

MINUTES OF REGULAR MEETING

October 6, 2015

The Regular Meeting of the Morris County Municipal Utilities Authority was held on October 6, 2015 at 7:03 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, Ms. Laura Szwak, Mr. Frank Druetzler, Mr. Fletcher Platt, and Mr. Dour.

ABSENT: Dr. Arthur Nusbaum and Dr. Dorothea Kominos.

Also present was Glenn Schweizer, Executive Director; Andrew Holt, P.E., MCMUA Water Consulting Engineer; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brent Carney, Esq., Maraziti Falcon LLP; Larry Gindoff, Solid Waste Coordinator; and Kathleen Hourihan, District Recycling Coordinator.

Also present from the Public was Larry Andrews, ProSpec Painting.

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

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

ROLL CALL: AYES: 6 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 September 2015. Also included are the Comparative Balance Reports for the Solid Waste and Water Divisions through the month of September 2015 and the Investment Report in which there was no new investments for the month of September. 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. Hudzik seconded the Motion.

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

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

BILL RESOLUTION NO. 15-55

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. 15-55 containing 7 pages for a total of \$2,637,646.30 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

CAPITAL FUNDS	1134-1135	\$ 1,012.16
WATER OPERATING FUNDS	3076-3107	149,507.64
SOLID WASTE OPERATING	5746-5837	<u>2,487,126.50</u>
	TOTAL	\$ 2,637,646.30

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: October 6, 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: October 6, 2015

DATE: October 6, 2015

Larry Kaletcher, Treasurer

MOTION: Mr. Barry made a Motion that the vouchers be approved for payment and Ms. Szwak seconded the Motion.

Mr. Platt suggested that the particular project be noted next to each invoice for Suburban Consulting Engineers. Mr. Kaletcher mentioned that he will apply the same format as used for Maraziti Falcon invoices.

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

CORRESPONDENCE:

Mr. Schweizer mentioned that we received a copy of the DEP approval of the Southeast Morris County M.U.A./Wharton water deal agreement. In a related matter, each month the Court has asked for an update on the activities surrounding the Morris Commons lawsuit. The key elements in this latest status report to the Judge include two activities being undertaken by Wharton where they are adopting ordinances and making changes to planning board approvals to allow them to accept the water supply and provide water for Pond View; and also they have to adopt ordinances in association with the land necessary for the building of the new water tank. Regarding the news release with regard to the drought last month, Mr. Schweizer reported during that time the M.U.A. wells held their own very well and continue to do so. It was good to see that our water source responded very well to the lack of water that we received earlier in the month.

Mr. Druetzler asked if we got enough water from Clyde Potts Reservoir and Mr. Schweizer responded it's low, but we are still pumping and we are still taking water. Mr. Schweizer asked Andrew Holt if anyone else is taking water from Clyde Potts Reservoir? Mr. Holt replied no; just the amount that we sell to N.J. American Water. Mr. Plat asked if Southeast is using any water from that reservoir and Mr. Holt replied not to his knowledge.

Letter dated July 14, 2015 to Laura Cummings, Southeast Morris County M.U.A. from Terry D. Pilawski, Chief, Bureau of Water Allocation and Well Permitting, NJDEP, enclosing the Contract Review Worksheet prepared for the agreement between Southeast Morris County M.U.A. and the Borough of Wharton.

Letter dated September 18, 2015 to Honorable Stephen C. Hansbury, P.J. Ch., Superior Court of New Jersey from Keli L. Gallo, Esq., The Buzak Law Group, LLC submitting Rockaway Township's status report regarding its efforts to obtain additional water supplies.

NJDEP News Release dated September 23, 2015 entitled "Water Supply Drought Watch Issued For Three New Jersey Regions".

Waste 360 Article dated September 23, 2015 entitled "How Haulers and Municipalities Are Battling Recycling Economic Woes".

Letter dated October 1, 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 September 2015.

Letter dated October 5, 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 September 2015.

ENGINEER'S REPORT:

Mr. Holt gave the following updates: (1) Roof Repair Project – This project was put out to bid earlier last month and we received bids on October 1st. We are not recommending an award on that contract. This is the re-roof of three wellhouse/pump stations. We received four bids; only one bid was below the architect's estimate for the value of the work but that bid contained a flaw in terms of its documentation and based on that and the other results, it is our recommendation and Counsel's recommendation to reject bids. We are recommending Resolution No. 15-57 to reject all bids and authorize the re-advertisement and solicitation of new bids for that project.

Mr. Druetzler asked if we can do this before the winter and Mr. Holt replied that this liquid applied roof product has temperature limitations but it would be my hope to put it back out to bid and be in a position to award at the November meeting and still have warm temperatures before you get into December to get some of the work done. The most critical roof is the Flanders Valley well and will talk to Glenn if we need to do something more on an emergency basis on that roof as it is currently leaking and has tarps protecting the equipment. In the meantime, there is no reason to not advance the solicitation of bids and enable us to award a contract going forward.

RESOLUTION NO. 15-57
RESOLUTION REJECTING ALL BIDS RECEIVED FOR NEW ROOF
STRUCTURE AND ROOF AT THREE (3) PUMPING STATIONS
CONTRACT NO. 36 - REBID

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) authorized an advertisement for the receipt of public bids for the "New Roof Structure and Roof at Three (3)

Pumping Stations, Contract No. 36 - Rebid” and received four (4) bids on October 1, 2015 from the companies listed below at the bid price shown:

Roof Management Inc. Wall, New Jersey	\$171,000
Integrity Roofing, Inc. Rahway, New Jersey	\$261,340
Northeast Roof Maintenance Inc. Perth Amboy, New Jersey	\$276,000
Tekcon Construction Inc. Woodbridge, New Jersey	\$287,850

WHEREAS, all of the bids, with the exception of the bid from Roof Management, Inc., are over the engineer’s pre-bid estimate for the project; and

WHEREAS, notwithstanding a letter from Integrity Roofing, Inc., dated October 2, 2015 challenging whether Roof Management Inc. is an approved applicator of the roofing system and can provide the certification required by section 07121 of the specifications, the bid specifications did not include a form for bidders to complete in order to certify that the bidder is not engaged in investment activities in Iran as required by N.J.S.A. 40A:11-2.1 and N.J.S.A. 52:32-58.

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

1. All bids are rejected for the reasons set forth in this Resolution and the Executive Director is authorized and directed to forward notice of rejection to all bidders and return the bid security of all bidders.
2. The Authority’s staff and consultants are authorized to make any necessary corrections to the bid specifications and readvertise for the receipt of bids for the New Roof Structure and Roof at Three (3) Pumping Stations, Contract No. 36.
3. The Executive Director, staff and consultants are authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. 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 October 6, 2015.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to reject all bids received for new roof structure and roof at three (3) pumping stations, Contract No. 36 – Rebid and Mr. Barry seconded the Motion.

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

(2) Rehabilitation of the Markewicz 3MG Water Storage Tanks 1 & 2 – Regarding the solicitation for bids, we were unsuccessful in obtaining a bid that was in line with our estimate and budget for the project, as well as the public bidding laws. We are recommending rejecting the bids based on flaws of the bidders; part of which is their experience, credentials and documentation furnished with their bid. We have written a specification here designed to provide the M.U.A. with the highest quality tank rehabilitation project that is designed to last another 25 years so we really don't want to allow any contractor in here who has marginal experience or not the same type of experience as what we have specified for the work and the materials to be applied. This is one of the reasons why we are seeing difficulty in obtaining successful bids for award of this contract.; (3) Clyde Potts Pump Station – Moving forward on that initial design, but we are at a critical junction in that process in that we need to get Southeast Morris and N.J. American together to make sure we are all on the same page in terms of what we are preparing to advance in the way of capital improvements down there. Mr. Schweizer reminded him that there is an opportunity for a contract for the sale of water to N.J. American to expire as early as 2021 and it can be extended and expect it will be extended. Nonetheless before we make any significant investment in design and improvements to the pump station that meets this need, we really want to know that there is concurrence among all parties that this supply contract would continue.; (4) Asset Management Plan – We reconvened with Jacobs and reviewed the final document and asset inventory which included below grade assets. We had asked to ask a few more questions if our valves are included in that inventory and they are addressing that as well. So that will be a final work product which we are recommending acceptance of and we were actually able to use the findings of that Asset Management Plan in our budget discussions with Larry Kaletcher for our initial budget planning for next year's budget. It was a timely investment in having that work product produced over the course of 2015 as it positioned us well to make recommendations for the coming year's capital projects.; (5) Well 8 – The turbidity study; we are continuing to advance that design. You have some constraints there with the environmental constraints of the ponds and lagoons in and around the areas that we are trying to find the best fit for treatment that will fit within a small footprint and yet achieve what we want to do in terms of turbidity removal of the well water. Hope to able to bring forward a final basis of design here by the end of the year so we can move that project along.; (6) Scrubs Oak – Concurrent with your water allocation permit renewal, we are also assembling the Scrub Oaks Well Water Allocation Permit Application which will contain much of the same information in terms of justifying the need for an additional new source for Morris County M.U.A. We have been in contact with the customer base and just verifying what the demand projections, population projections might be on terms of what our current allocation is and how it will be used by our customer base. That is moving along and we should be in a position to make that application by the end of the year.

Mr. Platt asked if that would be necessary to discuss that with the Highlands Council? Mr. Holt replied that it would not hurt to have them in the loop certainly when it comes to a new source in the allocation permit that DEP might consider issuing for the new source. Mr. Platt added possibly

the demand as well if the communities are within the Preservation area and Mr. Holt replied, definitely, and mentioned that our numbers certainly need to align with what has already been forecasted by the Highlands in their build-out analysis so it is our anticipation that we will coordinate with them on that.

And lastly, (7) Regarding receipt of DEP's letter last month concerning the need for our Mill Pond Landfill Cap to be administered under the direction of a Licensed Site Remedial Professional, we have engaged a subcontractor for that purpose and have written a letter which was signed this evening responding to DEP's letter that said we need to have this permit application and have an LSRP on board within 45 days so we have indicated that we are moving that process forward but it will take a few more days than they had originally requested. Mr. Druetzler asked who did we hire and Mr. Holt replied, Practical Environmental out of Washington Borough.

With respect to the Markewicz bids, they were competitive; however, two of the three bids which were below our estimate each had some issues with their level of documentation and experience and some technical requirements that they failed to include in their bid so on that basis it is our recommendation and Council's recommendation to reject all bids.

Mr. Carney mentioned that we have a person from Pro Spec Painting present this evening. Mr. Carney said that the resolution and his memorandum was prepared which explains that the Pro Spec bid was the lowest bid but it did not contain a certification regarding Investment Activities in Iran, which is actually a mandatory requirement pursuant to our State legislature. In 2010, you may recall that the Obama administration signed into law a comprehensive Iran Sanction Accountability and Divestment Act of 2010 and as a result of that, that State of New Jersey responded in 2012 and made it a mandatory requirement that at the time of bid that certification of Investment Activities in Iran be included with the bid submission. It was also a material requirement in the bid documents and that document was not included at the time of bid. So pursuant to the statute, that renders that bid non-responsive. Mr. Druetzler asked did the Federal government supercede this law? Mr. Carney replied that was several States in the country have implemented the same program and thinks it is pursuant to that federal law. Mr. Carney mentioned that originally the statute was made applicable to State agencies and legislature amended local public contracts law to make it a requirement as well for local government units such as the Morris County M.U.A.

Chairman Dour asked Mr. Andrews of Pro Spec if he wanted to make any comments and he said that he could not tell us if the Iran certification was there or not. He would have to go back and look at the bid. Mr. Druetzler asked if he was familiar with the document and he said he is familiar with the document.

Chairman Dour asked for the Board's approval of Resolution 15-56:

RESOLUTION NO. 15-56
RESOLUTION REJECTING ALL BIDS RECEIVED ON REBID FOR
THE REHABILITATION OF THE MARKEWICZ 3MG WATER
STORAGE TANKS 1 & 2 CONTRACT NOS.: 5R-15 AND 23R-15
AND AUTHORIZING NEGOTIATION OF CONTRACT NOS.: 5R-15 AND 23R-15
IN ACCORDANCE WITH N.J.S.A. 40A:11-5(3)

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) authorized an advertisement for the receipt of public bids for the "Rehabilitation of the Markewicz 3MG Water Storage Tanks 1 & 2, Contract Nos.: 5R-15 and 23R-15" on a second occasion after rejecting all bid submissions for Contract Nos. 5R-15 and 23R-15 by Resolution dated August 11, 2015 because the bid submissions made at that time were non-conforming or substantially exceeded the cost estimate for the goods or services, based on the engineer's pre-bid estimate prepared by Suburban Consulting Engineers, Inc.; and

WHEREAS, as a result of the rebid, the MCMUA received three (3) bid submissions on

September 24, 2015 from the companies listed below at the price shown:

	<u>Base Bid Tank #1</u>	<u>Base Bid Tank #2</u>	<u>Alternate Bid Pricing</u>	
	<u>Contract 5R-15</u> <u>(Items 1.1-18.1)</u>	<u>Contract 23R-15</u> <u>(Items 1.2-18.2)</u>	<u>A-5.1</u>	<u>A-5.2</u>
Pro-Spec Painting, Inc. Vineland, NJ	\$997,850	\$979,850	\$84,750	\$84,750
M. Painting Co., Inc.	\$1,046,900	\$1,026,900	\$40,000	\$40,000
Scaturro Bros., Inc. t/a Alpine Painting & Sandblasting Contractors Paterson, NJ	\$1,190,550	\$1,156,950	\$42,300	\$42,300

WHEREAS, counsel for the Authority, by memorandum dated October 2, 2015, which remains on file at the administrative offices of the Authority and is incorporated herein by reference, advises that: (1) the bid submission of Pro-Spec Painting, Inc. must be rejected as non-responsive and invalid because it contains material defects including, failure to submit the disclosure of investment activities in Iran certification required by N.J.S.A. 40A:11-2.1 and failure to identify five projects that includes the replacement and addition of tank accessories and appurtenances and recoating of interior/exterior steel with specified paint system included in the specification; and (2) the bid submission of M. Painting Co., Inc. must be rejected as non-responsive and invalid because it failed to identify five projects that includes the replacement and addition of tank accessories and appurtenances and recoating of interior/exterior steel with specified paint system include in the specifications and the letter from the paint manufacturer did not certify as to the contractor's ability to complete the work described in the specifications, which is a material defect that cannot be waived by the Authority; and

WHEREAS, the remaining bid of Alpine Painting substantially exceeds the cost estimate for the goods or services based on the pre-bid engineer's estimate prepared by Suburban Consulting Engineers, Inc.

WHEREAS, the written summary of the review and findings provided by Suburban Consulting Engineers, Inc. are set forth in its memorandum dated October 2, 2015 which remains on file at the administrative offices of the Authority and is incorporated herein by reference.

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

1. The bid of Pro-Spec Painting, Inc. is determined to be non-responsive and is hereby rejected for the reasons set forth the memorandum from the Authority's counsel, dated

October 2, 2015 and for the reasons set forth in the memorandum from Suburban Consulting Engineers, dated October 2, 2015.

2. The bid of M. Painting Co., Inc. is determined to be non-responsive and is hereby rejected for the reasons set forth the memorandum from the Authority's counsel, dated October 2, 2015 and for the reasons set forth in the memorandum from Suburban Consulting Engineers, dated October 2, 2015.

3. The bid of Scaturro Bros., Inc. t/a Alpine Painting & Sandblasting Contractors is hereby rejected for substantially exceeding the cost estimates for the goods or services, based on the engineer's pre-bid estimate prepared by Suburban Consulting Engineers, Inc.

4. The Executive Director is authorized and directed to forward notice of rejection to all bidders and return the bid security of all bidders.

5. The Rehabilitation of the Markewicz 3MG Water Storage Tanks 1 &2 for Contract Nos. 5R-15 and 23R-15 shall be negotiated in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(3).

6. The Executive Director, staff and consultants are authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.

7. 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 October 6, 2015.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Platt made a Motion to reject all bids received for the Rehabilitation of the Markewicz 3MG Water Storage Tanks 1 & 2 Contract Nos.: 5R-15 And 23R-15 And Authorizing Negotiation of Contract Nos.: 5R-15 And 23R-15 In Accordance With N.J.S.A. 40A:11-5(3) and Mr. Hudzik seconded the Motion.

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

Mr. Schweizer clarified that the Resolution is also authorizing us to begin the process of negotiations. Mr. Carney concurred because this is the M.U.A.'s second attempt and rather than authorizing a re-bid, it now authorizes negotiations. Mr. Schweizer added that will proceed with the negotiation process with bidders to see if hopefully by the November meeting we can bring back a contract to get this work done.

Chairman Dour asked for the Board's approval of Resolutions No. 15-58 and 15-59. Mr. Schweizer mentioned that these are the annual resolutions we are required from the Water Allocation Permit to contribute to the Stream Gauges of the USGS and one of them we split the cost with Roxbury Water Company.

RESOLUTION NO. 15-58
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 Alamatong 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 5-02-6-900-923-018 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, 2015 to September 30, 2016, 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, New Jersey Water Science Center, 3450 Princeton Pike, Suite 110, Lawrenceville, New Jersey 08648, 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 October 6, 2015.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

RESOLUTION NO. 15-59
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 5-02-6-900-923-018 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, 2015 to September 30, 2016, 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, New Jersey Water Science Center, 3450 Princeton Pike, Suite 110, Lawrenceville, New Jersey 08648, 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.

C E R T I F I C A T I O N

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on October 6, 2015.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to adopt Resolution Nos. 15-58 and 15-59 and Ms. Szwak seconded the Motion.

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

PROJECT STATUS

1. Roof Repair Project, Contract No. 36 Re-Bid
 - A. The final design documents were received from D&B Engineers. Upon our review, the bid documents were prepared and advertisement for bid was released. The bid opening was conducted on October 1st, and the review of those bids is underway. We will provide an update on this review and possible recommendation to award at the Board's meeting of October 6, 2015.

Rehabilitation and Recoating of the F.J. Markewicz Pumping Station Ground Storage Water Tanks 1 and 2 (Contracts 5R-15 and 23R-15)

- B. MCMUA received bids on September 24th for the Rebid of this project. The apparent low bidder was Pro-Spec Painting, Inc. from Vineland, New Jersey with a proposed contract price of \$1,977,700.00 for both Tanks #1 and #2. MCMUA attorney, staff, and SCE are reviewing the bid and confirming compliance with the bid specifications in accordance with Local Public Contractors Law. We will provide an update on this review and possible recommendation to award at the Board's meeting of October 6, 2015.
2. Clyde Potts Pumping Station Pump Upgrade
- A. SCE has determined construction of a new partially aboveground pump station would best serve the needs of MCMUA. We have continued the preliminary site plan layout and investigation of existing conditions, in order to compile a conceptual facility design that can be used to advance discussions with SMCMUA and NJWAC. Mr. Schweizer advised that the current agreement to purchase water from SMCMUA and sell water to NJAWC could terminate as early as 2021, so before any significant design and expense is incurred, SCE wishes to verify the intent of all parties to continuing this contract and, therefore, the need for a permanent facility. SCE will arrange for a meeting among the parties to review and confirm these issues.
4. RFP-14-4W Research and Assemble Background Data & Prepare an Asset Management Plan
- A. We have received the final asset management plan elements prepared by Jacobs Engineering. They will now furnish a final collated version for MCMUA use. The next phase of Plan development has been outlined by Jacobs, and we have provided Mr. Schweizer with some comments on that scope. The findings of the first phase of the Asset Management Plan have played a significant role in the creation of the 5-year capital plan moving forward in the 2016 budget planning process.
5. Alamatong Well No. 8 Turbidity Preliminary Design
- A. SCE is advancing the preliminary design of the treatment facility. Several parameters are being defined, including the requirements associated with backwash discharge, and other environmental constraints at this site. SCE anticipates completing a preliminary design basis and estimate by year-end.
6. Scrub Oaks Allocation Evaluation
- A. In accordance with the Board's direction, SCE is continuing the process of applying for the water allocation permit, which involves the evaluation and updating of information which has been previously provided to NJDEP. We have received a proposal from Uhl Associates to perform additional sampling, as well as providing a certified public well certificate which can only be obtained from a master well driller. Upon completion of sampling and review of the analytical results, we will continue preliminary design and develop treatment requirements.

GENERAL

1. SYSTEM

- A. We have continued completing the Water Allocation Permit Renewal for the Alamatong and Flanders Well Fields. Additional research was performed to obtain MCMUA records which were required to complete the permit renewal. Permit application renewal anticipated completion and submission prior to the end of 2015.

2. MISCELLANEOUS

- A. New Jersey Department of Environmental Protection (NJDEP) has provided the MCMUA with a notice with regard to the Mill Pond Road landfill cap in which they are requiring a Soil Remedial Action Permit as part of modified requirements for a restricted use property. In order to complete the Soil Remedial Action permit, an LSRP is required. This permit is an additional requirement from the NJDEP and will not alleviate the Biennial inspection report requirement. SCE is responding to NJDEP and will engage the services of an LSRP to complete the required documents.

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Gindoff advised the Board that in the packets this evening there are updated solid waste figures and his projection on solid waste tonnage was just under 200 tons short so we did a little better than anticipated and we are still doing nicely in solid waste. With regard to vegetative waste, we are still lagging behind last year but the sites are prepped and ready for the leaf season at this point and we have extended hours planned for the Parsippany site. Also with regard to vegetative waste, we have been speaking about pricing and budgeting for next year and we have not had a price increase in vegetative waste since 2012. We have been looking at what the program costs and what we need. The budget, which will be presented next month, will recommend a 50 cent per cubic yard increase for Morris County municipal drop-off of material and \$1.00 per cubic yard across the board for every other item for non-Morris County municipalities. Chairman Dour asked if you are raising the price of the delivery items? Mr. Gindoff replied yes; that is going to be increased \$10.00 per truckload. Chairman Dour asked have you cleared everything out for the season and Mr. Gindoff replied yes we have. Mr. Druetzler asked what would that increase be for towns. Mr. Gindoff that for leaves it would be \$6.50 up from \$6.00 per cubic yard and for private contractors and non-Morris County municipalities, it will be going from \$12.00 to \$13.00 per cubic yard.

Finally, I have been participating in some open space trust fund activities leading up to this year's funding schedule. To give you a brief overview, there have been seven sites that have requested funding from the County at a much smaller scale than last year. The total amount of funding request is just under 2.4 million dollars. It's a nice variety of sites; some in the woods, some in neighborhood walking paths and historic sites. Site tours took place last week and we will be participating in the presentations and the vote from the Open Space Trust Fund coming up in two weeks at the County Library. Mr. Druetzler asked what did the fund collect and Mr. Gindoff replied they collected about 2.4 million dollars.

TRANSFER STATIONS

Tonnage – For the month of September 2015, the tonnage of solid waste accepted at the two transfer stations is projected to be 33,119 tons. This projection is based on actual tonnage delivered in September through the 28th with two days remaining in the month. The actual tonnage accepted for the entire month will be revised at month's close and reported to the Board at the October 6 meeting. This monthly tonnage projection for September 2015 is 1.51% less than the 33,626 tons accepted a year ago in September 2014. For the third quarter of 2015, the tonnage accepted at the transfer stations was 1.81% less than the tonnage accepted in the 3rd quarter of 2014. Based on tonnage accepted for the first nine months of the year, for 2015 the annual total tonnage is currently projected to be 379,055 tons which would be 0.97% less than the 382,757 tons accepted in 2014. Please refer to the Transfer Station Disposal Report by Month for additional information.

Transfer Station Roof Repair – On September 9, 2015, the MCMUA conducted bid negotiations with the responsive bidder group whose companies submitted responsive proposals on July 29, 2015 to the transfer station roof RFP. While responsive to the July 29 RFP, the proposals submitted by the four members of this bidder group were at costs greater than the pre-bid engineer's estimate and therefore, not accepted. The MCMUA adopted a resolution at its August 11, 2015 meeting rejecting these four bids for being at prices above the engineer's estimate and authorizing this negotiation process in accordance with Local Public Contracts Law (LPCL). Negotiations were permitting in this situation since this same bid was issued twice without receiving proposals for which the MCMUA would award a contract.

Three of the four responsive bidders attended the negotiation session. While two of the bidders, Park Roofing and MTB, were willing to lower their prices slightly, their revised prices were still more \$100,000 over what the engineer estimated the value of the project to be. The third bidder, ARCO Construction, realized it made a large error in the proposal previously submitted, where it priced the job to include the entire repair of the roof at the Parsippany transfer station instead of the limited patch work requested. When they made the correction to the proposal to account this miscalculation, their price was in the range of the engineer's estimate. To close the negotiation, the MCMUA tentatively accepted a revised price from ARCO Construction and provided the other two bidders a final chance to revise their prices, which they declined to do.

The revised price proposal negotiated with ARCO Construction is for a total lump sum price of \$559,000.00 which includes the two alternate items requested in the bid. This price is below the engineer's estimate of \$564,701.86. A resolution will be presented for the Board's consideration at the October 6 meeting authorizing the award of roof project to ARCO Construction based on this negotiated price. In accordance with LPCL, this resolution will require a two-thirds affirmative vote of the MCMUA Board since it is awarding a contract based on this negotiation process.

Transfer Station - Parsippany Air and Solid Waste Facility Permits – On September 21, 2015 the MCMUA executed the Administrative Consent Order (ACO) regarding the Parsippany transfer station air pollution control system upgrade in accordance with the Board's September 8 resolution. This ACO was then executed by NJDEP on September 28, 2015. Alaimo Engineering is continuing to work on the design of the system and preparation of the necessary permit applications in order to meet the time-frames provided in the ACO.

HOUSEHOLD HAZARDOUS WASTE MANAGEMENT

Program Participation and Events – During September 2015, a total of 148 residents and businesses delivered waste to the permanent household hazardous waste (HHW) facility in Mount Olive. This is down in participation from the previous month of August 2015, when 255 participants used the facility and it is also down in participation compared to September 2014, when 164 participants used the permanent facility.

While the permanent facility may have been relatively slow in September, the MCMUA's 2nd HHW disposal event of the year on September 12, 2015 at the Public Safety Training Academy was very well attended. In total there were 1,283 participants at the event; 712 had HHW only, 358 had both HHW and E-waste and 213 had only E-waste to drop off. The event cost \$38,659.10 to pay for HHW management from the 1,070 vehicles that dropped off HHW at a cost of \$36.13 per vehicle. The HHW vendor was MXI and the E-waste vendor was MRM who subcontracts with Vintage Tech to perform the actual work. E-waste recycling cost the MCMUA nothing for the event as it was paid for by MRM's supporters, and both vendors, MXI and Vintage Tech worked hard and effectively to keep the lines moving throughout the day. Staff feels the County's persistent use of social media to promote this event helped in getting the word out and increasing participation. The next and final one-day HHW event for 2015 will be on October 18, 2015 at the Jefferson Township DPW on October 18, 2015.

Renewal of Contracts for HHW Programs - On September 2, 2015, requests for quotations were issued for the lead-acid batteries accepted for recycling at the permanent HHW facility. One quotation was received by the September 24 due date and it was from Veolia ES Technical Solutions, LLC of West Bridgewater, MA (Veolia ES). The Veolia ES quotation was to charge \$0.15/lb. for the recycling of batteries which is up from \$0.12/lb. in the previous contract. The MCMUA has contracted with Veolia ES in the past for the recycling of lead-acid batteries and has been pleased with their performance. A resolution recommending the award of a recycling contract to Veolia ES in an amount not to exceed \$900/year will be presented to the MCMUA Board for its consideration at the October 6 meeting.

VEGETATIVE WASTE MANAGEMENT – September 2015

Facility Report – The vegetative waste figures for September 2015 are still being compiled as of the writing of this report and will be provided in the Vegetative Waste Management Report at the October 6 meeting. Both sites were groomed and cleared and are now prepared for the upcoming leaf season; leaves have already started coming in. Extended leaf season hours for drop-off of

leaves at the Parsippany site will begin on Sat., October 24 and will continue through December 5, 2015. This season's residential delivery of truckloads of mulch and compost continued through September 25, 2015 and it is now over until April 2016.

With respect to the following two resolutions for adoption, he mentioned that one is regarding a successful negotiation on the roof project after two failed bids, and in the end we were able to negotiate with three of the four companies that submitted bids. We had a real good, fair negotiation process and resulted in a price which was just slightly below our engineer's estimate and we are ready to move forward at this point with the adoption of this resolution. Chairman Dour asked the resolution says it is for roof renewal, what does that mean and Mr. Gindoff replied that it is combination of roof repair and replacement. At the Parsippany Transfer Station, we are doing some repair work in preparation for the air pollution control system and at the Mt. Olive Transfer Station, we are repairing the whole roof and also some supplemental roofs.

**RESOLUTION NO. 15-60
RESOLUTION AUTHORIZING AWARDING CONTRACT 2015-1 FOR
ROOF RENEWAL AT MCMUA TRANSFER STATIONS
FOLLOWING NEGOTIATIONS IN ACCORDANCE WITH N.J.S.A. 40A:11-5(3)**

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) authorized an advertisement for the receipt of public bids for the "Roof Renewal at MCMUA Transfer Stations" on a second occasion after the only bid received on June 4, 2015 was rejected because it substantially exceeded the cost estimate for the goods or services, based on the engineer's pre-bid estimate prepared by Richard A. Alaimo Engineering Company; and

WHEREAS, as a result of the rebid, the MCMUA received five (5) bids on July 29, 2015 from the companies listed below at the price shown:

	<u>Base Bid</u> <u>(Items 1-9)</u>	<u>Alternate A</u> <u>(Item A-1)</u>	<u>Alternate B</u> <u>(Item A-2)</u>
JP Patti Tecta America, LLC Saddle Brook, NJ	\$442,450.00	\$51,000.00	No Bid Price Provided
Park Roofing & Sheet Metal Co. South River, NJ	\$575,500.00	\$85,000.00	\$38,000.00
MTB, LLC Neptune City, NJ	\$631,500.00	\$83,000.00	\$41,350.00
ARCO Construction, Inc. West Caldwell, NJ	\$699,500.00	\$45,000.00	\$54,300.00
Arch-Concept Construction, Inc. Haledon, NJ	\$1,049,000.00	\$74,000.00	\$29,000.00

WHEREAS, the MCMUA adopted Resolution 15-45 at its August 11, 2015 Board Meeting in which:

1. The bid of J.P. Patti Tecta America was determined to be non-responsive and invalid and was rejected,

2. The bids of Park Roofing & Sheet Metal Co., Inc.; MTB, LLC; ARCO Construction, Inc.; and Arch-Concept Construction were rejected for substantially exceeding the

cost estimates for the goods or services, based on the engineer's pre-bid estimate prepared by Richard A. Alaimo Engineering Company, and yet determined not to contain material defects.

3. The Executive Director was authorized and directed to forward notice of rejection to all bidders and return the bid security of all bidders.

4. The Roof Renewal at MCMUA Transfer Stations Contract No. 2015-1 was to be negotiated in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(3).

WHEREAS, in letters dated September 2, 2015, Park Roofing & Sheet Metal Co., Inc.; MTB, LLC; ARCO Construction, Inc.; and Arch-Concept Construction were invited to attend a negotiation session on September 9, 2015; and

WHEREAS, the MCMUA conducted a negotiation session on September 9, 2015 which was attended by Park Roofing & Sheet Metal Co., Inc.; MTB, LLC; and ARCO Construction, Inc.; and

WHEREAS, during the negotiation session two of the bidders, Park Roofing and MTB, stated they were willing to lower their prices slightly, yet their revised prices were still more \$100,000 over what the engineer estimated the value of the project to be; and

WHEREAS, during the negotiations the bidder, ARCO Construction, stated it made an large error in the proposal previously submitted and stated it was in position to make a substantial correction to its proposal; and

WHEREAS, the revised negotiated price of ARCO Construction in the total lump sum of \$559,000.00, including both Alternates, was below the engineer's estimate of \$564,701.86; and

WHEREAS, at the negotiation session the MCMUA tentatively accepted a revised price from ARCO Construction and provided the other two bidders a final chance to further revise their prices, which they declined to do; and

WHEREAS, the MCMUA Treasurer has certified that funds will be available in the following line item 5-01-1-900-000-128 ("Project Reserve") to pay the entire contract amount.

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

1. Contract 2015-1 is awarded to ARCO Construction in the negotiated amount of \$559,000.00, which includes the two Alternates.

2. The Executive Director is authorized and directed to execute Contract 2015-1 based on the July 29, 2015 proposal submitted by ARCO Construction with the exception that the price of the contract will be a lump sum of \$559,000.00, including both Alternates, pursuant to the September 9, 2015 negotiation session, upon receipt of executed Contract 2015-1 from ARCO Construction.

3. The Executive Director, staff and consultants are authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.

4. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by a two-thirds affirmative vote of the Morris County Municipal Utilities Authority at the Regular Meeting held on October 6, 2015.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to authorize award of Contract 2015-1 for Roof Renewal at MCMUA Transfer Stations Following Negotiations In Accordance With N.J.S.A. 40A:11-5(3) and Mr. Hudzik seconded the Motion.

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

RESOLUTION NO. 15-61
RESOLUTION AWARDING A NEW CONTRACT FOR THE
MARKETING OF CLASS D RECYCLABLE MATERIALS
(LEAD ACID BATTERIES)

WHEREAS, on September 2, 2015, the Morris County Municipal Utilities Authority (“MCMUA”) issued a request for quotations seeking competitive quotations for the Marketing of Class D Recyclable Materials (lead acid batteries) which are generated by Morris County residents and conditionally-exempt small quantity generators of hazardous waste; and

WHEREAS, one (1) quotation was received by the MCMUA by September 24, 2015, which was submitted by Veolia ES Technical Solutions, L.L.C., 90 Pleasant Street, West Bridgewater, Ma 02379, which quotes a price of \$0.15/pound paid by the MCMUA for the recycling of lead acid batteries; and

WHEREAS, this quotation shall be accepted for a term of one (1) year, commencing on

or about November 9, 2015, together with two (2) consecutive one-year options, exercisable at the sole discretion of the MCMUA. The MCMUA will provide thirty (30) days' written notice if it exercises its option to extend; and

WHEREAS, the MCMUA Treasurer has certified that funds will be available in the following line item – Household Hazardous Waste 5-01-1-600-800-726 to pay the entire contract amount.

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

1. The MCMUA shall award a contract for the Marketing of Class D Recyclable Materials, as more specifically defined herein, to Veolia ES Technical Solutions, L.L.C., 90 Pleasant Street, West Bridgewater, Ma 02379.
2. The Executive Director of the MCMUA is authorized and directed to execute a contract with Veolia ES Technical Solutions, L.L.C., 90 Pleasant Street, West Bridgewater, Ma 02379 for an amount not to exceed \$900.00 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 \$900.00 for the first one (1) year option and \$900.00 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 Veolia ES Technical Solutions, L.L.C., 90 Pleasant Street, West Bridgewater, Ma 02379.
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, October 6, 2015.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Ms. Szwak made a Motion to authorize award of a New Contract for the Marketing of Class D Recyclable Materials (Lead Acid Batteries) and Mr. Hudzik seconded the Motion.

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

RECYCLING REPORT:

Ms. Hourihan mentioned that Liz Sweedy worked with the Chester Senior Housing Complex and helped them do education at their complex. We have re-useable tote bags that residents can bring recyclables from their apartment to dump them in a common dumping area. We sell them at cost; \$2.00 per bag to cover our costs and to buy new ones. The complex got the bags and it was a good working relationship between the town, the complex and the M.U.A. The Township bought the bags and they also bought 65 gallon carts that we pick up with our truck with our automated tipper. She added that the use of the carts makes it easier and cleaner to recycle at the complex so there is no mess in the area. The residents were very happy and she circulated a photo of the residents with their bags. Something like this makes us feel really good that they appreciated everything and it is helping their recycling program.

Chairman Dour asked if there is anything new with ReCommunity's building in Mine Hill? Ms. Hourihan replied that she believes that the roof and the walls are up but they are waiting to install the equipment. Our contract is up with them in January and they said they are not going to make the new investment in the new equipment until they know where our contract is at. Chairman Dour asked if we are going out to bid for that and Ms. Hourihan replied, yes we are; we are preparing a Request For Proposals.

Regarding food waste, Mr. Hudzik asked if the Trim Trax system Chartwells is using is a commercial system? Ms. Hourihan said she guesses so; we will look into that and see if we could use it at the Jail or the Nursing Home. Ms. Hourihan mentioned that not every operation at the College could be transferred to Sodexo because one of their challenges is that they are a distribution hub for Meals On Wheels Program and they send a lot of meals out and a lot of food comes back to them. Mr. Schweizer said that Trim Trax is probably a tracking system to track food that comes in or goes out. Mr. Druetzler asked why does the food come back from Meals On Wheels? Ms. Hourihan replied that the food would be returned if it did not get used in time or it is bad.

Recycling Operations

Revenue and Tonnage – Staff has not yet finalized the July statement. The August preliminary statement has not yet been received, but the transactions for August transactions were received. Once July is finalized, ReCommunity will send the August statement.

The tonnage collected by the MCMUA for recycling during September through the 29th was 1,203 tons. The monthly tonnage is shown by material and by customer on the attached report.

Netcong Borough Curbside Contract – The MCMUA's contract with the Borough of Netcong ends on December 31, 2015. On Tuesday, September 8, staff met with the Borough to discuss the next contract. Staff has been preparing a proposal for the Borough, however there is a good deal of uncertainty about the revenue to expect from the sale of recyclable materials. Market prices are very low and the MCMUA's marketing contract with ReCommunity ends in January 2016. Staff has been calling other towns and counties to see what their marketing arrangements are.

Pequannock Township Curbside Collection – The contract has been signed and returned to the Township. Pequannock Township has opted to include the schools in the contract. Therefore, staff received quotes and placed orders for 20 rear-load dumpsters, for 10 municipal sites and 5 schools. The dumpsters will be delivered between October 5 and October 23 in time for the contract to begin on November 1. On Wednesday, September 16, staff met with Pequannock Township to discuss publicizing the new single-stream program and the new collection schedule. The Township created a newsletter, which includes several of the MCMUA's flyers, to be mailed to all residents. Staff offered to create and print a panel card which includes the new collection schedule to be handed to residents and placed at several locations like Town Hall, the library, etc. Staff will attend an event in the Township on Saturday, October 3 to talk to residents

and to hand out the new panel card. Staff offered to meet with the Buildings and Grounds Superintendent of the schools to educate the custodial staff and to take the Pequannock Township recycling personnel on a tour of ReCommunity. Staff has also drafted a press release to be sent out in mid-October.

In order to include Pequannock in the MCMUA's collection program for every Monday collection, the Borough of Wharton agreed to change their current schedule on every-other Monday to the opposite Monday. The MCMUA is providing assistance to the Borough to

advertise the new collection schedule. A post card, which will be mailed to all Wharton residents, was designed and printed and will be mailed in early October.

Both the Pequannock panel card and the Wharton post card were printed by the County College of Morris and were done on September 29, 2015.

Staffing for the Curbside Collection Program – Since the approval of the resolution at the August meeting authorizing the MCMUA to execute a short-term contract with Labor Ready to provide Sanitation Workers to work at the back of our collection vehicles, staff has been working to get the insurance documents approved and to get the contract executed. The contact at Labor Ready was away for two weeks at the end of August and while this caused an initial delay in finalizing these documents, further delay has been caused by Labor Ready sending a signed contract with changes and with a one page addendum attached. The insurance requirements have not been completely satisfied and toward the end of September, Labor Ready has become less responsive. In the meantime, staff went out to bid for a long-term contract. Bids were due on September 29 and no bids were received. If Labor Ready does not want to enter into an agreement with the MCMUA and if the MCMUA cannot find another temp agency which will, then staff plans to hire part-time Sanitation workers as we had done previously.

Shared Services Contract with the Township of Parsippany – The MCMUA and Parsippany have been working together on the drafting of this shared services agreement. The contract will allow for either party to provide services to the other. The primary reason for the need for this shared services contract is that the MCMUA needs back-up services for our garbage collection contract, with the County of Morris, in the event our truck needs to be worked on. The contract was drafted and sent to Parsippany for comments. Parsippany's initial comments have been received and incorporated. The County Risk Manager needs to review it and then it needs to be returned to Parsippany. Staff was aiming to have a resolution ready to present to the MCMUA Board at the October meeting for approval of this shared services contract, however, the contract may not be ready in time. If not ready for October, the resolution will be presented at the November meeting.

Covering Open-Top Roll-off Containers – During September, staff met with the following towns at their recycling centers to demonstrate the plywood and plastic cover systems and to offer to have them test the systems for a period of time.

- Monday, September 14, staff met with the Borough of Netcong
- Tuesday, September 23, staff showed the Dumpster Gard covers to Florham Park at the County Library before the recycling coordinator meeting.

Staff has also had several discussions with Morris Plains in follow-up to their testing several options.

Plastic Pesticide Container Collection Program – On Thursday, September 17, the fifth collection program was held for pesticide container recycling. This time, one farmer from Long Valley showed up with 22 pesticide containers. Roberta from the New Jersey Department of Agriculture attended this event, and informed the MCMUA that the NJDA has decided to no longer staff these events. The last program for 2015 is scheduled for Thursday, October 22.

Events/Education/Miscellaneous

Clean Communities – Educational Programs: In September, the MCMUA funded 6 educational programs at festivals and libraries. Road Clean-ups: There were no clean-ups during September.

Staff is working with the private company, Adopt-a-Highway Litter Removal Service, to get some clean-ups scheduled for this fall.

2015 Food Waste, Tire Clean-up & Public Space Bonus Recycling Grant – The deadline for this grant, originally June 30, 2015, was extended to October 30, 2015 as a result of a letter that staff wrote to the NJDEP requesting an extension. During August, staff spoke with a representative of the NJDEP about the fact that requests already received are in excess of the \$400,000 available, to see if there will be a possibility of any funding remaining, when and if Morris County submits a grant application for a potential food waste project. The NJDEP contact told us the extension is holding everything up and that we should submit a request as soon as possible.

Staff has been planning to complete a simple study of the amount of food waste generated at the County College of Morris and at Morris View Healthcare facility in order to determine if there is a plausible method available for food waste composting. Then the appropriate party would submit a grant request accordingly.

Since our meeting on August 19 with staff from Morris View, staff has been working toward getting the food waste measured at Morris View. On September 3, staff met the MCMUA driver who pulled the two garbage compactors from Morris View at the transfer station to see what was in the loads to take photos. There was a lot of liquid and food residue in the compactor from the dietary department. Staff supplied Morris View with a scale and provided two receptacles for collecting the food waste. The weighing has been delayed due to a ceiling repair project and then due to key staff at Morris View being on vacation. Staff is waiting to hear back from Morris View to know when the measurement can start.

On September 17, staff met with the director of dining services of Chartwells, the contracted vendor for the dining services at the County College of Morris. Data sheets compiled by Chartwells had been provided to the MCMUA prior to the meeting by the director showing that the dining facilities generated an extremely minimal amount of food waste, about 16 gallons per month. Staff was surprised at this small amount and was impressed by the program that the director has put in place to minimize food waste and to return food received in poor condition to the vendor. The director has invested 3 years in perfecting this system and uses a tracking system called Trim Trax in order to understand how food is utilized and how much waste is generated in three main groups: production waste, over production waste and unused/out of date inventory.

At this point, staff feels that the County College is doing a great job at reducing food waste and there seems to be no need to for a food waste grant for this site.

Budget Preparation for 2016 – During August and September, staff worked on preparing administrative budgets as well as contributing to the curbside department budget and anticipated revenue from the curbside program.

Municipal Coordinators Meeting – Staff hosted a municipal coordinators meeting at the Morris County Library on Wednesday, September 23. A demonstration of roll-off covers was offered before the meeting started in the parking lot. The agenda included Robert Anderson of ReCommunity who talked about changing recycling markets, contamination, safety issues and light weighting and flexible packaging. JP Mascaro III of JP Mascaro and Sons also talked about the trash that they manage from both transfer stations and how it is transported to the Keystone Landfill in Dunmore, PA and about the methane recovery and conversion to electricity. Mike Flora spoke about illegal dumping and the ramifications. Also, Clean Communities information and an update was provided at the meeting along with links to the CC website, CC guidelines, CC statistical report, and the CC Best Practices Manual.

Recycling Inspections/Outreach – During September, a total of 24 transfer station loads suspected of improperly containing mandated recyclable materials were photographed and written-up by MCMUA tipping floor inspectors.

Event Containers – During September, the MCMUA's event containers for recycling and garbage were lent for the following events:

- Chester Craft Fair on the weekend of September 12
- Washington Township for their Green Living Festival on September 12
- Highlands Festival at Waterloo on the weekend of September 19
- Park Commission for a 10K, Half Marathon and Marathon in Lewis Morris Park on September 26

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On Thursday, September 10, Cheryl Birmingham started taking the Recycling Certification series of classes, which consists of 10 classes for a total of 21 days that run through May 2016.
- On Saturday, September 12, staff participated as an exhibitor at the Sustainability Fair of the Chathams.
- Also on Saturday, September 12, staff participated in Washington Township's Green Living Festival as an exhibitor.
- On Tuesday, September 15, staff attended a County Coordinator meeting held in Ocean County. The main discussion at the meeting was e-waste legislation to revise the current e-waste bill.
- Also, on Tuesday, September 15, staff attended an ANJR (Association of New Jersey Recyclers) board meeting.
- On Friday, September 25, staff placed an order for two banners promoting recycling to be placed at the ball fields in Central Park. Staff worked with the Park Commission find ways of improving recycling at these fields and the banner was suggested.
- On Sunday, September 27, staff participated in the Morristown Fall Festival as an exhibitor.

PUBLIC PORTION:

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

OLD BUSINESS:

Mr. Schweizer advised the Board that he has contacted the State Historic Preservation Office (SHPO) to see about the status of our re-application to get their approval to demolish the Beckman house. The revised application was essentially stating the initial request supplemented by all the activities surrounding the proposed auction and the work we had done on the property since our first attempt. SHPO is going to be completing their review on October 10th. What I don't know is how quick after that SHPO review will the decision be signed off by the Council. I will continue to track that and hopefully we will get an answer. We put in a polite request to get this done by the end of year because if we are granted the opportunity to demolish the house, then we can do that in a timely way, so we can continue with our plan to transfer the vacant property to the County's Open Space and also get out of a tax liability for 2016.

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

NEW BUSINESS:

Mr. Schweizer mentioned that the Morris County Improvement Authority has a renewable energy program which was kicked off in 2011 and they issued 33 million dollars in bonds and there were 30 sites around the County including schools, municipal buildings and County buildings. Seventeen of those projects have been developed and thirteen have not. So the County and the Improvement Authority and their Task Force is looking at the balance of the thirteen projects that have not been built to determine the viability of moving ahead with these unbuilt sites. They contacted the M.U.A. to see if we had any sites that could support ground-mounted solar panels. After discussion, we talked about the possibility of the area near Well 8, as you can see in the packet that was handed out. They conducted a site visit and they identified the possibility to install ground-mounted solar panels in the sand and gravel field which could be used to supply power to the existing well and the proposed treatment facility. The proposed treatment facility would most likely be located right in front of the well so it would be as close to the well house as possible.

The real issues are related to the ones that Andrew Holt presented before about the treatment facility and that is, concern about how DEP is going to apply wetlands regulations because now the areas on either side of the driveway are ponds but at certain times of the year they are dry. These ponds go up and down depending on the water table. They were built decades ago and now they

have been determined to be wetlands. We addressed this issue before when we built the well house and when we put new Well 8 in and we were able to get waivers from DEP. We had already identified our plan to get all of the issues regarding the treatment plant that deal with DEP concerns and issues and potential permit, then we will go down and meet with them to review what the options are and how they would like us to proceed.

The solar panel project would raise the same wetlands issues. Our initial thought was there might be some synergy here, the solar panels may be something they are interested in, they may like that feature to go along with the operation of supplying energy to the well and the treatment facility. Although it is tight for the County's schedule, if the Board is on board with the concept of even entertaining solar panels, we would go down to DEP and test their response to dealing with the wetlands issues primarily on the treatment facility and then the solar panels. Mr. Schweizer mentioned that both the County and M.U.A. believe that there might be a mutual benefit of us going together to talk with DEP.

Mr. Platt mentioned that he has experience in a similar installation very recently; we are doing some construction within the riparian zone of a river, removing some old berms. One of the thoughts was to install solar panels within that area where we are building the facility and removing the berms. The DEP group doing the review of the encroachment flood hazard area permit encroachment within the riparian zone did not want to hear about solar panels. They would treat it like any new construction. So even though it makes a lot of sense to consider solar panels for the future, the group that reviews wetland applications, riparian zone applications doesn't care what it is from his recent experience. Mr. Druetzler said it confirms his feelings that there is no synergy in the DEP and Mr. Platt said well put. Mr. Schweizer concurred with that and mentioned that is why they looked at another larger sand and gravel field on the other side of the access right-of-way which is close to Well 7. The load of that well is less than half of the draw on Well 8 and they are uncomfortable with bringing whatever infrastructure and lines from that location over where this adequate power would be. Mr. Platt commented that there is no synergy; one group in DEP does not talk to the other group, and the wetlands group will run you through the ringer even though another bureau is requiring you to put in the treatment facility. Chairman Dour said that we should go for the treatment facility first. Mr. Schweizer mentioned that the interesting part of this property is this area would not be wetlands if the man-made ponds weren't there.

Ms. Szwak asked if these solar panels will only be supplying energy to that well. Chairman Dour replied no, the excess energy would go to the grid and it would reverse your meters. If we are selling more than we are using, then we are going to have no bill. She asked if there is any other infrastructure that needs to be put there. Mr. Schweizer replied they need to put an inverter there that changes the solar amperage and put a line under the driveway into the electric feed of the facility. Mr. Schweizer mentioned that we did not discuss the business part of this but the number they were talking about was 6.7 cents per kilowatt per hour and with the reverse energy audit we are paying 9 cents. That is a sizable reduction but the first thing we need to test is if the site works. The real issue is will we run into the DEP land use restrictions because of the wetlands.

Ms. Szwak mentioned that the purpose of this exercise is to look at all the County facilities and try to use renewable energy in all of them. Mr. Schweizer replied no; the County needs to get some of these projects up and running because they are going to lose the grant money so some of those thirteen projects that have not been built yet are running into some issues and they are looking to find if there is any opportunity outside of those thirteen that could possibly meet their deadline which is at the end of 2016. Mr. Druetzler explained that the Morris County Improvement Authority went out and borrowed 33 million dollars and if they don't do these projects, they are on the hook for 11 million dollars.

Mr. Schweizer advised the Board that the Freeholders' Office asked us to reach out to two Freeholder candidates, Deb Smith of Denville and Christine Myers of Mendham Township and to provide them with a briefing of M.U.A. activities. We are scheduled to do that tomorrow afternoon.

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

There being no further Business, Chairman Dour asked for a Motion to adjourn the meeting at 7:57 p.m.

MOTION: Mr. Hudzik made a Motion to adjourn the meeting at 7:57 p.m. seconded by Mr. Platt and carried unanimously.

Marilyn Regner
Secretary

/mr