

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

January 23, 2023

Chairman Angelo Accetturo 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, Robert Larsen, Richard Mach and Dan Perez

Mr. Accetturo asked to call the Monday, January 23, 2023, PCFA meeting to order, please call the roll.

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

Also present: Brian Tipton, General Counsel ; Jonathan Knittel, Director of Operations; Jamie Banghart, Assistant Director; Pat Radomsky, (Mott MacDonald), Dave Heber(Mott MacDonald),Brain Henning (Mott McDonald) ; Michelle Connors, Recording Secretary.

The Pledge of Allegiance was led by Chairman Accetturo.

Mr. Accetturo read the following statement: “Adequate notice of this meeting of January 23rd 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”.

MINUTES

Mr. Accetturo asked if there was a motion for M-1 the regular monthly meeting minutes from December 19, 2022.

Mr. Mach made a motion to approve the Regular Monthly Meeting Minutes from December 19, 2022, seconded by **Mr. Perez**.

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

Mr. Mach made a motion to approve the Executive Session Meeting Minutes from December 19, 2022, seconded by *Mr. Perez*.

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

CORRESPONDENCE

Mr. Accetturo asked Mr. Knittel if he would like to go over the Correspondences.

Mr. Knittel stated that we have several letters the first C-1 which is a letter from Tomco Construction in regards to Fuel/Asphalt Escalation.

C-2 is the response back from Mott McDonald in regards to the Cell 7 Fuel/Asphalt Escalation.

C-3 dated December 22, 2022 from Brain Tipton to Tomco Construction in regards to finishing up Cell 7 and safety concerns around the job site.

C-4 dated January 4 , 2023 response from Tomco in regards to Mr. Tipton's letter.

Mr. Knittel stated that we will talk more in Executive.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

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

FINANCE

Mr. Accetturo stated A-1 for discussion.

Mr. Knittel stated that we are at the end of the year and it was a difficult year with construction delays from Cell 7. PCFA had major trash restrictions in the beginning of 2022. Then March thru June we had partial trash restrictions. Then July 5, 2022 we had a more normal flow of trash. Again, that could have been delayed many months more if we had not decided to do a third partition of the construction project that we all know as the reduced reduced cell. We started trash placement there July 6th and we quickly began to fill that within a three-month period up to a berm that the contractor had placed. The beginning of October we had our second restriction of trash. By the 13th of October the berm was being removed that the contractor had in our way to continue trash placement. Finally, by October 18th we were able to cross over that berm and lift some of those trash restrictions. There is a hand out that everyone has. I would like to submit this in public record and also be included on our web page with our meeting minutes. It tracks our 2022 tonnage. It gives you the total tonnage for 2022. All in all, we ended up about 18,000 tons short of our target. The good news in spite of all the construction delays we were able to keep our doors open instead of having to close them due to not having a place to put trash. The construction project is being finalized in the next couple weeks. The future ahead for 2023, on the finance side, is looking very positive since we have completed Cell 7 and will not have all these hardships of the delays of construction. Mr. Knittel asked Mrs. Banghart is she had anything for the board in regards to the Finances.

Mrs. Banghart sated that she needs a motion from the board in regards to the budget transfers form. This is a transfer to make sure we have no negatives in our budget lines for the end of the year 2022.

Mrs. Banghart stated that PCFA would like to stop taking personal checks at the scale. Mrs. Banghart has reviewed this with Council. Mrs. Banghart stated that it was more of an inconvenience when we have an NSF customer and the process to clear them or get payment from the NSF customer.

Mr. Knittel stated that an NSF customer can cost us days of Administration paperwork and accounting. They don't happen that often but when it does, we are looking at days or months of hardship on Mrs. Banghart and Ms. Connors. Council said it could be eliminated since we do not receive that many checks a day.

Mr. Accetturo asked Mr. Knittel if these checks were larger checks that we are receiving at the scale or smaller amounts?

Mr. Knittel replied generally they are \$10 to \$30 dollar range.

Mr. Larsen stated that there is technology out there to read the check to guarantee that the check will clear as well as a credit card machine. Mr. Larsen asked if they were larger checks? If they are not then it's not worth getting that technology.

There was a lengthy conversation in regards to PCFA not taking any more checks at the scale. PCFA will let our haulers and customers know when the PCFA will stop taking checks. PCFA will advertise on website as well as making new signs at the gate.

Mr. Accetturo stated that he would make a motion to not accept personal and/ or business checks at the scale seconded by Mr. Larsen.

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

Mr. Accetturo stated that he would make a motion to approve the Budget transfer dated January 13, 2023 seconded by Mr. Mach.

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

Mr. Accetturo asked if there was there a motion on the Resolution (R-01-01-23) to pay bills.

Mr. Accetturo stated that he would make the motion to approve Resolution (R-01-01-23), seconded by Mr. Mach.

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

On a motion by **Mr. Accetturo**, seconded by **Mr. Mach**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *January 23, 2023*.

**REVISED
RESOLUTION
R-01-01-23
To Pay Bills – January 23, 2022**

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

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

See Attached

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

We hereby certify Resolution to Pay Bills in the amount of **\$ 2,019,669.36** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *23rd day of January, 2023*.

Michelle Connors
Recording Secretary

Jonathan Knittel
Director of Operations

Approved: January 23,2023

Mr. Accetturo asked if there was there a motion on the Resolution (R-01-02-23) to Appoint an Insurance Broker of Record.

Mr. Perez stated that he would make the motion to approve Resolution (R-01-02-23), seconded by Mr. Mach.

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

On a motion by *Mr. Perez*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *January 23rd, 2023*.

RESOLUTION

R-01-02-23

TO APPOINT THE EXCLUSIVE BROKER OF RECORD TO **Scirocco Group**

WHEREAS, the Pollution Control Financing Authority has been informed that their insurance account has been sold; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5, et. seq.) requires that a resolution authorizing the award of contracts for professional services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the appointment of Exclusive Broker of Record to Scirocco Group, will require no compensation from the Pollution Control Financing Authority; and

NOW, THEREFORE, BE IT RESOLVED by the Pollution Control Financing Authority of the County of Warren in the State of New Jersey as follows:

1. Scirocco Group shall be appointed Exclusive Broker of Record, their successors and/or assigns with a 30-day termination provision, and that;
2. An agreement between the Pollution Control Financing Authority of the County of Warren, Oxford, New Jersey and Scirocco Group, located at 777 Terrace Ave, Suite 309, Hasbrouck Heights, New Jersey, for Broker of Record services with the Pollution Control Financing Authority be made part of this resolution by reference and approved and entered into by the Pollution Control Financing Authority Board of the County of Warren subject to approval of Counsel;
3. The Chairperson and Director of Operations are hereby authorized to execute said Professional Services Agreement by signing same;
4. A notice of this action shall be published within a local newspaper, as required by law, within ten (10) days of its adoption.

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

I HEREBY CERTIFY the above to be a true copy of a motion adopted by the Pollution Control Financing Authority of the County of Warren on the date above mentioned.

Michelle Connors
Recording Secretary

Approved: *January 24, 2023*

PERSONNEL

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

Mr. Knittel stated yes, we have a couple Employees that we will be talking about in Executive regarding Job Descriptions.

Mr. Knittel stated that one very important personnel thing to discuss in public session right now is our long serving Board Member Mr. Mach. I would like to personally thank him for all of his services with the PCFA for over the past 15 years.

Each Board member thanked Mr. Mach for all he has done for the Warren County District Landfill over the past 15 years of service.

Mr. Mach replied that he really enjoyed his 15 years of service here at the Landfill.

PRESENTATIONS

Mr. Knittel stated that there were no presentations at this time but I asked Mott McDonald to be here for some discussions that we will be having in Executive Session.

REPORTS

Mr. Knittel stated there were no reports.

FACILITIES/RECYCLING

Mr. Knittel stated that looking ahead at 2023 we have a couple major projects that can all fit within the construction year meaning the good weather. We have had some delays with our retaining wall last year. We do have two options to immediately move forward with the retaining wall. The first thing is the wall will have to go out for rebid. There were some bidding issues with 3 bidders, we are going to put that out for bid, Mr. Knittel stated that he had an option that he will be sending over to Fanelli Engineers. Mr. Knittel brought up that PCFA could buy the products for the wall since it is a 5 month wait than go out for re-bid so that way the contractor doesn't have to worry about the delay in products needed to do the wall

Mr. Accetturo asked the bids that came are they public or not public at this point.

Mr. Knittel replied that they are public bids but there was no successful bid entry. Two declined to offer and a third had a personal emergency with a family member that he was not able to get the bid in on time.

Mr. Accetturo asked what the range of the bids that came in.

Mr. Knittel replied there was no prices. They all kept the numbers to themselves. They all worked the numbers up and I had some verbal numbers (like ballpark numbers).

Mr. Accetturo stated that we really never went out for bid.

Mr. Knittel replied that we did we just received no successful bids.

Mrs. Banghart stated that there were no bids received on the wall.

Mr. Knittel explained to the board that with the new state regulations and supply chain issues that was why all 3 bidders did not bid. We will have to rebid which will not be hard since we have all the paperwork in place.

Mr. Knittel stated moving on to the EGC which is the name for our exposed geo composite liner. That is going out to bid on January 30, 2023. We have to upgrade our current gas wells before we cap our landfill, so 7 wells will be installed. The bid came in and we will discuss that later on. In 2023 we are going to be doing permeant capping of the landfill. We are working on the engineering for the permanent cap for the landfill. Mott McDonald will give us updates on those bid documents later on this spring.

Mr. Knittel stated that there were 3 smaller repair items that were exasperated or practically/or mostly caused from the Ida storm damage. I have been speaking with FEMA, they have asked me to put these repair items into a single bid package. They are willing to work with PCFA on that partial reimbursement from FEMA funds. The 3 items are the down shoot by the flare station. During Ida there was rock displacement and bugling in that downshoot. FEMA did agree and so does our state inspector, she did document the before and after. She did notice that it had gotten worse. There is an inlet that has serve erosion and that was exasperated greatly by Ida. The gabion baskets leading down to it had rock that under the force of such a violent storm, some of that rock migrated in the baskets, so our state inspectors would like us to smooth out those rocks. The last thing is the pond #2 in our O&M manual says as needed or once a decade or as needed you would excavate the sentiment out of pond #2. We would need to do this to return it to elevation 370 and that elevation is substantially higher due to the Ida storm erosion. Some of that is from construction and FEMA is willingly to cover a portion of that pond dredging as required by the O&M manual. All of those 3 items need to be in the bid package for FEMA. That seems to be coming together for late March as well. The last thing we have in 2023 as far as construction is there was a top coat of asphalt that was inappropriate to pave an inch and a half of top coat in December / January right now on the Tomco contract. The road is wet, dirty and it is under use for Cell 7 so that asphalt will wait until the summer time. The perimeter fence needs a little bit of maintenance and closure at a couple key locations that is not within Tomco's contract. We definitely have a busy 2023 looking ahead and I apologize for taking so much time on

this. I just wanted to give you a full scope of the 2023 projects that we have. The best part of these two projects is capping the landfill which will reduce our leachate. There is some lag time. Our leachate numbers will greatly reduce with this major capping effort and then PCFA will see substantial savings in 2024 in leachate numbers. We might see some benefit in late 2023 once the cap is installed.

Mr. Knittel stated moving on to the construction of Cell 7. I'm not going to say much here, we will speak in Executive. We are wrapping up in the next several weeks, could be 4 to 5 weeks. Mott MacDonald will be giving us an update on that in Executive.

Mr. Knittel asked QC Engineer if they had any updates at this point or would you like to save that for Executive, because the nature of the contract and we are so late in construction there is the potential for arbitration, any updates can be kicked to Executive under the open public records exemptions.

Mr. Knittel stated moving on to A-3 Bids Received for the 2022 Gas Collection and Control System project. The engineering was done in 2022, but it's really a 2023 gas project. A-3 does need a resolution (R-01-03-2023) to award the gas upgrades to our site to ALCO.

Mr. Accetturo asked if there was there a motion on the Resolution (R-01-03-23) to Award Contract for the 2022 Gas Collection and Control System Project.

Mr. Accetturo stated that he would make the motion to approve Resolution (R-01-03-23), seconded by Mr. Mach.

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

On a motion by *Mr. Accetturo*, seconded by *Mr. Mach*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *January 23, 2023*.

RESOLUTION

R-01-03-23

Awarding Contract for the
Gas Collection and Control System Project
at the Warren County District Landfill

WHEREAS, the Pollution Control Financing Authority of Warren County (the “Authority”) requested bids for the Gas Collection and Control System Project at the Warren County District Landfill;

WHEREAS, a total of three (3) bids were received by the Authority on December 20, 2022.

WHEREAS, a review of these bids by the Authority and its Engineer revealed that **Atlantic Lining Company, Inc.** was the lowest, responsive bidder.

NOW, THEREFORE BE IT RESOLVED, by the Authority that **Atlantic Lining Company, Inc.** be awarded the contract for the Gas Collection and Control System Project at the Warren County District Landfill as described in and, in accordance with the Specifications and Bid Documents for the Gas Collection and Control System Improvements dated November 2022, for an amount of **\$396,634.00**.

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

Dated: January 23,2023

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.

Recording Secretary
Michelle Connors

Mr. Knittel stated moving on to A-5 Tomco’s change order #05. This includes some change orders that been reviewed and approved by Mott McDonald and myself. Based on Mott McDonalds review of change order #5 which is A-4 in your handouts, we will need a motion for me to go ahead sign this for payment.

Mr. Accetturo asked if this was an additional \$21,000.00?

Mr. Knittel replied yes \$21,000.00 for the liner testing and some other items. That was the tie in, it was a difficult tie in between the cell and there was some authorized work that was above and beyond the Tomco contract.

Mr. Accetturo stated that he would make the motion to approve Tomco's change order #5 in the amount of \$ 21,410.25, seconded by Mr. Larsen.

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

Mr. Knittel stated A-5 2023 Waste Disposal Fee Schedule. This is a list of all haulers that have accounts with us and we reset our Waste Disposal Calendar year to match our Calendar year, match our Fiscal year January 1st and as you can see, we had a lot of contracts that came in and signed. The good news is all of largest haulers all have signed and returned their contracts. We are still waiting on a few of our smaller hauler's contracts that we are waiting to receive.

Mrs. Banghart stated that are only a few.

Mr. Knittel stated that the good news is we have about everybody sign their contract for a calendar year 2023. Mr. Knittel stated that we need a motion to approve all the Contracts that have come in highlighted in yellow.

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

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

There was a lengthy conversation in regards to townships and haulers that have not signed a contract with PCFA. PCFA will reach out again to the townships to see if they would like to sign a contract.

Mr. Knittel presented (A-6) Electronics Recycling Program, (A-7) Tire Recycling Program, (A-8) Single Stream Recycling Program. These programs have been going very well.

Mr. Knittel stated A-9 is our draft 2023 Meeting Schedule. If everyone approves of the dates we can go ahead and approve this today.

Mr. Accetturo stated that he would make the motion to approve the 2023 Meeting Schedule as present A-9, second by Mr. Larsen

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

GENERAL COUNSEL'S REPORT

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

OTHER

No Other business.

Closing Public Comments

No Closing Public Comments.

PRESS COMMENTS & QUESTIONS

None

EXECUTIVE SESSION

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

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

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

Mr. Perez -Yes
Mr. Accetturo - Yes

Executive session was entered at approximately 10:21am.

RESOLUTION

R-01-04-23

AUTHORIZING EXECUTIVE SESSION

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

Contractual and Personnel Matters

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

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

Moved By: **Mr. Perez**

Seconded By: **Mr. Larsen**

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

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

Recording Secretary
Michelle Connors

Dated: January 23,2023

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

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

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

Regular session resumed at approximately 11:53am.

Mr. Accetturo made a motion that we offer full time Employment to Steven Cole at the salary of \$38,480.00 which is \$18.50 an hour, second Mr. Larsen.

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

Mr. Accetturo made a motion that we advised Clarke Moynihan Landscaping & Construction, LLC that our intentions are to do our own Landscaping in house upon Steven Cole excepting the position and with the review of the attorney, second by Mr. Larsen.

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

Mr. Knittel stated that we need another motion on the previously capital approved budget for the steep slope mower approved for both brush removal, and for steep slope mowing. The previous

estimate was \$80,000.00 brand new from Garden State Bobcat. That has been about 8 months since I had that quote. It might have gone up since then.

Mr. Accetturo stated that you need a motion to purchase the Steep Slope Mower at \$85,000.00?

Mr. Knittel stated yes, it's around that price. It should be that price but as we all know the price of everything has gone up 10%.

Mr. Accetturo made a motion to approve the director to buy a Steep Slope Mower at the price not to exceed \$90,000.00, second Mr. Larsen

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

Mr. Knittel stated that I will provide the data you wanted on the new position the job analysis of the 3 key employees at the office including myself, Mrs. Banghart and the potential Financial Assistant the salary back up as you asked for similar positions. We will meet mid-month at the latest so that we are all on board. Mr. Knittel recapped with Mr. Larsen on what he wanted him to highlight on who is doing what.

Mr. Larsen replied yes.

ADJOURNMENT

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

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

*****Meeting was adjourned at approximately 11:58 AM***

Respectfully submitted by:

Michelle Connors

Recording Secretary

Approved: February 27, 2023