

## MINUTES OF REGULAR MEETING

**MAY 6, 2014**

The Regular Meeting of the Morris County Municipal Utilities Authority was held on May 6, 2014 at 7:07 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey. The necessary notice of this meeting was published according to the law.

Chairman Dour requested a roll call.

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

ABSENT: Dr. Dorothea Kominos and Ms. Laura Szwak.

Also present was Glenn Schweizer, Executive Director; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brent Carney, Esq., Maraziti, Falcon & Healey; Larry Gindoff, Solid Waste Coordinator; Kathleen Hourihan, District Recycling Coordinator; and Freeholder-liaison David Scapicchio.

Chairman Dour asked for the Board's approval of the Minutes of the Regular Meeting dated April 8, 2014.

MOTION: Mr. Barry made a Motion to approve the Minutes of the Regular Meeting of April 8, 2014 and Mr Plambeck seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

### TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating, Water Operating and Capital Accounts for the month of April 2014. 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 April. These reports have been incorporated in these Minutes.

Mr. Kaletcher distributed 2013 Audit Reports to the Board for their review and comments. He advised that Mr. Schroeder of Nisivoccia & Co. will be at the June Board Meeting to report on the audit and to answer any questions the Board may have. Formal action will follow. If you have any questions before next month's meeting, please give me a call.

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

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

(Mr. Plambeck stepped out of meeting at 7:09 p.m. and returned at 7:10 p.m.)

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

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

### BILL RESOLUTION NO. 14-24

**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. 14-24 containing 7 pages for a total of \$2,805,918.84 dated and made a part hereof by reference.

**SUMMARY**

**CHECK NUMBERS**

CAPITAL FUNDS	1089-1090	\$ 345.47
WATER OPERATING FUNDS	2439-2478	153,271.15
SOLID WASTE OPERATING	4241-4334	<u>2,652,302.22</u>
<b>TOTAL</b>		<b>\$ 2,805,918.84</b>

**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: May 6, 2014

BOARD CHAIRMAN APPROVAL

\_\_\_\_\_  
Christopher Dour, 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: May 6, 2014

DATE: May 6, 2014

\_\_\_\_\_  
Larry Kaletcher, Treasurer

**MOTION:** Dr. Nusbaum made a Motion that the vouchers be approved for payment and Mr. Druetzler seconded the Motion.

**ROLL CALL:** AYES: 7      NAYES: NONE      ABSTENTIONS: NONE

**CORRESPONDENCE:**

Mr. Schweizer mentioned that Board members should have received their invitations for the Freeholder's annual reception for volunteers that it is being held on Tuesday, May 20th from 5:30 p.m. to 7:30 p.m. at the Frelinghuysen Arboretum. You can RSVP on your own or you can call Marilyn and we will RSVP for you.

Mr. Schweizer advised the Board that Jack Schrier is at Kessler going through some rehabilitation. We will send a card on behalf of MUA Board and Staff.

With regard to Item No.1 of the Correspondence Report, the MUA received an email from the Park Commission, which also had attached the report from last year's Deer Management Program. The Park Commission asked if we are interested in participating in the program for the upcoming season. Staff discussed this and we are very much interested in participating in the program again, as it is a very good program and it has been very effective. The Park Commission asked about starting the hunt in September or October; hunting on Saturday, and using cross bow and deer drives. My concern about Saturday hunting is heavier trail use and this was also a concern expressed by Laura Szwak. However, Operations Staff, who are out there during the week and on Saturday, say that use of the trail is the same during the week as it is on Saturday. Following discussion, Mr. Schweizer recommended not hunting on Saturday and for similar safety reasons not using crossbows, deer drives and hunting from ground level. Operations Staff does not want cross bow hunting because of its long range, and they still want hunters to continue using tree stands so they are shooting down. He mentioned that the MUA has other properties it may add to the hunt. We are going to take a look at Camp Pulaski in Mount Olive for next year. The Board was in agreement with not allowing cross bows, deer drives or Saturday hunting, except for Frank Druetzler, who mentioned that hunters use cross bows in Morris Plains but you have to have a tree stand because you have to fire down. There was a consensus to keep the prohibitions in place for this year and revisit them for the following program.

Dr. Nusbaum asked how well posted are these hunts such that the public going on the trail so they can see it and Mr. Schweizer replied that they have special color signs and all the trail heads are marked.

Email dated April 24, 2014 to Glenn Schweizer from Kelli Kovacevic, Superintendent of Natural Resources Management, Park Commission, advising that the 2013/2014 Deer Management Report is on their website and also inquiring if the MUA would like the Park Commission to include the Alamatong Wellfield and/or other properties in this year's program.

Letter dated April 16, 2014 to Anthony Fontana, Bureau Chief, NJDEP, Division of Solid and Hazardous Waste, Bureau of Transfer Stations and Recycling Facilities from Larry Gindoff regarding Lake Weed Recycling from NJDEP Regional Lakes at the MCMUA Camp Pulaski Compost Facility.

Letter dated May 1, 2014 to New Jersey Department of Environmental Protection from Anthony Milonas, Supervisor of Water Operations, regarding T1 Reports for the Morris County M.U.A. for the month of April 2014.

Letter dated May 1, 2014 to New Jersey Department of Environmental Protection from Anthony Milonas, Supervisor of Water Operations, regarding the Disinfectant Residuals Report for M.U.A. for the month of April 2014.

### **ENGINEER'S REPORT:**

Mr. Platt reported that the Water Committee discussed the status of the Rockaway Well and Staff's discussions with DEP, the Highlands Council and Morris County Planning Board. The outcome of the meeting is that we have our consultant Frank Getchell supply additional information to DEP that they have requested and that we will also request DEP to schedule a meeting now, set a date, so that we can finally get a yes or no answer. That is the objective to finding out whether or not we have a chance to approve that well.

Mr. Schweizer informed the Board that the County of Morris had a Hurricane Jack exercise that John and he participated in. He mentioned that we updated the MUA plan and took it to the session. He briefed the Board on the exercise and mentioned that it was extremely interesting and the OEM people did a great job.

### **PROJECT STATUS:**

#### **1. Roof Repair Project (RFP -14-2W)**

- A. John Scarmozza and Anthony Milonas met with Michael Rodriguez, the project architect from D&B Engineers, to tour the facilities included in the roof repair project and exchange ideas prior to the start of the investigation and evaluation of the roofs. The MCMUA reiterated its project goals and identified changes to the facilities that occurred over time which may impact the investigation and evaluation. Mr. Rodriguez understood the MCMUA goals while demonstrating a high degree of technical experience and pragmatism when discussing various roof repairs and retrofits. He will try to contact the MCMUA weekly during the project evaluation and design period to report progress and discuss findings.

2. **SCADA Upgrades, Contract W-10, Furnishing & Deliver SCADA Hardware & Equipment**

- A. Walker Engineering contacted the MCMUA with its schedule to deliver the SCADA hardware and equipment by May 20<sup>th</sup>. Anthony Milonas ordered the enclosures and mounting hardware needed to install the equipment; by the time the SCADA programmer is hired and ready to begin work in September all of the hardware will be prepared and ready to be installed by the MCMUA and integrated by the Programmer.

**GENERAL**

1. **SYSTEM**

- A. The replacement of Mine Hill pump, to replace the defective pump located in the Mt. Arlington Pumping Station, is scheduled for delivery on May 12<sup>th</sup>. Anthony Milonas will coordinate replacement of the pump and the balancing and alignment contractor services to minimize pump downtime. While the pump is out-of-service, the Mine Hill PRV will again be the means of water supply to the 1040 gradient, however with the recent valve repair and Mine Hill Tank in service pressure fluctuations should be negligible.
- B. Glenn Schweizer and John Scarmozza took part in a Morris County “mock” emergency drill to test the County’s preparedness for another Hurricane Sandy like event. The MCMUA took the opportunity to familiarize itself with County Emergency plans and to review its emergency response plans and update them as needed.

**SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:**

Mr. Gindoff reported to the Board that next week he will be attending a Debris Management Workshop that DEP is putting on and they have invited Solid Waste Coordinators and OEM personnel. With respect to April tonnage at the transfer stations, the increase was 2.4% over last three years instead of 2.71%. With respect to our Household Hazardous Waste program, we received bids for three of our major programs and asked for the Board’s approval of the following resolutions:

RESOLUTION NO. 14-25  
RESOLUTION AWARDING A NEW CONTRACT  
FOR THE MARKETING OF  
CLASS D RECYCLABLE MATERIALS  
**(USED CONSUMER ELECTRONICS)**

**WHEREAS**, on March 28, 2014, the Morris County Municipal Utilities Authority (“MCMUA”) issued a Request for Quotations seeking quotations for marketing of Class D recyclable materials generated by residents and commercial generators of hazardous and/or universal waste in Morris County; and

**WHEREAS**, the recyclable materials for which the MCMUA sought quotations are a mixture of used consumer electronics containing circuit boards, such as stereos, televisions, video cassette recorders, digital clocks, DVD players, telephones, cell phones, printers, scanners, fax machines, copiers, computers, monitors, pagers, personal computers, personal digital assistants, MP3 players, computer peripherals and computer parts and accessories, including keyboards and mice (hereinafter “UCE”); and

**WHEREAS**, two quotations were received by the MCMUA by April 22, 2014, one (1) from Newtech Recycling, Inc. and one (1) from Electronic Manufacturers Recycling Management Company, L.L.C. (“MRM”); and

**WHEREAS**, the MCMUA has made the following factual findings:

A. The amounts of the quotations submitted are set forth below:

<u>Submitter</u>	<u>One-year Contract</u>	<u>One-year Ext.</u>	<u>One-year Ext.</u>
Newtech Recycling	\$5,000.00 min.	\$5,000.00 min.	\$5,000.00 min.
MRM	\$0.00	\$0.00	\$0.00

**WHEREAS**, the quotation submitted by MRM, 5775 Wayzata Boulevard, Suite 700, Minneapolis, Minnesota 55416, which quotes a price per pound of \$0.00 for the Permanent Household Hazardous Waste Facility and \$0.00 for the up to 4 Collection Day Events, is the lowest responsive quotation; and

**WHEREAS**, the MCMUA desires to accept the MRM proposal for a term of one (1) year, commencing on or about July 26, 2014, together with two (2) consecutive one-year options, exercisable at the sole discretion of the MCMUA.

**WHEREAS**, the funds to cover the costs related to marketing of Class D Recyclable Materials are to be paid by MRM at no cost to the MCMUA.

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

1. The MCMUA shall award a contract for the Marketing of Class D Recyclable Materials to MRM based on its proposal.

2. The Executive Director of the MCMUA is authorized and directed to execute a contract with MRM for an amount not to exceed \$0.00 for a term of one (1) year, with an option to extend the terms of this contract, to be exercised at the discretion of the MCMUA, for two (2) additional one-year terms for an amount not to exceed \$0.00 for the first one (1) year option and \$0.00 for the second one (1) year option.

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, 214A Center Grove Road, Randolph, New Jersey 07869.

4. A copy of this Resolution is being forwarded to the MCMUA Treasurer and MRM, 5775 Wayzata Boulevard, Suite 700, Minneapolis, Minnesota 55416.

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, May 6, 2014.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Mr. Plambeck made a Motion to award a new contract for the Marketing of Class D Recyclable Materials (Used Consumer Electronics) to MRM and Dr. Nusbaum seconded the Motion.

**ROLL CALL:** AYES: 7 NAYES: NONE ABSTENTIONS: NONE

RESOLUTION NO. 14-26  
RESOLUTION AWARDING CONTRACT TO MXI ENVIRONMENTAL SERVICES  
FOR THE OPERATION OF THE YEAR 2014  
MORRIS COUNTY HOUSEHOLD HAZARDOUS WASTE CLEANUP PROGRAM

**WHEREAS,** on March 25, 2014, the Morris County Municipal Utilities Authority (“MCMUA”) issued a Notice to Bidders seeking sealed competitive bids for the Operation of the Year 2014 Morris County Household Hazardous Waste Disposal Program; and

**WHEREAS,** the MCMUA received two (2) sealed competitive bids on April 22, 2014, one (1) from Clean Venture, Inc. and one (1) from MXI Environmental Services, and the same have been reviewed by MCMUA staff and counsel to determine compliance with the bid specifications in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-2, et. seq.; and

**WHEREAS,** the MCMUA has made the following factual findings and determinations:

A. The amounts bid by the bidders are set forth below:

<u>Bidder</u>	<u>One-year Contract</u>	<u>One-year Extension</u>	<u>One-year Extension</u>
Clean Venture, Inc.	\$106,400.00	\$109,200.00	\$112,000.00
MXI Environmental Services	\$101,164.00	\$101,164.00	\$101,164.00

B. The bid submitted by MXI Environmental Services in the amount of \$101,164.00 for a term of one (1) year, an additional \$101,164.00 for an extended term of one (1) year, and an additional \$101,164.00 for an extended term of one (1) year is the lowest responsive bid.

**WHEREAS,** the MCMUA Treasurer has certified that funds are available in the following line item – Household Hazardous Waste 4-01-1-600-800-726 to pay the entire contract amount.

**NOW, THEREFORE, BE IT RESOLVED**, by the MCMUA as follows:

1. The MCMUA awards the Year 2014 Household Hazardous Waste Cleanup Program Contract to MXI Environmental Services.
2. The Executive Director of the MCMUA is authorized and directed to execute a Contract with MXI Environmental Services, for an amount not to exceed \$101,164.00 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 (1) year terms for an amount not to exceed \$101,164.00 for the first one-year extension and for an amount not to exceed \$101,164.00 for the second one-year extension.
3. A copy of this Resolution and applicable contracts shall be available for public inspection at the offices of the MCMUA, 214A Center Grove Road, Randolph, New Jersey 07869.
4. A copy of this Resolution is being forwarded to the MCMUA Treasurer and MXI Environmental Services, 297 Zimmerman Lane, Langhorne, Pennsylvania 19047.
5. 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 Tuesday, May 6, 2014.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to award the contract to MXI Environmental Services for the Operation of the Year 2014 Morris County Household Hazardous Waste Cleanup Program and Mr. Plambeck seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

RESOLUTION NO. 14-27  
 RESOLUTION AWARDDING CONTRACT TO MXI ENVIRONMENTAL SERVICES  
 FOR THE YEAR 2014 OPERATION OF THE  
 MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY'S  
PERMANENT HOUSEHOLD HAZARDOUS WASTE FACILITY

**WHEREAS**, on March 25, 2014, the Morris County Municipal Utilities Authority (“MCMUA”) issued a Notice to Bidders seeking sealed competitive bids for the Year 2014 Operation of the Morris County Municipal Utilities Authority’s Permanent Household Hazardous Facility 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 (1) year periods; and

**WHEREAS**, the MCMUA received two(2) sealed competitive bids on April 22, 2014, one (1) from Clean Venture, Inc. and one (1) from MXI Environmental Services, and the same have been reviewed by MCMUA staff and counsel to determine compliance with the bid specifications in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-2, et. seq.; and

**WHEREAS**, the MCMUA has made the following factual findings and determinations:

A. The amounts bid by the bidders are set forth below:

<u>Bidder</u>	<u>One-year Contract</u>	<u>One-year Ext.</u>	<u>One-year Ext.</u>
Clean Venture, Inc.	\$204,100.00	\$206,780.00	\$216,800.00
MXI	\$129,960.00	\$129,960.00	\$129,960.00

B. The bid submitted by MXI Environmental Services in the amount of \$129,960.00 for a term of one (1) year, an additional \$129,960.00 for an extended term of one (1) year, and an additional \$129,960.00 for an extended term of one (1) year is the lowest responsive bid.

**WHEREAS**, the MCMUA Treasurer has certified that funds are available in the following line item – Household Hazardous Waste 4-01-1-600-800-726 to pay the entire contract amount.

**NOW, THEREFORE, BE IT RESOLVED**, by the MCMUA as follows:

1. The MCMUA awards the Year 2014 Operation of the Morris County Municipal Utilities Authority’s Permanent Household Hazardous Facility contract to MXI Environmental Services.
2. The Executive Director of the MCMUA is authorized and directed to execute a contract with MXI Environmental Services, for an amount not to exceed \$129,960.00 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 (1) year terms for an amount not to exceed \$129,960.00 for the first one-year extension and for an amount not to exceed \$129,960.00 for the second one-year extension.

3. A copy of this Resolution and applicable contracts shall be available for public inspection at the offices of the MCMUA, 214A Center Grove Road, Randolph, New Jersey 07869.
4. A copy of this Resolution is being forwarded to the MCMUA Treasurer and MXI Environmental Services, 297 Zimmerman Lane, Langhorne, Pennsylvania 19047.
5. 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 Tuesday, May 6, 2014.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to award the contract to MXI Environmental Services for the Year 2014 Operation of the MCMUA's Permanent Household Hazardous Waste Facility and Mr. Platt seconded the Motion.

Mr. Hudzik mentioned this is a huge difference in cost; do they just want the business? Mr. Gindoff replied that MXI has done this work before and they have come down in their setup pricing and he guessed that Clean Venture didn't want the contract as much as MXI. We are very happy with MXI.

Dr. Nusbaum asked if there is any way that we could beef up the publicity on the Household Hazardous Waste program as the numbers have decreased. Mr. Gindoff replied that the numbers have decreased because of people having the availability to take e-waste to other places. He will also take a look at expanding the promotion of our program.

ROLL CALL: AYES: 7      NAYES: NONE      ABSTENTIONS: NONE

Lastly, we are currently seeking quotations for the recycling of antifreeze that we take at the permanent facility and we should have an antifreeze contract and resolution by next month's meeting. Chairman Dour asked if we get much antifreeze and is their other mechanisms to get rid of it and Mr. Gindoff replied that towns and garages don't take it; we are pretty much the only one that takes it.

With regard to the Mascaro litigation, Mr. Carney advised the Board that we had Oral Argument before Judge Weisenbeck on Friday, April 25<sup>th</sup> with respect to the Summary Judgment motion that had been filed by Covanta and Waste Management. He thought it went quite well for Mascaro and the MCMUA in terms of the arguments. If anyone has any questions, he would be happy to answer them in Executive Session. Mr. Druetzler asked when there might be a decision and Mr. Carney replied that he believes that a decision should be issued very soon; there is no set date.

## **TRANSFER STATIONS**

**Tonnage** – For the month of April 2014, a total of 33,887.281 tons of solid waste is projected to be accepted at the two transfer stations. This projection is based on actual tonnage handled at the transfer stations through April 29, 2014 with one day left in the month. The actual tonnage accepted for April 2014 will be provided to the Board at the May 6 meeting. Based on the

monthly projection, April 2014 will accept 2.71% more than the 32,994 tons accepted in April 2013. Please reference the Transfer Station Disposal Report for additional information.

**Legal Challenges to the Transfer Station Procurement** – With the Appellate Division’s December 2013 reversal of Judge Weisenbeck’s determination to deny preliminary injunctive relief, the matter is now back before Judge Weisenbeck. By the end of March, all briefs and reply briefs had been prepared and submitted to Judge Weisenbeck and oral argument was presented to the Court on April 25, 2014. As of the writing of this report, no decisions have been rendered since the April 25 oral arguments. Counsel will be present at the up coming MCMUA meeting to answer questions Board members may have on this matter.

## **HOUSEHOLD HAZARDOUS WASTE MANAGEMENT**

**Program Participation and Events** - During April 2014, a total of 111 residents and businesses delivered waste to the permanent household hazardous waste (HHW) facility in Mount Olive. This is up in participation from the previous month of March 2014, when 109 participants used the facility. April 2014’s participation represents a decrease from last year when 204 participants used the facility in April 2013. Participation has waned at the permanent facility over the previous several months compared to last year. The decrease in participation is primarily due to E-waste recycling and the fact that more and more of the county’s E-waste is being managed at local drop-off locations such as municipal recycling depots and retail drop-off locations versus the MCMUA’s permanent facility.

### **Vendor Contracts**

The contracts for the operation of the MCMUA’s two major HHW programs, as well as its E-waste program, will be expiring this spring. Currently, Clean Venture has the contract to operate the one-day events, MXI has the contract to operate the permanent facility and MRM has the E-waste contract. Staff prepared request for bids for both the operation of the permanent facility as well as operation of the one-day disposal events and prepared a request for quotations for the E-waste recycling contract. Requests for proposals for each of these three contracts were received by the MCMUA on April 22, 2014.

With respect to the permanent facility contract, two bidders submitted proposals, MXI and Clean Venture. The MXI proposal of \$129,960 for the first year of the contract, as well as and the two optional one-year extensions, was lower than the \$204,100 proposed for the first year by Clean Venture with escalating costs proposed for the two-optional one-year extensions. MXI is the lowest responsive bidder and MXI has been the vendor operating the permanent facility for the previous contract and the MCMUA has been satisfied with their service. As such, Staff will prepare a resolution for the Board’s consideration at the May 6 Board meeting that recommends awarding of the permanent facility contract to MXI. It should be noted that compared to the prices bid by MXI in 2011 for the same contract, the per-day setup fees are less while the price per pound for materials handled is higher than 2011 pricing.

With respect to the one-day HHW event contract, two bidders submitted proposals, MXI and Clean Venture. The MXI proposal of \$101,164 for the first year of the contract, as well as and the two optional one-year extensions, was lower than the \$106,400 proposed for the first year by Clean Venture with escalating costs proposed for the two-optional one-year extensions. MXI is the lowest responsive bidder and MXI has been the vendor for the one-day HHW events in the past and the MCMUA has been satisfied with their service operating as the one-day event contractor. As such, Staff will prepare a resolution for the Board’s consideration at the May 6 Board meeting that recommends awarding of the one-day HHW event contract to MXI. It should be noted that the price per vehicle paid to Clean Venture at the end of the current contract is \$40/vehicle which is more expensive than the \$36.13/vehicle proposed by MXI in its newest proposal.

With respect to the E-waste or used consumer electronics (UCE) recycling quotation, two vendors submitted proposals, NewTech and MRM. The MRM proposal of \$0 for the first year of the contract, as well as for the two optional one-year extensions, was lower than the \$5,000 minimum proposed for the first year by NewTech, as well as for the two optional one-year extensions. MRM provided the lowest responsive quote and MRM has been the vendor for the UCE contract in the past and the MCMUA has been satisfied with their service operating as the UCE contractor. As such, Staff will prepare a resolution for the Board's consideration at the May 6 Board meeting that recommends the award of the UCE contract to MRM.

## **VEGETATIVE WASTE MANAGEMENT –APRIL 2014**

**Facility Report** – As of the writing of this report, the Vegetative Waste Management Report for April 2014 was still being compiled and will be presented to the Board at the May 6 meeting. Residential deliveries of mulch and compost began on April 14 and will continue through September 26, 2014. The demand for residential delivery orders seems on par with previous years.

## **MORRIS COUNTY OPEN SPACE COMMITTEE**

At an April 7 meeting of the Open Space Trust Fund Committee, the completion of the OSTFC's diversion policy was discussed and finalized. The diversion policy provides guidelines for the OSTFC to use when considering requests to divert open space for some type of public use in exchange for some other appropriate amount of open space to replace the diversion. The policy was proactively drafted and adopted at a time when there were no diversions were being sought. Now that it is in place, the OSTFC can consider diversion requests in a fair way based on its adopted diversion policy. Additionally, at this meeting the OSTFC was provided summaries of four current projects under consideration and extension requests they submitted to the committee. The committee voted to approve the extensions for all the applications to the extent that they can be granted. At this point there is not another OSTFC meeting scheduled until early September when it is anticipated that the committee will begin to tour and review applications.

## **RECYCLING REPORT:**

Ms. Hourihan handed out an updated sheet for the recycling tonnage that was collected which covers the entire month of April. She also mentioned that April 30<sup>th</sup> was the deadline for the municipalities to submit their tonnage reports for 2013 to DEP and out of the 39 municipalities, we had 14 submitted by the 30<sup>th</sup>. We sent out another reminder and we got another six so we have half in and the rest will follow. The DEP has made this a soft deadline so we will keep after the Coordinators so they all get in.

Chairman Dour mentioned that the Recycling Awards Dinner was very well attended and was a very nice affair. Mr. Platt said that he enjoyed it as well. Ms. Hourihan commented that she thought it was nice that Penny got a standing ovation for her last dinner and the Board concurred. Ms. Hourihan mentioned that invitations for Penny's retirement dinner have been emailed out. Mr. David Scapicchio said that he will be attending Penny's retirement dinner and will bring a proclamation from the Board.

## **Recycling Operations**

**Revenue and Tonnage** – The ReCommunity preliminary February statement was received March 14 in the amount of \$11,112. In addition to the new calculations on the February statement that had to be made due to the roof collapse at the facility, there were several issues with tickets, since trucks now need to weigh in at Trinity's scale, adding an extra layer of handling to the tickets. The revised February statement (as of April 28) is now in the amount of \$9,725. The preliminary March statement was received on April 24 in the amount of \$9,643.

The tonnage collected by the MCMUA during April through April 25 was 1,192 tons. The monthly tonnage is shown by material and by customer on the attached report.

**Purchase of New Trucks** – During April, staff is preparing the bid for the purchase of a new roll-off truck. The bid will be issued during May and staff plans to award the bid at the June Board meeting. The compactor truck bid specification should be ready to bid during June.

## **Events/Education/Miscellaneous**

**Clean Communities** – Slam Dunk the Junk: So far, 2 schools have completed clean-ups. Most schools clean-ups are planned for May. Educational Programs: In April, the MCMUA funded 12 educational programs at various schools, the Wharton Library and the Denville Green Fair. Additionally, staff gave a presentation at the Wharton Library. Road Clean-ups: There were two road clean-ups in April on the 14<sup>th</sup> and 28<sup>th</sup>. MCMUA curbside crews cleaned a total of 13 miles of road counting both sides.

**Awards Dinner** – The recycling awards dinner, Highly Caffeinated Recycling, was held on Friday, April 11 at the Hanover Manor. This year, the dinner was in a newly renovated room at the Manor. Once again, students from the County College of Morris modeled fashions they designed from recycled material. There were many people/organizations recognized for their outstanding recycling efforts. This year was Penny Jones's last year for organizing and hosting the dinner, as Penny will be retiring at the end of June. Penny received a standing ovation when she had her turn to model her dress which was designed by Liz Sweedy and made of coffee filters.

**Recycling Inspections/Outreach** – In April, 20 transfer station loads suspected of improperly containing mandated recyclable materials were photographed and written-up by MCMUA tipping floor inspectors.

During April, staff worked with many generators and haulers to inform them of the recycling requirements in Morris County. The list below is a sample.

- Benmoore Construction Group and their hauler, Waste Management regarding construction at the Rockaway Mall.
- Toll Brothers and their hauler, Blue Diamond, regarding construction sites in Mt Olive and Randolph.
- Richter and Ratner Construction and their hauler, Blue Diamond regarding their Nolan's Ridge condo construction project in Mt Arlington.
- AvalonBay Communities, Inc regarding their construction site in Wharton for a 250 unit rental development.
- Sweetwater Construction Corp regarding a construction project in Mt Olive for Siemens Corp.
- Lecesse Construction regarding a renovation project at Heath Village in Long Valley.

**Boat Shrink Wrap** – The first load of boat shrink wrap was delivered to ReCommunity on April 11. Through April 23, there have been 4 loads delivered for a total of 2.9 tons.

**Event Containers** – The MCMUA's event containers for recycling and garbage were lent to the following organizations during April:

- Madison Green Fair on April 24

## **Miscellaneous Presentations/Meetings/Conference Calls/Correspondence**

- On Thursday, April 10, staff joined a webinar regarding managing employees.
- On Wednesday, April 16, staff met again with the new recycling coordinator for Chester Borough to help set-up his tonnage report.
- On Thursday, April 17, staff met with a representative of the Canfield MEWS in Randolph regarding questions about recycling in the complex.
- On Monday, April 21, staff met with a representative of NATH Sustainable Solutions, a company which sells in-vessel composting machines. As follow-up, staff plans to visit Bergen County College to see an in-vessel composter in May.
- On Tuesday, April 22, staff attended and ANJR (Association of New Jersey Recyclers) Board meeting held in Bergen County.
- Also, on Monday, April 22, staff met at the Briarwood Coachlight condos in Chatham Township to look at the recycling sheds and containers used there in order to prepare a cost proposal to add the complex to the Township's contract.
- On Thursday, April 24, staff attended the Madison Green Fair as an exhibitor.
- On Monday, April 28, staff met with the new recycling coordinator for Montville to assist her with the tonnage report.

**PUBLIC PORTION:**

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

**OLD BUSINESS:**

Mr. Schweizer advised the Board that we are closing tomorrow on the sale of 7 Doe Hill Road in Morris Township.

On the Black house project we need to submit an application to the Historic Preservation Office and gain their approval prior to having the auction for the Black House located on Whitehead Road in Morris Township. Mr. Schweizer informed the Board that Kit Falcon has been working with us on the application and on the easement that he needs to draft. He has recommended that he use a historic preservation consultant to assist in making sure the application is speaking the right language to the State Historic Preservation Office and also to help him with the easement. He expects a very minimal effort and he is familiar with Barton Ross from TBR. Mr. Schweizer recommended that we follow Counsel's recommendation to make the application process as quick and painless as possible. The Board concurred.

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

**NEW BUSINESS:**

Marilyn Regner informed the Board that they would be receiving an email from the Morris County Clerk's Office the week of May 12<sup>th</sup> regarding filing of Financial Disclosure Statements. The email will provide each Board Member with their ID number and pin number along with simple instruction for accessing the on-line filing system.

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

Chairman Dour read the following Resolution for the meeting to go into closed session at 7:54 p.m. for discussion in connection with pending litigation in the matter of Waste Management of N.J. v. MCMUA and Mascaro Sons Inc. and Covanta 4Recovery Inc. v. MCMUA and Mascaro Sons Inc.

**RESOLUTION AUTHORIZING A CLOSED SESSION FOR DISCUSSIONS  
REGARDING PENDING LITIGATION INVOLVING THE AUTHORITY**

WHEREAS, the Morris County Municipal Utilities Authority desires to discuss various matters in connection with pending litigation in the matter of Waste Management of N.J. v. MCMUA and Mascaro Sons Inc. and Covanta 4Recovery Inc. v. MCMUA and Mascaro Sons Inc; and

WHEREAS, the Morris County Municipal Utilities Authority is authorized to conduct a closed session in each of these instances pursuant to N.J.S.A. 10:4-12(b)(7) and N.J.S.A. 10:4-12(b)(5).

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

1. A closed session will be held immediately following the Public Portion of this meeting regarding pending litigation involving the Authority.
2. The matters discussed during this closed session relating to pending litigation shall be recorded and duly approved by the Board but shall be held in confidence and shall not be made available for public disclosure until such time as the matter has been settled, an

unappealable decision has been rendered by a court of competent jurisdiction or as otherwise required by law.

MOTION: Mr. Plambeck made a Motion for the meeting to go into closed session at 7:54 p.m. and Dr. Nusbaum seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

The meeting returned to open session at 8:07 p.m. with a Motion made by Mr. Plambeck, seconded by Mr. Druetzler and carried unanimously.

There being no further Business, Chairman Dour asked for a Motion to adjourn the meeting at 8:08 p.m.

MOTION: Mr. Platt made a Motion to adjourn the meeting at 8:08 p.m. and Mr. Hudzik seconded the Motion and it was carried unanimously.

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Marilyn Regner  
Secretary

/mr