

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING  
June 25, 2008

Chairwoman Napolitani called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 3:03 PM.

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

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

Also present: James Williams, Operations Manager; Charles Houck, Chief Financial Officer; Joseph Houston, General Counsel; Cliff Wilkinson, Hatch Mott MacDonald; Mike Grossmann, Risk Manager; John Daly, Wachovia, and Margaret Rogers, Recording Secretary.

Pledge of Allegiance / Introductory Statement

### MINUTES

The minutes of the Regular Meeting of May 14, 2008 were presented for approval. Mr. Chamberlain moved for acceptance of the minutes as presented, seconded by Mr. Mach.

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

The minutes of the Executive Session of May 14, 2008 were presented for approval. Mr. Mach moved for acceptance of the minutes as presented, seconded by Ms. Chamberlain.

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

### CORRESPONDENCE

No comments.

## PRESENTATIONS

Mike Grossmann, Risk Manager, presented A-1 (handout) insurance quotes and additional premiums until year end for Director's & Officers policy and Pollution policy. Mr. Grossman stated he would be looking at policies for next year beginning in July. Mr. Accetturo motioned to accept the \$5M/\$15M, with the \$150M deductible at \$3,174.00 Pollution Policy for the remainder of 2008, seconded by Mr. Yanoff.

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

Ms. Napolitani deviated slightly from the agenda to discuss a financial insurance issue; in particular, the Scalehouse Deposit Discrepancy incident. Mr. Grossmann stated that the questionnaire and the first portion of the claim have been submitted to the insurance company and we can recover \$100,000.

## REPORTS

### FACILITIES/RECYCLING

Agenda item A-2 - Monthly Operations Report – Mr. Williams indicated that if there were no questions, we could move on.

Mr. Williams acknowledged that Cliff Wilkinson of Hatch Mott MacDonald is present to answer questions regarding Resolution 06-01-08 and Resolution 06-02-08 Proposals in connection with the Pre-Treatment Plant Construction and Oversight respectively. Mr. Wilkinson gave a brief summary of all proposals and stated that an analysis should be done to determine the cost of construction, operation and maintenance of plant vs. continuing to truck the leachate.

Discussion among members rendered the following:

- Mr. Houck suggested we could use available funds or possibly bond the project
- Mr. Chamberlain mentioned he would like PRMUA to operate the plant if the cost can be negotiated
- Mr. Accetturo noted that we have some issues with the DEP; this project should have been done years ago; and feels strongly that we should operate and proceed with construction now.

Mr. Mach motioned to accept Resolution R-06-01-08 awarding construction contract to Scafar Contracting, Inc. for \$4,754,820.00, seconded by Ms. Napolitani.

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

Funding will be discussed further.

Resolution R-06-02-08 – Oversight for the PreTreatment Plant Construction is currently placed on hold while the committee discusses further.

Resolution R-06-03-08 for the CCTV Security System installation award was discussed next. Mr. Williams mentioned that it would be installed within 21 days of authorization.

Mr. Chamberlain motioned to award the contract to Family Fire & Security for \$17,850.00, seconded by Mr. Accetturo.

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

Mr. Chamberlain motioned to award the contract for Resolution R-06-04-08 for Groundwater Monitoring and Stormwater Basin Reports to Cerenzio & Panaro once it is reviewed by counsel and the dates corrected. Mr. Mach seconded the motion.

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

The next item, A-3 is a proposal from DCO for operation of the sulfur scrubbing system. Mr. Williams wanted to formerly discuss whether or not to accept the proposal.

Mr. Mach motioned to decline their proposal, seconded by Mr. Chamberlain.

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

Mr. Houston would like it reviewed by Mr. Steinhardt and approval of our decision by their firm. Mr. Steinhardt agreed to respond to both issues.

Mr. Steinhardt provided a status report on last week's meeting with the DEP. He highlighted several issues that have since been addressed and completed. The T5 application was filed by Cornerstone; the Progress Reports required under the ACO have been completed and sent to the DEP; the Emergency Back-up Generator issue also required in the ACO is currently being addressed and procured. The pending fine has been forwarded to Gary Wolf (DEP) for review; we will attempt to minimize the fines. As soon as a response is received, Mr. Steinhardt will report to the Board.

Concerning the Air Quality Permit, our proposal request to amend the permit coincides with other issues and will be discussed further with the DEP. We should show a good faith effort and forward to the DEP.

Mr. Williams mentioned that a Draft Landfill Permit Renewal will be issued within the next 3-4 weeks as indicated by recent phone conversations with the DEP. Also, the DEP is currently reviewing our Closure/Post Closure Plan.

#### FINANCE/PERSONNEL

Mr. Accetturo motioned to approve Resolution R-06-05-08 for an increase in Reimbursements and Stipends for 2008, seconded by Mr. Mach.

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

Mr. Chamberlain motioned to accept Resolution R-06-06-08 to Pay Bills in the amount of \$383,393.71, seconded by Mr. Accetturo.

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

Mr. Houck will prepare an RFP for Auditing Services for 2009 which will run from November 1 to October 31. It will be available for the July 23 meeting for Board approval.

#### NEW BUSINESS

Mr. Williams will contact Steve Marvin to set up a meeting between the WC Freeholders and the PCFA Board this fall, somewhere within the August/September time frame. We will determine the frequency of these meetings at that time.

Mr. Williams mentioned that he would like the Newsletter to contain more information on PCFA, including a Board and Staff photograph, as well as continuing with Recycling News. We will contact Mr. Charlton to assist in developing formats and articles and elicit help from the Recycling Coordinator, Victor Camporine.

Mr. Houston indicated that legal counsel will make an appropriate response to the meeting request by SCS for meeting with the PCFA Board.

#### GENERAL COUNSEL'S REPORT

No Report.

#### OTHER BUSINESS

Mr. Williams mentioned that at the last SWAC meeting he brought the issue of landfill reduction hours to their attention. He indicated it went well and would need to go before the WC Freeholders.

Also, he received a request from Blairstown for residents to bring their trash to the landfill during fall clean-up. A voucher system would be used. No comments were against this request.

The next issue is item A-5 - Emergency Generator for sulfur scrubber system. Bid not required. A proposal was received from Foley Caterpillar with the following option prices:

- Rental price - \$7,000 per month – 400KW 600 amp Caterpillar generator
- Lease/Purchase price – \$95,000 – (I asked for direct purchase w/warranty price)
- Direct Purchase price - \$85,000 with warranty to 2011.

Our on-site engineer indicated size was appropriate, however, I would like written confirmation from the engineer on letterhead. I would also like counsel to review the terms and conditions. Mr. Houston wants confirmation that this generator complies with the requirements of the ACO from our engineer in writing.

Mr. Accetturo motioned to accept the purchase price from Foley, seconded by Mr. Chamberlain.

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

Mr. Accetturo made a motion that Mr. Williams seek proposals for an electrician to install the generator, with a not-to-exceed price of \$16,000. Mr. Mach seconded the motion.

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

Mr. Williams stated the application will be done by Cornerstone tomorrow on-line indicating to the DEP that this stipulation of the ACO is taken care of.

A suggestion was made to hold a Conference Call in lieu of attendance at the July 9, 2008 PCFA meeting as several members will be unable to attend.

#### CLOSING PUBLIC COMMENT

None.

#### PRESS COMMENTS & QUESTIONS

Sara Satullo of the Express-Time asked about the status of the missing funds to which General Counsel replied it was in the hands of the Prosecutor's office and we cannot comment on the investigation.

Mr. Houston indicated we have a handout of the time frame and amount.

Jackie Lindsay of the Warren Reporter asked if any others were involved. Response was no, not to our knowledge.

#### EXECUTIVE SESSION

Not Necessary This Meeting.

ADJOURNMENT

Mr. Chamberlain motioned to Adjourn at 5:03 pm, seconded by Mr. Mach.

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: *July 23, 2008*