**M - 1**

POLLUTION CONTROL FINANCING AUTHORITY

OF WARREN COUNTY

MINUTES OF REGULAR MONTHLYMEETING

May 22, 2023

 Chairman Angelo Accetturo called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:36 AM.

Authority Members present: Angelo Accetturo, Alex Lazorisak, Walter Orcutt, and Dan Perez.

Mr. Accetturo asked to call the Monday May 22, 2023, PCFA meeting to order, then asked for roll call.

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

Also present: Jonathan Knittel, Director of Operations; Jamie Banghart, Assistant Director and Mariann Cliff Administrative Assistant.

The Pledge of Allegiance was led by Chairman Accetturo.

Mr. Accetturo read the following statement: “Adequate notice of this meeting of May 22th 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 he could get a motion on the minutes, M-1 through M-4 from the regular monthly meeting minutes from April 24th and the Special meeting on May 12th.

Mr. Lazorisak stated that he would make the motion to approve if no one had any comment.

Mr. Orcutt stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

CORRESPONDENCE

Mr. Accetturo asked if there were any correspondences.

Mr. Knittel replied that there was none at that time.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

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

FINANCE

Mr. Accetturo stated that the finance was next with Mr. Knittel and Mrs. Banghart.

Mrs. Banghart replied that their finances were going well and they had no issues. They had reached out to Valley Bank and were in the process of moving money into the new bank. As soon as they get the accounts set up and receive the new checks, then the PCFA could start utilizing the accounts.

Mr. Accetturo replied great.

Mr. Knittel stated that the tonnage was exactly what it was supposed to be for the year.

Mr. Orcutt asked Mr. Knittel to briefly explain why the tonnage was so low in the previous year.

Mr. Knittel replied that they had major restrictions in place because of Tomco being late on several sections. Restrictions were released and then re-instated, then Tomco was again late on the second part of the cell. Those types of things were gone now so they should be pretty even throughout the year. The budget this year was a little larger than it will be for next year. Next year they will be getting into that long-term, 41-year, life-type mind-set. This year they were able to increase solid waste and ash tonnage because they were finishing up the old cell 4 and 5. They were already in cell 7. That gives them a little flexibility for an additional tonnage, a little extra revenue this year.

Mr. Knittel stated that they had a resolution to pay bills and that included a couple months of bills for leachate hauling and disposal. Mr. Tipton had guided them through those bills with some legal language that had a caveat. This stated, that the PCFA was currently reviewing the billing process.

Mr. Lazorisak stated that he would make a motion on the resolution R-05-04-23 to pay bills

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

 On a motion by ***Mr***. ***Lazorisak,*** seconded by ***Mr. Accetturo,*** the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on April 25, 2022.

R E S O L U T I O N

R-05-04-23

**To Pay Bills – May 22, 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 - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

 We hereby certify Resolution to Pay Bills in the amount of **$1,577,289.16** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 22nd day of *May*, 2023.

 Mariann Cliff Jonathan Knittel

Recording Secretary Director of Operations

Approved: 5/22/23

PERSONNEL

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

Mr. Knittel replied that they had a Weighmaster position open for applications and they were officially closing that application process as of this morning. They had also pulled it from their web page. They had received multiple qualified applicants, and they were in the second phase of going through references and perhaps a second interview.

Mr. Lazorisak asked if they had a candidate. Mr. Knittel replied that pending references, they had it narrowed down to 2 or 3 candidates that were qualified out of the six.

Mr. Lazorisak stated that if the Board agrees he would make a motion authorizing the Director to offer this weighmaster position to the most qualified candidate once he completes the background reference check.

Mr. Orcutt replied that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

Mr. Knittel stated that there was a second bullet under personnel, previously they had talked about seasonal part-time labor. Mr. Knittel stated that he did not know if that option would be available for this summer season. They do have a qualified applicant. The applicant is a local individual that would like some part-time work. He was a good fit to run a machine whether it was a rock truck or a machine feeding the soil screener. Mr. Knittel stated that he did not know what the process was to hire someone part-time, with no benefits, less than 30 hours per week. They had done this before with the intent to hire if they worked out, but this was different. This would strictly be seasonal part-time.

Mr. Orcutt asked what the rate was for that. Mr. Knittel and the Board discussed this, and, it was said that because he was a qualified operator the rate would be $25.00 per hour.

The Board discussed what the definition of ‘season’ would be, and what they would gain by having a part-time person on board. They also discussed what this person would be doing and how it would save us money in the long run. By having a part-time person on board, it was said that it would give them the opportunity to generate a lot of useful materials. This position would be weather based since the screening of materials needed to be relatively dry. This also would free up the Foreman to do his job more efficiently.

The Board came to the decision that this part-time position, running the screener was something that was needed.

Mr. Lazorisak stated that he would make a motion authorizing the Director to hire this part-time person for up to 20 hours per week.

Mr. Accetturo replied that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

PRESENTATIONS

Mr. Knittel stated that there were no presentations and no reports.

REPORTS

FACILITIES/RECYCLING

Mr. Knittel stated that cell 7 construction completion took a nice step forward and Mr. Tipton would have an update for the Board at his earliest convenience. The checklist is down to just some grass growing that may have had not enough topsoil or some other issues but the punch-list was down to a few minor items.

The update on the West slope cap project is underway and it is on-time and on-budget. The slope has been completely prepped, graded and compacted. They were placing the PDM. The liner and material should arrive this next week. Within two weeks, the liner crew should be here putting down liner on the West slope’s 8 ½ acres.

The FEMA Drainage ACO Bid project was rejected last month and went out for re-bid this past Friday. They were planning on a June 16th bid opening to give time for a legal review.

The Retaining wall project was also out for re-bid with a June 21st bid opening which gives legal just about two days for review time.

Mr. Knittel said thank you to the capital committee that came in that morning to review some draft drawings for a potential third scale. This would be for 24/7 tanker use. They had some great ideas come out of that meeting. One idea was that they may be able to automate scale 2 for after-hour use with a kiosk. Keeping the gates as is, to get it going much quicker, and with a cost savings. The Board then discussed the idea of directing some of those savings into expediting their two-year plan for reverse osmosis investigation, maybe getting it into this calendar year. That could mean that they could begin immediately to review the engineering feasibility and baseline studies.

Mr. Knittel stated that next was recycling options for e-waste. They have an e-waste hauler that pays them ten cents a pound for computers and there has been some service that has not been up to their standards for both safety and coordination. They have tried to address the issues with the current e-waste hauler and had made some progress. In the meantime, they did get information from other e-waste haulers as high as 35 cents for tower computers and 75 cents a pound for laptops. There seems to be a growing demand for e-material. This was not a biddable item; this had just been a contract that has been renewing year-to-year with a 30-day terms for cancellation.

Mr. Knittel stated that he and Mrs. Banghart, with the Boards’ permission, would send some things over to Mr. Tipton for his review and perhaps they look at options for changing e-waste haulers because of performance and money.

The Board discussed why it was just in a contract and why they have not put it out for bid, perhaps it should be put out as a yearly bid with the option to extend it to two years. The cost difference was big but they need a breakdown of prices for picking up and hauling. And to keep in mind what these types of things are worth. There was not a lot of money with this endeavor, so they should not be spending an exorbitant amount of time on it.

They also discussed the bulk of the e-waste were tv’s which they do not get paid for, and the new company would be paying 10 cents per pound. After some discussion, it was said that the PCFA used to go out for bid for these jobs when it was an event held twice a year. They would go back and look at the old bids. They will give an update at the next Board meeting.

Mr. Knittel stated that the Board was aware that the PCFA had removed the solar panel racks that were in the way of getting access to pond 2 for dredging. The language for the rebids for the dredge project clearly states that the contractor has direct access now.

Mr. Knittel stated that the following A-2 Waste disposal fee had no changes, A-3 Electronics recycling they had just spoke about, was going well. Tire recycling was going well. They did get some inquiries from the Knowlton Township Mayor about a few farms that had a lot of tires roughly about 150 tires per farm. The PCFA helped him coordinate directly with the tire vendor and we encouraged the tire vendor to give the best rate that they could to show some courtesy to the Mayor. This way the PCFA does not have some people dropping off huge amounts of tires here. Next was A-5 single stream and that was going well also.

Mr. Lazorisak asked if Mr. Tipton was coming in for this meeting.

Mr. Knittel replied that he should be, there was huge progress made in closing out cell 7.

Mr. Knittel also stated that between Covanta, Mr. Tipton, and himself, they did draft a resolution for the ash that would help the facility for re-shaping the portion of old cell 4. Mr. Tipton had drafted that resolution and he had copies that he would give the Board, it was a simple amendment for this calendar year, to increase the tonnage. This would keep the price structure intact at $18.00 for the first amount of tonnage then it raises it to $22.00 there was no price breaks for any additional tonnage. This would not be used for daily covering of trash. It would be for shaping the landfill in preparation for cap work.

This would be for just this calendar year, and the amount was 50,000 tons. Mr. Tipton wrote this with input from him and Covanta. It was what the Board had instructed previously by motion last month. So, this should be ready to be signed and go out.

Mr. Lazorisak stated that he would make a motion authorizing Mr. Knittel to execute the agreement.

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

GENERAL COUNSEL'S REPORT

Mr. Accetturo stated that Mr. Tipton just told him that he was going to call into the meeting.

There was some discussion on the phone system in the conference room and if it was worth the money to replace / upgrade.

***\*\*Mr. Tipton joined the meeting at approximately 10:04 am***

EXECUTIVE SESSION

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

Mr. Lazorisak stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

# R e s o l u t i o n

**R-05-01-23**

**AUTHORIZING EXECUTIVE SESSION OF THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A 10:4-12**

 WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

 NOW, THEREFORE, BE IT RESOLVED that this Board hereby excludes the public in order to discuss such matters. The general nature of the subjects to be discussed are as follows:

(1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

(2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

(3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, Insurance and similar program or Institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the Individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any Individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

(4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of possible violations of the law.

(7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

X

X

(8) *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

(9) *Matters Relating to the Potential Imposition of a Penalty*: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bearing responsibility.

 BE IT FURTHER RESOLVED that the Board shall disclose to the public, as soon as practicable, the contents of the discussions after the final disposition of the matters discussed.

Moved By: Mr. Accetturo

Seconded By: Mr. Lazorisak

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - 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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 Recording Secretary

 Mariann Cliff

Dated: 5/22/23

***\*\*Executive session began approximately 10:04 am.***

***\*\*Executive session ended approximately 10:13 am***

***\*\*Mr. Tipton left the meeting at approximately 10:14 am***

Mr. Lazorisak stated that he would make the motion to come out of Executive session.

Mr. Orcutt stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

***\*\* Public session started at approximately 10:14 am***

Mr. Orcutt stated that currently with this Covanta contract, the revenue was roughly two million dollars. Plus, they get the other million-dollar payment, does that come out of that?

Mr. Knittel and the Board discussed the profit that was to come out of this Covanta deal and then clarified that the quarterly payments that they were receiving in the past had ended. The only money changing hands at this point was that we were taking ash.

Mr. Knittel also stated that they would wean off the ash soon because it was not the best cover for this landfill and, at the same time, they would have to adjust the budget to realize that they would not be getting those two million dollars in revenue. It may even be half of that, this year was extraordinary being at two million. That extra revenue should be put straight into some capital project or gets put in the bank to make the PCFA more comfortable.

Mr. Knittel and the Board discussed the price of ash and how and where to get rid of it and, the pricing that they found at different facilities. Also discussed was the ash being cut back next year and what to expect with the finances because of that. Another benefit to not using ash as a cover was that with other materials you potentially get some of your air-space back over time. Some landfills use tarps and foam and try not to use any soil at all to preserve air-space. Foams usually was a soy-based protein item.

Mr. Knittel stated that he received an email from a neighbor on Titman Road that complained about a fly issue and wondered if it came from the landfill. Mr. Knittel stated that he would carefully reply to this and will investigate further into this issue.

The Board discussed the fly situation for a bit, then spoke about the dredging material and when that would become available, how clean it was and if there was a potential to get some more of it. They discussed the capping uses that the landfill would have for it and what the price, cost, and savings it could be to use that material.

Closing Public Comments

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

PRESS COMMENTS & QUESTIONS

Mr. Accetturo asked if there was anything else, any comments.

ADJOURNMENT

Mr. Accetturo asked if there was anything else, then asked for a motion to adjourn.

Mr. Lazorisak stated that he would make the motion.

Mr. Orcutt stated that he would second that motion.

ROLL CALL: Mr. Larsen - Absent

 Mr. Lazorisak - Yes

 Mr. Orcutt - Yes

 Mr. Perez - Yes

 Mr. Accetturo - Yes

***\*\*Meeting was adjourned at approximately 10:21 AM***

Respectfully submitted by:

Mariann Cliff

Recording Secretary

Approved: June 26, 2023