POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

August 26, 2024

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

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

Mr. Accetturo asked to call the roll.

ROLL CALL: Mr. Larsen - Absent

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 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 August 26, 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, and M-2 the Executive meeting minutes from July 22, 2024.

Mr. Orcutt stated that he would make the motion to approve M-1 and M-2.

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

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

CORRESPONDENCE

Mr. Accetturo stated that next was correspondence, Warren County Dispatch Radio Tower on PCFA site.

Mr. Knittel stated that there were two handouts, one was just a map showing the proposed location. The yellow lines from the tower on the top left corner back to our maintenance building was a Mimosa microwave dish to the roof of our building, where we already have a microwave dish pointing back to our admin building. And that microwave dish was for high-speed internet to the maintenance building because this was a dead zone for 911 calling. The County would like to put a tower on the rock out-crop near the new cell 7. They would gain their power off Titman Road, they would have their own Gen-set. They need about a 40 by 40-foot area with chain link fence, and downstairs in this building where our fiber optics connect to Warren County, they would either install a generator or battery backup since, there is no back-up generator for this building.

Their system would then have back-up power and high-speed internet. It is not a cell tower, it was a radio UHF and VHF for Warren County dispatch down in the communications center. This was because some of their troopers and fire and rescue do not have good radio coverage in this area. The second page was showing the tower lattice structure 160 ft tall. There would be no PCFA involvement with the engineering or design of the structure, they would be provided access. We know that it is bedrock there, so it would be bedrock anchored and it would probably have to have a beacon light on it being that tall at the top of a mountain. That was about all the information that he had on in so far.

The Board had a discussion on exactly where this would be and how it would affect them and if they would need a motion on it.

Mr. Orcutt stated that he would make a motion to proceed with the project.

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

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

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

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

FINANCE

Mr. Accetturo stated that next up was finance.

Mr. Knittel stated that for the finance he had included a draft budget as A-2. This was informational only, it was for the Board to look at and review while in its draft form it will need some edits here and there. However, for our regular monthly finances they have had the regular income similar to the last three months prior and we are at about 5% less trash than last year, which was a good thing, they want to reduce another 5 to 10% next year just to keep our air space on track. They did get their survey in January and a mid-July survey and it shows that they were using just over 200,000 yards per year. Our goal was to be right at 200,000 yards and we were running about 220,000 so they would want to reduce the intake of tonnage a little more to keep down around 200,000. Our budget for next year was built on reducing tonnage a little bit.

The Board had a bit of a discussion about how much tonnage was going to be reduced, what the financial decrease would be and what the revenue would look like. Also discussed were other revenues that would be increasing to offset some of that loss. Along with a proposed increase for some tiers.

It was finally said that there would be many more discussions to be had regarding the budget and how and if they would reduce any of the tonnage to slow it down to the projected landfill life.

Mr. Knittel stated that as far as the 40-year life, care should be focused on when to start on cell 6A within three to four years. By adjusting tonnage now in the next two to three years, they could then be able to advance construction a whole season, or delay construction by a season, depending on how they manage their tonnage over the next three years.

They do need to bank a lot of money each year for the next three years to be able to really put a good down payment on cell 6A.

This led into another discussion on how to balance it all, making sure that they have enough funds on-hand while aggressively putting money away. Plus, the agreement that they still had with Covanta as they were also taking in money from the ash for use as daily cover.

Other than that, on finances, he had a really good meeting with NJOEM they do have a significant amount of money from FEMA from the FED's sitting in New Jersey's bank account. They were in the process of filling out the reimbursement requests from New Jersey OEM to get that money directly into our accounts. They were making progress.

Mrs. Banghart stated that they were still waiting on reimbursements NJDEP.

Mr. Knittel stated that they have three approved reimbursement requests for this year, 1,2 and 3 are all approved. Number 4 would go in just after this meeting. Those were the monthly requests for reimbursements from closure funds. The first reviewer has approved all three of them and they have moved from that desk to the final desk. They should see the first of the three soon, and the other two should follow within a few days because NJDEP has had all three of them on his desk.

There was a quick discussion between the Board and the Director, the Board asking how much the PCFA was behind on payments with their current contractor. And finding out that they were not behind in paying the contractor at all, every invoice had been paid on time and now they were just waiting on the State to reimburse them back to their accounts.

Mr. Orcutt stated that he wanted to go into operations finance for a moment, then he asked about the big haulers and if they push it right to the edge of 60 days before they pay their invoices with the PCFA? It was confirmed that they do wait until the last moment possible before paying their invoice.

Mr. Orcutt stated that he would make a motion to approve R-08-01-24 Resolution to pay bills.

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

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

On a motion by *Mr. Orcutt*, seconded by *Mr. Accetturo*, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *August 26*, 2024.

RESOLUTION

R-08-01-24

To Pay Bills – August 26, 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 - Absent

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

We hereby certify Resolution to Pay Bill	s in the amount of $$1,900,043.97$ to be a true
copy of a resolution adopted by the Pollution Co	ntrol Financing Authority of Warren County on
the 26^{th} day of August, 2024.	
Mariann Cliff	Jonathan Knittel
Recording Secretary	Director of Operations
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Approved: 8/26/24

PERSONNEL

Mr. Accetturo asked Mr. Knittel to continue with personnel.

Mr. Knittel stated that with personnel, they had two part-timers that worked 30 hours max per week. They have resume's available for the Board to look at. They have been one employee short all year. They did get away with not hiring for a while, but now that it was very busy, they needed the help. He did want them to evaluate at least one of them for full time employment towards the end of summer. Both part-timers were helping in every aspect that they were behind on, landscaping, litter, daily tasks, soil screening. With both of them here we have been able to screen about 20,000 yards of soil for the cap project.

There was a question from the Board asking if the resume's in the packet was just to look at it or if there was more to it. Mr. Knittel replied that it was informational only at this point but within a month or so he would like to talk about full time employment.

PRESENTATIONS

Mr. Accetturo stated that there were no presentations.

REPORTS

Mr. Accetturo stated there were no reports.

FACILITIES/RECYCLING

Mr. Knittel said that with facilities and recycling, in regard to the Covanta industrial wells, one of them will be abandoned by Covanta as required by NJDEP. The second well, well #2 will be turned over to us, the paperwork involved with that was just changing our permit from their name to our name. That would require us to sample the water periodically. This would terminate the 6-inch water main over the mountain, it would remain in place and be capped on both ends.

The second item on facilities was just the stack testing that was scheduled for the end of October. The third item was our onsite water plant evaluation which was ongoing, he does not have a lot of feedback yet. A lot of the equipment evaluation will be in the next month or so. Then their engineer would come in and present that evaluation to the Board.

Nothing new on the force main bypass other than we have some phone contacts for the landowner.

Mr. Knittel stated that the 20-acre cap project was progressing on schedule and saving us leachate already. However, there was a contractor safety incident on August 7, 2024. This could be discussed in an Executive session.

The next item was odor update: they do have the need to put in a large gas header through that cell, which will then be extended over the decades up the mountain. It was the correct size now to take us all the way to completion, 40 years from now, and during the 30-year closure period after that. So, this gas main that they're proposing as A-3 to go out to bid is a 70-year lifespan pipe it will function for the next 70 years at the correct size now. The cost of it was substantial because it was an 18-inch neck down to 12-inch pipe. Then as you go up the mountain it keeps getting smaller and smaller.

The gas pipe was estimated at several hundreds of thousands, around 300 thousand and it is in A-3 as a bid document, he made his final edits last week and it was now being sent over to Mrs. Fina for legal review.

There was a little discussion, regarding the layout of the pipe and where the placement for the termination on it would be.

Mr. Knittel stated that that gas header was a key component for odor control, it allows us to hook up wells directly to it, jumpers, hotspot collection, trenches. Anything that they need they would have enough vacuum on it at that point. Right now, they were making do with some temporary vacuum jumpers and they have gotten them through for now.

Mr. Accetturo asked where the price estimate was.

Mr. Knittel replied that he did not put the price on the public documents, but they had sent an email with a ballpark based on the prices from the current project and prices from cell 7 with some inflation, he estimated it to be \$300,000.00 to \$400,000.00.

It was potentially less than that because we have a significant amount of 12-inch pipe on-site already, it will be bid for the full amount of new pipe, then, once the bid was won, then the PCFA would make that 12-inch pipe available to the contractor for reduction in price. This was in case there might be any damage to the 12-inch pipe that we currently have.

Mr. Knittel would estimate the job to be about \$300,000.00, the engineers would estimate a little higher.

Mr. Knittel stated that the engineer's recommendation was to go out aggressively for this now to get it installed this fall. If they wait until next spring we could have a bad winter.

Mr. Orcutt stated that he would make a motion to put the bid out.

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

Mr. Orcutt - Yes Mr. Perez - Yes Mr. Accetturo - Yes Mr. Knittel stated next was A-4, he found three price quotes from Foley Cat, sourcewell co-op pricing on a new, 30-ton used, and a 40-ton used. He looked at the new, and the used 40-ton, he did not get to look at the 30-ton as it was in Delaware.

They did test drive the 40-ton and the Foreman and his recommendation was instead of going with new, that they look at the 2019 40-ton for purchase, they do have budget for it and they could choose between two forms to pay. They could pay half now and half in January on next year's budget or to pay all of it now and they would have to move some finances around a bit.

Mr. Orcutt stated that for Mr. Perez's benefit, they did discuss this earlier today with the capital sub-committee. They were going to go with the used 40-ton 2019 and they would use this in conjunction with the rock truck they have now, so they could use two at a time. Then, when they decide to get rid of the older truck, in a year or so they could purchase another used truck since acquiring a second used truck will still be more cost effective than if they purchased one new truck.

Mr. Perez asked if this purchase was through the co-op. Mr. Knittel replied that yes, it was.

Mr. Orcutt stated that the question that Mr. Knittel was asking was this, do we pay for it all at once out of operations because they have enough money in operations accounts to pay for it. Or the other choice was to pay half and leave some of that money in operations then finance the rest and pay if off in January.

Mr. Knittel stated that if they wanted to, they would not even have to go through the formal financing, they would pay for the first half now, and just be invoiced for and pay for the other half in January.

Mr. Orcutt asked if there was a good reason that they would keep half of that money in that account?

There was a quick discussion on moving money between accounts to cover the purchase, if it was to exceed the operations account, or if anything else pulled that account into the negative. It was said that they could handle doing it this year just fine and some accounts would have money moved around with a budget amendment.

Mr. Orcutt stated that he would make a motion to purchase the 2019 rock truck and pay for it all out of the operating accounts.

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

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

Mr. Knittel stated that A-5, was Change order #1 for the summer capping project. It was 6 items totaling \$12,069.00.

Item 1 & 2 are fence repairs from storm damage to our perimeter chain link fence.

Item 3 & 4 both were credits.

Item 5 was to abandon some well pipes that they found during clearing for the capping project. Item 6 was T&M work for assisting in digging out 8" gas risers which were unanticipated.

Mr. Knittel stated that all six items for the change order #1 was \$12,069.00

Mr. Orcutt asked if Mr. Knittel needed action from the Board. Mr. Knittel replied yes.

Mr. Orcutt stated that he would make a motion to accept change order #1.

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

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

A-6, A-7, A-8, and A-9 are our recycling documents. A-6 was our Solid Waste Disposal Fee Schedule and there were no changes.

Then, A-7, A-8 and A-9 were our electronics, Tires, and Single Stream, all those recycling programs were running as expected.

Mr. Perez asked if they had any FEMA money coming in lately.

Mr. Knittel replied that it had been given from the Feds to the State, and now it was up to us to fill out the correct paperwork to get it from the State to us. That will happen this year and it was the money that we paid out of pocket, over the previous two years. This was mainly for that Tomco ACO and the drainage repair project that was done last summer for about \$1.9 million and it looks like NJ was getting ready to send us \$1.9 million. So, what we paid for IDA and drainage repairs, that money would come back to us in the next few months.

A discussion followed this on what account it was going to go into. The discussion led into Mr. Knittel and Mrs. Banghart telling the Board that they would like to put this money away into an account to start a savings deposit for the future cell 6 construction. The way that they could do this was discussed in detail, and how they could verify that the PCFA would still be in control of the money. The bank that was more favorable with rates and such was discussed also. And that the following money that was coming in from FEMA should all go together in this account for the construction for cell 6.

Mr. Knittel stated that with the draft budget Mr. Knittel stated that he had a draft rate schedule which he mentioned would have a potential \$2.00 increase, with Board approval.

Mr. Knittel passed out a rate schedule to the Board members that had the current rate schedule for 2024 and the next page had the potentially proposed one for 2025. No action was needed this was informational only. They have a couple of months to digest and figure this out, the draft budget he has in the agenda package was using the proposed increase.

The one that has an asterisk is the top tier, 20,000 to 30,000, they cannot have five haulers bringing us 20,000 to 30,000. But we would like 20,000 to 30,000 be available for our two local haulers and

that was why the asterisk was on the one tier, if that tier was available to all five haulers we would be buried, we would have way too much tonnage.

That is why there was a 14,001 to 20,000 tier and the 20,000 to 30,000 ton tier for Warren County garbage.

Mr. Accetturo asked if he was looking at the disposal pricing correctly, then a discussion broke out amongst the Board and the PCFA on why the increase was made differently on some of the tiers, especially the 14,000 to 20,000 tiers. It was further discussed that the two largest tiers have an increase of \$2.00. It was said over and again that a lot of trucks have been coming into Warren County that are coming from a long distance and they need to look at everything. It was said that a \$2.00 increase may not be enough. It was brought up that the director had taken some great advise from Board members, and he has had help from the Board on, industry trends, and other waste facilities.

Mr. Knittel stated that they were not the only stop for any one of the three transfer stations that we have accounts with. They have approximately 8 to 10 disposal facilities that they rotate their trucks through. The largest is the Covanta incinerator that's where they want to get most of their trash into, but there were tonnage restrictions there as well, it was a short trip to the incinerator vs two trips a day out here.

Mr. Accetturo asked what the rate was at the incinerator. Mr. Knittel replied that it was reportedly a bit less than the PCFA but has tonnage restrictions.

Mr. Accetturo asked what the number was. Mr. Knittel replied that he did not want to mis-speak so he would gather the correct information and share it with the Board.

Mr. Accetturo stated that he needed to look at every option that they had and get a firm gage on what they were paying at all other places.

There was a detailed discussion on the distance the haulers had to come, along with the fuel cost. Discussions on what the PCFA brings in and what price will help balance the budget. Also discussed was Phillipsburg and how this increase would effect them. It was said that the tier that they were in would remain the same, so they would not be effected at all.

Another discussion was had on how many contracts we had and what tiers they were in.

Mr. Accetturo asked if Mr. Knittel could outline to the Board what the other options those contracted haulers had, if they did not come to the PCFA, and if there were any limitations on those options, then maybe they could get a better guess whether that increase is workable.

There was a discussion on how many garbage trucks were going to PA and what the tolls were now, how heavy the trucks were and how far they were willing to drive to get rid of the garbage.

A comparison with Middlesex was talked about as was the result when we raise our rates at the landfill, our contractors (Garbage haulers) will increase their rates to their customers (the homeowners)

Mr. Orcutt asked for more backup on this subject for the next meeting. Mr. Knittel agreed.

GENERAL COUNSEL

Mr. Accetturo asked Mr. Tipton if he had anything to report.

Mr. Tipton replied 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.

EXECUTIVE SESSION

Mr. Accetturo asked if he had a motion to go into executive session

Mr. Orcutt replied that he would make a motion to go into executive session.

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

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

RESOLUTION

R-08-02-24

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

^{*}Executive session was entered at approximately 10:13 am.

order t	o 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.
X	(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.

NOW, THEREFORE, BE IT RESOLVED that this Board hereby excludes the public in

(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.							
Seconded By: Mr.							
ROLL CALL: Mr. Larsen - Mr. Orcutt - Mr. Perez - Mr. Accetturo -							
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 10:16 am.							

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

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

Mr. Accetturo - Yes

Mr. Orcutt asked Mr. Knittel what Passaic Valley was bringing, what the revenue was from.

Mr. Knittel replied that it was grits and screenings, it has odor, and it does contribute to our organic load for odor issue. They were under a five-year contract to receive it and they are under a five-year contract to take our leachate.

That five-year contract runs out in 2025.

There was a quick discussion on the material Passaic Valley brings in and how quickly they bury it to keep the odor down as much as possible. They also discussed the PDM and its odor while it was wet.

ADJOURNMENT

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

Mr. Accetturo stated that he would second the motion.

ROLL CALL: Mr. Larsen - Absent

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

Respectfully submitted by:

Mariann Cliff Recording Secretary

^{*}Regular session resumed at approximately 10:16 am.

^{*}There were no decisions or actions taken while in Executive session.

^{**}Meeting was adjourned at approximately 10:17 am

Approved:			