

## MINUTES OF THE REGULAR MEETING

JULY 11, 2017

The Regular Meeting of the Morris County Municipal Utilities Authority was held on July 11, 2017 at 7:06 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.

Vice Chairman Barry requested a roll call.

PRESENT: Mr. William Hudzik, Mr. James Barry,  
Dr. Arthur Nusbaum, Mr. Christopher Dour,  
Mr. Frank Druetzler and Mr. Fletcher Platt.

ABSENT: Ms. Laura Szwak and Dr. Dorothea Kominos.

Also present was Larry Gindoff, Acting Executive Director; Andrew Holt, MCMUA Water Consulting Engineer; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brent Carney, Esq., Maraziti Falcon LLP; Kathleen Hourihan, District Recycling Coordinator; Christine Myers, Freeholder-liaison; Christopher Warren, P.P. and Miles Powell of Richard A. Alaimo Engineering Company.

Vice Chairman Barry asked for the Board's approval of the Minutes of the Regular Meeting dated June 6, 2017.

MOTION: Mr. Hudzik made a Motion to approve the Minutes of the Regular Meeting of June 6, 2017 and Mr. Druetzler seconded the Motion.

ROLL CALL: AYES: 4 NAYES: NONE ABSTENTIONS: Dr. Nusbaum & Mr. Dour

### TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating, Water Operating and Capital Accounts for the month of June 2017. Also included are the Comparative Balance Reports for both the Solid Waste and Water Divisions year to date June 2017 and an Investment Report, which shows no new investment activity for the month of June. These reports have been incorporated in these Minutes.

Vice Chairman Barry 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 mentioned that in June we received our annual Clean Communities Grant from the State. I have a resolution to recognize the amount of \$99,207.97 into the 2017 budget and asked for the Board's approval of the following resolution:

RESOLUTION 17-51  
RESOLUTION TO AMEND THE SOLID WASTE DIVISION 2017 FISCAL BUDGET  
FOR THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY  
PURSUANT TO N.J.A.C. 5:31-2.8

2017 CLEAN COMMUNITIES GRANT

**WHEREAS**, the Morris County M.U.A. on July 11, 2017 is amending the Solid Waste Division budget to include the 2016 Clean Communities Grant in the amount of \$99,207.97, and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County M.U.A. hereby request the Director of Local Government Services to approve the amendment to the 2017 budget as follows:

Increase Amended Revenue:

2017 Clean Communities Grant	\$99,207.97
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Increase Amended Appropriations:

2017 Clean Communities Grant	\$99,207.97
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CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on Tuesday, July 11, 2017.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James Barry, Vice Chairman

ATTEST:

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

**MOTION:** Mr. Druetzler made a Motion to amend the Solid Waste Division 2017 Fiscal Budget for the MCMUA Pursuant To N.J.A.C. 5:31-2.8 – 2017 Clean Communities Grant and Dr. Nusbaum 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. 17-52**

**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. 17-52 containing 7 pages for a total of \$2,896,865.12 dated and made a part hereof by reference.

**SUMMARY**

**CHECK NUMBERS**

CAPITAL FUNDS		\$ 0.00
WATER OPERATING FUNDS	3816-3852	226,918.99
SOLID WASTE OPERATING	7763-7877	<u>2,669,946.13</u>
		<b>\$ 2,896,865.12</b>

**CERTIFICATION**

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

DATE: July 11, 2017

BOARD VICE CHAIRMAN APPROVAL

\_\_\_\_\_  
James Barry, Vice Chairman

SIGNED: \_\_\_\_\_  
Marilyn Regner, Secretary

**TREASURER'S CERTIFICATION**

I hereby certify that there are sufficient funds in the appropriations charged, or accounts listed to cover the expenditures included in the SCHEDULE OF WARRANTS dated: July 11, 2017

DATE: July 11, 2017

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

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

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

**CORRESPONDENCE:**

Mr. Gindoff mentioned to the Board that Item No. 1 of correspondence was the letter that Suburban Consulting Engineers provided about the potential conflict of interest that they have working with us as they work with Southeast. We went over that with the Water Committee and they gave us some good ideas on how we could address that. We may go out for RFP in the future with an alternate firm in case we do have any conflicts that arise with Suburban. We got the letter and the law they spelled out to us in the letter and it is certainly something that we need to keep an eye on and we will work to make sure that we don't put them in that position that they actually have a conflict with us.

The next two letters are related to our AJACO lease. We have not had any response from the people from AJACO after sending them two letters; one demanding payment on the back rent that they owe us, as well as a request for information that Alaimo Engineering sent them on our behalf. With that, they have not been reacting to any of our correspondence, Mr. Gindoff commented that we should seriously consider terminating this lease at this point if we can. Mr. Carney commented that you certainly can. He was thinking the same course of action, maybe a resolution prepared for the next meeting to terminate this lease. There has been no response to the letters that have been sent. The Board was in agreement with having a resolution at next month's meeting to terminate the lease.

Regarding Item No. 4 of the correspondence to DEP asking to be one of the pilots in the Deficit/Surplus analysis and their new strategy, we have not heard back from DEP on it, but we are certainly throwing our hat in the ring and it gives us some potential for additional water without building anything else so we certainly want to be pursuing that.

Mr. Gindoff mentioned that tomorrow night he will be attending the Freeholder Public Hearing on the ERI Recycling Facility for e-waste. He anticipates that going through and going smoothly. Unfortunately, this was delayed a month because one of the newspapers had a notice problem and they failed to implement the Notice as required.

Regarding the waste flow letters to Robert Lovenberg Roll-Off Services and the Warren County Pollution Control Financing Authority, I have heard from a couple of haulers that have opened up new accounts with us that had been going to Warren County, so that seems to have had an impact that Warren County is treating that with respect and have closed out their facilities based on this letter to Morris County generated waste as far as we can tell. I have not gotten a formal response back from Lovenberg yet, so we will keep an eye on that.

Regarding Item No. 9 of the correspondence, this was a long-standing issue with the another proposed recycling facility in Rockaway Borough that we have been waiting for a revised application. We finally received it after many discussions with their consultants and attorneys on getting that in a format that we could provide to Rockaway Borough so they could make an informed decision on it. At this point, it gives them three months to get it to us. We should be hearing on that in the next few months.

Regarding Item No. 10 of the correspondence, Laura asked me to put together a request to the County Counsel about the use of our open space trust fund to do a study that we were talking about to help us identify water resource properties for open space acquisitions. He is going to press John on trying to get an answer, as I have not gotten an answer. Mr. Druetzler asked is that an attorney's interpretation or is it a Freeholder who makes that decision. He mentioned that it was five percent of open space that was supposed to go for ancillary matters, such as studies. Christine Myers mentioned that it has not come their way yet but it should have gotten to Deana Leary. Mr. Gindoff mentioned that he has spoken to Deana Leary and in her opinion, there this should be used for this study, as the County used similar funds for the Brandtstetter study. Christine Myers mentioned that she will check on that tomorrow morning.

The final letter was a kudos letter for helping one of our residents find their lost garbage at the transfer station. Mr. Gindoff mentioned two other letters from Patty Foley, a resident in Florham Park, thanking us for all the services that the MUA provides and secondly, Liz was doing a presentation at the Luthern Church in Chester and two people there claimed they used our facilities and our Household Hazardous Waste Program and they were extremely thrilled with the service and the kindness of the people that work there.

Letter dated June 6, 2017 to Larry Gindoff, Acting Executive Director from Andrew S. Holt, P.E., P.P., CME regarding Implied Conflict of Interest.

Letter dated June 16, 2017 to Robert C. Garofalo, Esq., Garofalo & O'Neill, P.A., from Brent Carney, Esq. regarding AJACO Towing Lease Agreement; and Letter dated May 5, 2017 to AJACO Towing from Larry Gindoff regarding delinquent monthly lease payments.

Letter dated July 3, 2017 to Jason Cleffi, AJACO Towing, from Christopher J. Warren, P.P., Associate, Richard A. Alaimo Engineering Company regarding follow-up to Request For Information.

Letter dated June 16, 2017 to Joseph J. Mattle, NJDEP, Bureau of Water System Engineering, regarding Stake Holder Workgroup Meeting to discuss Bulk Sale/Purchase Contracts in relation to Deficit/Surplus Analysis.

Letter dated June 30, 2017 to Andrew S. Holt, P.E., P.P., C.M.E., from Michael A.

Kobylarz, P.E., C.M.E., C.P.W.M., Township Engineer, Township of Roxbury regarding Township of Roxbury/MCMUA Water Supply Contract System Maintenance Responsibility.

Letter dated June 13, 2017 to Morris County M.U.A. from Freeholder Director Douglas Cabana regarding Solid Waste Management Plan Amendment dated April 2017 for inclusion of Electronic Recyclers International, Inc. Class “D” Recycling Center in Lincoln Park being considered for adoption after the public hearing at the Freeholder Meeting on July 12, 2017.

Letter dated June 16, 2017 to Robert Lovenberg, Jr., President, D. Lovenberg Rolloff Services from Larry Gindoff regarding Waste Flow and the Morris County Solid Waste Management Plan.

Letter dated June 16, 2017 to James Williams, Pollution Control Financing Authority of Warren County from Larry Gindoff regarding Waste Flow and the Morris County Solid Waste Management Plan.

Letter dated June 19, 2017 to Shelia Seifert, Municipal Clerk, Borough of Rockaway, from Larry Gindoff regarding Morris County Solid Waste Management Plan Inclusion Request: CipCycle Processing, LLC – Class “A” Recycling Facility at 311 West Main Street.; and Letter dated June 15, 2017 to Larry Gindoff from John F. Chiaia, Esq., attorney for CipCycle, forwarding revised Plan inclusion request.

Email dated June 22, 2017 to John Napolitano, Esq. from Larry Gindoff regarding use of open space fund dollars to partially fund a study focusing on water resource preservation through open space acquisition.

Letter dated June 23, 2017 to Bobby Ross, MUA Operations Manager, from Kara A. Mackenzie, Esq., regarding letter of appreciation for Frank, Kerry and Brett at the Parsippany-Troy Hills Transfer Station.

Letter dated July 6, 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 June 2017.

Letter dated July 5, 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 June 2017.

## **ENGINEER'S REPORT:**

Mr. Holt mentioned that he was happy to report that we had a productive Water Committee Meeting prior to this meeting at which we reviewed a draft proposal of the RFP for the Markewicz Electrical Upgrade Project and we have gotten some good input. We are going to revise that and the next step will be to send it back to Larry for Brent's review and suggested consistency with whatever is necessary for Request For Proposal for engineering and consulting on the design of the Markewicz facility. Mr. Platt mentioned there is form of contract attached as well. Mr. Holt mentioned that our goal would be to get that advertised in mid-August and proposals received probably in October.

Alamatong Well No. 8 continues to be a little bit of a thorn in our side. The pump was removed and evaluated and motor bearings were the source of the failure. It is our recommendation that the pump should be replaced right away. We are obtaining quotes from multiple pump vendors/suppliers to get competitive quotes on the basis that should we procure a new pump. We also have researched whether the Franklin Electric Motor with failed bearings has a warranty provision to enable us to do this, but he does not want to delay the procurement of it. Mr. Gindoff asked do we need to procure this as an emergency and Mr. Holt replied that he would let him know. Mr. Holt mentioned that he needs to see the availability of it and if there is some way to expedite it. Mr. Carney mentioned that the Local Public Contracts Law requires a memorandum explaining there is urgent public compelling need and it wasn't recently foreseeable, all those kinds of things. Mr. Gindoff commented that if we do declare an emergency, we would be procuring it before the next meeting. Mr. Carney added that is the whole purpose behind it.

Dr. Nusbaum asked what the average cost of a pump for our wells and Mr. Holt replied \$50,000. When we change a pump over, is it always because the older pump is not as efficient, are they broken? Could we keep one as a back-up to use in case of an emergency? Mr. Holt replied that you can. They are all individually constructed to meet the service conditions of that well and they are not interchangeable among all the wells. Certainly we could salvage portions of Well 8 as back-up components. That would be our recommendation that the MUA retain for spare parts in emergencies to be able to put a pump back together quickly.

Mr. Platt asked if we have a specification for what is being installed and Mr. Holt replied, yes. Mr. Carney stated that the purpose behind the emergency provision of Local Public Contracts Law is to be done because you don't have enough time to put together bid specifications and wait for the receipt of bids. That is the whole reason behind the emergency saying it is a public eminent need and there is not time to wait for the next Board Meeting, it's that urgency. Mr. Holt commented that we have specifications for the pump and motor. We have to prepare an actual bid spec for the work. Mr. Holt mentioned that they will work closely with Tony on getting that in place.

Mr. Holt mentioned that the Markewicz Tanks conducted their anniversary inspection. Both tanks look pretty good. There were two pinholes were identified, but nothing of concern or nothing indicating any flaw with the condition of the paint interior. We will prepare a final closeout release of liens and release maintenance bond documents for your action.

Regarding the roofs, D&B Engineers have submitted final recommendations for that on closeout of the project.

Under General Systems, Mr. Holt will pursue DEP to work with them on your Deficit/Surplus determinations and maybe find a way to free up some additional gallons.

Regarding the correspondence we discussed on the ethics, Mr. Holt mentioned that we would refuse to participate on any dialogue with Southeast Morris addressing any contractual issues. Everyone is on the same page with our activity representing your needs and avoiding any conflict.

Mr. Holt mentioned that there is a resolution on the agenda tonight for Practical Environmental to be the LSRP to conduct your Biennial Inspection at the Farley property. The proposal was received for \$2,475.00, which we recommend for approval. They are familiar with this property having prepared your Remedial Action Inspection Plan previously.

Lastly, the Sussex Turnpike Main that is not in service. We documented the procedures to be followed if the main gets reinstated. Tony Milonas, your Water Operator, has the letter.

Mr. Gindoff asked Mr. Holt to expand on what we spoke about in yesterday's meeting with N.J. American. Mr. Holt mentioned that we had a meeting yesterday with N.J. American Water Company, a customer of ours that we sell water to in the vicinity of the Clyde Potts Reservoir where we buy water from Southeast Morris County M.U.A. There are issues with that source where we buy water and we sell it. We want to work cooperatively with all three parties, the contract holders, both Southeast Morris County M.U.A., N.J. American Water Company and Morris County M.U.A., in developing an improvement plan, if it is feasible in that location. We are asking Southeast Morris County M.U.A. to finalize or conduct a study on their end just to make sure that all parties are in agreement that these contracts should remain in existence and continue if an investment and any improvements are going to be made down there on behalf of Morris County M.U.A. We will be talking further about that, as the Water Committee had some good ideas on how to structure any kind of dialogue with the other parties.

Mr. Holt added that we talked at the Water Committee Meeting about the repair conducted in Mt. Arlington on Howard Boulevard. It was an emergency repair due to a leak on the infrastructure. Technically, it is Mt. Arlington Borough's responsibility, but it was an emergency repair, leak, unknown condition and a County Road was in jeopardy. So it was commissioned and Garcia Construction completed the leak repair. He mentioned that the question was raised whether Morris County M.U.A. should pursue recovery of those costs from the Borough of Mt. Arlington because technically they are responsible for those branch connections off the main of the mains themselves. It was determined that it was not 100% clear in the past perhaps on who does what repairs. Mr. Holt mentioned that since that repair occurred, we have written communications to all your customers outlining responsibility for maintenance and operation of water system components in each municipal jurisdiction. At this point to go back to the Borough of Mt. Arlington retroactively might be problematic, so it was the consensus of the Water Committee that we should not pursue the economic recovery from the Borough at this point.

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

RESOLUTION NO. 17-53  
RESOLUTION TO AWARD CONTRACT FOR  
PERFORMANCE OF BIENNIAL CERTIFICATION  
RELATIVE TO SOIL REMEDIAL ACTION PERMIT FOR  
THE FARLEY WATERWORKS PROPERTY

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") established a Soil Remedial Action Permit ("RAP") for its Farley Waterworks; and

WHEREAS, the Soil RAP approval requires the submission of Remedial Action Protectiveness / Biennial Certification Form to the NJDEP on November 14, 2018; and

WHEREAS, Andreas W. Eisenberger of Practical Environmental Solutions, LLC ("Practical") is currently the assigned Licensed Site Remediation Professional ("LSRP") assigned to this RAP; and

WHEREAS, Practical provided a proposal dated May 31, 2017 that includes all the tasks necessary for the submission of the Biennial Certification Form in the amount of \$2,475.00; and

WHEREAS, the MCMUA has determined that it shall make a contract award to Practical Environmental Solutions, LLC, 11-13 Broad Street, Washington, NJ 07882 for the performance of said scope of services necessary for submission of the Biennial Certification Form in accordance with Practical's proposal dated May 31, 2017; and

WHEREAS, LSRP Services are professional services, exempt from the requirement for public bidding, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

WHEREAS, the MCMUA Treasurer has certified that funds for this contract are available in the Water Division Engineering and Professional Services Account No. 02-6-900-925-230 in an amount not to exceed \$2,475.00.

NOW, THEREFORE, BE IT RESOLVED by the MCMUA as follows:

1. The Acting Executive Director is authorized and directed to execute a contract with Practical Environmental Solutions, in an amount not to exceed \$2,475.00, for the services described in its May 31, 2017 proposal.
2. Notice of the nature, duration and amount of the contract shall be published once in the newspaper of general circulation and a copy of this resolution and the agreement shall be on file and available for public inspection at the offices of the Morris County M.U.A., 214A Center Grove Road, Randolph, New Jersey 07869.
3. This award is subject to the submission of a New Jersey Business Registration Certificate; Certificate of Employee Information Report; proof of professional liability insurance; all documents required by N.J.S.A. 19:44A-20.4 et seq., Stockholder Disclosure Certification, and any other document required by law to be placed on file with this Resolution, to the extent not already provided.
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 a Regular Meeting held on July 11, 2017.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James Barry, Vice Chairman

ATTEST:

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

MOTION: Mr. Platt made a Motion to award contract for performance of Biennial Certification relative to Soil Remedial Action Permit for the Farley Waterworks Property and Dr. Nusbaum seconded the Motion.

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

#### PROJECT STATUS

##### **1. Markewicz Electrical Upgrades**

We have completed the DRAFT of the RFP and incorporated the comments received from MCMUA staff. A copy of the draft is included for your reference and will be discussed in further detail at the Water Committee Meeting.

##### **2. Alamtong Well #8**

Samuel Stothoff Co., Inc. of Flemington New Jersey has completed the removal of Well #8 pump and motor on Friday June 30<sup>th</sup>. As part of the preliminary field investigation, it was determined there was a failure of the motor bearings in the Franklin Electric 175 hp motor.



There are concerns the bearing failure has resulted in the pump impellers being damaged by the pump bowls, which will be further evaluated by Samuel Stothoff. We are prepared to make our recommendation to the Water Committee on how to proceed, subject to final determination from the formal inspection report. At this time it is important we have reliable water sources for our system, and installation of a replacement in critical while any product warranty is pursued with Franklin Electric. It is anticipated a recommendation will be made at the August Board Meeting.

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

On Monday June 26<sup>th</sup>, Alpine Painting and their subcontractor Liquid Engineering performed the annual ROV inspection of both Markewicz Water Storage Tanks 1 and 2. Overall the tanks were in exceptional condition, with only a few isolated areas of pin hole corrosion which was identified and will be continuously evaluated. There was normal sediment accumulation in the bottom of both tanks which is to be expected and not a cause of concern unless water quality sampling is impacted.

Alpine Painting has successfully completed the contract and will begin to process the close out documents such as product warranties, maintenance bonds, release of liens, and other required close out documentation

**4. New Roof Installation Project at Four (4) Pumping Stations**

Integrity Roofing has submitted final payment and the required close out documentation for the Roof Installation at Four (4) Pumping Stations which includes all necessary close out documents and final payment request. D&B Engineers and Architects have submitted final recommendation on this project.

**5. General System**

A. We have assisted in the preparation and distribution of formal correspondence to NJDEP with regard to the Bulk Sale/Purchase Contracts Deficit/Surplus Stakeholders and the desire to provide review and input as the new regulations are begin developed. We are currently working on establishing meeting dates to further discuss the plan with NJDEP and develop action items to assist in this process.

B. We are prepared to review in further detail with the Water Committee the items which were discussed at the Monday July 10<sup>th</sup> meeting with representatives for New Jersey-American Water Company and the long-term plans for the continued purchase of water from MCMUA.

C. We recommend engaging Practical Environmental Solutions, LLC the LSRP of record, to complete the Biennial Certification at the Farley Waterworks property. Their familiarity with the project site, project background, and working relationship with MCMUA and SCE are all important in selecting Practical Environmental. The proposal received was in the amount of \$2,475.00.

D. We have prepared the Sussex Turnpike 24" Main Re-Instatement letter detailing the requirements to put the transmission main back into services if so desired by MCMUA. This will be discussed further at the Water Committee Meeting.

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

Mr. Gindoff mentioned that he invited the Alaimo Group to join us this evening. Representing the Alaimo Group is Chris Warren and Miles Powell. He reported that the Alaimo Group has been working the MCMUA since the late 80's and working with us on the incinerator and landfill sitings, doing planning studies with us in those difficult solid waste days when everything was up in the air. They also worked with us seriously on our MSW Composting Project, worked with us on purchasing the Waste Management Landfill Easement in the early 90's and the eventual transfer station purchase which is the way we operate today with our two transfer stations that has really brought the M.U.A. under a solid financial footing. Since then, they have been consulting with us, maintaining our transfer station, doing construction, permitting, capital improvements, as well as

some other minor solid waste work, such as our consolidation center design work, design and construction of our Household Hazardous Waste facility. In addition, I have always been incredibly impressed to see Alaimo really be there to support the M.U.A. in front of regulators, contractors, and construction people. I can't thank them enough for the dedication and support that they have given us throughout the years.

With regard to the tonnage at the transfer stations, Mr. Gindoff reported that we had another excellent month at the transfer station being about 3% over of what we did in last June so we are really trending nicely ahead for solid waste tonnage for the year. We are currently predicting about 402,000 tons for the course of the year coming up, so that will be a good year for us handling solid waste.

At this point we are doing major repairs at the Parsippany Transfer Station installing an Air Pollution Control System. Mr. Gindoff called on Chris Warren to give us a summary of the things he has been working on with respect to this.

Mr. Warren mentioned that it was almost 30 years ago when DEP declared an emergency to shut down the Edgeboro Landfill and it required the Counties to find a way to send their waste out-of-state or to develop an in-state solution. Temporary facilities were developed in Morris County which were actually dumping pads and they developed the transfer stations around those pads. There are consequences when things are done in emergencies; one of them is how the transfer stations were constructed. There are consequences 30 years later with the deterioration in some parts of the buildings, particularly in Par-Troy.

Mr. Warren provided a hand-out and reported on the following Current Capital Projects that he is working on: Phase I Roof Replacement Project, Air Pollution Control System at the Par-Troy Transfer Station and the Solid Waste Facility Permit Renewal for Par-Troy. He also mentioned Proposed Projects: 2018 Phase II Roof Replacement: Par/Troy Transfer Station and potentially Asset Management.

The Board thanked Chris Warren for joining them and for his report. Mr. Platt thanked him for making the trip.

Mr. Gindoff reported that we accepted two bids for Household Hazardous Waste Programs this month. One is for the operation of our permanent facility, which was designed by Alaimo Engineering, which is still operating and is one of only three in the State. We received four bids on the permanent facility bid and three of them were competitive and close. We are recommending the firm that is the low bidder and has been operating it for the last two cycles and recommend that the contract be awarded to MXI Environmental Services.

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

**RESOLUTION NO. 17-55**  
**RESOLUTION AWARDED CONTRACT TO MXI ENVIRONMENTAL SERVICES**  
**FOR THE YEAR 2017 OPERATION OF THE MORRIS COUNTY MUNICIPAL**  
**UTILITIES AUTHORITY'S**  
**PERMANENT HOUSEHOLD HAZARDOUS WASTE FACILITY**

**WHEREAS**, on June 1, 2017, the Morris County Municipal Utilities Authority ("MCMUA") issued a Notice to Bidders seeking sealed competitive bids for the Year 2017 Operation of the Morris County Municipal Utilities Authority's Permanent Household Hazardous Facility for a term of one (1) year, with an option to extend the terms of the contract, to be exercised at the discretion of the MCMUA and provided that sufficient funding is available therefore, for two (2) additional one (1) year periods; and

**WHEREAS**, the MCMUA received four (4) sealed competitive bids on June 29, 2017, one

(1) from Radiac, one (1) from Tradebe, one (1) from Clean Venture, and one (1) from MXI Environmental Services, and the same have been reviewed by MCMUA staff and counsel to determine compliance with the bid specifications in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-2, et. seq.; and

**WHEREAS**, the MCMUA has made the following factual findings and determinations:

A. The amounts bid by the bidders are set forth below:

<u>Bidder</u>	<u>One-year Contract</u>
Radiac	\$130,106.375
Tradebe	\$128,218.75
Clean Venture, Inc.	\$184,866.25
MXI	\$124,863.75

B. The bid submitted by MXI Environmental Services in the amount of \$124,863.75 for a term of one (1) year, with an option to extend the terms of the contract, to be exercised at the discretion of the MCMUA and provided that sufficient funding is available therefore, for two (2) additional one (1) year terms is the lowest responsive bid.

**WHEREAS**, the MCMUA Treasurer has certified that funds are available in the following line item – Household Hazardous Waste 7-01-1-600-800-726 to pay the entire contract amount.

**NOW, THEREFORE, BE IT RESOLVED**, by the MCMUA as follows:

1. All immaterial defects contained in the bid submission of MXI Environmental Services, if any, are waived and the MCMUA awards the Year 2017 Operation of the Morris County Municipal Utilities Authority’s Permanent Household Hazardous Facility contract to MXI Environmental Services.
2. The Executive Director of the MCMUA is authorized and directed to execute a contract with MXI Environmental Services, for an amount not to exceed \$124,863.75 for a term of one (1) year, with an option to extend the terms of the contract, to be exercised at the discretion of the MCMUA and provided that sufficient funding is available therefore, for two (2) additional one (1) year terms.
3. A copy of this Resolution and applicable contracts shall be available for public inspection at the offices of the MCMUA, 214A Center Grove Road, Randolph, New Jersey 07869.

4. A copy of this Resolution is being forwarded to the MCMUA Treasurer and MXI Environmental Services, 297 Zimmerman Lane, Langhorne, Pennsylvania 19047.
5. 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 Tuesday, July 11, 2017.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By \_\_\_\_\_  
James Barry, Vice Chairman

ATTEST:

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

**MOTION:** Dr. Nusbaum made a Motion awarding MXI Environmental Services for The Year 2017 Operation Of The Morris County Household Hazardous Waste Cleanup Program and Mr. Dour seconded the Motion.

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

Mr. Gindoff mentioned that the companion bid is our one-day household hazardous waste bid, Resolution No. 17-54. We opened this bid a week after the permanent facility bid and we only got one bidder, MXI Environmental Services. They gave us an excellent price, a little lower than last year. It is a good price from a good company and recommend that we award this contract to them. Mr. Gindoff asked for the Board’s approval of the following Resolution:

RESOLUTION NO. 17-54  
RESOLUTION AWARDING CONTRACT TO MXI ENVIRONMENTAL SERVICES  
FOR THE OPERATION OF THE YEAR 2017  
MORRIS COUNTY HOUSEHOLD HAZARDOUS WASTE CLEANUP PROGRAM

**WHEREAS,** on June 20, 2017, the Morris County Municipal Utilities Authority (“MCMUA”) issued a Notice to Bidders seeking sealed competitive bids for the Operation of the Year 2017 Morris County Household Hazardous Waste Disposal Program; and

**WHEREAS,** the MCMUA received one (1) sealed competitive bid on June 22, 2017, from MXI Environmental Services, and the same has been reviewed by MCMUA staff and counsel to determine compliance with the bid specifications in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-2, et. seq.; and

**WHEREAS,** the MCMUA has made the following factual findings and determinations:

- A. The amount bid by the bidder is set forth below:

<u>Bidder</u>	<u>One-year Contract</u>
MXI Environmental Services	\$100,772.00

B. The bid submitted by MXI Environmental Services in the amount of \$100,772.00 for a term of one (1) year, with an option to extend the terms of the contract, to be exercised at the discretion of the MCMUA and provided that sufficient funding is available therefore, for two (2) additional one (1) year terms.

**WHEREAS**, the MCMUA Treasurer has certified that funds are available in the following line item – Household Hazardous Waste 7-01-1-600-800-726.

**NOW, THEREFORE, BE IT RESOLVED**, by the MCMUA as follows:

1. The MCMUA awards the Year 2017 Household Hazardous Waste Cleanup Program Contract to MXI Environmental Services.
2. The Executive Director of the MCMUA is authorized and directed to execute a Contract with MXI Environmental Services, for an amount not to exceed \$100,772.00 for a term of one (1) year, with an option to extend the terms of the contract, to be exercised at the discretion of the MCMUA and provided that sufficient funding is available therefore, for two (2) additional one (1) year terms.
3. A copy of this Resolution and applicable contracts shall be available for public inspection at the offices of the MCMUA, 214A Center Grove Road, Randolph, New Jersey 07869.
4. A copy of this Resolution is being forwarded to the MCMUA Treasurer and MXI Environmental Services, 297 Zimmerman Lane, Langhorne, Pennsylvania 19047.
5. 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 Tuesday, July 11, 2017.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James Barry, Vice Chairman

ATTEST:

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

**MOTION:** Mr. Platt made a Motion awarding MXI Environmental Services for the Operation Of The Year 2017 Morris County Household Hazardous Waste Cleanup Program and Mr. Dour seconded the Motion.

Mr. Druetzler asked how many times do we do this a year. Mr. Gindoff replied that we typically do three per year, but we have the option to hold a fourth one based on the contract if we so desire.

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

With regard to open space, Mr. Gindoff mentioned that during the month, we closed on the Untermeyer Lake property. There were press releases sent out about that acquisition.

With respect to open space also, we got a request in of a new open space project. This is really Phase II of the Vallevue Farm Property that they are requesting potential money from the M.U.A. The M.U.A. funded \$100,000 towards Phase I of the Vallevue Farm Property in 2015. This property is in Morris Township along Picatinny Road and it is where the community garden has been established in Morris Township. Phase II of the project is appraised at \$950,000 and it is eight acres. The County Open Space Trust Fund would fund half of the project, \$475,000 worth and to have the Morris Township Open Space Trust Fund fund a quarter of it, \$237,500, as well as an equivalent amount from the MCMUA's portion of the County's Open Space Trust Fund of \$237,500. Mr. Gindoff commented that he has not gotten a formal request from Morris Township yet for this actual project, but he anticipates it coming soon. Mr. Gindoff asked for the Board's consensus to participate in Phase II of this project and the Board was in agreement with being a partner.

Finally on open space, Mr. Gindoff reported that he heard that the application cycle is closed at this point. They have received seven applications this year for 155 acres worth of open space proposed acquisitions in the cost of 3.35 million dollars. He added that the Open Space Trust Fund that he represents this Board on will start hearing those applications in September and do site visits in the Fall. Recommendations will be made to the Freeholders late in the Fall on those projects.

## **TRANSFER STATIONS**

### **Tonnage**

For the month of June 2017, the tonnage of solid waste accepted at the two transfer stations was 36,585 tons. This monthly tonnage for June 2017 was 3.05% greater than the 35,501 tons accepted a year ago in June 2016. For the second quarter of 2017, the transfer stations accepted 5.48% more waste than they did in the second quarter of 2016. Based on monthly tonnage disposed of for the first half of the year, for 2017 the annual total tonnage disposal is trending ahead of 2016 and is currently projected to be 402,785 tons. If this projection holds true, 2017 tonnage would be 5.23% more than the 385,849 tons accepted in 2016. Please refer to the Transfer Station Disposal Report by Month for additional information.

### **Air Pollution Control System and Permitting – Parsippany Transfer Station**

Following the May 1, 2017 execution of the contract for the air pollution control (APC) system at the Parsippany transfer station and pre-construction meeting, the MCMUA issued a notice to proceed effective May 5, 2017 to MBT Contracting. The 180-day contract is scheduled for a November 1, 2017 completion date. MBT and Alaimo Engineering are currently in the process of shop drawing review. Some compliance issues have developed which are being resolved by strict adherence to the design plans and specifications. Initial construction activities have involved the structural repair process. The Alaimo Group's structural representative has defined the extent of the wall panel and girt replacement. The scope of that work is less than that included in the bid specification which will result in a credit that can be allocated to other work items uncovered during construction.

Related to the construction of the APC system is the completion of the solid waste facility (SWF) permit for the transfer station which now includes the additional information related to the APC

system. The SWF Permit Renewal Application for the Parsippany transfer station was submitted with all required documentation on November 15, 2016. Since that time, the MCMUA consultants and staff have prepared responses to comments from the Division of Solid and Hazardous Waste (DSHW). Most of the comments have related to the operation and maintenance of the APC system. The final responses to the DSHW comments were submitted at the end of June. The DSHW reviewer requested that the MCMUA determine the status of the renewal of the NJPDES individual stormwater permit for the Parsippany transfer station. A renewal application for that permit was filed in January 2017. We pursued the status of that permit renewal with the Bureau of Nonpoint Pollution and determined the person responsible for preparing the new permit. An onsite meeting is being scheduled for mid-July which will enable the MCMUA consultants and staff to request adjustments to the NJPDES permit.

### **Ajaco Towing – Lease of Additional Lots at Parsippany Transfer Station**

The MCMUA followed up with Ajaco on two matters regarding their property lease with the MCMUA at the Parsippany transfer station. Ajaco had not responded in writing to initial correspondence previously sent to them. The first follow-up was Brent Carney contacting Ajaco's counsel in a June 16, 2017 letter regarding lease payments that Ajaco has not been making. Alaimo Engineering provided the second follow-up requesting information about the anticipated use of the lease property. Alaimo previously sent a request for information to Ajaco to which they have not responded.

## **SOLID WASTE MANAGEMENT PLAN**

### **Administrative Action Modification for Cip-Shred Processing LLC (CipCycle) Inclusion of Class "A" Recycling Facility in the Borough of Rockaway**

After several months of no activity, in a letter dated June 15, 2017, CipCycle provided the MCMUA with a revised application for inclusion of its proposed class "A" recycling facility to be located in Rockaway Borough. This revised application follows numerous discussions, site visits and correspondence, which formulated the basis of the revised request. The major changes in the revised request from the original included an April 4, 2017 approval of a variance by the Borough's land-use board, inclusion of traffic impact tables, a decrease in capacity from originally proposed 350 tons per day to 240 tons per day and finally, a more significant effort of litter prevention. In a letter dated June 19, 2017, the MCMUA forwarded copies of the revised application to the Borough asking its governing body to adopt a resolution setting forth its position on the proposed inclusion of the CipCycle facility within three months of receipt. The Rockaway Borough resolution is now due by September 21, 2017. The MCMUA will take in consideration the Council's resolution along with the application submitted by CipCycle prior to issuing NJDEP an administrative action request to amend the Plan to include the CipCycle facility. Since inclusion of a Class "A" recycling center can be accomplished by this administrative action process provided directly from the MCMUA, the matter does not need SWAC consent and/or Freeholder approval prior to being sent to NJDEP for consideration.

### **Electronics Recyclers International, Inc. (ERI) Plan Inclusion Request – Class "D" Recycling Facility, Lincoln Park**

The Board of Chosen Freeholders initially established a June 14, 2017 public hearing to consider the Plan inclusion request of ERI. This is the last step in the Plan inclusion process at the county level prior to being submitted to the NJDEP for final certification and approval. Due to a notice publication error by the Daily Record, it failed to publish the second notice of hearing as requested, a scheduled June 14 public hearing on the matter was cancelled, re-noticed and rescheduled for July 12, 2017. In May 2017, the MCMUA adopted a resolution setting forth its endorsement of the proposed ERI facility. Staff will attend the July 12, 2017 Freeholder public hearing.

## **HOUSEHOLD HAZARDOUS WASTE MANAGEMENT**

**Program Participation** – During June 2017, a total of 126 residents and businesses delivered waste to the permanent household hazardous waste (HHW) facility in Mount Olive. This is up a

down from June 2016 levels when 176 participants used the facility. And is down from May 2017's participation when 181 participants used the facility.

**One-Day HHW Events** – The first of three MCMUA 2017 one-day HHW events was conducted on June 3, 2017 at the Public Safety Training Academy where both HHW and E-waste was accepted. It was a well attended event that was busy throughout the day but it was managed efficiently by the vendors, MXI (HazWaste) and MRM (E-Waste). In total, 943 vehicles were processed at the event, of which 519 had HHW only, 286 had HHW and E-waste and 138 vehicles had E-waste only. Additionally, the MCMUA has scheduled two other fall HHW events for 2017. A fall event will also take place at the Public Safety and Training Academy on September 23 and the final program of the year will take place at Pequannock Valley Park on October 28. This is a new Pequannock Township location.

**Procurement** – Two bids related to the HHW program were issued in June with bids to be received prior to the July 12, MCMUA Board meeting. On June 29, the MCMUA received four bids for the operation of the permanent HHW facility. This contract is currently held by MXI. These bids are being reviewed by counsel and staff. It is anticipated that a resolution will be provided for the Board's consideration at the July 12 meeting awarding the permanent facility contract in response to this bid.

Additionally, on June 22, a notice to bidders was issued for the operation of the one-day HHW event program. These bids are due on July 6, 2017 and it is anticipated that after review by Counsel and staff, a resolution will be provided to the Board for its consideration at the July 12, 2017 meeting awarding this contract.

Staff is also finalizing the E-waste request for quotations providing for the MCMUA and other Morris County E-waste needs in accordance with the state's Electronics Waste Recycling Act. This is anticipated to be awarded by the MCMUA at the August meeting.

## **VEGETATIVE WASTE MANAGEMENT**

**Facility Report** – Compost and mulch residential deliveries started on April 17, 2017 and are scheduled to continue through September 29, 2017. The MCMUA had mechanical issues with delivery trucks in May which were for the most part resolved in June. The summer's lull in compost and mulch deliveries is currently in place as demand for materials slows during the summer months and doesn't pick up again until later in August. The Vegetative Waste Management Report for June 2017 will be presented to the Board at the July 12 meeting providing details on the acceptance and sales of vegetative materials for June 2017.

Following authorization provided by the Board at the June 6 meeting, staff established the first public auction for the sale of unscreened compost. The initial auction will be for two windrows of unscreened compost from the Parsippany site. The auction opened on July 5 and is scheduled to close on July 13, 2017. The MCMUA sent out notices to customers in the vegetative waste facility database informing them of the auction.

**CURBSIDE RECYCLING: ARMORY LEASE RENEWAL** - The MCMUA uses the Dover National Guard Armory to house and dispatch its curbside recycling operation. The MCMUA gains access to this property by means of a use agreement it has with the NJ National Guard which is renewed annually. The Board will be presented a resolution for its consideration at the July 12, 2017 meeting that authorizes the execution of the one-year renewal of the Dover Armory Use Agreement for the period July 2017 through June 2018.

**OPEN SPACE PRESERVATION** - Staff has continues to participate in meetings with the county GIS staff on updating its POSI (Public Open Space Inventory) database and working with them to coordinate open space mapping and data needs with the MCMUA.

In an email dated June 21, 2017, Morris County Counsel was asked about the permitted use of the MCMUA portion of the Morris County Open Space Trust Fund (OSTF) to help fund a portion of a study that would focus on open space acquisitions in an effort to help maintain and preserve water resources. The county used OSTF money to pay for a similar type of study



(Brandsteter) in 2014 so the MCMUA is hoping it can leverage its open space funding to perform this type of study.

The MCMUA was approached about participating as a funding partner in Phase 2 of the Valley View Farm open space project located in Morris Township on Picatinny Road. The MCMUA participated in Phase 1 of this acquisition and Phase 2 is intended to close up some of the gaps left after the closing of Phase 1. Staff will brief the Board on this potential partnership at the July 12 meeting to see if the Board desires to participate in Phase 2.

### **RECYCLING REPORT:**

Ms. Hourihan mentioned that she gave a detailed description of the last audit that was done with ReCommunity on June 24<sup>th</sup>. That was our second audit that was completed at this facility here in Morris County. There is a third audit in the contract and as a result, our price is decreasing. When we did an apples to apples comparison like one month's pricing to the same month's pricing with the new percentage composition, it came out to about a decrease of 31 cents a ton. It wasn't a big change, but we did see somewhat of a significant increase in the residue. We did see a counterbalance increase in some of the containers. Aluminum percentage went up a little bit; we were at .6 percent and that went up to about 1%. Aluminum is the most valuable material by far, so when you get a slight increase in the aluminum percentage, it has an impact on it, which counterbalances the increase in residue, which pulls it down in the cost. She added that the reason why we saw this increase in residue is because ReCommunity changed the way that they did their sorting in the bottle and can facility. There is something called a positive sort versus a negative sort. A Negative sort means whatever is left on the conveyor belt line as it goes by and positive sort means the pickers on the line and are actually picking things off. They had to reverse the way they were doing the sorting of the mixed plastic, which is the last thing on the line, so it had a lot of residue left on the line. They had to reverse a negative sort of the mixed plastic to a positive sort. China was demanding a higher quality of material, so that gave a pushback on pricing on mixed plastics, which meant that you had to clean up your mixed plastics. That meant that ReCommunity did a positive sort to just get the mixed plastics off to let the residue go by, so we saw a higher residue on this audit. ReCommunity did the switch in March, when our last audit was done in November. Our last audit resulted in a cleaner product because of the way they were doing that sort. It just highlighted that changes in the facility in the way that ReCommunity runs their facility are going to have an impact on our composition audits. She added that this is just the way our contract is set up.

Mr. Hudzik asked if China is the only foreign nation that ReCommunity recycles with? Ms. Hourihan replied that ReCommunity explained that they are not selling our mixed plastics to China, they are selling it to Sims right here in New Jersey and they are also selling it to a Canadian market. Because China was demanding a higher quality, it was depressing the whole market everywhere.

One other update is that we tried unsuccessfully twice to go out to bid to buy roll-off containers and rear-load dumpsters. After the second unsuccessful attempt, the Local Public Contracts Law allows you to enter into a negotiation process, which doesn't really seem that there is a lot of room for negotiation, because you have to find a company to agree to the terms of the bid and it doesn't make any sense why anyone would negotiate after you have already solicited twice. You really can't have any significant changes to the way the bid is set up. Ms. Hourihan did attempt unsuccessfully to talk to five different companies to see if they would give us pricing for our bid the way it was written and was not successful in getting a viable contract out of effort.

Ms. Hourihan reported that we were casually asked by the Borough of Rockaway if we would do a vegetative waste collection service. The service would go for nine months from April until December. It is every other week service. We had a meeting them and got the particulars of it. Unfortunately, they have a very tight time frame because it will be part of a bid document that is requesting garbage service, bulky waste and vegetative waste. We know what their current contract cost is and they said to us if we can do better than their current contract cost, they will just remove that service from the bid. We have to get back to them by Thursday of this week. We are the point where staff is crunching some numbers and staff is reviewing it to make a decision if that is something that we can do.

Mr. Carney questioned that some of those companies were people that actually responded to the bid on at least one occasion right? Ms. Hourihan replied that they requested a copy of the bid, but we got no responses either time. Christine Myers asked did you get similar responses when you went talked to them individually; did they have the same concerns? Ms. Hourihan replied of the five companies, two had the same concern, which was the transportation cost; one other company could not meet the time constraints that were in the bid because they are very busy and two companies could not commit to the six-month time frame because of the instability in the steel pricing. Ms. Hourihan explained that we are at the point where we put together a resolution which is requesting that, in order to procure these containers, we are either going to either try to do a bid, which will be a revised bid specification, or if we are able to under the Local Public Contracts Law, do a quotation process being under the bid threshold, then we will do it that way. The following resolution would authorize one of those two procurement methods. Ms. Hourihan asked for the Board's approval of the following Resolution:

RESOLUTION NO. 17-56  
RESOLUTION AUTHORIZING PROCUREMENT OF ONE OR MORE ROLL-OFF  
CONTAINER(S) AND/OR ONE OR MORE REAR-LOADING DUMPSTER(S)

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) issued a request for bids for the "Purchase of One or more Roll-off Container(s) and/or One or more Rear-Loading Dumpster(s)" on April 19, 2017; and

WHEREAS, the MCMUA received no bids on May 5, 2017; and

WHEREAS, the MCMUA reissued the same bid specification for the "Purchase of One or more Roll-off Container(s) and/or One or more Rear-Loading Dumpster(s)" on June 9, 2017; and

WHEREAS, the MCMUA received no bids on June 29, 2017; and

**WHEREAS, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(3), after two consecutive unsuccessful attempts to solicit bids, staff attempted to negotiate a contract. Negotiations with vendors were not successful; and**

**WHEREAS, the MCMUA desires to now either solicit bids based upon substantially revised bid specifications, or award a contract that does not exceed the bid threshold consistent with the terms and conditions of the Local Public Contracts Law.**

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

1. The Interim Executive Director is authorized and directed to procure roll-off container(s) and/or rear loading dumpster(s) by either substantially revising the original bid specification for the "Purchase of One or more Roll-off Container(s) and/or One or more Rear-Loading Dumpster(s)" and advertising for the receipt of bids or, if the procurement does not exceed the bid threshold established in the Local Public Contracts Law, by obtaining quotes consistent the procedures established in the Local Public Contracts Law.
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 July 11, 2017.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James Barry, Vice Chairman

ATTEST:

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

**MOTION:** Mr. Druetzler made a Motion to authorize the Procurement of  
One or More Roll-Off Container(s) And/Or One Or More Rear-  
Loading Dumpster(s) and Mr. Dour seconded the Motion.

Mr. Hudzik asked if it allows you to go ahead and negotiate with some company. Mr. Carney explained that the Local Public Contracts Law says that after you have failed to receive bids on two occasions. You have to first reach out to see if there is a government contract that can provide it, and if not, then you can negotiate, but it is very clear. Negotiate means that you cannot substantially revise the terms of the contract that went out to bid, just to keep everybody on a level playing field. You can make minor modifications. Any minor modification has be in a resolution approved by 2/3rds of the full membership of the Board and also published in the newspaper. Mr. Carney said that what Kathleen has stated is that she wants to materially either change the specifications, maybe change the material or something in the bid specification, or in the QPA that we have, which is a \$40,000 threshold, if it comes under the QPA with certification from Larry to our QPA because we have that under our shared services agreement, procure it that way.

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

**Recycling Operations**

**Revenue and Tonnage** – The May statement was finalized on June 27 in the amount of \$2,594.40 owed to the MCMUA.

Tonnage collected by the MCMUA for recycling during June was 1,476.7 tons. The monthly tonnage is shown by material and by customer on the attached report.

**ReCommunity Single-Stream Composition Audit** – The next single-stream composition audit took place on Saturday, June 24. This was the second audit performed at ReCommunity’s Mine Hill location and the third audit included in the contract, since the first audit was performed at a different facility before the contract began. The sampling for the audit was done from Monday, June 19 to Friday, June 23, the second week of the MCMUA’s two week alternating scheduled. The last audit, in November 2016, was done on the first week of the MCMUA’s schedule. This way we are able to sample loads from the different towns of each week’s schedule. In order to prepare for the audit, staff had a conference calls with ReCommunity on June 9 and 14. Staff updated the tonnage totals from 2015 to 2016 in order to determine the proportion that each town contributes to the total. Curbside vs roll-off load proportions are also tabulated. Staff then determined how many truck loads from which towns, curbside vs roll-off, to sample each day. Staff visited ReCommunity at the start of the day on Monday, the first day of sampling, to ensure that the storage bunker for the sampled material was ready and empty. Staff also witnessed the unloading of most of the sampled truck loads on Monday through Friday. On Saturday, the day of the audit, 3 MCMUA staff arrived at the facility at 8am to do a walk through. The processing was scheduled to begin at 9:00am. Unfortunately, the facility was needed some additional clean out. Staff waited a while before being able to do the walk through. Once beginning the walk through, there were small containers throughout the picking stations that had not been emptied. Several were emptied as we walked through and some were left in place and “roped” off with caution tape to denote that they were not part of the audit material. The processing began at 9:40am and ended about 1:00pm. The weighing of the sampled material and final baling and

cleanout completed at about 4:30pm. Staff is in the process of reviewing the results of the audit. Unfortunately there was a noticeable increase in the residue, which upon review with ReCommunity, it was explained that ReCommunity had to change its sorting of mixed plastic from residue at the bottle and can building. Originally, when the new equipment was installed in October 2016, ReCommunity was positively sorting mixed plastic off the conveyor belt. The remainder, the residue, was left on the belt (a negative sort). About 1 week before the last audit in November 2016, ReCommunity switched that conveyor belt sort to a positive sort of residue and the mixed plastic was left on the belt for a negative sort. In this situation, more residue was included with the mixed plastic. ReCommunity said they had to switch the sorting of this line back to the original positive sort of mixed plastic, due to the fact that China stopped taking mixed plastic. While ReCommunity said they sell their mixed plastic to Simms and Canada, since there became a glut of mixed plastic in the market place, the demand for a higher quality ensued. This forced ReCommunity to change the sort and now yields a higher amount of residue from the bottle and can building. Over the 3 composition audits, the residue has risen from 3.50% to 4.96% to 7.38%. The contract averages 4 audits, so the average of these 3 audits is now at 5.28%. This is an increase from the 2 audit average of 4.23%.

**Bid to Purchase One or more Stationary Compactor System(s)** – After this bid was awarded to Rudco at the June Board meeting, staff got the certificate of insurance approved from Risk Management and had the contract executed and the order for the unit was placed on June 22. On June 19, staff met with a representative from Rudco and representatives from the Chatham Township DPW at the Township’s recycling center to look at the site where the compactor will be installed. The Township as already installed the concreted pad near the electric connection. Rudco was pleased with the site. The unit should be delivered late July or early August.

**Bid to Purchase One or more Roll-off Container(s) and/or One or more Rear-Loading Dumpster(s)** – As reported at the May Board meeting, there were no bids received for this bid request, so on June 9, staff issued a rebid. The bid opening date was June 29 and for a second time, no bids were received. Staff consulted with legal counsel and was advised of the procedure set forth in the Local Public Contracts Law in this circumstance. Staff sought availability of this equipment for sale by another government agency, by checking the State contracts web site and a local purchasing coop. This equipment was not found on either site. Therefore, staff started calling companies which had requested copies of the bid to see if they would agree to the terms of the contract and if so, what the pricing would be with hopes to be able to award a contract at the July meeting. If a contract is viable, staff will present a resolution for the Board’s consideration.

**Auction of Several Pieces of Equipment for the Curbside Department** – Staff went live with an auction of the following pieces of curbside equipment on June 27. The auction is scheduled to end on July 6. So far there have been bids on several of the items posted. Four items haven’t received any bids.

- 1998 Rear-loading Compactor Truck (98-11)
- 1992 Rear-loading Compactor Truck (93-10)
- 1995 Ford F800 Truck (94-11)
- 1999 Chevrolet S10 Pickup Short Bed (99-50)
- 1999 Jeep Cherokee (99-45)
- Lot of 4 - 30 Cubic Yard Open-top Roll-off Containers (GO3-7, GO3-12, GO3-36, BT3)
- Lot of 4 - 30 Cubic Yard Open-top Roll-off Containers (GO3-6, FL5, MPL2, MTA2)
- One 40 Cubic Yard Open-top Roll-off Container (GO4-8)
- One 20 Cubic Yard Open-top Roll-off Container (GO2-1)

**Morris Plains Completed a Full Year of Weekly Collection** – Morris Plains is the first municipality in the MCMUA’s curbside recycling program to switch from every other week to weekly collect while under contract with the MCMUA for collection services. Therefore, we have good data before and now a full year of data after the switch. The Borough switched to weekly collection effective July 1, 2016. Here are the totals for single-stream material collected at curbside and at the recycling center:

Morris Plains	Every-Other Week		Weekly Collection	
	July 2015-June 2016		July 2016-June 2017	
Curbside	620.76	82%	710.84	91%
Recycling Center	134.38	18%	70.66	9%
Total	755.14	100%	781.50	100%

That is an increase of 26.36 tons or 3.5%. Additionally, the tonnage shifted to yield a lower percent collected at the recycling center to a higher percent collected at curbside.

**Boat Shrink Wrap** – Since delivering the roll-off container to collect boat shrink wrap to Lee’s County Marina on Friday, March 31, the MUA has emptied the container 18 times through June. The final load was on June 19 for a total of 15.19 tons collected. The advertised end date was June 11, but the container was left in place for an extra week to catch any last minute stragglers. For comparison, below is a summary of each year’s tonnage total collected from Lee’s Marina:

2008	11.08 tons
2009	7.84 tons
2010	12.52 tons
2011	13.98 tons
2012	11.53 tons
2013	14.13 tons
2014	15.26 tons
2015	16.79 tons
2016	16.02 tons
2017	15.19 tons

### **Events/Education/Miscellaneous**

**Clean Communities** – The Slam Dunk the Junk program is going well. Of the 31 schools which registered for the clean-ups, so far 25 have completed them and submitted their paperwork to the MCMUA. Of the remaining 6 schools, 2 were not able to do the clean-up due to rain and 4 schools have not responded and staff has not been able to get a response from them. The deadline for the poster contest was June 6. A total of 19 posters were received from 8 schools. Staff picked 6 winners from 5 different schools. On June 13 and 29, staff attended a two day Clean Communities Health and Safety Training class which is now required as part of the first year’s Clean Community recertification. On June 21, staff attended a Clean Communities County Coordinator meeting. The grant payout information for the 2017 Clean Communities grants was released on June 6. The actual funds had already been received by the County by June 5. The amount received for 2017 for Morris County is \$99,207.97. For comparison, the 2016 grant was \$116,648.39, an unusually high amount. **Educational Programs:** The MCMUA funded seven education programs in June at schools, libraries and an “at risk” program in Denville, Morristown, Morris Township, Mt Arlington, Mt Olive and Parsippany. On June 5, staff attended one of these presentations given by Bill Kerwood in Mt Arlington. Staff had not seen this presentation in several years and was pleased with the program. **Road Clean-up:** The MCMUA hired Adopt a Highway Litter Removal Services of America to do two road clean-ups in June on the 15<sup>th</sup> and 22<sup>nd</sup>. The clean-up on the 15<sup>th</sup> was in Mine Hill and Randolph on portions of Canfield Ave and Sussex Tpke. The second clean-up was done in Mt Olive on a portion of Gold Mine Road and all of Link Road and on a portion of Flanders Road. Each clean-up was 2.5 miles or 5 miles counting both sides of the road.

**Cleanup of Waterloo Valley Road, Mt Olive** – On May 5 and 6, a cleanup was done on Waterloo Valley Road in Mt Olive by Jersey Off Road Bicycle Association, volunteers from Marty’s Reliable Cycle and volunteers from Northstar Contracting Group. The group removed over 11 tons of debris that was dumped illegally using loaders and roll-off containers. These groups got together on their own to cleanup this debris. Some of the members are cyclist that ride through this area. Staff is using Clean Communities funds to reimburse Northstar Contracting Group for the disposal costs. This company had already donated volunteer time and heavy equipment and operators for the clean-up. The company owner is a cyclist and plans to continue to do clean-ups in the future.

**2016 Municipal Tonnage Grant Reports** – Through June 30, a total of 34 municipal recycling tonnage reports have been received by the MCMUA. That leaves only 5 remaining. Staff has sent reminders to coordinators to send a copy of their report to the MCMUA.

**Recycling Inspections/Outreach** – During June, a total of 34 transfer station loads suspected of improperly containing mandated recyclable materials were photographed and written-up by MCMUA tipping floor inspectors and recycling staff.

- On June 28, staff, along with the Parsippany recycling coordinator, met with a building technician for 600 Parsippany Road. A tenant in this office building reported that the outdoor waste dumpsters contained recyclables. Staff had recently met with this technician in April. He said that the recycling program had been working for a while, but he has no control over the cleaning personnel. He said we need to talk to the management company and provided contact information.
- Also, on June 28, staff observed a roll-off container at the Marshall's store in Parsippany with corrugated cardboard and bottles. Staff spoke with the construction supervisor, who remembered her from March when she spoke to him at the TJ Maxx store in Rockaway. He said he has been recycling at this site as a result of that March meeting, however the sub-contractors need to be told to recycle at the site.

**M.O.R.E. (Morris Office Recycling Excels) Recycling Program Inspections** – In follow-up to the recycling inspections done on May 3, on June 12, staff met with a representative of the Public Safety Academy to review recycling and discuss what was found in the dumpsters.

**Event Containers** – The MCMUA's event containers for recycling and garbage were lent to the following organizations during June:

- Chester Craft Show for their event on June 3 & 4
- Borough of Wharton for their Carnival on June 8, 9 10 & 11
- Township of Montville for their 4<sup>th</sup> of July Celebration on June 22 to 24

#### **Miscellaneous Presentations/Meetings/Conference Calls/Correspondence**

- On Saturday, June 10, staff gave a presentation to a men's group at the First Presbyterian Church of Whippany.
- On Tuesday, June 13, staff attended an ANJR Symposium Committee meeting at the Rutgers Eco Complex to plan for the event held in October.
- On the evening of Tuesday, June 13, staff gave a presentation to a group at the Mendham United Methodist Church.
- On Wednesday and Friday, June 14 and 16, staff met again with the Rockaway Borough recycling coordinator to further assist with the Borough's recycling tonnage report.
- On Thursday, June 15, staff met again with Lincoln Park to continue with assistance on their recycling tonnage report.
- On Tuesday, June 27, staff met with managers from the facilities department of Cedar Crest Village in Pequannock. Mike Flora had inspected waste from this very large complex due to a yellow bio-hazard bag and noticed recyclables mixed with the garbage. Staff was given a tour and noted that there are improvements to be made in separating recyclables. Staff plans to go back to this complex to do an educational workshop for housekeeping staff.
- On Wednesday, June 28, staff met with Bob Anderson, of Curb My Clutter. Bob used to work for ReCommunity, but wanted to met to discuss what his new company does.

#### **ATTORNEY REPORT:**

Mr. Carney did not have any report.

There being no comments from the attorney, this portion of the meeting was closed.

#### **PUBLIC PORTION:**

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

#### **OLD BUSINESS:**

Mr. Platt reported that the Executive Committee is making progress. He mentioned that he has a report that he will share in closed session with the Board later on. We will be interviewing a

number of individuals later in July and expect to identify candidates to bring before the full Board.

With regard to the Mt. Olive house, Mr. Gindoff reported that we have applied for a demolition permit from the Township of Mt. Olive. We have to get all the utilities turned off, which we are in the process of doing. In the meantime, we have made that house available for use by the County SERT Commander. They have been using this house for their SWAT Team to practice their operations. On a related matter, we have also been approached by the volunteer fire departments of Flanders and Budd Lake for their practice drills. We are currently working with Risk Management to allow them to use the house.

Mr. Dour asked when the house is demolished and leveled, what are we going to use that for? Mr. Gindoff replied at this point, we are just going to demolish it and level it. We have some ideas that we would like to use it for, potentially putting up a steel frame building to use it to store equipment in that is currently outdoors and to do our fluorescent bulb recycling program.

With regard to the Wharton Woods restoration project, Mr. Gindoff reported that Tony and he took a tour of the Wharton Woods site with people from County Concrete. They showed us the recycled concrete aggregate that they are proposing to put down on the road and we just got the certification for the material that they want to put down. We are moving ahead with that.

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

**NEW BUSINESS:**

Mr. Gindoff reported that every year we need to renew the lease agreement that we have the National Guard for the Dover Armory that we house our Curbside Recycling Program at.

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

RESOLUTION NO. 17-57  
RESOLUTION AUTHORIZING RENEWAL OF USE AGREEMENT  
WITH DEPARTMENT OF MILITARY AND VETERAN AFFAIRS

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") entered into a Use Agreement with the Department of Military and Veteran Affairs ("Department") for the lease of the motor services building and parking area at the Dover Armory; and

WHEREAS, the MCMUA desires to renew the Use Agreement for one year; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in line item 6-01-3-600-626-612.

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

1. The Executive Director of the MCMUA is authorized and directed to renew the Use Agreement with the Department for the lease of the motor services building and parking area at the Dover Armory for an additional one year.
2. A copy of the Resolution shall be submitted to the MCMUA Treasurer.
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 July 11, 2017.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James Barry, Vice Chairman

ATTEST:

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

**MOTION:** Mr. Dour made a Motion to authorize the renewal of the Use Agreement with the Department of the Military and Veteran Affairs and Mr. Hudzik seconded the Motion.

Mr. Dour asked what the lease rate is and Mr. Gindoff replied that it is the same as last year, \$6,800.00 per month.

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

Mr. Gindoff mentioned that we have one staff member that is qualified to become a Purchasing Agent and the class is beginning this September at the Safety Training Academy on Hanover Avenue to start the classwork to develop our own in-house Qualified Purchasing Agent. We have Shana O'Mara on our staff and think that she would be a wonderful Purchasing Agent for us. Mr. Gindoff asked for the Board's consent to send Shana O'Mara to the Purchasing class and the Board concurred.

Mr. Platt mentioned that he attended the Association of Environmental Authorities Commissioner Workshop at the Rockaway Sewerage Authority last night. One of the primary discussions was regarding Board Member responsibilities. There is a draft policy from AEA that outlines that and I am going to give a copy to Marilyn to circulate. Diane Alexander and John Napolitano were the legal representatives at the session. It was very good. A lot of individual judgment is required as far as the level of involvement to make sure you are doing your job and ensuring the proper operation of the Authority. He also has a copy of email policies and email requirements prepared by John Napolitano that he will give to Marilyn to distribute as a refresher on our obligations and commitments for personal emails dealing with M.U.A business.

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

Vice Chairman Barry asked the Board for a Motion to go into closed session to discuss personnel matters at 8:22 p.m.

**MOTION:** Mr. Hudzik made a Motion for the meeting to go into closed session at 8:22 p.m. and Mr. Dour seconded the Motion.

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

Vice Chairman Barry asked the Board for a Motion to go into open session at 8:35 p.m.

**MOTION:** Mr. Hudzik made a Motion for the meeting to go into open session at 8:35 p.m. and Mr. Dour seconded the Motion.

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



Vice Chairman Barry asked the Board for a Motion for the meeting to adjourn at 8:36 p.m.

MOTION: Mr. Dour made a Motion for the meeting to adjourn at 8:36 a.m. Mr. Platt seconded the Motion and it was carried unanimously.

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Marilyn Regner  
Secretary

/mr