

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING
March 12, 2008

Chairwoman Napolitani called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 2:55 PM.

Authority Members present: Laurel Napolitani, Richard Mach, Angelo Accetturo, Everett Chamberlain, and Todd Yanoff.

ROLL CALL:	Ms. Napolitani	-	Present
	Mr. Chamberlain	-	Absent
	Mr. Accetturo	-	Present
	Mr. Yanoff	-	Present
	Mr. Mach	-	Present

Also present: James Williams, Acting Executive Director; Charles L. Houck, Chief Financial Officer; Joseph Houston, Esquire, General Counsel; Bruce Jones, Special Counsel; and Margaret Rogers, Recording Secretary.

Pledge of Allegiance / Introductory Statement

Chairwoman Napolitani deviated from the agenda and requested we proceed with:

PRESENTATIONS

Mr. Charlton (unable to attend last meeting) spoke about the possibility of preparing a Newsletter for PCFA. (Handout). He briefly explained current publications and requested the Authority decide how they would like to proceed.

CORRESPONDENCE

Attorney Douglas Steinhardt from Florio Perrucci Steinhardt & Fader next addressed his March 5, 2008 letter and March 4, 2008 letter from WC Landfill Energy, LLC.

Mr. Steinhardt presented Ms. Napolitani with a check in the amount of \$500,000 which represents PCFA's portion of WC Landfill Energy's BPU grant. Mr. Steinhardt went on to say he would attempt to have the DEP attend an on-site meeting to discuss the operational issues with WCLE and PCFA. The next Authority Meeting on March 26, 2008 have a meeting with DCO.

Mr. Houston requested the March 4, 2008 WCLE letter be made part of today's meeting record.

MINUTES

The minutes of the regular meeting of February 27, 2008 were presented for approval. Mr. Mach moved for acceptance of the minutes as presented, seconded by Mr. Accetturo.

ROLL CALL: Ms. Napolitani - Yes
Mr. Chamberlain - Abstain
Mr. Accetturo - Yes
Mr. Yanoff - Yes
Mr. Mach - Yes

Minutes of February 27, 2008 Executive Session were moved for acceptance as presented by Mr. Accetturo, seconded by Mr. Yanoff.

ROLL CALL: Ms. Napolitani - Yes
Mr. Chamberlain - Abstain
Mr. Accetturo - Yes
Mr. Yanoff - Yes
Mr. Mach - Yes

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None.

REPORTS

FACILITIES/RECYCLING

Mr. Williams presented a handout of the landfill operations statistics for the month. (A-1)

Mr. Williams elicited comments on the proposals submitted in response to the RFP for Engineering Services posted on our website.

Discussion among members resulted in some factors considered in rendering their decision as: competitive prices with one more substantial; qualifications; experience/familiarity with waste management projects; geographic location was also a factor.

It was suggested to reword the resolution to state it would be on a month-to-month basis. Also, make sure there is no conflict of interest with other projects.

Mr. Accetturo motioned to accept the proposal RFP for Engineering Services (R-03-01-08) from Maser Consulting, seconded by Mr. Chamberlain.

ROLL CALL: Ms. Napolitani - Yes
Mr. Chamberlain - Yes
Mr. Accetturo - Yes
Mr. Yanoff - Yes
Mr. Mach - Yes

Mr. Williams read a revised list (handout) of Disposal Contracts received (A-2). Mr. Accetturo motioned to accept the contracts, seconded by Mr. Yanoff.

ROLL CALL: Ms. Napolitani - Yes
Mr. Chamberlain - Yes
Mr. Accetturo - Yes
Mr. Yanoff - Yes
Mr. Mach - Yes

Agenda item (A-3) regarding the Security Consultant (Art Quigley) proposal was discussed next. It was agreed to put a cap of \$2500 on said proposal. Mr. Chamberlain motioned to accept the proposal, seconded by Mr. Accetturo.

ROLL CALL: Ms. Napolitani - Yes
Mr. Chamberlain - Yes
Mr. Accetturo - Yes
Mr. Yanoff - Yes
Mr. Mach - Yes

Mr. Williams mentioned that we would be advertising shortly for the 2008 HHW Events.

FINANCE/PERSONNEL

Ms. Napolitani motioned to accept the Resolution to Pay Bills in the amount of \$853,097.14, seconded by Mr. Mach.

ROLL CALL: Ms. Napolitani - Yes
Mr. Chamberlain - Yes
Mr. Accetturo - Yes
Mr. Yanoff - Yes
Mr. Mach - Yes

NEW BUSINESS

Mr. Williams discussed the possibility of reducing the Landfill Operations hours. Currently he is reviewing the tonnage for the past few years for the hours between 2:00-4:00 pm. This may lead to a reduction in overtime hours thereby lessening our operating costs.

Ms. Napolitani brought up recent discussions concerning the increased litter strewn about on Mt. Pisgah Avenue, particularly on Saturdays. Several members offered suggestions such as more signage, police (off-duty officers) presence-writing citations, only to patrol this road, perhaps closing Mt. Pisgah Ave. It was suggested Mr. Accetturo discuss with Oxford (an ordinance may be required).

Mr. Houston noted that there are State Statutes that cover littering by Waste Haulers and others. Also, PCFA could also provide specific services, such as police presence.

Further review and discussion are needed to come up with a solution to this problem.

GENERAL COUNSEL'S REPORT

Mr. Houston feels that there may be an over/under or faulty design of the sulfur scrubber system by SCS which should be investigated. SCS has liability insurance therefore PCFA should not have to pay to remedy the situation; put on notice we plan to recover fees once it is determined by Cornerstone's report who is/was at fault.

Review of the contract with WCLE indicates they were under performing; they did not function pursuant to the April 2005 contract. They did not do proper remote monitoring of the energy plant and they have released hazardous gas into the air.

Mr. Houston requested that the 3/3/2008 letter from Environmental Counsel, Brian Tipton, be made part of record.

It was also suggested to withhold payments from SCS until this matter is settled; pending discussion with Chief Financial Officer.

OTHER BUSINESS

None.

CLOSING PUBLIC COMMENT

None.

PRESS COMMENTS & QUESTIONS

None.

EXECUTIVE SESSION

Mr. Accetturo motioned to enter Executive Session at 4:10 pm, seconded by Mr. Mach.

ROLL CALL: Ms. Napolitani - Yes
Mr. Chamberlain - Yes
Mr. Accetturo - Yes
Mr. Yanoff - Yes
Mr. Mach - Yes

Mr. Mach motioned to resume Regular Session at 5:03 pm, seconded by Mr. Accetturo.

ROLL CALL: Ms. Napolitani - Yes
Mr. Chamberlain - Yes
Mr. Accetturo - Yes
Mr. Yanoff - Yes
Mr. Mach - Yes

ADJOURNMENT

Mr. Chamberlain motioned to Adjourn at 5:05 pm, seconded by Mr. Accetturo.

ROLL CALL: Ms. Napolitani - Yes
Mr. Chamberlain - Yes
Mr. Accetturo - Yes
Mr. Yanoff - Yes
Mr. Mach - Yes

Respectfully submitted by:

Margaret Rogers

Margaret Rogers

Recording Secretary

Approved: *March 26, 2008*