

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

April 22, 2024

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

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

Mr. Accetturo asked to call the roll.

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

Also present: Dave Heber, Mott MacDonald; Andrew King, Barbella Construction LLC.; Brian Tipton, General Counsel; Jonathan Knittel, Director of Operations; Jamie Banghart, Assistant Director and Mariann Cliff, Recording Secretary.

The Pledge of Allegiance was led by Mr. Accetturo.

Mr. Accetturo read the following statement: “Adequate notice of this meeting of April 22, 2024 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 February 26, 2024.

Mr. Accetturo stated that he would make the motion to approve M-1.

Mr. Orcutt stated that he would second the motion.

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

Mr. Accetturo stated that he would make a motion to approve M-2 the Executive session meeting minutes from February 26, 2024.

Mr. Orcutt stated that he would second the motion.

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

Mr. Accetturo asked for a motion to approve M-3 Minutes of the Special meeting.

Mr. Orcutt stated that he would make a motion to approve the Minutes of the Special meeting.

Mr. Larsen stated that he would second the motion.

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

Mr. Accetturo stated that he could only be there for a short amount of time that morning.

EXECUTIVE SESSION

Mr. Orcutt replied to the Chairman, that he would like to make a motion to go into executive session.

Mr. Perez stated that he would second the motion.

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

*****Mr. King left the Board room approximately 9:32 am.***

****Executive session was entered at approximately 9:33 am.***

RESOLUTION

R-04-05-24

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.

(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. Orcutt

Seconded By: Mr. Perez

ROLL CALL:	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.

Recording Secretary
Mariann Cliff

Dated:

****Executive session ended approximately 10:00 am.**

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

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

Regular session resumed at approximately 10:00 am.

****Mr. King re-entered the Board room approximately 10:01 am.**

CORRESPONDENCE

Mr. Accetturo stated that first up was C-1 the Washington Township Interlocal Agreement with PCFA, the Board will have to make a motion to leave that intact, they would be changing no items.

Mr. Orcutt stated that he would make a motion for approval to leave the interlocal agreement as written.

Mr. Larsen stated that he would second the motion.

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

Mr. Accetturo stated next was C-2 Email from B. Tipton RE: Russel Reid Settlement Offer, that they do not have to do anything with it today.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

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

FINANCE

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

Mrs. Banghart stated that finances were doing well, they were receiving a good amount on their interest right now, it was over \$15,000.00 last month. There were no issues.

Mr. Accetturo asked what the interest rate was. Mrs. Banghart replied 4.8%.

Mr. Accetturo stated that they need a resolution to pay bills and he would make a motion to approve R-04-03-24 Resolution to pay bills.

Mr. Orcutt stated that he would second the motion.

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

On a motion by **Mr. Accetturo**, seconded by **Mr. Orcutt**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *April 22, 2024*.

R E S O L U T I O N

R-04-03-24

To Pay Bills – April 22, 2024

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

We hereby certify Resolution to Pay Bills in the amount of \$934,599.40 to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *22nd day of April, 2024.*

Mariann Cliff
Recording Secretary

Jonathan Knittel
Director of Operations

Approved: 4/22/24

PERSONNEL

Mr. Accetturo asked Mr. Knittel if he had anything for personnel.

Mr. Knittel replied that it was about that time of year that the college kids were coming back. They had received a couple of phone calls inquiring if we needed any summer help. Which they did but, he was in discussions with the foreman whether that would be a part time summer job only or would they want to try to replace the operator that left early January of this year. What they were going to need help with was some weed-whacking and flat ground mowing. Everything else that needs to get done they can do with the current staff.

Mr. Knittel stated that at some point, probably by the next meeting, they were going to have to hire someone. He believes that it was sometime last spring that they hired a gentleman there that helped them out with some part-time work through the summer. That was seasonal and it worked out pretty well. If they wanted to do the seasonal part-time, they would have to advertise.

Mr. Orcutt stated that while it was nice to hire college kids, when you hire someone who was not in college and local, part-time, you get a good look at them to see if we could bring them on full time too.

So, before next meeting you would be looking at potential people to possibly hire.

Mr. Knittel replied yes, and they would need a motion to advertise.

Mr. Accetturo stated that he would make a motion to give the Director authorization to pursue hiring some part-time help over the summer and all that it may entail.

Mr. Orcutt stated that it could be just groundskeeping or an operator, or both, and he would second that motion.

Mr. Perez asked if they ever get any kids that were looking to get into this profession, or was it just someone to mow the grass. Mr. Accetturo replied that no, they do not.

Mr. Orcutt stated that they tried hiring landscapers a few times and while it doesn't put wear and tear on your equipment, they charge a lot of money. The part-timers work out well for these tasks.

Mr. Accetturo reminded them that they were in the middle of a motion.

Mr. Orcutt stated that it was at the point of roll call.

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

PRESENTATIONS

Mr. Accetturo stated that there were no presentations.

REPORTS

Mr. Accetturo stated there were no reports.

Mr. Accetturo asked if they could address the bid at this point.

Mr. Knittel stated that they received a qualified bid from a contractor with lots of experience on the type of project that they have. The price of the bid came in just slightly underneath the engineers estimate, which was great news.

Mr. Accetturo asked who the bid came in from.

Mr. Knittel replied that it came in from Barbella construction. Mr. Accetturo asked if it had met all of the requirements that they needed.

Mr. Tipton replied yes, pending final review.

Mr. Accetturo asked if there was a motion for Barbella's bid.

Mr. Orcutt stated that he would make a motion to approve the bid from Barbella.

Mr. Perez stated that he would second the motion.

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

On a motion by ***Mr. Orcutt***, seconded by ***Mr. Perez***, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *April 22, 2024*.

RESOLUTION

R-04-04-24

Awarding Contract for the
Warren County District Landfill
Side Slope Capping Project

WHEREAS, the Pollution Control Financing Authority of Warren County (the “Authority”) requested bids for the **Side Slope Capping Project**, at the Warren County District Landfill;

WHEREAS, a total of One (1) bid(s) was received by the Authority on April 19, 2024.

WHEREAS, a review of these bid(s) by the Authority and its Engineer revealed that Barbella was the lowest, responsive bidder.

NOW, THEREFORE BE IT RESOLVED, by the Authority that **Barbella Construction Service LLC**, be awarded the contract for the Side Slope Capping Project at the Warren County District Landfill as described in and, in accordance with the Specifications and Bid Documents for the Side Slope Capping Project, for an amount of: \$10,495,400.00.

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

Dated: April 22, 2024

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
Mariann Cliff

Mr. Knittel and the Board told Mr. King congratulations.
Mr. King replied thank you.

FACILITIES/RECYCLING

Mr. Accetturo asked Mr. Knittel to go on with facilities and recycling.

Mr. Knittel stated that on March 15th they installed a gas suction pipe at a hot-spot that was found during a late snow storm in February. Since they installed the pipe, they have not had one single odor complaint to the NJDEP hotline, although they still have more work to do. They were going to continue with the horizontals. Right at the edge of the cell they can still smell a little bit of the odor coming through the stone, where there is no trash yet. Because there was two feet of blanket stone under the cell, the odor can transmit laterally out of the stone and into the atmosphere. They were hoping to have trash up to that next rain flap but it won't be for another 2 months, so they want to increase vacuum. They have a gas header design finalized on paper and it would probably go out to bid this summer and then within a month or so it would be to install a permanent gas header around cell 7. In the future, the DEP and the engineers agree that any cell that would ever be built would have a permanent gas-header built in.

Mr. Knittel stated that the composition of the trash between the original design in 2019 and construction in 2020 and 2021 the waste type did change from straight construction demolition debris to include item 10 now, so they need to get that gas-header installed this year. They do have a budget for that and that is our odor update.

Mr. Knittel stated that A-2 the attorney review was still ongoing so the Boards approval to award this contract today was dependent on Mrs. Fina's final review of the bid documents which would include all of the appropriate signatures etc.

Mr. Knittel asked Mr. Tipton if that was accurate pending the review.

Mr. Tipton replied that it should be finished soon and he did not think that there would be any issues with it.

Mrs. Banghart stated that they needed a motion to include the supplemental items SB-1 Perimeter Fencing.

Mr. Knittel stated that they have one supplemental item SB-1 which was perimeter fencing, the DEP has acknowledged that was an appropriate time and use of money to do that now. So, they would like to include item SB-1 in the base bid price.

Mr. Knittel stated that they would need a motion for the supplemental for the perimeter fencing for the item 1 SB-1 for \$175,000.00.

Mr. Orcutt stated that he would make a motion to approve SB-1.

Mr. Larsen stated that he would second the motion.

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

Mr. Orcutt asked, if we could get just a comment on the other two items, why they were not moving those.

Mr. Knittel stated that SB-2 and SB-3 were questionable sources of funding. The DEP has still not made a final determination on whether they would be willing to use closure funds for either leachate recirculation or the spill pad and that was the reason that they were not awarding SB-2 and SB-3. Mr. Orcutt stated that, as the subcommittee discussed earlier, Mr. Knittel and the engineer would work with the DEP to get the language acceptable for this to be done with closure funds. Mr. Knittel stated that yes, they would continue to work with the DEP on SB-2 and SB-3, but for now they were not awarding them.

Mr. Knittel asked Mrs. Banghart if the disposal fee schedule included Jerzee Carting. Mrs. Banghart replied no, that she would have to add them to the schedule. Mr. Knittel stated that the only change on A-3 was Washington township. Mrs. Banghart stated it should be Washington township and Jerzee Carting for 0 – 1000. Mr. Knittel replied thank you. Mr. Orcutt asked if they needed a motion on that. Mrs. Banghart replied yes. Mr. Orcutt stated that he would make the motion to include Jerzee Carting and Washington Township in the 0 – 1000 tons. Mr. Perez stated that he would second the motion.

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

Mr. Knittel stated that A-4, A-5, A-6 and A-7 were our recycling documents. Electronics, Tires, Single Stream and the 2023 Recycling report which also goes to the County and the State. All of those recycling programs were running as expected.

GENERAL COUNSEL

Mr. Accetturo asked Mr. Tipton for the general counsel’s report. Mr. Tipton stated that he had nothing for public.

OTHER BUSINESS

Mr. Accetturo asked if there were any other business.

CLOSING PUBLIC COMMENTS

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

PRESS COMMENTS AND QUESTIONS

Mr. Accetturo asked if there were any press questions or comments.

ADJOURNMENT

Mr. Accetturo asked if there was anything else before they adjourn.

Mr. Orcutt stated that he would make a motion to adjourn.
Mr. Accetturo stated that he would second the motion.

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

*****Meeting was adjourned at approximately 10:15 am***

Respectfully submitted by:

Mariann Cliff
Recording Secretary

Approved: 05/20/24