

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING

MARCH 14, 2007

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

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

Mary Lou MacGregor, Covanta; Sara Satullo, The Express Times; Jackie Lindsay, The Warren Reporter; and several members of the public

Pledge of Allegiance / Introductory Statement

MINUTES

The minutes of the regular monthly meeting of February 7, 2007 were presented for approval. Mr. Pool moved for acceptance of the minutes as presented. Ms. Napolitani seconded the motion.

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

The minutes of the executive session of February 7, 2007 were presented for approval. Mr. Pool moved for acceptance of the minutes as prepared. Mr. Schulze seconded the motion.

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

The minutes of the special meeting of February 20, 2007 were presented for approval. Mr. Chamberlain moved for acceptance of the minutes as presented. Mr. Schulze seconded the motion.

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

The minutes of the special meeting of February 28, 2007 were presented for approval. Ms. Napolitani moved for acceptance of the minutes as presented. Mr. Schulze seconded the motion.

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

CORRESPONDENCE

No correspondence presented.

REPORTS OF STANDING COMMITTEES

Facilities and Environmental Compliance Committee

Mr. Schulze reported 749 trucks entered the facility. No unacceptable waste was found, all loads were inspected. Truck route inspections were made randomly on 13 days in February; four haulers were found and put on notice for non-compliance. Landfill operations ran smoothly with minor down time for equipment maintenance.

Landfill Gas Collection System: Discussion with Perinial Energy to retrofit the gas flare to provide more gas for DCO's engines.

Gas Sulfur Scrubbing System: Representatives from GTP are on site evaluating the system; see if operating costs can be reduced.

Gas To Energy System: Engines running at 80% efficiency because of lack of gas going to engines.

Landfill Permit Modification and Closure Plan: The DEP has requested the landfill operations manual include a narrative on the leachate lagoon and design. Hatch Mott MacDonald will address the DEP.

Landfill Flare Permitting/Compliance: The draft permit has been received and SCS is providing a review and comments on behalf of the Authority.

Sideslope Capping Project: Work has slowed down due to weather conditions.

Leachate Lagoon Project: Liners have been completed and underground electrical hookups. Waiting on materials to be delivered. Project should be completed by April. Contractor on notice project was to be completed by February 17, 2007.

The proposal from SCS Engineers, Field Services Division, for the Stage 3 expansion of the gas collection and control system was presented for discussion. The work scope is based on the 2006 Master Plan which outlines when gas wells should be installed at the landfill. Stage 3 calls for the addition of four additional extraction wells at the active site now. Under contractual obligation to DCO to provide gas to operate Gas to Energy System. These additional wells will allow us to get closer to 100% of the quantity of gas needed for the engines to run at 100%. Facilities Committee strongly recommends moving forward.

A motion was made by Mr. Schulze approving the proposal from SCS Engineers for the installation of four additional extraction wells at the working site of the landfill for an amount not to exceed \$93,100.00. Mr. Pool seconded the motion.

Mr. Pool explained we can not divert all the gas to the engines. A certain amount of gas is needed to keep the flare from going out. We are obligated to operate the gas flare at a certain volume. If we do not have enough gas in volume we can not burn the flare which is needed to alleviate the odors. We are trying to reduce the volume by installing a different nozzle and we can then burn less gas and give more to DCO.

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

A recommendation was made to award a contract to provide liquid potassium hydroxide to operate the landfill's sulfur scrubber system. An invitation to bid was published in the Express Times. There were two responses.

A motion was made by Mr. Chamberlain, seconded by Mr. Schulze adopting the Resolution authorizing the award of contract for the supply and delivery of Liquid Potassium Hydroxide (45%) to Main Pool & Chemical, Inc. as stipulated in bid documents and in accordance with their bid dated February 15, 2007.

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

The proposal from Enviroplan Consulting and the agreement with PVSC will be held for executive session.

Finance Committee

Mr. Accetturo informed the members that he and Laurel reviewed the bills and all questions were satisfied.

A motion was made by Ms. Napolitani, seconded by Mr. Accetturo to adopt Resolution to Pay Bills in the amount of \$1,021,544.94.

Mr. Chamberlain questioned the bill from Mr. Broschious and the bill from Hawkins, Delafield and Wood. Mr. Broschious' bill was for services from January 2007 and the bill from Hawkins, et al was for research on a Solar Power Project earlier last year. We have put them at a stay; it looks like that project is not going to be feasible. Mr. Pool would like to further investigate the possibility of solar and wind power at the facility. It was noted DCO reported a 14% efficiency rate from solar panels at our site. The invoice for Hawkins, Delafield and Wood will be pulled from the bill list pending further back up to work performed. Members were in agreement. The invoice from DEP for \$100,000.00 was also questioned. This is a one time settlement of the ACO.

Motion was amended by Ms. Napolitani to exclude the payment to Hawkins, Delafield and Wood. Motion was seconded by Mr. Accetturo.

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

The Resolution Adopting the 2007 Budget was presented.

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

Mr. Schulze again questioned the line item designating \$100,000 to Oxford Township Rescue Squad Assistance. Last year it was a \$60,000 Grant given to Oxford for emergency services, and now it is a line item in the 2007 Budget for \$100,000. One third of the funds from last year went for a new police car; the funds were intended for fire and rescue. He feels if fire and rescue needs the money they should come to us directly with their request.

Mr. Pool asked if there was an answer regarding issuing Grants and procedure for doing so. No investigation into legality has taken place. Mr. Pool has no objection to supporting the fire company or rescue squad if they're going to visit our facility.

Mr. Chamberlain stated if it's a line item or a grant, it doesn't mean it will be funded again next year. Our first responders are very important to this facility and he supports the line item. Ms. Napolitani agreed.

A letter will be sent to Oxford Township with a request as to how the township would use the funds. Also ask how they disbursed the funds from last year.

A vote on adopting the budget as it stands was requested.

Mr. Bell advised the members that it would constitute an in-direct conflict of interest for Mr. Accetturo to participate in the vote.

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

A motion was made by Mr. Chamberlain, seconded by Mr. Pool to convene a special meeting on March 27<sup>th</sup> at 4:00 pm to readdress the 2007 budget.

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

#### Personnel Committee

Those items listed will be addressed in executive session, with action, if necessary in open session.

#### Recycling Committee

Mr. Long advised the members that Salem County MUA no longer has an interest in the baler from the recycling center. The baler will be removed from the building, and put under a tarp to await the County auction. Mr. Long will notify Chris Pessolano on the specs on it.

Mr. Accetturo reported that 52 tons of commingled recyclables were brought into the new center and approximately 17 tons of Christmas trees.

#### Management Committee

A list of professional services used in the past, and for consideration in 2007 was presented for informational purposes.

The other items listed will be addressed in executive session, with action, if necessary in open session.

Host Community Liaison Committee

Mr. Accetturo asked if he could still serve as liaison for Oxford Township. Mr. Bell stated, probably not, only because of his role as a committee member in Oxford.

Mr. Schulze had no report.

NEW BUSINESS

A motion was made by Mr. Pool, seconded by Mr. Accetturo to adopt the Resolution amending and supplementing Article 2, Subsection A of the By-Laws of the Authority. (Regular monthly meetings will be called to order on the second Wednesday of each month.)

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

EXECUTIVE DIRECTOR

Mr. Williams reported the ash results were received and ash was disposed of in the landfill. With regard to the trip to California for the LFG Symposium, the presentation on the sulfur scrubber system went very well. Approximately 350 to 400 attended the conference. Mr. Carlton and Jim were both presenters. Representatives from GTP were also at the conference. Jim met with the vice president of GTP, told him of our situation, and informed him of the electrical usage, chemical usage and personnel needed to operate the system. He guaranteed someone from the company would be on site to evaluate the system. Representatives are on site now and hopefully will come up with some possible fixes to lower our costs. They will be here for the week.

GENERAL COUNSEL

Mr. Bell will present his report in executive session.

OTHER BUSINESS

Mr. Schulze, referencing Article 14 of the PCFAWC By-Laws, is filing a complaint charging three of the board members with gross neglect of duties in not attending the special meeting on January 22, 2007. Mr. Schulze referenced a newspaper article published on February 2, 2007 by The Warren Reporter. He would like to know, from Mr. Bell, how these violations will be corrected. Mr. Bell will review the sub-section before addressing this issue. Mr. Bell also stated a committee headed exclusively by former Appellate Division Judge Muir will be

looking into the commission charges and he should address Mr. Schulze's grievance at that time. Mr. Schulze was fine with this.

Mr. Accetturo referenced copies of two letters from the DEP in his possession and questioned their origin. Mr. Schulze, as Chair of the Facilities Committee contacted the DEP regarding the Closure Plan in response to the other letter which was a response to Budd Allen's letter to the State. Mr. Schulze copied the members as an FYI. Mr. Chamberlain feels we should operate as a committee of the whole and deal with issues as a committee as a whole and not as sub-committees. Members would have to meet more often if this is the choice the Authority makes.

Mr. Pool feels we operate as both. The reason for the sub-committees is because there is a lot of work in operating this facility; you assign people to certain tasks to get the best results. This structure has worked well over the years. The committees present their reports to the board as a whole for final decision. In the past there were differences of opinion amongst the board, the Authority operated for the public and the Authority. It was not uncommon for board members to reach out to the DEP or agency on their own and disseminate the information to the other members.

Mr. Chamberlain reiterated his thoughts on the Authority working as a committee as a whole and not with sub-committees. The members would be knowledgeable of all the facts and could move forward in the decision making. He likes to think through the process himself, be informed of all the facts and then vote on the issue. These decisions, whether its leachate management, expansion of the landfill, personnel structure, should be discussed as a committee of the whole.

Mr. Schulze clarified the time line from his original contact with the DEP and now.

Mr. Accetturo asked if there would be a report presented. Mr. Schulze stated no, this was just an informational issue.

Mr. Accetturo has talked with Mr. Chamberlain and with Mr. Pool on their thoughts on the committee system. If we were to do away with the sub-committees there would have to be more meetings. Some of these committees would have to stay in place. This system has worked well in the past; the important decisions get discussed here by the board.

### PUBLIC COMMENT

Nancy Mason, Belvidere Recycling Coordinator: Reported on the success of the commingled collection in her town. Recycling has doubled since this time last year. Residents are thrilled with curb side collection being commingled. As a member of the PCFA staff she noted residents, who have not used the landfill facility before, have a hard time finding the location off of Route 31. She would like to know if the signs that were posted on Route 519 could be relocated to the Route 31 entrance road so people know where to turn in. Route 31 is a State highway and there may be restrictions for signage. Mr. Williams will check into. With regard

to the discussion on the baler, Nancy was there when it was installed, the conveyor does detach from the baler for ease in removing from the building.

EXECUTIVE SESSION

A motion was made by Ms. Napolitani, seconded by Mr. Pool to enter executive session at approximately 5:40 pm to discuss personnel, contract negotiations and attorney/client communication.

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

On a motion by Mr. Accetturo, seconded by Mr. Schulze the members returned to open session at approximately 6:20 pm.

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

A motion was made by Mr. Accetturo, seconded by Mr. Schulze approving the proposal from Enviroplan Consulting, and instructing Mr. Bell to draw up contract documents for approval at the April meeting.

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

A motion was made by Mr. Chamberlain, seconded by Mr. Accetturo to execute waste disposal agreements with Global Waste Industries, Weidlick's and Sanico.

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

Action with regard to the evaluation/reviews of the CFO and Landfill Manager will be tabled until March 27, 2007. Copies of the employment agreements will be forwarded to Mr. Bell for review.

On a motion by Mr. Accetturo, seconded by Mr. Pool, and by unanimous consent, the regular monthly meeting of March 14, 2007 was adjourned at 6:26 pm.

Respectfully submitted by:

*Beatrice Gonglik*  
Beatrice Gonglik  
Administrative Secretary

Approved: April 4, 2007