

MINUTES OF THE REGULAR MEETING

MARCH 7, 2017

The Regular Meeting of the Morris County Municipal Utilities Authority was held on March 7, 2017 at 7:02 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. William Hudzik, Mr. James Barry,
Dr. Arthur Nusbaum, Mr. Frank Druetzler,
Mr. Fletcher Platt, and Ms. Laura Szwak.

ABSENT: Mr. Christopher Dour and Dr. Dorothea Kominos.

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

Chairwoman Szwak asked for the Board's approval of the Minutes of the Reorganization and Regular Meetings dated February 7, 2017.

MOTION: Mr. Platt made a Motion to approve the Minutes of the Reorganization and Regular Meetings of February 7, 2017 and Dr. Nusbaum seconded the Motion.

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

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating, Water Operating and Capital Accounts for the month of February 2017. Also included are the Comparative Balance Reports for both the Solid Waste and Water Divisions for the month of February, and an investment transaction report, which shows no new investments purchased for the month of February. These reports have been incorporated in these Minutes.

Chairwoman Szwak asked the Board for a Motion to accept the Treasurer's Report:

MOTION: Mr. Barry made a Motion to accept the Treasurer's Report and Mr. Druetzler 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. 17-23

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. 17-23 containing 7 pages for a total of \$2,119,910.49 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

CAPITAL FUNDS		\$ 0.00
WATER OPERATING FUNDS	3689-3712	115,763.30
SOLID WASTE OPERATING	7383-7473	<u>2,004,147.19</u>
		\$ 2,119,910.49

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: March 7, 2017

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: March 7, 2017

DATE: March 7, 2017

Larry Kaletcher, Treasurer

Mr. Platt asked that the project be identified in parentheses after Richard Alaimo entry on the schedule of warrants. Mr. Schweizer mentioned that the work provided by Richard Alaimo was for the Air Pollution Control System.

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

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

Chairwoman Szwak mentioned that Marilyn prepared a revised Contact List for the Board Members which is in the folders this evening.

CORRESPONDENCE:

Mr. Schweizer mentioned that Item 1 in correspondence is a letter that was sent to the attorneys representing AJACO Towing, who are the people that our leasing our vacant property at the Parsippany Transfer Station. That project seemed to quiet after the November effort to hire an engineer and work on the site plan application. They got bogged down on that project because they found out that they needed to apply to Parsippany for a site plan to do the improvements, which are essentially to put up a fence and some planting and to put down some QP on the vacant property so they can store their equipment. As a follow-up to the letter, a phone call was made that did produce a response. They have the application complete and it is going in this week. Following that, they will have to have a meeting with their Site Plan Committee and move on. If the project stalls again, I would probably come to the Board again and recommend that we terminate the lease.

Mr. Schweizer mentioned that Item 2 was an application that we received for a proposal to clean out a drainage ditch that actually underlies the West Greenway Trail just south of Horseshoe Lake. Most of the property that it affects is owned by Roxbury Township and the County of Morris. Chairwoman Szwak asked where are they going to put the dirt? Mr. Schweizer replied that they have to bring those soils to an approved location subject to DEP.

The next two items are regarding Morris Commons and there has been a lot of activity and some appears very promising. Mr. Schweizer asked Mr. Carney to give the Board a brief overview. Mr. Carney mentioned that Counsel for the Rockaway Township Mall brought a Motion to amend the existing scarce resource restraint on water because they were losing a proposed tenant for restaurant expansion and they were seeking 9,000 gallons per day and as a result of that, it was a catalyst that Motion for all the parties to write to our present Judge Nergaard, to request a Case Management Conference to discuss getting the municipal defendants, as well as the MUA and Southeast out of this case. He mentioned that almost two years ago, he circulated a form of Consent Order requesting the parties dismiss us without prejudice. We obtained most of the signatures; the one that was refusing to sign was Morris Commons. Morris Commons is another inclusionary development in Rockaway Township for about 300 units and they are seeking to have a builder's remedy trail to increase that to 405 units. There was a lot of letter writing to the Court and we appeared for the Motion, which was not heard that day on March 3rd. Judge Nergaard recognized and then put on the record right away that she has a preliminary issue and would not be able to hear not only the Motion for Rockaway Township, but the future builder's remedy trial from Morris Commons or have anything to do with the case unless the MCMUA is out of the case due to the fact that Mr. Hudzik is a Board Member of the MCMUA. As a result of that, she had a jury room that we all met in and 1 ½ hours later, the major players had hammered out most of their issues, that being Pondview, Morris Commons and Rockaway Township. So a proposed form of Consent Order was just circulated a few hours ago and it seems to reflect what was discussed that day, which is basically: Pondview would relinquish its priority rights to its water in light of the fact that Wharton is wheeling water and there is a direct connection to Pondview, Morris Commons wanted Rockaway Township to approve a water extension permit that would be submitted in a couple of weeks to go to DEP and that all parties would agree not to challenge the difference between 300 units and 405 units, that water allocation in the event that Morris Commons is successful in the builder's remedy trial and most importantly, paragraph 5 of the Order that would dismiss us out of this case without prejudice. Mr. Carney is waiting to see if there is any objection from Rockaway Township or Pondview, which we will see in the next week or so and am optimistic that we may be out of this within a month. The Judge did set another date on the Motion if it is not resolved by this Consent Order, which the way it is worded now would be May 5th.

Mr. Platt asked if Dan Kelly is still representing Pondview and Mr. Carney replied yes, and he provided an update to the Court on the water and that the calculation needs to be made. Mr. Platt asked that he is satisfied with the agreement and Mr. Carney replied that was what was put on the record. The Judge asked that direct question to him that day.

Item No. 5 was an invitation for the MUA to attend a meeting which occurred last night. Randolph Township is updating its Trails Master Plan and it was a meeting of the stakeholders involved. They were interested particularly in the MUA's input because we provide a key part of the Randolph trail by allowing the Park Commission to develop and maintain the trail through our Alamatong Wellfield or the West Morris Greenway. There was a lot of good conversation about that. Mostly about improving the balance of the other trails and to see if there is potential loops that could be made and also, increased signage and visibility and access. Mr. Schweizer mentioned that the one thing that came from this exercise though was the recognition that the agreement that we have with the Park Commission, the Recreational Trail Agreement, expire in May 2017. I plan on having a new agreement to be ready to present to the Board for the April meeting.

Mr. Schweizer mentioned that Item No. 6 regarding the resolution for Electronic Recyclers International application in Lincoln Park will be covered by Larry Gindoff in his report.

Mr. Schweizer mentioned that Item No. 7 was the information that Art Nusbaum had requested regarding open space projects. It showed the extent of the MUA's participation in the Open Space Program. We were involved in 53 projects involving 18 municipalities throughout Morris County and the preservation of over 3500 acres. This is something for the MUA to be very proud of.

Also included is the updated chart on the drought status. The good news is that the conditions have clearly improved since the previous several months indicators. Of course the drought warning is still in effect and DEP is going to do that for awhile until the rest of the indicators improve.

Finally, each year Atlantic County does an update on tipping fees and host community benefits and we provide that information for the Board Members. It shows that Morris County is well-positioned in our geographic area as compared to a lot of the other counties, especially since we rely on out-of-state disposal.

Letter dated February 14, 2017 to Robert C. Garofalo, Esq., Garofalo & O'Neill, P.A from Glenn Schweizer requesting status of AJACO Towing's application before the Township Planning Board for proposed improvements to the site.

Flood Hazard Area Application – Notice to Neighboring Landowners dated January 1, 2017 submitted by Township of Roxbury regarding property at 72 Eyland Avenue.

Letter dated February 23, 2017 to Hon. Maryann L. Nergaard, J.S.C., Superior Court of New Jersey from Brent T. Carney, Esq., Maraziti Falcon LLP in support of having a discussion at the Case Management Conference concerning question of having MCMUA, Southeast and all remaining municipal defendants dismissed from this litigation.

Letter dated February 28, 2017 to Hon. Maryann L. Nergaard, J.S.C., Superior Court of New Jersey from Keli L. Gallo, Esq., The Buzak Law Group, LLC regarding Rockaway Township's status report regarding its efforts to obtain additional water supplies.

Email from Frank Pinto, Spinelli & Pinto Consulting, to Glenn Schweizer regarding Randolph Township Trails Master Plan.

Borough of Lincoln Park Resolution No. R17-83 adopted February 21, 2017 supporting Electronic Recyclers International, Inc.'s request for Plan inclusion.

Memorandum dated February 21, 2017 to MCMUA Board from Glenn Schweizer regarding MCMUA Open Space Acquisition Programs.

Chart of New Jersey Regional Drinking-Water-Supply Indicators & Declared Water-Supply Status prepared Bob Martin, Commissioner, NJDEP dated February 20, 2017.

Annual Survey of New Jersey Solid Waste Disposal Fees and New Jersey Host Community Benefit Fees prepared by Atlantic County Utilities Authority.

Letter dated March 1, 2017 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 February 2017.

Letter dated March 1, 2017 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 February 1, 2017.

ENGINEER'S REPORT:

Mr. Holt gave the following updates: (1) Scrub Oaks Well Allocation – Our application is before the DEP and the Highlands Council. Glenn and I attended a meeting in Trenton with the Highlands Council and DEP representatives on February 22nd and I attached to the report a letter to you. The meeting was intended to be a work session to help the Highlands Council understand our position on the four major areas of concern they express concerning the permitting of the well allocation permits for the Scrub Oaks Mine Well. Mr. Holt mentioned that over a year ago he was speaking quite positively and confidently that the Highlands Council would not oppose us with a real problem in creating this new source and he had successfully worked with them on other well sources and HUCS that were in deficits and he doesn't know if it is the change in personnel that they had in the Highlands Council, but my opinion of them is they are less than cooperative in terms of helping us come up with a solution to specifically the Scrub Oaks Mine Well. So the quick synopsis is Mr. Holt is not recommending that we pursue this source in any capacity moving forward because we still have a very long road to gain the recommendation from the Highlands Council. One of the conflicts with the Highlands Council is they empower either municipalities or other entities that create water use conservation management plans that are written to specifically address and mitigate the impacts of watersheds that are in deficit and if we were the water authority to empowered to write that plan, we lack the authority to govern and impose restrictions on the uses of the water. We are not in that capacity and that point is lost in the Highlands Council looking at us as if we are a conforming municipality and we are not the same entity. We are supplying water to some of the municipalities who are conforming and, maybe indirectly there could be a cooperative approach, but even that only addresses one of the items they have concerns about. The mine structural stability at the upper level was a concern and we really don't have any more information and wouldn't have any better information; we have exhausted the technical exploration and analysis by experts. No one was willing to let us try it and we are not getting cooperation from the other entities that regulate the water supply. He suggests that we don't spend any time and money on this and they said to look outside the Highlands region for water.

Mr. Schweizer commented that he was also disappointed not only stepping back from the May 15th meeting where essentially we were advised that we just had to provide some support information to the Highlands Council to allow them to proceed ahead. They were even talking about having to do a new needs analysis for the water that we need, an alternatives analysis to review all the other options that we might have to gain water, including water outside of the Highlands, and a whole lot of work on the mitigation techniques because the mine is in a deficit HUC and that got very complex and they said we would have to do that first. That is such a very undefined process for us. Mr. Schweizer added that it was a little frustrating but it emphasized the importance of our next conversations with Southeast Morris County M.U.A. He mentioned that we are trying to schedule a meeting in the next couple of weeks to discuss Clyde Potts but that is also the precursor to a much larger relationship because they are doing a Master Plan Update for their system and that was going to help identify if there was potential synergy between our two systems that maybe we can transfer water, share water and just get involved with providing other opportunities to get water into our district and maybe help them in areas that they need. This is probably the most important thing that we may be doing in terms of advancing new water supply for Morris County M.U.A. in the near future. Mr. Schweizer commented that he wholeheartedly agrees with Mr. Holt's assessment that doing anything on Scrub Oaks, I would not recommend.

Mr. Hudzik asked do we see the Highlands Council changing their mode of operation in the future? Mr. Holt replied that he does know what their make-up will be, but he does know with the change in personnel in the last year, the discussions are different, they are less technically based, they are more strictly tied to what their restrictions and policies say and not how they are interpreted. There has been a change in how things are being looked at. Mr. Platt commented that he does not see any change in the near future. Mr. Schweizer added that this may be a blessing in disguise because we were all against the issue of at best this was looking like it would only be a seasonal well and the cost to develop it and use this water was prohibitive any way and the one way to make it work, and Andrew advanced this and it was a DEP issue, was to essentially work with our Alamatong Wellfield and if we don't use that in the winter because we are using Scrub Oaks, we want to use that water in the summer when we needed it at Alamatong. DEP's response is we can't now because of the issues with the treatment plant flows and the problems they are having with keeping passing flows in Drakes Brook and pollutant loading. Mr. Holt commented that if we take more water out at periods of low flow from the watershed, we will be essentially creating a higher pollutant loading in the streams because there is less water to receive the treated effluent.

DEP would not be able to entertain that concept of moving water from season to season to allow us to get the full use of the well.

Mr. Druetzler is glad that this was recommended because he saw Margaret Nordstrom and said he hoped she would support the Scrub Oaks Mine Well and she informed him that she wouldn't be able to as it is problematic. Mr. Schweizer commented that he received a letter from Margaret Nordstrom stating that the Highlands is willing to work with the MCMUA but this is what we need and passed copies of the letter out to the Board. Mr. Schweizer added that Margaret Nordstrom started off the meeting by saying that she is not capable of issuing a Consistency Determination on her own, it has to go through the whole Council because this is not a run of the mill application.

(2) Markewicz Electrical Upgrades – ATI is finalizing the report and wanted to explore with the Board or perhaps it makes sense to have a Water Committee Meeting to discuss details on this project. The scope and extent of the electrical and pump improvements at the Markewicz Pump Station have been pretty well-defined. ATI did a lot of the legwork on the options that were considered and the final recommendation on the voltage, type of switchgear, generally how things are going to be laid out, where things are going to go, configuration and sizing and number of pumps. We have a fairly well-defined basis of design to proceed with and the thought was at this stage you would want to go out and get some Request For Proposals from consulting engineers in pursuing the traditional design approach where the owner is responsible for the design through the engineer, then bid and then award to a contractor. Mr. Holt wanted to explore with the Board the design-build approach. It is a contracting mechanism available to us and it is gaining popularity with school projects, water/wastewater projects throughout the nation. It provides some advantages to public entities such as this. The major one is you can create the scoping document or provide the basis of design document to teams who are comprised of contractors and designers as one entity and you can specify your selection criteria and almost go through a qualifications base selection more so than just a bid awarded to the lowest bidder. You would ask these design teams and contractor teams to bring forward their proposals for the rest of the project; the design of it and construction of it. This is a very unique project and you are dealing with medium voltage equipment, have to keep a very critical facility running throughout the construction and as much as we can get good design and contractor cooperation to happen and make sure the project is delivered effectively and without interruption, that might be a good way for us to do it. Mr. Holt asked if there is a way that we should take a look at this further or investigate it. One thing they can do is achieve great time savings. Mr. Carney commented that he has heard good things about design-build projects.

Mr. Platt asked Mr. Schweizer for his opinion. Mr. Schweizer commented that he never worked on a design-build project but from how it is being described and since we invested a lot in the design so far, it sounds like it would have some merit. Mr. Platt commented that the design effort can carry forward either way. You can take the report that you have done, put it on a DVD and attach them to the Request For Proposals so all that information is available for the design engineer, as well as design-build. Mr. Schweizer mentioned the one upside is the issue with if you have a team involved in the design and the construction, as opposed to us hiring a design engineer and then having the product of that going out for a contractor to build it, then you have created an opportunity there for finger pointing or for someone to say your design is flawed because of this or that. If they are married together, they own it. Freeholder-liaison Myers commented that she does not see a downside. You want to have the opportunity for innovation or alternate proposal but at the end of the day, it is streamlined, there is even a staffing requirement and how they are going to be sure of the handoffs. It has always been the way we go to build and deliver really huge technological solutions.

Mr. Platt asked Mr. Holt if he has prepared design-build proposals and Mr. Holt replied no. Mr. Holt mentioned that we could solicit and find an engineering expert in preparation of design-build documents. That would probably be money better spent than if we go through the traditional design effort.

Mr. Druetzler suggested that Mr. Holt do more homework on this and sit down with Glenn and whoever else on staff and come back with a recommendation to the Board. Mr. Platt agreed. Mr. Holt agreed to do that.

(3) Alamatong Well No. 8 - The VFD installation was delayed slightly. Mike McAloon and I worked up the test plan where we are going to be running that at various flow rates to demonstrate if turbidity events have been reduced as a result of the use of this device. We are hopeful that would be positive.

(4) 24" Leak Repair – We have been working with the County and we have also sent out to receive contractor pricing and we will have that together at the next meeting.

(5) Total Coliform Rule – We had some non-compliance notices but there is something in their tracking that causes a false non-compliance and we talked to the Department and it sounds like that will be corrected and also we may actually benefit from this investigation because they might reduce the number of samples we have to take. That would be a positive outcome.

(6) Emergency Generators – We are preparing a solicitation to have annual contract on all the generators so we have a regular maintenance program going forward on those. Mr. Druetzler commented that they had their generators always tested out in Morris Plains and Storm Sandy came along and it didn't work. We weren't the only town that had that problem because it wasn't tested or done correctly even though we paid all this money all the time. Mr. Holt commented that there is a lot that can go wrong with a generator when you only run it for an hour at a time. Mr. Holt said Mr. Druetzler's point is well-taken. Mr. Druetzler further commented that you better figure all those things into it because it doesn't make sense to do it and have it fail when you most need it.

PROJECT STATUS

1. Scrub Oaks Well Allocation Evaluation

SCE and MCMUA personnel met with several representatives from NJDEP branches such as Water Supply and Geoscience, NJ Geological and Water Survey, Water Allocation and Well permitting, and Water System Engineering, as well as representatives from the Highlands Council on February 22, 2017. We have prepared a status summary letter which can be found as an attachment to this report and provides further summary to that meeting. Following the meeting and the comments received, it is SCE's recommendation to the Board that no further investment be committed to this new source, and instead, options for deriving water supplies from other sources beyond the Highlands region be investigated.

2. Markewicz Electrical Upgrades

Following the Board's acceptance at the February meeting, ATI is finalizing their basis of design report. SCE is prepared to discuss the advantages for administrating this project as a Design-Build procurement, which is allowable under the applicable purchasing regulations, and an approach being implemented more frequently by governmental agencies. The MCMUA has made a significant investment in the preliminary engineering conducted thus far which can support, along with additional preliminary design documents, the Design-Build Request for Proposal. Administering this project as Design-Build reduces overall project time and can potentially yield a cost savings for the overall project.

3. Alamtong Well #8

MCMUA previously took delivery of the VFD, and C&C Enterprises & C.V. Electric, Inc. began work on the installation of the VFD during the week of February 27th. We anticipate startup and testing of the VFD to occur in early March, which will enable MCMUA to begin the production facility system testing and optimization program designed to reduce turbidity blow-off events.

4. General System

A. Concerning the 24-inch main leak repair on Sussex Turnpike, we coordinated with the County Department of Planning & Public Works Division of Engineering & Transportation on the required permit fees, as well as began circulating the RFP to local contractors to receive pricing. The County has also advised night work is not required which may help keep costs down below the bid threshold.

B. SCE is currently working with the NJDEP to evaluate the Revised Total Coliform Non-Compliance notices which were previously received. The NJDEP sampling tracking software

was found to have incorrect parameters causing a false Non-Compliance notification. It is expected the sample requirements may be reduced to six samples, with the two additional samples being taken during the summer months. It is expected to receive this modification prior to our next meeting.

C. SCE is currently working with system superintendent on preparing a scope of services for an annual service contract for the emergency generators. MCMUA owns 7 emergency generators of varying size which require regular service and testing. Previously MCMUA has performed triannual maintenance to these generators. MCMUA has previously obtained pricing from Cooper Electric, Atlantic Detroit, Cummings, and R&J electric to perform the triannual maintenance. The purpose is to increase emergency standby generator reliability and have existing contracts in place in the event there is a substantial power outage, such as ones previously experienced. We are shooting to advertise for bid in May with award recommendation in June.

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Gindoff gave an update on the Air Pollution Control System project. Unfortunately, the pre-bid conference that was scheduled a couple of days after the February meeting got snowed out and it required us to push it forward. We re-did the pre-bid conference on the 23rd and we actually have a lot of interest in this project, 17 planholders at this time. The bids are due a week from tomorrow. Alaimo issued the final addendum on this project, No. 3, at the end of last week, pretty much just closing up issues about how the staging of the project is going to go. Hopefully we will get some bids that we can accept. Plan on being before the Board in April with a recommendation on a contractor.

Regarding the CipCycle Plan Inclusion of a Class A Recycling Facility in Rockaway Borough, this project had been on the back burner while the Applicant and the Borough were going through some approvals for their actual site and on Monday, I had a meeting with the Applicant about discussions they had with the Borough and about what their current application is before the County for this facility and how to synchronize these two moving targets. Mr. Gindoff is anticipating CipCycle to come in with a revised application that is consistent with what they have been discussing with the Borough Planning Board and with more specificity within the next couple of weeks. He will then forward the application on to the Borough for their review.

With regard to the Electronic Recyclers International Inc. facility, a de-manufacturing facility for e-waste, we received a letter of endorsement from the Borough of Lincoln Park for inclusion of that facility in the County Plan. That facility requires SWAC review, followed by a Freeholder approval of the Plan inclusion request, which also means that we would be coming before the MCMUA Board and to adopt a resolution with respect to this facility.

Chairwoman Szwak asked who does MRM use if they don't use ERI? Mr. Gindoff replied MRM uses a competitor of ERI called Vintage Tech at this point. Mr. Gindoff commented that he anticipates that MRM will be providing us with a response to an RFQ that we are going to put out that will propose to give Morris County full coverage for e-waste recycling into the future.

Tonnage in solid waste and vegetative programs are still trending ahead of last year.

TRANSFER STATIONS

Tonnage

For the month of February 2017, the tonnage of solid waste accepted at the two transfer stations was 26,271 tons. This monthly tonnage for February 2017 was 2.06% less than the 27,232 tons accepted a year ago in February 2016. Based on monthly tonnage disposed of for the first two months of the year, for 2017 the annual total tonnage disposal is trending ahead of 2016 and is projected to be 420,471 tons. If this projection holds true, 2017 tonnage would be 9.85% more than the 385,849 tons accepted in 2016. Please refer to the Transfer Station Disposal Report by Month for additional information.

Permits

In accordance with the requirements of the administrative consent order (ACO) regarding the design and installation of an upgraded air pollution control (APC) system at the Parsippany transfer station, the MCMUA, with the support of Alaimo Engineering, issued the bid specification for the APC on January 17, 2017. A pre-bid conference with potential bidders was originally scheduled for February 9, 2017, but was cancelled and rescheduled due to a snowstorm. Addendum #1 was issued on February 10, which rescheduled the pre-bid conference to February 23, 2017. Additionally, Addendum #2 was issued on February 17, which revised several of the detail requirements of the bid.

Currently there are 17 plan holders for this project, of which, nine attended the non-mandatory pre-bid conference on February 23, 2017. Based on questions received after the pre-bid tour and in order to provide additional revisions, it is anticipated that Addendum #3 will be issued very shortly and it will contain the following revised schedule:

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| • Issuance of bid documents; advertisement | January 17, 2017 |
| • Pre-bid Conference | February 27, 2017 |
| • Receipt of bids | March 15, 2017 |
| • Award of Contract | April 4, 2017 |
| • Notice to Proceed | April 14, 2017 |
| • Contract Duration (180 days) | October 11, 2017 |
| • ACO Completion Date | October 11, 2017 |

As the February 9, snowstorm pushed the project back a couple of weeks, it is now anticipated that the MCMUA will be presented a resolution for its consideration awarding the APC contract at the April Board meeting. Progress Report #9, dated February 28, 2017, provided NJDEP with details on the progress of the project.

SOLID WASTE MANAGEMENT PLAN

Administrative Action Modification for CipCycle Inclusion of Class “A” Recycling Facility in the Borough of Rockaway

A meeting between MCMUA and CipCycle to discuss revisions to the CipCycle application for Plan inclusion of its proposed class “A” recycling facility has been scheduled for March 6, 2017. It is expected that the applicant will revise its site plan and accompanying narrative describing the proposed operation of CipCycle following discussions at this meeting. The revised application would then be forwarded to Rockaway Borough’s governing body for its consideration prior to providing the County with a resolution setting forth the municipal position on the Plan inclusion request. The Board will be updated regarding the discussions from the March 6 meeting.

Electronics Recyclers International, Inc. (ERI) Plan Inclusion Request – Class “D” Recycling Facility, Lincoln Park

In response to a letter dated January 26, 2017 from the MCMUA, the Borough of Lincoln Park adopted a resolution on February 21, 2017 providing its support of the Plan inclusion request by ERI for a class “D” recycling facility. The proposed class “D” recycling facility would allow ERI to disassemble electronic waste into component parts for distribution to a variety of down-stream recycling markets. With the exception of the shredding hard-drives, there is no proposed grinding, shredding or extensive processing of the E-waste other than disassembly and baling/consolidation of such materials. Approval of the Plan inclusion request for this facility will require SWAC review followed by adoption of a Plan amendment by the Board of Chosen Freeholders. ERI does allow residents to drop off E-waste for recycling free of charge at this site after making an appointment with its central office. Outside of the County’s E-waste program, this is one of the few opportunities for residents to recycle televisions at no cost. It should be noted that ERI is not a manufacturer currently used by the MCMUA’s E-waste vendor, MRM, but ERI does provide recycling services to other manufacturer based programs as well as providing E-waste recycling and security destruction services for the private sector.

HOUSEHOLD HAZARDOUS WASTE MANAGEMENT

Program Participation – During February 2017, a total of 130 residents and businesses delivered waste to the permanent household hazardous waste (HHW) facility in Mount Olive. This is a decrease in participation from January 2017, when 165 participants used the facility. February 2017's participation represented an increase from last year when only 105 participants used the facility in February 2016.

Future Programs - The MCMUA has scheduled three HHW events for 2017 like it did in 2016. A spring and a fall program will take place at the Public Safety and Training Academy, one on June 3 and the second on September 23. A third program will take place at Pequannock Valley Park on October 28. This is a new Pequannock Township location selected after logistical challenges at the previous Pequannock Township location required us find a better Pequannock site.

VEGETATIVE WASTE MANAGEMENT – February 2017

Facility Report – As of the writing of this report the monthly vegetative waste data for February 2017 was still being compiled and therefore, the Vegetative Waste Report will be provided to the Board at the March 2017 meeting. Regarding residential deliveries of truckloads of compost and mulch, the MCMUA will start taking orders on March 13, 2017 for residential deliveries beginning April 17 and continuing through September 29, 2017. The pricing for this delivery service remained the same for 2017 as it was in 2016. The price for the residential delivery of screened compost is \$135 for 5 c.y. and \$200 for 10 c.y. and wood mulch delivery costs \$130 for 5 c.y. and \$190 for 10 c.y.

RECYCLING REPORT:

Ms. Hourihan mentioned that we did see a nice uptick in the pricing of recyclable materials for the month of January as compared to finishing out the end of 2016. It is nice to see from where we started a year ago, January 2016, to where we are now. The prices have recovered a bit, but they are not back to what they were a few years ago but they are better than they were last year.

Ms. Hourihan mentioned that our Recycling Awards luncheon is in May this year. It is on Friday, May 12th at the Frelinghuysen Arboretum. A meeting for the Recycling Coordinators is in the morning and then we start the Awards event at noon. Formal invitations will be sent out.

Ms. Hourihan asked for the Board's approval of the following Resolution:

RESOLUTION NO. 17-24

RESOLUTION AUTHORIZING THE AUCTION/SALE/DISPOSITION OF EQUIPMENT

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) owns Equipment, as further described below:

One (1) 1994 Ford mason dump truck (94-11) from the Curbside Department; and

WHEREAS, the Equipment has been determined to no longer be of use to the MCMUA since it is old and beyond economically feasible repair; and

WHEREAS, the MCMUA desires to sell/dispose of the Equipment, as is, where is; and

WHEREAS, the MCMUA, desires to post the Equipment on an "on-line" web site, such as www.GovDeals.com, for auction and sale to the highest bidder and/or to sell or give the Equipment to another governmental entity through a shared services agreement for an agreed upon price and/or to scrap the Equipment at a scrap metal dealer and/or to otherwise dispose of the Equipment; 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 post and sell the Equipment for auction on an “on-line” web site, such as www.GovDeals.co, to the highest bidder and/or sell or give the Equipment to another governmental entity through a shared services agreement for an agreed upon price and/or to scrap the Equipment at a scrap metal dealer and/or to otherwise dispose of the Equipment at the time deemed appropriate.
2. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on March 7, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to authorize the auction/sale/disposition of equipment and Mr. Hudzik seconded the Motion.

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

Recycling Operations

Revenue and Tonnage – The January statement was received from ReCommunity on February 13 and finalized on February 27 in the amount of \$15,039. This was a nice increase over the finalized totals for November at \$8,903 and December at \$9,748. As mentioned at the February meeting, staff met with ReCommunity on February 1 to finalize the composition audit done in November 2016.

Tonnage collected by the MCMUA for recycling during February was 1,123.4 tons. The monthly tonnage is shown by material and by customer on the attached report.

There was one snow storm so far this winter, which caused the cancellation of recycling collection on Thursday, February 9. A make-up collection took place on Saturday, February 11.

Boat Shrink Wrap – Staff plans to once again run a collection program for boat shrink wrap. This year, we will probably go back to transporting the material ourselves in our own container. Last year, the recycling market we used provided the transportation for the MUA at no cost, but this year will charge for the service. The program will run from late March/early April to about mid-June at Lee’s County Marina, the usual collection site.

Events/Education/Miscellaneous

Clean Communities – The application forms for the Keep Morris County Litter Free Grant have been updated and mailed to 119 schools. This program provides a grant to schools that do a clean up on the schools property. The grant can be used to buy recycling containers for the school. This year, the program has been expanded to include schools with fifth grade students. In the past the grades targeted for this program were grades six through twelve. The addition of schools with fifth grade added 54 new schools. Additionally, staff worked with personnel from the Frelinghuysen Middle School to help plan the participation in the Clean Communities Environmental Student Exchange for a group of students from this school. Educational Programs: The MCMUA funded six education programs in February at aftercare programs at schools in Chatham Borough, Chatham Township, Florham Park and Washington Township. Road Clean-ups: There were no road clean-ups done in February.

2017 Awards Luncheon – Staff has started the plans for this year’s awards luncheon which will take place on Friday, May 12 at the Frelinghuysen Arboretum. The list of awards recipients is being finalized and all of the details are being planned. Please save the date.

2016 REA Grant Application – On February 21, staff received the 2016 REA (Recycling Enhancement Act) Grant Application from the NJDEP, which now has a portion carved out to be spent on Public Information and Education Activities. For Morris County this amounts to just under \$55,000 of the total grant for education. Since receiving that application, staff has put together a spending plan to be completed by December 31, 2017. One of the projects included in the plan is printing an MCMUA booklet which will provide details of the recycling, reuse and disposal options for materials under our purview and will explain litter abatement and waste reduction ideas.

Recycling Inspections/Outreach – During February, a total of 26 transfer station loads suspected of improperly containing mandated recyclable materials were photographed and written-up by MCMUA tipping floor inspectors.

On February 22, recycling staff inspected loads at the transfer station, mainly to inspect the garbage from the Morris View Healthcare Center, but stayed to inspect other loads. Below is a summary of four loads that contained mandated recyclables:

- Generator: Rockaway River Country Club, Denville – load of garbage included bags of shredded paper.
- Generator: Parsippany Township (various apartment complexes) – load of garbage contained bottles/cans and corrugated cardboard.
- Generator: Sun Valley Condos at Florham Park – load of garbage contained bottles/cans and corrugated cardboard.
- Generator: Nestle Corp in Florham Park – load of garbage with clear bags from cafeteria with bottles and cans.

Nixon Elementary School in Roxbury and the Roxbury School District – On February 6, staff gave a PowerPoint presentation for the teachers at the Nixon School regarding the recycling program that will begin in March. Additionally, staff created 3 customized flyers for the school to use explaining their dual-stream recycling program. Staff is going back to the school on March 1 to work with student recycling ambassadors. Additionally, in late January, the school received a \$2,000 grant from the Sustainable Jersey Schools program to purchase recycling containers. They plan to get the containers into all of the classrooms by the end of March.

Pequannock Township School District – On February 27, staff met with the Principal and green team at the high school to do a walk through assessment and waste audit of the cafeteria waste. The assessment and audit were done according to the measurement method recommended by the Sustainable Jersey Schools program. The assessment portion revealed that there is still a lot of work to be done inside the classrooms, since students are still mixing recyclables with trash. Some classrooms are in need of recycling receptacles and some existing receptacles still need to be labeled. Education is a key concern. A more detailed explanation at the audit will be provided in the March report.

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

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On Wednesday, February 8, staff visited the Morristown Medical Center as a follow-up visit to see if the Center is making progress on their recycling program. It seems that some progress was observed with some new recycling containers in some areas, however there are still a lot of places where containers need to be teamed up and need to be labeled. Staff is creating a customized sign for the Center to use on its recycling containers. Additionally, in February it was learned that the Medical Center was putting all of their recyclables in plastic bags which are not acceptable by their recycling market.
- On Thursday, February 16, staff participated as an exhibitor at the Sustainable Morristown event held at the Morristown Library. The event was a showing of the video “Bag It.”
- On Tuesday, February 21, at the County Library, staff hosted and attended a County Coordinators meeting followed by an Association of New Jersey Recyclers (ANJR) board meeting.
- On Wednesday, February 22, staff met with the owner of Viking Bakery in Denville, a business which is collected on our Denville commercial route. We’ve been having some

problems with this location and our crew had a taken a photo of material that was not properly set-out for collection.

- On Friday, February 24, staff attended the ANJR Swap N Share meeting held in Bergen County.

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 a resolution for our annual Recycling Enhancement Tax Grant Fund application. This year's grant is up 10% from last years. The total is \$329,736 and we are proposing to use the grant to fund two projects. One is the Household Hazardous Waste Program for about \$275,000 and the second is Recycling Information and Education, which is a required component of the REA Grant, for the balance of approximately \$55,000. Mr. Schweizer asked for the Board's approval of the following Resolution:

RESOLUTION NO. 17-25
RESOLUTION AUTHORIZING THE FILING OF A SPENDING PLAN
FOR A 2016 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 2016 Recycling Enhancement Act Tax Fund Entitlement in the amount of \$329,636.
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 March 7, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to authorize the filing of A Spending Plan For A 2016 Recycling Enhancement Act Tax Fund Entitlement and Mr. Hudzik seconded the Motion.

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

Mr. Schweizer mentioned that the final item is with regard to the MCMUA Conservation and Stewardship Plan for our watershed protection. We did receive a scope of work late, however, after conversation with Laura, we thought it was a good idea to have the grant application submitted because of the March 1st deadline. We made some adjustments to the application prepared by the Land Conservancy of New Jersey. The application was submitted and it was for a total of \$40,000. The grant portion of it is \$10,000. The reason why it is \$10,000 is because the primary focus of the Open Space Institute Grant is to look at the Delaware Basin and since the Delaware Basin is only a small part of Morris County. Nonetheless, we thought a balance of County contribution dollars, would come from our open space fund, as well as in-kind services from the Planning Department, who would be working on the computer program. We talked about this in January and we are very excited about this project that we can use a scientific basis to do some water modeling to help identify important properties in Morris County that have not been protected yet for us to look at and possibly work with municipalities to proceed ahead using open space funds and other sources of funds to preserve these properties. The other component of this is to also look at a stewardship component. There will be a general look at where the stewardship opportunities may be in Morris County but the specific attention will be focused on the properties that the MUA has purchased on behalf of the County and the Land Conservancy would work directly on those properties and suggest stewardship efforts for those properties that we have control over, so that would be a useful tool.

Mr. Druetzler asked if this is going to look at properties in the Highlands and Mr. Schweizer replied yes. Mr. Druetzler supports this effort but does not like the idea the Dr. Van Abs is on this Committee because he was the one who did the Highlands and there was questions back then about was the Highlands done scientifically. He mentioned that we talked earlier about Scrub Oaks and the Highlands as an obstacle. He does not want to see a study that is an obstacle. If he wasn't on there, I would have no concerns. Mr. Schweizer commented that he is not a fan of what Dr. Van Abs did with the Highlands Plan because the particular science he used there was integrating water modeling to count the amount of water going into certain HUCS and then counting certain water coming out of HUCS to determine in fact if they were in a deficit status. The science that he and others were directed to use was very concerning because it downplayed the inputs into the HUC in terms of water supply and it counted the full allotment of water coming out of a HUC. Mr. Schweizer commented that on this study, it is more of a mapping study and he is using Rutgers's University and it is very similar to the project that he did up in Sussex County where they are essentially taking data that exists in terms of location of streams, wetlands, recharge areas, aquifer recharge areas, wellhead protection areas and certain aquatic properties and integrating the mapping that shows where all these properties are located and they will be asking us to rank the importance. Mr. Schweizer mentioned that it is not the same kind of science that went into developing the Highlands Plan. It is mostly the Rutgers's people who will be doing this overlay of mapping. Mr. Schweizer offered to show the Board the report from Sussex County; it is a lot of detail, it is not a lot of qualitative work made by Van Abs and Rutgers, it is just compiling a lot of data and overlaying it and presenting maps that show where these properties are located and based on the characteristics of the water resources criteria that are used. Chairwoman Szwak commented that just knowing how the Land Conservancy operates is that it is going to be our plan and if something is recommended and we don't particularly like it or we have a different point of view, we will have a lot of input into it. Ms. Szwak understands the hesitation about Dr. Van Abs, but he is a small part of the budget and it is mostly going to be information from us. She believes that it is important because we preserve all these acres and what have you done to the water supply. Other than preserving the land, are we really preserving the water? What's left, what are the gaps?

Dr. Nusbaum asked if this will be in conjunction with Warren and Sussex County that feeds into the Delaware Basin? Is it going to be a parallel effort on the part of three counties? Chairwoman Szwak replied that Sussex County is already done. Mr. Schweizer mentioned that they were looking to submit applications for both Morris and Warren this go around. Mr. Druetzler asked is it the entire Morris County and Mr. Schweizer replied it is the entire Morris County and the upside of this is the fact that we have a small piece in the Delaware Basin to justify an application to the Open Space Institute for the grant and then if we contribute our own money, we are saying that your contribution is focused on the Delaware, but clearly the benefits derived from doing an analysis like this are broader than just the Delaware Basin for a county like Morris so we want to do this analysis to include the entire county. To support that, we are contributing our money and they are contributing their money.

Mr. Schweizer was looking for a consensus on the proposal and scope of work so we can give the Land Conservancy some confidence that if they receive the grant, we are in for the project. While we wait, Mr. Schweizer said he could contact the Land Conservancy and see if we could get another expert and Mr. Druetzler replied that is a good idea. Mr. Schweizer mentioned that he would contact Barbara Davis to see if there is another professor there that can oversee the students that are doing the mapping.

Mr. Platt asked Mr. Schweizer to bring in the Sussex County report so they can see what the end product is going to look like and Mr. Schweizer replied he would definitely do that.

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

Chairwoman Szwak asked the Board for a Motion for the meeting to go into closed session at 8:17 p.m. regarding attorney-client privilege.

MOTION: Mr. Druetzler made a Motion for the meeting to go into closed session at 8:17 p.m. and Mr. Hudzik seconded the Motion.

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

Chairwoman Szwak asked for a Motion for the meeting to go into open session at 8:48 p.m. and adjourn the meeting.

MOTION: Mr. Druetzler made a Motion for the meeting to go into open session and adjourn the meeting at 8:48 p.m. Mr. Hudzik seconded the Motion and it was carried unanimously.

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

Marilyn Regner
Secretary

/mr