

POLLUTION CONTROL FINANCING AUTHORITY
OF WARREN COUNTY

MINUTES OF REGULAR MONTHLY MEETING
December 10, 2008

Chairwoman Napolitani called the regular monthly meeting of the Pollution Control Financing Authority of Warren County to order at approximately 2:05 PM.

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

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

Also present: James Williams, Operations Manager, Charles L. Houck, Chief Financial Officer, Joseph Houston, Esquire, General Counsel; Bruce Jones, Special Counsel; Douglas Steinhardt, and Penny Ludman, Special Counsel; Paul Sterbenz and Robert Kennedy of Maser; Mike Grossman, Risk Manager; John Daly of Wachovia, and Margaret Rogers, Recording Secretary.

Pledge of Allegiance / Introductory Statement

MINUTES

The minutes of the regular meeting of November 12, 2008 were presented for approval. Mr. Mach moved for acceptance of the minutes as presented, seconded by Mr. Chamberlain.

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

Minutes of November 12, 2008 Executive Session were moved for acceptance as presented by Mr. seconded by Mr. Mach.

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

CORRESPONDENCE

None

PUBLIC COMMENTS (AGENDA ITEMS ONLY)

None

PRESENTATIONS

Mr. Sterbenz and Mr. Kennedy of Maser updated the Board on the Treatment Plant Construction. Mr. Sterbenz mentioned that there currently are no problems with the schedule and quality of work of the project. They are however, running about 5% over budget due to unexpected administrative work.

Mr. Williams reminded him of the previous commitment to cut back on oversight time until it was absolutely necessary (i.e. when the building is being erected).

Board members expressed concern over the failure to comply with the specifications regarding lab tests done on soil compaction prior to the pouring of concrete. They're concerned we may encounter problems years down the road. They would like to see a recommendation in writing from Maser of how this issue will be corrected.

Mr. Sterbenz feels we should wait to see if the economy improves (commodity market) while continuing to investigate options closer to home vs. negotiating with Hondo in California. We also have the option of putting the Sulfur Removal issue out to bid. He suggests we hold off on this issue until 2009.

FACILITIES/RECYCLING

Mr. Williams next addressed the following:

- Treatment Plant Construction – *presentation above*
- Sulfur Removal - *presentation above*
- Flare Stack Test Update – has been completed and sent to DEP; there's a good indication we passed
- Recycling Update – the recent recycling dilemma (commodity market failure) requires further review
- Landfill Methane Emissions Offset Credits – Cornerstone will file an application next week
- Treatment Plant Operations (PCFA -vs- PRMUA) – As a member of PRMUA Committee, Ms. Napolitani recused herself at 3:15 pm; Vice Chairman Mach continued. PRMUA is looking for information on what it would cost PCFA to operate. We are only looking for an estimate of what it would cost PRMUA to operate. Suggest we forward what information we have and have Mr. Mach be a spokesperson for the Board. Ms. Napolitani rejoined meeting at 3:20 pm.
- Battery Collection Program – will discuss next meeting – looking for cost cutting measures

Mr. Yanoff departed meeting at 3:30 pm.

Mr. Williams then presented and sought approval of (A-1) Request For Proposals for Landscaping, Janitorial Services and Topographic Landfill Survey and (A-2) Disposal Contract(s) Interlocal/Waste Haulers. All have been reviewed by General Counsel and Risk Manager and revised accordingly to include insurance language.

Mr. Chamberlain motioned to approve (A-1) the various RFPs, seconded by Ms. Napolitani.

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

Mr. Chamberlain motioned to approve (A-2) the various Disposal Contracts, seconded by Mr. Accetturo.

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

FINANCE/PERSONNEL

Ms. Napolitani made a motion to approve the Resolution to Pay Bills for (R-12-01-08) \$762,589.31, seconded by Mr. Accetturo.

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

Mr. Mach made a motion to Adopt the 2009 PCFAWC Budget (R-12-02-08), seconded by Mr. Accetturo.

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

Risk Manager, Mike Grossmann and John Daly of Wachovia presented a Handout outlining several insurance policy quotes. They described policy savings, increased coverage, changes to various policies, (i.e., Directors Liability, equipment coverage, discussed coverage for the scrubber, flare, etc.). Suggest the pretreatment plant be insured when complete.

Ms. Napolitani motioned to grant approval for Board Secretary, Mr. Grossmann and Mr. Daly to move forward with the most advantageous insurance quotes/policies for the Authority for 2009. Mr. Accetturo seconded the motion.

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

Mr. Williams mentioned that Landfill Employee Evaluations were completed and he will be working on evaluations for the Administrative Staff.

Section 8 & 17 of the Personnel Policy Manual was discussed next. Section 8 regarding the new landfill hours was approved while Section 17 was held for overall review/revision.

Mr. Chamberlain motioned to approve Section 8, seconded by Mr. Mach.

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

Mr. Williams brought to the Board's attention a letter he received from DEP asking for documentation and adoption of a said plans on how we plan to finance the Closure Fund. Mr. Houck suggested we just answer in a generic way that we plan on funding the plan with revenues from the tipping fees to be placed in the Supplemental Fund. They would like us to place it in the Alternate trust fund which falls under their control thereby prohibiting the Authority from touching that fund without their approval.

It was determined that the CFO, Chairwoman, and General Counsel should structure an appropriate response to the DEP.

NEW BUSINESS

Ms. Napolitani just mentioned as an FYI, Michael Doherty has introduced a Bi-partisan legislation delaying the deadline for certification of our local Recycling Coordinators.

GENERAL COUNSEL'S REPORT

Mr. Houston stated that there was a misunderstanding regarding the insurance claim. The amount was \$100,000, not the new insurance amount. It was settled for the full policy amount therefore no issues remain.

OTHER BUSINESS

None

CLOSING PUBLIC COMMENT

None

PRESS COMMENTS & QUESTIONS

Reporter, Bill Wichert of the Express Times asked for clarification on previous discussion of the Leachate Plant. He asked if the lower slab is meant to serve as a reservoir in the event of an eruption of the run off tank (secondary container). So, the concern was that without testing if the concrete slab cracked a little, some of the run off would get into the soil.

EXECUTIVE SESSION

Mr. Mach motioned to enter into Executive Session (R-12-03-08) at 4:00 pm, seconded by Mr. Accetturo. Regular Session resumed at 4:59 pm by motion of Mr. Chamberlain, seconded by Mr. Accetturo.

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

Ms. Napolitani noted that we can release the report prepared by Mr. Jones regarding the missing funds.

ADJOURNMENT

Ms. Napolitani motioned to Adjourn at 5:02 pm, seconded by Mr. Accetturo.

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

Respectfully submitted by:

Margaret Rogers
Recording Secretary

Approved: