

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

JANUARY 10, 2007

Acting Chairman, Harry R. Pool, Jr. called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 4:00 P.M.

Authority Members present: Harry R. Pool, Jr., Angelo Accetturo, Ty Schulze, Everett Chamberlain and Laurel Napolitani

Also present: Jim Williams, Landfill Manager/Acting Executive Director; Jeff Long, Chief Financial Officer; Jim Broschious, Esquire, General Counsel; Beatrice Gonglik, Recording Secretary; Brendan Mullen, PE and Cliff Wilkinson, PE, for Hatch Mott MacDonald; MaryLou MacGregor, Covanta; Nancy Mason, resident; Sara Satullo, The Express Times; Melissa ----, WRNJ

Pledge of Allegiance / Introductory Statement

MINUTES

The minutes of the regular meeting of December 6, 2006 were presented for approval. Mr. Chamberlain moved for acceptance of the minutes as presented. Ms. Napolitani seconded the motion.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

The minutes of the executive session of December 6, 2006 were presented for approval. Mr. Pool moved for acceptance of the minutes as prepared. Mr. Schulze seconded the motion.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

The minutes of the special meeting of December 13, 2006 were presented for approval. Mr. Pool moved for acceptance of the minutes as presented. Mr. Schulze seconded the motion.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes

Mr. Accetturo	-	Yes
Mr. Pool	-	Yes

The minutes of the executive session of December 13, 2006 were presented for approval. Mr. Pool moved for acceptance of the minutes as prepared. Ms. Napolitani seconded the motion.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

REPORTS OF STANDING COMMITTEES

Facilities and Environmental Compliance Committee

Mr. Schulze asked Mr. Wilkinson of Hatch Mott MacDonald to present an update to the members on the progress with the design of the pre-treatment facility.

Mr. Wilkinson presented drawings showing the location of the basins, the pre-treatment plant and flow route of the leachate. After evaluating the site it was felt the treatment plant should be moved further up the hill, where area is a little flatter and less excavation needed. The four manufacturers contacted also manufacture RO systems. We will not need to contract separately for MBR and RO systems and be concerned with compatibility. Cliff will meet with staff later this month to finalize specs. Meeting with DRBC to discuss TDS limits scheduled; HMM will prepare draft letter for review by Jim Williams and PRMUA before presenting to DRBC. The proposed system is adaptable to changes in parameters/permit limits. Mr. Chamberlain is concerned that the Authority will need to modify this plant all the time. No one can predict what the DEP will do.

Mr. Schulze then presented his report. Waste inspections went very well during the month of December; two haulers were found in violation of their contract by using Route 519 to haul out of county waste; landfill operations in general, running smoothly; there are some minor issues with the Gas Collection System and with the sulfur system shutting down due to the cold weather; Gas To Energy System complete and both engines operating at 80% capacity.

We did receive one odor complaint due to sulfur scrubbing system malfunctioning. With increased maintenance of the gas system and sulfur scrubber odors should be eliminated.

The DEP has requested additional information before proceeding with approval of the Landfill Permit Modification and Closure Plan.

Sideslope capping project is behind schedule by three weeks.

Lined Leachate Lagoon has been completed.

Finance Committee

Mr. Accetturo presented and moved A-1, Resolution to Pay Bills in the amount of \$1,909,816.74. Mr. Pool seconded the motion.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

Items A-2 and A-3 will be held for discussion in executive session.

Mr. Long informed the members that the Authority had recently been billed by the DEP for the 2005 Emissions from our flare and gas collection system (\$75,000). Anticipate another bill for 2006 (approximately \$75,000) and a 2007 bill, which should be significantly less. These items were not budgeted for and the Authority may need to make changes to the 2007 budget relating to this issue.

Mr. Broschius received a call from the DEP relative to our closure plan and lack of funding in the dedicated escrow accounts with the DEP related to the anticipated closure of the landfill at the end of this year. The DEP is concerned “insignificant funds” are in there to cover the entire closure cost and this is something that will need to be addressed in the near future.

The closure plan has not yet been approved, calls for \$23M to be in escrow funds when the closure takes place. Looking at the County Solid Waste Management Plan, Mr. Broschius suggested a meeting with Freeholders, communicate with them, have them address it, in terms of the solid waste management plan. If the landfill is staying open beyond 2007 then it is not a problem, if it is closing in 2007 then the DEP wants the money in the funds and start closing it.

Mr. Chamberlain stated the Freeholders are well aware of that and in discussions with the individual who calls the SWAC meetings, we (Freeholders) will be setting up a parallel plan, SWAC, with the landfill as we move forward. DEP really wants there fees. We’ll be scheduling a meeting with officials from DEP to discuss that in the very near future.

Mr. Schulze had an item to discuss also. Questioned a line item in the 2007 budget, Oxford Township Rescue Squad Assistance (\$100,000). Researched and to his understanding it was a one time grant in 2006 of \$60,000 to the township. He would like to know who had the authority to change it from a one time grant to a line item for the Oxford Rescue Squad Assistance plan for \$100,000, when the grants are finished. He suggests it be removed from the 2007 budget. The budget has been introduced and forwarded to DCA for approval. Once it is approved and returned to the Authority, it is adopted and becomes the 2007 budget. This line item will be addressed before adoption of the budget.

Mr. Chamberlain’s concern is that we have two host communities, White and Oxford. If we have a situation at the landfill, regardless of what it could be, it is going to be Oxford’s emergency response team that will respond. He feels it behooves us to work with them. He

personally does not think it is a line item put in every year. It could go up and down; it could not exist next year. When he reviewed the budget that was presented and looking at the facility here, it has been remarked several times that landfills are one of the most dangerous places to work because of possible gas, explosions, and sink holes. We have to look at our first responders, who they are, and if we can help them be equipped, to respond quicker, save lives because we have contributed to their maintenance of equipment and equipment acquisition, I think it is in the best interest.

Mr. Schulze stated his question is not whether to give the money to Oxford, the question is under what authority was a grant turned into a line item. I was not asked about it. When he asked how much of the \$60,000 was used for the fire department he was told \$20,000 and the rest used for other municipality needs. Mr. Accetturo stated yes, \$20,000 went to the fire department, \$20,000 to the squad and \$20,000 for the police department. The money went for services to the township, not specifically the emergency squad.

Mr. Schulze again stated, we have cut all the grants to all the other municipalities in the County and if we want to take a vote on the \$100,000 then we take a vote, but he did not see it, realize last month it was a grant and investigated the matter. He contacted the other board members from that time period, and they all stated it was a one time item. If we want to vote it again as a grant, he has no problem.

Mr. Chamberlain made a motion that we include, within the budget \$100,000 for the support of the first responder. Mr. Broschious stated, again, when the budget comes back from DCA that is the time to address this issue. Mr. Chamberlain stated supporting our first responders, in a situation where we can have a real disaster, is important.

The members will address this issue when the budget is returned by DCA.

Mr. Chamberlain asked Mr. Long to send him a treatment cost for the leachate in 2006, including the trucking fees. Mr. Long will get PRMUA's cost, trucking and treatment fees.

With regard to the professional services agreements, Mr. Long stated that in the past, the Authority has reappointed each of our professional services providers for the up coming year at the February reorganization meeting. Last year with the introduction of the Fair and Open or Non Fair and Open procurement statutes the Authority chose to follow the non fair and open process, whereby the Authority is able to appoint someone to that position through a motion. Due to the changes in the board make up and changes in general, he would like guidance as to how the board desires to procure professional services. If Authority chooses Fair and Open process we need to come up with a methodology on how we are going to do that, RFP issues, advertising issues and criteria for those professional services that need to be addressed.

County has gone to Fair and Open procurement process. Mr. Chamberlain stated there are advantages and disadvantages to each. He looks at it as being a service to the County, and residents, he does not see it as a political entity in any way and he doesn't see why process has to change from what it has been in the past.

Past process was, in the month of December, request was forwarded for expression of interest in the coming year, rates and so forth. Last year was the first year for new procurement laws. With the several projects going on the Authority chose, last year to go with Non Fair and Open Process. Mr. Broscius stated he had put together a list of qualifications for an RFP for the position of General Counsel, if that is the way the Authority wishes to go. He also stated that when he was appointed 21 years ago, he went through a vigorous procedure with regard to his knowledge in certain areas (Martindale Hubbell rating, experience in litigation, representing public entities and so forth).

Mr. Pool was asked by Mr. Chamberlain to form a committee and offered to sit on that committee, and then a recommendation would be made to the board at a special meeting. Mr. Pool stated this would be best referred to the Management Committee on which he and Mr. Chamberlain both sit on. Management Committee will meet and come back to the entire board with their recommendation at the special meeting to be scheduled to conduct interviews of the candidates for the position of executive director. Mr. Long will put a list together of the professional services that need to be filled, present rates, etc. and forward it to the members.

Personnel Committee

Items listed will be discussed in executive session with action in open session, if required.

Recycling Committee

Mr. Accetturo reported that the convenience center expansion has been completed and opened on January 2nd. The recycling containers have been put in place and the residents are utilizing the facility. Final site grading, seeding and mulching may have to wait until early spring to complete. The recycling facility on Route 519 will be officially closed and relocated at the landfill site on or about January 15, 2007. Notices have been placed in the Express Times and River Bend and have also been distributed to residents using both facilities.

Mr. Accetturo presented a proposal from Gary Gray Trucking for the clean up and removal of the materials at the old site. The proposal is for the use of an excavator for one day at a cost of \$800 and one walking floor trailer at a cost of \$400 per load, including loading time and transfer to Todd Heller. Mr. Williams estimates one day, five to six trailer loads of plastics.

Mr. Chamberlain asked what the reasoning was to go from separated materials to commingled. There is a better sale for separated materials but there is a larger labor cost involved which does not off set the sale price. Also it makes it as easy as possible to have the residents recycle.

A motion was made by Mr. Chamberlain, seconded by Mr. Pool approving the proposal from Gary Gray Trucking for the cleanup of the recycling facility on Route 519.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes

Mr. Pool - Yes

Management Committee

Mr. Pool stated his report would be presented in executive session with appropriate action to follow in open session, if required.

Host Community Liaison Committee

Nothing to report

NEW BUSINESS

Members discussed changing the 2007 meetings to the second Wednesday of the month at 4:00 pm.

EXECUTIVE DIRECTOR'S REPORT

Mr. Williams informed the members that the ash results for October and November came back favorable and the ash disposed of in the landfill. The quarterly dioxin testing for the month of December also came back favorable. Covanta is responsible for testing of ash and fees. Copies of testing results are forwarded to the DEP.

Mr. Williams also announced, relating to the WC Charitable Contributions Campaign, that three of the PCFA staff members won incentive prizes. Mr. Long won a one night stay at the Fairfield Suites; Mike Howell won a gift certificate to Jimmy's on the Delaware and Nancy Mason won a complete oil change from Frank's Mobil.

GENERAL COUNSEL

No Report

OTHER BUSINESS

Mr. Chamberlain acknowledged receipt of Mr. Broschious' letter of resignation and thanked him for all his services and moved the Authority accept his letter. Mr. Pool accepted the letter with regret and concurred with Mr. Chamberlain.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	No
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

Mr. Williams asked if the Authority expects to have another attorney appointed as general counsel by the February meeting.

Mr. Broschious stated he will serve until his replacement is appointed.

PUBLIC COMMENT

None

EXECUTIVE SESSION

A motion was made by Mr. Chamberlain, seconded by Mr. Schulze to enter into executive session to discuss contract negotiations and personnel issues, said session commencing at approximately 5:00 pm.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

A motion was made by Mr. Pool, seconded by Mr. Schulze to return to open session at approximately 6:00 pm.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

OPEN SESSION

A motion was made by Mr. Accetturo, seconded by Mr. Pool approving the Revised Pricing Schedule for 2007.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

A motion was moved by Mr. Chamberlain, seconded by Mr. Pool approving entering into waste disposal agreements with Balbi, Blue Diamond, Cooperative, Environmental Transport Group, G&G Smith, Glen Gardner Borough, Hampton Borough, Lambertville City, Montella Landscaping, N Tassielli Disposal, Phillipsburg Housing Authority, Pinto Service, S&L Equipment Rental, S Rotondi & Sons, Villa Furniture, Washington Borough and Waste Management.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

A motion was made by Mr. Schulze, seconded by Mr. Pool to accept Mr. Williams' recommendation with regard to the candidate for the new Landfill Laborer position.

ROLL CALL:	Ms. Napolitani	-	Yes
	Mr. Chamberlain	-	Yes
	Mr. Schulze	-	Yes
	Mr. Accetturo	-	Yes
	Mr. Pool	-	Yes

Mr. Long informed the members that with the impending closure of the recycling center on Route 519 there is a vertical baler currently in place over there which we no longer have a need for and he has contacted various utilities authorities to see if there is any interest in acquiring it. He has met with Salem County Utilities Authority, it is their desire to enter into an interlocal agreement to dismantle, remove and transport the baler to their facility. The baler is 14 years old, and of little value; they will take care of everything. Their proposal should be here in time for action at the February meeting.

February reorganization meeting is scheduled for Wednesday, February 7th at 4:00 pm. There was a question regarding process for nominations. Nominations are handled from the floor at the reorganization meeting, in open session. Acting Executive Director will take the chair and accept nominations for Chairman; the newly elected Chairperson will assume the Chair and will then accept nominations for the other three positions.

There being no further business before the Authority, on a motion by Mr. Chamberlain, seconded by Mr. Accetturo the regular monthly meeting of January 10, 2007 was adjourned at 6:08 pm.

Respectfully submitted by:

Beatrice Gonglik
Administrative Assistant

Approved as presented: February 7, 2007