

MINUTES OF THE REGULAR MEETING

DECEMBER 6, 2016

The Regular Meeting of the Morris County Municipal Utilities Authority was held on December 6, 2016 at 5:53 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. Christopher Dour, Mr. Frank Druetzler,
Mr. James Barry, Mr. Fletcher Platt, and
Ms. Laura Szwak.

Mr. William Hudzik entered the meeting at 5:54 p.m.

ABSENT: Dr. Arthur Nusbaum and 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.

Chairwoman Szwak asked for the Board's approval of the Minutes of the Regular Meeting dated November 7, 2016.

MOTION: Mr. Barry made a Motion to approve the Minutes of the Regular Meeting of November 7, 2016 and Mr. Platt seconded the Motion.

ROLL CALL: AYES: 4 NAYES: NONE ABSTENTIONS: MR. DOUR

Mr. William Hudzik entered the meeting at 5:54 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 2016. Also included are Solid Waste and Water Comparative Balance Reports through the month of November, and an investment report which shows no new investment purchases for the month of November. These reports have been incorporated in these Minutes.

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 Mr. Dour seconded the Motion.

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

Mr. Kaletcher asked for the Board's approval of the vouchers:

BILL RESOLUTION NO. 16-64

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. 16-64 containing 7 pages for a total of \$3,201,950.22 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

CAPITAL FUNDS	1143	\$ 1,118.11
WATER OPERATING FUNDS	3583-3617	647,682.29
SOLID WASTE OPERATING	7078-7162	<u>2,553,149.82</u>
		\$ 3,201,950.22

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 6, 2016

BOARD CHAIRWOMAN 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: December 6, 2016

DATE: December 6, 2016

Larry Kaletcher, Treasurer

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

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

CORRESPONDENCE:

Mr. Schweizer mentioned with regard to the correspondence packet that was mailed to the Board Members, we got the news from Helen that she plans to retire. Certainly she will be missed and we are in the process of looking at options to replace her. Mr. Hudzik asked if she has a date yet and Mr. Schweizer replied, the end of January. Item No. 2, we receive an annual letter from N.J. American Water regard to our new proposed water rate and they are requesting information which they do every year because they need that information to support their petition to BPU when they go to BPU to seek an adjustment of their rate. Item No. 3 and Item No. 6 were good news from NJDEP. Item No. 3, we received our Water Allocation Permit update for the water system and in Item No. 6, we received our Technically Complete designation from NJDEP for the permit application for the Parsippany Transfer Station. We did receive a letter from NJDEP regarding the drought warnings seeking some system information and Suburban and Staff are working on a response that will go out by the end of this week. The last three items are copies of press releases that deal with the County's Open Space Projects, as well as the new trail project that the County has begun this year where they provide funding for a trail project on publicly-owned property and we were happy to see that Green Acres has released some money for Green Acres open space acquisitions for next year. Finally, we included the monthly letter updating us on the Morris Commons lawsuit. Mr. Schweizer asked Brent Carney to provide an update. Mr. Carney

mentioned that a Consent Order is circulating to dismiss us and the other municipal entities and Southeast Morris County M.U.A. in the case, but the argument over that is there has been several suggestions and revisions with that and the parties are getting no where with that so there is a letter from Morris Commons to the Judge requesting a conference be scheduled to discuss the Consent Order with all parties on a date that is separate for another requested conference as to their Builder's Remedy hearing that would only involve Morris Commons and Rockaway Township.

Memorandum dated November 28, 2016 to MCMUA Board from Glenn Schweizer regarding Staff Retirement.

Letter dated November 7, 2016 to Glenn Schweizer from Dante M. DeStefano, Director of Rates and Regulation, New Jersey American Water regarding MCMUA's Rates Effective January 1, 2017 and Response Letter dated November 21, 2016 from Larry Kaletcher without attachments.

Letter dated November 2, 2016 to Anthony Milonas, Water Superintendent, from Terry D. Pilawski, Chief, Bureau of Water Allocation & Well Permitting, NJDEP, enclosing MCMUA Water Allocation Permit No. 5058, which becomes effective on December 1, 2016. (Full copies of this permit will be provided upon request.)

Letter dated November 9, 2016 to Public Water Systems from Daniel Kennedy, Assistant Commissioner, Water Resource Management, NJDEP regarding drought warning.

Letter dated November 28, 2016 from Keli L. Gallo, Esq., The Buzak Law Group, LLC to Hon. Maryann L. Nergaard, J.S.C. submitting Rockaway Township's status report regarding its efforts to obtain additional water supplies.

Letter dated November 7, 2016 to Glenn Schweizer from Anthony Fontana, Chief, Bureau of Solid Waste Planning, NJDEP advising that the 2009 application for the Solid Waste Facility Permit for the Parsippany Transfer Station is Technically Complete.

Press Release dated November 9, 2016 entitled "Six Morris County 2016 Open Space Projects Recommended to Freeholders".

Press Release dated November 21, 2016 entitled "Freeholders Get Recommendation to Fund 13 Trail Projects Across Morris County".

Press Release dated November 22, 2016 entitled "DEP Announces \$67.4 Million Available for 2017 Open Space Recreation and Stewardship Projects".

Letter dated December 5, 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 November 2016.

Letter dated December 5, 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 November 2016.

PUBLIC HEARING ON WATER RATE AMENDMENT

Chairwoman Szwak 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 16-62 at the November 7, 2016 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.

Chairwoman Szwak 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 testimonies. There were no questions from the Board. Seeing no comments, Mr. Carney opened the hearing to questions from the Public. There were no members from the Public present to ask questions or make comment. The testimonies of Larry Kaletcher and Andrew Holt was also entered into the record. The public hearing was closed at 6:15 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.

At this time, Mr. Carney recommended that we request the Board to consider Resolution No. 16-65, which is resolution to amend the water rate of the Morris County Municipal Utilities Authority increasing the base wholesale water rate by 4% as testified by Mr. Kaletcher and Mr. Holt from \$2,333.00 per million gallons to \$2,426.00 per million gallons.

RESOLUTION NO.16-65
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. 16-62 on November 7, 2016 to provide for the amendment of the rate of the Authority; and

WHEREAS, the Authority desires to amend the base rate from \$2,333.00 to \$2,426.00 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 6th day of December, 2016 as follows:

1. The base rate to be charged by the Authority for the provision of water is hereby amended to be \$2,426.00 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, 2017.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority, at a Regular Meeting held on December 6, 2016.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

Mr. Hudzik questioned that the resolution doesn't say from or to, it just says amend the base rate to. Mr. Carney mentioned that if you would like to amend the WHEREAS clause that states that the Authority desires to amend the base rate from \$2,333,000 to \$2,426,000 per million gallons. Is there a Motion to amend the resolution to that effect?

MOTION: Mr. Dour made a Motion to adopt the resolution as amended and to amend the water rate of the Morris County Municipal Utilities Authority to \$2,426.00 per million gallons and Mr. Druetzler seconded the Motion.

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

Mr. Kaletcher reported that the Department of Community Affairs approved our budget introductions from the last meeting which allows us to proceed with adopting our Solid Waste and Water budgets. Mr. Kaletcher asked for the Board's approval of the following Resolutions:

**RESOLUTION 16-66
2017 SOLID WASTE
ADOPTED BUDGET RESOLUTION
Morris County Municipal Utilities Authority**

FISCAL YEAR: FROM January 1, 2017 TO December 31, 2017

WHEREAS, the Annual Budget and Capital Budget/Program for the Morris County Municipal Utilities Authority for the fiscal year beginning January 1, 2017 and ending December 31, 2017 has been presented for adoption before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of December 6, 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 \$39,359,713.00, Total Appropriations, including any Accumulated Deficit, if any, of \$39,359,713.00 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 6, 2016 that the Annual Budget and Capital Budget/Program of the Morris County Municipal Utilities Authority for the fiscal

year beginning, January 1, 2017 and, ending, December 31, 2017 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 6, 2016
Date

Governing Body Member:	Recorded Vote – 1 st : MR. BARRY 2 nd : MR. DRUETZLER			
	Aye	Nay	Abstain	Absent
MR. HUDZIK	X			
MR. BARRY	X			
MR. DOUR	X			
MR. DRUETZLER	X			
MR. PLATT	X			
MS. SZWAK	X			
DR. NUSBAUM				X
DR. KOMINOS				X

**RESOLUTION 16-67
2017 WATER
ADOPTED BUDGET RESOLUTION
Morris County Municipal Utilities Authority**

FISCAL YEAR: FROM January 1, 2017 TO December 31, 2017

WHEREAS, the Annual Budget and Capital Budget/Program for the Morris County Municipal Utilities Authority for the fiscal year beginning January 1, 2017 and ending December 31, 2017

has been presented for adoption before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of December 6, 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 \$4,060,133.00, Total Appropriations, including any Accumulated Deficit, if any, of \$4,932,287.00 and Total Unrestricted Net Assets utilized of \$872,154.00; 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 6, 2016 that the Annual Budget and Capital Budget/Program of the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2017 and, ending, December 31, 2017 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 6, 2016
(Date)

Governing Body Member:	Recorded Vote – 1 st : MR. PLATT 2 nd : MR. DOUR			
	Aye	Nay	Abstain	Absent
MR. HUDZIK	X			
MR. BARRY	X			
MR. DOUR	X			
MR. DRUETZLER	X			
MR. PLATT	X			
MS. SZWAK	X			
DR. NUSBAUM				X
DR. KOMINOS				X

ENGINEER'S REPORT:

Mr. Holt gave the following updates: (1) Roof Repair Project – As mentioned last month, it is wrapped up and we are just waiting on the final paperwork from D&B Engineers to reconcile and close out that project.; (2) Rehabilitation of Markewicz Tanks – The final buttoning up of the tank is occurring and the Contractor believes that the December 18th milestone will be met and at that stage the Contract will be substantially complete and we will recommend final payments and project closeout paperwork on that.; (3) Markewicz Switchgear and Electrical Upgrades - We are asking ATI, the engineering consultant on electrical design, just to finalize his report with some additional pricing information that was requested, so we are expecting that shortly and we will report back to you then.; (4) Scrub Oaks Well Evaluation – We did have a productive meeting with somebody knowledgeable about the Highlands Council and are recommending that we go ahead and submit our draft response to the Highlands' comments about the allocation permit for a new source at the Scrub Oaks Mine partly because the timing of our response now might be well with the DEP's monitoring of the drought situation and also we can concurrently advance two fronts. One would be to get this response letter to the Highlands and let them digest it and see if it generates any further pushback or comments back and currently, we can also be evaluating the long-term test plan on the strategy of how we might conduct a longer-term test to demonstrate the viability of the Scrub Oaks project. Mr. Holt mentioned it is a good time to get our response back to them as there have been some personnel changeovers at the Highlands and we don't know how things are going to be looked at or if they are going to be advanced any quicker than they were

before, but our recommendation is that the draft letter that was attached to this month's Engineer report so he will defer to Glenn Schweizer in terms of how we get any final comments on that package and submit it. Mr. Platt commented that he thinks it is the right time to submit our response to the Highlands being New Jersey Water Quality Management Planning Rules have also been changed and there is a statement that intend to have Highlands Regulations conform to the new DEP Regs. There is some debate, some resistance from Highlands as he understands it but Mr. Platt believes that Mr. Holt is right and we should go on record and get as much as we can and a copy of the letter will go to DEP? Mr. Holt replied, yes. Mr. Druetzler made mention that he thought we were also going to go down to the DEP because we were talking about getting money or seeing if there were grants to support us. Mr. Holt replied that would be our concurrent discussion and that we were going to set up a meeting with DEP and have reached out for meeting dates but it will be after the new year. Mr. Holt mentioned that we will meeting with DEP to entertain that type of dialogue and their interest in funding any exploratory or long-term test plan or what the next steps will be in the process once the Highlands hurdles are cleared. Mr. Platt requested the Mr. Holt push for the meeting date before it rains.; (5) The Asset Management Plan updates for the balance of 2016 have been updated and integrated to the elements of that Plan. They were useful this year in budget planning and will continue to be a very useful tool.; and lastly the Mill Pond Road Soil Remediation Project – The Soil Remedial Action Permit was issued and we have this ongoing lingering inspection reporting requirement and we are working to try to come up with a way to keep that at a bare minimum level of effort. Mr. Schweizer mentioned that we have to do this every two years.

PROJECT STATUS

1. Roof Repair Project, Contract No. 36A (Four MCMUA Roofs)

The Contractor has completed the work on the roof replacement on all of the wells, and will begin processing the payment application as well as required closeout documents. The project went smoothly with D&B performing the construction administration. The project was reported to be on budget and on schedule. The Contractor is currently preparing two (2) proposed change order requests to complete the patching of the interior gypsum ceiling surfaces as well as installation of screens to prevent leaves from clogging the scuppers.

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 Contractor completed coating the interior of the tank with the Poly-Cote 115. The cathodic protection system was installed in tank #1 and will be energized, along with tank #2, following the anniversary inspection. The Contractor is currently in the process of completing the nondestructive weld examination using radiographic equipment to ensure successful closure of the door sheet. Upon acceptance of the weld examination, the door sheet will be blasted, and painted to match the rest of the tank. The Contractor will perform site grading and re-stone the access road upon demobilization. The Contractor anticipates compliance with contract milestone completion date of December 18th.
- B. The Contractor has submitted Payment Recommendation #4 for Tank #1. We have reviewed the work complete and recommend payment in the amount of \$359,380.54.

Project Completion Summary

Original Contract Completion Time		April 1, 2017
Approved Time Extensions	4	Calendar Days
Current Contract Completion Time		April 5, 2017
Milestone 1 – Tank #2 (Rear Tank)		Completed
Milestone 2 – Tank #1 (Front Tank)	90	Calendar Days
Milestone 2 – Completion Date		December 18, 2016
Days Elapsed:	306	68%
Days Remaining:	144	32%

Project Financial Summary

Original Contract	\$2,145,100.00
Recommended Change Orders	
#1 Tank #2 100% Solids Alternate Bid Item	\$32,300.00
#2 Tank #2 Cathodic Protection Steel Plates and Vent Removal	\$7,400.00
#3 Tank #1 Cathodic Protection Steel Plates	\$14,500.00
#4 Tank #1 Time Extension	NO COST
#5 Tank #1 100% Solids Alternate Bid Item	\$32,300.00
#6 Tank #1 Lead Based Paint Removal	<u>\$49,484.84</u>
Total Recommended Change Orders	\$135,984.84
Current Total Value of Contract:	\$2,281,084.84
Total Value of Work Complete:	\$1,907,290.00
Percent of Work Complete:	83.7%
Total Retainage to Date	\$16,194.40

4. Markewicz Pump Station Switchgear and Electrical Upgrades

ATI has received the comments from the board members and will be making the appropriate revisions to their report. Following the water committee meeting, it was requested ATI prepare a cost evaluation for replacement of the existing equipment in kind. ATI is currently in the process of obtaining pricing for this equipment and anticipates final draft of their report before the end of the year. ATI has reported the preliminary budgetary figures have remained valid during the investigation.

5. Scrub Oaks Well Allocation Evaluation

A meeting was held with a former Highlands Council employee to review and discuss the current project status. As a result of that meeting, it was determined that submission of the response to the Highlands Council was critical. We have revised our response following the meeting to address the previous concerns which were identified in the Highlands Consistency Determination Finding letter dated May 2nd. The prepared response can be found attached to this report for final review prior to submission to the Highlands Council.

GENERAL SYSTEM

Asset Management Plan Updates

SCE met with Tony Milonas of MCMUA on 11/23/16 to update MCMUA's Asset Management Plan. SCE is currently updating the Asset Management Plan to include all new equipment and upgrades at MCMUA facilities completed in 2016. These include, but are not limited to Markewicz Tanks #1 & #2 coating systems, Alamatong and Flanders Valley Well Houses Roofs, Alamatong Well Houses Steel Doors, and Well 8 VFD.

Mill Pond Road (Farley Waterworks)

MCMUA and SCE have received the Soil Remedial Action Permit which was issued pursuant to the Site Remediation Reform Act for the Farley Waterworks (1 Mill Pond Road) property. The permit requires an annual fee as well as biennial inspections to be performed by a Licensed Site Remediation Professional (LSRP). We are currently in the process of reviewing the permit requirements and will be communicating with the NJDEP Site Remediation and Waste Management division to discuss the requirements.

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Gindoff gave the following updates on the tonnage figures. For the end of the month, we had one day left when tonnage numbers were provided and the revised projection came in at 190 tons higher than projected so the final number for the month is 32,646 tons which was 2.3% more than last November. Likewise for the end of the year, we are pretty much targeting where we were last year except we are now a little higher this month, so for the year we are projecting 385,624 tons

which is just .75% more than the tonnage we did last year. So you can tell our tonnage has been pretty steady as it has been the last several years. Similarly, we passed out updated vegetative waste numbers for the month of November and as mentioned in the Solid Waste report, the leaves, as well as the tickets for processing leaves have been coming in quite quickly over the month of November and we have been holding extended processing hours at the Parsippany Compost Facility over the last week to help the towns use that site. We will be extending the hours for one additional week going through this Friday. For the year, our vegetative waste is coming in around the same level that we did for 2015 and at this point, we are \$10,000 ahead in the sales of all our products in vegetative waste and that is with \$500,000 worth of sales and we are pretty steady with last year's numbers.

Chairwoman Szwak was looking at the trend that changed from the prior year and how huge February was and asked what happened in February. Mr. Gindoff replied that this February it was very nice and it snowed for all of February last year. He believes it is pure weather related.

With regard to the air pollution system for the transfer station, Mr. Hudzik asked if we are still on track to advertise for bids in December and Mr. Gindoff replied, yes.

Chairwoman Szwak asked about the Open Space Projects. Mr. Gindoff reported that the open space projects all got recommended to the Freeholders and approved except for one of the projects, they all got approved at the requested funding level. The one that wasn't fully funded at the requested level was the most expensive and the largest project, Untemeyer Lake. Mr. Gindoff mentioned they will be moving forward and he anticipates serving for the next year, his final year representing the M.U.A. on that Committee.

TRANSFER STATIONS

Tonnage – For the month of November 2016, the quantity of solid waste accepted at the two transfer stations for disposal is projected to be 32,456 tons. This projection is based on the first 29 days of November with only one day remaining in the month. If the projection holds true, the November 2016 tonnage will be 1.71% more than the 31,911 tons accepted a year ago in November 2015. Based on tonnage from the first eleven months of the year, for 2016 the annual total tonnage is currently projected to be 385,426 tons which would be 0.70% greater than the 382,920 tons accepted in 2015. Please refer to the Transfer Station Disposal Report by Month for additional information. A revised tonnage chart will be presented to the Board at the December meeting with complete monthly data for November 2016.

Permits – After resolving issues with respect to the availability of electricity at the Parsippany transfer station to support the air pollution control (APC) system as well as dealing with issues to design upgrades to some of the structural components at the site to support the new equipment, the APC project experienced a delay to assess these design matters. In Progress Report #7 to the NJDEP, Alaimo Engineering requested an extension on the completion of this project to account for these matters. In consideration of this extension request the project schedule is as follows:

- | | |
|--|--------------------|
| • Issuance of bid documents; advertisement | December 21, 2016 |
| • Receipt of bids | Late January, 2017 |
| • Award of Contract | February 7, 2017 |
| • Notice to Proceed | February 15, 2017 |
| • Contract Duration (150 days) | July 17, 2017 |
| • ACO Completion Date | July 17, 2017 |

In a related matter, a November 7, 2016 determination of technical completeness was issued by NJDEP with respect to a 2009 solid waste facility permit application submitted by the MCMUA.

With the NJDEP recent issuance of the revised air pollution control permit for the transfer station, the NJDEP was in a position to provide this solid waste facility permit determination. In accordance with the administrative consent order entered into between the MCMUA and NJDEP dealing with the APC system upgrade, the MCMUA was to file a solid waste facility permit renewal which included current details updated since the submission of the 2009 permit renewal application; including the use of the new APC system. This updated solid waste facility permit application was forwarded to NJDEP by Alaimo Engineering on November 15, 2016.

SOLID WASTE MANAGEMENT PLAN

Administrative Action Modification for CipCycle Inclusion of Class A Recycling Facility in the Borough of Rockaway – In November, there was no updated activity with respect to Cipcycle and its request to amend the Solid Waste Management Plan to include its proposed Class “A” recycling facility. After an October site visit, CipCycle was asked to submit additional detailed information about the proposed facility, process flow and capacity justification. To date, no additional information has been received by the MCMUA. Additionally, as part of the Plan inclusion process, the MCMUA requested the host municipality of Rockaway Borough provide a Council resolution regarding its position on the Plan inclusion request. As CipCycle is currently before the borough’s Land Use Board trying to resolve some matters, Rockaway Borough asked for an extension on providing its position resolution until the land use matters are resolved. It appears as if these local matters will not be concluded until the end of 2016 at the earliest and are likely to carry into 2017.

HOUSEHOLD HAZARDOUS WASTE MANAGEMENT

Program Participation – During November 2016, a total of 150 residents and businesses delivered waste to the permanent household hazardous waste (HHW) facility in Mount Olive. This is a decrease in participation from October 2016 when 181 participants used the facility. It should be noted that November tends to have lower participation than October since a weekend’s worth of appointments are missed due to Thanksgiving. Finally, November 2016’s participation represented a decrease from last year when 168 participants used the facility in November 2015. Earlier in the year the propane recycler (Blue Rhino) the MCMUA used at the permanent facility stopped accepting BBQ tanks at no cost to the MCMUA. Since then, the propane tanks accepted at the HHW facility have been managed by the MCMUA’s hazardous waste vendor MXI. The MCMUA has recently located a new propane recycler (Paraco Gas), recommended by some other counties for the recycling of propane tanks, and the MCMUA is going use them for trial pickup of tanks to be recycled later in the month.

VEGETATIVE WASTE MANAGEMENT – November 2016

Facility Report – With the leaf season in full swing, the tickets for leaf composting are coming in to the MCMUA in great number and are being inputted as they come in. As of the writing of this report the monthly vegetative waste data for November 2016 was still being compiled and therefore, the Vegetative Waste Report will be provided to the Board at the December meeting. The Parsippany compost site established extended leaf season hours to help out those collecting the leaves. Beginning on October 22 and continuing through December 3, 2016, the Parsippany site extended its hours from 7am-3pm, M-F to 7am-4pm M-F and 7am-3pm on Saturdays. The facility is closed during lunch from 12noon-1pm.

OPEN SPACE TRUST FUND COMMITTEE:

On November 9, 2016 funding recommendations of the Morris County Open Space Trust Fund Committee were presented to the Board of Chosen Freeholders during a work session. The recommendations covered six properties in five municipalities covering 270 acres with requests totaling \$3.75 million. On November 21, 2016 the Freeholders approved the funding with respect to all six recommendations of the Committee at a public meeting. Committee recommendations with respect to five of the six grant requests were in the full amount of the requests. The recommendation with respect to the largest request, Untermeyer Lake in Kinnelon Borough, was for \$1.7 whereas the initial request was for \$1.9 million. In order to close on this open space project, it appears that the applicant will have to close this \$200,00 funding gap. It should be noted that the MCMUA was a funding partner in this grant application request matching Kinnelon’s \$100,000 municipal open space trust fund commitment.

RECYCLING REPORT:

Ms. Hourihan mentioned that there were no updates on her report and asked the Board if they had any questions. Mr. Druetzler asked have we done Mendham Township before and Ms. Hourihan replied we have had a contract with Mendham Township for the last 20 years and they went out for bid and they got a contract with a private hauler.

Ms. Hourihan mentioned that the following Resolution is for an amendment to our contract with Chatham Borough to change the terms of the sale of recyclable materials and asked for the Board's approval of same:

RESOLUTON NO. 16-68
RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT TO THE SHARED
SERVICES AGREEMENT BY AND BETWEEN
THE MCMUA AND CHATHAM BOROUGH FOR THE
CURBSIDE COLLECTION OF RECYCLABLE MATERIALS

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA" or "Authority") desires to assist municipalities in meeting their recycling goals pursuant to the "New Jersey Statewide Mandatory Source Separation and Recycling Act," (N.J.S.A. 13:1E-99.11 et al.) by providing an outlet for disposal of recyclable materials; 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 a contract with a municipality 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" and Local Units are encouraged and authorized to enter into agreements which promote the sharing and/or consolidation of services; and

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

WHEREAS, the marketing of recyclable materials recovered through a recycling program is exempt from public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(s); and

WHEREAS, the Borough of Chatham and the Authority executed an agreement entitled "Agreement Providing for Curbside Collection of Recyclable Materials," dated December 9, 2013, with an effective date of January 1, 2014 (the "Borough/Authority Agreement"); and

WHEREAS, the Borough and the Authority desire to amend the Borough/Authority Agreement effective January 1, 2017, as detailed in Addendum No. 1, attached hereto; and

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

1. The Executive Director of the Authority is authorized to execute the amendment entitled "Addendum No. 1 to the Agreement Providing for Curbside Collection of Recyclable Materials" with the Borough of Chatham in substantially the form attached hereto and a copy shall remain on file at the offices of the Authority.
2. The Authority's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
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 6, 2016.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to authorize execution of amendment to the Shared Services Agreement by and between the MCMUA and Chatham Borough for the Curbside Collection of Recyclable Materials and Mr. Dour seconded the Motion.

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

Ms. Hourihan asked for the Board's approval of following Resolutions No. 16-69 through 16-74. These resolutions are for execution of new contracts for Curbside Collection of Recyclable Materials as their contracts will end on December 31st and asked for the Board's approval of same.

RESOLUTION NO. 16-69
RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT FOR
CURBSIDE COLLECTION OF RECYCLABLE MATERIALS (Town of Boonton)

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" and 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, by the Municipality, pursuant to rules and regulations promulgated by the director; 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 marketing of recyclable materials recovered through a recycling program is exempt from public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(s); and

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

the Town of Boonton commencing January 1, 2017 for three (3) years until December 31, 2019 with two (2) one-year extensions; and

WHEREAS, the agreements shall supersede previous agreements entered into by the MCMUA and the Town of Boonton 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 N.J.S.A. 40A:11-5(2) and N.J.S.A. 40A:11-5(1)(s) of the Local Public Contracts Law.
3. The MCMUA's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 6, 2016.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

RESOLUTION NO. 16-~~70~~

RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT FOR CURBSIDE COLLECTION OF RECYCLABLE MATERIALS (Township of Boonton)

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" and 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, by the Municipality, pursuant to rules and regulations promulgated by the director; 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 marketing of recyclable materials recovered through a recycling program is exempt from public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(s); and

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

the Township of Boonton commencing January 1, 2017 for three (3) years until December 31, 2019 with two (2) one-year extensions; and

WHEREAS, the agreements shall supersede previous agreements entered into by the MCMUA and the Township of Boonton 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 N.J.S.A. 40A:11-5(2) and N.J.S.A. 40A:11-5(1)(s) of the Local Public Contracts Law.
3. The MCMUA's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 6, 2016.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

RESOLUTION NO. 16-71
RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT FOR
CURBSIDE COLLECTION OF RECYCLABLE MATERIALS (Township of Chatham)

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” and 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, by the Municipality, pursuant to rules and regulations promulgated by the director; 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 marketing of recyclable materials recovered through a recycling program is exempt from public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(s); and

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

the Township of Chatham commencing January 1, 2017 for three (3) years until December 31, 2019 with two (2) one-year extensions; and

WHEREAS, the agreements shall supersede previous agreements entered into by the MCMUA and the Township of Chatham 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 N.J.S.A. 40A:11-5(2) and N.J.S.A. 40A:11-5(1)(s) of the Local Public Contracts Law.
3. The MCMUA’s staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 6, 2016.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

RESOLUTION NO. 16-72
RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT FOR
CURBSIDE COLLECTION OF RECYCLABLE MATERIALS (Township of Denville)

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" and 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, by the Municipality, pursuant to rules and regulations promulgated by the director; 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 marketing of recyclable materials recovered through a recycling program is exempt from public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(s); and

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

the Township of Denville commencing January 1, 2017 for three (3) years until December 31, 2019 with two (2) one-year extensions; and

WHEREAS, the agreements shall supersede previous agreements entered into by the MCMUA and the Township of Denville 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 N.J.S.A. 40A:11-5(2) and N.J.S.A. 40A:11-5(1)(s) of the Local Public Contracts Law.
3. The MCMUA's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 6, 2016.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

RESOLUTION NO. 16-73
RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT FOR
CURBSIDE COLLECTION OF RECYCLABLE MATERIALS (Township of Mine Hill)

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" and 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, by the Municipality, pursuant to rules and regulations promulgated by the director; 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 marketing of recyclable materials recovered through a recycling program is exempt from public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(s); and

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

the Township of Mine Hill commencing January 1, 2017 for three (3) years until December 31, 2019 with two (2) one-year extensions; and

WHEREAS, the agreements shall supersede previous agreements entered into by the MCMUA and the Township of Mine Hill 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 N.J.S.A. 40A:11-5(2) and N.J.S.A. 40A:11-5(1)(s) of the Local Public Contracts Law.
3. The MCMUA's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 6, 2016.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

RESOLUTION NO. 16-74 RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT FOR CURBSIDE COLLECTION OF RECYCLABLE MATERIALS (Borough of Rockaway)

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” and 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, by the Municipality, pursuant to rules and regulations promulgated by the director; 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 marketing of recyclable materials recovered through a recycling program is exempt from public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(s); and

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

the Borough of Rockaway commencing January 1, 2017 for three (3) years until December 31, 2019 with two (2) one-year extensions; and

WHEREAS, the agreements shall supersede previous agreements entered into by the MCMUA and the Borough of Rockaway 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 N.J.S.A. 40A:11-5(2) and N.J.S.A. 40A:11-5(1)(s) of the Local Public Contracts Law.
3. The MCMUA’s staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 6, 2016.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to adopt Resolution Nos. 16-69 through 16-74 and Mr. Barry seconded the Motion.

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

Recycling Operations

Revenue and Tonnage – The October preliminary statement for the sale of material under the ReCommunity contract was received from ReCommunity on November 3 and finalized on November 28 in the amount of +\$12,718.88. This positive amount is owed to the MCMUA.

Tonnage collected by the MCMUA for recycling during November through the 28th was 1,277 tons. The monthly tonnage is shown by material and by customer on the attached report.

Curbside Collection Contracts – Since most of the MCMUA’s curbside contracts with municipalities expire at the end of 2016, staff has been meeting with those towns to review new contract terms. Staff met with the last town on November 9. So far, five or six municipalities have either approved the new contract with the MCMUA or have dates planned for presentation of our new contract to their governing body. Therefore, staff plans to present five or six resolutions at the December meeting for execution of new curbside collection contracts with each of those towns. Additionally, staff requested a change to the Chatham Borough contract regarding the revenue/costs received from the sale of recyclable materials effective January 1, 2017, the point when the contract is due to be extended. The Borough has agreed to this change and therefore, staff will present a resolution at the December meeting to authorize this contract amendment with Chatham Borough. Additionally, the Township of Mendham went out to bid for curbside collection services and awarded a new contract to a private contractor. Staff continues to work with the remaining five or six towns to finalize the new contract for 2017.

Composition Audit Protocol for ReCommunity Contract – After staff met with ReCommunity on October 13 to finalize the composition audit protocol, ReCommunity sent the next draft to the MCMUA on November 3. The composition audit determines the percent of each commodity, such as aluminum, glass, corrugated cardboard in the single-stream mix. MCMUA staff and our consultant from CHA reviewed and commented on this next draft. On November 17, we all had a conference call to finalize the protocol. We have all agreed that this will be a “living” document to be mutually edited as we learn from each audit.

Single-Stream Composition Audit – The new MCMUA-ReCommunity contract provides that ReCommunity shall perform two composition audits per year at their expense. Each composition audit yields the percent that each single material comprises of the combined “single-stream” of material collected by the MCMUA and delivered to ReCommunity by other parties under contract with the MCMUA. The first audit performed at the Mine Hill facility was done in November 2016. These results will be averaged with the first audit, done in November 2015 at the Atlantic County facility before the contract began. For this new audit, single-stream material was sampled during the week of November 14 to November 18. On Monday, November 14, at 6:30am, MCMUA staff arrived at ReCommunity to inspect the area designated inside the building to store the sampled material and to keep it dry and out of the weather. Staff was concerned that bales of shredded paper were used to create a bunker. Staff’s concern was that shredded paper is easily knocked off the bale and could be added to the pile. Loose shredded paper in the pile would inflate the residue value. As a result, ReCommunity replaced the shredded paper bales with corrugated bales. Each day, Monday through Friday, full truck loads were selected and were unloaded into the designated storage area. The selection method was based on a predetermined list of average truck weights so that tonnage from each of the various towns and generators would be proportional. Also curbside and roll-off material were attempted to be sampled in proportion. MCMUA staff visited ReCommunity 4 of the 5 days, towards the end of the day, to see the unloading of some selected loads and to see and photograph the pile of material. MCMUA staff also communicated with ReCommunity each day to adjust the remaining tonnage to sample based on actual tonnage sampled in the prior days.

A total of 93.66 tons were set aside inside ReCommunity’s facility in an area apart from other material. The table below shows the targeted vs actual selected tons.

	<u>Targeted</u>	<u>Actual</u>	<u>% Difference</u>
Curbside	80.00	78.57	1.79%
Roll-off	12.79	15.09	17.98%
Total	92.79	93.66	0.94%

Staff was disappointed that the targeted amount for roll-off was exceeded.

The audit was performed on Saturday, November 19. The facility was to have been cleaned out at the end of the day on Friday, however, when MUA staff, along with our consultant from CHA, arrived early Saturday morning for the walk through, we found that the facility was not cleaned out. Additionally and unfortunately, a key ReCommunity representative was unable to attend the audit due to a family emergency. There was a two hour delay in getting the audit running while the facility was cleaned out. The running and weighing of the material began at about 9am and ended at 5:30pm. MCMUA staff recorded material weights alongside the ReCommunity representative designated to weigh and record the material. MCMUA staff also photographed each bale and container weighed. A factor that added to the duration of the process was that the new facility for bottles and cans has storage bunkers that use walking floors, instead of conveyor belts, to empty the material onto the baler infeed line. Unfortunately, the walking floors are unable to completely empty these bunkers, as is necessary for this audit processes, so a lot of time was spent manually sweeping out the bunkers before start up and again at the end of the day. ReCommunity will address this issue for future audits. The total of the weighed material added up to 89.59 tons.

On Tuesday, November 22, all parties had a debriefing conference call to review what was learned and to update the audit protocol. Staff has written comments from the entire process and needs to edit the audit protocol document. The results, tabulated and received from ReCommunity on November 23, are still being review by MCMUA staff. The next audit is likely to happen in the spring.

Events/Education/Miscellaneous

Clean Communities – On Tuesday, November 1, staff attended and spoke at the Clean Communities workshop held in Whitehouse Station. Staff talked about balloons, balloon release laws, greenwashing and promotional items ending up as litter. **Road Clean-ups:** The MCMUA hired Adopt a Highway Litter Removal Service to do one road clean-up in November on the 2nd. The clean-up took place on sections of Canfield Avenue, Center Grove Road and Sussex Turnpike in Mine Hill and Randolph. A total of 2.5 miles were cleaned or 5 miles counting both sides of the road.

Recycling Inspections/Outreach – During November, a total of 10 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 November 7, staff met with the manager of Stop & Shop in Morris Plains due to a load delivered to the transfer station, which contained 95% cardboard. The store's cardboard baler was not working for a day and corporate arranged for a 30 cy container for cardboard. Apparently, no one told the driver the load was not garbage. It does seem that the store has a good recycling program in place and that this was just a mistake. The store has food waste collected through a company called Organix Recycling out of Illinois. Staff will make an appointment with the manager to find out more about the food waste program at this supermarket
- On November 10, staff met with a store manager for CVS in Rockaway Township. There were 3 loads in early November of cardboard mixed with trash that were delivered to the transfer station. This material came from the construction and setup of this store. Due to work that staff had done with the CVS store in Parsippany in October, the additional container for recycling cardboard had arrived by November 10, when staff visited the site.
- On November 18, staff met with district manager for f.y.e. retail store at the Rockaway Mall due to a load received at the transfer station with corrugated mixed with garbage. The store was being setup for the grand opening. The manager called corporate headquarters and staff spoke to the rep who said she never heard of our recycling requirements before. She was concerned about illegal dumping that could occur in an open container, but said she would work it out.

Stony Brook School in Rockaway Township and Duffy School in Wharton – On November 2, staff gave a presentation to the 4th grade recycling team, at the request of their advisor, a teacher. The team was created by the advisor to implement a comprehensive recycling program at the school. Staff gave a follow-up presentation to the team on November 22 and was invited

back to give a presentation to the faculty at a meeting in December. Additionally, on November 16, staff gave a presentation to students at the Marie V. Duffy school in Wharton. The invitation was for “Lunch and Learn” in honor of American Education Week.

Event Containers – The MCMUA’s event containers for recycling and garbage were not borrowed by any organizations during November.

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On Wednesday, November 2, staff attended a NJ WasteWise meeting in Hamilton. One of the speakers talked about food waste. Another speaker was from Hackensack University Medical Center discussing their hospital’s recycling program. Staff has scheduled a meeting with this speaker in December to learn pointers to transfer to the recycling program at the Atlantic Health Care system which includes Morristown Hospital.
- On Thursday, November 3, staff met with a new contact person at Greystone Psychiatric Hospital, one of our customers. Our former contact person for our contracted services retired earlier this year. Staff drove the new contract representative to ReCommunity to look at their load of recyclables and to point out some corrections to be made to the material being recycled. The material from Greystone had been pointed out to MUA staff during our visit to ReCommunity on October 13.
- Also, on November 3, staff assisted Mike Flora with a presentation on catching illegal dumpers with a trail camera. The presentation was given at the Clean Communities certification program held at the Cultural Center in Lewis Morris Park.
- On Tuesday, November 15, staff set-up a display and spoke to patrons at the Morris County Library for America Recycles Day. Staff found that this is a great location to speak to residents and may exhibit there more often.
- On Tuesday through Thursday, November 15 to 17, staff attended 3 seminars at the League of Municipalities entitled *Litter Free Waterways: Keeping Plastics Out of the Waste Stream*, *Sustainable Jersey Program Update* and *Sustainable Jersey Waste Management Challenges & Opportunities at the Local Level*.
- On Monday, November 14, staff visited 8 multi-family complexes in Rockaway Borough. The Borough did a survey of complexes and asked if they wanted to be added to the Borough’s contract with the MCMUA for recycling collection. Staff assessed the available space for dumpsters and/or carts and will provide the Borough with pricing to add these complexes to the contract.

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 the following Resolution is to extend the Shared Services Agreement with the Morris County Park Commission to provide us with a Qualified Purchasing Agent and asked for the Board’s approval of same:

RESOLUTION NO. 16-75
RESOLUTION AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT
BETWEEN MORRIS COUNTY PARK COMMISSION AND MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY TO PROVIDE MUTUAL USE
OF QUALIFIED PURCHASING AGENT

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) requested the assistance of the Morris County Park Commission (MCPC) with its purchasing functions by providing mutual use of the Park Commission’s Qualified Purchasing Agent; 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, the Morris County Park Commission has agreed to a shared service agreement with the Morris County Municipal Utilities Authority and shall provide mutual use of the Qualified Purchasing Agent as detailed within the written agreement.

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

1. The Executive Director of the Morris County Park Commission and the Executive Director of the Morris County Municipal Utilities Authority are authorized to execute the Shared Services Agreement between the Morris County Park Commission and the Morris County Municipal Utilities Authority for a period beginning December 1, 2016 and terminating on November 30, 2017.
2. A copy of the Shared Services Agreement shall be kept on file in the office of the Morris County Municipal Utilities Authority and the Morris County Park Commission.
3. That this resolution be effective 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 6, 2016.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Platt made a Motion to authorize execution of a Shared Services Agreement between the Morris County Park Commission and the MCMUA to provide mutual use of a Qualified Purchasing Agent and Mr. Dour seconded the Motion.

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

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

There being no further Business, Chairwoman Szwak asked for a Motion to adjourn the meeting at 6:35 p.m.

MOTION: Mr. Hudzik made a Motion to adjourn the meeting at 6:35 p.m., seconded by Mr. Dour and carried unanimously.

Marilyn Regner
Secretary

/mr