within the State or through a broker/dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967, c. 93 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- a. which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7;
- b. the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- c. which has:
  - i. attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - ii. retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- a. which has managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b. which is rated in the highest category by a nationally recognized statistical rating organization;
- c. which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- d. which is in compliance with rules adopted pursuant to the “Administrative

Procedure Act,” P.L. 1968, c.410 (c.52: 14b-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for the disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of investments;



- price
- e. which does not permit investments in instruments that: are subject to high volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
  - f. which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a State or national bank located within this State, or through a broker/dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49 : 3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

#### IV. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the PCFAWC, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the PCFAWC to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the PCFAWC or by a third party custodian prior to or upon the release of the PCFAWC's funds.

Pursuant to NJSA 40A:5-15, all Authority funds shall be deposited within 48 hours of receipt.

To assure that all parties with whom the PCFAWC deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Chief Financial Officer.

#### VII. REPORTING REQUIREMENTS.

The Chief Financial Officer shall supply to the governing body of the PCFAWC a written report each month listing all Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the PCFAWC as a Deposit or Permitted Investment.
- B. The type and amount of securities or certificates of deposit purchased or sold during the immediately preceding month.
- C. The book value at month end of such Deposits or Permitted Investments.
- D. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity.
- E. The fees incurred to undertake such Deposits or Permitted Investments.
- F. All other information which may be deemed reasonable from time to time by the governing body of the PCFAWC.

#### VIII. TERM OF PLAN

This plan shall be in effect from February 27, 2023 until such time as it is amended or superseded by a subsequent plan. Attached to this Plan is a resolution of the governing body of the PCFAWC approving the Plan.

#### IX. INVESTMENT STRATEGIES

In order to ensure liquidity to meet the Authority's daily, ongoing cash needs as well as allow longer term investments to gain enhanced returns on our monies the following strategies will be employed. Additionally, all invested funds must be maintained to comply with the provisions of NJSA 40A:5-15.1 ("Securities which may be purchased by local units").

The Chief Financial Officer of the PCFA of Warren County will implement the following procedures on behalf of the PCFA:

- A. In order for the PCFAWC to meet all of its operational obligations including payroll, accounts payable and pension contributions, a minimum of 10% of the current fiscal year's adopted budget will be reserved to meet the operational cash flow requirements. These funds must provide sufficient liquidity for the daily operations of the Authority.
- B. A Capital & Construction account shall be maintained to segregate and reserve funds needed to meet the financial requirements of large scale capital improvement and/or construction projects. Typically these expenditures are large scale, non-recurring projects that have a useful life of greater than one year. The balance maintained in the account will be determined by the five year capital improvement plan included in the Authority's Annual Budget submitted to the New Jersey Department of Community Affairs, Division of Local Government Services. The balance in this account shall be sufficient to meet the projected expenditures incurred during the current fiscal year and to minimize the need to issue debt to finance future year capital projects.
- C. A Haulers account shall be maintained at an amount equal to or greater than 25% of the operating budget. This account will be used to retain funds to insure sufficient finances exist if a drastic change in the solid waste disposal market

should occur. Specifically, this account will provide a safety net should there be a shortfall in revenue that would materially impair the Authority's ability to operate on a daily basis. If operations at the Authority cease, any remaining funds in this account will be transferred to the Supplementary Closure Account.

D. State law requires the creation of a trust fund specifically dedicated to the maintenance of the Warren County District Landfill Closure and Post-Closure care. The estimate for the closure/post-closure maintenance of the landfill is contained in the most recent Closure/Post-Closure Maintenance Plan approved by the New Jersey Department of Environmental Protection. There are currently two funds in existence, the Warren County Landfill Closure Escrow Trust Fund and the Warren County Landfill Alternate Closure Escrow Trust Fund. Both funds are controlled by the New Jersey Department of Environmental Protection. The Closure/Post-Closure Maintenance Plan must be updated bi-annually, all changes in anticipated costs associated with the closure are reviewed and the funding level in the closure investments is adjusted to reflect these changes. Investments in the Funds are administered in accordance with NJSA 7:26-2A.9(b) and the NJDEP standard escrow agreements which permits investments up to 10 years in duration.

E. The Authority Board authorized a third closure trust fund called the Supplementary Closure Account to be used for the Warren County District Landfill Closure and Post-Closure care. These funds are maintained in a separate account under the control of the Authority and will be used to supplement the Landfill Closure Escrow Trust Fund and the Landfill Alternate Closure Escrow Trust Fund. Investments in the Funds are administered in accordance with NJSA 7:26-2A.9(b) and the NJDEP standard escrow agreements which permits investments up to 10 years in duration. The funds may be used to finance improvements in connection with the Landfill Closure and Post-Closure care at the Authority Board's discretion.

On a motion by *Mr. Lazorisak*, seconded by, *Mr. Accetturo*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County on **February 27, 2023**.

\_\_\_\_\_  
Dan Perez, Secretary

02/27/2023  
Date

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

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Michelle Connors  
Recording Secretary

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 *February 27, 2023*.

**RESOLUTION  
R-02-08-23**

**A RESOLUTION ADOPTING AN IDENTITY THEFT POLICY**

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated; and

WHEREAS, those rules became effective December 31, 2010, and require municipal utilities to implement an identity theft program and policy, and

WHEREAS, the Pollution Control Financing Authority of Warren County in the county of Warren has determined that the following policy is in the best interest of the Authority and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Pollution Control Financing Authority of Warren County that the Authority's Assistant Director be appointed as the designated administrator of the Identity Theft Policy annexed hereto and hereby approved:

This resolution will take effect immediately upon its passage, the public welfare requiring it.

ROLL CALL:	Mr. Lazorisak	-Yes
	Mr. Larsen	-Yes
	Mr. Orcutt	-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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Michelle Connors  
Recording Secretary

Date: 02/27/2023

# **Identity Theft Policy of the POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY**

## **SECTION 1: BACKGROUND**

The risk to the Authority, its employees and customers from data loss and identity theft is of significant concern to the Authority and can be reduced only through the combined efforts of every employee and contractor.

## **SECTION 2: PURPOSE**

The Pollution Control Financing Authority of Warren County adopts this sensitive information policy to help protect employees, customers, contractors and the Authority from damages related to the loss or misuse of sensitive information.

This policy will:

1. Define sensitive information;
2. Describe the physical security of data when it is printed on paper;
3. Describe the electronic security of data when stored and distributed; and
4. Place the Pollution Control Financing Authority of Warren County in compliance with state and federal law regarding identity theft protection.

This policy enables the Authority to protect existing customers, reducing risk from identity fraud, and minimize potential damage to the Authority from fraudulent new accounts. The program will help the Authority:

1. Identify risks that signify potentially fraudulent activity within new or existing covered accounts;
2. Detect risks when they occur in covered accounts;
3. Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed; and
4. Update the program periodically, including reviewing the accounts that are covered and the identified risks that are part of the program.

## **SECTION 3: SCOPE**

This policy and protection program applies to employees, contractors, consultants, temporary workers, and other workers at the Authority, including all personnel affiliated with third parties.

## **SECTION 4: POLICY**

### **4.A: Sensitive Information Policy**

#### **4.A.1: Definition of Sensitive Information**

Sensitive information includes the following items whether stored in electronic or printed format:

**4.A.1.a:** Tax identification numbers, including:

1. Social Security number
2. Business identification number
3. Employer identification numbers

**4.A.1.b:** Payroll information, including, among other information:

1. Paychecks
2. Pay stubs

**4.A.1.c:** Medical information for any employee, including but not limited to:

1. Doctor names and claims
2. Insurance claims
3. Prescriptions
4. Any related personal medical information

**4.A.1.d:** Other personal information belonging to any customer, employee or contractor, examples of which include:

1. Names
2. Address
3. Customer number
4. Phone numbers
5. Maiden name
6. Date of birth

**4.A.1.e:** Authority personnel are encouraged to use common sense judgment in securing confidential information to the proper extent. Furthermore, this section should be read in conjunction with the Open Public Records Act. If an employee is uncertain of the sensitivity of a particular piece of information, the employee should contact their supervisor. In the event that the Authority cannot resolve a conflict between this policy and the Open Public Records Act, the Authority will contact the Government Records Council.

#### **4.A.2: Hard Copy Distribution**

Each employee and contractor performing work for the Authority will comply with the following policies:

1. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with sensitive information will be locked when not in use.
2. Storage rooms containing documents with sensitive information and record retention areas will be locked at the end of each workday or when unsupervised.



3. Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing sensitive information when not in use.
4. Whiteboards, dry-erase boards, writing tablets, etc. in common shared work areas will be erased, removed, or shredded when not in use.
5. When documents containing sensitive information are discarded they will be placed inside a locked shred bin or immediately shredded using a mechanical cross cut or Department of Defense (DOD)-approved shredding device. Locked shred bins are labeled “*Confidential paper shredding and recycling.*” Authority records, however, may only be destroyed in accordance with the Authority’s records retention policy.

#### **4.A.3: Electronic Distribution**

Each employee and contractor performing work for the Pollution Control Financing Authority of Warren County will comply with the following policies:

1. Internally, sensitive information may be transmitted using approved e-mail. All sensitive information must be encrypted when stored in an electronic format.
2. Any sensitive information sent externally must be encrypted and password protected and only to approved recipients. Additionally, a statement such as this should be included in the e-mail:  
*“This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.”*

### **SECTION 5: ADDITIONAL IDENTITY THEFT PREVENTION PROGRAM**

If the Authority maintains certain covered accounts pursuant to federal legislation, the Authority may include the additional program details.

#### **5.A: Covered Accounts**

A covered account includes any account that involves or is designed to permit multiple payments or transactions. Every new and existing customer account that meets the following criteria is covered by this program:

1. Business, personal and household accounts for which there is a reasonably foreseeable risk of identity theft; or
2. Business, personal and household accounts for which there is a reasonably foreseeable risk to the safety or soundness of the Pollution Control Financing Authority of Warren County from identity theft, including financial, operational, compliance, reputation, or litigation risks.

#### **5.B: Red Flags**

**5.B.1:** The following red flags are potential indicators of fraud. Any time a red flag, or a situation closely resembling a red flag, is apparent, it should be investigated for verification.

1. Alerts, notifications or warnings from a consumer reporting agency;
2. A fraud or active duty alert included with a consumer report;
3. A notice of credit freeze from a consumer reporting agency in response to a request for a consumer report; or

4. A notice of address discrepancy from a consumer reporting agency as defined in § 334.82(b) of the Fairness and Accuracy in Credit Transactions Act.

**5.B.2:** Red flags also include consumer reports that indicate a pattern of activity inconsistent with the history and usual pattern of activity of an applicant or customer, such as:

- A recent and significant increase in the volume of inquiries;
- An unusual number of recently established credit relationships;
- A material change in the use of credit, especially with respect to recently established credit relationships; or
- An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.

### **5.C: Suspicious Documents**

**5.C.1:** Documents provided for identification that appear to have been altered or forged.

**5.C.2:** The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.

**5.C.3:** Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.

**5.C.4:** Other information on the identification is not consistent with readily accessible information that is on file with the Authority, such as a signature card or a recent check.

**5.C.5:** An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

### **5.D: Suspicious Personal Identifying Information**

**5.D.1:** Personal identifying information provided is inconsistent when compared against external information sources used by the Authority. For example:

- The address does not match any address in the consumer report;
- The Social Security Number (SSN) has not been issued or is listed on the Social Security Administration's Death Master File; or
- Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer. For example, there is a lack of correlation between the SSN range and date of birth.

**5.D.2:** Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the Authority. For example, the address on an application is the same as the address provided on a fraudulent application.

**5.D.3:** Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the Authority. For example:

- The address on an application is fictitious, a mail drop, or a prison; or
- The phone number is invalid or is associated with a pager or answering service.

**5.D.4:** The SSN provided is the same as that submitted by other persons opening an account or other customers.

**5.D.5:** The address or telephone number provided is the same as or similar to the address or telephone number submitted by an unusually large number of other customers or other persons opening accounts.

**5.D.6:** The customer or the person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.

**5.D.7:** Personal identifying information provided is not consistent with personal identifying information that is on file with the Authority.

**5.D.8:** When using security questions (mother's maiden name, pet's name, etc.), the person opening the covered account or the customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

#### **5.E: Unusual use of, or suspicious activity related to, the covered account**

**5.E.1:** Shortly following the notice of a change of address for a covered account, the Authority receives a request for new, additional, or replacement goods or services, or for the addition of authorized users on the account.

**5.E.2:** A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns. For example, the customer fails to make the first payment or makes an initial payment but no subsequent payments.

**5.E.3:** A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:

- Nonpayment when there is no history of late or missed payments;
- A material change in purchasing or usage patterns.

**5.E.4:** A covered account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).

**5.E.5:** Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's covered account.

**5.E.6:** The Authority is notified that the customer is not receiving paper account statements.

**5.E.7:** The Authority is notified of unauthorized charges or transactions in connection with a customer's covered account.

**5.E.8:** The Authority receives notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the Authority.

**5.E.9:** The Authority is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

## **SECTION 6: RESPONDING TO RED FLAGS**

**6.A:** Once potentially fraudulent activity is detected, an employee must act quickly as a rapid appropriate response can protect customers and the Authority from damages and loss.

**6.A.1:** Once potentially fraudulent activity is detected, gather all related documentation and write a description of the situation. Present this information to the designated authority for determination.

**6.A.2:** The designated authority will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.

**6.B:** If a transaction is determined to be fraudulent, appropriate actions must be taken immediately. Actions may include:

1. Canceling the transaction;
2. Notifying and cooperating with appropriate law enforcement;
3. Determining the extent of liability of the Authority; and
4. Notifying the actual customer that fraud has been attempted.

## **SECTION 7: PERIODIC UPDATES TO PLAN**

**7.A:** At periodic intervals established in the program, or as required, the program will be re-evaluated to determine whether all aspects of the program are up to date and applicable in the current business environment.

**7.B:** Periodic reviews will include an assessment of which accounts are covered by the program.

**7.C:** As part of the review, red flags may be revised, replaced or eliminated. Defining new red flags may also be appropriate.

**7.D:** Actions to take in the event that fraudulent activity is discovered may also require revision to reduce damage to the Authority and its customers.

## **SECTION 8: PROGRAM ADMINISTRATION**

### **8.A: Involvement of management**

1. The Identity Theft Prevention Program shall not be operated as an extension to existing fraud prevention programs, and its importance warrants the highest level of attention.
2. The Identity Theft Prevention Program is the responsibility of the governing body. Approval of the initial plan must be appropriately documented and maintained.

3. Operational responsibility of the program is delegated to the **Assistant Director**.

#### **8.B: Staff training**

1. Staff training shall be conducted for all employees, officials and contractors for whom it is reasonably foreseeable that they may come into contact with accounts or personally identifiable information that may constitute a risk to the Authority or its customers.
2. **The Assistant Director** is responsible for ensuring identity theft training for all requisite employees and contractors.
3. Employees must receive annual training in all elements of this policy.
4. To ensure maximum effectiveness, employees may continue to receive additional training as changes to the program are made.

#### **8.C: Oversight of service provider arrangements**

1. It is the responsibility of the Authority to ensure that the activities of all service providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.
2. A service provider that maintains its own identity theft prevention program, consistent with the guidance of the red flag rules and validated by appropriate due diligence, may be considered to be meeting these requirements.
3. Any specific requirements should be specifically addressed in the appropriate contract arrangements.

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 *February 27, 2023*.

## **R E S O L U T I O N**

**R-02-09-23**

### **DESIGNATING THE EXPRESS TIMES**

### **AS THE OFFICIAL NEWSPAPER**

**FOR ADVERTISING PUBLIC NOTICES - 2023**

WHEREAS, there exists a need for the advertising of Public Notices for the Pollution Control Financing Authority of Warren County in order to meet its responsibilities under the law;

NOW THEREFORE, be it resolved by the Pollution Control Financing Authority of Warren County that the **EXPRESS TIMES** is hereby designated as the official newspaper of the Pollution Control Financing Authority of Warren County for all Public Notices.

ROLL CALL:	Mr. Lazorisak	- Yes
	Mr. Larsen	- Yes
	Mr. Orcutt	- 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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Michelle Connors  
Recording Secretary

Dated: 02/27/2023

### CORRESPONDENCE

Mr. Knittel presented correspondence C-1, which is an email from Yannuzzi Group requesting a 1,200 ton contract for C&D debris. Mr. Knittel stated that we technically have enough haulers to get the tonnage that we are looking for this year. The C&D is from a construction site from a hospital in Palmerton St. Luke's facility and would provide concrete and other C&D material that is beneficial for building roads inside a landfill. He is interested in this material. However, the Yannuzzi Group is next to very competitive landfills. Mr. Knittel stated that he has not heard back from him in about a week to a week and a half.

Mr. Accetturo asked if the C&D was clean?

Mr. Knittel replied that yes it was clean demolition debris. He also stated that some of the materials would have to be separated at the site as per their rules.

Mr. Larsen asked if there was any paperwork on it?

Mr. Knittel replied that there usually is not any paperwork other than from the construction superintendent on what they are doing on their site. He also stated that he did ask some basic questions if there were any fuel tanks leaks, or if they were sending any soil. They replied no.

Mr. Larsen asked Mr. Knittel if he was in dire need for material at this point?

Mr. Knittel replied that we have noticed a change in the type of material that we are bringing in, which it is mostly material item 10. We are not seeing a lot of construction demolition debris. We are not in dire need of this type of material, but it would be useful.

Mr. Accetturo stated that our only decision here is that do we want to take him at the \$83 rate? We are not going to lower it, but if he wants to pay the \$83 rate, than that is fine.

Mr. Knittel stated that moving on to correspondence C-2, which was an email from Global Waste Industries formally known as Direct Waste. They are asking for a contract for about 4,000 tons from Warren County and some additional tonnage from out of county sources.

Mr. Accetturo stated that we will discuss this correspondence in Executive Session.

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.

Mr. Knittel stated that Mrs. Banghart puts together a large package with lots of details. If there are any suggestions on simplifying or modifying the Finance Report, we are open for suggestions, unless you like it the way it is we will keep it as is. The Finances for January and February are looking well. We are bringing in a rate of tonnage and ash that was planned from last year. Based on those numbers we are doing well and are in the positive. The ash came in significantly in January and February.

Mr. Accetturo stated when you say significantly you are talking about Covanta bringing in more than their tonnage?

Mr. Knittel replied that they are front loading the year, if that's the way you want to word it. They will stay will stay within their tonnage.

Mr. Accetturo questioned do we have giant piles of ash?

Mr. Knittel stated yes, we are trying to make two to three stock piles of ash. We need to manage the use of the ash better on site. When we did the survey to had two stock piles of ash. We would deduct that from the volume knowing that we would use that as cover not solid waste.

Mr. Accetturo asked if there was anything else on the finance report.

Mrs. Banghart replied that she had nothing else to add.

Mr. Accetturo stated that he would make a motion on the resolution R-02-10-23 to pay bills, seconded by Mr. Lazorisak.

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

On a motion by *Mr. Accetturo*, seconded by *Mr. Lazorisak*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *February 27, 2023*.

**RESOLUTION**  
**R-02-10-23**  
**To Pay Bills – February 27, 2023**

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. Orcutt - Yes  
Mr. Perez - Yes  
Mr. Accetturo - Yes

We hereby certify Resolution to Pay Bills in the amount of **\$1,318,983.80** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 27<sup>th</sup> day of February, 2023.

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Michelle Connors  
Recording Secretary

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Jonathan Knittel  
Director of Operations

Approved: February 27,2023

#### PERSONNEL

Mr. Knittel stated that there was nothing to discuss on personnel at this time, but looks forward to meeting with the personnel committee really soon.

#### PRESENTATIONS

Mr. Accetturo asked if there were any presentations.

#### REPORTS

Mr. Accetturo asked if there were any reports.

#### FACILITIES/RECYCLING

Mr. Knittel stated that with the reorganization with the Board and a new Board member, there are bullet points summarized on the agenda that he will go through for discussion.

Mr. Knittel stated that the gas well installation was awarded to ALCO (Atlantic Lining Company) last month. The seven wells are on track to be installed beginning on March 10, 2023. The Request for Information (RFIs) are coming in as well as submittals, and the contactor ALCO has hired his

subcontractor for the actual drilling. ALCO will be the manager and do all the pipe work and connections.

Mr. Accetturo asked when will the gas wells be up and running?

Mr. Knittel replied that the seven new gas wells should be up and running within several weeks of starting construction. It is a two-week project for the drilling and a couple weeks for connections.

Mr. Knittel stated that most of the 7 well connections are on the old cell. We are actively connecting a brand-new header pipe which is a two-day job into the new Cell 7. We are doing that next week and that connects the vacuum on to Cell 7. The new Cell 7 that we started on July 5, 2022 has now gotten to the depth of 20 feet of trash. We now have the ability to start pulling gas from perforated pipe that we placed underneath the trash. We will have vacuum on Cell 7 starting in about two weeks.

Mr. Knittel stated moving on to Exposed membrane cap on the West slope is to be awarded on March 27, 2023 and it is currently open for bids. We have a decent number of bidders at this time. Again, this is to help seal in our West slope to prevent rainfall becoming leachate and save money on leachate.

Mr. Knittel stated moving on to the retaining wall update. We do have to go back out to bid in the near future, for Options A or B.

Mr. Lazorisak stated that he would update Mr. Orcutt since this project has been going on for several years.

Mr. Knittel stated that we have taken care of the brush and we will be removing around nine trees as well, since this has to be done for the wall to be completed.

Mr. Knittel stated the Permanent Cap on 20 plus acres is in design phase with Mott MacDonald for summer 2023 construction. This is an aggressive capping project and we will be using Closure Funds for this project.

Mr. Knittel stated 30,000 yards of clean PDM is onsite and is curing for landfill shaping prior to Cap projects. We have been using some of the PDM for landfill shaping prior to our summer Landfill Capping Projects.

Mr. Knittel gave an update on the construction of Cell 7. The construction is about 99% percent done. There are some punch list items only that need to be done for completion. Tomco has a skeleton crew here on site. They are waiting for some rock removal to finish off a small section of guardrail and chain-link fence. We expect Tomco to be done this month unless they need to come back for hydroseeding or any erosion control that they need to remove.

Mr. Knittel reported on our H2S Removal System. We did the Media change out on February 20<sup>th</sup> thru the 23<sup>rd</sup>. This is expected to last four years until the next media change.

Mr. Knittel reported on the Solar Panels. Goldman Sacs was called to have the empty racks removed at their cost. It is in their contract that they will remove empty racks. This will free up several acres

of land around the solar field that is critical for our summer pond dredging. If there are any legal issues, he will send them over to Mr. Tipton.

Mr. Lazorisak asked did they agree to remove them?

Mr. Knittel replied that it sounds like they are willing to remove the racks.

Mr. Lazorisak asked Mr. Kittel if Goldman Sacs gave him a date to remove the rack?

Mr. Knittel replied Goldman Sacs has not given him a date.

Mr. Lazorisak stated to Mr. Knittel to get a definite date.

Mr. Knittel stated that he would lock in the date and lock them into paying for the racks that have to be removed, as well. Also, if there were any legal issues, then Mr. Knittel would send the papers over to Mr. Tipton for review if needed.

The Board had a brief discussion on removing the racks and the benefits of dredging the pond sediment for daily cover in the landfill.

Mr. Knittel reported on the Drainage Repairs (FEMA/ACO). We have some items remaining on the ACO. The Administrative Consent Order (ACO) is an agreement between PCFA and the DEP to resolve some past issues that the DEP wanted repaired. They knew that it would take more than just a few weeks to repair those items. We have had the ACO for the last seven months and we are on track to have those items finished on time by the end of August 2023. The last three items that are in the ACO are items that are larger than we can do in house with machinery and labor. We have a bid document that went to legal review. We had a few comments and we are waiting for the engineer to resolve those comments. This project will be large. This project includes a down chute on the capped area of the Landfill, pond #2 inlet repairs, and pond #2 dredging. This is all lumped into one bid. Mr. Knittel has had multiple phone calls with FEMA and submitted paperwork for that to be partially covered under federal reimbursement. A percentage of it will be covered under federal reimbursement from the IDA storm damage.

Mr. Knittel stated he would like to ask the Board today pending completion of comments that need to be addressed from legal review and once those comments have been addressed, could the bid package go out sooner than later?

Mr. Lazorisak stated that he would make a motion on authorizing the Director to put the FEMA Repair Bid Package out after consultation with the attorneys, seconded by Mr. Orcutt.

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

Mr. Knittel stated on to A-3 our 2023 Waste Disposal Fee Schedule is a list of all our contracts. We have one new addition for this month, Hardwick Township has sent their contract back. We just need an approval on A-3 to add Hardwick Township.

Mr. Accetturo stated that he would make the motion to add Hardwick Township to the 2023 Waste Disposal Fee Schedule, seconded by Mr. Orcutt.

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

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.

A brief discussion was discussed in regards to PCFA's Hazardous Waste Collection Event which is being held on April 23, 2023 from 8am-12pm.

Mr. Knittel stated A-7 is our 2022 Recycling Report that we submit to Mr. Dech and all municipalities in the county every year.

#### GENERAL COUNSEL'S REPORT

Mr. Knittel asked for the General Counsel's report.  
Mr. Tipton replied that he did not have anything to report.

#### NEW BUSINESS

Mr. Accetturo asked if there was any new business?  
No new business.

#### OTHER

Mr. Accetturo asked if there was any other business?  
No other business to discuss.

#### Closing Public Comments

Mr. Accetturo asked if there were any closing public comments.  
No closing public comments.

#### EXECUTIVE SESSION

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

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

***\*\*Executive session started at approximately 10:20 am***

***\*\*Executive session ended at approximately 10:45am***

Mr. Accetturo stated that he would make a motion to come out of Executive session, seconded by Mr. Lazorisak.

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

***\*\* Public session started at approximately 10:45 am\*\****

## ADJOURNMENT

Mr. Accetturo stated that he would make a motion to adjourn, seconded by Mr. Lazorisak.

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

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

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Respectfully submitted by:

Michelle Connors

Recording Secretary

Approved: March 27, 2023