

MINUTES OF REGULAR MEETING

JANUARY 11, 2022

The Regular Meeting of the Morris County Municipal Utilities Authority was held on January 11, 2022 at 7:00 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey. Due to the Covid-19 Virus State of Emergency, this meeting was held remotely using conference call software.

Vice Chairwoman Kominos called the meeting to order and read the following:

In accordance with Section 5 of the Open Public Meetings Act, notice of this meeting was made by posting on the MCMUA website, the Morris County Clerk's bulletin board and the officially designated newspapers for the MCMUA stating that this meeting would take place at 7:00 PM on Tuesday, January 11, 2022. Additional notice regarding remote public access due to the Covid19 emergency is provided at the MCMUA entrance, on its website and in the Daily Record.

Vice Chairwoman Kominos requested a roll call.

PRESENT: Mr. James Barry, Mr. Frank Druetzler, Mr. Gene Feyl, Mr. Michael Guadagno, Mr. William Hudzik, Dr. Dorothea Kominos, Dr. Arthur Nusbaum, and Ms. Laura Szwak.

ABSENT: Christopher Dour.

Also present were Larry Gindoff, Executive Director; Marilyn Regner, Secretary, Michael McAloon, P.E., Suburban Consulting Engineers; Tom Lemanowicz, P.E., Alaimo Engineering; Larry Kaletcher, Treasurer; Brad Carney, Esq., Maraziti Falcon LLP; James Deacon, Solid Waste Coordinator; and Liz Sweedy, District Recycling Coordinator.

Vice Chairwoman Kominos advised the Board that Marilyn will sending out a Board Listing and also the proposed meeting dates for 2022 for your review. Please advise her of any changes on your contact information or any conflicts on meeting dates.

Vice Chairwoman Kominos asked for the Board's approval of the Minutes of the Regular Meeting of December 7, 2021.

MOTION: Mr. Hudzik made a Motion to approve the Minutes of the Regular Meeting of December 7, 2021 and Mr. Feyl seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: Dr. Nusbaum & Ms. Szwak

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating and Water Operating for the month of December 2021. Also included are the Comparative Balance Reports for both the Solid Waste and Water Divisions year-to-date through December 2021 and an investment report that shows that no new investments were purchased during the month of December 2021. These reports have been incorporated in these Minutes.

Vice Chairwoman Kominos asked the Board for a Motion to accept the Treasurer's Report.

MOTION: Dr. Nusbaum made a Motion to accept the Treasurer's Report and Mr. Guadagno seconded the Motion.

ROLL CALL: AYES: 8 NAYES: NONE ABSTENTIONS: NONE

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

BILL RESOLUTION NO. 22-01

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. 22-01 containing 7 pages for a total of **\$3,659,297.81** dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

WATER OPERATING FUNDS	5747-5784	\$	426,532.31
SOLID WASTE OPERATING	12663-12724	\$	<u>3,232,765.50</u>
		\$	3,659,297.81

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: January 11, 2022

BOARD VICE CHAIRWOMAN APPROVAL

Dorothea Kominos, Vice 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: January 11, 2022.

DATE: January 11, 2022

Larry Kaletcher, Treasurer

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

ROLL CALL: AYES: 8 NAYES: NONE ABSTENTIONS: NONE

CORRESPONDENCE:

Mr. Gindoff mentioned that as a follow-up to Item No. 3 in the correspondence with regard to the issue we have with Mine Hill regarding the water billing, we have not received a response yet, but assume that one will be shortly forthcoming. Also, there is one additional correspondence that is an update to Mike McAloon's recommendation regarding the tank painting bid, which we will address as part of the Water Engineer's Report. It is just changing it up to go for the full option of the bid instead of just the base bid, which includes supplemental work.

CORRESPONDENCE

WATER

1. Letter dated December 23, 2021 to Larry Gindoff from Michael K. McAloon, P.E., Suburban Consulting Engineers, regarding Bid Review and Recommendation for MCMUA Contract No. 2021-W01, Mt. Arlington Tank Rehabilitation.
2. Proposal dated January 4, 2022 to Larry Gindoff from A.J. Caupzzi, P.E., regarding Water Main Cost Estimate for the Mendham pipeline.
3. Letter dated January 5, 2022 to Gregory Della Pia, Township of Mine Hill, regarding Water Billings Outstanding Balance.

RECYCLING

4. Memorandum dated December 21, 2021 to Commissioner Tayfun Selen from Liz Sweedy regarding Reusable Bag Distribution in Accordance with the NJ Bag Ban.

ENGINEER'S REPORT:

Mr. McAloon reported the following: (1) Through the end of December, we exceeded our volume of water sold that was utilized to make our 2021 budget, selling 1,631.63 MG. This is the second year in a row that we exceeded the budgetary value. We do anticipate this volume to decrease in 2022 due to the revisions to the Water Supply Contracts with Southeast Morris County MUA and N.J. American Water. We did officially shut down the Clyde Potts Booster Station today. Tony has that pump off and properly tagged out. We are happy to report that those two agreements are now in full effect. Mr. Gindoff commented that is a long-time coming. That is great news.

Mr. Druetzler asked how do those other people get water then? Mr. McAloon replied that his understanding is that N.J. American is in the process of bolstering their sources for Mendham, as well as modifying their distribution system to ensure the adequate volumes of water. They are still relying on our normal connection that we have there to supply them, but we no longer need to purchase Southeast water, pump it up the hill with our Clyde Potts Booster Station. We are able to flow by gravity from our Dover Chester 1129 gradient. So no one is out of water today. There is adequate water for everybody. They are just changing the location and the feed point that sources the supply to Mendham. Mr. Gindoff added that most of the people will be provided water from N.J. American Water with their bolstered system and only a handful of their customers will be provided with the water that we now sell them under the Amended Water Agreement coming from the 1129 gradient at Dover Chester. The amount of water that we provide them is significant less, but is all water that comes from our sources is just sitting there and we don't have to buy it any more from someone to sell to them. We make money on every gallon we sell. Mr. McAloon added that we were buying it at a higher rate than we were selling it. It is good news and a step in the right direction.

(2) We distributed the formal correspondence to Mine Hill. As Larry indicated, we are anticipating to hear something formally back from them very soon; (3) Regarding the Mt. Arlington Water Storage Tank Rehabilitation, John Garcia has successfully completed the interconnection with Roxbury. That interconnection passed pressure leaking testing, as well as bacteriological testing and is now ready to be put in service. Tony and I were talking about early February testing of that interconnection and making sure that everything is operating correctly. They did submit a Payment Request in the amount of \$177,447.23 which was on the bill log and it does reflect withholding two percent retainage. We did run into a snag where the Contractor uncovered an unmarked utility during installation. We believe that is the responsibility of Cablevision, there is a small additional cost that we will be processing to John Garcia's contract and we are in the process of coordinating with Cablevision, getting in touch with the correct representative, and seeking reimbursement from them.; (4) As Larry mentioned, we did initially prepare a bid recommendation for the Storage Tank Rehabilitation Project. The packet went out with us recommending award on the base bid item only. The base bid included the full tank exterior and the interior wet area, more or less the areas in contact with the drinking water. We also had a supplemental item that included an interior dry area of that tank that is not in contact with the potable drinking water. We had a Water Committee

Meeting yesterday and through discussions with the Water Committee, they recommended us proceeding with the full award of base and supplemental bid items. We revised our recommendation and recommend awarding to US Tank Painting in the amount of \$1,527,100, which includes the base and supplemental bid items.

Mr. Gindoff commented that while this is slightly over the Engineer's Estimate, it is below what we had budgeted for this project and it is well within our comfort of awarding this Contract.

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

**RESOLUTION NO. 22-02
RESOLUTION AWARDING CONTRACT NO. 2021-W02 TO
US TANK PAINTING, INC. FOR "MT. ARLINGTON TANK
REHABILITATION"**

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") advertised for the receipt of public bids for Contract No. 2021-W02 "Mt. Arlington Tank Rehabilitation" and received six (6) responses to the bid solicitation on December 16, 2021 from the bidders listed below at the total base and supplemental bid price shown:

US Tank Painting, Inc. Millstone, NJ	\$1,527,100.00
Brave Industrial Paint, LLC. Long Branch, New Jersey	\$1,629,000.00
Allied Painting, Inc. Cherry Hill, New Jersey	\$1,736,310.00
Blastech Enterprises, Inc. Baltimore, Maryland	\$1,764,200.00
Nuco Painting Islandia, New York	\$3,212,400.00
Scaturro Brothers, Inc. t/a Alpine Painting and Sandblasting Contractors Paterson, New Jersey	\$3,909,750.00

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

1. The Authority waives all immaterial defects in the bid submitted by US Tank Painting, Inc., if any, and awards Contract No. 2021-W02 "Mt. Arlington Tank Rehabilitation" to US Tank Painting, Inc., having a business address of 900 Rike Drive, Millstone Township, New Jersey 08535, as the lowest responsible bidder, in the amount not to exceed the base and supplemental bid price of \$1,527,100.00.
2. The Executive Director is authorized to execute Contract No. 2021-W02 "Mt. Arlington Tank Rehabilitation" with US Tank Painting, Inc., having a business

address of 900 Rike Drive, Millstone Township, New Jersey 08535, in the amount not to exceed the bid price of \$1,527,100.00.

3. The Contract awarded herein to US Tank Painting, Inc., shall commence after the execution of the Contract, the submission of all required documents, including but not limited to the submission and approval of the contractor's performance bond, insurance certificates required by the Contract, said insurance shall be in a form acceptable to the Risk Manager of Morris County.
4. The Executive Director is hereby authorized and directed to execute any other necessary documentation and to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
5. All bid security, except the security of the three apparent lowest responsible bidders shall be returned within 10 days after the opening of the bids, Sundays and Holidays excepted, and the bids of such bidders shall be considered withdrawn. After the award and full execution of the contract and approval of the contractor's performance bond, the bid security of the remaining unsuccessful bidders shall be returned to them within three days thereafter, Sundays and holidays excepted.
6. Funds are available for this Contract from Budget Line Item 02-6-300-800-015 and a copy of this Resolution shall be submitted to the Authority's Treasurer and kept on file in the offices of the Authority.
7. 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, January 11, 2022.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Dorothea Kominos, Vice Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Guadagno made a Motion to award Contract No. 2021-W02 To US Tank Painting, Inc. For Mt. Arlington Tank Rehabilitation and Mr. Druetzler seconded the Motion.

ROLL CALL: AYES: 8 NAYES: NONE ABSTENTIONS: NONE

(5) Mr. McAloon mentioned that we met with the Water Committee yesterday to discuss Southeast Morris County MUA and some other contractual items. We will be prepared to present to the Board at the closed session next month.

Mr. Gindoff explained that he needs to address the following Resolution, as Michael McAloon is not involved with this. He explained that we have been looking for a while for a way to appraise the water main, which in essence we no longer need that use to connect water in the Mendham area between us and N.J. American. This is a bit of water main that we have been seeking to sell to N.J. American since it serves their system now instead of ours and we need a way to appraise it. Al Capuzzi is someone who use to work for Jacobs Engineering and actually did a lot of work on our Asset Management Plan that we currently rely on for the MUA. He has gone on his own and has his sole engineering firm and thought it would be an excellent fit if he would provide a proposal to do the engineering work we need to get that appraisal done for that pipeline so that we could successfully get a proper price on it and negotiate the sale with N.J. American. He mentioned that Al Capuzzi will also have to work with our appraiser, who we have already retained, Victor DiSanto, to do the property appraisal work. The will both work together to get us the appraisal price that we need.

Ms. Szwak asked how does this appraisal compare with Linfante's appraisal? Mr. Gindoff replied that his was about \$20,000. Mr. Carney mentioned that Art's appraisal included the appraiser as well, but this is still a better price.

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

RESOLUTION NO. 22-03
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
APPROVING A PROFESSIONAL SERVICE CONTRACT
(WATER MAIN APPRAISAL PROJECT)
AJC0, LLC –ALBERT J. CAPUZZI, PE, DBIA

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) has a need to acquire professional services to appraise an approximate 1.5 mile 12-inch ductile iron pipeline along Woodland Road, outside of the Clyde Potts Reservoir in Mendham Township, together with attached appurtenances; and

WHEREAS, the MCMUA requested proposals for the professional service of a Water Engineer in reference to the Water Main Appraisal project and;

WHEREAS, the MCMUA received a proposal from AJC0 – Albert J. Capuzzi, PE, DBIA, dated January 4, 2022; and

Vendor: AJC0, LLC – Albert J. Capuzzi, PE. DBIA
101 Glenbrook Rd.
Morris Plains, NJ 07950

Proposal Price: Not to exceed \$8,000.00 at \$150/hour (Proposal attached)

WHEREAS, the proposal of AJC0 – Albert J. Capuzzi, PE, DBIA being the most advantageous was received by the Authority to determine compliance with service specifications: and

WHEREAS, the MCMUA desires to award the contract for the professional service of a Water Engineer in reference to the Water Main Appraisal project; and

WHEREAS, in lieu of a separate certification of funds, the maximum dollar value of this contract is as set forth in this resolution per NJAC 5:30-5.4 (a) 3 and the MCMUA Treasurer certifies that \$8,000 is available from Budget Line Item 02-6-900-925-230 for the services to be provided.

NOW THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey, that it does hereby approve a contract for the professional service of Water Engineer in reference to the Water Main Appraisal project in a form to be approved by Counsel:

Vendor Name: AJCO, LLC
Albert J. Capuzzi, PE. DBIA
101 Glenbrook Rd.
Morris Plains, NJ 07950

Estimated Cost of Service: \$8,000.00

Account Number: 02-6-900-925-230

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

1. The Executive Director is authorized and directed to execute the Contract for professional service of Water Engineer in reference to the Water Main Appraisal project in a form to be approved by Counsel.
2. The Authority's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
3. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on Tuesday, January 11, 2022.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Dorothea Kominos, Vice Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Guadagno made a Motion to Approve A Professional Service Contract (Water Main Appraisal Project) AJCO, LLC –ALBERT J. CAPUZZI, PE, DBIA and Ms. Szwak seconded the Motion.

ROLL CALL: AYES: 8 NAYES: NONE ABSTENTIONS: NONE

ENGINEER'S REPORT:

PROJECT STATUS

1. General System:

- A. Through December 2021, MCMUA sold approximately 1,631.630 MG to date. This total volume of water sold to date is below the total sold for the same period in 2020 (1,696.021 MG), however, as above the total sold in 2019 (1,523.611 MG) respectively. This volume of water was above the anticipated 1,567 MG volume that was utilized in preparing the 2021 budget. We do anticipate this volume to decrease in 2022 due to revisions to Water Supply Contracts with SMCMUA and NJAW.
- B. MCMUA has distributed formal correspondence to Mine Hill Township and SCE is currently coordinating a meeting to discuss their formal request with regard to the water usage from October 2020 to September 2021.

2. Mt. Arlington Water Storage Tank Rehabilitation:

Contract A – Tank Isolation

John Garcia Construction has completed the pressure/leakage testing as well as the bacteriological testing and the interconnection is able to be put in service. MCMUA is coordinating a proposed date and time to begin the demonstration period to simulate the Mt. Arlington tank being out of service. The Contractor will be installing the temporary interconnection with the Mt. Arlington water system in the early spring, prior to the tank rehabilitation due to concerns over freezing temperatures and other concerns.

The Contractor has submitted payment request in the amount of **\$177,447.23** (approximately 82%) which reflects withholding 2% retainage for the work performed. Upon review of the work completed and supporting documentation, SCE recommends payment in this amount.

The Contractors final installed quantities of 12-inch watermain were slightly above the proposed quantities at bid time. This additional footage was due to the need to avoid rock excavation. Additionally, there was an un-marked telephone conduit which was in direct conflict with our proposed chamber location. Through coordination with the Morris County Road Department, as well as Mt. Arlington, we understand these conduits are Cablevision. The Contractor incurred additional cost for the re-installation of these conduits upon installation of the proposed chamber, and therefore has additional costs. We are prepared to finalize these quantities in a final change order prior to completion and closeout of this project.

Contract B – Tank Rehabilitation

The bid opening for the Mt. Arlington Tank Rehabilitation project was held on Thursday December 16 at 2:00pm. A total of six (6) bids were received for this project ranging from \$1,487,100.00 to \$3,534,750.00.

BIDDER	BASE BID AMOUNT
US Tank Painting, Inc.	\$1,487,100.00
Brave Industrial Paint LLC.	\$1,624,000.00
Allied Painting Inc.	\$1,641,310.00
Blastech Enterprises, Inc.	\$1,714,200.00
Nuco Painting	\$2,637,400.00
Scaturro Brothers, Inc. t/a Alpine Painting and Sandblasting Contractors	\$3,534,750.00

Our review of the six (6) bids indicates the apparent lowest responsible bid submitted by **US Tank Painting Inc.** of *Millstone Township, NJ* for the base bid amount of \$1,487,100.00. SCE has reviewed the bid documents, contacted references, verified certifications and all other aspects of their bid appear to be complete, subject to MCMUA review and MCMUA's

Attorney's review A formal recommendation of award will be presented via Resolution at the board meeting.

3. Southest Morris County Municipal Utilities Authority (SMCMUA) Coordination

SCE is prepared to further discuss with the Water Committee the potential for long term synergies, as well as potential to supply the Borough of Mt. Arlington the additional volumes of water that have been requested at the next Water Committee Meeting.

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Deacon asked if there are any questions regarding his report. Ms. Szwak mentioned that she has missed several meetings and you refer in your report about the Solid Waste Emergency and she wants to make sure she understands what that is. Mr. Deacon replied it is a combination. It all started at the end of August beginning of September as a result of Ida, coupled with Mascaro with COVID issues, it snowballed with vacations and Labor Day, and then it was basically catching up. He explained that Ida puts us under a big emergency which the State met with all the Solid Waste Coordinators in the State. Basically, everyone was having the same problem. COVID was causing issues with solid waste with CDL drivers, so moving solid waste to landfills was an issue all over the State. It is behind us now. Credit to Mascaro, we are back to operating normally.

Mr. Deacon provided the following highlights: (1) There is a correction on the inbound tonnage comparison numbers for both transfer stations. Mt. Olive Transfer Station processed 13,459 more tons than 2020 totals and Parsippany Transfer Station processed 37,186 more tons than 2020. It is a slight correction from what was reported. He mentioned supporting and promoting the ideas and importance of pursuing the SEVDOA that we have been talking about in Mt. Olive. Mt. Olive Station processed 4,221 more customers this year than 2020 and homeowners self-generated residential, which would be the idea of the SEVDOA, was 9,095 total customers for 2021, which is 1,342 more customers than 2020.; (2) The improvements at the Mt. Olive Transfer Station Office area continue. It is really coming along nice, thanks to Justin for doing a lot of that.; (3) The MCMUA Staff spent a lot of the last month into January really shoring up our safety and compliance due to the PEOSHA visit mentioned at the Mt. Olive Transfer Station. We have already completed and submitted the majority of the Facility Right-To-Know Surveys that aren't really due until July 15, 2022, but we like to get them done in January. Only our two transfer stations and two compost facilities remain. All 11 MUA Water facilities were completed and submitted. today. (4) He mentioned the Amendment to the current Contract with MRM in the Board highlights. Mr. Gindoff mentioned that this company provides us e-waste recycling that also gets distributed to many of the municipalities that have e-waste recycling boxes at their locations.

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

**RESOLUTION NO. 22-04
RESOLUTION AUTHORIZING AMENDING THE CONTRACT BY AND BETWEEN
THE AUTHORITY AND ELECTRONIC MANUFACTURERS RECYCLING
MANAGEMENT COMPANY, LLC FOR THE MARKETING OF RECYCLABLE
MATERIAL – CONSUMER ELECTRONICS**

WHEREAS, on August 8, 2017 the Morris County Municipal Utilities Authority (“MCMUA”) awarded a Contract for the Marketing of Recyclable Materials – Consumer Electronics (“Contract”) to Electronic Manufacturers Recycling Management Company, LLC, 5775 Wayzata Blvd., Suite 700, Minneapolis, MN 55416 (CONTRACTOR”), in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, on June 8, 2021 the MCMUA extended the Contract for an additional one (1) year; and

WHEREAS, the Contractor engages in the marketing of recyclables materials - consumer electronics on behalf of the MCMUA; and

WHEREAS, the MCMUA and the Contractor desire to amend the Contract to state that Contractor shall provide MCMUA with a rebate on specific consumer electronics; and

WHEREAS, the MCMUA desires to authorize execution of an Amendment to the Contract, in substantially the form attached hereto; and

NOW THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey, as follows:

1. The MCMUA authorizes the Executive Director to execute the attached “Amendment to the Contract for the Marketing of Recyclable Material – Consumer Electronics in substantially the form attached hereto (the “Amendment”) upon execution of said Amendment by the Contractor.
2. A copy of this Resolution, the Contract and the Amendment shall be available for public inspection at the office of the Morris County Municipal Utilities Authority, 214A Center Grove Rd. Randolph, NJ 07869.
3. A copy of this Resolution shall be forwarded to the MCMUA Treasurer and the Contractor.
4. The MCMUA’s staff and consultants are hereby authorized and directed to take all other actions necessary or desirable to fully effectuate the terms and conditions of this Resolution.
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, January 11, 2022.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Dorothea Kominos, Vice Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Hudzik made a Motion to authorize amending the Contract Between The Authority and Electronic Manufacturers Recycling Management Company, LLC For The Marketing Of Recyclable Material – Consumer Electronics and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 8 NAYES: NONE ABSTENTIONS: NONE

Mr. Deacon thanked the MCMUA Operational Staff who have gotten us through another tough wave of the pandemic. This includes our Curbside Staff and the Mascaro Transfer Station Staff. Everyone was and some continue to be very short-staffed with either COVID cases or scheduled vacations, still our Solid Waste and Recycling services march on. Thank you everybody.

Mr. Deacon mentioned Liz Sweedy She was one of the first MUA employees that approached me when I worked at the Academy for HAZMAT/Health Management and she has been nice to me ever since. He will miss her, so thank you Liz.

Mr. Lemanowicz reported that we have few things underway. The first quarter Facility Assessments: we did our site visits in early December. Parsippany’s is done and am working on Mt. Olive now and should have it out by the end of the week. We are verifying the proposal that was issued a while back for the Noise Monitoring in Parsippany. That Noise Monitoring as put on hold originally because of the floor replacement. Now we are trying to get the proposal re-established and making sure the price is the same and bringing that to the Board next month.

Regarding the Water/Sewer connections for the Mt. Olive Facility, we have searched through our maps and now we are reaching out to the municipality and the utility there to see what we can do to make that connection. Regarding Emergency Facility Plans, we reviewed our files. We have a lot of plans for the buildings. They are basically limited to the tipping floors, so our architect went out, measured up the rest of the building rooms and we are preparing those maps now to get those submitted. Looking forward to a busy 2022. Mr. Deacon thanked Colin of Alaimo who met us out at Parsippany to do those plans.

With regards to PEOSHA, Mr. Gindoff thanked Fred and James who have been doing yeoman's work keeping us in line, Bobby Ross, Mike Nunn and Kahlil, who is our mechanic, showing the PEOSHA guy around our trucks. A lot of people shoring up the fences here.

SOLID, HAZARDOUS AND VEGETATIVE WASTE REPORT:

GENERAL ADMINISTRATIVE MATTERS

MCMUA Transfer Station Managers Brett Snyder and Justin Doyle, Assistant Operations Manager Mike Nunn, and Solid Waste Coordinator James E. Deacon continued with the Association of Environmental Authorities- Environmental Professional Development Academy (AEA-EPDA) completing Track #2- Operations on December 15, 2021. All MCMUA cohorts will now start Track #3- Finance on January 5, 2022. Due to the escalating COVID-19 conditions, these EPDA sessions will be held virtually until further notice. Track #3 will be four (4) consecutive Wednesdays, followed by Track #4- Human Resources (HR). The EPDA is currently scheduled to conclude on March 2, with an "Academy Capstone" at the Western Monmouth Utilities Authority in Manalapan, New Jersey.

MCMUA Transfer Station Manager Justin Doyle and Solid Waste Coordinator James E. Deacon provided a tour of the Mount Olive transfer station and the HHW facility to approximately 15 students from Hunterdon Prep High School on Monday, December 13. Students were given a detailed walk through of both facilities with time for questions and answers.

TRANSFER STATIONS

Tonnage- The 40,052 tons accepted in December 2021 was 9.23% greater than the 36,669 tons accepted a year ago in December of 2020. That increase was due to, in total, the disposal of construction and demolition (C&D Type 13C) debris materials. The very warm December 2021 weather probably had a lot to do with this large monthly volume. The fourth (4th) quarter of 2021 ended up managing 13.15% more solid waste than the fourth quarter of 2020. The 465,745 tons accepted for all of calendar year 2021 also illustrates the year's very high level of solid waste generation, as it was 12.2% greater than the 415,100 tons accepted in 2020. It was also the largest amount of solid waste generated since 2007. In 2007 only 27% of the waste was construction and demolition (C&D Type 13C), whereas in 2021, the percent of waste that is C&D Type 13C amounts to 34%. Please refer to the attached Transfer Station Disposal Report by Month for additional information.

December Comparison Statistics:

Mount Olive Transfer Station:

Inbound- 14,866 Tons- 1,181 Tons more than 2020

Total Customers- 3,660- 415 more than 2020

Self-Generated/ Residential Customers- 670- 57 more than 2020

(The Mount Olive transfer station processed 13,221 more tons than 2020's totals)

Parsippany-Troy Hills Transfer Station:

Inbound- 25,186 Tons- 2,202 Tons more than 2020

Total Customers- 5,674- 968 more than 2020

Self-Generated/ Residential Customers- 358- 51 more than 2020

(The Parsippany-Troy Hills transfer station processed 37,041 more tons than 2020's totals)

PEOSH (Public Employees Occupational Safety and Health) Site Visit- A reportable accident occurred at tipping floor bay #1 at the Mount Olive transfer station on December 7, with a hauler twisting his knee when stepping into the open damaged trench drain system. The

MCMUA Transfer Station Manager contacted local EMS to respond and immediately generated an incident report. The responding Mount Olive Township Police Officer went back to headquarters and contacted PEOSH, which resulted in a site visit on December 9. J.P. Mascaro and Sons and their subcontractor, Sprayd Welding, provided and installed on the following day, four (4) 10' steel plates that were set in place as temporary trench drain covers. This satisfied the PEOSH Notice of Order to Comply received on December 17. The PEOSH inspector did mention to the MCMUA Transfer Station Manager that he would be back for a full inspection at some point. The inspector provided the MCMUA with a PEOSH Inspection Information "check-list" of items that he would be looking for during his re-inspection. Per MCMUA Executive Director Larry Gindoff, this PEOSH inspection list was shared with all of the MCMUA managers in all MCMUA Divisions, for review and to make sure all of our sites are in compliance. Since the incident, the MCMUA Operations staff has put up all the compliance boards in the Mount Olive transfer station main office, making sure all contact lists and relative safety information is up to date. All the related compliance binders and training records are now together in the MCMUA Transfer Station Manager's office in a labeled cabinet for inspectors. Mascaro has posted all of their OSHA 300 information and their Right to Know binders on the wall in a central location. J.P. Mascaro and Sons' 2021 Emergency Action Plan is posted in all the transfer station offices at both facilities. The MCMUA staff has worked closely with both the County Fire Marshal's Office and Office of Risk Management throughout the process, and is now looking to complete the 2021 New Jersey Department of Health (NJDOH) Right to Know (RTK) Central File updates in January 2022. The deadline for the 2021 survey updates and submissions is July 15, 2022.

Transfer Station Site Improvements- DLS Maintenance and Construction, LLC (DLS) has completed the replacement of all the Mount Olive transfer station office windows, installed new flooring, completed the wall patching and repairs, and the final painting of all the offices (4), the conference room (1), the (2) bathrooms, and the main reception/lobby area (1). DLS will be asked to come back out at some point to finish up some touch up work. Plumbing improvements, including new fixtures and toilets in the bathrooms (2), has also been completed. Some furniture for the offices has been ordered, much of it has already been built and put in place. This includes a new TV and video conference camera for transfer station conference room. Morris County IT and their subcontractor Connectek, LLC. still need to come back to perform their network Cat 6 cable "drops" into all the offices. Connectek will test all the existing ports, run cables to the fire panel in the pump room and the fire panel in the HHW office trailer, and assist in moving all the network MDF panels into one (1) protected central location in the common area closet. The Morris County Fire Marshal's Office has already installed their new fire panels (2), which are now awaiting the County network cable. The old panels in the pump room and HHW trailer will be removed and phone lines canceled once this is complete.

Parsippany Transfer Station Façade and Wall Repair: Due to identified damage on the eastern wall of the Parsippany transfer station by the air pollution control system, the MCMUA solicited quotations for replacement of blocks, brick ties, fasteners and cement to repair the damaged wall. Eco Windows & Facades, of Philadelphia, PA submitted the lowest cost proposal of three proposals submitted in the amount of \$19,000.00 for the work to be performed. As we are still waiting for the required submission of pre-award paperwork from Eco Windows and Facades a resolution authorizing a contract this work is anticipated to be presented to the Board at the February 2022 meeting.

Professional Engineering Services- Alaimo Project Manager/Solid Waste Engineer Thomas Lemanowicz performed the first periodic facility review of both transfer stations on Thursday, December 2. Moving forward, these site inspections will be performed on a quarterly basis, reporting items that need to be addressed and recording a status of the items that may be noted in previous reports. A majority of these repair can be attributed to the damages caused during the solid waste emergency over the last few months of 2021. When Alaimo's findings are received in writing, MCMUA staff continue to work with Mascaro on the repairs and improvements.

As part of these quarterly site inspections, and as a result of the PEOSH site visit mentioned above, Alaimo is actively working on Emergency Action Plans/Emergency Evacuation Plans for both MCMUA transfer stations. Alaimo's in-house architect was out at the Mount Olive transfer station on Monday, December 27, for a full walk around with the MCMUA operations staff. Pictures, drawing, and measurements were all taken, safety equipment like first aid kits, fire

extinguishers, the oxygen cabinet, the AED, fire panels, spill kits, emergency exit lighting, etc. were all inventoried. From this collected data, official maps will be generated for posting throughout the facility. Alaimo is scheduled to do the same thing down in Parsippany on January 6. These Emergency Evacuation Plans are a PEOSH requirement and have been pushed by the MCMUA to be a priority to complete.

Transfer Stations Accumulation of Solid Waste Issues- J.P. Mascaro and Sons' approval of the additional highway weight capacity from 80,000 pounds to 90,000 pounds for loaded transfer trailers expired with the New Jersey Department of Transportation (DOT) on January 4, 2022. The Penn DOT approval will expire on January 30, 2022. While it is a slower time of the year, the weeks following Christmas and New Years can be busy and challenging with people on vacation and now the expanding COVID-19 positive tests. The extra time till the end of the month would be very helpful for Mascaro, so upon their manager's request, MCMUA Solid Waste Coordinator James E. Deacon tried to get an extension of the January 4 NJ DOT termination to January 30, coinciding with the termination of J.P. Mascaro's Penn DOT approvals. The NJDOT had to deny the request because "*The approval was for a 120 day period, based on a Presidential Disaster Declaration, Federal Statutory authority under the Stafford Act.*" Therefore on January 3 during the monthly Operations virtual meeting, J.P. Mascaro and Sons Regional General Manager Brian Rosar let the onsite Managers know, that on January 4 around 9:00AM to 11:00AM, everything 90,000 pounds would need to be loaded to get those materials and trailers through Pennsylvania to the landfill, staying in compliance. Mascaro continues their efforts to fulfill the requirements of the contract- keeping the tipping floors clear of waste daily and the removal of loaded transfer trailers within 24 hours. This has been especially true as of late, with reduced manpower due to the increase of COVID-19 cases. The documented damages from the solid waste emergency have continued to be sent to the Mascaro managers, and are slowly being addressed based on priority and when time permits.

HOUSEHOLD HAZARDOUS WASTE (HHW) MANAGEMENT

Program Participation- In December 2021, the permanent household hazardous waste facility (HHWF) located at the MCMUA Mount Olive transfer station had a total of 213 serviced appointments, which included 192 Morris County residents, 2 VSQG/small businesses, and 19 out-of-Morris County residents. The final MCMUA 2021 HHWF year ending totals equal 2,989 serviced appointments, 2,694 appointments from Morris County residents, 48 total from VSQG/small businesses, and 247 total non-Morris County residents.

The HHW facility received and is renting from Heartland Mobile Pay a A920 Smart Mobile Tablet credit card terminal, which operates on data usage rather than Bluetooth. This terminal can and will serve as the Mount Olive transfer station's backup, in case their current Elavon credit card machine goes down in the scale house. In addition, the MCMUA received and bought from Heartland a Mobile Pay, a credit card device as a backup for the Parsippany-Troy Hills transfer station to use if their Elavon credit card machine goes down. The MCMUA Accounting Department is making arrangements for training on these new devices, which will include all HHW staff and the transfer station Weigh Masters.

Due to the increase in COVID-19 cases and the Omicron variant, the MCMUA will be reinforcing the protective measures set forth when the facility was reopened after the State of Emergency back on May 22 of 2020. As a reminder to the MCMUA Board, these protocols were approved by the State and County OEM (Office of Emergency Management), protecting our MCMUA facility employees, our environmental contractor MXI, and all the customers serviced through the facility. These protective measures will be detailed on the MCMUA website and will be reiterated when scheduling an appointment online so our customers understand the importance.

MRM Contract- Attached to the Board packet for the January 11, 2022 meeting is a Resolution for consideration concerning an addendum to the MCMUA's current marketing contract with Electronics Manufacturers Recycling Management Company, LLC (MRM). This addendum to the marketing contract will allow MRM to disburse "Recycling Account Credits" to each municipality operating electronics recycling collection sites under the program for collecting covered electronic devices (CEDs). The written addendum is a new section to the current document. If adopted, the addendum will cover the material collected starting July 1, 2021 and

going forward. MRM will then contact each of the collection sites directly to educate them regarding this new proposal. These “Recycling Account Credits” will be calculated after the submission of the LGU Semi-annual Report Forms and will be based on the weight of CEDs collected during the reporting period as follows:

- Computers, Laptops, Tablets: \$0.10 per pound
- Flat Screen (LCD) Televisions and Monitors: \$0.02 per pound
- Printers, Multifunction Devices, Facsimile Machines: \$0.02 per pound
- CRT Televisions: \$ 0.00 per pound

VEGETATIVE WASTE MANAGEMENT

The MCMUA Vegetative Waste Recycling facility leaf season starting on October 23 and ended on Saturday, December 11. Morris County Municipalities and County Departments took full advantage of the extended hours with leaves coming in much later this year. Currently, both facilities are close to full with grinding taking place at Parsippany to make more room in the windrows and stock piles. The tub grinding services in early December 2021 at our Mount Olive facility produced 1,550 cubic yards (CY) of processed brush. MCMUA staff is still requesting Parsippany-Troy Hills Township Forestry Division through our inter-governmental shared agreement for grinding services of the class B materials (logs) in Mount Olive in early 2022.

The two (2) new 2021 Volvo L110H wheel loaders purchased for the Parsippany facility have been in use since the delivery date of November 9. Factory training on these new loaders is being scheduled for after the holidays. Both the 2004 Volvo L70E (MUA- L6) and the 1999 Volvo L120C (S99-L1) front end loaders were decommissioned on December 6 in Mount Olive with help from our Curbside Supervising Diesel Mechanic. One at a time, the loaders were put on a low boy trailer, with a cut a 3” by 3” hole cut into the side of the engine block. Pictures were then taken with everything then sent to the NJDEP Division of Air Quality, Bureau of Mobile Sources as proof of the decommissioning. The MCMUA was provided a check for \$5,000 dollars per loader, \$10,000 dollars in total, with the old loaders to be used as replacement parts. The newly purchased Komptech Americas Topturn X5000 windrow turner that will replace the older 1999 Scarab windrow turner in Mount Olive, is still scheduled for arrival in March of 2022. The NJDEP NJEMP reimbursement program for the front end loaders is also be used with the decommissioning of this 1999 Scarab. The maximum reimbursement of 30% compensation amount will equal \$164,171.70. MCMUA staff has already met on, and started planning the details to meet the NJDEP’s 30 day decommissioning requirement when the new equipment is received. Additional vegetative waste flow information can be found in the Vegetative Waste Report, which will be provided to the MCMUA Board for the January 11, 2022 meeting.

Outbound Vegetative Materials Marketing- Naturcycle and the MCMUA staff have planned a virtual meeting for Friday, January 14 to discuss the 2021 year end summary and the 2022 program outlook. The meeting will include a current sales update, compost program renewals related to the OMRI Listing for Mount Olive and STA Program for Parsippany, some upcoming projects that are forecasted for 2022, and some additional goals on expanding retail sales and focusing on the marketing of MCMUA’s OMRI Listed compost for organic farm applications.

Some MCMUA/Naturcycle joint projects for the Board:

- The Mid Atlantic Nursery Trade Show is one of the largest trade shows in the country serving the horticulture industry. Naturcycle will be exhibiting from January 5 to January 7, 2022, in Baltimore, Maryland.
- East Midtown Greenway- Steven Dubner Landscaping will be using screened compost from Parsippany for project. It involves approximately 500 cubic yards (CY) total and will be beginning in January 2022.
- Belmont Park Arena- Approximately 1,000 CY of screened compost from Parsippany approved for use in engineered soil. The project start has again been delayed.
- Wetland NY DOT soil project- Approximately 500 CY of screened compost from Parsippany to be used in engineered soil. The project start has again been delayed.
- New York City Parks project- Approximately 350 CY total, with McCarey Landscaping picking up about 105 CY back in October 2021. The remainder is currently being scheduled.

- Naturcycle is beginning additional sales calls for Mount Olive’s OMRI listed compost to build demand for Spring 2022. Naturcycle also still plans to purchase over 1,000 yards of screened material for various soil projects.

RECYCLING REPORT:

Ms. Sweedy reported the following: (1) The preliminary rate for single stream for the month of December is +\$32.66 per ton, which is \$21.79 less than the November rate of \$54.45 per ton that was received and continuing the downward trend unfortunately. Pricing has now fallen approximately to where it was during the Summer of 2021, with the exception of metals, all the plastic and fiber commodities are trending downward with fiber falling the quickest, which has had the biggest impact on the pricing.; (2) Provided update on Clean Communities Bag Ban Legislation, which will become effective on May 4, 2022. We are going to be distributing reusable bags through our Morris County Clean Communities Grant and we are going to be providing bags to all Morris County employees, as well as the Interfaith Food Pantry and their affiliates, the Hope House, the Morris County Office of Temporary Assistance, including the Dover Outstation Office and Food Pantries in Dover and Morristown. To date, we have distributed 2,200 bags. We also plan to provide reusable bags at Outreach Events throughout this year and the primary focus will be to provide reusable bags to Senior Citizens and those in underserved communities.

Ms. Sweedy asked for the Board’s approval of the following Resolutions:

**RESOLUTION NO. 22-05
RESOLUTION AUTHORIZING THE AWARD OF FIVE -YEAR NON-EXCLUSIVE
CONTRACT FOR THE MARKETING OF SINGLE-STREAM RECYCLABLE
MATERIALS TO FCR MORRIS, LLC.**

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) has a need for the Marketing of Single-Stream Recyclable Materials; and

WHEREAS, the Local Public Contracts Law exempts the Marketing of Recyclable Materials from public bidding, pursuant to N.J.S.A. 40A:11-5(s); and

WHEREAS, a Fair and Open Solicitation Process for Request for Proposals for the provision of the Marketing of Single-Stream Recyclable Materials was held pursuant to N.J.S.A. 40A:11- et seq.; and

WHEREAS, the MCMUA duly advertised for Proposals on November 24, 2021; and

WHEREAS, on December 14, 2021, the following one (1) proposal was received for the Marketing of Single-Stream Recyclable Materials:

FCR Morris, LLC
103 Iron Mountain Road
Mine Hill, NJ 07803

**Alternate A: 1-Year
Contract**

**Alternate B: 5-Year
Contract**

Index Material	Percent of Index Proposed	Percent of Index Proposed
Newspaper	85%	85%
Corrugated	100%	100%
Glass	135%	140%
Aluminum Cans	80%	80%
Steel Cans	90%	90%
PET Plastic	90%	90%
HDPE Natural Plastic	90%	90%
HDPE Colored Plastic	90%	90%

Plastic Mix	100%	100%
Residue	100%	110%

Single-Stream	Tipping Fee	Tipping Fee
Year 1	\$123.63	\$113.21
Year 2	Not Applicable	\$118.30
Year 3	Not Applicable	\$123.63
Year 4	Not Applicable	\$129.19
Year 5	Not Applicable	\$135.01

WHEREAS, the proposal of FCR Morris, LLC was reviewed and evaluated by the Authority staff to determine compliance with the Marketing of Single-Stream Recyclable Material requirements; and

WHEREAS, such proposals were also reviewed and evaluated by the MCMUA Project Team including: Executive Director, Larry Gindoff; Treasurer, Larry Kaletcher, Recycling Coordinator, Liz Sweedy, Recycling Customer Service and Curbside Support Representative, Chris Vidal; and

WHEREAS, the basis for award is the selection of the Most Advantageous for the MCMUA, based on a scored weighted criteria of: Cost, Technical and Managerial; and

WHEREAS, following the scored weighted criteria, the Request for Proposals, the Project Team recommends the selection Alternate B: 5-Year Contract proposal submitted by FCR Morris, LLC for the Marketing of Single-Stream Recyclable Materials contract; and

WHEREAS, the MCMUA desires to award a non-exclusive contract through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4, et seq. for the Marketing of Single-Stream Recyclable Material , Alternate B 5- Year Contract, to FCR Morris, LLC having a business address of 103 Iron Mountain Road, Mine Hill, NJ 07803; and

WHEREAS, the awarded contract is non-exclusive and can be utilized at the MCMUA discretion; and

WHEREAS, in lieu of a separate certification of funds, the maximum dollar value of this contract is as set forth in this resolution per N.J.A.C. 5:30-5.4 (a) 3.

NOW THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey, as follows:

1. FCR Morris, LLC having a business address of 103 Iron Mountain Road, Mine Hill, NJ 07803 is determined to have submitted a proposal most advantageous, price and other factors considered to the MCMUA for a non-exclusive contract for the Marketing of Single-Stream Recyclable Materials.

Vendor Name: FCR Morris, LLC
103 Iron Mountain Road
Mine Hill, NJ 07803

Term: Five (5) Years , commencing on February 1, 2022

Account Number: The Treasurer certifies that funds are available from 01-3-4741

2. The Executive Director is authorized and directed to execute a non-exclusive contract with FCR Morris for the Marketing of single-Stream Recyclable Materials in a form approved by the Authority’s attorney, based on the 2021 proposals received by

the Authority on December 14, 2021, available in the offices of the Authority, and incorporated by reference and made part hereof, for a term of five (5) years.

3. The Contract awarded is subject to the submission of all insurance certificates required by the Contract, in a form acceptable to the Risk Manager of Morris County, and all other documentation required by the Contract, and shall commence upon the execution of a written Contract by both parties.
4. The Authority's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
5. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on Tuesday, January 11, 2022.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Dorothea Kominos, Vice Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Hudzik made a Motion to authorize the Award of Five-Year Non-Exclusive Contract For The Marketing Of Single-Stream Recyclable Materials To FCR Morris, LLC and Ms. Szwak seconded the Motion.

ROLL CALL: AYES: 8 NAYES: NONE ABSTENTIONS: NONE

**RESOLUTION NO. 22-06
RESOLUTION AUTHORIZING THE AWARD OF A FIVE-YEAR CONTRACT
FOR THE MARKETING OF DUAL-STREAM RECYCLABLE MATERIALS
TO FCR MORRIS, LLC**

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) has a need for the Marketing of Dual-Stream Recyclable Materials; and

WHEREAS, the Local Public Contracts Law exempts the Marketing of Recyclable Materials from public bidding, pursuant to N.J.S.A. 40A:11-5(s); and

WHEREAS, a Fair and Open Solicitation Process for Request for Proposals for the provision of the Marketing of Dual-Stream Recyclable Materials was held pursuant to N.J.S.A. 40A:11 et seq.; and

WHEREAS, the MCMUA duly advertised for Proposals on November 24, 2021; and

WHEREAS, on December 14, 2021, the following one (1) proposal was received for the Marketing of Dual-Stream Recyclable Materials:

FCR Morris, LLC
 103 Iron Mountain Road
 Mine Hill, NJ 07803

Index Material	Alternate A: 1-Year Contract Percent of Index Proposed	Alternate B: 5-Year Contract Percent of Index Proposed
Glass	135%	140%
Aluminum Cans	80%	80%
Steel Cans	90%	90%
PET Plastic	90%	90%
HDPE Natural Plastic	90%	90%
HDPE Colored Plastic	90%	90%
Plastic Mix	100%	100%

Container Mix	Tipping Fee	Tipping Fee
Year 1	\$123.63	\$113.21
Year 2	Not Applicable	\$118.30
Year 3	Not Applicable	\$126.63
Year 4	Not Applicable	\$129.19
Year 5	Not Applicable	\$135.01

Recycling Pricing Proposal – Fiber Mix

Index Material	Alternate A: 1-Year Contract Percent of Index Proposed	Alternate B: 5-Year Contract Percent of Index Proposed
Newspaper	85%	85%
Corrugated	100%	100%

Fiber Mix	Tipping Fee	Tipping Fee
Year 1	\$123.63	\$113.21
Year 2	Not Applicable	\$118.30
Year 3	Not Applicable	\$123.63
Year 4	Not Applicable	\$129.19
Year 5	Not Applicable	\$135.01

WHEREAS, the proposals of FCR Morris, LLC were reviewed and evaluated by the MCMUA staff and were determined to be in compliance with the Marketing of Dual-Stream Recyclable Material requirements; and

WHEREAS, such proposals were also reviewed and evaluated by the MCMUA Project Team including: Executive Director, Larry Gindoff; Treasurer, Larry Kaletcher; Recycling Coordinator, Liz Sweedy; Recycling Customer Service and Curbside Support Representative, Chris Vidal; and

WHEREAS, the basis for award is the selection of the Most Advantageous for the MCMUA, based on a scored weighted criteria of: Cost, Technical and Managerial; and

WHEREAS, following the scored weighted criteria, the Request for Proposals the MCMUA Project Team recommends the selection of Alternate B: 5- Year Contract proposal submitted by FCR Morris, LLC as Most Advantageous; and

WHEREAS, the MCMUA desires to award the contract through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4, et seq. for the Marketing of Dual-Stream Recyclable Material Alternate B: 5-Year Contract to FCR Morris, LLC having a business address of 103 Iron, Mountain Road, Mine Hill, N.J.07803; and

WHEREAS, the awarded contract is non-exclusive and can be utilized at the MCMUA discretion; and

WHEREAS, in lieu of a separate certification of funds, the maximum dollar value of this contract is as set forth in this resolution per N.J.A.C. 5:30-5.4 (a) 3.

NOW THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey, as follows:

1. FCR Morris, LLC having a business address of 103 Iron Mountain Road, Mine Hill, NJ 07803 is determined to have submitted a proposal most advantageous, price and other factors considered to the MCMUA for the Marketing of Dual-Stream Recyclable Materials.

Vendor Name: FCR Morris, LLC
103 Iron Mountain Road
Mine Hill, NJ 07803

Term: Five (5) Years, commencing on February 1, 2022.

Account Number: The Treasurer certifies that funds are available from 01-3-4741

2. The Executive Director is authorized and directed to execute a contract with FCR Morris, LLC for the Marketing of Dual-Stream Recyclable Materials in a form approved by the Authority’s attorney, based on the 2021 proposal received by the Authority on December 14, 2021, available in the offices of the Authority, and incorporated by reference and made part hereof, for a term of five (5) years.
3. The Contract is awarded subject to the submission of all insurance certificates required by the Contract, in a form acceptable to the Risk Manager of Morris County, and all other documentation required by the Contract, and shall commence upon the execution of a written Contract by both parties.
4. The Authority’s staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
5. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on Tuesday, January 11, 2022.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Dorothea Kominos, Vice Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Hudzik made a Motion to authorize the Award of
A Five-Year Contract For The Marketing Of Dual-Stream
Recyclable Materials To FCR Morris, LLC and
Ms. Szwak seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE
(Dr. Nusbaum seemed to be on mute and the meeting could not receive responses from
Dr. Nusbaum when called upon.)

Regarding these two contracts, Mr. Gindoff commented that the pricing is significantly worse for these two contracts than we have been paying over the last year, which was based on the same basic Index and Pricing scheme, but regardless I am still happy to enter into these contracts. Republic's facility in Mine Hill, we are so fortunate to have that located centrally in Morris County doing all that incredibly difficult work, handling all our recyclables and figuring out how to keep that machinery working and all the people working to keep our recycling system working. We do have a viable system of recycling here in Morris County and it has worked due to the hard work of that company and the people who work there.

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

RESOLUTION NO. 22-07
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT TO
PROVIDE FOR CURBSIDE COLLECTION, TRANSPORTING, AND MARKETING OF
RECYCLABLE MATERIALS BETWEEN THE MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY AND THE TOWN OF BOONTON
COMMENCING ON OR ABOUT JANUARY 1, 2022

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

WHEREAS, pursuant to the Act, the Town of Boonton has adopted and enforces a mandatory source separation ordinance for Recyclable Materials; and

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

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

WHEREAS, the MCMUA is authorized as a local unit pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, (L.2007, c.63, s.2.), to enter into a contract with any other local unit to provide or receive any service that each local unit participating in an agreement is empowered to provide or receive in its own jurisdiction; and

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

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

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

WHEREAS, the MCMUA and the Town of Boonton desires to enter into a new agreement to provide for the curbside collection and marketing of recyclable materials commencing January 1, 2022 for five (5) years until December 31, 2026.

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

1. The Executive Director is authorized to execute said Agreement in substantially similar form as that on file in the office of the MCMUA.
2. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(2) and N.J.S.A. 40A:11-5(1)(s) of the Local Public Contracts Law.
3. The MCMUA's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on Tuesday, January 11, 2022.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Dorothea Kominos, Vice Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to Authorize The Execution Of An Agreement Providing For Curbside Collection, Transporting, And Marketing Of Recyclable Materials Between The Morris County Municipal Utilities Authority And The Town of Boonton Commencing On Or About January 1, 2022 and Mr. Barry seconded the Motion.

Ms. Szwak asked about Blue Diamond's legal bid claim asked if it affected this bid at all? Ms. Sweedy replied we don't believe so. Mr. Gindoff commented that he is not worried about that. This is a shared services agreement that we are allowed to enter into. Ms. Szwak asked if it was resolved and Mr. Gindoff replied, he doesn't think it is being pursued.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE
(Dr. Nusbaum seemed to be on mute and the meeting could not receive responses from Dr. Nusbaum when called upon.)

Mr. Druetzler commented that Liz Sweedy started her Report out with Good Evening. For me this is a sad evening because this is Liz' last report to us. She is wonderful person to work with, a wonderful person for this County and for the MUA. In 26 years, recycling has grown immensely and our participation is extraordinary and it is part of what Liz has done. Thanks to her, we were able to better serve the people of this County and I don't think we can thank her enough. I wish her good health and a long, long, happy retirement. Thanks a lot Liz.

Liz thanked Frank. She also thanked all of you for your support and guidance over the years. It's really been a privilege and my pleasure to work for the Morris County MUA. She also thanked Larry for providing her the opportunity to manage the recycling program and for his dedication to all our programs. It's been amazing. It's been a wonderful journey. I've loved every minute of it; everything from the fashion shows, to try to deal with municipal issues, to

dumpster diving, I've loved every minute of it. And the wonderful and amazing people that I have encountered, met, and gotten to work with, I'm overjoyed about that. I have a lot of great memories, so thanks to all of you.

Ms. Szwak commented that she has appreciated Liz' good cheer, her positive support for the MUA and for recycling in general. Liz, you made it fun, you could tell you enjoyed it and that's why it was so successful. Congratulations!

Dr. Kominos commented that we are going to miss you.

Liz commented that she loved her job; she loved every minute of it. I'm so blessed.

Mr. Carney commented you will definitely be missed. Congratulations! It's the American dream.

With that, Mr. Gindoff commented that he cannot thank Liz enough for really doing the hard work and setting the foundation which we all enjoy for our recycling and environmental programs that we do so well in Morris County. Much is due to Liz and her passion for all the work we have done over the years. I am confident that we'll move forward and just so everyone knows, our plan for the future is we are moving Anthony Marrone to be the position of Recycling Coordinator in the future. Anthony has been working with us for the last several years on Vegetative, Household Hazardous Waste. He worked with us on the Open Space Plan considerably and he is a tremendous asset for us and I think he will do great work and take the efforts Liz has provided us and really bring them into the future. Look forward to Anthony's reports and showing up next month. In addition, you can't replace Liz with one person, so we are going to divvy up all those duties amongst our office, so we are going to have Christine Scano take on the role of Clean Communities Coordinator. He ended by saying: Liz it has been a pleasure working with you over the years from the early days and all the computer stuff. It has been nothing but a bundle of joy to work with every second. You will be missed believe me.

Retirement Announcement:

Dear MCMUA Board Members,

I would like to thank you and express my gratitude for your support and guidance over the years. It has been my pleasure to work for the Morris County Municipal Utilities Authority for 26 years. I would also like to thank Larry Gindoff for providing me the opportunity to pilot the recycling program and for his hard work and dedication to all of our programs.

I will retire on February 1, 2022. Wishing you all the best!

Sincerely, Liz Sweedy

RECYCLING REPORT:

Tonnage and Value – The November 2021 Republic statement was finalized in the amount of \$74,971.64. The per ton rate for single-stream was positive \$54.48, a decrease of \$17.91 in comparison to the rate of \$72.39 received in October 2021. The preliminary rate for single-stream for the month of December has not been received but is expected to be provided at the Board meeting on January 11, 2022.

Curbside Contract Proposals & Resolutions

Town of Boonton

On 12/1/2021, staff attended the town's bid opening for recycling collection and marketing services, to begin on January 1, 2022. No other bids were submitted to the Town of Boonton. A representative from Blue Diamond attended the bid opening and providing a letter addressed to Neil Henry, Municipal Administrator, questioning the legality of the bid document. Subsequently, the MCMUA received an email the Town of Boonton requesting that the MCMUA proposed Shared Service agreement for curbside recycling collection services, for five years (2022 through 2026) become effective 1/1/2022. Boonton Town adopted a resolution approval on 12/20/2021 authorizing the MCMUA proposals. A resolution will be presented at

the January Board meeting for Board consideration and authorize of the execution of the 5-year shared services agreement.

Mine Hill Township

On 12/8/2021, Marcia Istvan, Town Clerk, forwarded signed copies of the Shared Services Agreement and Resolution for curbside recycling collection and marketing of recyclable materials. The agreement is effective 1/1/2022 through 12/31/2022. The MCMUA resolution was passed at the December Board meeting.

Requests for Proposals (RFP) released for Single-Stream & Dual-Stream Recycling:

On 12/1/21, notices were posted announcing that the two recycling Requests for Proposals, for the marketing of single-stream and dual-stream recyclables. On 12/14/21, the MCMUA conducted the opening of proposals for the marketing of recyclable materials when FCR LLC provided a proposal for marketing single-stream and dual-stream recyclable material. There were no other proposals received. The proposals have been reviewed staff, QPA, Shana O'Mara, Counsel, and ready for consideration by the Board at the January 2022 meeting.

The proposed pricing for marketing of recyclables came down substantially compared to the existing 1-year agreement the MCMUA has with FCR. The existing and newly proposed contracts are both based on the use of the same recycling marketing commodity index to adjust to pricing based on fluctuating regional commodity prices. It appears the existing contract's pricing for fiber materials, which comprise approximately 60% of the material, was not consistent with FCR's costs resulting in a windfall for the MCMUA over the past 12 months. Fiber materials are where the pricing was adjusted the most in the new proposal compared to the existing contract, but component pricing for the other commingled and ancillary pricing also fell.

It is calculated that the new proposal will cost the MCMUA in the estimated range of \$58/ton, when markets are good, to \$39/ton during bad market times, when compared to the existing contract. While the pricing contained in this new proposal is disappointing compared to the surprising high values we received over the current contract, they are relatively consistent with many of the anticipated costs the MCMUA assumed when it entered into many of the all-inclusive (combined collection and marketing) contracts with its municipal curbside customers over the last couple of years.

The MCMUA staff is recommending the acceptance of the 5-year option in the proposals submitted by FCR, LLC for providing the marketing of both single-stream and dual stream recyclables for the following reasons:

- The MCMUA and FCR have successfully partnered over the previous 25 years to processes MCMUA, and much of Morris County's, recyclables resulting in Morris County being one of New Jersey's recycling leaders with the highest municipal recycling rates in the region.
- FCR, located in Mine Hill, is centrally located in Morris County minutes from the MCMUA Recycling Headquarters and the only recycling facility in Morris County and only one of three such facilities in all of northern NJ. In essence, FCR is the only game in town and we are fortunate to have such a good partner. As a private sector partner, FCR provides many local jobs, pays taxes and does not cost the MCMUA or Morris County extra money to develop, maintain and operate these very challenging operations.
- The MCMUA has the financing to proceed with these contracts, which provide stability over the next half-decade to continue to improve Morris County's recycling efforts over what will inevitably be and ever-changing and challenging recycling landscape. Without entering into these contracts, the MCMUA's recycling successes over the past decades would likely be squandered.

Recycling Inspections & Education

On 12/1/2021, staff sent out "winter weather reminders" to the municipalities that receive recycling depot services by the MCMUA. This email was sent to the municipal recycling coordinators as a reminder to have the lids closed on the recycling roll-off containers and

dumpsters at municipal depots and municipal locations, to prevent snow, ice, and moisture from contaminating the recyclables.

On 12/7/21, staff conducted an inspection at the County building on 1 Medical Drive. The trash dumpster at this location was almost full and it contained clear plastic bags of recyclables mixed with trash and several black trash bags full of lunch containers from the Head Start program. The recycling dumpster had several clear bags of recyclables and other types of contamination: coffee cups, a hard plastic items and single-use foam products. Staff will follow up with the Head Start Facilities Director, Juan Fernandez, in order to review recycling guidelines and proper preparation of recyclables.

On 12/7/2021, staff attended a virtual class on Municipal Tonnage Grant reporting. The NJ Chapter of the American Public Works Association hosted the class. Erin Jensen from the NJDEP conducted the class and provided an overview of all of the forms and requirements for the Municipal Recycling Tonnage report.

On 12/9/21, the MCMUA hosted a meeting for Clean Communities Coordinators and Municipal Recycling Coordinators via WebEx. The NJ Bag Ban Law was the focus of the meeting; the law goes into effect on May 4, 2022. The speakers were Erin Jensen, NJDEP Environmental Specialist Division of Solid and Hazardous Waste Bureau of Planning and Licensing, JoAnn Gemenden, NJ Clean Communities Council Executive Director, Stephanie Gorman, Assistant Health Officer, Morris County Division of Public Health and Liz Sweedy, District Recycling Coordinator. Clean Communities coordinators earned 1.5 recertification credits and Municipal Recycling Coordinators earned 1.5 CRP classroom credits. The PowerPoint presentations are available on the MCMUA website: https://mcmua.com/sw_recy_mrc.asp.

On 12/10/2021, Eric Gabrielson of Republic Services, asked staff to provide educational outreach to Picatinny Arsenal. The hauler, Tassielli Disposal, has been delivering contaminated loads of recyclables from Picatinny to Republic Services. Employment Horizons provides the in-house recycling services. Staff will meet with Marvin Bell, Director of Commercial Services, Employment Horizons, on January 11, 2022 to review recycling guidelines and requirements. In addition, recycling educational materials will be provided for employees.

On 12/14/2021, staff met with Willy Garcia, Superintendent, Woodfield Estates, Ward Place, Florham Park. The multi-family complex has seen an increase in recyclable materials and wanted to discuss options for additional services. The complex has limited space in the disposal areas eliminating the option for additional recycling dumpsters and/or carts. Staff is working on a solution that will work best for this complex.

On 12/28/21, staff conducted a second recycling inspection at the County building located at 1 Medical Drive. Staff found recyclables such as paper (mandated to be recycled) in the garbage dumpster and unacceptable materials such as paper cups, latex gloves, and paper towels in the recycling dumpster. Several departments occupy this building and two cleaning contractors are involved, the situation is complicated. Follow-ups with all departments at this location and cleaning staff are planned for January.

Clean Communities

December Educational program: There were no Clean Communities programs sponsored in December.

December Road Cleanups

On 12/7/21, a road cleanup was conducted on East Hanover Avenue and Whippany Road, including the entrance and exit ramps to Route 24. The cleanup took place in Hanover Township and Morris Township and five linear miles were cleaned!

The crew collected:

40 Bags of trash

20 Bags of recyclables

On 12/15/2021, staff attended the Webinar hosted by NJ Clean Communities Council titled, "Innovative Solutions for Your Everyday Needs." Speakers were NJDEP Commissioner Shawn

LaTourette; Clean Communities Coordinators Rachel Barton, and Rebecca Turygan with an overview of the model Clean Communities website guide; Carole Tolmachewich with Bag Up NJ ideas and initiatives; representatives from Goatote on reusable tote bag kiosks at stores; and Executive Director, JoAnn Gemenden with a review of acceptable/unacceptable Clean Communities spending guidelines and options. Morris County Clean Communities Coordinators and Municipal Recycling Coordinators (MRCs) were invited. The Webinar offered 2 Clean Communities recertification credits and 2 CRP classroom credits for municipal recycling coordinators. The Webinar was very well attended!

On 12/20/21, staff attended the Clean Communities Best Practices meeting to discuss updates and changes to the NJ Clean Communities Council's (NJCCC) website (www.njclean.org). JoAnn Gemenden, Executive Director of NJCCC, is striving to make the website more user friendly and provide easy access to the documents and information that is most requested. Staff has been assigned to the Clean Communities education section and will provide suggestions and updates in January.

Bag Ban – Reusable Bag Distribution Summary:

The Morris County Clean Communities program respectfully supports the Bag Ban legislation that will become effective on May 4, 2022. Through the County program, we have provided information about the Bag Ban Law and the “Bag-Up NJ” program to all Municipal Clean Communities Coordinators and Municipal Recycling Coordinators. A directive from the NJ Clean Communities Council specifies, that a portion of the Clean Communities Grant funds, are to be used to purchase and distribute reusable bags to the public (at the consideration of each Clean Communities coordinator). In summary, the MCMUA (through the Morris County Clean Communities Grant) plans to purchase and distribute reusable bags as follows:

- To all Morris County employees – an email with the aforementioned information will be sent prior to distribution of reusable bags to make County employees aware of the law. We expect the bags to be delivered in March or April depending upon potential delays due to the pandemic.
- Interfaith Food Pantry – 1,800 reusable bags were provided to the Interfaith Food Pantry on 12/17/21 for distribution to their affiliates and clients. The MCMUA plans to provide a second round of reusable bags to the Interfaith Food Pantry in the spring based upon their needs.
- Hope House – 100 reusable bags were provided on 12/20/21 for distribution to their clients.
- Morris County Office of Temporary Assistance (OTA) – 100 reusable bags were provided on 12/20/21 for distribution to their clients, including the Dover outstation office, and food pantries in Dover and Morristown associated with the Morris County OTA. We plan to supplement them on a monthly basis, as they do not have room to store additional bags. Currently, they estimate the need for 100 bags per month, but we can certainly provide more if need be.

In conclusion, depending upon the pandemic, the MCMUA, through the Morris County Clean Communities Grant, plans to also provide reusable bags at outreach events during 2022 and focus on providing reusable bags to senior citizens and those in underserved communities.

OLD BUSINESS:

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

NEW BUSINESS:

Larry Gindoff reported on a few things that have been going on over the month. First of all, he had an initial discussion with some people from the Parsippany Green Team a couple of weeks ago about potential use of our Parsippany Transfer Station Roof for Solar Panels for the Sewer Authority next door. So the Sewer Authority is looking for places to install solar panels, so they approached us just to see if there was any potential for that. Since our roof project and finalization of that is coming due in the next year, I didn't say “no” to it. I am to keep those ideas open and see if there is a deal to be made there.

Mr. Druetzler asked if they are going to put the roof on and then put the solar panels on it. Mr. Gindoff replied that we have not discussed on what is exactly happening.

Also, an issue that has been brewing in Roxbury, there have some requests from some people on the Council level, about plowing the trails that go through the Alamatong Well Field. They approached Dave Helmer on it and he told them that we just plow them to access the Well Field for our own vehicles and we have no interest in plowing nor maintaining it as a plowed area, as that involves issues with salt that we don't want to get involved with. Questions have come up through the Park Commission and Dave Helmer has been deflecting them on our behalf.

Lastly, coming up in February, we have our Reorganization Meeting. That night is going to be longer than usual. We have all our Professional Services and Administrative Resolutions that we have to get together and adopt. We have all the Professional Services RFPs on the street now and they will be due before that meeting. Our Regular Meeting will follow and as Mike alluded to, anticipate a Closed Session to bring the Board up-to-date on the negotiations with Southeast Morris County MUA and our discussions with Water Agreements.

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

PUBLIC PORTION:

Vice Chairwoman Kominos asked if there is any comments from the Public. There being no comment from the Public, this portion of the meeting was closed.

CLOSED SESSION:

There being no Closed Session, this portion of the meeting was closed.

There being no further business, Vice Chairwoman Kominos asked for a Motion to adjourn the meeting at 7:54 p.m.

MOTION: Mr. Guadagno made a Motion to adjourn the meeting at 7:54 p.m., seconded by Mr. Hudzik and carried unanimously.

Marilyn Regner
Secretary

/mr