SALEM COUNTY IMPROVEMENT AUTHORITY

Regular Meeting
Monday, December 16, 2013
Finlaw Building, Lower Level
199 East Broadway
Salem, New Jersey

Meeting was called to order by Chairman John Ober at 5:00 pm.

Pledge of Allegiance was recited by all present.

Chairman John Ober read the following statement: "Notice of this meeting has been provided to the public in accordance with the New Jersey Open Public Meetings Act by Publication in the South Jersey Times and the Elmer Times, newspapers circulated in Salem County, and by posting notice in the Salem County Clerk’s Office and on the SCIA website. Copies of the Board minutes and by a video of this meeting will be posted on SCIANJ.COM.

Roll Call:
Howard, Ron    Present
Ober, John     Present
Schneider, Lew  Present
Voros, Pete    Present
Widdifield, Bob Present

MINUTES
Regular Meeting of November 25, 2013- (M) P. Voros, (S) R. Howard to approve minutes. Member Widdifield asked why the minutes did not reflect the name of the professionals that were appointed. Executive Director Turner-Fox responded that the titles of the Resolutions do not include the name of the professional being appointed and the minutes reflect the action taken on the Resolution by title. Chairman Ober asked if Member Widdifield would like to make a motion to amend the minutes. Member Widdifield declined. Freeholder Liaison Cross asked Chairman Ober to be recognized. Chairman Ober consented. Freeholder Cross stated that he would like to have the minutes amended to include the statement that he made in the Public Portion of meeting. Freeholder Dale Cross provided a written statement to the Board Secretary which stated “That’s the same question that I asked if you would consider the suggestion that I made a year ago recommending that the professional contracts align with the Reorganization meeting. Obviously you didn’t feel it was needed.” Member Voros stated that he would like to review the meeting tape before agreeing to include that quote.
R. Widdifield, R. Howard to approve minutes with recommended addition to the minutes. Motion carried by voice vote- 4 aye, 1 nay (P. Voroś).

Special Meeting December 7, 2014-(M) P. Voroś, (S) R. Howard to approve minutes for Special Meeting. Motion passed on voice vote -3 aye, 2 abstained (Robert Widdifield, Lew Schneider).

Executive Session October 21, 2013-(M) P. Voroś, (S) R. Howard to approve minutes for executive session. Motion passed 5/0 by voice vote.

Executive Session Special Meeting December 7, 2014-(M) P. Voroś, (S) R. Howard to approve minutes for Executive Session Special Meeting. Motion passed on voice vote- 3 aye, 2 abstained (Robert Widdifield, Lew Schneider).

SOLID WASTE DIVISION

- Solid Waste Division report date December 9, 2013, 2013 was presented by Melinda Williams, Division Manager. Copies of this report along with statistical landfill report were distributed to all Board members prior to this meeting. Chairman Ober inquired about whether the single road in and out of cell #8 was presenting a delay for customers. Ms. Williams indicated that she would check the cycle time to see if we have deviated from the average of 22 minutes since the trucks no longer have to travel around the access road and up the steep haul road, but that there was not a long wait time for most to back into the cell and tip. She stated that she expected the haul road to be completed next week as long as the weather improves. Member Widdifield asked if the engineer looks ahead to the roadway needs of the facility. David Munion of T&M responded that the engineer assist site operations personnel when requested. Member Widdifield asked if the site drawing for the new wells were complete. Ms. Williams responded that the Executive Director just received the information recently and that was not the case when she wrote her report earlier this month. Member Widdifield asked who SCLE was. Ms. Williams responded that SCLE is the name of the landfill gas generator project at our facility and that it was a subsidiary of DCO Energy.

Chairman Ober introduced the new Landfill Supervisor Lodie von Tonder. Chairman Ober, without objection, ordered the Solid Waste Division Report be received and filed. Hearing no objections, so ordered.

- Landfill Engineers Status Report dated December 9, 2013 was presented by Dave Munion T & M Associates. Copies of this report were distributed to all Board members prior to this meeting. Mr. Munion noted that they will continue to coordinate modifications to the landfill gas collection system and other systems that may be necessary in the Vertical Expansion Area of Cells 1-7. Chairman Ober without objection ordered the Engineer’s Report be received and filed. Hearing no objections, so ordered.

- Resolution 13-109 Authorizing Payment of Bills for Solid Waste Division (M) P. Voroś, (S) R. Howard to approve resolution for payment of bills. Approved by voice vote 5/0.
ECONOMIC DEVELOPMENT DIVISION

- Economic Development Report dated December 16, 2013 was presented by Jim Smith, Division Manager. Copies of this report were distributed to all Board members prior to meeting. Chairman Ober without objection ordered the Economic Development Report be received and filed. Hearing no objections, so ordered.

- Resolution 13-110 Authorizing Payment of Bills for the Economic Development Division.
  (M) P. Voros, (S) R. Howard to approve resolution for payment of bills. Approved by voice vote 5/0.

- Consultant’s Report-Phil Rowan noted that the final draft of the Strategic Plan is being reviewed by staff at this time and should be finalized by the end of the year, possibly to be presented at the January 27, 2014 SCIA Board meeting. Member Widdifield asked if the plan was being presented to the Board in draft form or final form. Executive Director, Turner-Fox responded that it will be finalized with staff input for the Board Members consideration and review.

- Chairman Ober without objection ordered the Consultant’s Report be received and filed. Hearing no objections, so ordered.

NURSING HOME DIVISION

No action was required to be taken on behalf of this division.

STANDING COMMITTEE REPORTS

EXECUTIVE COMMITTEE (John Ober) –Chairman Ober stated that the matter involving the Freeholder’s veto of the SCIA actions to award 2014 Professional Service Contracts would be discussed in Executive Session.

Chairman Ober without objection ordered the Executive Committee Report be received and filed. Hearing no objections, so ordered.

PERSONNEL COMMITTEE (Ron Howard) – Member Howard stated that the Dental Plan & Driver’s Abstract Policy were discussed with the Personnel Committee. Executive Director, Turner Fox discussed the dental plan quotes that were solicited by the Broker and different options that were available as outlined in her memo. She also advised the Board that a decision must be made on or before 1/1/14 and that the Aetna plan would only be viable until September 30, 2014.

(M) P. Voros, (S) R. Howard to select Aetna Dental Plan for the current employees at no cost to the employees. All approved, motion carried by voice vote 5/0.

Turner-Fox discussed the Statewide Insurance Fund’s recommendation to amend the SCIA policy on driver’s abstracts and the need for a waiver form from the employees. Chairman Ober stated that his firm does this as well. Member Howard asked if this applied to all SCIA employees. Turner-Fox responded that it is for all SCIA employees as any of them may drive a SCIA vehicle or their own vehicle on behalf of the SCIA.
Resolution 2013-111 Adopting Drivers Abstract Policy (M) P. Voros, (S) R. Howard to adopt resolution. All approved, motion carried by voice vote 5/0.
Chairman Ober without objection ordered the Personnel Committee Report be received and filed. Hearing no objections, so ordered.

SOLID WASTE COMMITTEE (Pete Voros) Member Voros briefly discussed the operations of the landfill are running smoothly, noted that the second leachate tank project was proceeding and that cell #9 bid was ready to be awarded this evening. Chairman Ober without objection ordered the Solid Waste Committee Report be received and filed. Hearing no objections, so ordered.

INNOVATION & TECHNOLOGY (Lew Schneider) Member Schneider noted that there was an issue with SCIA e-mail. Executive Director, Turner Fox explained that part of the exchange server that came over from the county went bad and needed to be replaced. She noted that e-mail was operational as of today.
Chairman Ober without objection ordered that all Innovation & Technology Committee Reports be received and filed. Hearing no objections, so ordered.

ALTERNATIVE & RENEWABLE ENERGY COMMITTEE (Bob Widdifield) Member Widdifield noted that no meeting was held.

EXECUTIVE DIRECTOR’S REPORT
- Executive Director’s Report dated December 16, 2013 was present by Executive Director Deborah Turner Fox.
Copies of this report were distributed to all members prior to this meeting. Executive Director Deborah Turner Fox briefly discussed the demand for payment from Golden Nursing Home and has The Lancaster Group working to calculate the revised break down of costs.
Chairman Ober without objection ordered the Executive Director’s Report be received and filed. Hearing no objections, so ordered.

OLD BUSINESS
- Solicitor Telsey discussed the action taken by the Salem County Board of Freeholders with regards to the award of 2014 Professional Service Contracts for the Salem County Improvement Authority. After the court hearing on December 16, the Judge ordered the 2014 contracts to be awarded and made effective as of January 1, 2014 which effectively stops the Freeholder Veto action which affected all contracts after December 31, 2013. He explained that the contracts will be valid until such time as the Court decision on the entire matter is made.

NEW BUSINESS
- Resolution 13-112 Awarding Contract to Construct Landfill Expansion Cell 9 for the SCIA Solid Waste Division.
Chairman Ober asked the Engineer, Executive Director and Solicitor if this bid was reviewed by all and if everyone felt this was correct. All responded in the affirmative.

(M) P. Voros, (S) R. Howard to adopt resolution. All approved, resolution adopted by voice vote 5/0.

- Resolution 13-113 Authorizing Equipment Waiver and Disclaimer with Key Equipment Finance, Inc.
  A brief discussion occurred regarding the benefit to SCIA of executing this waiver. Solicitor Telsey explained that SCLE was financing the equipment and that it could benefit SCIA. Chairman Ober explained the contract with DCO, the parent company to SCLE, is only for a land lease and a discount on the transmission charge for SCIA’s electric use on site.
  (M) P. Voros, (S) R. Howard to adopt resolution. All approved, resolution adopted by voice vote 5/0.

- Resolution 13-114 Authorizing Collateral Assignment Agreement of Landfill Gas to Energy Project Lease, Operating, Maintenance and Power Purchase Agreement with Key Equipment Finance, Inc. and SC Landfill Energy LLC.
  Member Widdifield asked if it was sufficient for the agreement to be with Salem County Utilities Authority as opposed to Salem County Improvement Authority. Executive Director, Turner-Fox stated that SCLE has already agreed to make that change given that the SCIA assumed ownership and operation of all contracts and leases when SCUA was dissolved. She also stated that SCLE has consented to give SCIA approval for any interim or new operator of the equipment should SCLE default on the agreement.
  (M) P. Voros, (S) R. Howard to adopt resolution. All approved, resolution adopted by voice vote 5/0.

- Resolution 13-115 Appointing Fund Commissioner for Statewide Insurance Fund
  (M) P. Voros, (S) R. Howard to adopt resolution. All approved, resolution adopted by voice vote 5/0.

- Resolution 13-116 Establishing a Date for the Annual Reorganization Meeting of the Salem County Improvement Authority.
  (M) R. Widdifield, (S) L. Schneider to change Reorganization Meeting date to February 3, 2014.
  Motion defeated, 2 Aye, 3 Nay.
  (M) P. Voros, (S) R. Howard to adopt resolution with Reorganization Meeting date to be February 24, 2014. Motion passed, 3 Aye, 2 Nay.

- (M) P. Voros, (S) R. Howard to permit Solid Waste Division Manager to carry over 5 vacation days (totaling 40 hours) to 2014. All approved, motion passed on voice vote 5/0.
CORRESPONDENCE

External Correspondence

- Letter dated December 14, 2014 to Honorable Georgia M. Curio from Solicitor Adam Telsey RE: SCIA v. Salem County Board of Chosen Freeholders
- Letter Dated December 13, 2014 to Honorable Georgia M. Curio from Michael M. Mulligan, Solicitor Salem County RE: SCIA v. County of Salem
- Letter dated December 12, 2013 from A. Telsey, Solicitor to the Honorable Georgia M. Curio RE: Salem County Improvement Authority v. Salem County Board of Chosen Freeholders New Verified Compliant and Order to Show Cause (with all supporting documents and exhibits)
- Letter dated December 3, 2013 to Katie Coleman, CFO RE: SCIA 2014 Budget Transmittal
- Letter dated October 23, 2013 to Fred Sorbello, Mullica Hill Group RE: Meeting Follow-up.

Other Informational Materials

- SJ Times Article of December 10, 2013: Acton Veto’s SCIA Actions
- Nov. 14, 2013 Leachate Storage Tank # 2 Construction Progress Meeting Minutes # 3.

Chairman Ober, without objection, ordered that Correspondence be received and filed. Hearing no objections, so ordered.
(M) P. Voros, (S) R. Howard to open this portion of the SCIA Meeting to the public. Approved by voice vote 5/0.

Anne Sullivan, Alloway Township: Stated she was reviewing old SCIA minutes and asked if SCIA completed an active shooter drill as referenced in prior minutes. Freeholder Cross stated that this was a result of a meeting he had with the Prosecutor’s Office. Executive Director, Turner Fox stated that familiarizing local law enforcement entities with the Solid Waste Division site and performing an emergency drill was a recommendation from the Risk Management audit conducted. She reported SCIA has not conducted a live drill, but that they did host local law enforcement and emergency responders to the site and provided a tour to re-familiarize them with the site which has changed significantly since their last visit.

Ms. Sullivan then asked what was the status of the sale of the cell phone tower was. Executive Director, Turner Fox reported that a second party is interested in buying out the lease on the cell tower and that SCIA is waiting for more information. Member Voros stated that there may not be a need for cell towers in the future and that it is wise to look at cashing out of the lease now.

Ms. Sullivan then asked about the status of the odor complaint and fines at the Solid Waste Division. Executive Director Turner Fox responded that the initial amount of the fine was $16,000 however it is most likely going to be around $9,000 given the special environmental project that SCIA has proposed to the NJDEP.

Ms. Sullivan then inquired what the status of the Alloway Host Community Benefit agreement negotiations was. Executive Director, Turner-Fox responded that information should be available at next month’s SCIA meeting.

Dale Cross, Freeholder Liaison inquired about the effective date of the SCIA salary increases and the salary increase for the Executive Director. Chairman Ober stated that the increases approved would be effective for all SCIA employees January 1, 2014 and that the increase for the Executive Director for 2013 had been deferred until the audit was concluded. He noted that this year’s SCIA audit had no findings and recommendations, even better than the County of Salem’s audit.

Freeholder Cross asked Executive Director Turner Fox about the 2014 budget transmittals and possible revenue expected by County. Executive Director stated that the budget document had been transmitted to the County CFO and that she had spoken to Ms. Coleman to confirm her receipt of the document, understanding of the amount of funds SCIA anticipated in their 2014 budget for retiree healthcare reimbursement and the amount of funds projected to be provided to the County to aid in balancing their budget.
(M) P. Voros, (S) R. Howard to close meeting to Public. Approved by voice vote 5/0.

Resolution 2013-117 Authorizing Executive Session- Open Public Meetings Act, N.J.S.A. 10:4-12b permits a public body to go into a closed session during a public meeting to discuss certain matters as follows: (M) P. Voros, (S) J. Ober, approved by voice vote 5/0.

- Matter Relating to Litigation and Attorney-Client Privilege- Pursuant to N.J.S.A. 10:4-12b(7)-
  - Discussion of demand for payment from Golden Nursing and Rehabilitation Center
  - Discussion of litigation SCIA v. County of Salem

With no further business to discuss in Executive Session on (M) P. Voros (S) J. Ober the regular meeting of the SCIA was re-opened to the public. Approved by voice vote 4/0.

*Note during Executive Session member Lew Schneider left the meeting at 6:31 pm to attend to a personal matter.*

(M) P. Voros, (S) R. Howard to re-open regular meeting. All approved, motion passed 4/0

(M) P. Voros, (S) J. Ober to adjourn meeting. Approved by voice vote 4/0.

Meeting adjourned 6:45 pm.

Respectfully Submitted;

Joan M. Cole
Recording Secretary