

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

May 20, 2025

Chairman Walter Orcutt called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:33 am.

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

Chairman Orcutt asked for roll call.

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| ROLL CALL: | Mr. Accetturo | - Present |
| | Mr. Larsen | - Present |
| | Mr. Perez | - Present (via google meets) |
| | Mr. Lohman | - Present |
| | Chairman Orcutt | - 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 Chairman Orcutt.

Chairman Orcutt read the following statement: "Adequate notice of this meeting of May 20, 2025 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

Chairman Orcutt asked if there was a motion for M-1 the Regular monthly meeting minutes from April 21, 2025.

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

Mr. Lohman stated that he would second the motion.

Chairman Orcutt stated, all in favor, say aye.

Chairman Orcutt asked if any opposed, then stated, motion granted unanimously.

CORRESPONDENCE

Chairman Orcutt asked if Mr. Knittel needed to comment on the State of New Jersey Application for a Solid Waste Facility Permit Renewal.

This was discussed in detail with the Director and the Board, regarding the length of time the DEP takes to approve these permits, along with the other requests that they may make, along with the permits.

Mr. Knittel stated that the PCFA this time asked for a lot of things that were industry standard but currently were not in our permit, such as using wood chips to supplement daily cover as well as for truck access roads, daily cover tarps, and other daily cover alternatives to help with odor.

It was also discussed that the DEP was verbally encouraging them to get away from the ash as a daily cover in the future and begin to use more onsite soils as well as imported lightly contaminated soils such as street sweepings and/or non-residential quality soil imports. This apparent change from NJDEP was theorized as a move to help reduce dust as newer more restrictive dust standards are being implemented in New Jersey. The question of why the DEP was concerned about ash for daily cover was discussed including some speculation as nothing formal from NJDEP is available in writing.

Mr. Knittel stated that the permit once renewed will be good for five years, but you needed to start working on them a year or more in advance.

FINANCE

Chairman Orcutt stated that next was the finance report.

Mrs. Banghart spoke about the finances stating that that tonnage was down from last year to this year, but it was picking up with the township cleanups, and Reworld's solid waste, plus they recently picked up a lot of Hunterdon County's waste since their transfer station caught fire last month. All revenues and expenditures were in line for the year with no issues. They were also waiting for two outstanding reimbursements from the State on our capping project.

Mrs. Banghart stated that also in the accounts receivable, they had Lemcor, who made a full invoice payment on May 13th. They still have an outstanding late balance of a hundred and twelve thousand dollars. They were going to be making two payments per month. It was discussed where they were going, and if they were coming back and what tier they should be in.

Mr. Perez asked how things were going with the new bank. Mrs. Banghart stated that interest rates were 3.8%.

Mr. Knittel stated that he was pleased at what they were getting in interest revenue.

Chairman Orcutt asked if there were no more questions on the bill list, he would need a motion on the Resolution R-05-01-25 to pay bills.

Mr. Perez stated that he would make a motion on Resolution R-05-01-25 to pay bills.
Mr. Larsen stated that he would second the motion.

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| ROLL CALL: | Mr. Accetturo | - Yes |
| | Mr. Larsen | - Yes |
| | Mr. Perez | - Yes |
| | Mr. Lohman | - Yes |
| | Chairman Orcutt | - Yes |

On a motion by **Mr. Perez**, seconded by **Mr. Larsen**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *May 20th, 2025*.

R E S O L U T I O N
R-05-01-25
To Pay Bills – May 20, 2025

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

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| ROLL CALL: | Mr. Accetturo | - Yes |
| | Mr. Larsen | - Yes |
| | Mr. Perez | - Yes |
| | Mr. Lohman | - Yes |
| | Chairman Orcutt | - Yes |

We hereby certify Resolution to Pay Bills in the amount of **\$ 1,523,152.91** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the *20th day of May, 2025*.

Mariann Cliff
Recording Secretary

Jonathan Knittel
Director of Operations

Approved: 5/20/25

Chairman Orcutt stated that next was a Resolution Approving the Recycling Enhancement Act Tax Fund Entitlement Spending Plan 2024.

Mrs. Banghart stated that was a recycling Grant that they get through the County and it was a hundred and sixty-two thousand dollars, 16.7% must go to public education and funding. The remaining hundred and thirty-three thousand was used to pay for the HHW event and Freon recycling, Single Stream recycling, and Tire recycling and transport.

Chairman Orcutt asked if they needed a motion on that.

Mrs. Banghart replied yes.

Chairman Orcutt stated that he needed a Resolution Approving the Recycling Enhancement Act Tax Fund Entitlement Spending Plan 2024.

Mr. Lohman stated that he would make a motion on Resolution R-05-02-25.

Mr. Accetturo stated that he would second the motion.

Chairman Orcutt stated, all in favor, say aye.

Chairman Orcutt asked if any opposed, then stated, motion granted unanimously.

On a motion by **Mr. Lohman**, seconded by **Mr. Accetturo**, the following resolution was adopted by the Pollution Control Financing Authority of Warren County at a meeting held on *May 20, 2025*.

RESOLUTION

R-05-02-25

RESOLUTION APPROVING THE RECYCLING ENHANCEMENT ACT TAX FUND ENTITLEMENT SPENDING PLAN 2024

Enabling Resolution Authorizing the filing of a Spending Plan for 2024 Recycling Enhancement Act Tax Fund Entitlement pursuant to P.L. 2007 c.311 et seq. hereinafter, the Act.

WHEREAS, P.L. 2007 c.311 et seq. provides for the awarding of Recycling Enhancement Tax entitlements by the Department of Environmental Protection to designated solid waste management districts to assist them in the preparation, revision and implementation of comprehensive solid waste management and recycling plans; and

WHEREAS, the Pollution Control Financing Authority of Warren County desires such financial assistance to fulfill its responsibilities under the Solid Waste Management Act and the Recycling Enhancement Act.

NOW THEREFORE, BE IT RESOLVED by the Pollution Control Financing Authority of Warren County:

1. That a Spending Plan be submitted to the Solid and Hazardous Waste Management Program for 2024 Recycling Enhancement Act Tax Entitlement in the amount of \$162,000.00.
2. That the Board Chairman of the Pollution Control Financing Authority of Warren County is hereby authorized and directed to execute and file such spending plan with the Department of Environmental Protection, to provide additional information and furnish such documents as may be required; to execute such documents as are required; and to act as the authorized correspondent of the Warren County Solid Waste Management District.
3. That the Pollution Control Financing Authority of Warren County designated by the Warren County Board of County Commissioners as the implementing agency to perform the Recycling Enhancement Tax Entitlement commencing on February 1, 2024.
4. That the Warren County Solid Waste Management District does hereby hold the State of New Jersey, and its departments and agencies harmless from any damages, losses and claims which may arise directly or indirectly from the execution of the entitlement.
5. That the Warren County Solid Waste Management District hereby accepts the terms and conditions set forth in the Act and the guidelines promulgated under it.

ROLL CALL: Mr. Accetturo - Aye
 Mr. Larsen - Aye
 Mr. Lohman - Aye
 Mr. Perez - Aye
 Chairman Orcutt - Aye

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.

Mariann Cliff
Recording Secretary

Date: 5/20/25

PERSONNEL

Chairman Orcutt asked if there was anything for personnel. Mr. Knittel stated that he had nothing to report at this time.

PRESENTATIONS

Chairman Orcutt asked if there were any presentations.
Mr. Knittel stated that there were none.

REPORTS

FACILITIES/RECYCLING

Chairman Orcutt stated that next, was Onsite Waste Water Treatment Plant Evaluation/Upgrade.

Mr. Knittel stated that they had received the bid documents back from Tipton's firm and there were some edits, but minor ones. This was for two bid documents, the first bid document is for the force-main camera inspection, he does not have a price estimate. This was for two large sections of pipe from here to the top to Covanta and then the other side of Covanta to the gravity manhole. The inspection work could be stopped at any point if they find the first portion of the line is not in good shape and could continue if the line is found in excellent usable condition.

This bid job was discussed in detail along with the cost estimate, being guessed at around \$30,000.00 to \$40,000.00. The discussion included the years installed, any possible damage that could have been done to the pipe, such as vibrations from Tilcon blasting along with the life-span of the PVC piping being around 37 years old now. The idea of this bid exercise was to evaluate this existing pipe as an option to send pre-treated leachate through the pipe over to PRMUA for final treatment/discharge.

Chairman Orcutt stated that we would like to refocus our efforts to recirculating and reusing the treated water right here at the landfill and eliminating the need to send liquid to PRMUA completely. Chairman Orcutt stated that he would therefore want to stop proceeding with the current efforts of the camera inspection bid and the idea of going out to PRMUA and to focus on keeping the treatment and liquids onsite as much as possible. He wants the Director to focus on in-house options.

The Board had a discussion speculating on what the old Covanta property was going to be, and how it would affect the PCFA and the sewer-line.

There was a discussion and general agreement with the Board that, at this point in time, to properly take care of the landfill, it would make the best sense to treat and re-use the leachate right here on-site.

They spoke of sending the rejected leachate (brine) to PVSC for as long as possible. If PVSC was no longer a viable outlet for brine at some point in the future, then recirculating the percentage of R.O. reject water to an infiltration gallery within a portion of our lined landfill would be implemented. The rest of the cleaned water would be used with the water trucks on dusty days and irrigation of grass, as well site recharge within our site via several ponds/basins on the property.

All this of course had to be passed by the DEP before anything was done.

Once approved by the DEP, they would be lowering the number of trucks on the road from a normal 8-10 trucks a day, to 1 or 2 trucks a day. Then with recirculation it could eliminate all tanker trucks completely.

Chairman Orcutt stated that the Directors task is to focus on R.O. then asked where they were at with the project.

Mr. Knittel stated that the engineer had wanted to meet with PRMUA. Chairman Orcutt stated that with PRMUA not in the equation, Mr. Knittel should update the engineer to focus on RO with the treated liquids remaining onsite for reuse. It was agreed that the engineer would be updated.

Mr. Knittel stated that regarding treatment and keeping the cleaned (treated) water onsite, that we will be removing PFAS down to the below parts per trillion and any of the metals and volatiles and discoloration would be removed to cleaner than drinking water standards. This means that the main design parameter will be the PFAS removal level. The System will strive to remove PFAS to as low as reasonably attainable with available technology. The PFAS right now does not have a State limit set for R.O. water discharge to various outlets such as surface water, site reuse or to send down a sewer line to a local sewer plant. This means that we will likely design to treat PFAS to meet and exceed the expected limits that are likely soon to be implemented in NJ. A reasonable and conservative assumption is that PFAS will likely need to be treated to approximately the drinking

water standard for site reuse of treated water for dust control, irrigation and recharge to our site's ponds and basin.

A meeting soon with NJDEP will need to discuss RO clean water reuse options within the property regarding the most stringent design criteria which is understood to be PFAS.

A discussion continued regarding PFAS and the DEP and the limits that may be imposed.

Mr. Knittel stated that the engineer is getting quotes from different R.O. vendors, for 60,000 gallons per-day systems to be installed in our existing building. Our foreman has already dismantled some of the UF (Ultra-Filtration) racks that were shot as well as some of the previous chemical feed pumps that were too corroded to be used/salvaged. The engineer gave us an evaluation of what was good and bad and we started doing that work in-house. They were constantly making progress.

A discussion was had again that centered around getting the R.O. system up and running, and to price the system to meet the PFAS drinking water standard. This anticipated stringent standard goal for PFAS removal is partially due to real or perceived local attention to the PFAS issue. Mr. Knittel stated that various PFAS concerns located in Washington Township, Warren County are on the front line of the PFAS issue nationally, and that we can therefore expect some additional attention on PFAS here in NJ resulting in the PFAS treatment standard for surface discharge to be likely be as clean as the drinking water standard.

This was discussed in detail and what it would mean to the PCFA's R.O. plan.

Mr. Knittel will pursue R.O. plans, keep all liquids on-site and meet with the DEP to apply for anything necessary to make this happen.

Chairman Orcutt stated that next topic was the side-slope update.

Mr. Knittel stated that they had new operators on-site and the progress was fine. They did have a 1-week extension for rain delays. They were not concerned with extensions to the contract from June into July, the cost stays the same, however inspection time goes up accordingly. They do not have anything other to note except rain delays. A couple change orders came through, one of them was extra sand for that project for the drainage layers. Twelve inches of gray crushed sand, that item was an import and is the largest single bid item as far as cost. All of the other materials were made here on-site. The drainage sand quantity was under-estimated for various reasons. Real field conditions including steeper slopes and greater compaction rates then typically experienced has resulted in the need for some additional import drainage sand. The compaction ratio of the sand was stated as a rule of thumb used for most sites, but specific conditions here resulted in denser sand meaning that more will fit in the same space.

The application of too much sand was brought up and discussed in detail and the outcome was, that the contractor was already instructed to go back and cut the areas that had too much and place it on the areas that did not have enough. In the end they were still short the amount that was in the change order.

Mr. Accetturo asked how much they were short.

Mr. Knittel replied that the contractor high end estimate was 20,000 tons at \$30.00/ton.

Mr Tipton pointed out that 13,875 tons was imported so far and that a credit on another line created a change order amount of \$250,000. Mr Knittel stated that the import of the 13,875 tons is about what is needed to finish, but that some additional loads may be needed. No more import will be performed until after the contractor, PCFA and the QC engineer verify that the proper amount (not more than 12 inches thick) has been placed.

The cost for this change order was discussed at length, and then the Board went through all the cost involved with the whole project, and how much was saved by the PCFA making a lot of other materials in-house.

The importance of the drainage layer in this project and the compaction ratio was discussed for quite some time.

Chairman Orcutt asked if they needed action on the change order.
Mr. Knittel replied yes, they did.

Chairman Orcutt stated that they needed a motion on A-2, Change order #5 for approval.

Mr. Larsen stated that he would make a motion to approve the changes in A-2 Change order #5.
Mr. Accetturo stated that he would second the motion.

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| ROLL CALL: | Mr. Accetturo | - Yes |
| | Mr. Larsen | - Yes |
| | Mr. Perez | - Yes |
| | Mr. Lohman | - Yes |
| | Mr. Chairman Orcutt | - Yes |

Chairman Orcutt stated next was the odor update.

Mr. Knittel replied that they had put, the gas-header and some gas wells into a bid document, Mrs. Fina had reviewed it for them and sent them the edits back last night. They had actually approved that bid to go out six months ago, but because of adding the gas wells, waiting for the winter to pass, and source of funds changing from us to closure accounts the bid was finally ready to go. The six new vertical gas wells will help with the odors. They will get that out to bid, pending re-approval of the Board, or they could just use the approval from six months ago. Chairman Orcutt stated that pending Mrs. Fina's affirmative review of revisions they would need a motion.

Mr. Larsen stated that he would make the motion to approve the bid documents once reviewed.
Mr. Perez stated that he would second the motion.

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

Mr. Lohman - Yes
Mr. Chairman Orcutt - Yes

Mr. Knittel stated that next was A-3, then asked Mrs. Banghart to go over that one with the changes in red.

Mrs. Banghart replied that they picked up Cortese disposal, Flemington dept. Store, Homestead Lawn & Landscape, and Glen Gardner Borough from Hunterdon County. They will need approval for them. There was also an interlocal agreement that they just recently got from Knowlton township, so they would need Board approval for all of them for 2025.

Chairman Orcutt asked if someone would make that motion.

Mr. Lohman replied that he would make the motion to approve A-3 all the accounts outlined in red.

Mr. Accetturo stated that he would second the motion.

Chairman Orcutt stated, all in favor, say aye.

Chairman Orcutt asked if any opposed, then stated, motion granted unanimously.

Chairman Orcutt stated that next was the recycling, were they all good?

Mr. Knittel replied that A-4 through A-6 which are our recycling programs that are running well, they had their HHW event on Sunday.

Mrs. Banghart stated that they had 322 residents come in and they had no incidents. The largest municipality was Blairstown with 34 residents that came, and right behind them was Washington Township, overall it went very well and there were no issues.

Chairman Orcutt stated that he wanted to say thank you. He came by and the whole crew was out there working.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

Chairman Orcutt asked if there were any public comments for agenda items only.

GENERAL COUNSEL

Chairman Orcutt asked Mr. Tipton for the general counsel's report.

Mr. Tipton stated that he had nothing other than they did the two bid reviews. They had already been discussed.

Chairman Orcutt stated that he needed a motion for approval for a professional services contract for Michael Lavery, Esq from; Lavery, Selvaggi & Cohen, P.C. for Special Counsel as needed, at the same rate as Florio Perrucci Steinhardt Cappelli & Tipton LLC.

Mr. Larsen stated that he would make the motion.

Mr. Accetturo stated that he would second the motion.

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

OTHER BUSINESS

Chairman Orcutt asked if there were any other business.

Mr. Accetturo stated that he had other business. He would like to follow up on the topic of ash mentioned in passing early today. This was the first time that he had heard that the ash had some sort of negative environmental impact. He asked had this been a discussion at any of the conferences that anyone has attended. Was this on anyone's radar that ash was going to be banned as a cover?

Mr. Knittel replied that no, not on the radar, that he DEP had just started to verbally talk about it. They recently had a DEP luncheon at SWANA (Solid Waste Conference) where NJDEP was in attendance. NJDEP that represent our facility asked about how long is our ash agreement and that they (the department) are trying to get away from using ash as daily cover. Then again at a meeting here at the office, NJDEP again asked the stated the same concern.

Mr. Accetturo asked how long had they been asking.

Mr. Knittel replied that they had asked twice over the last two and a half months (Ross and Christina).

Mr. Accetturo stated so it's still pretty new.

Mr. Knittel and Mrs. Banghart replied yes.

Mr. Accetturo stated that the contracts that they had with Covanta, he knows that sometimes during the year they could be asked to expand upon them. They have contracts that go into 2027 currently?

Mr. Knittel replied that Covanta has three 1-year options, it was optional to them, not optional to us. Covanta wrote language in there that said it is a 3-year contract with three 1-year extensions. The three one-year extensions are for 2025, 2026 and 2027.

Mr. Accetturo asked what the tonnage on those were.

Mr. Knittel replied 50,000 tons per year.

Mr. Accetturo replied to that by saying that Covanta was probably wise to this before we were.

Mr. Accetturo asked what the rate was and if we could increase it.

Mr. Knittel replied saying that it has a 2% automatic annual increase. Mr. Accetturo said that was basically nothing.

Mr. Accetturo stated that material, if they don't bring it here, if they brought it anywhere else, it would be considered waste and it would be at a higher rate, correct?

Mr. Knittel replied that Pennsylvania could still use it for cover.

Mr. Accetturo stated that the DEP has not made anything formal, but you were saying that the DEP was most definitely going to formalize that they have no ash for cover the way that they were proceeding.

Mr. Knittel replied yes, that he thought it was because NJ had changed the dust standards to zero visible dust.

Mr. Accetturo replied so it was mostly because of dust.

Mr. Lohman asked how long the new permit was good through.

Mr. Knittel asked which permit he was referring to.

Mr. Lohman replied the landfill permit. Mr. Knittel stated that the solid waste permit is a five-year permit. In the permit renewal currently submitted, there was a specific NJDEP edit that asked for the expiration date of the ash contract. The DEP added that note in there.

There was a discussion on if the DEP stopped the ash from being allowed it may go against the current permit language.

There was a lively conversation regarding why the DEP would be phasing out the ash, and lots of speculation if the reason was to limit dust generation on sites. It was also discussed that by Covanta having NJDEP classify the ash as beneficial for daily cover, then Covanta can get rid of it cheaper, otherwise the ash would be considered solid waste and it would cost more to landfill it.

Mr. Lohman asked what was going on with the Hunterdon transfer station.

Mr. Knittel stated that they had not received a formal update but the truck drivers were saying it was a massive fire, if Waste Management was aggressively rebuilding it, it could still take about 8-months by one report. We just do not know.

There was a discussion that speculated on when it would come back or even if it would.

Mr. Knittel stated that either way, our tonnage was going up and it has significantly increased the car traffic with additional residents. This is one reason that lines are longer than usual on Saturdays as the Hunterdon residents are programmed to Saturday only option at the former Hunterdon facility and may not realized that they can come here during the weekdays.

Chairman Orcutt stated that he had one more thing, they spoke about it briefly yesterday but they do not have a solution for it yet. It was the recycling from Oxford, it was not safe and it made no sense. Oxford comes in with a load of recycling and dumps it into a dumpster out back, then our truck brings the roll-off over to the convenience center to dump it into the Colgate recycling dumpster. This has created a safety incident in the convenience center.

Everyone spoke up and there was a lively discussion on why and how this ever started and what they could do about it at this point.

Mr. Knittel stated that the reason they brought this up was that the DEP sited them for litter around the Oxford recycling bin and that there was a near miss safety incident transferring the Oxford recycling into the convenience center. They explained that it was brought in on Thursdays and they dump it out back, then the PCFA has to transfer it from here to there and then we must get the recycling transferred safely to the convenience center.

Mr. Tipton stated that they had some sort of deal with Oxford when this started. We took care of their waste when they lost their tipping fees. He did not recall what the terms were.

Mr. Knittel stated that we accept all of Oxfords solid waste tonnage for free (about 12,000 tons per year) and that could go up or down. It does not mention anything regarding the recycling. Mrs. Banghart stated that she could not remember how they started the recycling, but no other town or municipalities in Warren County has their recycling done here.

Mr. Tipton stated that he believes that to end this, we must start with a conversation. Chairman Orcutt asked who was having the conversation and who were they talking to, the mayor? Or is it a legal conversation?

Mr. Knittel will reach out to the Mayor and he will update the Board at the next meeting.

CLOSING PUBLIC COMMENTS

Chairman Orcutt asked if there were any closing public comments.

ADJOURNMENT

Chairman Orcutt asked if there was a motion to adjourn.

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

Mr. Larsen stated that he would second the motion.

Chairman Orcutt stated, all in favor, say aye.

Chairman Orcutt asked if any opposed, then stated, motion granted unanimously.

*****Meeting was adjourned at approximately 11:13 am***

Respectfully submitted by:

Mariann Cliff
Recording Secretary

Approved: