

MINUTES OF REGULAR MEETING

FEBRUARY 10, 2015

The Regular Meeting of the Morris County Municipal Utilities Authority was held on February 10, 2015 at 7:11 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. Frank Druetzler, Mr. Fletcher Platt, Mr. Richard Plambeck, Ms. Laura Szwak, and Mr. Christopher Dour.

Mr. William Hudzik entered the meeting at 7:20 p.m.
Dr. Dorothea Kominos entered the meeting at 7:22 p.m.

ABSENT: Mr. James Barry, and Dr. Arthur Nusbaum

Also present was Glenn Schweizer, Executive Director; John P. Scarmozza, P.E., Chief Engineer; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brent Carney, Esq., Maraziti Falcon LLP; Larry Gindoff, Solid Waste Coordinator; Kathleen Hourihan, District Recycling Coordinator; and David Scapicchio, Freeholder-liaison.

Also present from Mascaro & Sons were Pasquale Mascaro, J.P. Mascaro and William Fox, Esq. and Albert J. Capuzzi from Jacobs Engineering.

Chairman Dour asked for the Board's approval of the Minutes of the Regular Meeting dated January 6, 2015.

MOTION: Mr. Plambeck made a Motion to approve the Minutes of the Regular Meeting of January 6, 2015 and Ms. Szwak seconded the Motion.

ROLL CALL: AYES: 5 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 January 2015. Also included are the Comparative Balance Reports for the Solid Waste and Water Divisions, as well as the investment report for the month of January in which there was no activity. These reports have been incorporated in these Minutes.

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. Plambeck seconded the Motion.

ROLL CALL: AYES: 5 NAYES: NONE ABSTENTIONS: NONE

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

BILL RESOLUTION NO. 15-18

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. 15-18 containing 7 pages for a total of \$2,329,659.12 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

CAPITAL FUNDS	1114-1115	\$ 4,776.68
WATER OPERATING FUNDS	2789-2832	161,257.83
SOLID WASTE OPERATING	5033-5132	<u>2,163,624.61</u>
	TOTAL	\$ 2,329,659.12

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: February 10, 2015

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: February 10, 2015

DATE: February 10, 2015

Larry Kaletcher, Treasurer

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

ROLL CALL: AYES: 5 NAYES: NONE ABSTENTIONS: NONE

CORRESPONDENCE:

Mr. Schweizer commented on the following items in the correspondence report: In Item 2 regarding the signing of the Deed of Architectural Facade Easement, he thanked the Freeholders for agreeing to hold this easement and mentioned that the auction for this property is still scheduled for April 2, 2015. In Item 3, which is a letter from Boonton's Mayor thanking curbside staff for a quick response to a problem that they were having at their recycling facility. He mentioned that it was nice to receive this letter as the curbside crew does an excellent job in all kinds of weather. Not such good news on the last item, which is regarding the Water Preservation bill, and even though parties in the water arena asked for more time to debate this bill, Governor Christie signed this bill into effect the other day.

Freeholder Resolution No. 35 adopted January 28, 2015 appointing Christopher Dour and Dorothea Kominos to serve on the MCMUA Board for another five-year term to expire on 2/2/20.

Freeholder Resolution No. 30 adopted January 28, 2015 authorizing the Director of the Board of Chosen Freeholders to sign and accept the Deed of Architectural Facade Easement for 82 Whitehead Road, Morris Township, NJ and all necessary documents in regards to this project.

Letter dated January 12, 2015 to Glenn Schweizer from Paul Allieri, Mayor of the Township of Boonton expressing gratitude to him and Dave Cole for their quick response to Freeholder Cabana's request for any emergency pick up at their recycling depot.

Letter dated January 28, 2015 to Ms. Shari Black, Case Manager, Superior Court of N.J., Appellate Division, from Joseph A. Fischetti, Esq., Lowenstein & Sandler LLP, (firm representing J.P. Mascaro) requesting a thirty-day extension of the remaining briefing on the current scheduling order.

Article dated January 28, 2015 by Peggy Gallos, AEA Executive Director, entitled "Key Elements Conveniently Left Out Of The Story About Water Preservation Bill".

Letter dated February 3, 2015 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 January 2015.

Letter dated February 3, 2015 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 January 2015.

(Mr. William Hudzik entered the meeting at 7:20 p.m.)
(Dr. Kominos entered the meeting at 7:22 p.m.)

ENGINEER'S REPORT:

Mr. Platt asked if there has been any activity on the Rockaway well and Mr. Scarmozza replied no, we have not heard anything. Mr. Scarmozza mentioned that there has been progress on the Scrub Oaks well. He mentioned that Fred Sickles brought the concept to the Highlands Council and they did not have an issue with the concept. They agreed with our hydrologic scenario and how the well would be operated. The downside is that the State is comfortable with only a 100MG annual allocation; they may up it at some future time based on the performance of the well and the recovery of the mine.

PROJECT STATUS:

1. Roof Repair Project, Contract No. 36

- A. The MCMUA received bids for the Rebid of Contract No. 36, New Roof Structure And Roof At 3 Pumping Stations, on January 29th; the bid being postponed two days due to the snow emergency declared by the Governor. Bid prices were again higher than expected; staff is discussing the bid results with the Consultant and is not prepared to make a recommendation at this board meeting.

2. SCADA Upgrades

- A. The Clyde Potts Pumping Station SCADA upgrades that had been completed a few months ago were bolstered by the addition of a mast and antenna to improve cellular communication performance. As with some of the remote meter pit sites, the strength of cellular signals varies throughout the area; the upgraded antennas provide strong continuous communication with the sites. The next Facility to have its SCADA upgraded will be the Markewicz Pumping Station which is the central control base followed by the Mt. Arlington Pumping Station which acts as the auxiliary control base.

The work at Markewicz will be straight forward hardware replacement with minor programming, the work at Mt. Arlington will involve a significant degree of hardware replacement as well as programming and will require multiple days to complete.

3. Rehabilitation and Recoating of the F.J. Markewicz Pumping Station Ground Storage Water Tanks

A. Staff met with Suburban Consulting Engineers (SCE) on January 15th to review their report and recommendations (attached) regarding the Markewicz tanks rehabilitation. Work on the first tank is scheduled to begin in late summer with work on the second tank following in the spring 2016. SCE suggested, and the MCMUA staff agreed, that the bid should contain an alternate bid item for the one coat system as opposed to the specified three coat system for the interior. SCE also suggested, and the MCMUA staff concurred, that paint manufacturers should be contacted and made aware of the ideal opportunity to perform a comparative study of the one coat system vs. the three coat system on this project. With two identical tanks operating in tandem under the exact same conditions a better field study could not be found. SCE thinks this opportunity to prove their product may motivate the paint manufacturers to be more cost competitive, however, even if didn't offer a cost savings (which we anticipate), a comparative study where they regularly monitor the interior coatings would be a benefit to the MCMUA, and the water industry overall.

4. Clyde Potts Pumping Station Pump Upgrade

A. As reported in November, MCMUA staff is concerned about the ability of the existing Clyde Potts Pumping Station pump to perform at the maximum draft rate required to meet the MCMUA 'take or pay' obligations with Southeast Morris County MUA (SMCMUA). The MCMUA increased its draft rate and annual volume with SMCMUA to close its contract volume deficit; in doing so it pushed the limits of the pump's performance to the point of unreliability at times. Staff had struggled with the pump design from day one, with the 40 horse power limit placed upon the facility by JCP&L and the voltage limits (240V vs. 480V) placed upon it by SMCMUA for aesthetic reasons (large outdoor equipment enclosures). It was difficult to find a pump that met all of the requirements, consequently a less durable but high efficiency vertical in-line pump was chosen. As previously stated, the pump has been pushed to its limit and it is time to revisit the 40 Hp cap set by JCP&L; to do so will require an electrical engineer. As staff continued to squeeze as much performance from the pump as possible, operational problems and retrofits have been required from time to time and Ralph Rocco, PE was called upon to perform the investigations. Mr. Rocco had been the original design engineer while at Power Technology Consultant and later represented his own firm, Associated Technology; his knowledge of the pumping station and expertise as an electrical engineer makes him uniquely qualified to represent the MCMUA in design discussions with JCP&L. The MCMUA requested a cost proposal (attached) for the aforementioned liaison with JCP&L, the MCMUA and pump manufacturers in order to rectify the pumping limitations at the station; the proposal was found to be acceptable and a Resolution awarding the service to Associated Technology for an amount not to exceed \$4,840.00 will be recommended to the Board.

5. RFP-14-4W Research and Assemble Background Data & Prepare an Asset Management Plan

A. The MCMUA Asset Management Plan Proposal Review Committee reviewed the proposals received and met with representatives of the firm that was determined to best and most economically address the needs of the MCMUA regarding data assembly and preparation of an asset management plan for the Water Division. Based upon their proposal submitted in response to RFP-14-4W, the review committee recommends the award of the professional service to prepare an Asset Management Plan to Jacobs Engineering in an amount not to exceed \$50,000.00.

GENERAL

1. SYSTEM

- A. Glenn Schweizer and John Scarmozza met with Southeast Morris County MUA on February 4th to clarify and confirm each others understanding of the terms and conditions being offered to Rockaway Township in an effort to satisfy the water supply litigation. The multi-party agreement among Morris County MUA, Southeast Morris County MUA, Rockaway Township and Wharton Borough appears to be the most efficient and economical solution to Rockaway's water deficit; however, other options are still being explored and may supplant the aforementioned plan.
- B. The MCMUA Water Division received a Notice of Violation from NJDEP regarding its failure to provide a quarterly sampling result for Nitrates from Alamatong Wells No. 4 & 8 during 2013, and for failure to obtain a construction permit for the Clyde Potts Pumping Station in 2004. Staff contested the Nitrate sampling violation on the grounds that the two wells in question were out of service at the time samples were being collected, A-4 with a blown motor and A-8 with blow-off equipment problems, and that Nitrate concentrations in both wells had before and since been far below the MCL for Nitrates and that the sampling oversight was reported to DEP in 2013 and was acknowledged in the 2014 Consumer Confidence Report. Staff contested the construction permit violation on the grounds that when the 'buy sell' agreement between the MCMUA and SMCMUA was made in 2002, it was understood that the pumping station and its NJDEP Construction Permit would be included in the Clyde Potts WTP project. Southeast later requested that the pumping station be removed from the WTP construction project for administrative reasons; however it had been assumed that the pumping station was still included with the WTP Construction Permit, which was not the case. Upon being notified of the missing construction permit in 2014, the MCMUA immediately prepared and filed an application and the retroactive permit was issued in November 2014. In both cases there was no health risk, and other than the oversights, no violation of DEP regulations. The missing sample results are considered major violations and carry a fine of \$5,000.00 each; the missing construction permit was considered a minor violation and carried a fine of \$2,000.00. In response to the MCMUA, DEP offered a settlement agreement for 50% of the penalty, a total of \$6,050.00; \$50.00 was the cost for the State Laboratory to sample the two wells.

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

RESOLUTION NO. 15-19
RESOLUTION TO AUTHORIZE THE AWARD OF A CONTRACT FOR
CONSULTING ENGINEER SERVICES TO PREPARE AN
ASSET MANAGEMENT PLAN FOR THE MCMUA WATER DIVISION

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) issued Request For Proposals, RFP 14-4W, on November 14, 2014 to identify a consulting engineering firm best suited to research, assemble data and prepare an Asset Management Plan for the MCMUA Water Division; and

WHEREAS, the MCMUA received proposals from the following consulting engineering firms:

1. Jacobs Engineering Group Inc.
2. Hatch Mott MacDonald
3. Suburban Consulting Engineers, Inc.

WHEREAS, the MCMUA selection committee, consisting of the Executive Director, Chief Engineer, Treasurer and Water Superintendent, reviewed the proposals; and

WHEREAS, the selection committee recommends awarding Jacobs Engineering Group Inc. the aforementioned professional service based upon the detailed proposal submitted and competitive fee; and

WHEREAS, the Authority has determined that the process utilized in selecting meets with the statutory requirements for award of a contract pursuant to the fair and open process under N.J.S.A. 19:44A-20-4 et seq.; and

WHEREAS, the MCMUA Treasurer certified that funds are available from the Engineering and Professional Services Account No. 4-02-6-900-925-230 to make an award.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 10th day of February 2015 as follows:

1. The Executive Director is authorized and directed to sign an agreement for professional engineering services with Jacobs Engineering Group Inc.,

299 Madison Avenue, Morristown, New Jersey 07960 for a fee not to exceed \$50,000.00.
2. A copy of the resolution and the executed agreement shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.
3. A copy of this resolution shall be published once in the official newspaper of the Authority.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on February 10, 2015.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Plambeck made a Motion to authorize the award of a contract for consulting engineer services to prepare an Asset Management Plan for the MCMUA Water Division for a fee not to exceed \$50,000 to Jacobs Engineering Group Inc. and Dr. Kominos seconded the Motion.

Mr. A. J. Capuzzi, representing Jacobs Engineering, thanked the MUA for the award and looks forward to doing this work for the MUA.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: Mr. Platt

RESOLUTION NO. 15-20
RESOLUTION TO AWARD A CONTRACT FOR
PERFORMANCE OF ELECTRICAL ENGINEERING SERVICES

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") requires the services of an electrical engineer to evaluate the existing electrical system at the MCMUA Clyde Potts Pumping Station and determine if the existing pump can be replaced with a pump having higher Total Dynamic Head capabilities; and

WHEREAS, Associated Technology, Inc. responded to a request for a price quotation with a price and scope of work acceptable to the MCMUA; and

WHEREAS, the MCMUA has determined that it shall make a contract award to Associated Technology, Inc., 24 Commerce Street, Newark, New Jersey 07102 for performance of said professional services based upon their price quotation and scope of work proposal dated January 19, 2015; and

WHEREAS, the MCMUA Treasurer has certified that funds for this professional service contract are available from the Water Division Engineering and Professional Services Account No. 4-02-6-900-925-230 in an amount not to exceed \$4,840.00.

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

1. The Executive Director is authorized and directed to execute a contract with Associated Technology, Inc. (hereinafter "the Engineer") in a form approved by the MCMUA Attorney.
2. The maximum authorized expenditure pursuant to the Contract approved hereby is \$4,840.00.
3. The Executive Director shall cause a copy of this Resolution to be published in accordance with law. A copy of the contract shall be kept available for public inspection at the MCMUA offices.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at a Regular Meeting held on February 10, 2015.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

By: _____
Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to award a contract for performance of electrical professional engineering services to Associated Technology Inc. in an amount not to exceed \$4,840.00 and Mr. Platt seconded the Motion.

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

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Gindoff reported that he did provide a summary of the bidding activities that went on with respect to the transfer station bids. He mentioned that on January 9th the MUA received three bids, of which J.P. Mascaro & Sons, our current operator of the transfer station contract, was the low bidder. They bid \$3.51 less per ton than we are currently paying and with respect to the fact that they have done an excellent job over the last two years running our transfer stations, we certainly support the approval of the new contract with them based on the resolution being presented this evening. Counsel, as well as the Consulting Engineer, did review J.P. Mascaro's bid submission and did not find any material defaults.

TRANSFER STATIONS

Tonnage – For the month of January 2015, 26,654 tons of solid waste was accepted at the two transfer stations for disposal. The January 2015 tonnage was 3.93% less than the 27,744 tons accepted a year ago in January 2014. Based on only one of the twelve months of the year, for 2015 the annual total tonnage is currently projected to be 359,450 tons which would be 3.93% less than the 382,757 tons accepted in 2014. Please refer to the Transfer Station Disposal Report by Month for additional information.

Transfer Station Re-Bid – On October 27, 2014 the MCMUA issued the transfer station re-bid as per the order of Judge Weisenbeck. The updated schedule for the bidding process is as follows:

- Publication of Notice to Bidders: Mon., October 27, 2014
- Tour of MCMUA Transfer Station Facilities: Tues., November 18, 2014
- *Issuance of Addendum No. 1:* Tues., November 25, 2014
- Deadline for Submission of Written Questions: Wed., December 3, 2014
- *Issuance of Addendum No. 2* December 15, 2014
- *Issuance of Addendum No. 3* December 23, 2014
- Bids Due: ~~Tues., January 6, 2015~~ Friday, January 9, 2015
- Contract Award: Not later than Tues., February 10, 2015
- Contract Start-Up: On or About Mon., April 6, 2015

The MCMUA received sealed proposals on January 9, 2015 with respect to this re-bid. Although ten firms had contacted the MCMUA to obtain a copy of the re-bid, only three firms submitted proposals on January 9. These three firms were:

1. Advanced Enterprises Recycling Inc. of Newark (AER),
2. Solid Waste Services, Inc. d/b/a J.P. Mascaro and Sons of Audubon, PA (JPM)
3. Waste Management of New Jersey of Ewing, NJ (WMNJ)

Regarding the cost proposals submitted on January 9, the proposal of JPM was the lowest cost followed by WMNJ and then by AER. Of note, Covanta, which was a party to the litigation challenging the previous transfer station bid, did not submitted a proposal on January 9. A summary of the prices, operations plus transport and disposal per ton costs, proposed by these three companies for the five years of the contract is provided below:

Bidder	Year 1	Year 2	Year 3	Year 4	Year 5	Total Bid
Advanced Enterprises Recycling, Inc.	\$78.43	\$80.79	\$82.40	\$84.04	\$85.72	\$411.38
J.P. Mascaro and Sons	\$63.68	\$63.68	\$63.68	\$63.68	\$63.68	\$318.40
Waste Management of New Jersey, Inc.	\$64.00	\$65.00	\$65.00	\$68.00	\$68.00	\$330.00

The January 9, 2015 proposal of JPM establishes prices for all five years of the contract at \$63.68/ton. This proposed cost is \$3.51/ton less than the \$67.19/ton the MCMUA is currently paying to JPM under the existing emergency contract, which is based on the prices proposed by JPM in 2012, also for all years of the proposed contract.

MCMUA staff, counsel and engineer have reviewed the bid submission of JPM with respects to the requirements of the bid and have determined JPM submitted the lowest cost responsive proposal. A resolution will be provided to the MCMUA Board for its consideration at the February 10, 2015 meeting awarding the 5-year transfer station contract to JPM.

HOUSEHOLD HAZARDOUS WASTE MANAGEMENT

Program Participation and Events - During January 2015, a total of 146 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 December 2014, when 124 participants used the facility. January 2015's participation represents an increase from last year when 120 participants used the facility in January 2014.

Fluorescent Light Bulb Recycling - With the arrival of a fork-lift at the Mt. Olive transfer station, which was originally used at the now shut-down Consolidation Center, the MCMUA will resume its fluorescent light bulb recycling program. Instead of consolidating the bulbs at the Consolidation Center, bulbs will be stored in covered containers just outside the tipping floor at the Mt. Olive transfer station. AERC.com is the recycler that the MCMUA has a contract with to collect the bulbs for transport to their recycling facility located in Allentown, PA.

Paint Recycling Legislation - Staff is tracking proposed legislation that would establish a paint recycling/product stewardship program for paints and coatings generated in New Jersey. On January 12, 2015, New Jersey's Senate Environment and Energy Committee passed, with a great deal of support, proposed S. 1420, the Architectural Paint Stewardship Act. If adopted, this bill would establish a program to facilitate the recycling of paints throughout NJ.

VEGETATIVE WASTE MANAGEMENT – January 2015

Facility Report – The vegetative waste figures for January 2015 were still being compiled as of the writing of this report. As such, vegetative waste recycling report for January 2015 will be presented to the Board at the February 10, 2015 meeting.

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

RESOLUTION NO. 15-21
RESOLUTION AWARDING A CONTRACT TO J.P. MASCARO & SONS
FOR THE OPERATION OF THE TWO MORRIS COUNTY SOLID WASTE TRANSFER
STATIONS, LOCATED IN PARSIPPANY-TROY HILLS TOWNSHIP AND MOUNT OLIVE
TOWNSHIP, INCLUDING PROVIDING TRANSPORTATION AND DISPOSAL OF ALL
SOLID WASTE RECEIVED AT THE TRANSFER STATION FACILITIES
FOR A PERIOD OF FIVE (5) YEARS AND TERMINATING THE EMERGENCY
CONTRACT WITH J.P MASCARO & SONS

WHEREAS (#1), by Resolution dated October 16, 2012, the Morris County Municipal Utilities Authority (the "Authority") awarded to J.P. Mascaro & Sons ("Mascaro"), the lowest responsible bidder, the Contract for the Combined Operation of the Two Transfer Stations, Transportation of Solid Waste to Final Disposal Facilities Via Over-the-Road Transfer Trailers, and Disposal of Solid Waste From the MCMUA's Two Transfer Stations for a Period of Five (5) Years (hereinafter, the "Original Contract"); and

WHEREAS (#2), the award of the Original Contract was contested by the two (2) of the bidders which resulted in Applications for Temporary Restraints being filed against the Authority in the Superior Court of New Jersey on or about October 23, 2012; and

WHEREAS (#3), the Trial Court denied both Applications for Temporary Restraints and as such, the Original Contract was subsequently executed by and between the Authority and Mascaro on December 18, 2012; and

WHEREAS (#4), by Order of the Appellate Court dated February 26, 2013, the Trial Court's determinations were reversed and the Original Contract was stayed pending the resolution of the litigation; and

WHEREAS (#5), in order to provide uninterrupted solid waste services to the residents

and businesses in Morris County which rely upon the Authority, by Resolution dated March 6, 2013, the Authority entered into an Emergency Contract for the Combined Operation of the Two Transfer Stations, Transportation of Solid Waste to Final Disposal Facilities Including Providing Transfer Trailers, and Disposal of Solid Waste Received at the Transfer Stations with Mascaro (the “Emergency Contract”); and,

WHEREAS (#7), the Emergency Contract was permitted by the Appellate Court to remain in effect through the resolution of the litigation and pursuant to Resolution No. 14-14 dated February 11, 2014, the Authority affirmed the award of the Emergency Contract to Mascaro and resolved to keep the Emergency Contract in effect through the resolution of the litigation accordingly; and

WHEREAS (#8), following the issuance of the February 26, 2013 Appellate Court Order, and following certain motion practice, on June 17, 2014, the Trial Court ordered the Authority to re-bid the Original Contract and to continue to operate under the Emergency Contract pending the re-bidding process (the “Order”); and

WHEREAS (#9), after the review and approval of the Bid Specifications by the New Jersey Office of State Comptroller (“OSC”) and in accordance with timeframes set forth in the Order, on October 27, 2014, the Authority advertised its solicitation of bids for the Operation of the Two Morris County Solid Waste Transfer Stations Including Transportation and Disposal of All Solid Waste Received at the Transfer Station Facilities, with three (3) Addenda being issued on November 25, 2014, December 15, 2014, and December 27, 2014, respectively; and

WHEREAS (#10), on January 9, 2015, the Authority received sealed bids from Advanced Enterprises Recycling, Inc., having an address of 540 Doremus Avenue, Newark, New Jersey; J.P. Mascaro & Sons, having an address of 2650 Audubon Road, Audubon, Pennsylvania; and Waste Management of New Jersey, Inc., having an address of 107 Silvia Street, Ewing, New Jersey; and

WHEREAS (#11), the bid prices received by the Authority are summarized on the “Transfer Station Bid – Price Proposals – January 9, 2015” attached hereto as **Schedule A**; and

WHEREAS (#12), the bid of J.P. Mascaro & Sons, being the apparent lowest bidder, was reviewed by the Authority, Glenn Schweizer, Executive Director, Larry Gindoff, Solid Waste Coordinator, Larry Kaletcher, Treasurer, legal counsel Maraziti Falcon, LLP, and technical consultant Kenneth Gallagher, P.P., AICP of CHA Consulting, to determine

compliance with the Authority's Bid Specifications in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS (#13), Kenneth Gallagher, P.P., AICP of CHA Consulting, technical consultant to the Authority, by letter dated February 4, 2015, which remains on file at the administrative offices of the Authority and is incorporated herein by reference, has advised that the bid of J.P. Mascaro & Sons meets the Minimum Technical Specifications required by the Bid Specifications, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS (#14), Brent T. Carney, Esq., legal counsel for the Authority, by letter dated February 5, 2015, which remains on file at the administrative offices of the Authority and is incorporated herein by reference, has advised that the bid of J.P. Mascaro & Sons satisfies all material aspects of the Bid Specifications and as such, is in compliance with the Bid Specifications in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS (#15), the Authority's Treasurer has certified that funds are available in account 5-01-5-600-620-271 for landfill disposal costs and account 5-01-5-600-620-272 for transfer station operations costs, respectively.

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

1. The Executive Director is authorized to issue a Notice of Award and to enter into the Contract with J.P. Mascaro & Sons for the Operation of the Two Morris County Solid Waste Transfer Stations Including Transportation and Disposal of All Solid Waste Received at the Transfer Station Facilities for a period of five (5) years (the "New Contract").

2. The New Contract awarded herein to J.P. Mascaro & Sons shall commence after: (a) the full execution of the New Contract; (b) the submission of all required insurance certificates required by the New Contract in a form acceptable to the Risk Manager of Morris County; (c) the submission of any other documentation required by the New Contract in a form acceptable to the Authority; and (d) after the issuance of a Notice to Proceed is duly signed by the Executive Director.

3. The Executive Director is authorized to issue a Notice of Termination and to terminate the Emergency Contract with J.P. Mascaro & Sons, effective upon satisfaction of the

requirements of Paragraph 2 above and the commencement of the New Contract.

4. The Authority hereby waives any and all immaterial defects in the bid submitted by J.P. Mascaro & Sons on January 9, 2015.

5. The bids of the unsuccessful bidders are hereby rejected and the Executive Director is hereby authorized to so notify the unsuccessful bidders accordingly.

6. The Executive Director is hereby authorized to release the bid securities submitted by: (1) Waste Management of New Jersey, Inc.; and (2) Advanced Enterprises Recycling, Inc. in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

7. The Executive Director is hereby authorized and directed to execute any other necessary documentation and to take all other actions necessary or desirable to fully effectuate the terms and conditions of this Resolution.

8. A copy of this Resolution shall be sent to all persons that submitted a bid for “Operating the Two Morris County Solid Waste Transfer Stations Including Transportation and Disposal of All Solid Waste Received at the Transfer Station Facilities for a Period of Five (5) Years.”

9. The Executive Director is hereby authorized to submit to the OSC any required documentation, including a copy of the executed New Contract, all addenda to the Bid Specifications that were issued by the Authority, and any pre-award and/or post-award protests and related decisional documents, if any, as well as a copy of this Resolution and the Schedule attached hereto.

10. Additionally, a copy of this Resolution shall be submitted to the Authority’s Treasurer and shall remain on file at the administrative offices of the Authority.

11. 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 February 10, 2015.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to award the contract for the operation of the two Morris County Solid Waste Transfer Stations, Located in Parsippany-Troy Hills Township and Mount Olive Township, Including Providing Transportation And Disposal Of All Solid Waste Received At The Transfer Station Facilities For A Period Of Five (5) Years And Terminating The Emergency Contract With J.P. Mascaro & Sons and Mr. Platt seconded the Motion.

Mr. Pasquale Mascaro stated that in all sincerity, we are really appreciative of the opportunity to work here the past two years and we hope that we have demonstrated to you our commitment. We have tried to give you what we believe is the best in this industry and I think you will find that you will receive the same type of commitment for the next five years. We are really grateful that we have the opportunity to stay here and continue here because when we bid here, we certainly didn't think we would be here for only two years. We look forward to working with you and thank you for all the cooperation that you extend to our people on a daily basis.

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

**Schedule A
Morris County Municipal Utilities Authority
Transfer Station Bid - Price Proposals - January 9, 2015**

Bidder	Year 1			Year 2			Year 3			Year 4			Year 5			Total For Evaluation
	Oper.	Trans/Disp	Total	Oper.	Trans/Disp	Total	Oper.	Trans/Disp	Total	Oper.	Trans/Disp	Total	Oper.	Trans/Disp	Total	
Advanced Enterprises	\$10.25	\$ 68.18	\$ 78.43	\$10.56	\$ 70.23	\$80.79	\$10.77	\$ 71.63	\$82.40	\$10.98	\$ 73.06	\$84.04	\$11.20	\$ 74.52	\$85.72	\$ 411.38
J.P. Mascaro	\$10.01	\$ 53.67	\$ 63.68	\$10.01	\$ 53.67	\$63.68	\$10.01	\$ 53.67	\$63.68	\$10.01	\$ 53.67	\$63.68	\$10.01	\$ 53.67	\$63.68	\$ 318.40
Waste Management	\$ 9.09	\$ 54.91	\$ 64.00	\$ 9.23	\$ 55.77	\$65.00	\$ 9.23	\$ 55.77	\$65.00	\$ 9.65	\$ 58.35	\$68.00	\$ 9.65	\$ 58.35	\$68.00	\$ 330.00

RECYCLING REPORT:

Ms. Hourihan advised the Board that on January 28th, we started getting rejected loads again from ReCommunity. The rejected loads are only from open-top roll-off containers that come from municipal recycling centers, once they get snow in them. ReCommunity has a really hard time processing them with the frozen chunks of snow. We had about 20 tons rejected in the last few days of January. As long as we have snow, we are going to have rejected loads. It slowed down a little bit this week because we got through the snow-covered loads and some loads are going back to ReCommunity this week. She will give a full update in the February report. We have tried to put tarps on the containers, but once they get snow on them, they are hard to maneuver. We are trying to look into some other options.

Recycling Operations

Revenue and Tonnage – The August and September statements have been finalized at \$25,546 and \$22,101 respectively. Staff is working to finalize October, November and December. The January 2015 statement has not yet been received.

The tonnage collected by the MCMUA during January was 1,230 tons. The monthly tonnage is shown by material and by customer on the attached report.

Purchase of a New Compactor Truck – The contract to purchase the new truck was executed following the award at the January meeting. According to the contract, the truck is due to be delivered no later than May 13.

Moving Out of the Consolidation Center – During January, the move out of the consolidation center was completed with the removal of our remaining equipment including the remaining files, educational supplies, shelving units, desks, fork lift, skid steer, truck scale, filling in of the pit from the truck scale, demolition of the tool shed and closing in of the big wall fan. The move out was completed as of January 30 and the keys were given to the warehouse manager.

Events/Education/Miscellaneous

Clean Communities – During January, letters and applications were mailed and emailed to schools about the Slam Dunk the Junk program for 2015. Also during January, staff assisted with the planning of the educational programs for the Clean Communities Student Exchange. **Educational Programs:** In January, the MCMUA funded one educational program at a school in Wharton. **Road Clean-ups:** The MCMUA curbside crews did not do any road clean-ups.

Recycling Inspections/Outreach – A total of 5 transfer station loads suspected of improperly containing mandated recyclable materials were photographed and written-up by MCMUA tipping floor inspectors.

During the month, staff worked with generators and haulers to inform them of the recycling requirements in Morris County. On January 13, 21 and 29, staff, along with the Parsippany recycling enforcement coordinator, made several visits to various business in Parsippany including

- Paul Miller Subaru construction project
- Fairfield Inn & Suites renovation project on Route 46 – This visit revealed a success story. The waste broker, Discount Waste Inc, for the construction company, Philmac Inc, had already arranged for two roll-off containers, one for garbage and one for corrugated. Additionally, the construction manager had received a copy of the MCMUA's mandated material flyer from the waste broker and broker had relayed to the construction manager that "Morris County is very particular about recycling." This site seems to have gotten the message before the work began!
- Zinburger restaurant renovation project on Route 10 West
- Arlington Shopping Center on Route 46 – visited three small businesses.

Event Containers – The MCMUA's event containers for recycling and garbage were not lent to any organizations during January.

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On Thursday, January 15, staff logged in to an EPA webinar titled "Food Waste Reduction Alliance, a Unique Industry Collaboration, about food waste reduction in supermarkets and

waste in general food preparation. The Alliance has developed a document titled “Best Practices & Emerging Solutions Toolkit” to encourage the food industry to begin developing food waste reduction programs.

- Also on Thursday, January 15, staff started learning how to use the new database to run reports for curbside recycling data. The old data base is no longer being used effective January 1, 2015.
- On Thursday, January 22, staff logged in to a webinar titled “How to Reduce Injuries and Fatalities in Waste and Recycling Industries.”
- On Friday, January 23, staff attended the ANJEE (Association of New Jersey Environmental Educators) 30th Annual Conference held at the Mercer County Community College in West Windsor.
- On Thursday, January 29, staff delivered 700 reusable bags for multi-family complexes to Rockaway Borough. The Borough purchased them from the MCMUA at our cost of \$2 per bag. The bags are intended to be used by residents of multi-family complexes to bring their recyclables to a dumpster area and deposit the recyclables loose, without a plastic bag. The bag is also an educational piece since it describes and depicts acceptable materials.
- Also, on Thursday, January 29, staff had a conference call with a representative of the New Jersey Department of Agriculture who is looking for a site in northern New Jersey to collect pesticide containers and other agricultural plastics. The site host will be required to market the material. Staff has reached out to ReCommunity to see if they will accept any of these plastics and we await a reply.

PUBLIC PORTION:

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

OLD BUSINESS:

Mr. Schweizer asked for the Board’s approval of the following Resolution:

RESOLUTION NO. 15-22
RESOLUTION AUTHORIZING EXECUTION OF THE DEED
OF ARCHITECTURAL FACADE EASEMENT

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) owns property located upon Block 3202, Lot 6, commonly known as 82 Whitehead Road in the Township of Morris (Black House); and

WHEREAS, the MCMUA seeks to auction the Black House; and

WHEREAS, the MCMUA is required by the NJDEP – State Historic Preservation Office to include an Architectural Facade Easement (Easement) to maintain and protect the architectural character and historical significance of the Black House as a contributing structure of the Washington Valley Historic District; and

WHEREAS, the County of Morris has agreed to accept and administer the Easement.

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

1. The Executive Director is hereby authorized to sign the Deed of Architectural Facade Easement by and between the MCMUA and the County of Morris, and to sign all necessary documents associated with such Easement.
2. 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 February 10, 2015.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to authorize execution of the Deed of Architectural Façade Easement for the house at 82 Whitehead Road, Morris Township, NJ and Dr. Kominos seconded the Motion.

Mr. Schweizer mentioned that this is the easement that we need to encumber the Black House in Washington Valley.

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

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

NEW BUSINESS:

Ms. Szwak mentioned that the Land Conservation Conference is being held on March 6th conference and Glenn Schweizer is one of the speakers. She handed out flyers for anyone who is interested in attending.

There being no further Business, Chairman Dour asked for a Motion to adjourn the meeting at 7:38 p.m.

MOTION: Mr. Hudzik made a Motion to adjourn the meeting at 7:38 p.m., seconded by Dr. Kominos and carried unanimously.

Marilyn Regner
Secretary

/mr