

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

December 18, 2023

At approximately 9:30 am, Mr. Knittel and Mrs. Banghart hosted a Holiday coffee and donuts get-together, for the Board members thanking them for their service.

Chairman Angelo Accetturo called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 9:53 am.

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

Mr. Accetturo asked to call the roll.

ROLL CALL:	Mr. Larsen	- Present
	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 Chairman Accetturo.

Mr. Accetturo read the following statement: "Adequate notice of this meeting of December 18, 2023 was given in accordance with the Open Public Meetings Act by forwarding a schedule of regular meetings of the Pollution Control Financing Authority of Warren County (PCFAWC) to the Warren County Clerk, the Warren County Board of County Commissioners, The Express-Times, and by posting a copy thereof on the bulletin board in the office of the PCFAWC. Formal action may be taken by the PCFAWC at this meeting. Public participation is encouraged."

MINUTES

Mr. Accetturo asked if there was a motion for M-1 the Regular monthly meeting minutes from November 20, 2023.

Mr. Orcutt made a motion to approve the Regular Monthly Meeting Minutes from November 20, 2023, seconded by Mr. Larsen.

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

Mr. Accetturo asked if there was a motion to approve M-2 the Executive monthly meeting minutes from November 20, 2023.

Mr. Orcutt made a motion to approve the Executive Monthly Meeting Minutes from November 20, 2023, seconded by Mr. Perez.

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

CORRESPONDENCE

Mr. Accetturo asked if there were any correspondence. Mr. Knittel replied that there was no general correspondence but there were a few letters that they would talk about in executive.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

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

FINANCE

Mrs. Banghart state that their finances were doing good, the finance report was only revised due to a couple of bills that came in, that changed a few pages, but otherwise the finances were doing good. Interest was still climbing, they had \$5,500.00 in the month of November, from their unrestricted accounts. You see on page 2, under the operating expenses, they exceeded the budget lines. That was why they had to do the budget amendment which would be in the next discussion.

Mr. Knittel stated that they were basically moving money from surplus revenue into their budget. Several of the reasons that they went over their operations appropriation was additional host fees for having higher tonnage than expected. Almost 60 inches of rain versus 44 inches of rain on average, so leachate costs were higher than expected even though they were dropping leachate as a percent, they had a much wetter year than in recent decades.

Mrs. Banghart stated that they also had to move their capital expenses into their expense lines, per State.

Mr. Knittel stated that when the State of New Jersey had them revise their capital to zero, they moved those capital projects into their annual budget. They were able to pay for those out of this year's

revenue, without having to use any other funding. For an example, the retaining wall, all the administrative consent order work, plus some FEMA work they had to pay for out-of-pocket until they get reimbursed. All of those went back into the budget. Hence the substantial moving of money from revenue to appropriations. Just in general the amount in the bank account that was unrestricted cash, was a little less than some of the projects planned for 2024. The project in 2024 will be using closure funds money, however the State of New Jersey was notoriously slow at reimbursing them. They were going to have a conference call with the State of New Jersey to see if they could get them to reimburse them in a quicker fashion, for example if they had a 7-million-dollar cap project and they had 4 ½ million in unrestricted cash, they would have to float that construction, and if their reimbursement was slow enough, they could run out of restricted cash. They then, have three options, one, get a commitment from New Jersey that they would review it quicker and get it back to us, eliminating the cash-flow problem, second option would be to split the project into 2-halves, and the third would be to look for outside funding for a temporary several month construction loan while they wait to get reimbursed from NJ, such as IBank. He was not prepared to recommend one over the other but they would narrow that down over the next few weeks. So, at this meeting they were not ready to put that construction project out to bid. This will be discussed and presented at the January meeting. Mr. Orcutt stated and in the interim they would take it up with the capital committee. Mr. Knittel agreed.

This topic was discussed a bit more with the pros and cons of each scenario and it would be presented with more detailed information at the next meeting.

The FEMA money, and if we had received it all, or not, was also discussed. There was still outstanding FEMA money but it could not be counted upon as income at that point, and it would not be counted on or put in the budget.

Mr. Orcutt stated that he was looking at, and would like more of an explanation of the landfill activity report from 2022 and 2023 where it shows the breakdown of the type of waste, they bring in every month for the last two years.

Mrs. Banghart replied that it had 2022's numbers on the left column that the Board requested years ago. They wanted to see the comparison of the 2 years together.

Mr. Orcutt asked if the mix was about the same? Items 10 and 13, what was changing if anything?

Mr. Knittel replied that July 7th of last year was when they began taking in large volumes, a substantial increase of item 10 – household garbage. Before that Covanta had the legal right to item 10, and they could not take item 10 directly from the local trash trucks. Starting in July of 2022 they began taking in tonnage of item 10. Mr. Accetturo stated that was when they started padding the liner of the new cell, it was done with item 10.

Mr. Knittel agreed, cell 7 was receiving it exclusively at that point, none of it was going up on the hill because it was getting ready for capping, so most of that item 10 was in cell 7. That is also the reason that they have had to install gas extraction from the bottom pipes and now some horizontal collectors were being installed.

Mr. Orcutt replied that he understood, so looking at the latest number November of 2023 the numbers keep going up. Mr. Knittel replied that most of that was seasonal.

A discussion about which haulers bring what item types, seasonality, and if some or all of the haulers would be returning in 2024 ensued.

There was a detailed discussion of each type of waste and the cover and the amounts that they took, and the percentage of cover to waste and why.

It was also a point of discussion that there were low spots, or settlement, in the old cell that needed to be filled, or should be filled, before the capping project began. The challenge was, that the garbage trucks could not get to it and so they were being filled up with ash. The south slope on the other hand had slivers of settlement also but it was able to be filled with garbage because it was more accessible.

This was discussed further because there was so much more ash coming into the facility for 2023.

Mr. Knittel stated that they were still on track to make that cell last the length that it was supposed to by diverting some of that tonnage to recover airspace on either the south or the north slope. Mr. Orcutt replied that even if they could get 50 thousand tons of ash into a depression that would take it, the ash was not equivalent to 50 thousand tons of household waste. Mr. Knittel replied correct, they were not equivalent, the density of the ash was one ton per yard and the density of trash was only .67 tons per yard, so, it works out money-wise. The tip fee for ash was significantly lower than solid waste, but does have a higher density, raising its value some.

The pros and cons of filling difficult small slivers of landfill with ash was discussed a bit further and how much it costs them to place it before permanently capping it.

Mr. Accetturo stated that he would make a motion to pay bills R-12-1-23.

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 *December 18, 2023*.

RESOLUTION

R-12-01-23

To Pay Bills – December 18, 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 - Yes
 Mr. Orcutt - Yes
 Mr. Perez - Yes
 Mr. Accetturo - Yes

We hereby certify Resolution to Pay Bills in the amount of **\$1,273,198.43** to be a true copy of a resolution adopted by the Pollution Control Financing Authority of Warren County on the 18th day of December 2023.

Mariann Cliff
Recording Secretary

Jonathan Knittel
Director of Operations

Approved: 12/18/23

Mr. Accetturo stated that A-2 was the 2023 Budget Transfer Forms for Approval, then asked if anyone had any questions or objections.

Mr. Accetturo stated that he would make a motion on A-2.

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 they had another Resolution, to Amend the 2023 Budget that was in front of them.

Mr. Accetturo stated that he would make a motion on the resolution, R-12-02-23.

Mr. Perez stated that he would second the motion.

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

On 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 December 18, 2023.

RESOLUTION
R-12-02-23
TO AMEND THE 2023 BUDGET FOR THE
POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY,
PURSUANT TO N.J.A.C. 5:31-2.8.a.2

WHEREAS, N.J.A.C. 5:31-2.8 provides that the Division of Local Government Services may approve the amendment of the budget of any Authority or District when there is a need to amend the 2023 budgeted and

NOW, THEREFORE, BE IT RESOLVED, by a Majority Vote of the Board members of the Pollution Control Financing Authority of Warren County that the Authority hereby requests the Director of the Division of Local Government Services to approve the following amendments to the 2023 Budget.

	From (Decrease)	To	Increase /
Revenues:			
Operating Revenue:			
Landfill Revenue	\$7,746,647	\$8,799,047	\$1,052,400
Total Revenues	\$9,000,000	\$10,052,400	
\$1,052,400			

Appropriation:
 Cost of Providing Services

COP Other Expenses \$8,075,850 \$9,128,250 \$1,052,400

Total Appropriations \$1,052,400	\$9,000,000	\$10,052,400
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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.

Respectively submitted by:

Mariann Cliff
Recording Secretary

Approved: 12/18/23

Mr. Accetturo stated that item A-3, 2024 Budget for Approval, everyone here has had plenty of time to go over the changes that were made, was there a motion?

Mr. Perez stated that he would make a motion.

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 asked for R-12-03-23 Resolution Approving the 2024 Budget was there a motion?

Mr. Perez stated that he would make a motion.

Mr. Larsen stated that he would second the motion.

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

2024 ADOPTED BUDGET RESOLUTION

RESOLUTION

R-12-03-23

POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY

FISCAL YEAR: January 01, 2024 to December 31, 2024

WHEREAS, the Annual Budget and Capital Budget/Program for the Warren County Pollution Control Financing Authority for the fiscal year beginning January 01, 2024 and ending December 31, 2024 has been presented for adoption before the governing body of the Warren County Pollution Control Financing Authority at its open public meeting of December 18, 2023; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget presented for adoption reflects Total Revenues of \$9,500,000.00, Total Appropriations, including any Accumulated Deficit, if any, of \$9,500,000.00, and Total Unrestricted Net Position utilized of \$0.00; and

WHEREAS, the Capital Budget as presented for adoption reflect Total Capital Appropriations of \$5,900,000.00 and Total Unrestricted Net Position Utilized of \$0.00; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Warren County Pollution Control Financing Authority at an open public meeting held on December 18, 2023 that the Annual Budget and Capital Budget/Program of the

Warren County Pollution Control Financing Authority for the fiscal year beginning January 01, 2024 and ending December 31, 2024 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

 (Secretary’s Signature)

 (Date)

**Governing Body
 Recorded Vote**

Member	Aye	Nay	Abstain	Absent
Angelo Accetturo	x			
Walter Orcutt	x			
Daniel Perez	x			
Robert Larsen	x			
Vacant				

Mr. Accetturo stated that next was personnel with Mr. Knittel.

PERSONNEL

Mr. Knittel stated that they did meet with the committee, and we all would like to discuss this in executive session for the hand-out labeled A-4.

PRESENTATIONS

Mr. Accetturo stated that there were no presentations.

REPORTS

Mr. Knittel stated there were no reports.

FACILITIES/RECYCLING

Mr. Knittel stated that they have been working on the odor from cell 7 and they had discussed some of the reasons for it. As of last week, they excavated 650 feet of horizontal pipe into the cell about 20

feet deep and got that back-filled late that night. And over the last 6 or 7 days they have been incrementally increasing the vacuum on that pipe. They also have a second pipe to do the same process again, another horizontal ditch that would take one full day of excavation. They plan to do that between the week of Christmas and New Years, weather-dependent, and before they dig, they will notify Mr. Jeff Herb at White Township to let him know that they may be creating nuisance odors during that excavation at a level a little stronger than usual. The goal is to reduce the noticeable odor to zero at our fence-line and beyond, and even though the levels were within all safety standards for both our workers and community, any odors outside of our fence line is not acceptable to us. Therefore, they would continue to work on that.

Mr. Orcutt asked where they left off with the option of foam as daily cover. Mr. Knittel replied that the foam was very interesting, it did last for about 48 hours and was considered an alternate daily cover and the DEP would approve it. They did a demonstration with the foam, and it does have odor suppressing capabilities. It goes down as a wet foam and it forms to a harder crust in a few hours and that seems to help trap odors within. The foam unit was available as a lease option and it does somewhat pay for itself in that you were not putting six inches of daily cover down every day, you were putting down foam. So, with this you were not using up airspace, airspace is worth money. He had done a cost benefit analysis and it was almost a wash, however you still need to place dirt in the landfill in areas for truck access.

Mr. Knittel stated that, you spray the trash with foam, and the next day the trucks have to drive somewhere to get to the working-face so you still need ash or dirt. But in the future, they could reduce the ash intake although the reason for not signing with the foam company for the lease of the equipment and the material which was a plant-based protein, was because they were still in a 3-year ongoing ash agreement with the omnibus / ash agreement. So, as they get closer to the end of the ash agreement, they could definitely look at alternate daily covers.

There was a detailed discussion on the type of cover and the cost that they use currently, and what other possibilities were available. Also, what equipment was used for each material, foam, ash, or dirt, and how many man-hours were required for each type of application and the cost of each. It was noted that the applications were about the same cost and for certain weather events the dirt and ash would still be required.

Finally, it was requested that the PCFA do a one-month experiment to determine if the foam was a viable solution for odor control and to extend the life of the landfill.

Mr. Orcutt asked if they would still anticipate using ash for filling in low spots or settling in the landfill. Mr. Knittel replied yes, they were still actively filling in the last area. Mr. Orcutt asked how that was working.

Mr. Knittel replied that they do have PDM on-site, but that was specifically earmarked for a 1-foot layer underneath the cap, so they would not use PDM to fill low spots. So, they do have a deficit that he would rather not talk about in a public meeting, relating to how many tons of ash they may need in 2024.

Mr. Knittel stated that they do have the ash agreement that will run out next week, they do need to sign an ash agreement today. The base was already locked in at 50,000 tons, he had sent the fourth amendment to Mr. Tipton and he had no issues with it other than the extra ash was obviously up for discussion. This discussion continued with the benefits of other material options for daily cover was once more discussed along with costs, it was requested that Mr. Knittel come back with a cost analysis of the cover materials and of the equipment. Foam versus ash or dirt or even lightly soiled dirt.

Mr. Knittel stated that they already spoke with the committee about the permanent cap drawings, and specs that were finalized. The cost estimate came in and they spoke about the problems of financing. He would work on the closure options and present them at the next meeting.

Mr. Knittel stated that cell 7 was done, they finally finished their punch-list, the contractor came back and finished it up and they should be able to release the 20% remaining retainage in the next few weeks.

Mr. Knittel stated that the automated kiosk finally showed up after months of being delayed. The installation will take place in a few weeks. There was a bit of concrete footing included so it would be weather dependent. It was included in the purchase price that they do have to have WasteWorks involved to get the settings and programs done correctly, to ensure that the kiosk is working properly after hours for the tanker trucks.

Mr. Knittel stated that the July FEMA repairs were 100% complete, and the reimbursement process was moving forward. Same with IDA FEMA project was also 100% done and moving forward.

Mr. Accetturo stated that A-5 through A-8 they would do together.

Mr. Accetturo stated that he would make a motion to approve R-12-05-23, R-12-06-23, R-12-07-23 and R-12-08-23.

Mr. Orcutt stated that he would second all of them.

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

Mr. Accetturo stated that they were on to A-9 Waste disposal fee schedule, there were some changes and discussion regarding the ones done in red.

Mrs. Banghart replied that A-9 was the contracts that they received back.

Mr. Knittel stated that A-14 was their rate table and they would need some discussion on it. There was a group of tonnage 2,000 to 6,000 tons that they have no customers in, and they had the price at \$80.00. They were definitely interested in dropping that to \$75.00. They would like to capture the tonnage from a couple of local towns. And one of those towns they may capture at that 2,000 to 6,000 tons if they drop their price per ton down. They were hoping, as the Warren County landfill, to bring in more of Warren Counties waste from the local towns.

There was detailed discussion on the Authorities ability at lowering the rate in order to gain local towns and how that would happen, nothing would be settled on without bringing it to the Board first.

This started a detailed discussion on the unlikelihood of all haulers bringing in the max allowed tonnage, it could jeopardize the life of the landfill. The discussion turned to a possible percentage

vs a hard number. But throughout the discussion the fact that it could be too much tonnage was weighed in over and over until it was brought up that there could be an out, that, with written notice, they could warn the haulers to slow down.

Mr. Knittel stated that they needed a motion for the A-14 table to change the \$80.00 to \$75.00. Mr. Accetturo asked if they wanted to move the 23,000 tons to 30,000 tons.

There were questions on whether this was public or not.

Mr. Knittel stated that this was a public document that went onto their website and suggested that they change it from 19,001 to 27,000 tons which captures what the local haulers need.

Mr. Accetturo replied then you don't have to address it only in one haulers contract.

Mr. Larsen stated that if they say they're going to bring 27,000 and you set the cap at 27,000 it was cutting it too close.

There was more discussion regarding the cap that they should set. Which led into another discussion regarding if one of the haulers was going to sign the contract or not. It was brought up, that it would reduce revenue, but it would also bring down the landfill's expenses to C.E.H.A. and White Township, less fees for cover and maintenance. Everything gets cheaper as you bring in less tonnage. While losing tonnage from one hauler it was brought up that if they pick up another customer and raise the not to exceed point, they would make up a portion of the last tonnage.

Mr. Orcutt stated after much discussion, that they should do the 30,000-ton limit on that top tier. It was then agreed upon.

Mrs. Banghart clarified that they would put 27,000-ton range on the table and then in the letters, max amount would be 30,000 with the ability of the PCFA to restrict tonnage above 27,000.

Mr. Larsen stated that in his opinion it was confusing.

Mr. Orcutt replied that it was our option between 27,000 and 30,000.

Mr. Knittel stated that if they were looking for the tonnage, they allow them to go over, if they were not looking for the tonnage, they hold them tight.

Mrs. Banghart stated that she would re-word it and send it to Mr. Tipton.

Mr. Knittel stated that the recycling was all good, the electronics, tires, and single stream. That was A-10, A-11, A-12 and they were all fine.

Mr. Knittel stated that they needed to go back and do this resolution for the 2024 revised solid waste disposal pricing schedule, for A-14 to be revised as noted.

Mr. Accetturo stated that he would make the motion.

Mr. Orcutt stated that he would second the motion.

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

Mr. Accetturo - Yes

Mrs. Banghart stated that they needed to have a motion for A-9, to approve all the contracts that were sent in, they were shown in red.

Mr. Accetturo stated that he would make a motion on A-9 to approve the 2024 Waste Disposal Fee Schedule as shown in red.

Mr. Orcutt stated that he would second the motion.

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

Mr. Knittel stated the last item was A-13 Change order # 6, this was at the end of the FEMA ACO contract before Tomco demobilized. They performed change order #6 for \$30,000.00 and that was to build three complete assemblies of horizontal collectors. The pipe, the welding, the assembly and then the excavation and installation was obviously up to the PCFA. They built all three runs which should get us through gas collection, when all three of them were installed, for the next year on odor control.

Mr. Accetturo stated that he hoped that he would notice a \$30,000.00 difference.

Mr. Knittel replied that he hoped so too.

Mr. Accetturo stated that he would make a motion for A-13 Change order for Tomco.

Mr. Orcutt stated that he would second the motion.

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

GENERAL COUNSEL

Mr. Accetturo asked Mr. Tipton for the general counsel's report.

Mr. Tipton replied that he had a couple of items for executive session.

OTHER BUSINESS

Mr. Accetturo asked if there were any other business.

CLOSING PUBLIC COMMENTS

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

EXECUTIVE SESSION

Mr. Accetturo asked if there was a motion to go into Executive session.

Mr. Orcutt stated that he would make a motion to go into Executive session.

Mr. Larsen stated that he would second the motion.

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

Executive session was entered at approximately 10:49 am.

RESOLUTION

R-12-09-23

**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.

(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. Orcutt

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 11:05 am.***

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

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

Regular session resumed at approximately 11:06 am.

Mr. Accetturo stated that now they were out of Executive session they should tackle the salary and wages portion first. As he understands it, everyone that was hourly, was going to get a \$1.50 per hour raise, and Mr. Knittel and Mrs. Banghart were going to get a 4% raise.

Mr. Accetturo stated that that was his motion on salary and wages.
Mr. Perez stated that he would second the motion.

ROLL CALL: Mr. Larsen - Yes

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

Mr. Accetturo asked if they had anything else to address.

Mr. Tipton stated that he was going to work on getting dates for Russel Reid, but they did not need any action at this time.

ADJOURNMENT

Mr. Accetturo stated that he would make a motion to adjourn, seconded by Mr. Orcutt.

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

*****Meeting was adjourned at approximately 11:07 am***

Mr. Accetturo stated that they would need to reopen the public meeting for executive session discussions.

*****Meeting was re-opened at approximately 11:08 am***

Mr. Accetturo asked if there was a motion to go into Executive session.

Mr. Orcutt stated that he would make a motion to go into Executive session.

Mr. Larsen stated that he would second the motion.

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

Executive session was entered at approximately 11:08 am.

RESOLUTION

R-12-10-23

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.
- (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. Larsen

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:

Mr. Accetturo asked if there was a motion to come out of Executive session.

Mr. Accetturo stated that he would make a motion to come out of Executive session.
Mr. Larsen stated that he would second the motion.

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

*****Executive session ended approximately 11:09 am.
Regular session resumed at approximately 11:09 am.*

Mr. Orcutt stated that he would make a motion to approve the Fourth Amendment to Disposal Services Agreement with Covanta.
Mr. Larsen stated that he would second the motion.

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

ADJOURNMENT

Mr. Orcutt stated that he would make a motion to adjourn, seconded by Mr. Accetturo.

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

*****Meeting was adjourned at approximately 11:10 AM***

Respectfully submitted by:

Mariann Cliff
Recording Secretary

Approved: