

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

FEBRUARY 7, 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; Joseph J. Bell, Esquire, interim General Counsel; Beatrice Gonglik, Recording Secretary

Brendan Mullen, PE for Hatch Mott MacDonald; Mary Lou MacGregor, Covanta; Sara Satullo, The Express Times; Jackie Lindsay, The Warren Reporter;

Pledge of Allegiance / Introductory Statement

Mr. Pool then turned the meeting over to Mr. Williams who proceeded to ask for nominations for the office of Chairperson.

Everett Chamberlain nominated Angelo Accetturo; Laurel Napolitani seconded the nomination.

Ty Schulze nominated Harry Pool; there was no second to the nomination.

Mr. Chamberlain moved nominations be closed; Mr. Pool seconded the motion.

Mr. Pool asked the members be polled. Clarification of the roll call was asked. Mr. Pool stated there was no second on his nomination therefore there is one person standing for the office of the Chairman and therefore we are voting for Chairman now, Angelo Accetturo.

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

Mr. Chamberlain thanked Harry for all the work he has done and appreciates his services to the PCFA.

Mr. Accetturo echoed Mr. Chamberlain's remarks. It has been a pleasure working with him and thanked him again for all his services.

Mr. Pool thanked the members for their comments.

Mr. Accetturo then addressed the members and audience, first thanking his fellow board members for their vote of confidence. It is a great honor and tremendous responsibility serving the people of Warren County in this capacity. He spoke of his commitment to Oxford Township; of actions taken as a member of the Authority and future plans for the Authority. He would like the board to work together, build on past accomplishments of the Authority and strive towards success in the future.

Mr. Accetturo opened the floor for nominations for Vice Chairman.

Laurel Napolitani nominated Harry Pool; Angelo Accetturo seconded the nomination.

There being no other nominations Mr. Chamberlain moved nominations be closed. Ty Schulze seconded the motion.

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

Harry Pool was appointed Vice Chairman.

Mr. Accetturo then opened the floor for nominations for Secretary.

Harry Pool nominated Ty Schulze; there was no second to the nomination.

Laurel Napolitani nominated Everett Chamberlain; Angelo Accetturo seconded the nomination for Everett

There being no second for the nomination of Ty Schulze that motion will fail. There is a nomination on the floor to appoint Everett Chamberlain as Secretary.

Mr. Accetturo moved for nominations to be closed. Laurel Napolitani seconded the motion.

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

Everett Chamberlain was appointed Secretary.

Mr. Accetturo then took nominations for Treasurer.

Everett Chamberlain nominated Laurel Napolitani; Angelo Accetturo seconded the nomination.

There being no other nominations Mr. Accetturo moved nominations be closed. Everett Chamberlain seconded the motion.

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

Laurel Napolitani was named Treasurer.

Mr. Chamberlain presented and moved the Resolution to appoint attorney Joseph Bell to serve as legal counsel for the Authority. He stated Mr. Bell comes with high qualifications. It will be on an interim bases until we settle some of the problems that are before the Authority right now. Mr. Accetturo seconded the motion.

Mr. Schulze requested the opportunity to address Mr. Bell. He questioned who approached him and how he was selected. He was not aware of a special meeting to discuss the appointment. Is there a conflict of interest with him serving both the County Freeholders and the PCFA? At the January meeting, Mr. Broschius presented a letter to the Board stating he was not going to seek reappointment in February but would stay on until such time as a new attorney was hired.

Mr. Bell responded that he had spoken with Mr. Broschius who indicated to him he did not want to return and his resignation had been accepted. He contacted the NJ Attorney Ethics Hotline informing them of his position as County counsel and the pending investigation. He was told there was no conflict of interest.

Mr. Chamberlain interjected that Mr. Bell comes with the highest degree of qualifications and the cross examination is uncalled for. There are allegations being passed around and to have an attorney that close to this situation is not appropriate. Mr. Broschius is not going to sit on the Board.

Mr. Accetturo ended the discussion. There is a motion on the floor to appoint Joseph Bell as interim legal counsel.

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

CHAIRPERSON'S COMMITTEE ASSIGNMENTS

The existing Committees and Committee Chairpersons will carry over as they stand, unless there is any objection from the members.

MINUTES

The minutes of the regular meeting of January 10, 2007 were presented for approval. Mr. Chamberlain moved for acceptance of the minutes as presented. Ms. Napolitani seconded the motion.

Under Other Business, Mr. Schulze requested the minutes reflect Mr. Broschious' letter of resignation was a letter informing the Authority that he would not seek reappointment and when asked, stated he would serve until his replacement was appointed. Mr. Chamberlain stated the minutes should read just as they state, we accepted Mr. Broschious' resignation, that was a letter of resignation.

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

The minutes of the executive session of January 10, 2007 were presented for approval. Mr. Chamberlain moved for acceptance of the minutes as prepared. Mr. Accetturo seconded the motion.

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

CORRESPONDENCE

Letter dated January 24, 2007 from Independence Township regarding the Solid Waste and Storm water Management Grant of 2006.

Letter of recommendation dated January 25, 2007 regarding the recycling center staff.

REPORTS OF STANDING COMMITTEES

Facilities and Environmental Compliance Committee

Mr. Schulze reported landfill operations running smoothly and truck route inspections are ongoing. Four haulers were observed using Route 519 to transport out of county waste to our facility.

With regard to the Gas Collection Control System there have been some minor issues; Gas To Energy System complete with both engines at 80% capacity. Once additional wells installed later this year they will go up to 100% capacity. Construction on the sulfur scrubbing system is complete and final test will be performed next week.

Leachate Permit Modification and Closure Plan, additional information has been requested by the DEP, including operating manual and narrative on the lined lagoon design drawings.

Sideslope capping project is going well. Due to cold weather, contractor has cut back operations.

Lined Leachate Lagoon, both lagoons complete, delay in delivery of pumps. Contractor put on notice that completion date is February 17, 2007.

Mr. Mullen stated Hatch Mott MacDonald is on schedule with the leachate pre-treatment plant design and ahead of schedule with dealings with DRBC on the TDS study.

Three change orders were presented for approval for the Gas Sulfur Scrubber System.

Mr. Williams explained these change orders were due to the fact that equipment failed, items were replaced but vendor will not pay to have them installed in their equipment. Mr. Pool suggested that in future contracts of this nature a clause be inserted holding vendor or contractor, whatever is most appropriate under the contract, held responsible.

A-1 is Change Order No. 6 for the sulfur scrubber mechanical work, for an increase in the amount of \$7,042.90 to mechanically install three level transmitters and one oxidizer vessel heater by Johnston Construction Company.

A-2 is Change Order No. 4, for the sulfur scrubber electrical work, for an increase in the amount of \$1,243.91 to Spark Electric.

A-3 is Change Order No. 3 for the sulfur scrubber Motor Control Center, for an increase in the amount of \$1,347.60 for replacement/upgrade of GFI circuit breakers by Mid-Island Electric.

A motion was made by Mr. Pool, seconded by Mr. Chamberlain approving the three change orders as presented.

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

Finance Committee

Mr. Accetturo presented the Resolution To Pay Bills. Invoices were reviewed by Mr. Accetturo.

A motion was made by Mr. Pool, seconded by Mr. Schulze adopting the Resolution To Pay Bills in the amount of \$906,712.76.

Mr. Chamberlain questioned general counsel's invoice and the electric usage for the energy system. He was offered the invoices to review.

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 authorizing the Award of a Non-Fair and Open contract for Audit of the Authority's Financial Statements to Nisivoccia & Company.

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

Mr. Chamberlain requested a change to the Resolution Authorizing Signatures for Fiscal Year 2007. He would like the resolution to read that an employee plus commission member are authorized to sign checks or withdrawal slips and can not be two employees.

Mr. Chamberlain moved to adopt the Resolution Authorizing Signatures, stating where two signatures are required, one of the signatures must be the Chairperson or Treasurer and the second signature must be the Executive Director or the Chief Financial Officer. Ms. Napolitani seconded the motion.

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

A motion was made by Mr. Accetturo, seconded by Ms. Napolitani adopting Resolution Naming Official Depositories for Fiscal Year 2007. Mr. Chamberlain made known he is a director of First Hope Bank.

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

A motion was made by Mr. Accetturo, seconded by Mr. Schulze adopting Resolution for travel (mileage) reimbursement for Fiscal Year 2007.

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

Mr. Schulze	-	Yes
Mr. Accetturo	-	Yes
Mr. Pool	-	Yes

A motion was made by Mr. Accetturo, seconded by Mr. Chamberlain adopting Resolution authorizing the Chief Financial Officer to maintain a Petty Cash Fund in the amount of \$200.00 for fiscal year 2007.

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

A motion was made by Mr. Chamberlain, seconded by Mr. Accetturo adopting Resolution authorizing the Chief Financial Officer to maintain a Petty Cash Fund in the amount of \$200.00 designated for scale house use for fiscal year 2007.

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

A motion was made by Mr. Accetturo, seconded by Mr. Pool adopting Resolution to participate in the State of New Jersey's Distribution and Support Services for fiscal year 2007.

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

A motion was made by Mr. Chamberlain, seconded by Ms. Napolitani to adopt the 2007 Authority Budget.

Mr. Schulze stated a 2006 grant was issued and then changed to a line item in the 2007 Budget. He questioned if that was within the authority of the Finance Committee Chairperson, rather than bringing it to a vote before the board. Also, if this line item stays as it is, Mr. Accetturo can not vote on the budget. It will be a conflict of interest due to the nature of his position with Oxford Township. If the members would like to remove that item, we can pass the budget and revisit that line item as a grant, that would be appropriate.

Mr. Bell suggested Mr. Accetturo recuse himself from voting on adoption of the 2007 budget.

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

The motion is lost.

With the motion to adopt the 2007 Budget not carried, Mr. Long suggested, if the board did not want to make any modifications at this point, they consider adopting a three month temporary budget.

A motion was made by Mr. Chamberlain, seconded by Mr. Pool to adopt a temporary budget in the amount of 25% of the \$6.4 Million to continue operations.

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

The Cash Management Plan for the period February 7, 2007 to February 6, 2008 was presented for approval. Mr. Chamberlain noted for the record that he is a director at First Hope Bank.

It was noted that on page 6 the dates need to be corrected and on page 7 the last sentence of the first paragraph "Presently, Skylands Community Bank....." be deleted.

A motion was made Mr. Schulze, seconded by Mr. Pool adopting the Cash Management Plan with revisions noted, for the period February 7, 2007 to February 6, 2008.

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

Personnel Committee

The restructuring of the Recycling Center/Landfill Departments will be deferred until the March 14, 2007 Authority meeting. Legal Counsel reviewed what he feels is a deficient notice given to the employees. The recycling staff was asked to honor the Rice Notice and return on March 14th to discuss the restructuring. Ms. Boan and Ms. Philback will honor the request. Ms. Boan stated how she felt about the way the situation has been handled, totally unprofessional. Mr. Bell will talk with them after the meeting to explain the situation.

A motion was made by Mr. Pool, seconded by Mr. Accetturo adopting the Resolution designating, Jeff Long as the Public Agency Compliance Officer for the Authority.

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

A motion was made by Mr. Chamberlain, seconded by Mr. Pool, adopting the Resolution designating Beatrice Gonglik as Custodian of Records for the Authority.

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

The next four items, the proposed 2007 Salary Schedule, Executive Director's Position and Goals and Objectives of the CFO and Landfill Manager will be handled in executive session with appropriate action to be followed in open session, if required.

Recycling Committee

Mr. Accetturo reported the newly expanded Convenience Center opened on January 15th and operations are running smoothly.

There is a recommendation to contract with Radiac Research Corp for the HHW Collection Program in 2007. In the 2006 bid package the Authority requested a price quote for three additional years with the option of extending the contract accordingly. There are two events scheduled, we are not locked in to holding two events but it is beneficial to the residents. On average 450 people per event. The funds are through the Solid Waste Services Tax Fund Grant.

A motion was made by Mr. Chamberlain, seconded by Mr. Pool adopting the Resolution authorizing the award of contract for the 2007 Household Hazardous Waste Collection Events to Radiac Research Corp at a cost not to exceed \$26,297 inclusive, per event.

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

There is a recommendation to contract with Newtech Recycling Inc for the computer and used consumer electronics program for 2007. This program runs in conjunction with the HHW event.

A motion was made by Mr. Chamberlain, seconded by Mr. Pool adopting the Resolution awarding the contract for the collection of the used consumer electronics to Newtech Recycling Inc. at the unit price of \$0.15/lb and an additional flat fee of \$2,500 per event.

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

An inter-governmental agreement between the Authority and Salem County MUA for the purchase of the bailer for \$1.00 was presented for discussion. Mr. Accetturo stated this bailer is located at the old recycling center site and is no longer of any use to the Authority. The Salem MUA has a research demonstration project for pulling cardboard at of waste coming in to their facility, for which they were going to use this machine.

A motion was made by Mr. Schulze, seconded by Mr. Pool to enter into an agreement with the Salem County MUA to remove the bailer from the recycling center at its own expense. There was a question raised as to value of the steel and also what it could bring at the County auction.

The motion was rescinded until further options are looked into.

Ms. Boan asked why we can't have two recycling centers, most customers have complained that the new location is not convenient; the materials are not separated, which lessens their value and the facility is not user friendly for disposing of materials.

Management Committee

Mr. Pool, after discussions with the management committee, made a motion to procure professional services for the Authority through the Non-Fair and Open Process. Mr. Accetturo seconded the motion.

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

All other items listed will be addressed in executive session, with appropriate action to follow in open session if required.

Host Community Liaison

Mr. Schulze had nothing to report on behalf of White Township.

Mr. Accetturo stated, the landfill has been open for sixteen years and he is proud of the fact that we finally have a member from Oxford on this board. The Authority must address the

leachate that is a pollutant going through the Township of Oxford and recognize that Oxford is a host community.

NEW BUSINESS

A motion was made by Mr. Chamberlain to accept the PCFAWC 2007 Regular Monthly Meeting Schedule as presented. Mr. Pool seconded the motion.

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 adopting the Resolution naming the Star Gazette as the Authority's official newspaper for advertising public notices, and for those circumstances requiring immediate notification The Express Times and Star Ledger were named.

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

EXECUTIVE DIRECTOR'S REPORT

Mr. Williams reported that the Authority staff has gone another quarter without any personal injuries or loss of time. DCO Energy will be using our facility for training purposes next week and the Board of Elections has also requested use of our meeting room for training purposes. Bea will make the appropriate arrangements so there is no conflict with dates and times.

GENERAL COUNSEL

Mr. Bell reported that the allegations that were the subject of a newspaper article in January were handled in a most irresponsible matter. The documents were submitted to the Warren County Prosecutor, along with a separate letter to United States Attorney for District of New Jersey. The Freeholders were planning to appoint someone of a higher authority, the highest reputation and character to head an investigation concerning these charges, Robert Muir. The Freeholders were asked to delay the implementation of the investigation by Judge Muir until an appropriate law enforcement agency had an opportunity to review the allegations. Out of respect, they deferred implementing a committee. All paper work has been delivered to the justice department, an arm of the Attorney General's office. County has right to conduct its own investigation if so desired, however they have not done so to date. FBI did not confirm or deny opening a file in this matter. If the FBI or the attorney general's office open a file and come back to us stating there is no evidence of any wrong doing the Freeholders will have Judge Muir begin his

investigation. Mr. Bell stated he wanted to bring everyone up to date because he hasn't had the opportunity to discuss or meet with everyone personally concerning this.

Mr. Chamberlain had a concern with executive session minutes released, based on past counsel's advice. Believes executive session minutes, before they are released, be approved by the board.

PUBLIC COMMENT

None

OTHER BUSINESS

With reference to Mr. Chamberlain's comment, Mr. Schulze made a motion to reinstate the taping of executive board sessions. Mr. Pool seconded the motion for discussion.

Mr. Chamberlain does not think it is proper to tape executive sessions. Mr. Accetturo stated Oxford Township does not tape executive sessions. General Counsel stated it is a policy decision of the board. Mr. Schulze stated his reason is that, at times, the written minutes do not reflect the inferences in the conversation and the intent of the conversation that we could go back and look at, at some future date, should there be a question of what the inferences were during the conversation.

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

Motion denied.

EXECUTIVE SESSION

On a motion by Mr. Pool, seconded by Mr. Chamberlain, the members entered executive session to discuss contract negotiations and personnel matters, the time being approximately 5:27 pm.

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

On a motion by Mr. Pool, seconded by Mr. Schulze, the members returned to open session at approximately 5:55 pm.

A motion was made by Mr. Pool, seconded by Mr. Schulze to enter into waste disposal contracts with Active Disposal; All American Carting; Alpha Borough; Gary Gray Trucking and the NJ DOT, Central Division.

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

There being no further business before the Authority, on a motion by Mr. Pool, seconded by Mr. Accetturo the regular monthly meeting of February 7, 2007 was adjourned at 6:00 pm.

Respectfully submitted by:

Beatrice Gonglik
Administrative Assistant

Approved: March 14, 2007