

## MINUTES OF THE REGULAR MEETING

DECEMBER 8, 2015

The Regular Meeting of the Morris County Municipal Utilities Authority was held on December 8, 2015 at 5:34 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, Dr. Arthur Nusbaum, Ms. Laura Szwak, Mr. Fletcher Platt, and Mr. Christopher Dour.

Mr. Barry entered the meeting at 5:35 p.m.  
Mr. Druetzler entered the meeting at 5:38 p.m.

ABSENT: Dr. Dorothea Kominos.

Also present was Glenn Schweizer, Executive Director; Andrew Holt, MCMUA Water Consulting Engineer and Michael McAloon, Suburban Consulting Engineers; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brent Carney, Esq., Maraziti Falcon LLP; Larry Gindoff, Solid Waste Coordinator; Kathleen Hourihan, District Recycling Coordinator; and Tina Restuccia, Court Stenographer.

Chairman Dour asked for the Board's approval of the Minutes of the Closed Session and Regular Meeting dated November 10, 2015.

MOTION: Dr. Nusbaum made a Motion to approve the Minutes of the Closed Session and Regular Meeting of November 10, 2015 and Mr. Hudzik seconded the Motion.

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

(Mr. Barry entered the meeting at 5:35 p.m.)

### **TREASURER'S REPORT:**

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating, Water Operating and Capital Accounts for the month of November 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 November in which there was no new investment 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. Barry seconded the Motion.

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

Dr. Nusbaum asked if the banks that the M.U.A. deals with give any interest on that money we have invested. Mr. Kaletcher replied that we do receive interest on all three Operating Accounts. Typically when our balances get to a certain level, we look to invest in CD's or money markets that will yield a better interest rate for us.

(Mr. Druetzler entered the meeting at 5:38 p.m.)

Mr. Kaletcher mentioned that he has two resolutions to amend the Solid Waste and Water budgets. These resolutions are net zero impact budget transfers to allocate line items where our spending is over budget to line items we are under budget. Mr. Kaletcher asked for the Board’s approval of the following Resolutions:

**RESOLUTION NO. 15-75  
RESOLUTION TO AMEND THE 2015 FISCAL BUDGET FOR THE MORRIS  
COUNTY MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.A.C. 5:31-2.8  
SOLID WASTE DIVISION**

**WHEREAS**, N.J.A.C. 5:31-2.8 provides that the Division of Local Government Services may approve the amendment of the budget of any Authority or District when there are decreases in budgeted appropriations with corresponding increases in budgeted appropriations, and

**WHEREAS**, said Director may approve the amendment of the authority’s budgeted appropriations in equal amounts.

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County M.U.A. hereby request the Director of Local Government Services to approve the amendment to the 2015 budget as follows:

<u>Decrease Appropriations:</u>	<u>From:</u>	<u>To:</u>
Liability Insurance	\$ 61,162.00	\$ 51,162.00
Worker’s Comp. Ins.	\$ 147,636.00	\$ 137,636.00
NJ – PERS	\$ 313,880.00	\$ 258,880.00
Dover Ind. Park – Rent	\$ 57,917.00	\$ 32,917.00

<u>Increase Appropriations:</u>	<u>From:</u>	<u>To:</u>
Salaries – Admin	\$ 672,578.00	\$ 702,578.00
Other Oper. & Repair (Shade Tree)	\$ 50,000.00	\$ 65,000.00
Equipment Repairs (Shade Tree)	\$ 95,000.00	\$ 150,000.00

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the meeting held on Tuesday, December 8, 2015.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

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

ATTEST:

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

**MOTION:** Mr. Barry made a Motion to amend the 2015 Fiscal Budget for the MCMUA Pursuant to N.J.A.C. 5:31-2.8 – Solid Waste Division and Mr. Platt seconded the Motion.

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

**RESOLUTION NO. 15-76  
RESOLUTION TO AMEND THE 2015 FISCAL BUDGET FOR THE MORRIS  
COUNTY MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.A.C. 5:31-2.8  
WATER DIVISION**

**WHEREAS**, N.J.A.C. 5:31-2.8 provides that the Division of Local Government Services may approve the amendment of the budget of any Authority or District when there are decreases in budgeted appropriations with corresponding increases in budgeted appropriations, and

**WHEREAS**, said Director may approve the amendment of the authority's budgeted appropriations in equal amounts.

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County M.U.A. hereby request the Director of Local Government Services to approve the amendment to the 2015 budget as follows:

<u>Decrease Appropriations:</u>	<u>From:</u>	<u>To:</u>
Liability Insurance	\$ 23,721.00	\$ 17,721.00
Worker's Comp. Ins.	\$ 49,212.00	\$ 43,212.00
NJ – PERS	\$ 104,627.00	\$ 100,627.00

<u>Increase Appropriations:</u>	<u>From:</u>	<u>To:</u>
Advertising, Legal	\$ 3,000.00	\$ 9,000.00
Fees, Permits & Licenses	\$ 20,000.00	\$ 30,000.00

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the meeting held on Tuesday, December 8, 2015.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

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

ATTEST:

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

**MOTION:** Mr. Barry made a Motion to amend the 2015 Fiscal Budget for the MCMUA Pursuant to N.J.A.C. 5:31-2.8 – Water Division and Ms. Szwak seconded the Motion.

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

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

**BILL RESOLUTION NO. 15-77**

**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. 15-77 containing 7 pages for a total of \$2,575,653.71 dated and made a part hereof by reference.

**SUMMARY**

**CHECK NUMBERS**

CAPITAL FUNDS	1137	\$ 2,215.00
WATER OPERATING FUNDS	3147-3181	145,204.25
SOLID WASTE OPERATING	5852-6045	<u>2,428,234.46</u>
<b>TOTAL</b>		<b>\$ 2,575,653.71</b>

**CERTIFICATION**

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

DATE: December 8, 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: December 8, 2015

DATE: December 8, 2015

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

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

Mr. Druetzler asked why was the Dover Industrial Park rent so much less and Mr. Kaletcher replied that when we budgeted for 2015, we were still in the lease agreement with the Dover facility so we budgeted approximately \$57,000. Mr. Schweizer mentioned that the original lease agreement had us in through May and we were able to get out by January, so Mr. Kaletcher added that those budget monies were not needed.

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

**CORRESPONDENCE:**

Mr. Schweizer mentioned that the first item in the Correspondence Report was the monthly update on the Morris Commons lawsuit and activities regarding providing water to Pond View. In response to the Defendants' efforts to remove themselves from the case, Rockaway Township was requested to provide updated water supply calculations which essentially they did in this effort requested by Dan Kelly, who is the Court's consultant engineer overseeing the technical issues in that lawsuit. Mr. Schweizer has not heard any response on the satisfaction of that but he does not suspect there is going to be any issues. They seem to have enough water, given all the options that they have, to provide water to all of the projects in the Township.

Mr. Schweizer congratulated Suburban on their new office which will be located on Route 206 opposite the Gold Mine Road intersection. Mr. Holt said they expect to be in their new office by the end of the year.

Mr. Schweizer mentioned that he added a few articles and reports that further discuss the status of recycling markets in the United States.

Letter dated November 23, 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.

Notice from Suburban Consulting Engineers, Inc. advising of relocation/change of address of their Headquarters Office as of January 2016.

Recycling Today Article, November 2015, entitled "Fixing The Crisis".

Recycling Today Article, November 2015, entitled “Breaking through the glass ceiling”.

Letter dated December 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 November 2015.

Letter dated December 2, 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 November 2015.

**ENGINEER'S REPORT:**

Mr. Holt gave the following updates: (1) The roof repair project is underway. The M.U.A. awarded the contract last month to Integrity Roofing and they are prepared to begin work this month. He mentioned with good weather, we should have successful completion in short order.; (2) The Markewicz Rehabilitation Tank Painting Contract was awarded to Alpine Painting. The contractor will begin working on the first tank in the Spring. We are going to convene a Pre-Construction Meeting with Alpine in January to review all the submittals and be ready to go as soon as the weather breaks and temperatures allow for tank rehabilitation; (3) Regarding the Clyde Potts Station, we have a meeting convened among N.J. American, Southeast Morris County M.U.A. and Morris County M.U.A. representatives on December 18<sup>th</sup>. We have an agenda we are circulating just to get everybody on the same page in terms of what improvements should and would be done to that facility and an understanding on how our agreement would be extended going forward; (4) With regard to the Markewicz Pump Station Switch Gear and Electrical Upgrades, one of the capital projects also being anticipated. We have a meeting with ATI; Ralph Rocco has been your electrical consultant on these type of projects and we will be getting him oriented and get an updated scope of services and proposal to be able to start that work in 2016; (5) On Alamatong Well 8, we are making slow but measured progress on the evaluation of treatment technologies, as well as what permitting issues there may be associated with implementing treatment on that well to adjust the turbidity and recover those lost gallons. He expects at next month's meeting that they will have a more thorough recommendation for the Board and we will probably be meeting with Glenn before then to get that information circulated before the meeting; (6) Scrub Oaks Mine Well Project, we have submitted the Allocation Permit package to DEP and we also solicited from Uhl Associates an updated proposal. He anticipates that DEP's response on our allocation package will be that they won't complete their review until they ask us to produce updated water quality data from that source. We will have to be prepared to talk about authorizing that amount of work going forward in this Winter and Spring before the DEP completes any kind of a complete review on the allocation permit request but at least that process has begun. Lastly, we are also renewing your current Allocation Permit that is due to be submitted this year in anticipation of renewal early next year. He mentioned that the M.U.A. did award the Sodium Hypochlorite Solution Contract to Main Pool & Chemical last month and he understands that they are coordinating for delivery starting in January. Mr. Holt mentioned that he attached a detailed report that summarizes a snapshot of the projects and where we stood financially and moving forward we will make sure you have any scope of work defined and estimated fee defined before getting into any of those projects.

Mr. Hudzik asked if there are any projects that stand out as going over the original estimate? Mr. Holt replied that we started out on many of these projects without knowing fully what was ahead of us and we were trying to get oriented. He mentioned that we met with John Scarmozza and got us up-to-date, we got correspondence from DEP on a few of these projects that trigger the need to respond and create a scope of work so I think the Well 8 project is not yet defined and he will get back to the Board next month as to what the treatment technique and cost might be and let you make an informed decision to say you want to do this now or later. However, we are under a directive from DEP to address that and we have a timeline in which we have to do it. Mr. Holt mentioned that he has not given the final end all number on several of these projects because we are still not there having defined them. He is committing that he will outline that for the Board before we embark on further action. Mr. Hudzik asked do some of these projects fall in the line of the priority lines that Jacobs Engineering gave and Mr. Holt replied “yes”, most definitely. Several of

these are addressing capital improvements that the Asset Management Plan highlighted as critical infrastructure, as well as any DEP driven mandates.

Mr. Schweizer mentioned that he would like to schedule a Water Committee Meeting right before the January 5<sup>th</sup> Board meeting with those members to go over four of the projects that Andrew has outlined today which he wants to bring to the Board's attention before we take the next step for the Scrub Oaks Mine Well, the roof project, the Well 8 treatment system, as well as the Asset Management Plan – Phase 2. We will send out the information prior to the meeting.

## **PROJECT STATUS**

### **1. Roof Repair Project, Contract No. 36 Re-Bid**

A. The project has been successfully awarded with executed contracts to Integrity Roofing of Rahway New Jersey. The pre-construction meeting was held on Monday, November 23<sup>rd</sup> in which the Contractor had indicated he plans to mobilize to site and begin work on the Flanders Valley wells on Thursday, December 10<sup>th</sup>, then complete the Mount Arlington Booster Station. The Contractor anticipates approximately 7 days to complete the Flanders Valley wells and 10 days to complete the Mt. Arlington Booster Station.

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

A. The project has been successfully awarded with executed contracts to Alpine Painting of Paterson New Jersey. The Contractor anticipates construction to commence in early spring of 2016, but indicated a desire to begin the submission of product submittals as early as January, at which a pre-construction meeting will be held.

### **3. Clyde Potts Pumping Station Pump Upgrade**

A. SCE has coordinated a meeting for December 18<sup>th</sup> among MCMUA, SMCMUA and NJAWC representatives to review the basis of design and ultimately amend the agreement among the parties so upon 2021 Contract expiration all parties have agreement on what will happen to the Contract and the pump station. SMCMUA has also indicated a potential to supply the pump station with back-up power from their standby generator, and option which will be discussed at the meeting.

### **4. Markewicz Pump Station Switchgear and Electrical Upgrades**

A. We have coordinated with Ralph Rocco of ATI and scheduled an on-site meeting for December 7<sup>th</sup> to conduct a conceptual review and feasibility assessment and cost estimates associated with the Markewicz switchgear replacements which were identified in the Jacobs Engineering Asset Management Plan as being a high priority. The first task is to establish a preliminary budget on to report the initial findings.

### **5. Alamatong Well No. 8 Turbidity Preliminary Design**

A. We have been in communication with the NJDEP Division of Land Use and based on the preliminary design, it is anticipated a "Transition Area Redevelopment Waiver" permit is required to construct the proposed building addition. SCE is preparing cost analysis of membrane filtration and pressure filtration operations. SCE is advancing the design based upon the installation of an equalization tank in which turbid water can be stored and treated at a lower flow rates. The goal is to reduce equipment cost by treating lower volumes of well water versus treating the maximum output of well #8.

### **6. Scrub Oaks Allocation Evaluation**

A. SCE has prepared the new water allocation permit application and has the report ready for review and NJDEP submission. Additionally, SCE worked in conjunction with Uhl Associates to validate the 2007 hydrogeological impact study for the permit

application. Through correspondence with the NJDEP Bureau of Water Allocation and Well Permitting (Bureau), SCE developed the remaining site maps required for the permit submittal. It should be noted that Uhl Associates will contract with and bill the MCMUA directly for the work related to the Scrub Oaks Allocation Evaluation.

B. Subsequent to the new water allocation permit submittal, the additional water quality sampling is proposed to be performed by Uhl Associates in addition to re-classifying the well drilled to Level 5 as a public community well drilled by a master driller. For additional information please refer to attached status report and fee proposal.

## **GENERAL**

### **1. SYSTEM**

- A. We have completed the renewal application of the Water Allocation Permit for the Alamatong and Flanders Well Fields and submitted to NJDEP December 1<sup>st</sup>.
- B. The annual contract for the delivery of Sodium Hypochlorite has been successfully awarded with executed contracts to Main Pool & Chemical Company of DuPont, Pennsylvania. The first chemical delivery is scheduled for early January 2016 and occurs every two weeks.
- C. In an attempt to prove the board with the latest cost information about the active engineer projects being advanced by SCE, we have assembled the attached status report.

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

Mr. Gindoff gave the following updates: (1) On the roof project, we had a Pre-Construction meeting last week and we provided the Notice To Proceed yesterday to the contractor so that project is starting right now. We anticipate doing a lot of work over the Winter prepping for the final laying of the roof once the weather hits. The contractor has 180 days to complete the project and May 7<sup>th</sup> is the final day. Dr. Nusbaum asked what is the longevity of the roof and Mr. Gindoff replied 20 years.; (2) With respect to the auction of our older equipment, there seems to be a lot of interest in our grinder at a rate higher than our initial asking price; and finally with respect to the marketing of recyclable materials, we did have a competitive quotation process for handling of the recycling of our fluorescent bulbs and asked for the Board's approval of the following Resolution:

**RESOLUTION NO. 15-79**  
**RESOLUTION AWARDED A NEW CONTRACT FOR THE**  
**MARKETING OF UNIVERSAL WASTE MATERIALS**  
**(FLUORESCENT LIGHT BULBS)**

**WHEREAS**, on November 4, 2015, the Morris County Municipal Utilities Authority (“MCMUA”) issued a request for quotations seeking competitive quotations for marketing of universal waste materials (fluorescent light bulbs) consolidated at the Mount Olive Morris County Transfer Station which include fluorescent light bulbs, and high intensity discharge lamps (hereinafter “Universal Waste”); and

**WHEREAS**, three (3) proposals were received by the MCMUA by November 24, 2015; and

**WHEREAS**, the three (3) proposals were reviewed by the MCMUA staff, and the reviews and recommendations are presented in the report attached hereto as "Exhibit A";

**WHEREAS**, the quotation submitted by AERC.com, Inc., 2591 Mitchell Avenue, Allentown, Pennsylvania 18103, is the most advantageous quotation based upon price and other factors as noted in the attached Exhibit A; and

**WHEREAS**, this quotation shall be accepted for a term of one (1) year, commencing on or about February 11, 2016, 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.

**WHEREAS**, the MCMUA Treasurer has certified that funds will be available in the following line item – Household Hazardous Waste 6-01-1-600-800-726 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 Universal Waste Materials, as more specifically defined herein, to AERC.com, Inc., 2591 Mitchell Avenue, Allentown, Pennsylvania 18103.
2. The Executive Director of the MCMUA is authorized and directed to execute a contract with AERC.com, Inc., 2591 Mitchell Avenue, Allentown, Pennsylvania 18103 for an amount not to exceed \$21,375.54 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 \$21,375.54 for the first one (1) year option and \$21,375.54 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 AERC.com, Inc., 2591 Mitchell Avenue, Allentown, Pennsylvania 18103.
5. This Resolution shall take effect immediately.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the MCMUA at its Regular Meeting held on Tuesday, December 8, 2015.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

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

ATTEST:

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

**MOTION:** Dr. Nusbaum made a Motion to award a new Contract for The Marketing of Universal Waste Materials (Fluorescent Light Bulbs) to AERC.com, Inc. and Mr. Druetzler seconded the Motion.

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

Lastly on the Household Hazardous Waste Program, Mr. Gindoff mentioned that we just finalized our dates at two sites for 2016 and those will get publicized now. Mr. Schweizer asked Larry Gindoff to hand out the brochures for the Household Hazardous Waste Program at the next meeting.

**TRANSFER STATIONS**

**Tonnage** – For the month of November 2015, the tonnage of solid waste accepted at the two transfer stations was 31,911 tons. This monthly tonnage for November 2015 is 8.09% more than the 29,521 tons accepted a year ago in November 2014. Based on tonnage accepted for the first eleven months of the year, for 2015 the annual total tonnage is currently projected to be 380,245 tons which would be 0.66% 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 Project** - After executing the contract and receiving the required certificates and exchanging paperwork, the roof repair and replacement project for both transfer stations is ready to commence. A preconstruction meeting has been scheduled for December 2, 2015 between the contractor, Arco Construction, Inc., the MCMUA’s project engineer, Alaimo Engineering, and MCMUA staff to go over the construction activities related to the project.

**HOUSEHOLD HAZARDOUS WASTE MANAGEMENT**

**Program Participation and Events** – During November 2015, a total of 152 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 October 2015, when 204 participants used the facility and it is also down in participation compared to November 2014, when 188 participants used the permanent facility. Household hazardous waste disposal events are being established for the 2016 season with two disposal events scheduled for the Safety Training Academy and one event scheduled for Chatham High School where we have conducted several successful programs in the past.

**Marketing of Recyclables** – On November 4, the MCMUA issued an RFP for the marketing of the recyclable bulbs, mainly fluorescents, that the MCMUA accepts as part of the HHW program. These bulbs are currently consolidated at the Mt. Olive transfer station from commercial participants prior to pick up by the recycling vendor. Three proposals were received in response to this RFP and after reviewing the proposals, MCMUA staff is recommending awarding the contract to the lowest price proposer, AERC.com, Inc. of Allentown, PA. The MCMUA has used AERC.com before for the marketing of these recyclable materials, including serving as the MCMUA’s current bulb recycler, and the MCMUA has been satisfied with the work and service of AERC.com. The proposal by AERC.com was in an annual amount of \$21,375.54 and this

proposal was slightly under the next lower proposal by Veolia ES whose annual cost proposal was \$22,277.45. The third and the highest bid by National Bulb wasn't competitive with an annual cost of \$57,260.14. A resolution will be presented to the Board at the December 8, MCMUA meeting for its consideration authorizing the award of a recycling marketing contract to AERC.com, Inc. in accordance with their proposal. The term of the contract will be one year with two optional one-year extensions to be exercised at the sole option of the MCMUA.

#### **VEGETATIVE WASTE MANAGEMENT – November 2015**

**Facility Report** – The vegetative waste figures for November 2015 are still being compiled as of the writing of this report and will be provided in the Vegetative Waste Management Report at the December 8 meeting. The extended leaf season hours for drop-off of leaves at the Parsippany site go through December 5, 2015.

**Auction of Older Equipment** – At the November 10, Board meeting the MCMUA authorized the auction of two old pieces of equipment, a 1991 Bandit Beast horizontal grinder and a 1992 tandem dump truck, used for the vegetative waste program. The auction for these two items went live on December 1 and closes on the 10<sup>th</sup>.

#### **PUBLIC HEARING ON WATER RATE AMENDMENT**

Chairman Dour interrupts the regular meeting at 6 p.m. and announces that the MCMUA will be conducting a public hearing to amend the base water rate of the Morris County Municipal Utilities Authority. The MCMUA adopted Resolution 15-74 at the November 10, 2015 Board meeting setting forth the date of this public hearing.

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

Chairman Dour turned the hearing over to Brent Carney, Esq. Mr. Carney read into the record exhibits that have been pre-marked. Mr. Carney stated that we are going to now call on the Treasurer and the MCMUA Water Consulting Engineer as witnesses for presentations and testimony. Mr. Larry Kaletcher, Treasurer, was sworn in and proceeded with the presentation of his statement into the record as a basis for the establishment of the proposed new rate. Mr. Andrew Holt, MCMUA Water Consulting Engineer, was sworn in and proceeded with the presentation of his statement into the record as a basis for the establishment of the proposed new rate. Members of the Authority were invited to ask questions regarding the testimony and the rate amendments. Seeing no comments, Mr. Carney opened the hearing to questions from the Public. There were no members from the Public present to make comment. The testimonies of Larry Kaletcher and Andrew Holt was also entered into the record. The public hearing was closed at 6:10 p.m.

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

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

#### **RESOLUTION NO.15-78** **RESOLUTION TO AMEND WATER RATE OF** **MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY**

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

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

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

WHEREAS, the Authority adopted a Resolution No. 15-74 on November 10, 2015 to provide for the amendment of the rate of the Authority; and

WHEREAS, the Authority desires to amend the base rate to \$2,333.00 per million gallons; and

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

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

WHEREAS, the Authority has considered the matter and has determined that the proposed amendment to the rate is necessary and reasonable.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 8th day of December, 2015 as follows:

1. The base rate to be charged by the Authority for the provision of water is hereby amended to be \$2,333.00 per million gallons (MG).
2. This Resolution shall take effect as provided by law and the rate established hereby shall become effective on January 1, 2016.

### **CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority, at a Regular Meeting held on December 8, 2015.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

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

ATTEST:

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

**MOTION:** Mr. Druetzler made a Motion to amend the water rate of the Morris County Municipal Utilities Authority to \$2,333.00 per million gallons and Dr. Nusbaum seconded the Motion.

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

Mr. Kaletcher mentioned that he was notified today the Department of Community Affairs approved our budget introduction from last month so that approval allows us to move forward with budget adoption. There is no change between the introduction budget and the budget we are adopting tonight. Mr. Kaletcher asked for the Board's approval of the following Resolutions:

**RESOLUTION NO. 15-84  
2016 SOLID WASTE  
ADOPTED BUDGET RESOLUTION  
Morris County Municipal Utilities Authority**

**FISCAL YEAR: FROM January 1, 2016 TO December 31, 2016**

WHEREAS, the Annual Budget and Capital Budget/Program for the Morris County Municipal Utilities Authority for the fiscal year beginning January 1, 2016 and ending December 31, 2016 has been presented for adoption before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of December 8, 2015; and

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

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$38,654,274.00, Total Appropriations, including any Accumulated Deficit, if any, of \$38,654,274.00 and Total Unrestricted Net Assets utilized of \$0.00; and

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

NOW, THEREFORE BE IT RESOLVED, by the governing body of Morris County Municipal Utilities Authority, at an open public meeting held on December 8, 2015 that the Annual Budget and Capital Budget/Program of the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2016 and, ending, December 31, 2016 is hereby adopted and shall constitute appropriations for the purposes stated; and

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

\_\_\_\_\_  
Marilyn Regner, Secretary December 8, 2015  
Date

Governing Body Member:	Recorded Vote – 1 <sup>st</sup> :				2 <sup>nd</sup> : MR. DRUETZLER Absent
	Aye	Nay	Abstain		
Mr. Hudzik	X				
Mr. Barry	X				
Dr. Nusbaum	X				
Ms. Szwak	X				
Mr. Druetzler	X				
Mr. Platt	X				
Mr. Dour	X				
Dr. Kominos					X

**RESOLUTION NO. 15-85  
2016 WATER  
ADOPTED BUDGET RESOLUTION  
Morris County Municipal Utilities Authority**

**FISCAL YEAR: FROM January 1, 2016 TO December 31, 2016**

WHEREAS, the Annual Budget and Capital Budget/Program for the Morris County Municipal Utilities Authority for the fiscal year beginning January 1, 2016 and ending December 31, 2016 has been presented for adoption before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of December 8, 2016; and

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

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$3,903,531.00, Total Appropriations, including any Accumulated Deficit, if any, of \$5,498,991.00 and Total Unrestricted Net Assets utilized of \$1,595,460.00; and

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

NOW, THEREFORE BE IT RESOLVED, by the governing body of Morris County Municipal Utilities Authority, at an open public meeting held on December 8, 2016 that the Annual Budget and Capital Budget/Program of the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2016 and, ending, December 31, 2016 is hereby adopted and shall constitute appropriations for the purposes stated; and

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

\_\_\_\_\_  
Marilyn Regner, Secretary December 8, 2016  
(Date)

Governing Body Member:	Recorded Vote – 1 <sup>st</sup> : MR. HUDZIK 2 <sup>nd</sup> : MR. PLATT			
	Aye	Nay	Abstain	Absent
Mr. Hudzik	X			
Mr. Barry	X			
Dr. Nusbaum	X			
Ms. Szwak	X			
Mr. Druetzler	X			
Mr. Platt	X			
Mr. Dour	X			
Dr. Kominos				X

**RECYCLING REPORT:**

Ms. Hourihan mentioned that we are out for a Request For Proposals for the marketing of recyclable materials that we collect. Our current contract with ReCommunity ends on January 23, 2016. The Request For Proposals are due tomorrow. Our plan is to present a resolution at the January meeting to award a new contract for the marketing of recyclable materials.

Mr. Dour asked how many people picked up the Request For Proposals and Ms. Hourihan replied eleven but only five or six are recycling companies and the others are bid source companies.

Ms. Hourihan asked for the Board’s approval of the following Resolutions. With regard to Resolution No. 15-80, Ms. Hourihan mentioned that the Borough of Netcong’s contract ends on December 31, 2015 and we have agreed to the terms of a new three year contract with the Borough.

**RESOLUTION NO. 15-80  
RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT FOR  
CURBSIDE COLLECTION OF RECYCLABLE MATERIALS (Netcong)**

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

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

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

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

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

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

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

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

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

the Borough of Netcong commencing January 1, 2016 for three (3) years until December 31, 2018; and

WHEREAS, the agreements shall supersede previous agreements entered into by the MCMUA and the Borough of Netcong providing for curbside collection of recyclable materials; and

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

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 8, 2015.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

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

ATTEST:

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

**MOTION:** Mr. Barry made a Motion to authorize the execution of Agreement for Curbside Collection of Recyclable Materials for the Borough of Netcong and Mr. Hudzik seconded the Motion.

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

**RESOLUTION NO. 15-81  
RESOLUTION AUTHORIZING THE AWARD OF BIDS RECEIVED FOR THE  
PURCHASE OF TWO (2) NEW 2017 6X4 REFUSE TRUCK CHASSIS  
WITH 29 CUBIC YARD REAR-LOAD COMPACTOR BODY**

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) issued a request for bids for the “Purchase of Two (2) New 2017 6X4 Refuse Truck Chassis with 29 Cubic Yard Rear-Load Compactor Body”; and

WHEREAS, the MCMUA received two (2) bids on November 24, 2015 from the companies listed below at the rates shown for the total contract amount for both trucks; and

	<u>Total Amount</u>
Deluxe International Trucks, Inc. 600 S River Street, Hackensack, NJ 07601	\$389,000.00
Brown’s Hunterdon International, LLC PO Box 98, 963 Route 173, Bloomsbury, New Jersey 08804	\$391,752.00

WHEREAS, the bid of Deluxe International Trucks (Deluxe), being the apparent lowest, was reviewed by the Authority’s Staff to determine compliance with the bid specifications; and

WHEREAS, it was determined that the bid from Deluxe meets the requirements subject to receipt of a certificate of insurance in a form acceptable to the County’s Risk Manager; and

WHEREAS, the MCMUA desires to purchase two (2) new refuse trucks with a 29 cubic yard rear-load compactor body according to the bid from Deluxe at the total amount of \$389,000.00; and

WHEREAS, the MCMUA Treasurer has certified that sufficient funds are available in line item 5-01-3-300-800-151 Equipment Purchase for one truck in the amount of \$194,500.00, and 6-01-3-300-800-151 Equipment Purchase for one truck in the amount of \$194,500.00.

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

1. The MCMUA hereby awards the contract to Deluxe for the two (2) new 2017 refuse trucks with a 29 cubic yard rear-load compactor body according to the bid at the total amount of \$389,000.00.

2. The Executive Director is authorized and directed to execute a contract with Deluxe in accordance with the terms of this resolution.
3. A copy of the Resolution shall be sent to all persons that submitted a bid for the “Purchase of Two (2) New 2017 6X4 Refuse Truck Chassis with 29 Cubic Yard Rear-Load Compactor Body.” Additionally, a copy shall be submitted to the MCMUA Treasurer and kept on file in the offices of the Authority.
4. This resolution shall take effect as provided by law.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 8, 2015.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

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

ATTEST:

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

**MOTION:** Ms. Szwak made a Motion to authorize the award of Bids received for the purchase of two (2) New 2017 6X4 Refuse Truck Chassis With 29 Cubic Yard Rear-Load Compactor Body to DeLuxe International Trucks, Inc. in an amount not to exceed \$389,000.00 and Mr. Hudzik seconded the Motion.

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

Chairman Dour mentioned that the articles included in the Correspondence Report regarding what is going on in the recycling market were very interesting. Ms. Hourihan mentioned that she just got a call yesterday from the City of San Antonio, who is being approached by ReCommunity to renegotiate their contract. One of the articles discusses that municipalities should be willing to renegotiate their contracts if markets go bad. San Antonio has a ten year contract that started in 2014, so they are only 18 months into it and ReCommunity has already come back to them to renegotiate because they are saying that markets have not improved.

Dr. Nusbaum asked how many municipalities do we provide recycling for? Ms. Hourihan replied that we provide curbside collection for 16 municipalities and three municipalities that we provide only roll-service to. She added that there are 39 municipalities so it is a little less than half. With the recycling market going down as far as recovering dollars, Dr. Nusbaum asked if we anticipate more municipalities might want to have the M.U.A. doing the recycling program so they get a better return on the dollar than they could; this could be a trend? Ms. Hourihan replied that the M.U.A. also provides an opportunity for municipalities to contract on only the sale of recyclables so if they have someone else picking up their recyclables, they can contract through our marketing contract, which we call a supplemental town. We have three municipalities that take advantage of that as well. Ms. Hourihan added that it could be; it all depends on the current contract status of that municipality. A lot of municipalities have chosen to forego any of the marketing responsibility so a lot of municipalities have a hauler pick up their materials and the hauler is responsible for marketing the material and the costs or revenue associated with it. So there is really a mix going on of different marketing scenarios. Dr. Nusbaum asked have we reached out to the non-participating municipalities to let them know some of the benefits that are available through the M.U.A.? Ms. Hourihan replied we have somewhat; we could probably do a little bit more of that.

**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 and explained that this is for our remaining properties in Washington Valley. We are looking to transfer these properties to the County as open space. The value of the property is \$302,000 and the Freeholders are scheduled to take action on this Contract For Real Estate at their meeting on December 21st. We are looking to close the week after and have the Deed filed in time so that we do not have any tax liability for 2016. Ms. Szwak asked who is going to manage the property and Mr. Schweizer replied the property will be managed by the Park Commission and will be added to the extended Lewis Morris Park.

**RESOLUTION NO. 15-82  
RESOLUTION AUTHORIZING THE SALE OF  
REAL PROPERTY TO THE COUNTY OF MORRIS**

**WHEREAS**, the Morris County Municipal Utilities Authority (hereinafter “the Authority”) has the power to sell real property no longer necessary for the purposes of the Authority by virtue of the provisions of N.J.S.A. 40:14B-20(5); and

**WHEREAS**, the Authority is authorized to sell real property to a political subdivision of the State of New Jersey without the necessity to engage in a public auction by virtue of the provisions of N.J.S.A. 40A:12-13(b)(1); and

**WHEREAS**, the Authority owns land commonly known as Block 3202, Lot 7 and part of Lot 4 in the Township of Morris; and

**WHEREAS**, the Authority is willing to sell the foregoing real property to the County of Morris based upon its determination, and subject to the reservation of certain rights hereinafter described, that it no longer needs to retain ownership of the said property for public use;

**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 of Sale substantially in the form annexed hereto subject to such modifications as may be negotiated between the parties which, in the opinion of the Authority Attorney, do not modify the terms thereof in any significant respect.
2. The principal terms of the transaction are as follows:
  - A. Property – Block 3202, Lot 7 and part of Lot 4 in the Township of Morris.

- B. Purchase Price - \$302,000. The County of Morris shall pay the purchase price from the Authority's share of the Morris County Open Space and Farmland Preservation Trust Fund.
  - C. The Authority shall deliver a Deed and Affidavit of Title to the County of Morris.
  - D. Closing shall occur on or about December 28, 2015.
  - E. In accordance with the provisions of N.J.S.A. 40:12-15.1 relating to acquisitions through a County Open Space, Recreation, and Farmland and Historic Preservation Trust Fund, and particularly, the portions thereof which define "Recreation and conservation purposes" to include use of lands for water reserves, the Authority reserves all right, title and interest to all water in, upon, under and throughout the Property, including the right to utilize the same in the public interest by all reasonable means permitted under the Municipal and County Utilities Authorities Law (N.J.S.A. 40:14B-1 et seq.), exercisable at any and all times hereafter.
3. This Resolution shall take effect as provided by law.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 8, 2015.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

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

ATTEST:

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

**MOTION:** Mr. Druetzler made a Motion to authorize sale of real property To the County of Morris and Ms. Szwak seconded the Motion.

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

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

**NEW BUSINESS:**

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

**RESOLUTION NO. 15-83**  
**RESOLUTION AUTHORIZING EXECUTION OF CONTRACT**  
**FOR EXECUTIVE DIRECTOR**

**BE IT RESOLVED** by the Morris County Municipal Utilities Authority that the Chairman is authorized and directed to execute the Contract marked Schedule A, attached hereto to retain Glenn W. Schweizer to continue to serve as Executive Director for a period of three (3) years, commencing on December 9, 2015.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on Tuesday, December 8, 2015.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

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

ATTEST:

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

**MOTION:** Mr. Druetzler made a Motion to authorize Execution of Contract For Executive Director for Glenn Schweizer for a period of three (3) years commencing December 9, 2015 and Dr. Nusbaum seconded the Motion.

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

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 6:24 p.m.

**MOTION:** Mr. Hudzik made a Motion to adjourn the meeting at 6:24 p.m., seconded by Dr. Nusbaum and carried unanimously.

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

/mr