

POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING  
October 22, 2008

Chairwoman Napolitani called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 3:05 PM.

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

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

Also present: James Williams, Operations Manager; Joseph Houston, General Counsel; Charles Houck, CFO; Bill Schroeder, Nisivoccia & Co.; Michael Schumaci, Cornerstone Environmental Group, and Margaret Rogers, Recording Secretary.

Pledge of Allegiance / Introductory Statement

MINUTES

The minutes of the Regular Meeting of October 8, 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	-	Absent
	Mr. Yanoff	-	Yes
	Mr. Mach	-	Yes

CORRESPONDENCE

No comments.

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None.

PRESENTATIONS

Mr. Schroeder briefly commented on Nisivoccia's proposal to provide Auditing services for the fiscal year ending December 31, 2008. They agree to perform any above and beyond standard auditing services as required in the RFP and meet quarterly with PCFA's finance committee to discuss/perform

other issues that need to be addressed. He commented on the monthly reports which are very detailed and useful, especially the internal financial controls put in place over the past several months, and stated that their office is starting a forensic audit accounting division and would like to practice on PCFA.

Mr. Chamberlain motioned to award the Resolution for Auditing Services (R-10-02-08) to Nisivoccia & Co. in the amount of \$35,000.00, seconded by Mr. Yanoff.

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

## REPORTS

### FACILITIES/RECYCLING

Mr. Williams informed members that the pre-treatment plant construction is on schedule. The steel tanks have been ordered and should be on site by mid-late December; the membrane system has been approved and is being ordered by Scafar; the building was ordered yesterday and will be arriving the beginning of December. The contractor is doing a good job.

Mr. Williams updated the members on the current sulfur removal activity. Dialogue with current prospective vendor indicates they would charge PCFA \$100/ton for removal and possibly we may have to pay transportation costs. The sulfur is 90% pure, however that is not good enough for sulfuric acid. The vendor in California would pay us \$10/ton but we would pay transportation costs. Suggest we give Maser a few more weeks to seek additional avenues of disposal before we make a decision.

Several handouts were presented by Mr. Williams in connection with possible causes and remedies regarding the failed stack test. Mr. Williams stated that it appears we have no recourse with the manufacturer, as we voided out all warranties when the flare became operational. Mr. Houston will review the warranty further.

Mr. Schumaci of Cornerstone stated that he would contact Perennial, flare manufacturer, to ascertain if seal coating would jeopardize the design of the burners. He also discussed the handouts from Zampell Inc., refractory experts, who feel that housekeeping (vacuuming) prior to testing would help and installing refractory mortar over existing ceramic fiber blanket on the flare floor. Price quotes are \$3,500 labor and material or \$500 if we install the mortar ourselves. Will also check with Perennial to see if it would be alright if PCFA installs the mortar. He also suggested that we retest next week, as Avagado, testing firm, and the DEP are both available on the 29<sup>th</sup>-30<sup>th</sup> of October. Mr. Schumaci also mentioned that the DEP has not reviewed the initial test yet and being pro-active with the re-test might be a good move.

Several members expressed concern that the manufacturer, the flare testing firm, or engineering firm(s) were not forthcoming with protocols for the flare operation and maintenance procedures which would have prevented this problem in the first place. Suggestion was made to attempt to re-negotiate a lower cost for the re-testing.

Mr. Mach made a motion to proceed with the re-test, seconded by Mr. Chamberlain, not to exceed \$9,000.

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

Mr. Williams described the proposed rate increase which would add \$5/ton to gate rate and added a Minimum Disposal Fee of \$10.00. The minimum fee is anticipated to speed up the process on the scale by allowing customers to bring in their trash once a month vs. 2-3 times per month. Basically these residents currently incur a fee of \$6 - \$8 each time they come in. The \$2 per bag fee customers would not incur the minimum \$10 fee. A cursory review of other facilities indicates we are in line with their rates; in some cases under.

Item A-2 - 2009 Proposed Rate Schedule will be tabled for next meeting to allow members time for further review and decide if we want to up gate rate further and increase direct hauler rates since we didn't increase for 2008.

Mr. Williams sought Board approval to post RFPs for various business services contracts up for renewal on our web site.

Ms. Napolitani motioned to go forward with the RFPs, seconded by Mr. Mach

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

FINANCE/PERSONNEL

Mr. Chamberlain motioned to approve the Resolution to Pay Bills, (R-10-03-08), seconded by Mr. Mach.

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

Mr. Houck stated that the 2009 Budget forms have not been received yet, therefore the information was put on 2008 forms. We will introduce the Budget in November and adopt in December.

Mr. Mach motioned to adopt the Fiscal Policy and Procedures Manual (R-10-04-08), seconded by Ms. Napolitani.

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

NEW BUSINESS

Mr. Williams brought to the attention of the members that some piping at the scrubber needs to be addressed, in particular, the piping needs to be heat traced and insulated. The total cost is \$4,500.00; GTP has agreed to pay for half the cost (\$2,617.00). (H/Os).

Mr. Mach motioned to move forward with this work, seconded by Mr. Yanoff.

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

GENERAL COUNSEL'S REPORT

No report.

OTHER BUSINESS

None.

CLOSING PUBLIC COMMENT

None.

PRESS COMMENTS & QUESTIONS

None.

EXECUTIVE SESSION

Ms. Napolitani motioned to enter into Executive Session at 4:15 pm to discuss personnel issues and professional contracts, seconded by Mr. Chamberlain.

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

Motion was made by Mr. Chamberlain to return to open session at 4:40 pm, seconded by Ms. Napolitani.

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

ADJOURNMENT

Mr. Chamberlain motioned to Adjourn at 4:42 pm, seconded by Mr. Yanoff.

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

Respectfully submitted by:

*Margaret Rogers*

Margaret Rogers  
Recording Secretary

Approved: *November 12, 2008*