

MINUTES OF REGULAR MEETING

DECEMBER 10, 2013

The Regular Meeting of the Morris County Municipal Utilities Authority was held on December 10, 2013 at 5:32 p.m. at the Cultural Center, First Floor Conference Room, 300 Mendham Road, Morris Township, New Jersey. The necessary notice of this meeting was published according to the law.

Chairman Druetzler requested a roll call.

PRESENT: Dr. Arthur Nusbaum, Mr. Christopher Dour,
Mr. Fletcher Platt, Mr. Richard Plambeck and
Mr. Frank Druetzler.

Mr. James Barry entered the meeting at 5:34 p.m.

ABSENT: Ms. Laura Szwak, Dr. Dorothea Kominos and William Hudzik..

Also present was Glenn Schweizer, Executive Director; John Scarmozza, P.E., Chief Engineer; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey; Freeholder-liaison Ann Grossi and Tina Restucci, Court Stenographer.

Chairman Druetzler asked for the Board's approval of the Minutes of the Regular Meeting dated November 12, 2013.

MOTION: Mr. Plambeck made a Motion to approve the Minutes of the Regular Meeting of November 12, 2013 and Mr. Dour seconded the Motion.

ROLL CALL: AYES: 3 NAYES: NONE ABSTENTIONS: Messrs. Nusbaum & Platt

TREASURER'S REPORT:

Mr. Kaletcher advised the Board that the Department of Community Affairs approved our 2014 Water budget introduction and the MCMUA has been advised that we can proceed with its 2014 Water budget adoption.

RESOLUTION 13-69 2014 WATER ADOPTED BUDGET RESOLUTION

Morris County Municipal Utilities Authority

FISCAL YEAR: FROM January 1, 2014 TO December 31, 2014

WHEREAS, the Annual Budget and Capital Budget/Program for the Morris County Municipal Utilities Authority for the fiscal year beginning January 1, 2014 and ending December 31, 2014 has been presented for adoption before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of December 10, 2013; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$4,525,912.00 Total Appropriations, including any Accumulated Deficit, if any, of \$4,525,912.00 and Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$0.00 and Total Unrestricted Net Assets planned to be utilized of \$0.00; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of Morris County Municipal Utilities Authority, at an open public meeting held on December 10, 2013 that the Annual Budget and Capital Budget/Program of the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2014 and, ending, December 31, 2014 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Marilyn Regner, Secretary December 10, 2013
(Date)

Governing Body Member:	Recorded Vote – 1 ST : MR. PLATT 2 nd : MR. PLAMBECK			
	Aye	Nay	Abstain	Absent
MR. HUDZIK				X
DR. NUSBAUM	X			
MR. DOUR	X			
MR. PLATT	X			
MR. PLAMBECK	X			
MR. DRUETZLER	X			
MR. BARRY				X
DR. KOMINOS				X
MS. SZWAK				X

(Mr. Barry entered the meeting at 5:34 p.m.)

Mr. Kaletcher advised the Board that the Department of Community Affairs approved our 2014 Solid Waste budget introduction and the MCMUA has been advised that it can proceed with its 2014 Solid Waste budget adoption.

**RESOLUTION 13-70
2014 SOLID WASTE
ADOPTED BUDGET RESOLUTION**

Morris County Municipal Utilities Authority

FISCAL YEAR: FROM January 1, 2014 TO December 31, 2014

WHEREAS, the Annual Budget and Capital Budget/Program for the Morris County Municipal Utilities Authority for the fiscal year beginning January 1, 2014 and ending December 31, 2014 has been presented for adoption before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of December 10, 2013; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$39,210,224.00, Total Appropriations, including any Accumulated Deficit, if any, of \$39,210,224.00 and Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$0.00 and Total Unrestricted Net Assets planned to be utilized of \$0.00; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of Morris County Municipal Utilities Authority, at an open public meeting held on December 10, 2013 that the Annual Budget and Capital Budget/Program of the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2014 and, ending, December 31, 2014 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Marilyn Regner, Secretary December 10, 2013
(Date)

Governing Body Member:	Recorded Vote – 1 ST : MR. PLAMBECK 2 ND : MR. DOUR			
	Aye	Nay	Abstain	Absent
MR. HUDZIK				X
DR. NUSBAUM	X			
MR. DOUR	X			
MR. PLATT	X			
MR. PLAMBECK	X			
MR. DRUETZLER	X			
MR. BARRY	X			
DR. KOMINOS				X
MS. SZWAK				X

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating, Water Operating and Capital Accounts for the month of November 2013. Also included is the Monthly Report of Comparative Balances for the Solid Waste and Water Divisions, as well as the investment report in which there was no activity for the month of November. These reports have been incorporated in these Minutes.

Chairman Druetzler asked the Board for a Motion to accept the Treasurer's Report:

MOTION: Mr. Barry made a Motion to accept the Treasurer's Report and Mr. Dour seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: NONE

Chairman Druetzler asked for the Board's approval of the vouchers:

BILL RESOLUTION NO. 13-71

BE IT HEREBY RESOLVED that the bills as shown on the SCHEDULE OF WARRANTS all having been approved by the Board of officials where legally required, be and the same are hereby paid. The SCHEDULE OF WARRANTS designated as Bill Resolution No. 13-71 containing 7 pages for a total of \$2,461,836.64 dated and made a part hereof by reference.

SUMMARY
CHECK NUMBERS

CAPITAL FUNDS	1072-1073	\$ 41.02
WATER OPERATING FUNDS	2242-2285	183,083.93
SOLID WASTE OPERATING	3754-3824	2,278,711.69
	TOTAL	\$ 2,461,836.64

CERTIFICATION

I hereby certify that all vouchers listed above have been reviewed and found to be in proper form for payment, and I have compared the SCHEDULE OR WARRANTS to the vouchers for payment and have determined it to be correct.

DATE: December 10, 2013

BOARD CHAIRMAN APPROVAL

Frank Druetzler, Chairman

SIGNED: _____
Marilyn Regner, Secretary

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds in the appropriations charged, or accounts listed to cover the expenditures included in the SCHEDULE OF WARRANTS dated: December 10, 2013

DATE: December 10, 2013

Larry Kaletcher, Treasurer

MOTION: Mr. Dour made a Motion that the vouchers be approved for payment and Mr. Plambeck seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: NONE

CORRESPONDENCE REPORT:

Regarding the correspondence report, Mr. Schweizer mentioned that the MUA received a copy of a draft of the new 2013-2017 Statewide Comprehensive Outside Recreation Plan prepared by DEP and asked if anyone is interested in the document, he can provide you with the link. The document goes over the Green Acres Program. Chairman Druetzler asked if there is anything specific to Morris County and Mr. Schweizer replied that it is not that specific.

Mr. Schweizer mentioned that Laura Szwak serves on the County Open Space Committee and the Flood Mitigation Program and she has exhausted her term which is two one year terms. He asked if anyone is interested in being the MUA representative on the Open Space Committee, please kindly let me know before the January meeting. Messrs. Plambeck and Maraziti both served on the Open Space Committee in the past and shared their experiences with the Board.

Mr. Schweizer advised the Board that Roxbury Township has fallen behind in meeting its 2013 minimum gallonage take or pay water requirements. The Manager's Office has been contacted and advised of their current shortfall. The shortfall is 17MG total which comes to a little over \$35,000.

With regard to the Senate Bill 2528, Mr. Plambeck asked what is being proposed; it doesn't seem like the recycling organizations are making a lot of headway. Is there any place in the country or in the State where they actually do this and have demonstrated that this works? Mr. Gindoff said currently mixed waste facilities are illegal in New Jersey. Mr. Schweizer replied the there are facilities around the country who do mixed waste processing and they typically aren't in places that have exceedingly high recycling rates. He mentioned that New Jersey's recycling program is more advanced and has been use to source separation from very beginning. Many States around the country are lagging behind and when they started recycling, they looked at using existing facilities which were transfer stations and processing facilities and they try to extract recyclables from mixed loads of garbage with varying degrees of success. Ones that are successful are dealing with commercial loads and not household loads as there are higher percentages of recycling but are still way below the standards.

Chairman Druetzler noted that December 20th Glenn Schweizer will be celebrating 35 years as a County employee and congratulated him.

Memorandum dated December 4, 2013 to MCMUA Board Members from Glenn Schweizer regarding Service Award Program scheduled for Friday, December 20, 2013 honoring four MCMUA employees.

Letter dated November 21, 2013 from Dominick D’Altilio, President of Association of New Jersey Recyclers regarding Senate Bill 2528.

Daily Record Article dated November 21, 2013 entitled “Take a virtual tour of Morris recycling plant”.

Letter dated December 2, 2013 to NJDEP, Bureau of Safe Drinking Water, from Anthony Milonas, Supervisor of Water Operations, regarding T1 Reports for the month of November 2013.

ENGINEER'S REPORT:

Chairman Druetzler asked if there were any more power outages any place and Mr. Scarmozza replied no; everything is running fine since we installed our new generator.

PROJECT STATUS:

1. Water Tank Painting Project Contract 22R-12

- A. Alpine Painting & Sandblasting Contractors completed the exterior tank coating spot repairs and overcoat on the Mine Hill Tank; extra work authorized by Change Order No. 3 on the interior will begin soon. The exterior of the tank looks very good, Suburban Consulting Engineers and MCMUA staff are optimistic that the coating repairs will extend the service life of the tank ten years before a complete coating replacement is necessary

2. Markewicz Pump Station 110 Volt Emergency Generator

- A. All work on the 110 volt emergency generator is complete and the final inspections are scheduled. Upon completion of the work and prior to the final inspections by the building code officials and ATI, the generator was left in active standby mode by contractor Power With Prestige. During that time the pumping station experienced a power failure and the new generator functioned as designed, furnishing “house” power to SCADA, the 600 kw generator block heater and battery charger as well as lights and heat in the station. This little generator completes an important missing link in our emergency response chain.

3. Furnish and Deliver Sodium Hypochlorite Solution Contract W-12

- A. The MCMUA received bids to furnish and deliver sodium hypochlorite solution for year 2014. There were two bidders for the service; the low bid was received from our current supplier Miracle Chemical Co. for the total price of \$17,344.00. The service requires bulk delivery of Sodium Hypochlorite to each well house in the Alamatong and Flanders well fields on a two week schedule. A resolution recommending award of this service contract to Miracle Chemical Co. will be presented to the Board at the December meeting.

GENERAL

1. SYSTEM

- A. A public hearing on the proposed water rate change will be held at the December meeting to receive comments from customer representatives and the public

regarding the change. The MCMUA is proposing a 3% increase in the water rate, a change from \$2135.00/MG to \$2199.00/MG.

- B. Resolutions for joint funding agreements with the U.S. Geological Service to maintain stream gauges will be presented to the board for approval. Maintenance of the stream gauges is a requirement in MCMUA Allocation Permit 5058. Last year NJDEP relieved the MCMUA and Roxbury Water Co. of the joint obligation to fund the Four Bridges Stream on the South Branch Raritan River. In place of this NJDEP has required the MCMUA and Roxbury Water Co. to fund an intermittent gauge on Drakes Brook at a substantial reduction in cost to both the MCMUA and Roxbury Water Co. The second joint funding agreement for the intermittent gauging of the Black River is the sole responsibility of the MCMUA.

Mr. Scarmozza asked for the Board's approval of the following Resolutions:

RESOLUTION NO. 13-72
RESOLUTION TO AWARD CONTRACT NO. W-12
FURNISH & DELIVER SODIUM HYPOCHLORITE SOLUTION

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") received sealed bids for Contract No. W-12 to furnish and deliver sodium hypochlorite solution to wellhouses in the MCMUA Alamatong and Flanders Valley Wellfields; and

WHEREAS, the same have been reviewed by MCMUA for compliance with the bid specifications and the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the MCMUA has made the following findings and determinations.

1. The amounts bid are set forth below:

<u>Bidder</u>	<u>Total Bid</u>
Miracle Chemical Co.	\$ 17,344.00
Main Pool & Chemical Co. Inc.	\$ 17,920.00

2. The bid of Miracle Chemical Co. is below the budget estimate and is the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 10th day of December, 2013 as follows:

1. The Authority hereby awards and the Executive Director is authorized and directed to execute a contract with Miracle Chemical Co., 1151-B Highway 33, Farmingdale, NJ 07727 in the Contract entitled "Contract No. W-12, Furnish & Deliver Sodium Hypochlorite Solution" in the amount of \$17,344.00.
2. The Treasurer of the MCMUA has certified funds are available from the 2014 Water Division Budget line item Chlorine & Chemicals 4-02-6-600-630-320 in the amount of \$17,344.00.
3. The Executive Director is authorized and directed to forward notice of award to Miracle Chemical Co.
4. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 10, 2013.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Frank Druetzler, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to award Contract W-12 in the amount of \$17,344.00 and Mr. Plambeck seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: NONE

RESOLUTION NO. 13-73
RESOLUTION AUTHORIZING A CONTRACT FOR
MAINTENANCE OF LAMINGTON RIVER PARTIAL RECORD
STREAM GAUGE STATIONS WITH THE U.S. GEOLOGICAL SURVEY

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") is required to monitor stream flow in the Lamington River as a condition of its allocation permit for the Alamalong well diversion; and

WHEREAS, the U.S. Geological Survey is an agency of the United States Department of the Interior and is the recognized authority for the maintenance, collection and reduction of this type of data through facilities specifically designed for this purpose; and

WHEREAS, the MCMUA Treasurer has certified that funds are available from Water Operating Account 3-02-6-900-923-018 for \$5,060.00 to maintain, collect and reduce the resulting data for one year from the date of the contract; and

WHEREAS, the MCMUA being bound by the conditions of its allocation permit has determined that it shall enter into an agreement with the U.S. Geological Survey for said services, for the period of October 1, 2013 to September 30, 2014, renewable yearly thereafter; and

WHEREAS, the MCMUA is authorized pursuant to N.J.S.A. 40A:11-5(2) to award a contract to an agency of the United States of America without competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority as follows:

1. The Executive Director is authorized and directed to execute an agreement with the U.S. Geological Survey, Mountain View Office Park, 810 Bear Tavern Road, Suite 206, West Trenton, New Jersey 08628, in the form provided.
2. The authorized expenditure for this contract shall not exceed \$5,060.00.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 10, 2013.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Frank Druetzler, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Platt made a Motion to authorize a contract for maintenance of Lamington River Partial Record Stream Gauge Stations with U. S. Geological Survey and Mr. Plambeck seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: NONE

RESOLUTION NO. 13-74
RESOLUTION AUTHORIZING A CONTRACT FOR
MAINTENANCE OF DRAKES BROOK STREAM GAUGE
WITH THE U.S. GEOLOGICAL SURVEY

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") is required to monitor a low flow partial record station on Drakes Brook as a condition of its allocation permit for the Flanders well diversion; and

WHEREAS, the U.S. Geological Survey is an agency of the United States Department of the Interior and is the recognized authority for the maintenance, collection and reduction of this type of data through facilities specifically designed for this purpose; and

WHEREAS, the MCMUA Treasurer has certified that funds are available from Water Operating Account 3-02-6-900-923-018 for \$2,530.00 to maintain, collect and reduce the resulting data for one year from the date of the contract; and

WHEREAS, the MCMUA being bound by the conditions of its allocation permit has determined that it shall enter into an agreement with the U.S. Geological Survey for said services, for the period of October 1, 2013 to September 30, 2014, renewable yearly thereafter; and

WHEREAS, the MCMUA is authorized pursuant to N.J.S.A. 40A:11-5(2) to award a contract to an agency of the United States of America without competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority as follows:

1. The Executive Director is authorized and directed to execute an agreement with the U.S. Geological Survey, Mountain View Office Park, 810 Bear Tavern Road, Suite 206, West Trenton, New Jersey 08628, in the form provided.
2. The authorized expenditure for this contract shall not exceed \$2,530.00.
3. The Executive Director shall cause Roxbury Water Company to be billed for 50% of the stream gauge cost in accordance with the terms of the Water Allocation Permits issued by NJDEP to the MCMUA and Roxbury Water Company.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 10, 2013.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Frank Druetzler, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Plambeck made a Motion to authorize a contract for maintenance of Drakes Brook Stream Gauge with U. S. Geological Survey and Mr. Platt seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: NONE

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Gindoff mentioned that Chairman Druetzler inquired before the meeting if he could provide some year-to-date comparative balances on some of his reports, so he will work to do that so you can see how we are doing to compare previous years as opposed to just previous months. He will start making these improvements in next month's report and in the future.

Mr. Maraziti gave an update on the oral argument that occurred in the Appellate Division on the Mascaro/Covanta/Waste Management case. Mr. Maraziti reported that he and Glenn were present and mentioned that the oral argument was conducted by Brent Carney. He explained that it was a long argument with questions from three judges in the Appellate Division. He gave an overview of the case to present.

Mr. Maraziti mentioned that the opening question by the presiding judge to the first person to argue which was the other side, "Did we make a mistake when we issued that Order that interrupted everything before Judge Weisenbeck issued his opinion?" That was the theme throughout the argument and the answer was "yes" you made a mistake. The Judge asked if we would be upset if the Court issued an Order that revoked its earlier Order and sent it all back to Judge Weisenbeck for him to issue his opinion on the Motion for Summary Judgment and our side of the table said no; we would not be opposed to that at all. If that happens, Judge Weisenbeck would issue his opinion, but we may be back at the Appellate Division arguing whether he made the right decision on the Summary Judgment Motion. As a result, we will continue on an emergency contract basis with Mascaro and go into our second year. Mr. Plambeck asked if the Plaintiffs object to going back to Judge Weisenbeck and Mr. Maraziti replied yes. Mr. Maraziti explained that Covanta's goal is have a re-bidding process whereas Waste Management has a different point of view and they want the Mascaro bid to be rejected and they want their bid to be accepted. Mr. Schweizer agreed with Mr. Maraziti that in the end it is the easiest and best thing to do is to vacate their order, send it back to Judge Weisenbeck and if everyone is of the same mind that at some point we will be back at the Appellate Court at some time in the future, meanwhile J. P. Mascaro's emergency contract will be renewed and we will wait for the legal process to play itself out. Mr. Plambeck asked when will that need to be renewed and Mr. Schweizer replied that something will be done at the January or February meeting. Dr. Nusbaum asked about the time clock on the contract and Mr. Maraziti replied that what we have done in the past is to have Mascaro continue with the second year of the contract and both Covanta and Waste Management agree that this is the sensible thing to do in the meantime.

TRANSFER STATIONS

Tonnage – For the month of November 2013, a total of 29,192 tons of solid waste was managed at the two transfer stations. This monthly total is 13.86% less than the 33,890 tons accepted in November 2012. November represented the first month in eight where this year's disposal tonnage did not exceed the same month's disposal tonnage from 2012. Based on the tonnage managed in the first eleven months of the year, as well as on historic seasonal trends, it is currently projected that the transfer stations will manage 376,843 tons of solid waste in 2013. If this annual projection holds true, the tonnage disposed of in 2013 will be 4.33% greater than the 361,117 tons accepted in 2012. Please see the attached tonnage report for more details.

Legal Challenges to the Transfer Station Procurement – On December 3, 2013, oral arguments were heard in the Appellate Court regarding the transfer station procurement challenge. Counsel will be at the December meeting and can provide an update on this matter.

SOLID WASTE MANAGEMENT PLAN

S. Rotondi and Sons Administrative Action Request – S. Rotondi & Sons, Inc. ("Rotondi") requested a minor modification to its current Morris County Solid Waste Management Plan ("SWMP") inclusion that can be accomplished through an expedited administrative action request. Staff advised Rotondi to first obtain a resolution from the Chatham Borough Council setting forth its position on this proposed modification and to forward such resolution to the MCMUA. During November, Rotondi has been in contact with and has been working with the Borough in an effort to get a resolution considered and passed. To date, no resolution has been adopted. The requested change is to consolidate an exempted class "B" wood grinding activity Rotondi operates on an adjacent lot with its already permitted class "C" vegetative waste transfer station. The NJDEP required the MCMUA go through a similar planning process regarding its Parsippany vegetative waste compost facility and exempted wood grinding operation several years ago. The only change in operations Rotondi is proposing is to also accept and grind dimensional lumber in addition to natural wood waste. This is without any change in permitted capacity.

HOUSEHOLD HAZARDOUS WASTE MANAGEMENT

Program Participation and Events - During November 2013, a total of 182 residents and businesses delivered waste to the permanent HHW facility in Mount Olive. This is the same level in participation from previous month of October 2013, when 182 participants also used the facility. Likewise, it also represents a sizable increase from last year when 121 participants used the facility in November 2012.

Lead Battery Recycling Contract Extension – On October 9, 2012, the MCMUA awarded a one-year Class D, lead acid battery recycling contract to Veolia ES Technical Solutions, Stoughton, MA (Veolia) with two optional one-year extensions. During the first year of the contract the MCMUA was satisfied with the performance of Veolia and as such, the MCMUA desires to exercise the first one-year extension of this contract. Staff will prepare a resolution for the Board's consideration awarding this one-year extension in an amount not to exceed \$840.00 for a one-year term.

VEGETATIVE WASTE MANAGEMENT – September 2013

Facility Report – The vegetative report for November 2013 comparing the activity for November 2013 to the recent past is attached to this report. Of note, the quantity of vegetative material managed at the facilities increased by about 9% compared to November 2012.

Mr. Gindoff asked for the Board's approval of the following Resolution:

RESOLUTION NO. 13-76
RESOLUTION AWARDED EXTENSION OF CONTRACT
FOR THE MARKETING OF CLASS D RECYCLABLE MATERIALS
(LEAD ACID BATTERIES)

WHEREAS, on Tuesday, October 9, 2012, the Morris County Municipal Utilities Authority (“MCMUA”) awarded a Contract for the Marketing of Class D Recyclable Materials (Lead Acid Batteries) to Veolia ES Technical Solutions, L.L.C., 218 Canton Street, Stoughton, MA, 02072, for a term of one (1) year, with an option to extend the terms of the contract, to be exercised at the discretion of the MCMUA, for two (2) additional one-year periods; and

WHEREAS, the MCMUA seeks to extend the terms of the original contract for the first aforementioned additional one (1) year period; and

WHEREAS, the Executive Director of the MCMUA is authorized and directed to extend the terms of the original contract with Veolia ES Technical Solutions, L.L.C., for an amount not to exceed \$840.00 for a term of one (1) year; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in line item - Household Hazardous Waste 3-01-1-600-800-726 to pay the entire contract amount.

NOW, THEREFORE, BE IT RESOLVED, by the Morris County Municipal Utilities Authority as follows:

1. The MCMUA awards the first one (1) year extension of the original contract for the Marketing of Class D Recyclable Materials, as more specifically defined herein, to Veolia ES Technical Solutions, L.L.C., for an amount not to exceed \$840.00 for a term of one (1) year.
2. The original contract executed on November 9, 2012, between the MCMUA and Veolia ES Technical Solutions, L.L.C., shall remain legal and binding in all respects for the one (1) year extension period.
3. A copy of this Resolution and applicable contracts shall be available for public inspection at the offices of the Morris County Municipal Utilities Authority, 300 Mendham Road, Mendham, New Jersey.
4. A copy of this Resolution is being forwarded to the MCMUA Treasurer and Veolia ES Technical Solutions, L.L.C., 218 Canton Street, Stoughton, MA, 02072.
5. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the MCMUA at its Regular Meeting held on Tuesday, December 10, 2013.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Frank Druetzler, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to award extension of contract for marketing of Class D Recycling Materials of for Lead Acid Batteries and Dr. Nusbaum seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: NONE

PUBLIC HEARING ON WATER RATE AMENDMENT

Chairman Druetzler interrupts the regular meeting at 6 p.m. and announces that the MCMUA will be conducting a public hearing to amend the base water rate of the Morris County Municipal Utilities Authority. Chairman Druetzler stated that the MCMUA adopted Resolution 13-65 at the November 12, 2013 Board meeting.

The Resolution called for the provision of notice in two newspapers, as well as written notice to each of the MCMUA's water customers. Notice was given in accordance with the statute and proofs of publication and mail receipts are on file at the MCMUA office.

Chairman Druetzler turned the hearing over to Joseph Maraziti, Jr., Esq. Mr. Maraziti stated that we are going to now call as witnesses for presentations and testimony. Messrs. Larry Kaltecher, Treasurer and John Scarmozza, Chief Engineer were sworn in and each proceeded with the presentation of their statement into the record as a basis for the establishment of the proposed new rate. Members of the Authority were invited to ask questions regarding the testimony and the rate amendments. Seeing no comments, Mr. Maraziti opened the hearing to questions from the Public. There were no members from the Public present. The public hearing was closed at 6:15 p.m.

Court Stenographer, Tina Restuccia, took transcript of the Public Hearing for the Authority. **TRANSCRIPT OF TH PUBLIC HEARING ON AMENDMENT OF WATER RATES WILL BE PROVIDED TO THE AUTHORITY AND MADE A PART OF THE RECORD.**

Chairman Druetzler asked for the Board's approval of the following Resolution:

RESOLUTION NO.13-75
RESOLUTION TO AMEND WATER RATES OF
MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Morris County Municipal Utilities Authority ("the Authority") is authorized by the Municipal and County Utilities Authorities Law (N.J.S.A. 40:14B-1 et seq.) to establish rents, rates, fees and other charges and to amend the same from time to time so that the revenues of the Authority will at all times be adequate to pay the expenses of operation and maintenance of the Authority System including reserves, insurance, extensions and replacements,

debt service, if any, and to maintain such reserves or sinking funds therefor as may be required by the terms of any contract or as may be deemed necessary or desirable by the Authority; and

WHEREAS, the Authority has determined that there is a need to amend the water rates charged by the Authority;

WHEREAS, the Authority adopted a Resolution No. 13-65 on November 12, 2013 to provide for the amendment of the rates of the Authority; and

WHEREAS, the Authority desires to amend the base rate to \$2,199.00 per million gallons.

WHEREAS, the Authority caused Notice to be given in accordance with N.J.S.A. 40:14B-23 of a hearing on the proposed amended rate; and

WHEREAS, a hearing was held at the Authority Meeting of even date herewith; and

WHEREAS, the Authority has considered the matter and has determined that the proposed amendments to the rates are necessary and reasonable.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 10th day of December, 2013 as follows:

1. The base rate to be charged by the Authority for the provision of water is hereby amended to be \$2,199.00 per million gallons (MG).
2. This Resolution shall take effect as provided by law and the rates established hereby shall become effective on January 1, 2014.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority, at a Regular Meeting held on December 10, 2013.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Frank Druetzler, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Platt made a Motion to amend the water rates of the Morris County Municipal Utilities Authority and Mr. Plambeck seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: NONE

RECYCLING REPORT:

Ms. Hourihan advised the Board that the MUA was notified that Chatham Borough has approved a Shared Services Contract with the MUA to begin January 1st. We will be providing service every Friday and they are already doing single stream so that education process has already been taken care of, however, some of the materials we collect are different and we will be doing some education on that.

Chairman Druetzler asked how many towns do we provide curbside collection services to and Ms. Hourihan replied 15. Mr. Plambeck asked if Chatham Township's collection is also going to be on Friday and Ms. Hourihan replied that Chatham Township is already on Friday but they do not have weekly collection, they have bi-weekly collection. He asked if is going to be harder doing both the Township and Borough on the same day and making sure we have accurate records. She replied that we already do that in several towns; we do both the Mendhams on the same day, East Hanover and Florham Park on the same day, and both the Boontons on the same day and at this point we have not been overlapping yet. If we start sending trucks into multiple towns, we will very carefully monitor and get percentages with the loads out or we can send a truck to the Parsippany Transfer Station just to get a weight and then go back to the towns.

Mr. Plambeck commented that the Borough Administrator could not say enough about Kathleen and how responsive she was when they asked for special services regarding containers and things and said he had never worked with any recycling company or any waste management company that was as responsive as Kathleen. Chairman Druetzler congratulated Kathleen.

Kathleen advised the Board that she has finally finalized 2009, 2010 and 2011 MSW Recycling Rates by Municipality and handed them out to the Board Members. She explained that these show the County rate going up from 44% to almost 48% and a lot of the municipalities have some nice progression in their municipal recycling rate as well.

Recycling Operations

Revenue and Tonnage – The ReCommunity final October statement was received November 15 in the amount of \$20,904. The tonnage collected by the MCMUA during November through the 25th was 936 tons and is shown by material and by customer on the attached report.

Proposal to Chatham Borough for Curbside Recycling Services – On Tuesday, November 26, the MCMUA was informed that its proposal to the Borough of Chatham for recycling collection services was accepted. Staff has prepared a resolution for consideration by the Board to approve a shared services agreement with the Borough for curbside recycling collection services for three years with two (2) one-year options. The agreement provides for the Borough to receive service every Friday, beginning, Friday January 3, 2014. Additionally, staff has received quotes and will place orders to purchase roll-off containers and a rear-load dumpster(s) for the Borough.

Events/Education/Miscellaneous

Clean Communities – On Saturday, November 9, staff assisted with the clean-up of Lake Hopatcong, done while the level of the lake was lower than normal. The MCMUA also contributed to the clean-up efforts by providing some of the gloves, plastic bags and refreshments. Additionally, the MCMUA provided a roll-off container for Lee's Marina and paid the disposal costs for the garbage collected at that site. The cost were funded with the Clean Communities grant. There was a total of 77 tires collected at that site plus other garbage. **Educational Programs:** In November, the MCMUA funded 4 educational programs at schools in Mt Olive and Roxbury. **Road Clean-ups:** There was one clean-up in November. MCMUA crews worked on November 15 in Roxbury and Wharton and cleaned a total of 10.6 miles of road counting both sides.

Recycling Inspections/Outreach – In November, 46 transfer station loads suspected of improperly containing mandated recyclable materials were photographed and written-up by

MCMUA tipping floor inspectors. This represents 0.83% of the total loads received during that time period.

During November, staff worked with the following generators and haulers to inform them of the recycling requirements in Morris County:

- Bed, Bath and Beyond in Rockaway
- Fania Roofing in Dover
- Panera Bread in Mt Olive
- Integrated Microwave Technologies/Vitec in Mt Olive
- Klac Construction at the site of a new Weis Supermarket in Mt Olive.
- PHI Air Medical in Netcong.
- Holiday Inn in Mt Olive.

Event Containers – The MCMUA’s event containers for recycling and garbage were not borrowed during November.

Preparations for Office Move – Staff has begun the process of sorting through files and supplies to downsize in preparation the move to our new office space.

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On Tuesday, November 12, staff logged into a webinar titled “Zero Waste Brand” offered by the Pennsylvania Recycling Markets Center and the NRC’s Sustainable Materials Management Webinar Series.
- On Wednesday, November 13, staff attended a NJ WasteWise meeting in Hamilton. Topics included Hurricane Sandy’s Impact, Temporary Debris Management Areas, ABC’s of reusable transport packaging and a national perspective on ewaste and how NJ compares.
- Also on November 13, staff gave a presentation to the 6th and 7th graders enrolled in a course called “Jews and the Environment” at the Jewish Center of Morristown. While there, staff discussed the recycling program at the school with some of the school’s staff. MUA staff plans to follow-up with the school to assist with the recycling program.
- On Friday, November 15, staff did a cable TV taping for “Focus on Morris County” with Joe Garifo, the County of Morris Public Information Officer. Topics covered included Morris County’s increasing recycling rate, China’s Operation Green Fence and the MCMUA’s education award for the Recycling Awards Dinners.
- On Monday, November 18, staff was interviewed by the radio station WRNJ about the press release issued by ReCommunity regarding their virtual tour video released on their web site. See the November 21, *Daily Record* article about the virtual tour included in the correspondence section of the Board packet.

Ms. Hourihan asked for the Board’s approval of the following Resolution:

RESOLUTION NO. 13-77
RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT FOR
CURBSIDE COLLECTION OF RECYCLABLE MATERIALS

WHEREAS, the provisions of the "New Jersey Statewide Mandatory Source Separation and Recycling Act," (N.J.S.A. 13:1E-99.11 et al.) (the "Act"), require every municipality in this State to provide for the source separation and recycling of marketable materials generated from residential premises within its jurisdiction; and

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) desires to assist municipalities in meeting their recycling goals by providing curbside pick-up and a convenient outlet for disposal of recyclables; and

WHEREAS, pursuant to the Municipal and County Utilities Authority Law N.J.S.A. 40:14B-1 et seq., the MCMUA may enter into contracts with municipalities for the provision of recycling services; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, (L.2007, c.63, s.2.), a Municipal Corporation and a County Utility Authority in the State of New Jersey are considered "Local Units". Local Units are encouraged and authorized to enter into agreements which promote the sharing and/or consolidation of services; and

WHEREAS, pursuant to N.J.S.A. 40A:65-4(a)(3)(b), any agreement entered into pursuant to this section shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, pursuant to rules and regulations promulgated by the director; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5, local units entering into shared services agreements must adopt a resolution authorizing and clearly identifying the agreement and ensure that a copy of the agreement shall be open to public inspection at the offices of the local unit immediately after passage of a resolution to become a party to the agreement; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5(c), the agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement; and

WHEREAS, uniform shared services agreements are exempt from the bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the MCMUA wishes to enter into new agreements to provide for the curbside collection and marketing recyclable materials with:

the Borough of Chatham commencing January 1, 2014 for three (3) years until December 31, 2016 with two (2) one-year extensions; and

WHEREAS, the agreement shall supersede previous agreements entered into by the MCMUA and the Borough of Chatham providing for curbside collection of and for accepting, processing, and marketing recyclable materials at the Morris County Recycling Consolidation Center; and

NOW THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority as follows:

1. The Executive Director of the MCMUA is hereby authorized and directed to execute said Agreement in substantially similar form as that on file in the office of the MCMUA.
2. This contract is awarded without competitive bidding pursuant to 40A:11-5(2) of the Local Public Contracts Law.
3. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 10, 2013.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Frank Druetzler, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to authorize execution of agreement with the Borough of Chatham for collection of curbside recycling material and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 5 NAYES: NONE ABSTENTIONS: Mr. Plambeck

PUBLIC PORTION:

There being no comment from the Public, this portion of the meeting was closed.

OLD BUSINESS:

There being no further Old Business, this portion of the meeting was closed.

NEW BUSINESS:

Chairman Druetzler called on Ann Grossi. Ms. Grossi said that she is sorry that she won't be here anymore and enjoyed being part of the Board. It was nice and refreshing to sit in on a Board where everyone gets along and their heart is in the right place when there are decisions to be made. She mentioned that she has sat on other boards and this a unique situation that you have here. Everyone is here to do the job they have been asked to do and you don't really have individuals trying to vie for power or positioning and that's kind of refreshing. She is looking forward to starting at the Clerk's Office in January and she is the go to person for passports and notaries. The Board and Glenn thanked Ann for her efforts as Freeholder-liaison.

Mr. Maraziti agreed with Ann about what a wonderful, cohesive and cooperative group this is compared to others. He has had the same experience representing many public bodies from the northern part of the State to the bottom of the State. This is such an amazing, impressive and professional group of public spirited people and it is pleasure to be at these meetings.

Chairman Druetzler wished everyone a happy holiday and a healthy and happy new year.

There being no further New Business, this portion of the meeting was closed.

There being no further Business, Chairman Druetzler asked for a Motion to adjourn the meeting at 6:20 p.m.

MOTION: Mr. Plambeck made a Motion to adjourn the meeting at 6:20 p.m. Mr. Dour seconded the Motion and it was carried unanimously.

/mr

Marilyn Regner
Secretary