

MINUTES OF REGULAR MEETING

NOVEMBER 5, 2018

The Regular Meeting of the Morris County Municipal Utilities Authority was held on November 5, 2018 at 7:07 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey. The necessary notice of this meeting was published according to the law.

Vice Chairman Dour requested a roll call.

PRESENT: Ms. Laura Szwak, Mr. James Barry, Dr. Arthur Nusbaum,
Mr. Christopher Dour, Dr. Dorothea Kominos and Mr. Vincent Schindel.

ABSENT: Mr. Frank Druetzler, Mr. Fletcher Platt and Mr. William Hudzik.

Also present were Larry Gindoff, Executive Director; Michael McAloon, P.E., MCMUA Consulting Engineer; Andrew Holt, P.E., Suburban Consulting Engineers; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brent Carney, Esq., Maraziti Falcon LLP; James Deacon, Solid Waste Coordinator; Liz Sweedy, District Recycling Coordinator; and Christine Myers, Freeholder-liaison.

Vice Chairman Dour asked for the Board's approval of the Minutes and the Closed Session Minutes of the Regular Meeting dated October 9, 2018. The closed session minutes were amended in the last paragraph on page 2, first line, to insert the word "Lease/" prior to the word Purchase.

MOTION: Mr. Barry made a Motion to approve the Minutes and amended Closed Session Minutes of the Regular Meeting of October 9, 2018 and Mr. Schindel seconded the Motion.

ROLL CALL: AYES: 3 NAYES: NONE ABSTENTIONS: Ms. Szwak, Dr. Kominos
and Dr. Nusbaum

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating and Water Operating for the month of October 2018. Also included are the Comparative Balance Reports for both Solid Waste and Water through the month of October 2018. The investment report indicates no new investments purchased in the month of October 2018. These reports have been incorporated in these Minutes.

Vice Chairman Dour asked the Board for a Motion to accept the Treasurer's Report:

MOTION: Dr. Kominos 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 explained the next few resolutions, this morning he emailed summaries of the 2019 solid waste and water division budgets to all the Board members. The proposed budgets were discussed and reviewed at a Budget Committee meeting last week. Both budgets address our aging equipment replacement and our capital improvement needs. Both budgets also allow us to maintain sufficient reserves to protect us from unexpected emergencies and critical maintenance needs. Mr. Kaletcher asked for the Board's approval of the following budget resolutions:

RESOLUTION NO. 18-60
2019 Authority Budget Resolution
MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
SOLID WASTE BUDGET INTRODUCTION

FISCAL YEAR: FROM January 1, 2019 TO December 31, 2019

WHEREAS, the Annual Budget and Capital Budget for the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2019 and ending, December 31, 2019 has been presented before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of November 5, 2018; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$42,290,919.00, Total Appropriations, including any Accumulated Deficit if any, of \$42,290,919.00 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 5, 2018 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, 2019 and ending, December 31, 2019 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 11, 2018.

(Secretary's Signature)

(Date)

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

RESOLUTION NO. 18-61
2019 Authority Budget Resolution
MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
WATER BUDGET INTRODUCTION

FISCAL YEAR: FROM January 1, 2019 TO December 31, 2019

WHEREAS, the Annual Budget and Capital Budget for the Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2019 and ending, December 31, 2019 has been presented before the governing body of the Morris County Municipal Utilities Authority at its open public meeting of November 5, 2018; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$4,264,693.00, Total Appropriations, including any Accumulated Deficit if any, of \$4,264,693.00 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 5, 2018 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, 2019 and ending, December 31, 2019 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 11, 2018.

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

Mr. Kaletcher explained that the Department of Community Affairs requires a local government agency to pass a resolution if the DCA has not received budget introductions 60 days prior to the beginning of the new year. Mr. Kaletcher asked for the Board's approval of Resolution No. 18-62:

RESOLUTION NO. 18-62
RESOLUTION OF EXPLANATION FOR DELINQUENT
2019 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 2019 budgets.

 Secretary of the Board

 Christopher Dour, Vice Chairman

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

Vice Chairman Dour asked for the Board's approval of the vouchers:

BILL RESOLUTION NO. 18-63

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. 18-63 containing 7 pages for a total of \$3,555,174.22 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

WATER OPERATING FUNDS	4385-4427	\$	247,617.45
SOLID WASTE OPERATING	9347-9431	\$	<u>3,307,556.77</u>
		\$	3,555,174.22

CERTIFICATION

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

DATE: November 5, 2018

BOARD VICE CHAIRMAN APPROVAL

Christopher Dour, Vice Chairman

SIGNED: _____
Marilyn Regner, Secretary

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds in the appropriations charged, or accounts listed to cover the expenditures included in the SCHEDULE OF WARRANTS dated: November 5, 2018.

DATE: November 5, 2018

Larry Kaletcher, Treasurer

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

Ms. Szwak asked if the medical claims amount under the prepaid section is the normal amount. Mr. Kaletcher replied that is the normal amount and explained that the County pays the bill and they charge us back every month.

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

CORRESPONDENCE:

Mr. Gindoff mentioned that there was no additional correspondence tonight. He mentioned on item no. 3, which is a memorandum we sent out to municipalities regarding our compost facilities. After hearing from a couple of the municipalities that deliver leaves to our Parsippany location regarding the extended hours we typically hold this time of the year, they requested that we don't stop them on December 1, as the leaves have been coming down later than usual. We will be reaching out to the municipalities that utilize that facility and tell them that we will extend the hours like we mentioned in the letter for as long as they need during the season. Lastly, on item no. 7, which is an honor that James Deacon is getting from the Sheriff's Office, he called on James Deacon to explain what he is receiving an honor for. Mr. Deacon explained that the Sheriff's Office nominate civilians for certain awards that they call medal day and the Bomb Squad Commander nominated me for some things I did for HAZMAT and the other thing was we help do accreditation at the Jail and the holding cells at the Courthouse every year for indoor air quality, natural light to the cell and noise monitoring.

Letter dated October 11, 2018 to Nelson Landon, Alaimo Group, from Philip S. Tobey, CEO, Bondex Insurance Company regarding payment of bond claims for Air Pollution Control System Contract No. 2016-1.

Letter dated October 22, 2018 to Commissioners Druetzler and Platt and Larry Gindoff from Peg Gallos, Executive Director, Association of Environmental Authorities, thanking them for participating in the commissioners' supper.

Memorandum dated October 19, 2018 to Directors, County of Morris Departments of Public Works, from Anthony Marrone regarding MCMUA Compost Facilities 2018 Leaf Season Hours.

Letter dated October 17, 2018 to Larry Gindoff from Julio Galarza, Solid Waste Consultant, Solid Waste Compliance, LLC regarding Plan Amendment to include additional recyclable material for Northeast Products, LLC Class B Recycling Center.

Letter dated October 31, 2018 to Amy Rhead, Municipal Clerk, Township of Roxbury from James Deacon regarding Morris County Solid Waste Management Plan Request for Northeast Products, LLC, Class B Recycling Facility.

Draft Letter dated November 8, 2018 to Mayor and Governing Body of Town of Boonton (to be provided to all 39 Morris County municipalities) from Freeholder Director Douglas R. Cabana, regarding Solid Waste Management Plan Amendment dated September 2018 for the inclusion of KDS Aggregates, LLC Class "B" Recycling Center in the Township of Mount Olive.

Letter dated October 29, 2018 to James Deacon from Corporal Laura Bertelli, Awards Committee Administrator, Morris County Sheriff's Office, congratulating him on being chosen the recipient of the Morris County Sheriff's Office Citizen Service Medal.

Letter to Larry Gindoff from Andrew Gigantino, Life Scout, BSA Troop 155, thanking him for contributing five cubic yards of mulch to his Eagle Scout Project.

Recycling Today Article dated October 2018 entitled “Recovered Paper Markets In Flux”.

Letter dated November 2, 2018 to New Jersey Department of Environmental Protection from Anthony Milonas, Water Superintendent, regarding T1 Reports for the Morris County MUA for the month of October 2018.

ENGINEER'S REPORT:

Mr. McAloon provided the following updates: (1) We met with representatives of Mine Hill this month to review a couple items with regard to the current operation. Mine Hill questioned the accuracy of the existing bulk meter, as well as the calculation used to determine the monthly water usage. We are currently in the process of preparing a formal response to these questions. Additionally, we took the opportunity to discuss their future long-term anticipated water sales. They do expect a few projects over the next few years, but they do not expect to exceed their current contractual amount. Additionally, a meeting has been scheduled for November 19 between Mt. Arlington, the MCMUA and Suburban Consulting Engineers to further discuss future projections of water usage and demand in their system. Once we get a better understanding of what we anticipate from them, we will be prepared to discuss and present to the Board.; (2) We finalized a review of the MCMUA “Regulations, Specifications and Rate Schedule”. It is currently being reviewed by Legal Counsel.; (3) We are working on identifying the minimum performance criteria for emergency repair and on-call work. We are prepared to schedule a meeting with DCA to coordinate their review and begin the bid process.; (4) We updated the Asset Management Plan to reflect the work completed in 2018, as well as assisted MCMUA Treasurer in preparing 2019 Capital Improvement Project Budget and engineering budgets for the system needs over the next five years.; (5) We opened bids for our annual Sodium Hypochlorite Solution bid, Contract W-19, on November 1 and are prepared to present the resolution.

Mr. Dour asked why we do that bid annually and Mr. McAloon replied that it is an opportunity to make sure that we have competitive pricing every year. Mr. Carney mentioned that Kuehne Chemical’s bid last year is the same as their bid this year, \$6.00 per gallon. Mr. McAloon mentioned that there is a reduction in the award bid from last year of about thirty cents per gallon. Mr. McAloon asked for the Board’s approval of the following Resolution:

**RESOLUTION NO. 18-64
RESOLUTION AWARDING CONTRACT NO. W-19 TO W. R.
NEUMANN COMPANY, INC., TRADING AS MIRACLE
CHEMICAL COMPANY FOR “FURNISH AND DELIVER OF
SODIUM HYPOCHLORITE SOLUTION”**

WHEREAS, the Morris County Municipal Utilities Authority (the “Authority”) advertised for the receipt of public bids for Contract No. W-19 “Furnish and Deliver Sodium Hypochlorite Solution” and received two (2) bids on November 1, 2018 from the companies listed below at the bid price shown:

W.R. Neumann Company, Inc. (trading as) Miracle Chemical Company Farmingdale, New Jersey	\$1.939 / gallon
Kuehne Chemical Company South Kearny, New Jersey	\$6.00 / gallon

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 W.R. Neumann Company, Inc., trading as Miracle Chemical Company, received on November 1, 2018.
2. The Authority awards Contract No. W-19 “Furnish and Deliver Sodium Hypochlorite Solution” to W.R. Neumann Company, Inc., trading as Miracle Chemical Company, having a business addresses of 1151 B Highway #33, Farmingdale, New Jersey 07727, as the lowest responsible bidder, in the amount not to exceed the bid price of \$1.939 per gallon.
3. The Executive Director is authorized to execute Contract No. W-19 “Furnish and Deliver Sodium Hypochlorite Solution” with W.R. Neumann Company, Inc., trading as Miracle Chemical Company, having a business addresses of 1151 B Highway #33, Farmingdale, New Jersey 07727, in the amount not to exceed the bid price of \$1.939 per gallon.
4. The Contract awarded herein to W.R. Neumann Company, Inc., trading as Miracle Chemical Company, 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 02-6-600-630-320 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 5, 2018.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Ms. Szwak made a Motion to award Contract W-19 to W. R. Neumann Company, Inc. , trading as Miracle Chemical Company in the amount not to exceed the bid price of \$1.939 per gallon and Dr. Nusbaum seconded the Motion.

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

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

RESOLUTION NO.18-65
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 5th day of November, 2018 as follows:

1. The base rate to be charged by the Authority for the provision of water is proposed to increase from \$2,523 to \$2,624 per million gallons (MG).
2. A hearing concerning this proposed revision of the rates of the Authority shall be held on December 11, 2018 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 5, 2018.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to adopt Resolution No. 18-65 to Schedule Public Hearing To Amend Water Rate Of Morris County M.U.A. and Dr. Kominos seconded the Motion.

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

(6) He mentioned that Mott McDonald has furnished the 90% drawings and specifications for the Markewicz Pump Station. We held the 90% design review, provided them comments and we are working on getting them finalized and we hope to open bids in January and award in February. Mr. McAloon explained that this project is the upgrade of the Markewicz Pump Station Electrical Improvement. This is a substantial project in which we have high voltage gear, old pumps, high voltage equipment, which is old and antiquated and is very difficult to work with and repair in the event there is an outage. It is really outdated equipment that requires a specialist, so throughout the the Asset Management Plan, this was identified as the top priority. Mott McDonald was the selected design consultant. Part of that project improvements was replacing the existing electrical gear with new state-of-the-art equipment at the lower voltage, which is more common in our industry. There are more contractors readily available to work on it and the new pumps and the other improvements at the station. Markewicz is the heart of the system that helps us move water to the Dover Chester gradient. It is a fairly large project for our system and we anticipate good, positive bids coming back for this, because work like this is going to attract some of the larger contractors.

Dr. Nusbaum asked if there be a significant savings on energy? Mr. McAloon replied we are installing new high efficient pumps, but do not have the calculation. Will look into that and let you know.

(7) Alpine Painting & Sandblasting has successfully completed the tank cleaning project and we recommend payment in full for their services performed.; (8) Route 46 and Canfield Avenue – We finally received additional information from NJDOT with regard to that project. They are adding an additional turning lane at the intersection for improved vehicular traffic. The reason that we are involved is that we have infrastructure in the area. We anticipate a minor impact during construction to our infrastructure. By passing the Utility Engineering and Construction Agreement, that allows us to do the necessary engineering to evaluate the impact to our system and provide the

necessary protection and most importantly to get reimbursed. Mr. McAloon asked for the Board's approval of the following resolution:

RESOLUTION NO. 18-66
RESOLUTION AUTHORIZING EXECUTION OF UTILITY
ENGINEERING AND CONSTRUCTION AGREEMENT (UECA-6-
Rt-46 CANFIELD 133160) TOGETHER WITH THE
ENGINEERING AND CONSTRUCTION AGREEMENT
AMENDMENT BETWEEN THE MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY AND THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION

WHEREAS, the State of New Jersey is preparing to undertake the design and construction of Route 46 & Canfield Avenue located in Mine Hill Township in Morris County (the "Project"); and

WHEREAS, the Project may require the construction and/or the protection, relocation and/or adjustment of facilities of the existing water distribution system which is owned and operated by the Morris County Municipal Utilities Authority (the "Authority"); and

WHEREAS, the Authority's legal right to occupy a public right-of-way, subject to the conditions imposed by the State, is in no way mitigated by this Agreement; and

WHEREAS, the State and Authority shall cooperate in developing plans and cost estimates for their respective work necessitated by the Project; and

WHEREAS, the State will authorize and reimburse the Authority for its actual costs for design, review, approval and inspection, for the protection, relocation or adjustment of its existing facilities necessary to accomplish the Project; and

WHEREAS, such documents specify that the design of utility facilities intended to be constructed by the State for the Authority shall be approved by the Authority before the State includes such facilities in the State's contract documents before the Project is advertised; and

WHEREAS, the Authority's engineering costs for the Project are eligible for reimbursement as set forth within the documents to be executed; and

WHEREAS, the details relating to the process and responsibilities of the parties are set forth in greater detail within the documents to be executed.

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

1. The Executive Director is authorized to execute: (1) the NJDOT Utility Engineering and Construction Agreement UECA-6-Rt 46 Canfield 133160 in substantially in the form on file at the offices of the Authority; (2) the NJDOT Utility Engineering and

Construction Agreement Amendment with Exhibits 1 thru 10 to UECA-6-Rt 46 Canfield 133160 in substantially in the form on file at the offices of the Authority; and (3) the Buy American Commitment Letter and such other documents verifying the Authority's compliance with Federal Buy America requirements for the Project.

2. The Executive Director and the Authority's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
3. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on November 5, 2018.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Schindel to authorize execution of Utility and Engineering And Construction Agreement together with the Engineering And Construction Amendment Between the Morris County M.U.A. and the N.J. Department of Transportation and Mr. Barry seconded the Motion.

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

(9) Lastly, at the Farley Waterworks property, Suburban is performing the Biennial Certification submission to NJDEP with regard to the Soil Remedial Action Protectiveness/Biennial Certification Non-Remedial Action Permit.

PROJECT STATUS

1. General System

- A. The meeting between Mine Hill and MCMUA was held on October 11 at the Mine Hill Town Hall. Attendees included: Larry Gindoff, Tony Milonas and Andrew Holt representing MCMUA, and Mayor Sam Morris and Jerry Coviello, water system operator representing Mine Hill. Several items were discussed during the meeting with regard to current water system operations. Mine Hill questioned the accuracy of the existing bulk meter as well as the calculation utilized to determine the monthly water usage. We are currently in the process of preparing a formal response to these questions. Additionally, Mine Hill indicated they do expect a few significant projects but nothing beyond their current contract purchase amount once those current development projects will be completed.
- B. A meeting has been scheduled with representatives from the Borough of Mt. Arlington, MCMUA, and SCE on November 19 to be held at MCMUA offices to discuss current water supply contracts and evaluate potential future projections of water usage and

demand expected from their system. Mt Arlington's engineering consultant has indicated the Borough has definitive plans for future development that will require additional supply.

- C. We have finalized our review of the MCMUA "Regulation, Specifications and Rate Schedule" document which has been forwarded for review by MCMUA Legal Counsel. Once legal review is complete, it will be presented to the Board for review and adoption.
- D. We have identified minimum performance criteria for review and discussion at the water committee meeting with regard to Contractor qualifications to perform emergency repair response as well as selected on-call work. Once the minimum performance criteria is accepted, a meeting with DCA will be coordinated to review the procedure prior to advertising for bid. We expect bids to be received by year end.
- E. We have updated the MCMUA Asset Management Plan to reflect the work completed in 2018. These updates include: Maintenance Garage exterior doors upgrade and maintenance, Alamatong Well #5 motor control and pump rehabilitation, Flanders Valley #1, #2, and Mt. Arlington Pump Station roof scupper improvements, Water Storage Tank Cleaning Project (Markewicz #1 and #2, Mine Hill, and Dover Chester), and the emergency repair on the transmission main in Mt. Arlington.
- F. We have assisted the MCMUA treasurer in preparing the 2019 Capital Improvement Project Budget and engineering budgets to reflect system needs over the next five years. The Asset Management Plan has identified the Mt. Arlington Pump Station Electrical evaluation and upgrade as the next major capital improvement project. Additionally, new projects were added which included Maintenance Garage Improvements and Pole Barn at Well #7 as part of the 2019 capital improvement projects.
- G. The annual Sodium Hypochlorite bid opening for contract W-19 will be held on Thursday November 1. A bid review and resolution recommending award will be presented at the meeting if conforming bids are received.

2. Markewicz Pump Station Electrical Upgrades Design Project

Mott MacDonald (MM) has furnished the 90% drawings and specifications for the Markewicz Pump Station. A 90% design review meeting with MCMUA, SCE, and MM will be held on Thursday November 1 at 8:00am at the Markewicz Pump Station.

Bi-weekly meetings have continued, the next meeting is scheduled for November 18, 2018.

3. Water Storage Tank Cleaning

Alpine Painting and Sandblasting Inc. (Alpine) has successfully completed the tank cleaning at the Markewicz Tanks #1 and #2, Mine Hill Tank, and Dover-Chester Tank. We have reviewed the work completed by the Contractor and determined he has met all contractual obligations. We recommend processing payment in full for the services performed.

4. Route 46 and Canfield Avenue New Jersey Department of Transportation (NJDOT) Project

As discussed at the October meeting, we have received the preliminary plans and anticipate minor impact to the existing MCMUA infrastructure at this location. MCMUA legal counsel has reviewed the Utility Engineering and Construction Agreement UECA-6-Rt 46 Canfield to confirm acceptance, and resolution will be presented to the Board for its consideration accepting this agreement at the Nov. 5 meeting.

5. Farley Waterworks Biennial Certification

As part of the Farley Waterworks (Mill Pond Road) deed notice, a Soil Remedial Action Permit (RAP) was submitted to the New Jersey Department of Environmental Protection (NJDEP) on January 20, 2016 and was approved as Permit NO. RAP160001. As part of this permit schedule, the next Remedial Action Protectiveness / Biennial Certification Form is due to the NJDEP on November 14, 2018. SCE has performed the biannual inspections, as well as completion and submission to the Soil Remedial Action Protectiveness / Biennial Certification Non-Remedial Action Permit to NJDEP.

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Deacon provided the following highlights: (1) With regard to the tonnage, October 2018 was another great month. The projected tonnage has gone up.

Ms. Szwak asked why has it gone up so much? Larry Gindoff mentioned that he has noticed a giant growth this year and he thinks there is a lot of building going on in Morris County. Dr. Kominos commented that Mr. Druetzler's theory is that it is tied to the economy. Mr. Gindoff believes it is tied to the economy because he sees so much construction going on, old commercial buildings being torn down and then residential ones being built.

(2) Some highlights mentioned in the correspondence, KDS Aggregates and Northeast Products.;
(3) We did close out our Household Hazardous Waste Program with the fourth event at Chatham High School. It all went very well with great layout.

Vice Chairman Dour asked how many satellite sites did we use in 2018? One at Chatham High School and three at the Police & Fire Academy. Mr. Gindoff mentioned that typically we spread them throughout the County. We used a site in Pequannock and a site in Jefferson in the past. We try to spread it on the fringes of the County where our permanent facility doesn't hit.

(4) Correction on the NAHMMA and ANJHHWC site visit, which was supposed to be last Friday, November 2, has been changed to this Friday, November 9. This gives us more time to clean up the site. Mr. Deacon showed the Board the new signs that will be posted at the HHW Facility, as well as E-waste sites throughout the County.

Mr. Gindoff reported that we closed on the HMAT contract and Brent and he attended the Parsippany Public Hearing on October 17 and Mr. Carney mentioned they are due back December 5. Mr. Carney mentioned that at the last meeting, there was a resolution, which was adopted by the Board that authorized Larry Gindoff to execute a Purchase Agreement with HMAT for about 8500 square feet that we had a property dispute with HMAT for the parking of our transfer trailers. We have reached an agreement with HMAT. That land has to be subdivided. They have included the subdivision, they have amended their application before the Board of Adjustment to include the subdivision, so that is all proceeding. They did not get through all of their witnesses on October 17, so they are due back on December 5 before the Board of Adjustment. If the subdivision goes through and their application is approved, then we should have a closing within about 30 days. We were able to purchase that for \$45,000 and the appraised value that we provided to them was \$60,000. Mr. Gindoff mentioned that it is without any lease component so we are not paying anything until the closing. Mr. Carney mentioned that if the closing takes place, then the releases kick in. They do not kick in unless there is a closing.

Dr. Nusbaum asked if they satisfied all the Planning Board's traffic concerns and will that in any way negatively impact our traffic needs for the trucks going in and out. Mr. Carney replied that in the Purchase Agreement this is a very key point because otherwise we wouldn't sign it. They agreed that they will pay the pro rata share of any extra costs to the Authority that results from any traffic that goes in and out of their property. We also have language in there that it will be a restrictive covenant that will be recorded and will run with the land and also applies to all successors and assigns of HMAT. If the Board of Adjustment doesn't approve their application, then there won't be a closing because the subdivision is all tied to it. Our contract with them is done. Mr. Carney mentioned that there will be some environmental reporting that we will have to do with an LSRP.

Ms. Szwak had a couple of questions. Under the Northeast Products, LLC Plan modification, they are talking about pallets and especially untreated pallets with pesticides. Aren't those pallets bearers of this beetle that is coming in? Mr. Gindoff replied the Asian Longhorn Beetle? She asked are they protecting that area from any bugs. Mr. Gindoff replied that they plan on chopping and grinding that material for their natural wood waste. That is their plan. He has not heard of the Longhorn Beetle issue for decades. The MUA tried to request that pallets be chopped and ground at our Camp Pulaski facility in Mt. Olive in the early 2000's and the Environmental Commission of Mt. Olive asked us not to do that because of that beetle issue. He has not heard of it since those days. We have not heard that they are taking any precautions. At this point, we are putting it before the municipality to see if they have their first concerns with it.

He mentioned that this is the first time that he heard in Morris County, short of what we asked, that someone is asking to combine pallets and clean wood with processing of natural wood waste. Dr. Nusbaum asked that Larry research that with the DEP and see if they have any guidance or experts there that may feel the mixing of chopped pallets with wood that is going into a mulch source being dispersed all around the County is not going to be a contamination issue that we are haunted with. Mr. Deacon mentioned that this did go to the DEP and Mr. Gindoff added that the DEP considers all these materials the same. Mr. Gindoff mentioned that we will have to research somewhere outside the Solid Waste group.

Ms. Szwak asked about the spraying around the compost facilities and wants to make sure all the spraying is compatible with water quality and groundwater. Mr. Deacon replied yes and explained that is why the pesticide program gives you a couple different types of training, the turf vs. the roadside 3B. The training is based on where you are spraying, so roadside is different than turf.

TRANSFER STATIONS

Tonnage – For the month of October 2018, the tonnage of solid waste accepted at the two transfer stations is projected to be 39,638 tons. This projection is based on waste accepted through the first 30 days of the month. The actual tonnage accepted for the entire month will be reported to the Board at the November meeting. This projected monthly tonnage for October 2018 is 12.2% greater than the 35,326 tons accepted a year ago in October 2017 and continues the trend of increasing solid waste quantities being generated in Morris County. Based on the first ten months of 2018 transfer station activity, for the year 2018 the annual total tonnage is currently projected to be 415,802 tons. If this projection holds true, 2018 tonnage would be 4.79% more than the 396,139 tons accepted in 2017. Please refer to the Transfer Station Disposal Report by Month for additional information.

Trailer Staging Area (HMAT)- Parsippany Transfer Station

At the October 9 MCMUA Board meeting, a resolution was adopted conditionally authorizing the execution of a purchase agreement with HMAT for the approximate 0.2 acre parcel of property used for trailer storage at the Parsippany Transfer Station. With an October 17 Township of Parsippany Board of Adjustment (TPBOA) hearing serving as milestone to complete the purchase agreement, MCMUA staff, counsel and consultants were able to come to acceptable terms with HMAT to effectuate the \$45,000 purchase agreement. This agreement was executed on October 17, just prior to the TPBOA hearing. It was important to execute the agreement prior to the hearing as the agreement requires HMAT to amend its plan currently before the TPBOA in order to make a lot line adjustment relevant to the purchase agreement. MCMUA staff and counsel attended the TPBOA hearing to ensure the discussion before the TPBOA regarding this matter was in accordance with the purchase agreement. The previously identified traffic concerns were handled by incorporating a requirement for HMAT to pay its pro-rata responsibility of traffic remediation costs in the future should its impact to the MCMUA's permit require modification due to the additional traffic generated by HMAT. The TPBOA did not approve the proposed plan of HMAT on October 17 and the HMAT's application was adjourned to December.

AJACO Heavy Duty Towing and Recovery, Inc. Property- Parsippany Transfer Station

After postponing its planned use of three (3) parcels of MCMUA property at leases to AJACO for its towing operation adjacent to the MCMUA Parsippany Transfer Station, AJACO finally obtained most of the approvals from the Town of Parsippany it needed to begin site work. The only remaining approval they are waiting on is a lighting approval. AJACO has started site work to improve the site and the MCMUA has now required the continuation of \$2,300 lease payments beginning in November 2018.

Air Pollution Control (APC) System- Parsippany Transfer Station

MCMUA staff worked with Alaimo Engineering and the performance bonding company, Bond EX Insurance Company, as well as the general contractor MBT, to finalize the contract and have all payments that deemed appropriate for construction and completion of the Air Pollution Control (APC) System at the Parsippany Transfer Station. The final payment will be made to the

bonding company which will disperse it to MBT's creditors. The final payment on the project to MBT is \$10,000 less than the contracted amount which included one previously approved change order. A letter from Bond EX to Alaimo Engineering and the MCMUA regarding payment is included as correspondence.

Improvements - Parsippany Transfer Station

MCMUA staff met with Alaimo Engineering on Wednesday, October 31 at the Parsippany Transfer Station to inspect and review the conditions of the tipping floor and the problematic trench/ floor drains in anticipation for replacement in 2019. Following input by the MCMUA consulting engineer, these recommended repairs have become a priority for this facility and phase 2 of the roof replacement at the Parsippany Transfer Station will likely be postponed till 2020.

SOLID WASTE MANAGEMENT PLAN

KDS Aggregates, LLC- Plan Inclusion Request- An application for a proposed class "B" recycling facility to be located on Waterloo Valley Road in Mount Olive, formerly used as a concrete plant, was submitted to the county for consideration of including the proposed facility in the Solid Waste Management Plan (Plan). KDS intends to redesign and reopen the concrete plant and equip it to store and process up to 500 tons per day of concrete, brick, block and asphalt.

Solid Waste Advisory Council (SWAC) Resolution #01-2018 recommending inclusion of this facility in the Plan was adopted at the August 10 SWAC meeting. Additionally, a supporting resolution was adopted by the MCMUA Board at its September 11, 2018 regular meeting. These two (2) resolutions and related correspondence were provided to the Morris County Board of Chosen Freeholders in order to facilitate their required public hearing scheduled for Monday, November 19. The Freeholders generated a Notice of Public Hearing on the matter which is attached as correspondence. It should be noted that the host municipality of the Council of Township of Mount Olive previously adopted a favorable resolution approving inclusion of the facility. MCMUA staff anticipates attending the November 19 public hearing to address any questions or concerns.

Northeast Products, LLC- Plan Modification Request- A class "B" recycling facility (formally known as Nature's Choice and/ or The Stump Factory) located on Block 8901; Lots 2 and 2.01 in Roxbury Township, New Jersey, currently approved to accept trees, tree parts, stumps, and brush from landscapers, land clearing operations, and municipalities. Additionally, it is approved to accept leaves under an exemption from the general approval notification.

In a letter, included in with the correspondence, from Mr. Julio Galarza of Solid Waste Compliance, LLC., representing Northeast Products, LLC, a request was made for minor modification of the Plan inclusion conditions regarding the acceptance wood pallets and other clean dimensional lumber. These new materials would be processed as part of Northeast's existing recycling processes to handle stumps and other large natural wood waste. The new material would be described as: *Other Wood Waste – Unfinished lumber from new construction projects including pallets. Unfinished shall mean non-chemically treated (not pressure treated, impregnated with preservatives, insecticides, fungicides, creosote, or other chemicals, and not painted, resin-coated or otherwise surface treated, and not laminated or bonded; and not similarly altered from its natural condition). No Lumber from demolition projects will be accepted.* All other conditions of the existing Northeast Products, LLC NJDEP general approval not mentioned in their submitted documentation will remain as currently approved. A letter from the MCMUA to the Township of Roxbury requesting its opinion regarding these requests is included as correspondence.

HOUSEHOLD HAZARDOUS WASTE MANAGEMENT

Program Participation

Morris County residents and businesses continue to schedule household hazardous waste (HHW) appointments in 2018. The MCMUA had a total of 159 completed appointments at the HHW Facility during the month of October 2018. The year-to-date completed appointments now totals 1,625.

MCMUA Staff and the current environmental contractor, MXI, processed a total of 673 vehicles during the final 2018 HHW one-day drop-off event on Saturday, October 13 at Chatham High School in Chatham Township. The program ran smoothly as the level of participation matched the capacity of the site nicely. For the year, 2,385 vehicles were processed during the four (4) MCMUA drop-off events. This is comparable to the 2,421 vehicles processed during the three (3) events in 2017. 2018 represented the first year in a long time that used consumer electronics (E-waste) was not managed as part of the one-day drop-off events and it made a big difference in keeping these important HHW days manageable for the most problematic materials provided by residents. Access to capacity throughout the county for E-waste recycling without the one-day events currently remains adequate. Additionally, hosting four (4) drop-off events in 2018 as opposed to three (3) events in the previous years, also helped keep the programs manageable.

Program Related Training Events- MCMUA employees Michael Nunn, Anthony Marrone, and Brett Snyder attended the HazWoper First Responder 24-Hour Course on October 15 through the 17 at Veolia Environmental Services (ES) in Flanders, New Jersey. MCMUA Anthony Marrone is also scheduled to complete the required Hazardous Waste Management (RCRA) training on Wednesday, November 14. All related training records are kept on file in both the MUA Main Office and at the HHW Facility Office Trailer.

Household Hazardous Waste Facility

MCMUA employees continue to improve overall site conditions up at the Household Hazardous Waste (HHW) Facility in Mount Olive. The Association of New Jersey Household Hazardous Waste Coordinators (ANJHHWC) and the North American Hazardous Materials Management Association (NAHMMA) requested a possible tour/ site visit our HHW Facility on Friday, November 2 during hours of operations/ drop-offs. MCMUA employees completed some field housekeeping in preparation for this site visit. The MCMUA also ordered informational signage on the request of County Risk Management and subcontractor Garden State Environmental Health and Safety Consulting, Inc. (GSE) during their compliance inspection.

Used Consumer Electronics (E-Waste)

The MCMUA purchased and received forty (40) E-waste drop off collection site signs during the month of October. The cost of these signs is being reimbursed by MRM. The signs are being distributed to municipalities that collect E-waste at their local depots. The signs themselves are made from recycled electronic waste. An example will be shown to the Board at the November meeting.

VEGETATIVE WASTE MANAGEMENT

MCMUA completed its 2018 residential deliveries for its screened compost and double ground wood mulch on Friday, September 28. Year-to-date, 1,303 deliveries have been made from both compost locations. In efforts to assist with surplus materials at both compost locations, and to make room for leaf season, the MCMUA has implemented a “pilot program”, extending delivery season to residents that are still interested in purchasing compost. Those individuals who call into the MCMUA office inquiring about our delivery services currently have the option to schedule a delivery on either Thursday, November 8 and/or Thursday, December 6. A few deliveries have already been scheduled. A copy of the Vegetative Waste Report will be provided to the MCMUA Board at the upcoming meeting.

The MCMUA auction/ sale of the unsold bulk quantities of unscreened compost and double ground wood mulch went live on GovDeals.com on Tuesday, September 25. This auction/ sale will help keep the MCMUA in accordance with the NJDEP general approval limits and guidelines and will continue the efficient operations of its two (2) compost facilities. MCMUA sold the material from its Camp Pulaski/ Mount Olive site, and lowered the price for its Parsippany materials after they did not sell initially. MCMUA employees reached out and Emailed local related businesses to update them in hopes to selling off the surplus. MCMUA Anthony Marrone also contacted Morris County municipalities, County College of Morris, the Morris County Park Commission, and local community gardens to inquire if compost was needed at their locations.

MCMUA Anthony Marrone sent out an Email to all the Morris County Department of Public Works (DPW) Directors with information on our 2018 leaf season and our updated work site rules and regulations for both compost locations. These two (2) documents are attached as

correspondence for the November Board meeting. Please note the specific extended leaf season hours for the Parsippany Compost Facility which includes Saturdays, from October 20 till December 1, 2018: 7:00 AM till 12:00 PM and 1:00 PM till 4:00 PM, Monday to Friday. 7:00 AM till 12:00 PM and 1:00 PM till 3:00 PM, Saturdays, Closed Sundays. There are no extended leaf season hours for our Camp Pulaski/ Mount Olive location.

MCMUA Staff Michael Nunn, Michael Rathbun, Brett Snyder, and Anthony Marrone attended the New Jersey Department of Environmental Protection (NJDEP), Bureau of Pesticide Compliance and Enforcement, Basic Pesticide Training Course on Wednesday, September 19 down in Trenton, New Jersey. This is a prerequisite for the Core Certification Exam and/ or the Pesticide Operator License. The identical MCMUA Staff then attended the NJDEP, Bureau of Licensing and Registrations Category: 3B Turf Pest Control Training at the Frelinghuysen Arboretum in Morris Township on Tuesday, October 23. The MCMUA will be purchasing its own equipment to spray overgrown vegetation at its compost facilities and transfer stations. The County of Morris Weed and Pest Division, under the Engineering Department, was discontinued after some recent retirements. The MCMUA researched different cost estimates and believes that licensing and equipping employees in-house to control unkempt vegetation is most beneficial option.

GENERAL ADMINISTRATIVE MATTERS

MCMUA employees Anthony Marrone and James E. Deacon performed an air monitoring study up at the Curbside Recycling Facility- Maintenance Garage Bays on Friday, July 6. The MCMUA purchased an Air Purifiers, Inc.- Monoxivent Source Capture Systems Unit (PUSC-T-MTR) portable vehicle exhaust system for MCMUA mechanics to use when vehicles are idling and undergoing maintenance while inside the work bays. Results proved that the PUSC-T-MTR is eliminating the CO emissions buildup generated from the diesel exhaust. A formal SOG (Standard Operational Guideline) was generated by the MCMUA for use of this equipment and provided to the Curbside Supervisors. A copy of the results in a formal report and this SOG was then sent to Morris County Risk Management for their review. A follow-up by both County Risk Management and Garden State Environmental Health and Safety Consulting, Inc. (GSE) occurred onsite at the Curbside facility on Wednesday, October 24 where small improvements were discussed.

MCMUA employees also continue to work with GSE on some indoor air quality studies at the Camp Pulaski/ Mount Olive Compost Facility. GSE met with MCMUA safety officer Fred Wilson and Operational Supervisor Bobby Ross on Tuesday, October 23 to review the inside of the facility's office trailer and associated mold issues. Results of this study are pending.

RECYCLING REPORT:

Ms. Sweedy reported that the rate for single stream in the month of September was -\$39.96 per ton. The October statement has not been received. We expect the actual statement from ReCommunity/Republic Services by Wednesday, November 7, which will be the fifth business day in November.

She mentioned the article on the front page of Star Ledger today titled "Recyclers Now Think Outside the Pizza Box" brings the restrictions and challenges with recycling to the forefront. The subtitle "You thought you were helping the planet, but many materials are subject to restrictions", points out some of the items that are not acceptable such as plastic bags, hard covered books, Styrofoam, medical waste, some plastic containers depending on the number code and plastic toys.

Education inspections are of the utmost importance. Together with municipal allies, we need to continue recycling education and make it clear to residents that they need to follow the guidelines. Sometimes that is a bit difficult, a lot of people are confused. Municipal Recycling Coordinators are urged to work with schools and institutions, those being the large quantity generators. The photo in the article shows a rather clean tipping floor with very little material, which is not what one would see at most Material Recovery Facilities, such as ReCommunity/Republic Services. The article provided some valid points and it is important to get the information about recycling challenges out to the public on a regular basis.

We met with Florham Park last Friday. They are looking to come back into our Curbside Recycling Program for residential collection. It was a very good meeting and there were a lot of positive comments. They really want us back and hope that all works out. Mr. Gindoff added that they were thrilled that we had the capability to handle them at the beginning of next year and we anticipate entering into a renewed contract with them.

Mr. Schindel mentioned that he suggested a couple months back that we should send out recycling information to all the towns that we are dealing with and let them send something out with a mailing to the residents. Mr. Gindoff replied that we have been reaching out to the municipalities and we just had our Environmental Guide for Morris County printed and we have been handing them out. Ms. Sweedy mentioned during our September Municipal Coordinators' Meeting, we urged our municipal coordinators to continue getting the information out to the public and also distribute the Environmental Guides. Ms. Sweedy mentioned that she did a presentation in October for a Senior's Group at the Community Center in Parsippany and they were fabulous. It was a great group of about 60 people and they had wonderful questions and very valid concerns.

Mr. Gindoff mentioned that the resolution that we had planned tonight for ReCommunity will not be considered. ReCommunity has not gotten back to us as far as their concurrence with the proposed change to the contract that we sent them. We expect it by next month and we will be addressing this resolution authorizing execution of that amended agreement with ReCommunity as we have been discussing.

Dr. Nusbaum asked what is happening with the recycling market and what is the feeling in the State with other MUA's and recycling people around the State with the markets going on and the costs of getting reimbursed on and what is happening with the materials that are getting backlogged. Ms. Sweedy replied that basically Southeast Asia, India, Vietnam, are markets that are accepting recyclables. The restrictions are very similar to what China had put into place through Green Fence and National Sword, so they are very stringent. Recently there have been purchases of different paper mills domestically by Nine Dragons, a Chinese company. They are planning to process some of the paper domestically and make a pulp product and then export the pulp product because it would not be deemed a waste product. It sounds like these different paper mills in the U.S. will be opening up (reopening), as they were mills that were closed down. It is interesting how things are taking a turn where maybe some of this processing is going to be taking place in the U.S.

Recycling Operations

Tonnage and Value – The September ReCommunity/Republic statement was finalized in the amount of **(\$56,385.07)**. The rate for single-stream in the month of September was **(\$39.96 per ton)**. The October statement and tonnages by material and municipality has not been received and/or compiled as of the writing of this report. As the report is due five (5) business days following the close of a month, the results may not be available by the November 5 Board meeting.

ReCommunity/Republic Contract Extension

On October 4, staff met with Steve Hastings, Director of Municipal Development, and Frank Chimera, Area Senior Manager, Municipal Sales- Northeast Area, of Republic Services (ReCommunity), to discuss details of extending the existing marketing of recyclable materials contract. This matter was discussed with the MCMUA Board at the October 9, 2018 closed meeting session under "contract negotiations." A resolution authorizing the renewal of this agreement may be presented to the Board for its consideration at the November 5 meeting.

Association of New Jersey Recyclers (ANJR) Annual Symposium

On October 17, staff attended the 2018 ANJR Symposium in Neptune. This year's slogan, "When in Doubt – Throw it Out," reflects the message the recycling industry needs counties and towns to spread to residents. The recycling industry needs clean acceptable materials while minimizing contaminants. The agenda included several speakers from the private sector as well as NJDEP representatives. In addition, environmental awards were presented by NJDEP. Michael Arcieri of the Ekman Group provided the status of the recycling industry as it is adjusting to China's import specification changes. China may ban all imports of recyclables by 2020 and their current inspection process is long, difficult and costly. There is news regarding several paper mills opening in the U.S. that plan to create a product called, "roll pulp." China

considers roll pulp a finished product and does not have any import laws against finished products. The demand for paper should increase with domestic mills looking for feedstock and may create competition with the Chinese mills for OCC and mixed paper, which are high in demand. Michael concluded by saying there is movement in the recycling industry, but the costs remain high.

The presentation given by Lari O'Donnell, an employee from the Ericsson Corporation, along with Pioneer Chapter 99, and numerous other Ericsson employees, took on the huge challenge of preventing all kinds of office supplies and furniture from going to landfills, when Ericsson updated offices and implemented a paperless work environment. Lari was one of four "dumpster-diving divas," who began this volunteer effort dubbed "The Big Sweep." The effort took place over a three-year period and involved 126 employees and retirees who volunteered over 18,400 hours cleaning out 2,500 offices. This clean out generated 4,400 desks, 8,500 file cabinets. They collected and donated over 174 tons of office supplies, equipment, and furnishings to 230 organizations. The donated materials went to 230 nonprofits and schools in New Jersey, New York, Pennsylvania, Haiti, Liberia and Belize.

Debi Mans, NJDEP Deputy Commissioner and Scott Brubaker, NJDEP each spoke briefly about current topics the NJDEP is dealing with such as E-Waste, Food Waste, and the importance for the NJDEP to be in touch at the local level. Deputy Commissioner Mans reminded everyone that, "Recycling is the law," and that she supports source reduction, reuse and resource conservation! The Symposium was very informative. The graduation ceremony of the 2018 Class of Certified Recycling Professionals (CRPs) through Rutgers, Department of Continuing Professional Education, concluded the event.

Recycling Inspections and Education

On October 3, staff conducted educational outreach for county employees as part of the M.O.R.E program which is Morris County's in-house recycling program. The exhibit was set-up in the OTA (office of temporary assistance) at the Human Services building. Staff explained proper preparation of recyclables at the county offices. During recent inspections, staff found food waste mixed with recyclables a common problem at this location. Due to the number of employees, this was the second outreach event at this building, providing employees a second opportunity to stop by and garner information.

On October 3, MUA staff provided an educational presentation to the Parsippany-Troy Hills Township senior citizens, at the Township's community center. The presentation was an overview about recycling right, mandated recyclables, and household hazardous waste disposal. Caroline Lambert, group president, was pleased with the question and answer segment, which allowed attendees the opportunity to have their questions answered.

On October 6, staff exhibited at the "Go Green, Save Green" fair at the Morris Habitat ReStore, Randolph Township. The MUA exhibit/outreach table offered recycling and HHW information, recycling decals and MUA Environmental Guides. Participation was great and residents were pleased to have questions answered and were thrilled with the MUA Environmental Guides!

On October 19, MUA staff conducted educational outreach at the Morris County Employee Health Fair, which was held at the Frelinghuysen Arboretum. The event was very well attended. Recycling informational flyers, recycling decals and HHW information were in high demand. Employees were able to get answers to recycling questions regarding recycling at the workplace and at home.

On October 23, MUA staff conducted curbside inspections of recyclables, in the residential sector of Morris Plains Borough. Over 70 units were inspected. Staff took photos of the set outs (recyclables) with issues that need to be corrected. Letters were written with regard to the issues found during the inspection. Photos (showing issues), single-stream flyers and recycling decals were included in the mailing. Much like inspections conducted in other municipalities this year, one of the most common issues is recyclables in plastic bags, or plastic bags mixed with recyclables. Staff also found other unacceptable items (contaminants), and improper preparation.

There were no containers found that exceeded 50 pounds in weight. The follow-up letters address each problem individually and encourage residents to correct issues and follow guidelines.

On October 24, MUA staff provided an educational presentation at the Kemmerer Library, Harding Township. The presentation was hosted by the Great Swamp Watershed Association and was very well attended by representatives from a variety of towns. The program was an in depth overview concerning solid waste, recycling and the current state of affairs with recycling markets. Hazel England, Great Swamp Watershed Environmental Educator, requested a second program for the spring of 2019. The request was prompted by the audience. The lengthy two-hour presentation/discussion was not long enough for this group. Staff is extremely grateful to have presented to such a concerned group of residents who are committed to the proper practices in handling recyclables, HHW and trash and the impact on the environment!

On October 25, staff conducted an informal inspection of trash and recycling dumpsters at the schools at the Roxbury School District. Recyclables were found mixed with trash. Additional education is planned for custodians, faculty and students.

Clean Communities

Educational Programs: There were no educational programs during the month of October.

Road Clean-ups: There were no road cleanup during the month of October.

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On 10/16/18, staff met with Chatham Borough's administrator, CFO, Department of Public Works supervisor, and municipal recycling coordinator to discuss renewal of the curbside recycling contract. The proposed contract would run from 1/1/19 to 12/31/23. At the meeting, staff was asked to send an edited contract showing the changes from the prior contract, specs for the purchase of a 35-cubic yard enclosed container, and updated single-stream flyers. The administrator was concerned about the volatility of the recycling markets and the difficulty of predicting prices. Staff explained that private haulers are in the same predicament and we were recommending to budget what we are currently estimating to be \$55 a ton for the cost of the recycling single-stream material in 2019 as part of the MCMUA contract. Staff is awaiting response from Chatham Borough about renewal of the contract.
- On 10/25/18, staff met with Roxbury Board of Education's assistant business administrator and head of maintenance. The high school is generating large amounts of garbage and they are requesting additional pulls. After examining the waste dumpsters, staff found that the school was recycling only corrugated. The trash dumpsters were full of paper, bottles and some corrugated. There is a replacement lighting project happening at the school and large numbers of boxes are being generated. The school representatives will advise the maintenance contractor, Aramark, that waste is being mixed during collection by the cleaning staff and will correct this situation. Staff has arranged for an additional collection for the high school on a temporary basis until the lighting project is completed.
- On 10/26/18, staff met with Netcong Borough's administrator, CFO, and municipal recycling coordinator to discuss renewal of the curbside recycling contract. The proposed contract would run from 1/1/19 to 12/31/23. At the meeting, the administrator said that they might be looking for a hauler from the private sector. Gaeta is their current trash hauler and may also bid on recycling services, should the Borough go out to bid. The Borough is concerned about the expense of recycling and will be discussing this with their Council early in November. Staff explained that the Borough could be assured that material collected by the MCMUA will be recycled. Staff is awaiting response from Netcong Borough about renewal of the contract.
- Staff is preparing a proposal for Florham Park Borough for curbside collection services to begin in 2019. The Borough is anxious to return to the MCMUA's curbside recycling program after a year of challenges with their new recycling provider. There is an opening in our schedule where we can accommodate Florham Park every-other Thursday utilizing existing levels of equipment and staff.

ATTORNEY REPORT:

Mr. Carney mentioned that he had no report. 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:

(Ms. Szwak stepped out of the meeting at 7:55 p.m.)

Mr. Gindoff updated the Board on the Bartenstein open space project that we discussed several months ago. This is an open space project that the MUA will be partnering with the Park Commission, as well as the New Jersey Conservation Foundation. The Board already provided the authorization for the MUA to participate in this project, but this is now going before the County Board. The participants in it requested that the MUA formally adopt a resolution providing our support and participation so they could go in their negotiations with this formal action. This is not authorizing the release of the money. We will adopt another resolution as this project approaches closing to release the money. Mr. Gindoff asked for the Board's approval of the following resolution:

**RESOLUTION NO. 18-68
RESOLUTION AUTHORIZING PARTICIPATION IN
AN OPEN SPACE ACQUISITION PROJECT -
BARTENSTEIN - LEDDELL PRESERVE ADDITION**

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") having been established by the Morris County Board of Chosen Freeholders pursuant to N.J.S.A. 40:14b-1 et. seq., is empowered to take such steps as it deems necessary and appropriate to protect and preserve the water resources of the County of Morris; and

WHEREAS, in keeping with the implementation of such goals, the MCMUA seeks to enter into partnerships with other public entities and non-profit organizations in order to acquire land for such conservation and preservation purposes; and

WHEREAS, the MCMUA adopted a motion at its May 8, 2018 regular Board meeting authorizing the Executive Director to advise the New Jersey Conservation Foundation ("NJCF") that the MCMUA is interested in being a partner in the land acquisition project - Bartenstein – Leddell Preserve, as an addition to Lewis Morris County Park; and

WHEREAS in an memorandum dated May 15, 2018, the Executive Director provided such notice regarding the MCMUA's participation in the project to the NJCF as well as the Morris County Planning Board; and

WHEREAS in an email dated October 31, 2018, the NJCF requested the MCMUA adopt a resolution formalizing the May 8, 2018 motion providing support relative to the proposed project now in the amount of \$172,500 which equals 15% of the \$1,150,000 currently appraised value of the property; and

WHEREAS, the MCMUA desires to partner in the acquisition of the 17.78+/-acres with the NJCF and the Morris County Park Commission ("MCPC"); and

WHEREAS, the MCMUA desires to contribute \$172,500.00 to the purchase price, with the remainder being provided by the NJCF through a Morris County Open Space Preservation Trust Grant in the amount of \$805,000.00 and MCPC contribution of \$172,500.00, and

WHEREAS, the Treasurer of the MCMUA has determined that there are sufficient funds available from the MCMUA's share of the Morris County Open Space and Farmland Preservation Trust Fund in the amount of \$172,500.00 in line item # 13-290-56-580555-888, to partner on the acquisition of said lands, and

WHEREAS, the MCMUA recommends approving the partnership to purchase said Bartenstein - Leddell Preserve Addition property.

NOW THEREFORE BE IT RESOLVED, by the MCMUA on this 5th day of November 2018, as follows:

1. The MCMUA's \$172,500.00 portion of the total \$1,150,000.00 needed to purchase the said Bartenstein - Leddell Preserve Addition property, Block 147, Lots 20, 22, 23 & 24, in the Township of Mendham, County of Morris, New Jersey is hereby authorized and approved.

2. The MCPC will retain in fee 17.78+/- acres of the Bartenstein - Leddell Preserve Addition property as an addition to Lewis Morris County Park.

3. This payment is funded through monies from the Morris County Open Space and Farmland Preservation Trust in the amount of \$172,500.00.

4. The Executive Director is authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.

5. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at a Regular Meeting held on November 5, 2018.

MORRRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to authorize participation in an open space acquisition project – Bartenstein – Ledell Preserve Addition and Dr. Nusbaum seconded the Motion.

ROLL CALL: AYES: 5 NAYES: NONE ABSTENTIONS: NONE

(Ms. Szwak re-entered the meeting at 7:58 p.m.)

Mr. Gindoff advised the Board that the Heritage Homes open space project in Washington Township on Schooley's Mountain Road that fell apart is coming back together and the project is back on. We are still a party to this project and we have a previously adopted resolution authorizing it. We will be resuming participation as expected in the near future.

Mr. Gindoff mentioned that he distributed to the Board a draft of the Open Space Acquisition Plan for the Morris County M.U.A. for the Board's review. He mentioned that he would like to have a group of volunteers to work on it with him at the Board level so it could be finalized. He would be happy to entertain any comments anyone has on this document as we continue to work through it.

Dr. Nusbaum asked isn't this all pursuant to the wellhead protection study that we did for the Alamatong previously? Didn't they designate many of the properties that are in here? Mr. Gindoff replied yes, we had a couple of studies in the past that we are trying to consolidate and not reinvent the wheel. He has seen what we have done in the past by identifying the water resources, what properties that we have acquired and trying to figure out how we acquire more based on what water resource conservation needs.

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

NEW BUSINESS:

Ms. Szwak mentioned that she is representing the MUA on the County Open Space Committee and reported that the County Open Space Committee met several times and they did all their site visits. There were five applications for a total of 2.3 million dollars to preserve 47 acres. The Committee has made a recommendation which will now be presented to the Freeholders on Wednesday. The Freeholders will work to approve that on November 19. The recommendation of the Committee is not public yet, but will be on Wednesday.

Ms. Regner reminded the Board that the December 11 board meeting will take place at 5:30 p.m., with a Public Hearing at 6 p.m., followed by the Board dinner at 7 p.m.

There being no further business, Vice Chairman Dour asked for a Motion to adjourn the meeting at 8:04 p.m.

MOTION: Dr. Nusbaum made a Motion to adjourn the meeting at 8:04 p.m., seconded by Dr. Kominos and carried unanimously.

Marilyn Regner
Secretary

/mr