

MINUTES OF REGULAR MEETING

November 6, 2017

The Regular Meeting of the Morris County Municipal Utilities Authority was held on November 6, 2017 at 7:00 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey. The necessary notice of this meeting was published according to the law.

Chairwoman Szwak requested a roll call.

PRESENT: Mr. William Hudzik, Mr. James Barry,
Mr. Christopher Dour, Mr. Frank Druetzler,
Dr. Dorothea Kominos, and Ms. Szwak.

ABSENT: Dr. Arthur Nusbaum and Mr. Fletcher Platt.

Also present was Larry Gindoff, Executive Director; Andrew Holt, P.E., MCMUA Water Consulting Engineer; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brent Carney, Esq., Maraziti Falcon LLP; and Kathleen Hourihan, District Recycling Coordinator.

Chairwoman Szwak asked for the Board's approval of the Minutes and Closed Session Minutes of the Special Meeting of October 10, 2017.

MOTION: Mr. Hudzik made a Motion to approve the Minutes and Closed Session Minutes of the Special Meeting of October 10, 2017 and Mr. Dour seconded the Motion.

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

Chairwoman Szwak asked for the Board's approval of the Minutes of the Regular Meeting of October 10, 2017.

MOTION: Mr. Hudzik made a Motion to approve the Minutes of the Regular Meeting of October 10, 2017 and Mr. Dour seconded the Motion.

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

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating, Water Operating and Capital Accounts for the month of October 2017. Also included are the Comparative Balance Reports for both Solid Waste and Water through the month of October 2017. The Investment Report for the month of October shows no new investments were purchased for the month of October. These reports have been incorporated in these Minutes.

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

MOTION: Mr. Dour made a Motion to accept the Treasurer's Report and Mr. Barry seconded the Motion.

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

Mr. Kaletcher mentioned that the next two resolutions are for the water and solid waste budgets. He briefly gave a summary of the budgets for Solid Waste and Water.

For our 2018 Solid Waste budget, we are proposing an increase in the tipping fee of \$0.95 per ton from \$95.45 per ton to \$96.40 per ton, which is a 1% increase. This increase will allow us keep pace with our five year fund balance goals while being able to finance the following capital projects:

- Parsippany roof replacement
- Mt. Olive pole barn
- Tipping floor replacement for both transfer stations
- Above ground fuel tank replacement
- Scale Upgrades

The Water budget proposes raising the wholesale rate \$97.00/MG from \$2,426.00/MG to \$2,523.00/MG, which is a 4% increase. This rate increase will allow the Water Division to maintain an operational fund balance throughout our 5 year plan and assist in funding the following capital projects:

- Markewicz Switchgear Electrical Upgrade
- Mt. Arlington Tank Rehabilitation
- Mt. Arlington Pump Station Electrical Upgrade
- Alamatong #1 & #2 - Electrical Service Upgrade

Other goals of the Water Division will be to sharpen its focus on the Clyde Potts-Southeast MCMUA contractual matter and to request County capital to assist in funding for our upcoming capital projects.

The 2018 Solid Waste and Water budgets were reviewed at a budget committee meeting held on November 1, 2017 which included Chairwoman Laura Szwak, Frank Druetzler, Fletcher Platt, Larry Gindoff, Mike McAloon, Andrew Holt and myself. I believe that we all acknowledged the need to having the ability to fund our infrastructure needs, replace aging vehicles/equipment and to remain focused on maintaining a healthy fund balance. This will allow us to fund future projects and establish reserves to protect us from unexpected emergencies and critical maintenance needs.

Mr. Kaletcher asked for the Board's approval of Resolution No. 17-73:

RESOLUTION NO. 17-73
2018 Authority Budget Resolution
Morris County Municipal Utilities Authority
SOLID WASTE BUDGET INTRODUCTION

FISCAL YEAR: FROM January 1, 2018 TO December 31, 2018

WHEREAS, the Annual Budget and Capital Budget for the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2018 and ending, December 31, 2018 has been presented before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of November 6, 2017; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$40,512,997.00, Total Appropriations, including any Accumulated Deficit if any, of \$40,512,997.00 and Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$0.00 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$0.00; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Morris County Municipal Utilities Authority, at an open public meeting held on November 6, 2017 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2018 and ending, December 31, 2018 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Morris County Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 12, 2017.

(Secretary's Signature)

(Date)

Governing Body Member:	Recorded Vote: 1 st :			2 nd :
	Aye	Nay	Abstain	Absent
Mr. Hudzik	X			
Mr. Barry	X			
Ms. Szwak	X			
Mr. Druetzler	X			
Mr. Dour	X			
Dr. Kominos	X			
Dr. Nusbaum				X
Mr. Platt				X

Mr. Kaletcher asked for the Board's approval of Resolution No. 17-74:

RESOLUTION NO. 17-74
2018 Authority Budget Resolution
Morris County Municipal Utilities Authority
WATER BUDGET INTRODUCTION

FISCAL YEAR: FROM January 1, 2018 TO December 31, 2018

WHEREAS, the Annual Budget and Capital Budget for the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2018 and ending, December 31, 2018 has been presented before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of November 6, 2017; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$4,115,079.00, Total Appropriations, including any Accumulated Deficit if any, of \$5,499,162.00 and Total Unrestricted Net Assets utilized of \$1,384,083.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$0.00 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$0.00; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Morris County Municipal Utilities Authority, at an open public meeting held on November 6, 2017 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2018 and ending, December 31, 2018 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Morris County Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 12, 2017.

_____		_____		
(Secretary's Signature)		(Date)		
Governing Body	Recorded Vote: 1 st : Mr. Dour 2 nd : Mr. Druetzler			
Member:	Aye	Nay	Abstain	Absent
Mr. Hudzik	X			
Mr. Barry	X			
Ms. Szwak	X			
Mr. Druetzler	X			
Mr. Dour	X			
Dr. Kominos	X			
Dr. Nusbaum				X
Mr. Platt				X

Mr. Gindoff thanked Larry Kaletcher and the Budget Committee for helping him get through his first budget. Certainly Larry's experience and the Board's experience made it easier for me and I appreciate that.

Mr. Kaletcher explained that the following resolution is required by the DCA if budgets are not submitted by the November 1st deadline. Mr. Kaletcher asked for the Board's approval of Resolution No. 17-75:

RESOLUTION NO. 17-75
RESOLUTION OF EXPLANATION FOR DELINQUENT
2018 BUDGET SUBMISSION

WHEREAS, the New Jersey Department of Community Affairs, Bureau of Authority Regulations has requested all Authority budget introductions be submitted 60 days prior to the beginning of the new year,

WHEREAS, the New Jersey Department of Community Affairs, Bureau of Authority Regulations has stated that any delinquent budgets be accompanied by a resolution of explanation prior to final adoption by the Authority board,

WHEREAS, the Morris County Municipal Utilities Authority was delinquent in submitting the budget introductions within the 60 day limit,

WHEREAS, the Morris County Municipal Utilities Authority required additional time to complete the budgets due to delays in obtaining relevant budget information, tipping & water rate analyses along with related meetings which were not resolved until after the 60 day deadline,

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority that the explanation in paragraph four of this resolution be presented as fact to the New Jersey Department of Community Affairs, Bureau of Authority Regulations for the delinquency in introduction of the 2018 budgets.

Secretary of the Board

Laura Szwak, Chairwoman

Governing Body Member:	Recorded Vote: 1 st : Mr. Barry 2 nd : Mr. Druetzler			
	Aye	Nay	Abstain	Absent
Mr. Hudzik	X			
Mr. Barry	X			
Ms. Szwak	X			
Mr. Druetzler	X			
Mr. Dour	X			
Dr. Kominos	X			
Dr. Nusbaum				X
Mr. Platt				X

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

RESOLUTION NO. 17-76
RESOLUTION AUTHORIZING SIGNATURES ON CHECKS

WHEREAS, the Morris County Municipal Utilities Authority desires to authorize the signatures on checks issued on Authority accounts.

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

1. The following two signatures shall be required on all checks of the Morris County Municipal Utilities Authority: (1) Lawrence A. Kaletcher, Treasurer; and (2) Larry Gindoff, Executive Director.
2. This Resolution authorizes and ratifies notification to all of the Authority’s financial institutions of the aforementioned requirement and the amendment of any signature cards to that effect.
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 a Regular Meeting held on November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to adopt Resolution No. 17-76 authorizing signatures on checks and Dr. Kominos seconded the Motion.

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

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

BILL RESOLUTION NO. 17-77

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. 17-77 containing 7 pages for a total of \$3,596,661.16 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

CAPITAL FUNDS		\$ 0.00
WATER OPERATING FUNDS	3963-3996	106,493.79
SOLID WASTE OPERATING	8171-8253	<u>3,490,167.37</u>
	TOTAL	\$ 3,596,661.16

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: November 6, 2017

BOARD CHAIRMAN APPROVAL

Laura Szwak, Chairwoman

SIGNED: _____
Marilyn Regner, Secretary

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds in the appropriations charged, or accounts listed to cover the expenditures included in the SCHEDULE OF WARRANTS dated: November 6, 2017

DATE: November 6, 2017

Larry Kaletcher, Treasurer

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

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

CORRESPONDENCE:

Mr. Gindoff mentioned that he heard from AJACO Towing today and they did go before the Parsippany Zoning Board of Adjustment on October 18th and they did receive conditional approval for that. So at this point, it looks like they have to revise their Site Plan and they owe some additional information to the Zoning Board. Mr. Gindoff mentioned that he is still waiting for Chris Warren to get all the information that he needs from them in order to write us a letter stating that we are comfortable with what AJACO is planning on doing at that site. From what he has been given from AJACO based on their request, he has not been able to totally ascertain that he is comfortable with what exactly they are proposing, so I instructed him to speak to their Engineer directly.

Mr. Carney added that Chris Warren was charged with looking at the environmental concerns that the Board had and was provided with information at the twelfth hour right along the time that we got a letter last month from their attorney that they were going before the Board of Adjustment. He mentioned that in correspondence that he had with their counsel, if they do that, it is at their own risk in the event that Chris comes back with something that needs to be changed. That was in writing before they proceeded with their Board of Adjustment hearing. Mr. Carney feels that it is appropriate that Chris goes through their Engineer; this is a technical engineering issue, not a legal one. Mr. Carney mentioned that he wanted to make the Board aware of the fact that they are on notice and they proceed at their own risk with that Board of Adjustment hearing and in case if something needs to be adjusted based on whatever Chris comes back with.

Chairwoman Szwak asked if we saw a Site Plan and Mr. Gindoff replied that we did see a Site Plan but it was not adequate enough for Alaimo to make that decision whether they are comfortable saying whatever they are proposing, so he needed to ask more questions because their Plan wasn't quite specific enough. Chairwoman Szwak asked if we attended the hearing and Mr. Gindoff replied no.

Mr. Gindoff mentioned that he was happy that we got three nice approvals from DEP.

Notice of Public Hearing received October 12, 2017 from Garofalo & O'Neill, P.A., Authorized Agent for Applicant, AJACO Towing, notifying that AJACO's application will come before the Township of Parsippany-Troy Hill Zoning Board of Adjustment on Wednesday, October 18, 2017 at 7:30 p.m.

Letter dated October 13, 2017 to Robert C. Garofalo, Esq. from Brent Carney, Esq. regarding AJACO's pending application before the Parsippany-Troy Hills Zoning Board of Adjustment.

Letter dated October 23, 2017 to Larry Gindoff from Andrew S. Holt, P.E., P.P., CME, Water Division Engineer, regarding Recommendation for Procurement for Alamatong Well #5 Pump.

Letter dated October 3, 2017 to Larry Gindoff from Edward A. Nieliwocki, Bureau of Planning and Licensing, NJDEP, advising of receipt of a proposed amendment to the Morris County Solid Waste Management dated September 21, 2017 for the inclusion of revised daily

capacity limits at the MCMUA's Class B/C Recycling Center located at 500 West Hanover Avenue in the Township of Parsippany-Troy Hills.

Letter dated October 13, 2017 to Larry Gindoff from Edward A. Nieliwocki, Bureau of Planning and Licensing, NJDEP, advising of receipt of a proposed amendment to the Morris County Solid Waste Management dated October 2, 2017 for the inclusion of Cip-Cycle Processing, LLC Class A Recycling Center located at 311 West Main Street in the Borough of Rockaway.

Certified Letter dated October 17, 2017 to Larry Gindoff from Anthony Fontana, Chief, Division of Solid and Hazardous Waste, NJDEP, advising of final determination to issue the Solid Waste Facility Permit – Permit Renewal for the Parsippany Transfer Station.

Letter dated November 2, 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 October 2017.

Letter dated November 1, 2017 to New Jersey Department of Environmental Protection from Anthony Milonas, Supervisor of Water Operations, regarding T1 Reports for the Morris County M.U.A. for the month of October 2017.

ENGINEER'S REPORT:

Mr. Holt gave the following updates: (1) Markewicz Electrical Upgrade Project – We had a successful review and interview of the lead firm, Mott MacDonald, and we are recommending award of the design contract to that firm this evening. It will be a one-year duration contract. A year from now, we will get ready to bid and award that work.; (2) Alamatong Well No. 5 – We solicited price quotations from contractors under the emergency provision to replace Well #5 and have a resolution to award to A.C. Schultes this evening. One of the things that we will be looking at is when the pump gets pulled, we expect a more detailed analysis of what the premature cause of failure was and if we need to invest anything with the well or the new pump, material and construction, well alignment, well position, we will recommend that at the proper time.; (3) Markewicz Groundwater Storage Tank – Tanks have been all final inspected at the one year anniversary closeout.; (3) Alamatong Well No. 8 – So far so good. We have witnessed lower blow-off durations as a result of operating the well pump with the Variable Frequency Drive. We really need to accumulate data for a seasonal condition. We will continue to report to DEP everything looks positive. We will put together a summary report after we have several months of performance data evidencing that the blow-off turbid water is greatly reduced as a result of slow start and constant operation using the Variable Frequency Drive.; and lastly, (4) General Systems – We are pursuing discussions with Southeast Morris County M.U.A. Larry reached out again recently to Southeast so we stand ready to assist in meeting with them. We will see the Executive Director next week at a conference so we will try to force the issue there with some discussion and try to get a date on the calendar. We also participated in the water budget that you just introduced.

Mr. Holt mentioned that we have several resolutions to act on if there are no questions. Mr. Hudzik asked if the bid for Alamatong Well No. 5 awarded to A.C. Schultes is a fixed amount. Mr. Holt replied that the amount was solicited to pull, furnish and install a new pump, but if after it is pulled and inspected, there is some additional work, then we will have to recommend changes to that. The basis of the award is for that basic scope of work.

Chairwoman Szwak asked what is life of the new pump, is it 20 years? Mr. Holt replied a Variable Turbine Pump should be 20 years. Mr. Holt commented that there are a lot of factors that could affect it. We will do a more complete look at it when it comes out and be able to diagnose that. We want to be able to get the full life out of the pump.

Mr. Holt mentioned that we received bids for the Sodium Hypochlorite bid and asked for the Board's approval of Resolution No. 17-78 to award the Contract to Main Pool & Chemical Company. This is an annual solicitation.

RESOLUTION NO. 17-78
RESOLUTION AWARDED CONTRACT NO. W-18 TO MAIN
POOL & CHEMICAL COMPANY, INC. FOR "FURNISH AND
DELIVER SODIUM HYPOCHLORITE SOLUTION"

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") advertised for the receipt of public bids for Contract No. W-18 "Furnish and Deliver Sodium Hypochlorite

Solution" and received three (3) bids on October 26, 2017 from the companies listed below at the bid price shown:

Main Pool & Chemical Company Dupont, Pennsylvania	\$1.74 / gallon
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Miracle Chemical Company Farmingdale, New Jersey	\$1.865 / gallon
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Kuehne Chemical Company South Kearny, New Jersey	\$6.00 / gallon
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WHEREAS, the bid documents provide that the estimated annual amount of 15% solution of sodium hypochlorite is 8000 gallons, but that the Authority makes no warranty as to the actual annual amount to be delivered and that no minimum purchase is implied or guaranteed.

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

1. The Authority exercises its discretion to waive all immaterial defects, if any, with respect to the bid of Main Pool and Chemical Company, Inc., received on October 26, 2017.
2. The Authority awards Contract No. W-18 "Furnish and Deliver Sodium Hypochlorite Solution" to Main Pool & Chemical Company, Inc., having a business addresses of 110 Commerce Road, Dupont PA 18641, as the lowest responsible bidder, in the amount not to exceed the bid price of \$1.74 per gallon.
3. The Executive Director is authorized to execute Contract No. W-18 "Furnish and Deliver Sodium Hypochlorite Solution" with Main Pool & Chemical Company, Inc.,

having a business addresses of 110 Commerce Road, Dupont PA 18641, in the amount not to exceed the bid price of \$1.74 per gallon.

4. The Contract awarded herein to Main Pool and Chemical Company, Inc. shall commence after the execution of the Contract, the submission of all required documents, including insurance certificates required by the Contract, said insurance shall be in a form acceptable to the Risk Manager of Morris County.
5. 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.
6. After the award and full execution of the contract, the bid security of the remaining unsuccessful bidders shall be returned to them within three days thereafter, Sundays and holidays excepted.
7. Funds are available for this Contract from Budget Line Item 02-6-600-630-173 and a copy of this Resolution shall be submitted to the Authority's Treasurer and kept on file in the offices of the Authority.
8. 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 November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to award Contract W-18 For Furnish And Delivery Of Sodium Hypochlorite Solution To Main Pool & Chemical Co. in an amount not to exceed the bid price of \$1.74 per gallon and Mr. Barry seconded the Motion.

Mr. Druetzler asked who had the contract last year? Mr. Carney replied that Main Pool & Chemical has been your contractor for the last two years and the highest bid has constantly raised its price every year.

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

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

RESOLUTION NO. 17-79
RESOLUTION AWARDING EMERGENCY SERVICES CONTRACT
TO REPLACE FAILED PUMP AND MOTOR AT WELL #5

WHEREAS, the Morris County Municipal Utilities Authority (hereinafter the "Authority") owns and operates a system for the distribution of potable water located within the district of the Authority; and

WHEREAS, an emergency situation developed with respect to the operation of the Alamatong Well #5 pump and motor which prematurely failed; and

WHEREAS, upon the recommendation of the Consulting Engineer (Suburban), the Executive Director authorized the acquisition of emergency services and equipment in order to provide for the replacement and continued operation of the system which is essential for the distribution of water in the Authority's service area; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-6, a contract may be awarded without public advertising for bids and bidding when an emergency affecting the public health, safety or welfare requires the immediate performance of the services; and

WHEREAS, the Authority is satisfied that, for the reasons articulated in the written requisition from the Executive Director, attached hereto and made a part hereof, the proposed emergency contract is justified and meets the requirements of the Local Public Contracts Law and N.J.A.C. 5:34-6.1.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 6th day of November, 2017 as follows:

1. The Authority ratifies the actions taken to meet the emergency condition and the award of the contract on file at the offices of the Authority for the provision of emergency services and equipment by A.C. Schultes, Inc., 664 S. Evergreen Ave., Woodbury Heights, NJ at a cost not to exceed the amount of \$41,000.00 for the replacement of the Authority's Alamatong Well #5 vertical turbine, pump, motor and associated components.
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 November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds in the Equipment Repairs appropriation, Account No. 02-6-600-602-325 listed to cover the expenditures included in the Resolution Awarding Procurement of Emergency Services Contract To Replace Failed Pump and Motor and Well #5; dated November 6, 2017.

DATE: November 6, 2017

Larry Kaletcher, Treasurer

MOTION: Mr. Barry made a Motion to award Emergency Services Contract To Replace Failed Pump And Motor At Well #5 And Mr. Dour seconded the Motion.

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

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

RESOLUTION NO. 17-80
RESOLUTION TO AWARD A ONE YEAR CONTRACT TO MOTT MACDONALD FOR PERFORMANCE OF PROFESSIONAL ENGINEERING SERVICES FOR THE MARKEWICZ PUMP STATION ELECTRICAL UPGRADES

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") requires the performance of professional engineering services for the electrical upgrades to be implemented at the MCMUA's Markewicz Pump Station; and

WHEREAS on August 24, 2017 the MCMUA issued a Request for Proposals for Professional Engineering Services for Markewicz Pump Station Electrical Upgrades Project ("RFP"); and

WHEREAS on October 3, 2017 the MCMUA received five (5) proposals in response to the RFP from the following firms:

1. Jacobs Engineering, Morristown, NJ
2. Keystone Engineering, Hamilton, NJ
3. Mott MacDonald, Iselin, NJ
4. Paulus, Sokolowski & Sartor, Warren, NJ
5. Remington & Vernick Engineers, Secaucus, NJ

WHEREAS the review committee assigned to review the proposals based on the criteria established in the RFP first reviewed the qualifications of all five (5) engineering firms and determined three (3) of the five (5) submittals adequately met the qualification requirements and would therefore have their cost proposals opened and reviewed. The three (3) firms determined to be qualified are provided below with their not to exceed lump sum proposals based on the RFP requirements and form of one year contract contained in the RFP:

1. Jacobs Engineering, Morristown, NJ - \$249,900
2. Mott MacDonald, Iselin, NJ - \$168,875
3. Paulus, Sokolowski & Sartor, Warren, NJ - \$212,751

WHEREAS the review committee opened and reviewed the three proposals and instructed staff and the MCMUA's consulting engineer to establish interviews as needed to determine the recommended engineer for this project; and

WHEREAS MCMUA staff and consulting engineer conducted an interview on October 25, 2017 with the engineering firm first determined to be qualified and then with the lowest cost proposal Mott MacDonald; and

WHEREAS after reviewing the qualification statement and cost proposal of Mott MacDonald and after conducting an interview with Mott MacDonald's key personnel for this project, the MCMUA staff and consulting engineer are recommending the award of this contract to Mott MacDonald; and

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

WHEREAS, payments to be made during the one year contract shall be for actual services rendered that are performed to the satisfaction of MCMUA on a monthly basis, based on Mott MacDonald's schedule of hourly rates in effect at the time of service and the entire contract amount for all services required to be performed thereunder shall not exceed \$168,875: and

WHEREAS, the MCMUA has determined that the process utilized in selecting Mott MacDonald meets the statutory requirements for award of a contract pursuant to the fair and open process under N.J.S.A. 19:44A-20-4 et seq. and the Local Public Contracts Law exception for professional services pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on the 6th day of November 2017 as follows:

1. The Executive Director is authorized and directed to execute a one year contract with Mott MacDonald, LLC in a form approved by the MCMUA Attorney.
2. The maximum authorized expenditure pursuant to the contract approved is \$168,875.00 and the Treasurer has certified the availability of funds in connection with the contract appropriated with the duly adopted budget of the MCMUA.
3. The Executive Director shall cause to be printed once, in the official newspaper, a brief notice stating the nature, duration, service and amount of the contract and that the Resolution and contract are on file and available for public inspection at the offices of the MCMUA in accordance with law.
4. A copy of the contract shall be kept available for public inspection at the office of the MCMUA at 214A Center Grove Road, Randolph, NJ 07869.

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 a Regular Meeting held on November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

By: _____
Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to award a one year contract to Mott MacDonald for the Performance of Professional Engineering Services For Markewicz Pump Station Electrical Upgrades and Mr. Dour seconded the Motion.

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

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

**RESOLUTION NO. 17-81
RESOLUTION AUTHORIZING A CONTRACT FOR
MAINTENANCE OF LAMINGTON RIVER PARTIAL RECORD
STREAM GAUGE STATIONS WITH THE U.S. GEOLOGICAL SURVEY**

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") is required to monitor stream flow in the Lamington River as a condition of its allocation permit for the Alamatong well diversion; and

WHEREAS, the U.S. Geological Survey is an agency of the United States Department of the Interior and is the recognized authority for the maintenance, collection and reduction of this type of data through facilities specifically designed for this purpose; and

WHEREAS, the MCMUA Treasurer has certified that funds are available from Water Operating Account 02-6-900-923-018 for \$5,480.00 to maintain, collect and reduce the resulting data for one year from the date of the contract; and

WHEREAS, the MCMUA being bound by the conditions of its allocation permit has determined that it shall enter into an agreement with the U.S. Geological Survey for said services, for the period of October 1, 2017 to September 30, 2018, renewable yearly thereafter; and

WHEREAS, the MCMUA is authorized pursuant to N.J.S.A. 40A:11-5(2) to award a contract to an agency of the United States of America without competitive bidding.

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

1. The Executive Director is authorized and directed to execute an agreement with the U.S. Geological Survey, New Jersey Water Science Center, 3450 Princeton Pike, Suite 110, Lawrenceville, New Jersey 08648, in the form provided.
2. The authorized expenditure for this contract shall not exceed \$5,480.00.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Dr. Kominos made a Motion to authorize a contract for Maintenance of Lamington River Partial Record Stream Gauge Stations with the U.S. Geological Survey and Mr. Hudzik seconded the Motion.

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

**RESOLUTION NO. 17-82
RESOLUTION AUTHORIZING A CONTRACT FOR
MAINTENANCE OF DRAKES BROOK STREAM GAUGE
WITH THE U.S. GEOLOGICAL SURVEY**

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") is required to monitor a low flow partial record station on Drakes Brook as a condition of its allocation permit for the Flanders well diversion; and

WHEREAS, the U.S. Geological Survey is an agency of the United States Department of the Interior and is the recognized authority for the maintenance, collection and reduction of this type of data through facilities specifically designed for this purpose; and

WHEREAS, the MCMUA Treasurer has certified that funds are available from Water Operating Account 02-6-900-923-018 for \$2,740.00 to maintain, collect and reduce the resulting data for one year from the date of the contract; and

WHEREAS, the MCMUA being bound by the conditions of its allocation permit has determined that it shall enter into an agreement with the U.S. Geological Survey for said services, for the period of October 1, 2017 to September 30, 2018, renewable yearly thereafter; and

WHEREAS, the MCMUA is authorized pursuant to N.J.S.A. 40A:11-5(2) to award a contract to an agency of the United States of America without competitive bidding.

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

1. The Executive Director is authorized and directed to execute an agreement with the U.S. Geological Survey, New Jersey Water Science Center, 3450 Princeton Pike, Suite 110, Lawrenceville, New Jersey 08648, in the form provided.
2. The authorized expenditure for this contract shall not exceed \$2,740.00.
3. The Executive Director shall cause Roxbury Water Company to be billed for 50% of the stream gauge cost in accordance with the terms of the Water Allocation Permits issued by NJDEP to the MCMUA and Roxbury Water Company.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County
Municipal Utilities Authority at the Regular Meeting held on November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to authorize a contract for
Maintenance of Drakes Brook Stream Gauge Stations
with the U.S. Geological Survey and Mr. Dour
seconded the Motion.

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

Mr. Holt introduced the annual resolution to establish the Public Hearing for the water rate and asked for the Board's approval:

**RESOLUTION NO.17-83
RESOLUTION SCHEDULING PUBLIC HEARING TO AMEND WATER RATE OF
MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, the Morris County Municipal Utilities Authority ("the Authority") is authorized by the Municipal and County Utilities Authorities Law (N.J.S.A. 40:14B-1 et seq.) to establish rents, rates, fees and other charges and to amend the same from time to time so that the revenues of the Authority will at all times be adequate to pay the expenses of operation and maintenance of the Authority system including reserves, insurance, extensions and replacements, debt service, and to maintain such reserves or sinking funds therefor as may be required by the terms of any contract or as may be deemed necessary or desirable by the Authority; and

WHEREAS, the Authority desires to schedule a public hearing to amend the base water rate charged by the Authority; and

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 6th day of November, 2017 as follows:

1. The base rate to be charged by the Authority for the provision of water is proposed to increase from \$2,426 to \$2,523 per million gallons (MG).
2. A hearing concerning this proposed revision of the rates of the Authority shall be held on December 12, 2017 at the regular public meeting of the Authority commencing at 6:00 p.m. at the Morris County Municipal Utilities Authority offices (first floor meeting room), 214A Center Grove Road, Randolph Township, New Jersey 07869.
3. The Executive Director shall cause notice of the aforesaid hearing to be given in accordance with N.J.S.A. 40:14B-23 by:
 - a. publishing a copy of this Resolution in two newspapers of general circulation in Morris County at least 20 days prior to the hearing date; and
 - b. mailing a copy of this Resolution to the Clerk of each municipality served by the Authority and to each water utility, whether public or private, served by the Authority, at least 20 days prior to the hearing date.

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 a Regular Meeting held on November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to adopt the water rate resolution, as amended, and to amend the water rate of the Morris County M.U.A. to \$2,523 per million gallons and Mr. Barry seconded the Motion.

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

PROJECT STATUS

1. Markewicz Pump Station Electrical Upgrades RFP

On Wednesday October 25, 2017 the MCMUA Executive Director, MCMUA Superintendent, and SCE representatives conducted an interview with the Client Manager, Project Manager, and lead electrical designer from *Mott MacDonald* to further discuss the Qualification and Fee Proposal. Mott MacDonald prepared supplemental information with regard to the project team, project approach, similar projects, project schedule and manpower estimates. Mott MacDonald also provided satisfactorily response to several of our interview questions and concerns and committed to delivering the project on budget and within our desired schedule. We recommend the Board award the Professional Engineering Services for Markewicz Pump Station Electrical Upgrades Project, RFP – 17 – 1W to Mott MacDonald of Iselin NJ in the amount of \$168,875.

2. Alamatong Well #5

We requested competitive cost quotations from three (3) qualified Well Pump Installation companies; *UniTech Drilling Company* of Franklinville, New Jersey, *AC Schultes, Inc.* of Woodbury Heights, New Jersey and *Samuel Stothoff Company, Inc.* of Flemington, New Jersey, for the replacement of the Alamatong Well #5 vertical turbine, pump, motor and associated components. Two (2) Contractors, UniTech Drilling Company and AC Schultes, Inc. have submitted quotations for the replacement work, the third, Samuel Stothoff Company was non-responsive. SCE has reviewed the quotes submitted by UniTech Drilling Company and AC Schultes, Inc. for consistency with regard to the listed scope of work and recommends award to AC Schultes, Inc. by means of Emergency Resolution in the amount of **\$41,000.00**. Due to current system operation, and the seasonal demand restrictions on FV #1 and FV #2 inadequate system redundancy is in place to provide continuous service to our customers and therefore the emergency exists and requires immediate delivery and replacement.

Once we remove the existing pump we will be able to perform a thorough evaluation and inspection on the equipment to determine the cause of the pre-mature pump failure and will evaluate potential solutions to minimize risk. The inspection will also include the CCTV inspection on the well casing to confirm conditions are acceptable and may result in redevelopment if determined necessary.

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

Alpine Painting has successfully submitted the close out documents including product warranties, maintenance bonds, release of liens, daily inspection reports, anniversary ROV tank inspection report and other required close out documentation including final payment.

4. Alamatong Well #8

Well #8 has been placed into service and we have been monitoring the blow-off events. To date we have observed significant reduction in the blow-off durations upon start-up of the well. We will continue to monitor this progress as we dewater the aquifer and may experience different conditions.

4. General System

A. MCMUA and SCE have been in communication with SMCMUA with regard to setting up a meeting to discuss the Water Supply Master Plan project and ultimately arrive at a mutually beneficial solution for the Clyde Potts arrangement. We understand the criticality of this meeting and will work to continue discussions with regard to this matter.

B. We have assisted the MCMUA treasurer in preparing the 2018 Capital Improvement Project Budget and have updated our capital and engineering budgets to incorporate the Markewicz Pump Station Electrical Upgrades project with appropriate contingencies.

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Gindoff mentioned that for the tonnage for the month of October we did quite well having about 35,000 tons which is 8.64% greater than last October. Our annual projected total is almost 399,000 tons this year. We haven't hit 400,000 tons for quite awhile, but we have been trending upwards. That is one of the reasons why we are able to keep the tipping fee down to a one percent (1%) proposed price increase with increased tonnage. We are projecting 400,000 tons for next year that helped us spread out the cost over more tons.

With respect to the Air Pollution Control System, Mr. Gindoff mentioned that he is going to request a Change Order No. 1 in the amount of \$32,902 to repair some soffits along the front of the building. We didn't realize they were corroding as bad as they were. This is the first Change Order on this project. The project was due to be complete November 1st. It is lagging behind a bit at this point. This Change Order would be proposing to extend the project by 14 days so by the about the middle of the month, the project, after adopted, should be scheduled to be complete and after that we will be holding the contractor's feet to the fire and forcing it to get this project done before charging liquidated damages for being late.

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

**RESOLUTION NO. 17-84
RESOLUTION AUTHORIZING CHANGE ORDER NO. 1
TO CONTRACT 2016-1
AIR POLLUTION CONTROL SYSTEM - PARSIPPANY TRANSFER STATION**

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") and MBT Contracting LLC, 63 Beaver Brook Road, Lincoln Park, NJ 07035 ("MBT") entered into an agreement on April 26, 2017 to install an air pollution control system ("APC") at the MCMUA's Parsippany Transfer Station; and

WHEREAS, during work under the agreement at the Parsippany transfer station it was discovered that the soffits along the front of the transfer station building were rotted and require structural repair and/or replacement; and

WHEREAS, Richard Alaimo Engineering Company ("Alaimo") evaluated the extra work proposed by MBT to fix to rotted soffits in the amount of \$32,902; and

WHEREAS it is recommended by Alaimo, that the cost of the soffit repair/replacement be approved and MBT be directed to immediately perform the soffit repair/replacement while including a fourteen (14) day time extension; and

WHEREAS, the MCMUA Treasurer has certified that sufficient funds are available in the Project Reserve Fund, account number 01-1-900-000-128; and

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

WHEREAS, Alaimo prepared an unsigned copy of Change Order No.1, to be executed after approval by the MCMUA, which is attached to this Resolution.

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

1. The Executive Director is authorized and directed to execute Change Order No. 1 with MBT Contracting LLC, 63 Beaver Brook Road, Lincoln Park, NJ 07035 to amend the scope of work and change the contract price and contract time in accordance with Change Order No. 1.
2. The Executive Director is authorized to execute Change Order No. 1 with MBT in a form attached to this Resolution as prepared by Alaimo and reviewed by MCMUA Attorneys.
3. Notice of this Resolution shall be published in accordance with the requirements of N.J.A.C. 5:30-11.
4. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on November 6, 2017.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

By: _____
Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to authorize Change Order No. 1 To Contract 2016-1, Air Pollution Control System – Parsippany Transfer Station and Mr. Druetzler seconded the Motion.

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

Mr. Gindoff mentioned that he wrote about the most interesting fire that we fought at the transfer stations. It fought itself. As a result of having several fires, we have EHS Environmental coming to do assessments on us and they started that process already.

Mr. Gindoff mentioned that he has an award of the rebid of the scales for the transfer stations. Mr. Carney mentioned that this resolution is awarding to the second lowest bid, Atlantic Scale Company, not Gerhart Scale due to their failure to comply with the Affirmative Action Requirements, which is a mandatory requirement. He also mentioned that in the last time they bid, they did not provide the Consent of Surety. This time they provided that but they didn't fill out the Affirmative Action. Atlantic Scale Company is the recommended award for this resolution. Mr. Gindoff asked for the Board's approval of the following Resolution:

RESOLUTION NO. 17-85
RESOLUTION AWARDED CONTRACT FOR THE
TRUCK SCALE UPGRADE AT THE MCMUA PARSIPPANY AND
MT. OLIVE TRANSFER STATIONS TO ATLANTIC SCALE COMPANY, INC.

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) issued an advertisement for the receipt of public bids for “Contract No. SW-12 (Second Rebid) Truck Scale Upgrade at the MCMUA ParsIPPany and Mt. Olive Transfer Stations”; and

WHEREAS, as a result of the rebid, the MCMUA received two (2) bids on October 31, 2017 from the companies listed below at the bid price shown for the truck scale upgrades which includes all labor, material and equipment to upgrade one truck scale at the ParsIPPany-Troy Hills Transfer Station and four truck scales at the Mt. Olive Transfer Station:

	<u>Bid Amount</u>
Gerhart Scale Corporation South Amboy, NJ	\$131,000.00
Atlantic Scale Company, Inc. Nutley, NJ	\$147,800.00

WHEREAS, Atlantic Scale Corporation sent an e-mail to the Executive Director on October 31, 2017 after the bid opening alleging that several of the technical load cell specifications requirements of the bid were not met by the low bidder; and

WHEREAS, the bid submitted by Gerhart Scale Corporation indicated on the Certification of Bidder Regarding Affirmative Action Program that it would not comply with State Affirmative Action Regulations and file appropriate documents with the State Agency upon notice of award of the contract; and

WHEREAS, N.J.S.A. 10:5-32 states: “No public works contract shall be awarded by the State, a county, municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, nor shall any moneys be paid thereunder to any contractor, subcontractor or business firm which has not agreed and guaranteed to afford equal opportunity in performance of the contract and . . . in accordance with an affirmative action program approved by the State Treasurer.”; and

WHEREAS, in accordance with N.J.S.A. 10:5-32, the bid of Gerhart Scale Corporation must be rejected; and

WHEREAS, the bid submitted by Atlantic Scale Company, Inc. does not contain any material defects.

WHEREAS, the Authority's Treasurer certifies that funds are available from the Authority's Budget in account 01-1-900-000-128 in order to award "Contract No. SW-12 (Second Rebid) Truck Scale Upgrade At The MCMUA Parsippany and Mt. Olive Transfer Stations" to the lowest responsible bidder in the bid amount of \$147,800.00.

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

1. The bid submission of Gerhart Scale Corporation is rejected in accordance with the requirements of N.J.S.A. 10:5-32.
2. The Authority exercises its discretion to waive all immaterial defects, if any, with respect to the bid of Atlantic Scale Company, Inc., received on October 31, 2017.
3. The Authority awards the "Contract No. SW-12 (Second Rebid) Truck Scale Upgrade At The MCMUA Parsippany and Mt. Olive Transfer Stations" to Atlantic Scale Company, Inc. having a business address at 136 Washington Avenue, Nutley, New Jersey 07110, as the lowest responsible bidder, in the amount not to exceed the bid price of \$147,800.00 and the Executive Director is authorized to execute said contract.
4. The Contract awarded herein to Atlantic Scale Company, Inc. shall commence after the execution of the Contract, the submission of the Performance Guarantees and all required insurance certificates required by the Contract, in a form acceptable to the Risk Manager of Morris County, and after the issuance of a Notice to Proceed.
5. The bid security of Gerhart Scale Corporation shall be returned and a copy of this Resolution shall be provided to Gerhart Scale Corporation.
6. 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.
7. A copy of this Resolution shall be submitted to the Authority's Treasurer and kept on file in the offices of the Authority.
8. 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 November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Dr. Kominos made a Motion to award the contract for the Truck Scale Upgrade At The MCMUA Parsippany and Mt. Olive Transfer Stations to Atlantic Scale Company, Inc. in the amount of \$147,800.00 and Mr. Druetzler seconded the Motion.

Mr. Hudzik asked if we expect Gerhart to challenge the bid and Mr. Carney replied it is unknown if they will or not, but it is statutorily required. It is not an issue the Board can waive. Mr. Carney mentioned that the basis for rejection is solely for Affirmative Action.

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

Mr. Gindoff mentioned that we successfully auctioned off our unscreened compost which has been a challenge all year long. We will give a report next month on what we actually made on it. He mentioned that he is sure that it is under the \$4.00/cubic yard, what our standard rate is and is guessing it is going to be in the \$2.00/cubic yard range. He added that they are clearing the site and we are getting ready for leaf season.

TRANSFER STATIONS

Tonnage - For the month of October 2017, the tonnage of solid waste accepted at the two transfer stations was 35,326 tons. This monthly tonnage for October 2017 was 8.64% greater than the 32,516 tons accepted a year ago in October 2016. Based on monthly tonnage disposed of for the first ten months of the year, for 2017 the annual total tonnage disposal is still trending ahead of 2016 and is projected to be 398,957 tons. If this projection holds true, 2017 tonnage would be 4.23% 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 – Progress on the installation of the air pollution control system by the contractor MBT and its subcontractors continued in earnest in October. One issue that arose this month that outside the initial scope of the project, was the identification of rotten soffits along the front of the transfer station building. The soffit’s deteriorated condition had to be addressed in order for the new doors to be installed correctly. Alaimo Engineering reviewed the \$32,902 proposal provided by MBT to repair the rotten soffits and recommends that the MCMUA adopt Change Order No. 1 in the amount of \$32,902 authorizing the repair of the rotten soffits. As part of this change order, a 14-day time extension will be provided. A resolution authorizing Change Order #1 has been prepared and will be presented to the Board for its consideration at the November 6 meeting.

Fire at Mt. Olive Transfer Station – On October 16, 2017 there was a minor fire that occurred at the Mt. Olive transfer station during regular operations. Keil Klaver, who works as a J.P. Mascaro equipment operator and volunteers at the Budd Lake Fire Department, was moving a pile of garbage inside the building when a large cloud of smoke started to form. Mr. Klaver pulled the affected material to the outside of the tipping building where on site personnel used a wash hose to douse the pile. When the fire departments arrived they completed any

extinguishment and reviewed existing piles inside the building for any hot spots. The incident was over quickly and no injuries or damage resulted.

Morris County fire inspector Jim Davidson determined the cause of the fire was ironically a Fit-5 Fire Extinguisher disposed of in the ordinary household waste. The Fit-5 extinguisher is no longer for sale but it was designed as an extinguisher that uses an oxidizer and organic fuel to create a chemical reaction that produces an aerosol powder which interrupts a chemical chain reaction that occurs within a fire tetrahedron. It appears as if the discarded Fit-5 extinguisher was activated in the trash pile causing the adjoining material to burn and then, based on witness statements, the fire was almost fully extinguished by the aerosol powder expelled from the device itself. The Fire Inspector believes the fire to be accidental.

In response to the two previous transfer station fires and in addition to this fire described above, the Morris County Risk Management Office has coordinated an assessment of the MCMUA's operations by EHS Excellence Consulting. The County of Morris uses EHS as a consultant to advise on loss prevention and safety issues. On October 26, 2017 EHS met with MCMUA, Mascaro and Morris County staff to plan out the assessment and EHS has already started the information gathering process. It was determined that the plan initially is to address the fire safety issues and high injury statistics. The areas of focus are transfer stations and recycling collection. EHS will then branch out from there to review job hazard analyses and safety programs MCMUA wide.

Solid Waste Facility Permit: The NJDEP issued the MCMUA a five-year solid waste facility permit renewal for its Parsippany transfer station. The renewal is effective through October 17, 2022. This permit renewal was applied for almost 8 years ago and the previous renewal application spanned the five-year permit time-frame requiring MCMUA to apply again. Now with the near completion of the air pollution control system and the issuance of a revised air pollution control permit for the facility, the NJDEP's Solid Waste Division was in a position to issue this permit.

Scale Upgrade Bid: Following the rejection of the bids for the transfer station scales at the September 19 Board meeting due to material defects in the two bids submitted, staff prepared and issued a rebid, which was publically opened on October 31, 2017. Bids were received from two bidders, Atlantic Scale and Gerhart. These were the two firms that participated in the first bid that was rejected. Staff and Counsel are reviewing the bid submittals and it is anticipated that a resolution recommending the award of this contract will be presented for the Board's consideration at the November 6 meeting.

AJACO Towing – Lease of Additional Lots at Parsippany Transfer Station

The MCMUA received notification that on October 18, 2017 the Parsippany-Troy Hills Zoning Board of Adjustment was to conduct a public hearing to consider an application of AJACO. While receiving the notice of the public hearing AJACO forwarded some additional information regarding AJACO's plans to Alaimo Engineering as we have been requesting for months. In a letter dated October 13, 2017, MCMUA Counsel advised AJACO that the MCMUA would not have time to adequately evaluate the most recent information provided and appearing before the Board of Zoning Adjust would be at AJACO's sole risk, as the MCMUA may not authorize the improvements AJACO is proposing. Copies of the October 18 hearing notice and the October 13, 2017 letter from MCMUA Counsel have been provided in the Correspondence Report.

SOLID WASTE MANAGEMENT PLAN

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

Following limited Council approval by Rockaway Borough and subsequent request by the MCMUA to include the CipCycle Class "A" Recycling facility in the Plan based on the limitations cited by Rockaway Borough, the NJDEP approved the modification to the Plan in a letter dated October 13, 2017. A copy of this letter has been provided in the Correspondence Report.

HOUSEHOLD HAZARDOUS WASTE MANAGEMENT

Program Participation – During October 2017, a total of 155 residents and businesses delivered waste to the permanent household hazardous waste (HHW) facility in Mount Olive. This is down from October 2016 levels when only 181 participants used the facility and is down from September 2017's participation when 206 participants used the facility.

One-Day HHW Events – The MCMUA conducted its last HHW event for the 2017 calendar year at Pequannock Valley Park on Saturday, October 28, and it was a smooth event without issue. While there was a line of cars consistently throughout the day, the weather was pleasant, and the residents were appreciative of our efforts. This was a new location for this program in a town that we have not hosted an event in for a few years, and from what we noticed it was largely attended by Pequannock residents, although we had some come from as far away as Washington Township. The flow of the event was modified a bit due to physical constraints with the work space as we just had two lines of cars run through the parking lot, HHW first and then E-waste second. This seemed to work well. There was a grand total of 849 vehicles through the event, of which 746 cars had either HHW only or a combination of HHW and E-waste at a cost of \$35.99 per vehicle (\$26,848.54) and 103 cars had only E-waste at a cost of \$0.00 per vehicle. Both vendors (MXI and MRM) performed well during the day.

Staff is preparing bid specifications for the replacement of the larger of the two prefabricated hazardous waste storage units at the permanent HHW facility. This storage unit is the original one placed at the facility about 20 years ago and it has served us well but it is time to replace it with a new one. The MCMUA planned on utilizing a portion of its Recycling Enhancement Grant to pay for this replacement. Bids will be released in November with bids to be received in time for consideration of award by the Board at the December 2017 meeting.

VEGETATIVE WASTE MANAGEMENT

Facility Report – With leaf season upon us the MCMUA successfully auctioned the final two remaining piles of unscreened compost to two different bidders from both compost sites. Both auctions had an opening bid set at \$2,000. After the bidding war concluded, the Parsippany Auction was awarded to Tri-State Bulk Garden Supply at \$5,670.72 (\$5,275.00 after GovDeals fees). The Mount Olive Auction was awarded to Saxton Falls Sand and Gravel at \$6,503.75 (\$6,050.00 after GovDeals fees). Both bidders have paid the above amounts since the auction concluded. Saxton Falls has already pulled about 500 cubic yards of compost from the Mount Olive Site; Tri-State should start picking up their material at the beginning of November. A copy of the Vegetative Waste Report providing inbound and outbound cubic yardage and sales figures will be provided to the Board at the November meeting.

OPEN SPACE PRESERVATION

On October 23, 2017, Larry Gindoff participated in the Morris County Open Space Trust Fund Committee meeting when recommendations to the Freeholders on the funding requests submitted for each project is considered. The Chairman of the Committee is scheduled to appear before the Freeholder Board on November 8 to provide the recommendations of the Committee. At the onset of the funding season, there were seven applications for funding. The one project in Morris Township, referred to as Valley View II, withdrew its application due to issues discovered late in the process regarding deed restrictions. Earlier in the year, the MCMUA approved potentially being an alternate funding source for Valley View II if needed, but with this project being withdrawn, that matter will not come before the Board this year. This does not mean this project cannot be reformulated to account for the deed restrictions in the future. The other six projects were positively endorsed by a majority of the Committee members.

RECYCLING REPORT:

Ms. Hourihan gave an update on recycling markets. We just received the October statement from ReCommunity. She gave comparisons in her report from August to September so this is from September to October. She gave the following comparisons: the corrugated cardboard price had been nice for a several months at around \$200 a ton around August and it came down to \$150 in September and for October, it is at \$104. Cardboard contributes a significant percentage to our overall price, so that had an impact. Mixed paper, which is everything else in the paper category

that is not cardboard, was around \$127 to \$114 per ton and then it came down in September to \$87 and it is now down to \$80. Between the two drops in those commodities, the effect that had on our single stream price was a decrease of just about \$12 a ton just for paper. The bottles and cans contributed another reduction of about \$2.00 a ton in our price so our overall price came down to about \$13.65 for this month. From August to September, it had decreased about \$20.00 a ton so for the two months combined it was about a \$34.00 decrease. So now our net price is -\$13.00 for the month of October. She is not sure if we will see further decreases from here or if it will stabilize. She will follow up with ReCommunity to see what they are looking at going forward. Ms. Hourihan mentioned that loads being shipped out now starting in November, they will arrive in China on January 1st, so January 1st we may see other impacts of that with those loads.

Mr. Hudzik asked if there is any other market than China? Ms. Hourihan replied yes, there are other markets opening. Because of those markets opening up that is what is keeping the paper moving, otherwise we would see a steeper decline. Chairwoman Szwak asked no U.S. markets? Ms. Hourihan replied that we used to have a lot of paper mills in the U.S. and a lot of them have closed down. She mentioned that she does not have a handle on how much of the paper stays domestically.

Ms. Hourihan asked for the Board's approval of the following Resolutions. With regard to the first resolution, we received a letter from Republic, which is the new company that bought ReCommunity, asking to replace the Performance Bond that they provided. Our contract with ReCommunity requires a \$300,000 Performance Bond, which gets updated annually, so they are asking that we replace the one that they sent with the one we have and send it back. Mr. Carney reviewed the Performance Bond and it is acceptable, so the resolution authorizes us to return the old Performance Bond. Mr. Carney mentioned that bond goes through 2017. The new bond becomes effective October 1st and runs through January 25th of 2019. The principal on the bond is still FCR Morris LLC, which is what you have your contract with, that does not change as a result the stock purchase by a subsidiary of Republic Services. Ms. Hourihan mentioned that our end date on that is the end of our first term of our contract. Our contract with ReCommunity is for three years and we have two one year extensions.

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

RESOLUTION NO. 17-86
RESOLUTION AUTHORIZING REPLACEMENT OF PERFORMANCE BOND
FOR MARKETING OF SINGLE STREAM RECYCLABLE MATERIALS CONTRACT
BY AND BETWEEN THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
AND FCR MORRIS, LLC

WHEREAS, the Marketing of Recyclable Materials Contract by and between the Morris County Municipality Utilities Authority (MCMUA) and FCR Morris LLC, a subsidiary of ReCommunity Holdings II, Inc. dated January 25, 2016, requires FCR Morris LLC to maintain a performance bond in the amount of \$300,000 throughout the term of the contract; and

WHEREAS, FCR Morris LLC provided a performance bond in the amount of \$300,000 dated November 29, 2016, effective January 21, 2017 through January 21, 2018 identifying FCR Morris LLC as principal and Berkley Insurance Company as surety (hereinafter Performance Bond No. 0170349); and

WHEREAS, according to a letter dated September 6, 2017, General Counsel for ReCommunity Holdings II, Inc. informed the MCMUA of its anticipated stock sale of ReCommunity Holdings II, Inc. (the parent of FCR Morris LLC) to Republic Services, Inc.; and

WHEREAS, counsel for Republic Services, Inc. has confirmed that Allied Waste Services of North America, LLC (an affiliate of Republic Services, Inc.) acquired the stock of ReCommunity Holdings II, Inc. on October 2, 2017; and

WHEREAS, FCR Morris LLC remains the operating subsidiary for the Marketing of Recyclable Materials Contract; and

WHEREAS, MCMUA staff received a letter dated October 13, 2017 from Republic Services, Inc. along with a new performance bond identifying FCR Morris LLC as the principal

and Aspen American Insurance Company as the surety in the amount of \$300,000 dated October 9, 2017, effective October 1, 2017 through January 25, 2019 (hereinafter Performance Bond No. SU30023) and requesting the MCMUA to release and return Performance Bond No. 0170349; and

WHEREAS, the MCMUA Attorney has reviewed Performance Bond No. SU30023 and has determined it to be acceptable.

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

1. MCMUA hereby accepts Performance Bond No. SU30023 and Staff is authorized and directed to return Performance Bond No. 0170349.
2. 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 November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to authorize replacement of Performance Bond for marketing of single stream recyclable materials contract by and between the Morris County Municipal Utilities Authority and FCR Morris, LLC and Mr. Barry seconded the Motion.

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

Ms. Hourihan mentioned that the second resolution is to auction, sell or dispose of some equipment, which is another five 30 cubic yard open top roll-off containers and asked for the Board's approval of same:

**RESOLUTION NO. 17-87
RESOLUTION AUTHORIZING THE AUCTION/SALE/DISPOSITION
OF EQUIPMENT**

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

Five (5) open-top, roll-off containers from the Curbside Department:

- 1) MUA GO3-10 (30 cubic yards)
- 2) MUA GO3-20 (30 cubic yards)
- 3) MUA GO3-24 (30 cubic yards)
- 4) MUA GO3-33 (30 cubic yards)
- 5) MTA-1 (30 cubic yards); and

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

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

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

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

1. The Executive Director of the MCMUA is hereby authorized and directed to post and sell the Equipment for auction on an “on-line” web site, such as www.GovDeals.com, to the highest bidder and/or sell or give the Equipment to another governmental entity through a shared services agreement for an agreed upon price and/or to scrap the Equipment at a scrap metal dealer and/or to otherwise dispose of the Equipment at the time deemed appropriate.
2. This resolution shall take effect 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 November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Dr. Kominos made a Motion authorize the auction/
sale/disposition of equipment and Mr. Dour seconded
the Motion.

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

Ms. Hourihan mentioned that the third resolution is to award a contract to purchase two new 2018 or newer 29 cubic yard rear-load compactor trucks. These trucks are to replace some older trucks in our fleet. We opened bids on September 26th and we received two bids which were pretty close price wise. The lowest bid was a sound bid. She mentioned that we took some time to do research on a weight limitation issue that had come up, but that did not impact the bid. Ms. Hourihan asked for the Board’s approval of the following Resolution:

RESOLUTION NO. 17-88
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE PURCHASE
OF TWO (2) NEW 2018 (OR NEWER) 6X4 REFUSE TRUCK CHASSIS WITH
MINIMUM 29 CUBIC YARD CAPACITY REAR-LOAD COMPACTOR BODY
TO DELUXE INTERNATIONAL TRUCKS, INC.

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) advertised for the receipt of sealed competitive bids for the “Purchase of Two (2) New 2018 (or Newer) 6X4 Refuse Truck Chassis with Minimum 29 Cubic Yard Capacity Rear-Load Compactor Body”; and

WHEREAS, the MCMUA received two (2) bids on September 26, 2017 from the companies listed below at the rates shown for the total contract amount for both trucks; and

Deluxe International Trucks, Inc. 600 S River Street, Hackensack, NJ 07601	<u>Total Amount</u> \$404,600.00
Brown's Hunterdon International, LLC PO Box 98, 963 Route 173, Bloomsbury, New Jersey 08804	\$412,950.00

WHEREAS, the bid of Deluxe International Trucks (Deluxe), being the apparent lowest, was reviewed by the Authority's Staff and Attorney to determine compliance with the bid specifications; and

WHEREAS, it was determined that the bid from Deluxe does not contain any material defects; and

WHEREAS, the MCMUA desires to purchase two (2) new refuse trucks with a minimum 29 cubic yard rear-load compactor body according to the bid from Deluxe at the total amount of \$404,600.00; and

WHEREAS, the MCMUA Treasurer has certified that sufficient funds are available in line item 7-01-3-300-800-151 Equipment Purchase for two (2) trucks in the amount of \$404,600.00.

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

1. The MCMUA exercises its discretion to waive all immaterial defects, if any, with respect to the bid received on September 26, 2017 and hereby awards the Contract to Furnish and Deliver Two (2) New 2018 (Or Newer) 6x4 Refuse Truck Chassis With Minimum 29 Cubic Yard Capacity Rear-Load Compactor Body to Deluxe in the total bid amount of \$404,600.00.
2. The Executive Director is authorized and directed to execute the Contract to Furnish and Deliver Two (2) New 2018 (Or Newer) 6x4 Refuse Truck Chassis With Minimum 29 Cubic Yard Capacity Rear-Load Compactor Body with Deluxe upon receipt of a certificate of insurance in a form acceptable to the County's Risk Manager and all other documents required by the contract.
3. A copy of the Resolution shall be sent to all persons that submitted a bid for the "Purchase of Two (2) New 2018 (or Newer) 6X4 Refuse Truck Chassis with Minimum 29 Cubic Yard Capacity Rear-Load Compactor Body." A copy shall be submitted to the MCMUA Treasurer and kept on file in the offices of the Authority.
4. Within three days, Sundays and holidays excepted, after the full execution of the Contract awarded herein to Deluxe, the remaining unsuccessful bidders' bid security shall be returned to them.
5. 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.
6. 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 November 6, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion authorize the award of the contract for the purchase of two (2) new 2018 (or newer) 6x4 refuse truck chassis with minimum 29 cubic yard capacity rear load compactor body to DeLuxe International Trucks, Inc. and Dr. Kominos seconded the Motion.

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

Chairwoman Szwak had a question on the report and asked what happened in Mendham Borough. Ms. Hourihan replied that Mendham Borough went out to bid and we did not submit a proposal. They got one bid and the price came out substantially higher. Three years ago we had been servicing Mendham Borough and they decided to go out to bid as our contract was coming to an end. We were about \$76,000 and the price from the bidder came in at \$44,000. Three years they had that contract and they went out to bid again. The prices for this last one came in around \$80,000. It is the same company but they have now substantially increased their price. We saw that price and it wasn't a price that we could be much lower than that so we did not submit a proposal to Mendham Borough. Chairwoman Szwak mentioned that she likes the enumeration of proposals and current services. Kathleen mentioned that she has been doing it for the last couple of reports.

Mr. Druetzler asked about the collection of garbage for the County. Ms. Hourihan replied that there are two collections of garbage for the County. One is for Morris View and the other is for 19 County buildings. The contract for the 19 County buildings is coming to an end and she is drafting a new contract with very few changes. She has reached out to Chris Walker of Buildings and Grounds and has discussed it with him and let him know that she is preparing a revised proposal which will be submitted to him as soon as she receives Board approval.

Mr. Hudzik mentioned that Morris View is being privatized and do you expect them to have their own hauler? Ms. Hourihan replied that we have been talking to them since July to see how that was going to affect our two contracts with them; one provides recycling and one provides garbage. They have already privatized and their contract went into place November 1st. We decided that we were going to maintain our shared services contracts with the County of Morris and the County of Morris will deal with the new private company. Both of our contracts end December 2018. She is drafting an Addendum for each of those contracts and hopes to present that at the December meeting and also hopes to have something for the other garbage contract with the County of Morris for the 19 individual locations for the December meeting.

Recycling Operations

Revenue and Tonnage – The preliminary September contract statement was received on October 5 in the amount of -\$399.55 and finalized on October 5 for the same amount. As of the writing of this report on November 1, the preliminary report for October has not yet been received. Staff may receive it before the November meeting and will provide an update on market prices at that time, if received.

As for changes seen from August to September, there was a significant decrease seen in paper pricing, which, as calculated in the MCMUA's formula, totals to a \$20.80/ton decrease. The overall price per ton of single-stream decreased from \$114.33/ton in August to \$94.13/ton in September. The value that ReCommunity receives for corrugated went from \$195/ton in August, a very high value, to \$150/ton in September, still a relatively high value. The remaining mixed paper commodity went from a value of \$115/ton in August to \$88/ton in September.

Tonnage collected by the MCMUA for recycling during October was 1,245.3 tons. The monthly tonnage is shown by material and by customer on the attached report.

Recycling Markets – Some speakers at the Association of New Jersey Recyclers Symposium on October 18 discussed China's National Sword policy. Initially, it was thought that any mixed paper over 12% moisture or with excess of 1.5% prohibitives will be rejected with zero tolerance. Now it seems that the tolerance for prohibitives will be even lower at 0.3%. However other countries besides China, are buying the mixed paper, so it has continued to move. It was mentioned that corrugated cardboard prices are strong. One of the speakers listed four reasons why China is imposing these importation restrictions:

- 1) China doesn't want to be dumped on with other country's waste.
- 2) China wants to promote recycling with in their own country.
- 3) China wants to become more self-sufficient.
- 4) China wants to reduce corruption.

As stated last month, staff needs to do more follow-up with ReCommunity to find out exactly how the changes will impact Morris County and the facility in Mine Hill, since we didn't received any clear instructions yet on what we need to do.

Bid to Purchase Two Rear-Loading Compactor Trucks – The bid document was publicized and made available on August 30. Five companies requested bid documents. Two bids were submitted and opened on September 26. Staff and our attorney reviewed the lowest bid. After researching two weight limits, about which staff had become aware as a result of reviewing the bid submittal, staff has a better understanding of the implications of the weight limits regarding the potential impact they have on how we collect material and desires to proceed with the purchase. Staff plans to present a resolution to award a contract for this bid at the November Board meeting.

Replacement Performance Bond for ReCommunity Contract – The MCMUA received a letter dated October 13, 2017 from Republic Services, Inc. requesting that the MCMUA replace and release the current performance bond. The Marketing of Recyclable Materials Contract between the MCMUA and FCR Morris LLC, a subsidiary of ReCommunity Holdings II, Inc. dated January 25, 2016, requires FCR Morris LLC to maintain a performance bond in the amount of \$300,000 throughout the term of the contract. The MCMUA's Attorney verified with counsel for Republic Services that the transaction to acquire the stock of ReCommunity Holdings II, Inc. took place on October 2, 2017. The MCMUA's Attorney reviewed the new performance bond and determined that it is acceptable. Therefore, staff will present a resolution at the November Board meeting to accept the new performance bond and to return the current performance bond.

Auction/Disposition of Equipment for the Curbside Department – Staff has prepared a resolution for the sale/disposition of five (5) 30 cubic yard open-top containers. All of the containers have been determined to be beyond economically feasible repair and staff would plan to auction them.

ReCommunity Single-Stream Composition Audit – As mentioned at the October Board meeting, the next ReCommunity composition audit, tentatively scheduled Saturday, October 21, had to be postponed due a medical issue with a regional manager. Staff will wait to hear when it will be rescheduled.

Purchase of New Roll-off Containers – After awarding this contract at the October meeting to Conshohocken Steel Products, staff completed the contract execution and placed the initial order for 4 – 30 cubic yard open-top containers on October 23. The containers are due no later than December 4.

New Stationary Compactor System at the Chatham Township Recycling Center – The Township started using the unit on Tuesday, October 3, 2017. For the month of October we've

done a total of 6 Pulls of single-stream. On average for Jan- Sep 2017, we've done 13.5 pulls per month. That is a good reduction. Staff will keep track of how the usage of the compactor is going.

MCMUA Contracts with the County of Morris for Garbage and Recycling Services for Morris View – Staff had separate conversations on October 30 with Jennifer Carpinteri, the Director of Human Services for the County of Morris and with Joel Werzberger, the Assistant Administrator for Allaire, the new company that will run the Healthcare Center. The new pricing and revised level of services has been accepted by both parties. Staff sent one final email with a final total estimate for the remaining year of the contract on October 31. It appears that the two parties are going to split the costs for these services and each pay 50%, however, the MCMUA will maintain our shared services contracts with the County of Morris and they will invoice Allaire. Staff offered to draft the revisions in pricing and the level of service in an Addendum to the existing contracts. Staff plans to make the changes effective November 1 and will be retroactive to the approval of the addendum. Staff is targeting to have a resolution to present to the MCMUA Board to approve this addendum for the December meeting.

Curbside Proposal for the Borough of Florham Park – MCMUA is currently in a one-year contract with the Borough, which ends on December 31, 2017. On Tuesday, October 3, staff submitted a proposal to the Borough of Florham Park for a new curbside contract for either a one year or three year term. Staff reached out to Florham Park on October 17 to see if any decisions were made and was told that the Borough's budget review is delayed and that MCMUA staff will be informed as they move forward.

Curbside Proposal for the Borough of Butler – Staff heard back from Butler that they decided to award a contract to their current hauler.

Proposals to Continue Current Services and to Provide New Services – As listed in the last few month's reports, in the coming weeks and months, staff still needs to prepare proposals for the following work:

- Roll-off transport and marketing services for the Borough of Mount Arlington – The MCMUA is currently in a three-year contract with the Borough of Mt Arlington. The contract ends on December 31, 2017. Staff has begun preparing a new contract proposal for the Borough.
- Garbage collection services for the County of Morris – MCMUA is currently in a five-year contract with the County with an end date of December 31, 2017. Under this contract, the MCMUA provides dumpsters and garbage collection to 19 county buildings. The MCMUA purchased a used front-load garbage truck in 2012 to provide this service. Staff plans to purchase a new garbage truck to continue this service. Staff needs to submit a proposal to the County for a new contract.
- Roll-off transport and marketing services for the Township of Washington – The MCMUA has been providing these services to the Township since 1996. There is no current contract in place. Staff met with the Township's recycling coordinator on September 7 to discuss a new contract and pricing. Staff needs to prepare a draft contract to send to the Township for their review.
- Garbage collection services for Mennen Arena of the Park Commission – This would have been new work that would have made use of a compactor that was likely to become available, since the recycling from Morris View has declined due to the meals for the Meals-on-Wheels program no longer being prepared there. This idea was mentioned to the Park Commission in May and more recently in August. Staff awaited a response from the Park Commission to see if they were still interested and received no reply. In the meantime, it seems that Morris View would like to keep the compactor there, so staff notified that Park Commission that the compactor is no longer available and if this idea makes financial sense, we can revisit it in the future.

Curbside Schedules for 2018 - During October, staff was able to finalized all the curbside schedules for 2018 with towns regarding holiday make-ups. All of the towns' calendars for 2018 have been sent. Additionally, staff provided these 2018 schedules to Town Planner, a private company which publishes calendars, on behalf of those towns which utilize Town Planner.

Events/Education/Miscellaneous

Clean Communities – The new storage trailer, mentioned in last month’s report, arrived on October 23 at the vendor’s site and staff went to look at it that day and then the following day brought it to the parking lot of the County College where it will be parked permanently. The County will handle the registration of the trailer. Staff plans to purchase shelving units for the trailer for storage of primarily Clean Communities supplies and equipment.

On October 11, staff attended a Clean Communities County Coordinator meeting in Trenton which included 3 guest speakers. **Educational Programs:** There was one educational program in October at the Nixon School in Roxbury, also mentioned below. **Road Clean-up:** There were three road clean-ups done in October on the 3rd, 12th and 27th. The clean-ups were done on North Road in Chester Township, Green Pond Road in Rockaway and Jefferson Townships and around the Parsippany Transfer Station on Edwards Road, New Road, the Route 280 ramps and on Ridgedale Ave.

Recycling Inspections/Outreach – During October, a total of 50 transfer station loads suspected of improperly containing mandated recyclable materials were photographed and written-up by MCMUA tipping floor inspectors and recycling staff.

Event Containers – The MCMUA’s event containers for recycling and garbage were lent to the following organization during October:

- Borough of Madison for Bottle Hill Day – October 7

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On Wednesday, October 4, staff met with representatives of St. Patrick’s School and Parish in Chatham Borough in order to assist with implementing a comprehensive recycling program.
- Also on October 4, staff did a re-inspection of the dumpsters at the County Hanover Avenue Garage.
- Additionally, on October 4, staff, along with the Roxbury Recycling Coordinator, returned to the River Park Village/The Willows, a multi-family complex, to put recycling and trash decals ten newly delivered dumpsters for recycling.
- On Thursday, October 5, staff gave an education presentation to 13 students, designated as Language Learning Disabled, at the Netcong Elementary School. Staff also arranged and accompanied the students on tours of the Netcong recycling center the Mt Olive Transfer Station on Thursday, October 12.
- Also on October 5, staff attended the Sustainable Business Initiative’s meeting entitled Creating Sustainable Businesses in NJ, sponsored by the NJ DEP’s Bureau of Energy and Sustainability and held at the Hackensack University Medical Center. Also in attendance at this meeting were three representatives from Atlantic Health, which includes the Morristown Medical Center. It was great for Atlantic Health to hear about the programs that Hackensack Medical Center has been implementing.
- On Friday, October 6, staff participated as an exhibitor at the County’s employee health fair.
- On Wednesday, October 11, staff delivered 120 multi-family recycling bags to the Town of Boonton DPW for distribution to their “federal housing project.”
- Also on October 11, staff met with the new Rockaway Borough employee who monitors the recycling center for an education session on acceptable recyclables and other waste management topics.
- On Friday, October 13, staff participated as an exhibitor and a speaker at the Nixon Elementary School Green Fair in Roxbury. Liz Sweedy gave eighteen 15 minute sessions throughout the day to all of the students, grades K-4, at the school. The presentations were adjusted for the different grade levels. Two of the groups were special needs students and Liz used puppets to capture and hold their attention. Additionally, MCMUA Clean Communities sponsored an assembly program called Oceans Rock to kick-off the event and staffed an educational table geared toward the faculty and parents that attended. This event was the culmination of a good deal of advanced planning.
- Also on October 13, recycling staff along with a curbside crew member performed a curbside recycling inspection of the material set-out by residents in Chatham Borough. Plastic bags were the biggest source of contamination. Staff took photos and will mail letters with the photos to the residents.
- On Monday, October 16, staff, along with the Pequannock Township Environmental Health Specialist did a curbside recycling inspection of material set-out by residents in Pequannock

Township and will follow-up with letters and photos to residents with improperly prepared material.

- On Wednesday, October 18, staff attended the ANJR (Association of New Jersey Recyclers) Symposium and Awards Luncheon. There were several very good speakers and a few who spoke about recycling markets and the impacts of China's National Sword policy. Additionally, the next class of Certified Recycling Professionals graduated and included several people from Morris County. New Jersey Habitat for Humanity ReStores and Pedals for Progress were among this year's NJDEP award recipients. Of note, Atlantic Health (which includes the Morristown Medical Center) has recently joined ANJR at staff's suggestion. A representative also attended the ANJR Symposium.
- On October 26, staff met with the Rockaway Township recycling coordinator to conduct waste audits at 3 locations in the school district, Copeland Middle School, Stony Brook School and the Board of Education office. The results, measured in both volume and weight, revealed that a considerable amount, about half, of the garbage is recyclable. The Township recycling coordinator will arrange a meeting with the School Business Administrator to discuss the findings.
- Also, on October 26, after the waste audits, staff stopped at Green Pond Village, one of the complexes of the Morris County Housing Authority, for which the MCMUA provides recycling collection. Back in September, staff had stopped by this complex and saw a lot of problems with recycling that needed to be addressed. So, in follow-up, staff labeled the recycling carts and trash dumpsters. Additionally, staff sent an email to the Housing Authority to offer some assistance with additional education.
- On Monday, October 30, staff met with a representative of the County Buildings and Grounds Department at the Central Avenue Complex to discuss the needs of indoor recycling containers for this building. Employees from the Department of Human Services are being relocated there from the Schuyler building in Morristown effective November 1. Staff is placing an order for new recycling containers which should arrive by November 2. Additionally, on Friday, October 27, curbside crews delivered two outdoor dumpsters to this location, one for garbage and one for recycling. The MCMUA will be collecting both material streams from this building.
- Also, on October 30, staff met with the Rockaway Township recycling coordinator at the Lennar construction site on Green Pond Road. Staff had noticed corrugated in the container with construction debris. Unfortunately, the construction manager had met with the Rockaway Township recycling coordinator at the preconstruction meeting and staff had met with him back in 2013 on a different project, so this was not the first time he had received an explanation about mandatory recycling.

ATTORNEY REPORT:

Mr. Carney mentioned that he had nothing further to say.

There being no further 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:

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

NEW BUSINESS:

Marilyn Regner reminded the Board that the December 12, 2017 board meeting will be at

5:30 p.m., followed by a Public hearing at 6 p.m. for the proposed revision of the water rate.

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

There being no further Business, Chairwoman Szwak asked for a Motion to adjourn the meeting at 7:50 p.m.

MOTION: Mr. Hudzik made a Motion to adjourn the meeting at 7:50 p.m. seconded by Mr. Dour and carried unanimously.

/mr

Marilyn Regner
Secretary