

MINUTES OF REGULAR MEETING

FEBRUARY 9, 2016

The Regular Meeting of the Morris County Municipal Utilities Authority was held on February 9, 2016 at 7:13 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.

Chairwoman Szwak requested a roll call.

PRESENT: Mr. James Barry, Dr. Arthur Nusbaum, Mr. Dour,
Mr. Frank Druetzler, Dr. Dorothea Kominos,
Mr. Fletcher Platt and Ms. Laura Szwak.

ABSENT: Mr. William Hudzik.

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

Chairwoman Szwak asked for the Board's approval of the Minutes of the Regular Meeting dated January 5, 2016.

MOTION: Mr. Dour made a Motion to approve the Minutes of the Regular Meeting of January 5, 2016 and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 4 NAYES: NONE ABSTENTIONS: Drs. Kominos and Nusbaum
and Ms. Szwak

Chairwoman Szwak asked for the Board's approval of the Minutes of the Special Meeting dated January 20, 2016.

MOTION: Mr. Druetzler made a Motion to approve the Minutes of the Special Meeting of January 20, 2016 and Mr. Dour seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: Dr. Kominos

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating, Water Operating and Capital Accounts for the month of January 2016. Also included are the Comparative Balance Reports for the Solid Waste and Water Divisions, as well as the investment report which shows there were no new investments for the month of January 2016. These reports have been incorporated in these Minutes.

Mr. Druetzler asked was the property located on Whitehead Road given to the County and Mr. Schweizer replied no; it's scheduled to go some time in 2016 but we did apply for a tax adjustment based on the fact that the house has been removed.

Chairwoman Szwak 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 Dr. Nusbaum seconded the Motion.

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

Chairwoman Szwak asked for the Board's approval of the vouchers:

BILL RESOLUTION NO. 16-12

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. 16-12 containing 7 pages for a total of \$2,296,352.65 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

CAPITAL FUNDS	1139	\$ 1,747.94
WATER OPERATING FUNDS	3213-3250	239,239.73
SOLID WASTE OPERATING	6125-6225	<u>2,055,364.98</u>
	TOTAL	\$ 2,296.352.65

CERTIFICATION

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

DATE: February 9, 2016

BOARD CHAIRMAN APPROVAL

Laura Szwak, Chairwoman

SIGNED: _____
Marilyn Regner, Secretary

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds in the appropriations charged, or accounts listed to cover the expenditures included in the SCHEDULE OF WARRANTS dated: February 9, 2016

DATE: February 9, 2016

Larry Kaletcher, Treasurer

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

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

CORRESPONDENCE:

With regard to correspondence, Mr. Schweizer mentioned that Item No. 2 is a letter from Laura Cummings of Southeast Morris County M.U.A. for the annual increase in cost for the water that we purchase from Southeast. This water is transferred directly to N.J. American at a higher rate than our normal rate and they use that water to provide to Mendham and Chester. Mr. Dour asked was their increase that much last year and Mr. Schweizer replied yes, typically four or five percent. Item No. 4 of the correspondence report with regard to the Solid Waste Management Plan will be covered during the Solid Waste Report. With regard to Item No. 5, letter to Barbara Murray, from the County's Open Space staff from Washington Township regarding an inquiry into using part of the Reservoir Road open space property for a police firing range, Mr. Schweizer mentioned that the County is in the process of responding. He explained that this involves possibly three parties. The first question that needs to be asked and answered is does Green Acres have jurisdiction on this property. If it does, then Green Acres rules will govern and typically, they do not allow these kinds of diversions. The County will be directing the Township of Washington to

go and seek a determination from Green Acres as to whether they have jurisdiction. Beyond that if Green Acres decides that it does not have jurisdiction and it goes back to the County, the County's rules and regulations is very strict and does not allow this type of purpose on open space property where they provide funding. However, last year they did create a diversion policy so the applicant, in this case the Township, would have to make an application to the County of Morris to seek a diversion, which would mean they would to provide things, including property in lieu of or there may be some payments involved. The more interesting one is the MUA's restrictions. We do not have a diversion policy and all the projects that we provide open space funding for have deed restrictions in perpetuity that prevent any use other than using the property as a natural area for open space except for passive recreation. Mr. Schweizer added that the Township of Washington has a long way to go before they get a determination letter to have a likelihood of success in using part of this property and would think that it probably does not look favorable.

Dr. Nusbaum asked was that bought Green Acres dollars and Mr. Schweizer replied no; however, if the property is included in their inventory, then the Green Acres rules apply. Mr. Carney mentioned that whether or not it is on the recreation open space inventory, the Supreme Court in a case known as Cedar Cove, which mimics the Green Acres statute, holds that if the property was held out for open space, irregardless of the fact if it is on anybody's inventory, there is a strong argument to say that in fact it is captured by Green Acres and David Smith down at the DEP Green Acres Program covers most of northern New Jersey and he would be a good contact for the County to get a hold of. Mr. Dour asked if there are still any issues with lead from the shooting ranges? Mr. Platt replied there is no active reservoir or wells in that area. Mr. Dour asked if there are any other towns in the area that have qualification ranges that they could use? Mr. Druetzler mentioned that Picatinny supposedly has a firing range that is going to be open to the police.

Freeholder Resolution No. 32 adopted January 27, 2016 appointing Fletcher Platt and Laura Szwak to the Morris County Municipal Utilities Authority to serve without salary five-year terms to expire on February 1, 2021.

Letter dated January 7, 2016 to Glenn Schweizer from Laura Cummings, P.E., Executive Director/Chief Engineer, Southeast Morris County M.U.A. regarding a notice from the Passaic Valley Water Commission indicating a 5% increase in the wholesale water rate effective January 1, 2016.

Letter dated January 25, 2016 to Honorable Stephan C. Hansbury, P.J. Ch., Superior Court of New Jersey from Keri L. Gallo, Esq., The Buzak Law Group, LLC submitting Rockaway Township's status report regarding its efforts to obtain additional water supplies.

Memorandum dated January 28, 2016 to Diane M. Ketchum, Clerk of the Board from John A. Napolitano, Morris County Counsel regarding Resolution and Legal Notice for publication setting down a hearing of a Solid Waste Management Plan Amendment dated January 2016 for the inclusion of a contract for operating two Morris County Solid Waste Transfer Stations located in the Townships of Parsippany-Troy Hills and Mount Olive.

Letter dated January 18, 2016 to Barbara Murray from Andrew Coppola, Township Administrator, Township of Washington, regarding a tract on Reservoir Road for Washington Township Police Range.

First Energy Corp. News Release dated January 20, 2016 entitled "JCP&L Posts Best

Service Reliability Results In More than a Decade – Company Reliability Results for 2015 Showed an 18 Percent Decrease in Number of Outages Customers Experienced from the Previous Year.

Letter dated February 9, 2016 to New Jersey Department of Environmental Protection from Anthony Milonas, Supervisor of Water Operations, regarding T1 Reports for the Morris County M.U.A. for the month of January 2016.

Letter dated February 9, 2016 to New Jersey Department of Environmental Protection from Anthony Milonas, Supervisor of Water Operations, regarding the Disinfectant Residuals Report for M.U.A. for the month of January 2016.

ENGINEER'S REPORT:

Mr. Holt thanked the Board for their vote of confidence.

Mr. Holt gave the following updates: (1) Roof Repair Project – The project has been suspended for cold and snowy weather. All three buildings have the first substrate roof product on there and it is waterproof so the Contractor just has to return and complete the second and third layer of the roofing and then they will be done. We have included in the report the project completion summary which is a good synopsis of where we are in contract times and costs and in the paperwork tonight is the second payment due to the Contractor in the amount of \$68,600 is being recommended. Mr. Dour asked there is no issue with that layer being exposed. Mr. Holt replied no; they will do a light treatment to prep the surface to receive the next layer of material.; (2) Rehabilitation of Markewicz Tanks – Tank No. 2 is the tank that is currently being worked on. They started in the first week of January and because they are doing the interior, they are able to control that environment with heat and dehumidification. The Contractor is doing a very good job and they actually have the primer coat on the much of the first tank interior already so they are making good progress. On the resolution list, there are two change orders associated with this contract; the first being the change to the 100% solids interior coat system which is being recommended and the second change order is to do proper welding of caps on top of tank. The Contractor is making good progress and they are under a strict timeline of 90 days, which is the maximum time we will allow this tank to be out of service and they will plan to return in the fall to do the next tank.; (3) Markewicz Electrical Switchgear Upgrade – Coming from the Asset Management Study, it was a good finding of how critical that structure is to our ability to produce and deliver water to all our customers. So we have worked with ATI, Ralph Rocco, who just provided his proposal so we will get that formalized and ready for recommendation to you at the March meeting. For about \$23,000, he is prepared to undertake the full evaluation of the switchgear, the options available to us and achieve the end result we are looking for with a 480 Volt power supply to the pump station and it will actually hopefully be making an enhancement to it to enable two ways to serve the pump station rather than just one way that we currently have so we will be improving the reliability of the facility at the same time hopefully creating some lower energy demand with lower horsepower pumps and replacing 30 plus year old equipment. Our recommendation is to engage ATI to do that study. He is a qualified engineering consultant that you have worked with in the past on both types of issues.; (4) Alamatong Well 8 – We have re-evaluated your need for this well. We definitely do need this well and our ability to meet our peak day demand so we have to come up with some solution for this. There was a good suggestion and Tony Milonas is actually attempting to control the rate at which the well produces water and not let it run at full capacity, scale it back by 20% to see if the turbidity events change in the frequency duration, if there is any impact from just that minor modification of the operation of the well. If there is some reliable conclusion from that then we might be able to change approach more economically. We are going through this process right now and collecting some better data and hope to arrive at a solution that we can recommend to you. We did just communicate with DEP because we were under a timeline to have submitted for a permit to construct treatment or whatever outcome from this study by this July and we said we were not going to be in a position to do that just yet so DEP will work with us in terms of this timeline. There is no threat to public health associated with this, we are just trying to implement treatment to capture and control all the water that we are allocated so it is not wasted.; (5) Scrub Oaks Mine Well - We had come before you with

the proposal previously from Vince Uhl to have him assist with the water quality sampling that DEP is asking for. In their review of the allocation permit, the DEP actually wants to know what the water quality is that we will have to treat before they render any decision or opinion on the allocation permit request. From the outcome of the Water Committee meeting last month, it was suggested that a little more thorough set of water quality samples be collected rather than just one snapshot of the water quality so we had Vince Uhl update his proposal. The increase in cost is associated with the duration in time in which the pump test will be run and the number of water quality samples that we collect and have analyzed at the laboratory. This is recommended through a resolution that is on the agenda for hydrogeologic services of Vince Uhl.

Mr Platt asked about a suggestion that was made to pass this plan by DEP and asked if this was done. Mr. Holt replied we have not done that yet. So the first step would be to get DEP's blessing on the plan before spending time and money on mobilizing equipment and laboratories.

PROJECT STATUS

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

A. The Contractor has completed the first layer of the liquid applied membrane system to create a water tight seals on both Flanders Valley Well #1 and #2, as well at the Mt. Arlington Booster Station Roofs. With the recent weather (cold temperatures and snowfall accumulation) the Contractor has suspended work and will resume once the weather conforms to installation requirements. The Contractor has submitted progress payment application #2 in the amount of \$68,600.00. We have reviewed the request and recommend the MCMUA process payment to Integrity roofing.

Project Completion Summary

Original Substantial Completion Time		May 29, 2016
Approved Time Extensions	0	Calendar Days
Current Substantial Completion Time		May 29, 2016
Days Elapsed:	64	36%
Days Remaining:	116	64%
Original Contract		\$215,340.00
Approved Change Orders		\$0.00
Total Value of Contract:		\$215,340.00
Total Value of Work Complete:		\$161,500.00
Percent of Work Complete:		75%
Total Retainage to Date		\$3,230.00

Previously invoiced: \$89,670.00

Amount of Payment #2: \$68,600.00

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 Pre-Construction Meeting was held on January 7th, 2016. MCMUA began dewatering Tank #2 (rear tank) on Wednesday January 20th in preparation for Alpine to begin the sandblasting and coating application on Monday January 25th. The Contractor completed the mobilization of equipment and materials to site, dewatering and cleaning of the tank, and began the sand blasting of Tank #2 interior. The Contractor anticipates the application of the first prime coat on Friday February 5th, 2016.

B. The Contractor has submitted a proposed change order request for the structural repairs associated with the existing cathodic protection system as well as the existing vent removal on Tank #2. We have reviewed the contractors' proposed change order and recommend approval of the Change Order #2 in the amount of \$7,400.00. The work includes patching access covers for the old CP system, and removal of old undersized vents. As discussed at the last Water Committee meeting, we have also

prepared Contract Change Order #1 authorizing Alpine to complete the application of the 100% solids coating system for the interior of Tank #2 (rear tank) for the amount of \$32,300.00.

- C. As minimal work has been completed prior to this Board meeting, the Contractor has not yet submitted a payment application request. Progress Meeting #1 for the project is scheduled for Thursday, February 11th, 2016 at 2:00 PM, at which it is anticipated Alpine will submit the pencil copy of payment application #1.

Project Completion Summary

Original Contract Completion Time		April 1, 2017
Approved Time Extensions	0	Calendar Days
Current Contract Completion Time		April 1, 2017
Milestone 1 – Tank #2 (Rear Tank)	90	Calendar Days
Milestone 1 – Completion Date		April 24, 2016
Days Elapsed:	33	7%
Days Remaining:	417	93%

Original Contract	\$2,145,100.00
Recommended Change Orders	\$39,700.00
Total Value of Contract:	\$2,184,800.00
Total Value of Work Complete:	\$0.00
Percent of Work Complete:	0%
Total Retainage to Date	\$0.00

3. Markewicz Pump Station Switchgear and Electrical Upgrades

- A. In preparation for the design of switchgear replacements recommended by the Asset Management Plan, SCE has performed a system evaluation of the current configuration of the MCMUA Markewicz Pump Station with an emphasis on maintaining station capacity while accommodating the changeover from 2400 volt gear to 480 volt gear and motors. We have met and discussed with pump manufacturers and have two (2) preliminary pump configurations which we are evaluating.
 - a. Five (5) 150 hp pumps with VFD’s.
 - b. Two (2) 150 hp pumps and two (2) 200 hp pumps.

Ralph Rocco of ATI is currently preparing the revised proposal for electrical upgrades, lightning protection, as well as the redundant, dual feed electrical service. ATI anticipates submission of his revised proposal the week of February 8th, 2016. The objective of the project is to furnish and install all new electrical switchgear, motors and pumps, with redundant power supply, providing greater reliability and efficiency in station operations.

4. Alamatong Well No. 8 Turbidity Preliminary Design

- A. Following the January 2016 MCMUA Water Committee meeting in which we presented our recommendations for Well No. 8 treatment, the Board directed additional evaluation of the system as well as exploration of potential alternatives. The following is a summary of the MCMUA System water demands and capacity, which supports the need for Well 8 or an equivalent source of similar capacity to meet the peak day demands for the MCMUA water system.

System Water Demands – MCMUA water demands averaged 4.6 mgd in 2015. Peak month demands in 2015 reached approximately 6.5 mgd. Peak day demands can exceed the peak month demand by 25% to 50%, so that peak day demand is on the order of 9 mgd. With conservation measures in place, the peaking factor might be closer to 20% or 30%, which would result in a peak day demand of 8 mgd to 8.5 mgd. Water systems need firm capacity to be able to meet the peak day demands.

System Firm Capacity – The system’s firm capacity (with the largest well out of service) is 8.5 mgd if Well #8 were operating at 1,000 gpm (1.4 mgd). So Well #8, or

a source of similar capacity, is needed to meet peak day demands for the MCMUA water system.

- B. In-lieu of full scale treatment of the existing Well 8, we are currently generating and implementing a Well #8 testing program to determine, if through more controlled operation of the well, we can reduce the blow-off volumes. There is some evidence that Well #8 has been operating at greater than 1,000 gpm when it has been blowing off because the pump will deliver more water when it is not lifting water to the distribution system pressure. A new orifice plate for the blow pipe is being fabricated to create more back pressure for the pump, which will reduce its pumping rate. A lower pumping rate will reduce water velocities in the aquifer which may reduce entrainment of turbidity. Operating Well #8 at a lower capacity (approximately 900 gpm and then further down to 800 gpm on this test basis), will reduce water velocities in the aquifer during regular operation and may reduce turbidity in the well water. A testing program is being developed to closely monitor Well #8 pumping rates and to 1) reduce pumping rates during blow off and regular operation; 2) collect turbidity data; 3) compare turbidities to pump rating over an extended period; and 4) evaluation of well depths. The data will be collected using existing instrumentation and controls while operators will periodically adjust Well #8 pumping rates so that data can be collected for a range of flows. Reliable operation of Well #8 with minimal blow off quantities would be a positive impact on system operations and firm capacity.
- C. We have been in communication with the NJDEP Bureau of Water System Engineering following the Water Committee meeting and the initial determination of financial infeasibility. We have sent electronic communication advising them all vested parties are looking into other practical solutions to solve the water loss problem with Well No. 8. A formal letter requesting an extension, as well as informing of the proposed the pump testing program is being drafted to the BWSE.

5. Scrub Oaks Allocation Evaluation

- A. SCE has prepared and submitted the new water allocation permit application to NJDEP. On January 26, 2016 we have received notice from NJDEP requesting a Highlands Consistency Determination for the new Water Allocation Permit for the Scrub Oaks Mine project. We are currently working with Jim Hutzelmann of the Highlands Council for a Highlands Consistency Determination (CD). This is expected to be received in March.
- B. In response to questions raised by the Board last month about the scope and reliability of data collected in a short term sampling event, Uhl Associates has revised the testing and sampling protocol proposal and expanded the pump flow to 200 gpm, increased pump duration, as well as included pricing for three (3) sampling events. The proposal also maintained the re-classifying the well drilled to Level 5 as a public community well drilled by a master driller. With the increase pump duration as well as sampling events, the proposal increased from \$19,110.00 to \$39,950.00 (see copy attached). A resolution has been prepared and will be presented for Board approval.
- C. Attached to the Engineers report is SCE's Scrub Oaks Mine Well Project Evaluation Change Order #2 which includes the breakdown for SCE's next phase of work in support of advancing this project. As part of Uhl Associates water quality sampling event, we will begin evaluation of the water quality results and prepare a preliminary treatment feasibility and cost determination.

Chairwoman Szwak asked for the Board's approval of the following Resolutions:

RESOLUTION NO. 16-13
RESOLUTION TO AWARD A CONTRACT FOR PERFORMANCE
OF HYDROGEOLOGIC SERVICES (Uhl Associates, Inc.)

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") requires the services of a hydrogeologist to resample the Scrub Oaks Mine Well for water supply purposes and to provide technical support for water allocation permit and hydrogeologic report for the well; and

WHEREAS, Uhl Associates, Inc. submitted a proposal on December 1, 2015 for such hydrogeologic services; and

WHEREAS, following the review of the December 1, 2015 proposal by the MCMUA Water Committee, the testing and sampling protocol was expanded; and

WHEREAS, in response to the recommendations of the MCMUA Water Committee, a revised cost proposal was submitted dated January 26, 2016 and is acceptable to the MCMUA; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in the Engineering and Professional Services line item 6-02-6-900-925-230; and

WHEREAS, the MCMUA has determined that it shall make a contract award to Uhl Associates, Inc., P. O. Box 347, 278 North Union Street, Suite 106, Lambertville, New Jersey 08530 for performance of said professional hydrogeologic services based upon their proposals dated December 1, 2015 and January 26, 2016; and

WHEREAS, the services to be rendered are to be performed by persons authorized by law to practice a recognized profession within the definition of a professional service pursuant to N.J.S.A. 40A:11-5.

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

1. The Executive Director is authorized and directed to execute a contract with Uhl Associates, Inc. in a form approved by the MCMUA Attorney.
2. The maximum authorized expenditure pursuant to the Contract approved hereby is \$39,950.00.
3. The Executive Director shall cause a copy of this Resolution to be published in accordance with law. A copy of the contract shall be kept available for public inspection at the MCMUA offices.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at a Regular Meeting held on February 9, 2016.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

By: _____
Marilyn Regner, Secretary

MOTION: Mr. Platt made a Motion to award a contract for performance of hydrogeologic services to Uhl Associates, Inc. and Mr. Dour seconded the Motion.

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

RESOLUTION NO. 16-14
RESOLUTION AUTHORIZING CHANGE ORDERS NO. 1 AND NO. 2
TO CONTRACT 23R-15 - MARKEWICZ 3MG WATER
STORAGE TANK REHABILITATION – TANK 2

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) and Scaturro Bros., Inc., T/A Alpine Painting & Sandblasting Contractors entered into an agreement on November 30, 2015, to rehabilitate the two 3MG Water Storage Tanks located at the Markewicz Pump Station; and

WHEREAS, Alpine submitted an alternate proposal to utilize a 100% solids coating system for the interior rehabilitation which has been selected by the MCMUA; and

WHEREAS, extra work unanticipated in the scope of the original contract was necessary to assure proper completion of the project; and

WHEREAS, Alpine has requested compensation for the utilization of the 100% solids coating system and for the additional services in the amount of \$32,300 under Change Order No. 1, and \$7,400 under Change Order No. 2; and

WHEREAS, the MCMUA has reviewed the Request for Change Orders No. 1 and No. 2 prepared for Contract 23R-15 by the MCMUA Consultant Engineer; and

WHEREAS, the MCMUA Treasurer has certified that sufficient funds are available in the Capital Improvement Fund, account number 6-02-6-300-800-015; and

WHEREAS, the MCMUA is satisfied that the proposed Change Order is justified, meets the requirements of N.J.S.A. 5:34-4.2 and N.J.A.C. 5:30-11; and

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

1. The Executive Director is authorized and directed to execute Change Orders No. 1 and No. 2 with Alpine Painting & Sandblasting Contractors, 17 Florida Avenue, Paterson, New Jersey 07503 to amend the scope of work and change the contract price in accordance with Change Orders No. 1 and No. 2.
2. The Executive Director is authorized to execute Change Orders No. 1 and No. 2 with Alpine Painting & Sandblasting Contractors in a form approved by the MCMUA Attorney.
3. Notice of this Resolution shall be published in accordance with the requirements of N.J.A.C. 5:30-11.

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 February 9, 2016.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

By: _____
Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to authorize Change Orders No. 1 and No. 2 to Contract 23R-15 – Markewicz 3MG Water Storage Tank Rehabilitation – Tank 2 and Mr. Druetzler seconded the Motion.

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

Mr. Schweizer asked the Board to pass a Motion to accept Suburban’s Scrub Oaks Mine Well Project Evaluation Change Order No. 2 in the amount of \$15,000 to provide additional funding for Suburban to complete their work on the Scrub Oaks Mine Well evaluation. Mr. Holt added that this goes hand in hand with the work that Vince Uhl is doing. We have to be able to support his efforts and collect his data and combine it into what will support the information with the Highlands Council as well.

MOTION: Mr. Druetzler made a Motion to accept Suburban Consulting’s Change Order No.2 in the amount of \$15,000 and Mr. Dour seconded the Motion.

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

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

With respect to a Plan Amendment for the Freeholders to include the J.P. Mascaro contract into the Solid Waste Management Plan, Mr. Gindoff mentioned that this is just a formal requirement of DEP. He was trying to get our SWAC to act on this, which is the first step in getting a Plan Amendment approved, last year but due to lack of quorums, was unable to achieve this. However, this January, he was able to get a quorum and got a positive recommendation from them and then the MUA also provides recommendation to Freeholders on changes to the Plan and that is what our resolution tonight addresses.

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

RESOLUTION 16-15

Resolution Recommending The Board Of Chosen Freeholders Amend The Morris County District Solid Waste Management Plan To Include The Attached Proposed Amendment Dated January 2016 Entitled, “Inclusion of Contract For: Operating The Two Morris County Solid Waste Transfer Stations, Located In Parsippany-Troy Hills Township And Mount Olive Township, Including Providing Transportation And Disposal Of All Solid Waste Received At The Transfer Station Facilities”

WHEREAS, on October 27, 2014 the Morris County Municipal Utilities Authority (MCMUA) issued a Notice to Bidders seeking “Sealed Bids For Operating The Two Morris County Solid Waste Transfer Stations, Located In Parsippany-Troy Hills Township And Mount

Olive Township, Including Providing Transportation And Disposal Of All Solid Waste Received At The Transfer Station Facilities;” and

WHEREAS, on February 10, 2015, a resolution was adopted by the MCMUA where the MCMUA Executive Director was authorized to enter into the contract for the operation of the two transfer stations, transportation of solid waste to final disposal facilities, and disposal of solid waste from the MCMUA’s two transfer stations for a period of five (5) years with Solid Waste Services, Inc., d/b/a/ J.P. Mascaro and Sons (Mascaro) as the lowest responsible bidder; and

WHEREAS, on February 20, 2015, the MCMUA and Mascaro executed and entered into solid waste disposal contract for the operation of the two transfer stations, transportation of solid waste to final disposal facilities, and disposal of solid waste from the MCMUA’s two transfer stations for a period of five (5) years; and

WHEREAS, state regulations (N.J.A.C. 7:26-6.10(b)3 et. seq.) require a solid waste district to adopt and submit to the NJDEP, a solid waste management plan (Plan) amendment when a solid waste district or authority enters into a solid waste disposal contract; and

WHEREAS, the Morris County Municipal Utilities Authority being of the opinion that the amendment to the Morris County District Solid Waste Management Plan dated January 2016 entitled, “Inclusion of Contract For: Operating The Two Morris County Solid Waste Transfer Stations, Located In Parsippany-Troy Hills Township And Mount Olive Township And Disposal Of All Solid Waste Received At The Transfer Station Facilities,” that includes the county’s latest contract for the operation of the MCMUA transfer stations, disposal facilities for the waste accepted at the transfer stations, and transporter used to haul the waste from the transfer stations to the selected disposal facilities would be in the best public interest and would advance the Morris County District Solid Waste Management Plan.

NOW, THEREFORE, BE IT RESOLVED that the Morris County Municipal Utilities Authority approves of the amendment to the Morris County District Solid Waste Management Plan dated January 2016 and attached hereto, that was prepared to meet the state’s requirements that Morris County adopt a Plan amendment that includes the latest contract for the operation of the MCMUA transfer stations, disposal facilities for the waste accepted at the transfer stations, and transporters used to haul the waste from the transfer stations to the selected disposal facilities, and recommends to the Board of Chosen Freeholders of Morris County that said board adopt the amendment to the Morris County Solid Waste Management Plan dated January 2016.

BE IT FURTHER RESOLVED, that this Resolution and the proposed amendment to the Morris County District Solid Waste Management Plan, dated January 2016 shall be available for public inspection and shall be submitted to the Morris County Board of Chosen Freeholders for further action as required by law and 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.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

CERTIFICATION

I hereby certify the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at a Regular Meeting held on Tuesday, February 9, 2016.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Dr. Kominos made a Motion to adopt Resolution No. 16-15 and Mr. Dour seconded the Motion.

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

With respect to electronic waste (“ewaste”) legislation, Mr. Gindoff mentioned that it was pocket vetoed by the Governor at the end of the last session but it seems to be gathering quite a bit of momentum and that ewaste bill was re-introduced and it seems to be moving forward. Mr. Druetzler asked about what does this legislation do and Mr. Gindoff replied that it changes the system of the way the ewaste requirements for the product stewardship system are paid for. In essence, now it works from a bottom up system where all the manufacturers are given a tonnage number of how much ewaste they are to recycle based on how much they sell and when they finish an allocation, they are done for the year and gaps occur in the provision of service. The new ewaste system sets up a top down approach where here is how much we recycle in a year and everyone is required to recycle their allocated percentage as opposed to just recycling their tonnage. It should be more comprehensive in that it is supposed to cover every bit of required recycling ewaste tonnage under the law. Mr. Gindoff mentioned that the MUA currently has a contract for ewaste services through June 2017 but there are a lot of counties, especially in south Jersey, that do not have any vendors. This could hopefully address that situation and put new energy into the ewaste program.

Chairwoman Szwak congratulated Larry for being appointed for two years to the Open Space Committee. Mr. Gindoff mentioned that just this week the Valley View property was opened to accept applications for community garden spaces.

Mr. Schweizer asked Larry for an update on Jefferson Recycling. Mr. Gindoff explained that Jefferson Recycling is on Route 15 and is in the County Plan to accept concrete and recently asked for the addition of natural wood waste, trees to grind up. They have asked for permission to do that and at this point the application came to me and it was sent to the town for municipal consent. He had received a letter from the Mayor endorsing it with the application, but we asked for resolutions from the governing body, so he sent it back. He doesn't believe it will be a problem. It is a good site, good operation and a small grinding operation that they want to add to a big concrete operation. A resolution should be presented to the Board on this facility in the coming months.

TRANSFER STATIONS

Tonnage – For the month of January 2016, the quantity of solid waste accepted at the two transfer stations for disposal was 27,002 tons. The January 2016 tonnage was 1.31% more than the 26,654 tons accepted a year ago in January 2015. Based on only one of the twelve months of the year, for 2016 the annual total tonnage is currently projected to be 371,296 tons which would be 2.99% less than the 382,920 tons accepted in 2015. Please refer to the Transfer Station Disposal Report by Month for additional information.

Plan Amendment to Included J.P. Mascaro Transfer Station Contract – In accordance with (N.J.A.C. 7:26-6.10(b)3 et. seq.) there is an NJDEP regulatory requirement to include disposal contracts entered into by solid waste districts in their respective district solid waste management plans. The MCMUA entered into a new disposal contract with J.P. Mascaro with work commencing in June 2015. Due to difficulties in achieving a quorum of the Morris County SWAC in 2015, a Plan amendment has not yet been adopted. With the re-organization of the SWAC and the presence of a quorum at a January 20, 2016 public hearing, this matter was put forth for consideration by the SWAC. At the January 20, 2016 SWAC meeting, a resolution was adopted that recommends the Board of Chosen Freeholders adopt a Plan amendment dated January 2016 and entitled, “*Inclusion of Contract for: Operating The Two Morris County Solid Waste Transfer Stations, Located In Parsippany-Troy Hills Township And Mount Olive Township, Including Providing Transportation And Disposal Of All Solid Waste Received At The Transfer Station Facilities*” that includes the MCMUA’s disposal contract with J.P. Mascaro in the Plan and satisfies the regulatory requirement.

The Board of Chosen Freeholders has received the SWAC resolution and is in the process of noticing and establishing a March 9, 2016 public hearing to consider this matter. A resolution will be prepared for consideration by the MCMUA Board at the February 9, 2016 meeting that also provides a recommendation to the Board of Chosen Freeholders that they adopt the January

2016 Plan amendment that includes the J.P. Mascaro contract in the Plan. A copy of the proposed Plan amendment has been attached to this report.

Transfer Station Permit Updates – On January 8, 2016 an air pollution control permit application was submitted to NJDEP for the Parsippany transfer station. Also for the Parsippany transfer station, a stormwater discharge (NJPDES) permit renewal application was submitted on January 13, 2016. Finally, NJDEP issued the Mt. Olive transfer station its 5-year solid waste facility permit based on a renewal application submitted on March 30, 2015. All three permit applications were prepared on behalf of the MCMUA by Alaimo Engineering.

HOUSEHOLD HAZARDOUS WASTE MANAGEMENT

Program Participation and Events - During January 2016, a total of 156 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 December 2015, when 165 participants used the facility. January 2016's participation represents an increase from last year when 146 participants used the facility in January 2015.

Legislation – At the end of the previous legislative session two HHW related bills were adopted by the NJ Legislature and pocket vetoed by Governor Christie thereby rejecting their adoption. The two bills were about product stewardship related to revising the New Jersey's problematic E-waste recycling system and the other bill proposed to establish a new paint recycling management system. Senator Smith reintroduced the E-waste bill (S-981) and it will be considered by the Senate Environment and Energy Committee on February 4, 2016.

VEGETATIVE WASTE MANAGEMENT – November 2015

Facility Report – The vegetative waste figures for January 2015 are still being compiled as of the writing of this report and will be provided in the Vegetative Waste Management Report at the February 9, 2016 meeting.

Auction of Older Equipment – As reported last month, the MCMUA auctioned off some old equipment from the Camp Pulaski vegetative waste site and was very pleased with the response from the buyers from GovDeals.com. The large grinder sold for \$50,212 and the MCMUA was paid for the item but the buyer was having great difficulties in finding a tow company to move the piece of equipment off-site that could meet the county's insurance requirements. With the January blizzard (Jonas) heading right for us, the MCMUA's Steve Adams was able to work with the County Risk Management office to figure out a solution where Ajaco Towing, the tow company located adjacent to the MCMUA Parsippany transfer station, was able to tow the grinder off the site the Friday afternoon just before the blizzard hit.

OPEN SPACE – Larry Gindoff has been appointed by the Freeholders to serve for the 2nd of two, potential two-year terms on the Morris County Open Space Trust Fund Committee representing the MCMUA. The first meeting of the committee is scheduled for March 30, 2016.

RECYCLING REPORT:

Ms. Hourihan gave a few updates on the new ReCommunity contract. I just received the statement from ReCommunity for the month of January and have received it in the month of February which means we are all caught up on our invoices because we were a few months behind. She mentioned that January is a split month because the first three weeks were under the old contract and the last week is under the new contract and am just going through it now as it has changed significantly from the old way. She will report on this next month. The other part of the ReCommunity contract is that we now do composition studies and we said in the contract that we need to come up with a protocol on how they are going to be done. We gave that a three month period to get that going and we are starting to get some research done on that and we will get together with ReCommunity to go over that to determine when the next audit will be done.

Chairwoman Szwak questioned the single commodity loads and asked doesn't single stream mess that up. Ms. Hourihan replied that is a good question. We probably have one customer who is still sorting at their recycling center. Roxbury Township has not gone single stream yet and we only pick up their recycling center materials and they have a private contractor who picks

up their curbside materials. So they are the primary generator of those separated loads. So that is where some of them come from and the rest of the loads are pretty much rigid plastic which is something that we collect as a single commodity at recycling centers also. She mentioned that we are going to see if we can do something a little longer term because it is a lot of effort to get rid of a few loads of material so we are going to evaluate how we are going to do it going forward. Mr. Schweizer added that most of the material will end up going to ReCommunity but their rigid plastics, their number was extremely high, so we figured lets test the other markets to see how it works out.

Recycling Operations

Revenue and Tonnage – The preliminary November statement from ReCommunity was received on December 29 and finalized on January 15 in the amount of \$263.04 which ReCommunity owes to the MCMUA. The preliminary December statement was received January 15 and finalized on February 2 in the amount of -\$9,619, which is a payment owed to ReCommunity.

The tonnage collected by the MCMUA for recycling during January was 1,360 tons. The monthly tonnage is shown by material and by customer on the attached report. I have also attached a full report for 2015 which includes the full tonnage for the month of December.

Request for Proposal for the Marketing of Single-Stream Recyclables – During January, staff continued negotiations on this contract. Staff met on January 5 and had a conference call with ReCommunity on January 7 and 11. Staff met again on January 19. On Wednesday, January 20 the MCMCUA had a special meeting of the Board, at which a resolution was adopted to authorize the Executive Director to execute an agreement with ReCommunity. Immediately following the Board meeting, staff had another conference call with ReCommunity. The agreement, for a term of 3 years with two one-year extensions, was subsequently executed with a commencement date of January 25, 2016.

Single Commodity Loads – The MCMUA omitted the sale of single commodity loads, like large rigid plastic, boat shrink wrap, corrugated cardboard and newspaper, from the RFP for the Marketing of Single-Stream Recyclables in order to make that procurement less complicated. As a result, the MCMUA has to seek quotes to sell these materials. The MCMUA solicited quotes for the month of February and will decide how to proceed with how often to solicit quotes and will determine if it will make sense to seek a longer term solution to marketing these materials. These materials, combined, represent only about 2% of the total tonnage that the MCMUA collects and sells.

Snow Covered Loads in Open-top Roll-off Containers – In dealing with the municipalities to which the MCMUA provides collection services, the MCMUA is making some progress in getting open-top roll-off containers covered.

The Town of Boonton and Netcong both purchased cover systems to ensure their material will be free of snow. These cover systems were tested by the 30” inch snow storm on January 23 and held up to the weight. Additionally, East Hanover, built a pole barn over their containers at their recycling center. Morris Plains has been working with us on using various covered containers that we already have, however we were not able to have all their material covered during this storm.

After the January 23 snow storm, we did have 32 tons of material from 8 towns that was delivered to the transfer station for disposal since it was covered with snow. This is the third year that we have not been able to deliver snow covered loads to ReCommunity, but the first year that we are billing the towns for the cost of the disposal.

Plastic Pesticide Container Collection Program – After running six (6) collection events in 2015 from May to October and receiving only 22 containers from 1 participant, the MCMUA has decided not to run a pesticide container collection program this year.

Events/Education/Miscellaneous

Clean Communities – Educational Programs: The MCMUA funded 2 educational program in January for aftercare programs at schools in Washington Township. Road Clean-ups: During

January, staff planned a road clean-up to be done by Adopt-A-Highway Litter Removal Service of America, Inc. on January 28, but it had to be cancelled due to the snow we got on January 23.

MCMUA 2016 Awards Luncheon – The MCMUA plans to hold an awards luncheon on May 20, 2016 at the Frelinghuysen Arboretum. This will be the 2nd year that the awards event is a luncheon as compared to the dinners held in the past.

New Dodge Caravan – On January 12, 2016, staff picked up the new Caravan that had been ordered through state contract. This mini-van will be used as a shared vehicle for staff and was purchased using Clean Communities Grant funds. The MCMUA uses shared vehicles for many tasks related to the Clean Communities program including inspecting road clean-ups, attending meetings and conferences, attending presentations and education events. This is the first time we are purchasing a vehicle using Clean Communities funds.

Recycling Inspections/Outreach – During January, a total of 21 transfer station loads suspected of improperly containing mandated recyclable materials were photographed and written-up by MCMUA tipping floor inspectors.

During the month, staff worked with generators and haulers to inform them of the recycling requirements in Morris County. Some of the meetings and phone calls with generators included:

- On Friday, January 8, staff met with the assistant store manager for Lowes in Mt Olive regarding a transfer station load containing corrugated cardboard and Christmas trees.
- On Tuesday, January 12, staff met with the community manager for the Woodmont West apartment complex being built in Mt Arlington. The manager contacted staff subsequent to staff visiting the construction site because recyclables mixed with garbage had been observed in the dumpsters at the site by Mike Flora. The complex will have 300 units when completed in January 2017. Since the units will start to be occupied in March 2016, the manager wanted to get more information about setting up a recycling program.

Education for Municipal Recycling Center Employees – Staff continued providing education sessions for municipal recycling center employees in January. On the 19th, staff gave a presentation to 10 Mendham Borough DPW employees. Staff has prepared a booklet that contains photos of unacceptable loads and MCMUA flyers advertising what is and is not acceptable. Each attendee received a booklet to keep for reference.

M.O.R.E. (Morris Office Recycling Excels) Recycling Program – On January 8, staff gave a presentation to 26 employees from the Morris County Bridge and Roads Department in the Wharton location. On January 11, staff delivered additional recycling containers, nicely labeled, to the Hanover garage and put up some recycling posters.

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On Saturday, January 9, staff gave a presentation to another First Lego League Challenge group of students in Parsippany.
- On Wednesday and Thursday, January 13 and 14, Cheryl attended classes as part the Recycling Certification Series that she is taking.
- On Thursday and Friday, January 21 and 22, Liz attended the ANJEE (Alliance for New Jersey Environmental Education) conference held in Plainsborough.
- On Tuesday, January 26, Chris attended an ANJR (Association of New Jersey Recyclers) Board meeting in Burlington County. The primary focus of discussion was eWaste bill.

PUBLIC PORTION:

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

OLD BUSINESS:

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

NEW BUSINESS:

Mr. Schweizer mentioned that we have our annual filing of our spending plan for the Recycling Enhancement Act. This is the grant that we apply for and get every year. This one we

had a little more money than anticipated so we are proposing not only to fund our Household Hazardous Waste Program but to assist us in purchasing one of the two recycling vehicles that we had approved to purchase for 2016 and asked for the Board's approval of the following Resolution:

RESOLUTION NO. 16-16
RESOLUTION AUTHORIZING THE FILING OF A SPENDING PLAN
FOR A 2015 RECYCLING ENHANCEMENT ACT TAX FUND ENTITLEMENT

WHEREAS, P.L. 2007, c. 311 et seq. provides for the awarding of Recycling Enhancement Tax Fund entitlements by the Department of Environmental Protection to designated solid waste management districts to assist them in the preparation, revision and implementation of comprehensive solid waste management and recycling plans; and

WHEREAS, the Morris County Municipal Utilities Authority desires such financial assistance to fulfill its responsibilities under the Solid Waste Management Act and the Recycling Enhancement Act.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That a Spending Plan be submitted to the Solid and Hazardous Waste Management Program for a 2015 Recycling Enhancement Act Tax Fund Entitlement in the amount of \$293,806.
2. That the Executive Director of the Morris County Municipal Utilities Authority is hereby authorized and directed to execute and file such spending plan with the Department of Environmental Protection; to provide additional information and furnish such documents as may be required; to execute such contracts as are required; and to act as the authorized correspondent of the Morris County Solid Waste Management District.
3. The Morris County Municipal Utilities Authority was designated by the Morris County Board of Chosen Freeholders as the implementing agency to perform the Recycling Enhancement Tax Entitlements on March 25, 2009.
4. The Morris County Municipal Utilities Authority does hereby hold the State of New Jersey and its departments and agencies harmless from any dangers, losses, and claims which may arise directly or indirectly from the execution of the Entitlement.
5. The Morris County Municipal Utilities Authority hereby accepts the terms and conditions set forth in the Act and the guidelines promulgated under it.
6. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on February 9, 2016.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Platt made a Motion to authorize the filing of a spending plan for a 2015 Recycling Enhancement Act Tax Fund Entitlement and Mr. Druetzler seconded the Motion.

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

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

Mr. Carney thanked the MUA Board for reappointing their firm.

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

MOTION: Dr. Kominos made a Motion to adjourn the meeting at 7:57 p.m., seconded by Mr. Dour and carried unanimously.

Marilyn Regner
Secretary

/mr