

MINUTES OF REGULAR MEETING

MARCH 12, 2019

The Regular Meeting of the Morris County Municipal Utilities Authority was held on March 12, 2019 at 7:08 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.

Chairman Hudzik requested a roll call.

PRESENT: Ms. Laura Szwak, Mr. Christopher Dour, Mr. Fletcher Platt, Mr. Gene Feyl and Mr. William Hudzik.

ABSENT: Mr. James Barry, Mr. Frank Druetzler, Dr. Arthur Nusbaum and Dr. Dorothea Kominos.

Also present were Larry Gindoff, Executive Director; Andrew Holt, P.E., MCMUA Consulting Engineer; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brent Carney, Esq., Maraziti Falcon LLP; James Deacon, Solid Waste Coordinator; Liz Sweedy, District Recycling Coordinator; and Jacqueline Knapp, Court Stenographer.

PUBLIC HEARINGS

Brent Carney, Counsel for the MCMUA, mentioned that the MCMUA will be conducting the following three Public Hearings this evening: (1) Public Hearing To Amend The Authority's Rate Schedule with respect to application fees and inspection fees, as well as meter calibration fees and labor and material fees; and (2) Public Hearing To Adopt Rate Schedule for Household Hazardous Waste Fees; and (3) Public Hearing To Adopt Rate Schedule for Wood Chip Acceptance Fees.

Mr. Carney announced the first Public Hearing will be To Amend The Regulations, Specifications and Rate of the Morris County Municipal Utilities Authority. The MCMUA adopted Resolution No. 19-19 at the February 11, 2019 Board Meeting setting forth the date of this public hearing.

The Resolution called for the provision of notice for a Public Hearing in two newspapers, the Daily Record and the Star Ledger, as well as written notice to each of the MCMUA's water customers. Notice was given in accordance with the statute and proofs of publication and mail receipts are on file at the MCMUA office.

Mr. Carney read into the record exhibits that have been pre-marked. Mr. Carney stated that we are going to call on the Treasurer and the MCMUA Water Consulting Engineer as witnesses for presentations and testimony. Mr. Larry Kaletcher, Treasurer, was sworn in and proceeded with the presentation of his statement into the record to amend the rate schedule for the tapping, inspection and other service fees listed in the Potable Water System Regulations, Specifications and Rate Schedule of the Morris County Municipal Utilities Authority. Members of the Authority were invited to ask questions regarding the testimony. There were no questions from the Board. Seeing no comments, Mr. Carney opened the hearing to questions from the Public. There were no members from the Public present to ask questions or make comment. Mr. Carney called on Andrew Holt, MCMUA Water Consulting Engineer, to give his testimony. Mr. Andrew Holt, MCMUA Water Consulting Engineer, was sworn in and proceeded with the presentation of his statement into the record to amend the rate schedule for the tapping, inspection and other service fees listed in the Potable Water System Regulations, Specifications and Rate Schedule of the Morris County Municipal Utilities Authority. Members of the Authority were invited to ask

questions regarding the testimony. There were no questions from the Board. Seeing no comments, Mr. Carney opened the hearing to questions from the Public. There were no members from the Public present to ask questions or make comment.

Court Stenographer, Jacqueline Knapp, took transcript of the Public Hearing for the Authority. **TRANSCRIPT OF THE PUBLIC HEARING TO AMEND THE REGULATIONS, SPECIFICATIONS AND RATE SCHEDULE OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY WILL BE PROVIDED TO THE AUTHORITY AND MADE A PART OF THE RECORD.**

At this time, Mr. Carney recommended that the Chairman ask the Board to consider Resolution No. 19-24, which is resolution to amend the Regulations, Specifications And Rate Schedule Of The Morris County Municipal Utilities Authority, as testified by Mr. Kaletcher and Mr. Holt.

Chairman Hudzik asked the Board's approval of the following Resolution No. 19-24:

RESOLUTION NO. 19-24
RESOLUTION TO AMEND THE REGULATIONS, SPECIFICATIONS AND RATE SCHEDULE OF THE 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 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, there is a need for the Authority to enact a comprehensive amendment of the Regulations, Specifications and Rate Schedule of the Authority pursuant to the Act; and

WHEREAS, the Authority adopted Resolution No. 19-19 on February 11, 2019, scheduling a public hearing on March 12, 2019 regarding the proposed amendment to the Rate Schedule (Schedule 2) pertaining to “Permit, Inspection and Other Service Fees” of the Authority; and

WHEREAS, the Authority conducted a public hearing on March 12, 2019 regarding the proposed amendment to the Rate Schedule (Schedule 2) pertaining to “Permit, Inspection and Other Service Fees” of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority, in the County of Morris and State of New Jersey on this 12th day of March, 2019 as follows:

- 1) The Regulations, Specifications and Rate Schedule of the Morris County Municipal

Utilities Authority is hereby amended in its entirety as set forth in Attachment A hereto.

- 2) The provisions of these Regulations, Specifications and Rate Schedule are severable and the invalidity of any phrase, clause or part thereof shall not affect the validity or effectiveness of the remainder.
- 3) This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on March 12, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
William Hudzik, Chairman

ATTEST:

Marilyn Regner

ATTACHMENT A

**REGULATIONS, SPECIFICATIONS AND RATE SCHEDULE
OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY**

MOTION: Mr. Dour made a Motion to Amend The Regulations, Specifications And Rate Schedule Of The Morris County Municipal Utilities Authority and Ms. Szwak seconded the Motion.

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

Mr. Carney announced the second Public Hearing will be To Adopt Rate Schedule Of The Morris County Municipal Utilities Authority for Household Hazardous Waste Fees. The MCMUA adopted Resolution No. 19-20 at the February 11, 2019 Board Meeting setting forth the date of this public hearing.

The Resolution called for the provision of notice for a Public Hearing in two newspapers, the Daily Record and the Star Ledger, as well as written notice to the Municipal Clerks of Morris County. Notice was given in accordance with the statute and proofs of publication and mail receipts are on file at the MCMUA office.

Mr. Carney read into the record exhibits that have been pre-marked. Mr. Carney stated that we are going to call on the Solid Waste Coordinator of the MCMUA as witness for presentation and testimony. Mr. James Deacon, Solid Waste Coordinator, was sworn in and proceeded with the presentation of his statement into the record for the establishment of the proposed new rate schedule for household hazardous waste fees. Members of the Authority were invited to ask questions regarding the testimony. There were no questions from the Board. Seeing no comments, Mr. Carney opened the hearing to questions from the Public. There were no members from the Public present to ask questions or make comment.

Court Stenographer, Jacqueline Knapp, took transcript of the Public Hearing for the Authority. TRANSCRIPT OF THE PUBLIC HEARING TO ADOPT RATE SCHEDULE OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY FOR HOUSEHOLD HAZARDOUS WASTE FEES WILL BE PROVIDED TO THE AUTHORITY AND MADE A PART OF THE RECORD.

At this time, Mr. Carney recommended that the Chairman ask the Board to consider Resolution No. 19-25, which is resolution to Adopt Rate Schedule Of The Morris County Municipal Utilities Authority, as testified by Mr. Deacon.

Chairman Hudzik asked the Board's approval of the following Resolution No. 19-25:

RESOLUTION NO. 19-25
RESOLUTION TO ADOPT RATE SCHEDULE OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY – HOUSEHOLD HAZARDOUS WASTE FEES

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 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, there is a need for the Authority to amend the Rate Schedule (Household Hazardous Waste Fees) of the Authority; and

WHEREAS, the Authority adopted Resolution No. 19-20 on February 11, 2019, scheduling a public hearing on March 12, 2019 regarding the proposed amendment to the Rate Schedule of the Authority; and

WHEREAS, the Authority conducted a public hearing on March 12, 2019 regarding the proposed amendment to the Rate Schedule of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey on this 12th day of March, 2019 as follows:

- 1) The Rate Schedule (Household Hazardous Waste Fees) of the Morris County Municipal Utilities Authority, is hereby amended as attached hereto as Schedule “A.”
- 2) If any provision of this Resolution or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not effect other provisions of the Resolution and to this end, the provisions of this Resolution are declared to be severable.

3) This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on March 12, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
William Hudzik, Chairman

ATTEST:

Marilyn Regner, Secretary

Schedule A

The Rate Schedule (Household Hazardous Waste Fees)

The Rate Schedule pertaining to “Household Hazardous Waste Fees” as follows:
Applicable to all fees charged by the Authority for acceptance of household hazardous waste at the permanent household hazardous waste facility.

<u>Material</u>	<u>Generator Type</u>	<u>Fee</u>
Household Hazardous Waste (all types except propane tanks and latex/water based paints)	Morris County Residential	\$0.00 (no charge)
Household Hazardous Waste (all types except propane tanks)	Out-of-Morris County Residential Generator	\$1.50/lb.
Household Hazardous Waste (all types except propane tanks)	Eligible Very Small Quantity Commercial Generator	\$1.50/lb.
Household Hazardous Waste – Latex/Water Based Paint	Any	\$1.50/lb.
Household Hazardous Waste – BBQ sized Propane Tank	Any	\$5.00/unit

MOTION: Mr. Platt made a Motion to Adopt Rate Schedule Of The Morris County Municipal Utilities Authority For Household Hazardous Waste Fees and Mr. Dour seconded the Motion.

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

Mr. Carney announced the third Public Hearing will be To Adopt Rate Schedule Of The Morris County Municipal Utilities Authority for Wood Chip Acceptance Fees. The MCMUA adopted Resolution No. 19-21 at the February 11, 2019 Board Meeting setting forth the date of this public hearing.

The Resolution called for the provision of notice for a Public Hearing in two newspapers, the Daily Record and the Star Ledger, as well as written notice to the Municipal Clerks of Morris County. Notice was given in accordance with the statute and proofs of publication and mail receipts are on file at the MCMUA office.

Mr. Carney read into the record exhibits that have been pre-marked. Mr. Carney stated that we are going to call on the Solid Waste Coordinator of the MCMUA as witness for presentation and testimony. Mr. James Deacon, Solid Waste Coordinator, was sworn in and proceeded with the presentation of his statement into the record for the establishment of the proposed new rate schedule for wood chip acceptance fees. Members of the Authority were invited to ask questions regarding the testimony. There were no questions from the Board. Seeing no comments, Mr. Carney opened the hearing to questions from the Public. There were no members from the Public present to ask questions or make comment.

Court Stenographer, Jacqueline Knapp, took transcript of the Public Hearing for the Authority. TRANSCRIPT OF THE PUBLIC HEARING TO ADOPT RATE SCHEDULE OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY FOR WOOD CHIP ACCEPTANCE FEES WILL BE PROVIDED TO THE AUTHORITY AND MADE A PART OF THE RECORD.

At this time, Mr. Carney recommended that the Chairman ask the Board to consider Resolution No. 19-26, which is resolution to Adopt Rate Schedule Of The Morris County Municipal Utilities Authority, as testified by Mr. Deacon.

Chairman Hudzik asked the Board's approval of the following Resolution No. 19-26:

RESOLUTION NO. 19-26
RESOLUTION TO ADOPT RATE SCHEDULE OF THE MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY – WOOD CHIP ACCEPTANCE FEES

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 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, there is a need for the Authority to amend the Rate Schedule (Wood Chip Acceptance Fees) of the Authority; and

WHEREAS, the Authority adopted Resolution No. 19-21 on February 11, 2019, scheduling a public hearing on March 12, 2019 regarding the proposed amendment to the Rate Schedule of the Authority; and

WHEREAS, the Authority conducted a public hearing on March 12, 2019 regarding the proposed amendment to the Rate Schedule of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey on this 12th day of March, 2019 as follows:

- 4) The Rate Schedule (Wood Chip Acceptance Fees) of the Morris County Municipal Utilities Authority, is hereby amended as attached hereto as Schedule “A.”

- 5) If any provision of this Resolution or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not effect other provisions of the Resolution and to this end, the provisions of this Resolution are declared to be severable.
- 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 March 12, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
William Hudzik, Chairman

ATTEST:

Marilyn Regner, Secretary

**Schedule A
The Rate Schedule (Wood Chip Acceptance Fee)**

Applicable to all fees charged by the Authority for acceptance of wood chip for recycling at the vegetative waste facilities, if and when capacity permits acceptance of wood chips.

<u>Material</u>	<u>Generator Type</u>	<u>Fee</u>
Wood Chip Acceptance For Recycling	Morris County Municipal Generator	\$0.00 (no charge)
Wood Chip Acceptance For Recycling	Out-of-Morris County Generator and/or Non-Municipal In-County Generator	\$2.00/cubic yard.

MOTION: Ms. Szwak made a Motion to Adopt Rate Schedule Of The Morris County Municipal Utilities Authority For Wood Chip Acceptance Fees and Mr. Platt seconded the Motion.

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

The public hearings were concluded at 7:34 p.m.

Chairman Hudzik asked for the Board's approval of the Minutes of the Reorganization and Regular Meetings dated February 11, 2019.

MOTION: Mr. Dour made a Motion to approve the Minutes of the Reorganization and Regular Meetings of February 11, 2019 and Ms. Szwak seconded the Motion.

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

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating and Water Operating for the month of February 2019. Also included are the Comparative Balance Reports for both Solid Waste and Water through the month of February 2019. These reports have been incorporated in these Minutes.

Chairman Hudzik 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. Platt seconded the Motion.

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

Chairman Hudzik asked for the Board's approval of the vouchers:

BILL RESOLUTION NO. 19-27

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 aid. The SCHEDULE OF WARRANTS designated as Bill Resolution No. 19-27 containing 7 pages for a total of \$2,169,215.08 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

WATER OPERATING FUNDS	4542-4569	\$	73,071.43
SOLID WASTE OPERATING	9726-9813	\$	<u>2,096,143.65</u>
		\$	2,169,215.08

CERTIFICATION

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

DATE: March 12, 2019

BOARD CHAIRMAN APPROVAL

William Hudzik, 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: March 12, 2019.

DATE: March 12, 2019

Larry Kaletcher, Treasurer

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

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

Mr. Kaletcher advised the Board that Nisivoccia LLP will be arriving next week to start the audit of our 2018 financials. Hopefully around the time of our next meeting, he will be able to provide a draft copy of the audit.

CORRESPONDENCE:

Mr. Gindoff mentioned that the Correspondence report that was sent out with the packet included four pieces of correspondence. Also we have three additional pieces of correspondence in this evening's packet: (1) Air Pollution Control System Notice of Violation that was referenced in the Solid Waste Report. We included a copy of the actual NOV that we received from DEP that was received after the packets were sent out. We already responded to that Notice of Violation and forwarded a response to DEP. The NOV was for a few reporting issues and citing violations that we weren't performing correctly. We corrected those immediately, informed DEP and there should not be any penalties associated with this NOV.; (2) Report from Mott MacDonald on the Markewicz bid receipt, which will be addressed during the Water Report.; and (3) Chris Dour forwarded a copy of a Bergen News Article dated March 12, 2019 regarding pollutants (PFAS) that have been found in the Ridgewood water system, the PFAS. Some of the water systems are beginning to file lawsuits against DuPont and some of the industrial generators of some of these materials.

Letter dated February 26, 2019 to Laura Cummings, Executive Director, Southeast Morris County M.U.A., from Larry Gindoff regarding invoice for payment for shortage of 2018 water.

Letter dated February 14, 2019 to Peter J. Gordon, Assistant Director of Risk Management, Morris County Office of Risk Management, from Benjamin A. Hildebrand, Industrial Hygienist, Garden State Environmental, regarding Mold Clearance Report for the Mt. Olive Compost Site, Old Waterloo Village Road, Mt. Olive, NJ.

Letter dated February 27, 2019 to Xavier Pimenta, Vice President, KDS Aggregates, LLC, copied to Larry Gindoff, regarding Administrative Notice of Deficiency for Class B Recycling Center Initial General Approval application for KDS Aggregates, LLC, Mount Olive Township, Morris County.

2019 MCMUA Delivery Services Flyer for Double Ground Wood Mulch & Screened Compost for residents and small businesses of Morris County.

Letter dated March 7, 2019 to New Jersey Department of Environmental Protection from Anthony Milonas, Water Superintendent, regarding T1 Reports for the Morris County MUA for the month of February 2019.

ENGINEER'S REPORT:

Mr. Holt reported on the following: (1) With regard to the item that was just addressed in the Correspondence on the PFOA and PFNA, chemists are concerned that they are being assessed under the unregulated contaminant rule #4, having water systems collect more information about their raw water sources. Under the unregulated contaminant rule #3, we did collect samples from all our sources and there were non-detected results throughout. At this stage, we are not impacted by these pervasive contaminants known to affect surface and groundwaters. Ridgewood, being in a more urban setting and having some other manufacturer and industries nearby, they have almost 60 groundwater well sources and they are quite susceptible to this. We have analytical methods to

measure down to the parts per trillion, that is the level that these new compounds are being detected. He mentioned that we did produce in November of 2018 a fact sheet just on what these compounds are and what the outlook for their regulations will be. They will be regulated because they are known carcinogens. He believes they are going to be more widely detected throughout the systems. Hopefully, our watershed and groundwater sources are somewhat protected, but there is no guarantee with industry and they don't really break down over time. All of our eight wells have been tested, and we have again tested in January of 2019 under that unregulated contaminant rule #4, so we will have more results to share throughout this coming year and hopefully they are all non-detected. If they do become detected, one of the primary methods of treatment is to run the water through the granular activated carbon filters. We have implemented this method of treatment for another water system in the eastern part of the State. He mentioned that it is quite effective, but quite costly.; (2) Under general system engineering, our water sales, we are tracking monthly and that we are under what we produced last year in the months of January and February, so we are keeping a close eye on who is consuming less, purchasing less and our diversion amounts and understand why that is transpiring.; (3) The 2018 Consumer Confidence Report was prepared and distributed to our customers in accordance with the timeline, actually ahead of schedule; (4) We prepared correspondence to Southeast Morris County MUA inquiring on the year-end invoice for water sold to us, challenging that amount because there were 20 days in which we unable to take water from Southeast Morris County MUA, so we were asking for a reduction in their bill to that amount. We have not heard anything back. Mr. Gindoff mentioned that they honored that request last year for a bigger number, and would hope that they would honor this one.; (5) In Item D of the Engineer's Report, was the Rate Testimony that we just heard on the Regulations, Specifications and Rate Schedule.; (6) We did finally received information from the Borough of Wharton concerning their prediction on additional water needs. It appears that they will, according to their planning, need larger volumes of water beyond that which they have a current contract with us for or maybe beyond that which they can produce themselves. We are going to roll that information into our summary report that we are compiling and help us better understand where the needs of the service area might go in terms of total volume of water.

Mr. Platt asked if they gave us a breakdown of that additional need and Mr. Holt replied yes, and they do know what project type timeline when that might occur. Mr. Platt asked for a copy of that breakdown.

Mr. Holt indicated in the Engineer's Report that they would circulate a copy of our findings, but we are not quite there yet and will be ready to circulate in about a week and will circulate it to the Water Committee first as a draft to see where the totals are.

(7) Item No. 2 of the Report is the Markewicz Pump Station bid and recommendation for award, which we will later.; (8) Item No. 3 of the Report is regarding New Jersey American Water. We have a conference call set up for this Thursday to continue the dialogue on the Mendham Service area and we hope to transfer that.

Mr. Platt asked has New Jersey American responded regarding that we don't want to sell any of that transmission main and Mr. Holt replied that they are aware of that position but has not heard any response. This will be discussed during our conference call. Mr. Gindoff mentioned that he believes they got the message in the last phone call that is not an option, but they are persistent to keep trying to push for it and we are persistent in telling them no.

(8) Lastly, the Route 46/Canfield Avenue NJDOT Project, the agreement with the State in terms of your support and the exchange of information has all been put in place. We are coordinating with them on additional information and coordination of their design being anticipated in 2021 Construction Phase timeline.

Regarding the Markewicz Upgrade, Mr. Carney suggested that it would make sense to consider the resolutions on the professional service agreements before considering the resolution on the award of the construction contract. Mr. Gindoff led the discussion by explaining that we put out on RFP for seeking proposals to handle the post-award of the award of the construction of the Markewicz Pump Station. We received four proposals from four engineering firms: LCA based out of Union, CP Professional Services based out of Sparta, Mott MacDonald, based out of Iselin, and Suburban Consultants based out of Flanders. He mentioned that this project started out as an engineering design project that was awarded to Mott MacDonald and they did perform the

engineering work under the supervision of Suburban and MUA Staff. In reviewing the proposals, we believe that we need Mott MacDonald to perform the work as far as shop drawings, evaluation of submissions by the contractor, some of inspections and testing and they provided a proposal in the amount of \$457,000. In addition, Suburban provided a proposal in the amount of \$223,240 and in an attempt to get the full benefit of the design firm, Mott MacDonald expertise in this, as well as getting the value of having our local firm to make inspections more economically. We had a conference call between those two firms and we thought we could best split this job between the two firms and we came up with ways to split up all the tasks between these two firms that made sense for this project that will give us the most efficient and economic way to do the construction of it. With that, we have recommended that we award the work to the two firms with part of the work going to Mott MacDonald and part of the work going to Suburban as outlined on the table attached to the resolution.

Mr. Platt asked for an explanation on the breakdown of the tasks and how that is going to be coordinated. Mr. Gindoff gave an explanation of the breakdown and the coordination would be handled by myself and Tony Milonas. Mr. Holt mentioned that he spoke with Frank Meschal and Mark Tompeck of Mott MacDonald when this was explored and feels comfortable with Suburban's presence, we will have a daily check-in on our part reporting back to Larry, Tony and Mott MacDonald on what the activity is and anything that we can observe. We will be recommending to Larry and Mott MacDonald when their presence is appropriate.

Mr. Dour asked how does this comply with the RFP process; are we negotiating after the fact? Mr. Carney replied it is 100% permissible under the Local Public Contracts Law. Professional Service Contracts are exempt from bidding. The Request For Proposals is not a bid and you are actually able to negotiate a Request For Proposal and you are even able to award a professional service contract in the absence of an RFP.

Mr. Platt is concerned with the split responsibility and would like to see an outline on how it is going to be done. Mr. Platt suggested that there should be a Chief Resident Engineer that is experienced with this type of work that has the responsibility of communicating with the contractor and it is best if is one individual and not multiple people. Mr. Platt believes that we need clarification on role responsibility. Mr. Carney commented that his recommendation would be that if the Board is not adopting the resolutions on the professional service contracts, that we not award the construction contract, because otherwise you are awarding the construction contract without any professional services for construction surveillance. The bids can only remain open for 60 days, unless we get consent of the low bidder and the 60 days will expire before the next meeting. He mentioned that you would have two options. One would be to schedule a Special Meeting before the 60 days expires on the open bid or continue with the regular meeting and try to get the consent of the lowest bidder or bidders to keep their price open for the next regular meeting. Mr. Platt asked would be acceptable for Suburban to fill the role in the interim until this is resolved at the next meeting? Mr. Carney replied that is a great idea.

Mr. Carney mentioned that the request would be that the resolutions on the professional service agreements would be considered next month and the resolution to award the construction contract would be considered by the Board tonight. Mr. Platt asked if we need a resolution for interim authorization of Suburban? Mr. Carney replied that you can make a Motion to that effect.

Mr. Platt suggested so that the contract can be awarded, that Suburban Consulting Engineers, Inc. be the lead in the interim. Mr. Carney asked for a Motion to be made for that action. Mr. Platt made the following Motion: Suburban Consulting Engineers, Inc. be authorized to provide consulting services related to the Markewicz Pump Station until the next Board meeting at a fee not to exceed \$5,000 to be billed at their normal billing rates. Mr. Dour seconded the Motion and it was carried unanimously.

Chairman Hudzik asked for the Board's approval of the following Resolution No. 19-28 awarding Contract No. 7R-18 "Markewicz Pump Station Electrical/Pumping System Upgrades":

RESOLUTION NO. 19-28
RESOLUTION AWARDING CONTRACT NO. 7R-18
“MARKEWICZ PUMP STATION ELECTRICAL/PUMPING
SYSTEM UPGRADES” TO CYPRECO INDUSTRIES, INC.

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) advertised for the receipt of bids for “Contract No. 7R-18 Markewicz Pump Station Electrical/Pumping System Upgrades”; and

WHEREAS, in response to the bid solicitation, the MCMUA received the following seven (7) bids on February 6, 2019:

	<u>Total Base Bid Amount</u>
Cypreco Industries, Inc. Neptune, NJ	\$1,932,963.00
Fai-Gon Electrical Contractors Piscataway, NJ	\$2,185,000.00
DeMaio Electrical Company, Inc. Hillsborough, NJ	\$2,232,900.00
Hutton Construction Cedar Grove, NJ	\$2,233,319.00
BOZ Electrical Contractors, Inc. Vernon, NJ	\$2,479,000.00
William Kohl Construction Corp. Lincroft, NJ	\$2,527,300.00
SpectraServ, Inc. South Kearny, NJ	\$2,784,500.00

WHEREAS, the second lowest bidder, by letter dated February 6, 2019 requested that the bid of Cypreco Industries, Inc. be disqualified because “Cypreco Industries, on page B-18 of the bid documents (Listing of Subcontractors to be Used) listed subcontractors on all categories with the exception of General Contracting Work. It is very clear from the plans, specifications, and overall scope of the project that the General Contracting Work will not equal 51% of the work to be performed.”; and

WHEREAS, paragraph 1.9 of the Instructions to Bidders entitled “Items of Work” states, in relevant part: “The prime Contractor (the bidder) shall perform on the site and with its own organization, work equivalent to at least 51% (by cost) of the total amount of work to be performed under this Contract. This percentage may be reduced by a supplemental agreement to this Contract if during the performance of the work the Contractor requests a reduction and the Owner determines that the reduction would be to the advantage of the Owner.”; and

WHEREAS, the definition of Work on page CON-3 of the Contract includes the cost of materials and equipment to be furnished: “[W]ork’ shall refer to any and all labor, construction, demolition, materials, or equipment to be performed by or furnished by Contractor under the Contract”; and

WHEREAS, when the general contractor purchases and furnishes the equipment, at least 51% (by cost) of the total amount of work, as defined on page CON-3, will be performed by the prime contractor; and

WHEREAS, the bid submitted by Cypreco Industries, Inc. does not contain any material defects; and

WHEREAS, the MCMUA’s Treasurer certifies that funds are available from the MCMUA Budget in account 02-6-300-800-015 in order to award “Contract No. 7R-18 Markewicz Pump Station Electrical/Pumping System Upgrades” to the lowest responsible bidder in the bid amount of \$1,932,963.00.

NOW, THEREFORE, BE IT RESOLVED by Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey on this 12th day of March, 2019 as follows:

1. The Authority exercises its discretion to waive all immaterial defects, if any, with respect to the bid of Cypreco Industries, Inc., received on February 6, 2019.
2. The Authority awards the “Contract No. 7R-18 Markewicz Pump Station Electrical/Pumping Station Upgrades” to Cypreco Industries, Inc. having a business address at 1420 9th Avenue, Neptune, New Jersey 07753, as the lowest responsible bidder, in the amount not to exceed the bid price of \$1,932,963.00 and the Executive Director is authorized to execute said contract.
3. The contract awarded herein to Cypreco Industries, Inc. shall commence after the full 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.
4. The bid security of all bidders, with the exception of the lowest three bidders shall be returned.
5. The bid security of Fai-Gon Electrical Contractors and DeMaio Electrical Company, Inc. shall be returned within three days, Sundays and holidays

excepted, after the full execution of Contract No. 7R-18 by and between the MCMUA and Cypreco Industries, Inc. and approval of the contractor's performance bond.

6. A copy of this Resolution shall be provided to all bidders and it shall be submitted to the MCMUA's Treasurer and kept on file in the offices of the MCMUA.
7. 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
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 March 12, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
William Hudzik, Chairman

ATTEST:

By: _____
Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to Award Contract No. 7R-18 "Markewicz Pump Station Electrical/Pumping System Upgrades" To Cypreco Industries, Inc. in the amount of \$1,932,963.00 and Ms. Szwak seconded the Motion.

Mr. Platt asked Brent Carney if he could summarize the resolution. Mr. Carney mentioned that the second lowest bidder objected to the lowest bid. There is a requirement in our Instructions To Bidders that states that the performance of the contract, at least 51% of the work has to be performed by the general contractor. There is a sentence in there that also further provides that can be adjusted if necessary if the contract proceeds. But in looking at the bid of the lowest bid and the contract, the definition of work includes the purchase of all the expensive equipment and therefore the work can be performed 51% or above by the general contractor when the general contractor purchases the equipment and has it installed by the subcontractors. Mr. Platt asked about the other paperwork and Mr. Carney replied there were no material defects in the lowest bid.

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

PROJECT STATUS

1. *General System*

- A. During the month of February, MCMUA sold approximately 106MG with total sold YTD approximately 219MG. The total sold to date is below total sold in 2018 and 2017. We will continue to track and provide updates on a monthly basis.
- B. The annual Consumer Confidence Report for 2018 was prepared and will be distributed to our water supply customers as well as available on the website.
- C. Correspondence was prepared to send to the SMCMUA regarding the annual financial shortage for the 0.6 MGD take or pay water supply agreement. The original invoice from

SMCMUA did not account for the 20-days in which the MCMUA pump station or the SMCMUA facility was not in operation. The MCMUA requested a credit for those days which reduces the financial shortage substantially. We are hopeful we will receive consideration for this reduction request and will provide an update on the final resolution.

- D. The Rate Hearing Testimony with regard to establishing the Tapping, Inspection and Other Service fees as part of the “Potable Water System Regulation, Specifications and Rate Schedule” document will be held at the March 12 Board Meeting. The adoption of these proposed fees is required to ensure appropriate review and inspection on necessary tapping of Authority Transmission Mains. A Resolution approving these proposed fees will be presented to the Board for its consideration following the public hearing.
- E. Wharton has provided the projected water demand forecasted from the list of specific projects provided by CHA Companies in mid-February. The anticipated additional water demand requirements for the specified projects is estimated to be an average water demand of 0.583 MGD, resulting with peaked water demands for the anticipated projects of 1.966 MGD, 30.479 MGM, and 239.444 MGY. The additional water demands exceeds the current water supply agreements that Wharton has between MCMUA and SMCMUA, by an estimated value of 1.452 MGD, 15.054 MGM, and 18.108 MGY. However, it is anticipated that Wharton will utilize their existing water sources within their current water system to meet the projected needs. Additional water supplies from MCMUA may be necessary in the event Wharton’s system cannot meet this increase demand.
- F. We have prepared a Draft Memorandum with regard to the projected water demand following our discussions with each customer and are prepared to circulate a draft at the meeting.

2. Markewicz Pump Station Electrical Upgrades Design Project

On Wednesday February 6, 2019 at 10:30am, bids for the Markewicz Pump Station Electrical/Pumping System Upgrades were opened at the Morris County Municipal Utilities Authority building. Seven (7) bids were submitted at the time of the bid opening, with totals ranging from \$1,897,693.00 to \$2,749,500.00. Mott MacDonald performed a bid review which included the evaluation of the bid prices, and verification of reference and Contractors status on the State of New Jersey Debarment Report. MCMUA legal counsel performed a review of the necessary bid documents to ensure a responsive bid was submitted by the apparent low bidder. A bid protest letter was received which is under review by MCMUA legal counsel. It is anticipated that a resolution will be put before the Board at the March 12 meeting for its consideration authorizing the award of this contract based on recommendations by staff, counsel and engineers.

On February 5, 2019, proposals were received from four (4) engineering firms responding to an RFP issued by the MCMUA for engineering services needed for the post award-of-contract phase of this project. These proposals were reviewed by MCMUA staff and a recommendation on the award of engineering services will be provided to the Board at the meeting. Additionally a resolution authorizing award of the engineering contract(s) will be provided to the Board for its consideration.

3. New Jersey American Water (NJAW) Coordination

A conference call between MCMUA, NJAW, and SCE has been scheduled for Thursday March 14, 2019 at 2:00pm. The purpose is to resume the dialogue on the long term source of supply to the Mendham Service area.

4. Route 46 and Canfield Avenue NJDOT Project

All necessary documents have been completed, executed, and have been submitted to the State with regard to the Route 46 and Canfield Avenue project. As a reminder, the project is still in Preliminary Engineering phase, which is expected to be complete in mid-2019 at which point Final Design Phase will begin. Estimated schedule for Construction Phase is fall 2021. We are working with the NJDOT to confirm this anticipated schedule and project status.

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Deacon provided the following highlights: (1) New Vegetative Waste Flyer for compost and mulch was designed by Anthony Marrone was provided in Correspondence.

With regard to the Warren County Incinerator and the waste flow issues, Mr. Dour asked if we have had any issues in the past with Warren County waste coming in or are they going across the river to Pennsylvania? Mr. Deacon replied that we just had an Operational Meeting last Thursday, and talking with Mike Rathbun, we have a plan in place, first at the scale house. Then once they get in the facility, we do the spot checks to see if there are any different trucks than usual. A lot of this stuff that we are looking for is front-end loaders, Waste Management, companies like that. So we do spot checks. We think most of the Warren County waste is being diverted to Hunterdon County. Mr. Dour asked if their landfill is still open and Mr. Deacon replied yes; and we were told by DEP, they are currently permitted to take C&D material. Mr. Gindoff mentioned that they are not currently permitted for anything but C&D, but they could potentially re-permit that landfill to accept municipal solid waste. Mr. Gindoff also mentioned that the MUA has received calls from haulers saying that Warren County is closing down, what is the DEP doing about this? Can we bring the material to you and the answer is no, as we are only permitted for Morris County generated material. He mentioned that he was surprised that the DEP wasn't a little more concerned about what the ultimate solution was going to be for Warren County.

(2) Solid Waste Professional Engineering Services will be discussed during Old Business.; (3) MUA Staff met with MRM regarding e-waste and that plan is in the works. They are looking to modify collection method, as their transport company is changing.; and (4) Regarding the vegetative waste marketing, we are finalizing the RFP and we plan to issue it in time to get a result for next month's meeting. Staying with vegetative waste, we are trying to open up delivery season a little earlier this year, so there isn't a big rush right in the beginning. As a result, we have received a lot of phone calls for mulch and compost and have started to schedule deliveries.

Mr. Deacon asked for the Board's approval of the following Resolution No. 19-31:

**RESOLUTION NO. 19-31
RESOLUTION AWARDING EXTENSION OF CONTRACT
FOR THE MARKETING OF CLASS D RECYCLABLE MATERIALS
(LEAD ACID BATTERIES)**

WHEREAS, on Wednesday, May 16, 2018, the Morris County Municipal Utilities Authority ("MCMUA") awarded a Contract for the Marketing of Class D Recyclable Materials (Lead Acid Batteries) to Veolia ES Technical Solutions, L.L.C., 218 Canton Street, Stoughton, MA, 02072, for a term of one (1) year, with an option to extend the terms of the contract, to be exercised at the discretion of the MCMUA, for two (2) additional one-year periods; and

WHEREAS, the MCMUA has determined that Veolia ES Technical Solutions, L.L.C. performed in a satisfactory manner during the initial one-year term of the contract; and

WHEREAS, the MCMUA seeks to extend the terms of the original contract for the first aforementioned additional one (1) year period; and

WHEREAS, the Executive Director of the MCMUA is authorized and directed to extend the terms of the original contract with Veolia ES Technical Solutions, L.L.C., for an amount not to exceed \$917.10 or a term of one (1) year; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in line item - Household Hazardous Waste 6-01-1-600-800-726 to pay the entire contract amount.

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

1. The MCMUA awards the first one (1) year extension of the original contract for the Marketing of Class D Recyclable Materials, as more specifically defined herein, to Veolia ES Technical Solutions, L.L.C., for an amount not to exceed \$917.10 or a term of one (1) year.
2. The original contract executed on May 16, 2018 between the MCMUA and Veolia ES Technical Solutions, L.L.C., shall remain legal and binding in all respects for the one (1) year extension period.
3. A copy of this Resolution and applicable contracts shall be available for public inspection at the offices of the Morris County Municipal Utilities Authority, 214A Center Grove Road, Randolph, New Jersey 07869.
4. A copy of this Resolution is being forwarded to the MCMUA Treasurer and Veolia ES Technical Solutions, L.L.C., 218 Canton Street, Stoughton, MA, 02072.
5. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the MCMUA at its Regular Meeting held on Tuesday, March 12, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
William Hudzik, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Ms. Szwak made a Motion to award extension of contract for the marketing of Class D Recyclable Materials (Lead Acid Batteries) to Veolia ES Technical Solutions, L.L.C. and Mr. Platt seconded the Motion.

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

TRANSFER STATIONS

Tonnage- For the month of February 2019, the quantity of solid waste accepted at the two transfer stations was 27,730 tons. This monthly tonnage for February 2019 was 1.05% greater than the 27,440 tons accepted a year ago in February 2018. Based on the first two (2) months of 2019 transfer station activity, for the year 2019 the annual total tonnage is currently projected to be 445,858 tons. If this projection holds true, the tonnage for 2019 will exceed tonnage for 2018

by 12.55%. Please refer to the attached Transfer Station Disposal Report by Month for additional information.

Warren County Incinerator- MCMUA operational staff received information that the Warren County incinerator had been temporarily closed as of February 26, 2019, but may permanently close in the near future. Warren County is considered a “Non-Waste Flow Control” County. After reaching out to the NJDEP, their office does not seem too concerned that Warren County does not have a disposal plan detailed in the County Solid Waste Plan for Warren County generators. Warren County generators are supposed to find their own disposal options. Regardless, Morris County’s transfer station tariff and County Solid Waste Plan do not allow for non-Morris County generators to use MCMUA facilities for disposal. The NJDEP understood and didn’t have an issue with the condition. The Warren County landfill does have the potential to accept municipal solid waste (MSW), not-just construction and demolition debris (C&D), as currently permitted. As of this point, no planning paperwork has been sent to NJDEP by Warren County regarding their long-term disposal plans.

In order to be on guard regarding illegal out-of-county waste coming into our system, staff began reviewing daily disposal averages for the year, especially at the Mount Olive transfer station. MCMUA took those averages and placed them into a spreadsheet that will help keep track of any spikes in our incoming waste flow. MCMUA floor inspectors were also instructed to do spot inspections looking for addresses within the loads to match up to the declared origin of waste. These floor inspectors were also provided a list of Warren County municipalities and a map showing where the municipalities are in relation to Morris County. The scale house continues to be the first line of defense by rejecting any out-of-county waste.

Improvements- Parsippany-Troy Hills Transfer Station

Last month it was mentioned and an engineering assessment was provided prepared by Richard A. Alaimo Engineering Company, that identified and assessed year 2019 priority-deteriorating infrastructure issues at the Parsippany-Troy Hills Transfer Station requiring repair and/ or replacement. These improvements included replacement of the main tipping floor, replacement and repair to the problematic trench/ floor drains, removal of the “knuckleboom” base, replacement of the steel loading shrouds, and repair to the concrete safety blocks. Much of this capital work was deferred until now waiting for the recent construction and approval of the Air Pollution Control (APC) System, which was a significant project resulting in disruption at the facility.

Air Pollution Control (APC) System- Parsippany-Troy Hills Transfer Station

On February 26, MCMUA operational staff performed our first in-house maintenance of the Air Pollution Control (APC) System “knock-out” drums. The eight (8) 55 gallon metal open-head drums for collection of solids and dust particles were emptied, cleaned, and materials properly disposed of. It was noted that the first collection assembly drum at the front of the collection system seemed to be the most productive while subsequent collection drums down the line had minimal material in them. This is a situation that the MCMUA operational staff will continue to monitor.

In the beginning of February 2019, Air Purifiers, Inc. (API) had been contacted because the system was shut down due to air leaks. After checking the APC, water was found in the compressed air lines. The MCMUA was told that moisture can cause the system valves to freeze open making the air compressor run continuously. The water was not drained and it froze, causing multiple leaks and destroyed several of the gauges. API installed ball valves for ease of draining these lines and gauges. After this improvement, MCMUA personnel reached out to API regarding one (1) purge valve that is constantly cycling, again, causing the air compressor to run more than normal. API representatives said they have seen this issue with other systems where the compressor eventually burns out. These ball valves must be checked daily, opening these valves will now be added to our list of general maintenance which includes when the digital pressure reading is high, either filters need to be changed, or the “self-clean” function needs to be performed.

Solid Waste Professional Engineering Services- As reported during the February Board meeting, the MCMUA issued a follow-up Request for Proposal (RFP) for professional solid

waste division engineering services it desires, following the limited submissions provided leading up to the February meeting. The secondary February 20, 2019 RFP resulted in three (3) additional proposals being submitted to the MCMUA. The MCMUA team reviewed the four (4) different proposals and will be prepared to make a recommendation based on the review at the March 12 regular meeting when a resolution will be presented to the Board for its consideration.

SOLID WASTE MANAGEMENT PLAN

KDS Aggregates, LLC- Plan Inclusion Request- A general approval application was submitted by KDS Aggregates, LLC to NJDEP for a proposed class “B” recycling facility to be located on Waterloo Valley Road in Mount Olive, formerly used as a concrete plant, 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.

The MCMUA received an Administrative Notice of Deficiency (NOD) (Administratively Incomplete) from the NJDEP regarding the KDS submission, which has been attached as correspondence for the Board. The NJDEP is still in the process of certifying the Plan amendment adopted by Morris County and has not completed its review and approval. This was the reason for the NOD, but it appears that this Plan amendment will be certified as approved by NJDEP in the near future.

HOUSEHOLD HAZARDOUS WASTE (HHW) MANAGEMENT

Program Participation- Residents and businesses continue to schedule household hazardous waste (HHW) appointments at the MCMUA permanent HHW facility in Mount Olive into the start of 2019. The MCMUA had a total of 124 completed appointments at the HHW facility during the month of February 2019. As a comparison, February 2018 totals equaled 129 residents and small businesses.

The first 2019 MCMUA HHW one-day drop-off event will be held at the Morris County Public Safety Training Academy (MCPSTA) in Parsippany on Saturday, May 11 from 9:00 AM till 2:00 PM.

Lead Acid Battery Recycling Extension- MCMUA staff has prepared a Resolution for the Board’s consideration awarding a Contract extension for the Marketing of Class D Recyclable Materials (Lead Acid Batteries) to Veolia ES Technical Solutions. This will be the first one (1) year extension of this Contract.

As discussed at the February 2019 MCMUA Board meeting, staff recommends adjusting the per pound fee charged to out-of-county residents and eligible Very Small Quantity Generators (VSQGs) to \$1.50 for the acceptance of HHW at the permanent HHW facility. The current fee has been \$1.25/ lb. since the facility opened in the mid-1990’s. The \$1.50/ lb. charge would cover increased vendor costs to handle these materials. This fee increase will also apply to the cost of disposing of latex paints for those that choose not to dry it out, then throw it out themselves as regular trash. The \$1.25/ lb. fee has been in place for over 20 years since the facility opened and covered the cost when the price charged to the MCMUA was in the \$0.65/ lb. range, but the disposal price has risen over the decades and the MCMUA is currently charged a flat rate of \$0.99/ lb. for materials accepted. Use of the HHW facility will still continue to be free of charge to Morris County residents delivering standard residential HHW. A public hearing has been scheduled to occur at the March 12 meeting to consider this price adjustment. Following the public hearing, a resolution will be presented for the Board’s consideration adopting the adjusted rates.

Hazardous Waste Shed Replacement- Replacement of the smaller HHW Facility Haz Shed has been identified and budgeted for as a priority for 2019. Currently, this shed houses oxidizers and corrosive hazardous waste materials in drums, along with fluorescent tubes, all awaiting proper recycling/disposal. The shed footprint is approximately 13’ long by 12’ wide by 8’ high. Information has been collected, with the MCMUA staff activity completing the bid specifications for this project. The MCMUA anticipates this bid to be issued in the near future. This Haz Waste shed is the smaller of two (2) such sheds at the HHW Facility and is the original shed placed on the site at its opening in the mid-1990’s. It is due for replacement due to its current

condition. Last year, the MCMUA replaced the larger of the two (2) Haz Waste sheds and identified the smaller one for replacement in 2019.

Used Consumer Electronics (E-Waste)- MCMUA staff met with representatives from MRM E-Cycling Management on February 28 about the turnover in their electronic waste transporter which collects materials directly from local sites and delivers them to the recycling facility that dismantles the waste. MRM is trying to make collection more efficient by providing “swap out” containers that can be packed with materials, allowing their new transport company the ability move more quickly, without having to move material out, palletize, and shrink wrap before shipping. MCMUA staff is working with MRM to make sure this ground program transitions smoothly, assuring that all in Morris County have an outlet to properly recycle their mandated electronic waste.

VEGETATIVE WASTE MANAGEMENT

MCMUA staff generated a new mulch and screened compost delivery service flyer which is included as correspondence for the Board. Delivery season for these materials is scheduled to start on Friday, March 15. The MCMUA has already received several phone calls requesting product.

As discussed at the February 2019 MCMUA Board meeting, staff recommends adjusting the fee for the acceptance of wood chips at both MCMUA vegetative waste facilities. Currently the MCMUA accepts wood chips for recycling at no charge. Due to on-going space limitations at the sites, as well as a recent decrease in the demand for mulch, the recommended change is to begin charging \$2.00 per cubic yard for the acceptance of wood chips from commercial customers and non-Morris County municipalities. The drop off of wood chips will continue to be free for municipalities that use MCMUA locations for recycling their vegetative wastes. A public hearing has been scheduled to occur at the March 12 meeting to consider this price adjustment. Following the public hearing, a resolution will be presented for the Board’s consideration adopting the adjusted rates.

Related Heavy Equipment- MCMUA staff met with Mr. Greg Schneider, the Township of Parsippany’s Director of Public Works, and Mr. Chad Kreitz, Parsippany Municipal Recycling Coordinator, regarding the MCMUA shared services agreement. At the present time, only sanitation and recycling vehicles are included on Schedule C of this agreement. After the meeting, Parsippany officials provided a list of equipment that the MCMUA could borrow/ rent, which include a grinder, screener, and different sized front-end loaders. The current shared services agreement will be updated with the new equipment and hourly rate charges.

Outbound Materials Marketing- Due to difficulties experienced by the MCMUA in marketing its final vegetative waste products, compost and double ground wood mulch, staff is preparing a formal Request for Proposal (RFP) inviting firms to provide marketing and sale of these materials at each of our vegetative waste sites in Parsippany and Mount Olive. The MCMUA anticipates issuing the RFP this month, with proposals received prior to the April Board meeting.

Mount Olive/ Camp Pulaski Office Trailer Site Improvements- A mold abatement project was completed inside the Mount Olive Vegetative Waste Office Trailer by a certified contractor, CV Electric. The job order was to remove all suspect areas of concern as documented in a report from Garden State Environmental. Garden State has noted this problem in a few different County Facilities due to the heavy amounts of rain in 2018. A follow up mold clearance inspection from Garden State Environmental was conducted on Monday, February 4 to ensure compliance. A visual inspection, moisture mapping, and samples from representative areas were collected following completion of the remediation. Results of this visual inspection, moisture mapping, and laboratory analysis of air samples were provided to the MCMUA from Morris County Risk Management. The trailer was fully cleared for use as desired by MCMUA, “as long as the remediated areas remain dry”. This fully documented report from Garden State Environmental was included as correspondence for the Board to review at the March meeting.

GENERAL ADMINISTRATIVE MATTERS

Morris County Office of Health Management (MCOHM) Mutual Aid Agreement- In February of 2005, the MCMUA entered into an initial interagency mutual aid agreement for seven (7) years with the Morris County Department of Law and Public Safety, Office of Health Management (MCOHM) to provide solid waste enforcement services under the New Jersey Department of Environmental Protection (NJDEP)- County Environmental Health Act (CEHA). This agreement was renewed over the years as the MCMUA provided the use of its solid waste investigator to the MCOHM to help in its requirement to enforce solid waste regulations in Morris County. Due to MCMUA's former solid waste investigator, Michael Flora, transferring to MCOHM in late 2018 as a full time employee, the MCMUA is modifying the current mutual aid agreement to reflect the current situation. MCMUA counsel is currently reviewing a proposed draft agreement which would be acceptable to both parties moving forward. It is anticipated that this agreement will be put before the MCMUA for its consideration at the April board meeting.

MCMUA staff is currently updating required safety postings at both transfer stations. Incident telephone and technical support notifications lists, fire drill safety procedures, emergency evacuation plans, and emergency listings are being reviewed and generated with current information. MCMUA is also creating current vehicle and equipment master lists for all its divisions and locations for all the operational supervisors. Once completed, all this safety information is shared with the Morris County Fire Marshal's Office.

RECYCLING REPORT:

Ms. Sweedy reported the following: (1) The preliminary rate for single-stream for the month of February is -\$58.04. This is due to the decline of the value of paper, which is down nearly \$15 per ton and plastics are also down. The single rate for January was \$-43.14, a difference of \$14.90 in comparison to the February rate.; (2) She provided an update with regard to the shared services agreement with Parsippany-Troy Hills Township. A list of vehicles and equipment was provided to the MUA. Staff is reviewing the list to determine which vehicles and/or equipment may fit the needs of the MUA. After the review, the shared services agreement will be updated by the MUA.; (3) At a meeting on February 14, Staff met with municipal representatives from the MCMUA curbside towns to discuss market conditions, signs for the municipal depots and the rolling out of the tag it and leave it initiative that will begin later this year. Together with the municipalities, the MUA will publicize this protocol to alert residents and urge them to follow guidelines in order to avoid having their recyclables left at the curb due to contamination. Many private collection haulers have already put this procedure in place last year.; (4) We are also preparing a recycling exhibit that will be featured during the month of April at the Morris County Library. The exhibit will provide samples of acceptable and unacceptable materials and in addition, part of the exhibit will focus on litter abatement. We hope that those that visit the library will take advantage of the exhibit. Also we are going to have hand-outs so they will be able to pick up important information.; (5) During February, Staff met with Tony Milonas from our MUA Water Division to tour the open space property. A pollinator garden is being considered for the project site, which is near a walking trail. We would like to incorporate an educational component in this project providing those walking the trail a chance to get a better understanding about the plants and the wildlife that is present and also to learn about the importance of protecting our water supply.; (6) We plan on meeting with Daniel Correa later this month, also with the Morris County Park Commission and Anthony Marrone plans to conduct a study with regard to three vernal pools that were established in 2008 to determine their condition and if they are viable.; (7) We are also waiting to hear back from Dr. Fitzgerald of the Morris County Environmental Academy regarding a student doing research on the open space property to identify the flora and the fauna. She showed a vision board showing the open space property and we are thinking about the different components of the project and how they are all linked together. We also plan to create an educational sign at the entrance of the trail (on Righter Road), as well as adding signs along the trail. Those walking the trail will gain valuable information and learn about the surroundings. The property is just beautiful and we are very excited about this project.

Recycling Operations

Tonnage and Value – The January ReCommunity/Republic statement was finalized in the amounts of (\$37,443.73) and (\$15,106.24), for a total of (**\$52,549.97**). The rate for single-stream from January 1, through January 24 was (**\$28.14 per ton**); and the rate for single-stream from January 25 through January 31 was (**\$43.14 per ton**). This was due to the amended extension of the ReCommunity/Republic single-stream marketing agreement which became effective as of January 25, 2019, with its \$15/ton increase in processing costs at ReCommunity/Republic Services. This \$15/ton increase covers additional processing costs experienced by the recycling facility in order to meet stricter contamination standards, which are now required in order to market recyclables now that China has ceased accepting most materials. The February statement and tonnages by material and municipality has not been received and/or compiled as of the writing of this report, but is expected to be in by the Board meeting and will be reported on at that time.

Resolutions & Proposals

On 2/20/19, at the request of the Madison Borough recycling coordinator and CFO, Jim Burnett, staff met with Jim, Raymond Codey, Administrator, and Linda Sawyer, QPA, to discuss a proposal for single-stream curbside recycling collection services and collection from the municipal recycling depot. Current dual-stream collection is provided by Roselle on a weekly basis in three zones. The agreement in place with the current hauler does not charge the town for the processing of recyclable materials. Staff sent a questionnaire to Jim Burnett to complete so that a proposal can be created and presented to Madison Borough. We are waiting for Jim's response.

Additionally and as reported last month, staff is also working on a proposal for curbside recycling for Mt. Lakes who also currently has a contract with Roselle. Depending on responses to our proposals, the MCMUA may require some additional curbside staff and equipment for 2020 if both these towns decide to use our services. These discussions are still in the preliminary stages.

Recycling Inspections and Education

- On 2/4/19, at the request of Dr. Nancy Fitzgerald, director of the Morris County Environmental Academy (MCEA), staff provided a recycling presentation for students at the MCEA at Jefferson High School. Acceptable and unacceptable materials were discussed and proper recycling practices. Students asked questions, answered questions and were provided with printed information about recycling, household hazardous waste and litter abatement. The students were very interested in recycling and the recent challenges.
- On 2/5/19, staff conducted an inspection at an office building (with several offices) located at 300 Valley Road, Mt. Arlington. Several complaints were received about mandated recyclables being mixed with trash during 2018. The follow up inspection proved that recyclables are being mixed with trash and in violation of the source separation law. Staff met with the owner/manager of the office building in 2018. He claimed that he would instruct the cleaning staff to properly keep mandated recyclables separate in order to be in compliance. Staff contacted Paul Nelson, municipal recycling coordinator, and requested his presence at a meeting with the owner/manager. Staff plans to schedule a meeting in March to address the issues with the owner/manager of the building.
- On 2/5/19, Kellie Ann Keyes, Roxbury Municipal Recycling Coordinator, and MUA staff met with 23 teachers from the Nixon Elementary School. The discussion was about school recycling with an emphasis on unacceptable materials. The teachers thought that paper towels were acceptable in the recycling bins. Staff answered questions, distributed copies of the Environmental Guide, decals, and multi-family recycling bags for their use.
- On 2/6/19 and on 2/15/19, staff conducted recycling inspections at local gyms. Staff spoke with managers and/or staff at LA Fitness in Randolph and Parsippany, and at Retro Fitness and North Jersey Health & Fitness in Roxbury. The majority of wastes generated are plastic water bottles and paper hand towels. The gyms were not recycling. We

explained mandated recycling requirements, source separation, how to educate their cleaning staffs, showed them their recycling dumpster, and gave out decals and our contact information.

- On 2/14/19, staff hosted a meeting for municipal recycling coordinators and representatives from municipal customers of the MCMUA curbside recycling collection program. The following topics were:
 - Recycling market conditions and the cost to recycle
 - Signage for municipal recycling depots
 - Preventing rain and snow (moisture) from getting into roll-off loads of recyclables
 - Communication and advance notice for road closures and road construction in order to provide better service to curbside towns
 - Curbside residential inspections (with a focus on contaminants/unacceptable materials)
 - Incorporating tag-it and leave-it approach (for unacceptable materials at the curb)

Gary Smalley, the guest speaker from Republic Services, talked about the importance of educating residents to reduce the contamination levels in the curbside recycling stream. He also talked about the impacts caused by China and the significant reduction in acceptable contamination levels (down to 0.5%), the ban on all mixed paper imports and the drastic losses in recycling revenues. All of these impacts have raised the cost of the company's operations, which results in the costs being passed on to customers. The meeting was well received and staff was pleased with the strong turnout.

- On 2/19/19, staff provided a recycling presentation at the Library of the Chathams, at the request of the Chatham Township Environmental Commission. The presentation was followed by questions and answers. Sample of acceptable and unacceptable materials were displayed. Unacceptable items and contamination found in recycling curbside set-outs were the main focus of this educational program. Environmental guides, recycling decals and other handouts were distributed.
- On 2/22/19, at the invitation Toni Heater, of the NJDEP, staff participated in speed mentoring at the Pequest Trout Hatchery and Natural Resource Education Center, in Oxford, Warren County. There were 10 mentors and 10 mentees. The mentees are participants in the AmeriCorps Watershed Ambassador program run by NJDEP. Each mentor spent 20 minutes with each mentee. The mentees provide background about themselves and their career path and asked the mentors questions. They are looking for suggestions and advice about finding a job in the environmental field. The ambassadors have a variety of educational backgrounds and degrees and are passionate about the environment. An overview of the MCMUA's departments and programs was provided and discussed.
- On 2/27/19, staff invited Casey Brady, COHM, and Kellie Ann Keyes, Roxbury's MRC, to join in recycling inspections in Roxbury. We visited the Auto Zone, Circle Lanes, Plato's Closet, Dunkin Donuts, North Jersey Fitness, Mizuki Restaurant and Ledgewood Farms. Casey will be conducting recycling inspections throughout Morris County under the CEHA requirements and this was a good way to show her what to look for
- On 2/25/19, staff conducted a recycling inspection of outdoor recycling dumpsters and trash dumpsters at the following schools in Hanover Township:
 - Bee Meadow School, Hanover Township School District
 - Memorial Junior School, Hanover Township School District
 - Salem Drive School, Hanover Township School District
 - Mountview Road School, Hanover Township School District
 - Whippany Park High School, Hanover Park Regional School DistrictFollow up letters, photos and recommendations are being prepared for mailing to the facilities directors, and the principal at each school.

Recycling Customer Support & Curbside Support

- On 2/21/19, staff (LG, BR, CV) met with Greg Schneider, Parsippany's Director of Public Works, and Chad Kreitz, Municipal Recycling Coordinator, regarding the County's shared services agreement. At the present time, only sanitation and recycling vehicles are included on the schedule (Schedule C of the Agreement). After the meeting, Parsippany provided a list of equipment that the MUA could potential rent. Staff is looking to amend the existing shared service agreement with Parsippany with the additional equipment and related charges.
- On 2/26/19, staff met with Scott Hutchins Wharton's DPW Superintendent, regarding his request for a stationary compactor at their recycling depot. The MUA would consider placing a unit at the depot, but would require a 5-year commitment from the town. The current agreement (1/1/17 to 12/31/21) is for 3 years with two one-year extensions. The town would have to guarantee the upcoming extensions and a new 3-year agreement. Scott will discuss this proposal with the business administrator, crunch the numbers, and get back to us.

Clean Communities

- **Educational Programs:** There were no educational programs in February. Schools and libraries are requesting programs for spring, especially in honor of Earth Day in April.
- **Road Clean-ups:** There were no road cleanup during the month of February. Staff is preparing a list of roads to be cleaned as soon as weather conditions permit.

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On 2/7/19, staff attended a presentation hosed by ANJEC at the Frelinghuysen Arboretum. The first presentation addressed Storm Water requirements and new initiatives for municipalities to determine the percentage of impervious surfaces. The second presentation was about banning plastic bags and single-use plastics due to the impact on the environment. ANJEC is promoting legislation to reduce or ban the use of these plastics in New Jersey.
- On 2/7/19, staff attended the ANJR's regional Swap & Share workshop that took place at the Bergen County Utilities Authority. Topics discussed included:
 - There was a fire at Marcal Paper Mills in Elmwood Park which wiped out the entire complex. The facility was owned by Soundview Paper Co. and will relocate to Georgia.
 - A representative from Atlantic Coast Fibers said that they are seeing a slight reduction in plastic bag contamination and credits it to education. He clarified that that there is room for improvement but there is evidence of a change.
 - Some municipal representatives and recycling coordinators announced that they have started curbside inspections (getting out early prior to collection of recyclables).
 - Other coordinators have instituted the tag it and leave it approach and suggested that towns use Recycle Coach to inform residents that recycling bins/containers with contamination will not be collected.
- On 2/19/19, the MCMUA hosted the quarterly County Coordinators' meeting at the Morris County Park Commission Cultural Center (meeting room). The guest speaker was Erin Jensen, Environmental Specialist with the NJDEP. Erin provided a presentation concerning the 2018 recycling tonnage grant reports and some minor changes. Also, she stated that the NJDEP has announced that municipal recycling coordinators must attend one county held recycling coordinators' meeting during 2019 and must tour a Class A recycling facility during 2019. This information will be provided to the Morris County municipal recycling coordinators at the March meeting and will be emailed to them. The other topics discussed during the meeting included:
 - Market conditions, significant restrictions in acceptable contamination levels
 - The value of recyclables (extremely low)
 - The cost to recycle

- Recycle Coach has updated the look of the image for the app and has made some small changes (into a more simplified appearance)
- On 2/19/19, staff attended the ANJR Board at the Morris County Park Commission Cultural Center meeting room. The MCMUA hosted the meeting.
- Upcoming ANJR events are the Annual Meeting on 4/3/19; League of Municipalities workshop on changing markets on 6/14/19; Golf Outing on 6/18/19; Symposium on 10/10/19; 5K on 11/2/19.
- The NJDEP, Bill S-2306, requires Class B facilities to report where soil is coming from. Solid waste consultants will need A901 licenses to act for their customers regarding soil movement.
- The food waste bill will concentrate on feeding the hungry, food insecurity and urban food desserts.
- Markets report commodities such as OCC, mixed paper, aluminum and PET are all down. MRFs have not seen much improvement in single-stream quality from the commercial sector, but residential material has improved.
- On 2/21/19, staff met with MaryLou Sparano, exhibit artist, of the Morris County Library. Staff plans to set up a recycling and litter abatement exhibit in the showcases that are located in the main lobby of the library. The exhibit will be displayed during the entire month of April in honor of Earth Day. This provides a great opportunity to bring attention to “recycling right” (only putting acceptable items out to the curb for recycling). A table with informational handouts will be part of the exhibit.
- On 2/27/19, staff met with Tony Milonas, MCMUA Water division, and toured the open space property and MUA well field properties. A pollinator garden was considered to be most appropriate for the project site, which is near a walking trail. In addition, staff reached out to Dr. Nancy Fitzgerald, director of the Morris County Environmental Academy, to request assistance in researching the flora and the fauna on the property. Staff would like to incorporate an educational component in this project providing those walking the trail a chance to gain a better understanding about the plants and animals that are present and learn about the importance of protecting our water supply. Preliminary plans include:
 - A meeting with Daniel Correa, Watershed Ambassador will take place in March.
 - A litter cleanup will be planned before the commencement of the project.
 - Staff plans to contact the Morris County Park Commission regarding the project since the trail area is maintained by the Park Commission.
 - Staff is researching native plants and plans to have a soil assessment conducted.
 - Staff also discussed ideas for future projects, which may include the removal of invasive species and creating vernal pools.

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:

Mr. Gindoff mentioned that he had a site tour with Gene Feyl last week. We toured some of the water sites and we went up to the Mt. Olive Transfer Station and got into some of the open space, as I didn't realize that we wouldn't be able to hold Open Space Committee meetings before the MUA Board meeting. Mr. Gindoff stated that he will coordinate a meeting at a convenient place and time for Laura and Gene to get the Open Space Committee going.

Mr. Gindoff also mentioned the potential open space opportunity, Shale Brook, that was previously discussed. He mentioned that he spoke with Dave Helmer of the Park Commission and Barbara Murray from the County Office of Planning and they informed him that they wouldn't put too much consideration into that opportunity, as it has no connection to any trails or any connectivity to the County. Ms. Szwak mentioned that the MUA's mission is different. Our mission is water. Mr. Gindoff mentioned that it was right along the Passaic River and understood Ms. Szwak.

Mr. Gindoff mentioned that last month we only had one submission to the RFP that we put out for the MUA's annual Solid Waste Professional Engineering Services. We re-issued that RFP and received three more submissions. We have four proposals submitted to the MUA for the solid waste services. The four companies were: Alaimo Engineering, ATI, SCS Engineers, as well as French & Parello. After the Team reviewed the RFPs, we are recommending that we accept the Alaimo proposal to move forward as our Solid Waste Engineer.

Mr. Gindoff asked for the Board's approval of the following Resolution No. 19-32:

RESOLUTION NO. 19-32
RESOLUTION TO AWARD PROFESSIONAL ENGINEERING
SERVICES – SOLID WASTE DIVISION

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals to provide professional engineering services to serve as the MCMUA's Solid Waste Engineer to the Authority from February 12, 2019 to February 11, 2020; and

WHEREAS, the Authority received four proposals submitted by Alaimo Group, SCS Engineers, Associated Technology, Inc., and French & Parrello Associates; and

WHEREAS, the Committee assigned to review the proposal based on the criteria outlined in the Invitation To Submit Proposals and has recommended that the contract for professional engineering services be awarded to the firm of Alaimo Group, 200 High Street, Mount Holly, New Jersey 08060 which met or exceeded all criteria; 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 Alaimo Group'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 \$125,000.00: and

WHEREAS, the MCMUA Treasurer has certified that funds are available in the MCMUA Budget line item 01-1-900-925-225 and 01-5-900-925-225; and

WHEREAS, the Authority has determined that the process utilized in selecting Alaimo Group 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, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 12th day of March, 2019 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Alaimo Group for engineering services in a form approved by the Authority's attorney based on their proposal dated February 20, 2019 in an amount not to exceed \$125,000.00.
2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budget of the Authority.
3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.

4. 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 MCMUIA in accordance with law shall be published in the official newspaper of the Authority.

5. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on March 12, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
William Hudzik, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to award Professional Engineering Services – Solid Waste Division to Alaimo Group in an amount not to exceed \$125,000.00 and Ms. Szwak seconded the Motion.

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

Ms. Regner informed the Board that an updated M.U.A. Board Listing is in their folders this evening. She also advised the Board that they would be receiving an email from Laura Roberts of the County Clerk’s Office in early April regarding the Financial Disclosure Statements.

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

NEW BUSINESS:

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

There being no further business, Chairman Hudzik asked for a Motion to adjourn the meeting at 8:30 p.m.

MOTION: Mr. Dour made a Motion to adjourn the meeting at 8:30 p.m., seconded by Mr. Platt and carried unanimously.

Marilyn Regner
Secretary

/mr