

## MINUTES OF REGULAR MEETING

MAY 7, 2019

The Regular Meeting of the Morris County Municipal Utilities Authority was held on May 7, 2019 at 7:00 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey. The necessary notice of this meeting was published according to the law.

MUA Secretary Marilyn Regner requested a roll call.

**PRESENT:** Ms. Laura Szwak, Mr. James Barry, Mr. Frank Druetzler, Dr. Kominos and Mr. Platt.

**ABSENT:** Dr. Arthur Nusbaum, Mr. Christopher Dour, Mr. Gene Feyl, and Mr. William Hudzik.

Also present were Larry Gindoff, Executive Director; Michael McAloon, P.E., MCMUA Consulting Engineer; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Diane Alexander, Esq., Maraziti Falcon LLP; James Deacon, Solid Waste Coordinator; Liz Sweedy, District Recycling Coordinator and John Krickus, Freeholder-liaison.

In the absence of the Chairman and Vice Chairman, Mr. Druetzler made a Motion to nominate James J. Barry, Jr. as Temporary Chairman to chair the meeting. The Motion was seconded by Mr. Platt and carried unanimously.

Chairman Barry asked for the Board's approval of the Minutes of the Regular Meeting dated April 9, 2019.

**MOTION:** Mr. Druetzler made a Motion to approve the Minutes of the Regular Meeting of April 9, 2019 and Mr. Barry seconded the Motion.

**ROLL CALL:** AYES: 3 NAYES: NONE ABSTENTIONS: Ms. Szwak & Mr. Platt

(Freeholder-liaison John Krickus entered the meeting at 7:04 p.m.)

### **TREASURER'S REPORT:**

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating and Water Operating for the month of April 2019. Also included are the Comparative Balance Reports for both the Solid Waste and Water Divisions year-to-date through the month of April 2019. The Investment Report for the month of April is showing a conversion of a CD with Kearny Bank that was earning 1.75% interest to a money market account earning 2.5% interest for 12 months. These reports have been incorporated in these Minutes.

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

MOTION: Mr. Platt made a Motion to accept the Treasurer's Report and Ms. Szwak seconded the Motion.

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

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

**BILL RESOLUTION NO. 19-37**

**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. 19-37 containing 7 pages for a total of \$2,970,192.61 dated and made a part hereof by reference.

**SUMMARY**

**CHECK NUMBERS**

|                       |           |    |                     |
|-----------------------|-----------|----|---------------------|
| WATER OPERATING FUNDS | 4611-4640 | \$ | 167,590.63          |
| SOLID WASTE OPERATING | 9899-9983 | \$ | <u>2,802,601.98</u> |
|                       |           | \$ | <b>2,970,192.61</b> |

**CERTIFICATION**

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

DATE: May 7, 2019

BOARD CHAIRMAN APPROVAL

\_\_\_\_\_  
James J. Barry, Jr., Chairman (Temp.)

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: May 7, 2019.

DATE: May 7, 2019

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

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

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

Mr. Kaletcher updated the Board on the 2018 audit. The 2018 financial audit is complete. The auditors are waiting for the State to provide them with the pension figures to finalize our 2018 financial reports. We are hoping to get the Board a final audit before next month's meeting so you can review it and then have either Bill Schroeder or his replacement, Man Lee, be present at the June meeting to field any questions. At this time, we do not know when the State will have the numbers ready. As soon as they do, we will get a draft. Once we review the draft and approve it, they will provide us with the final audit.

## CORRESPONDENCE:

Mr. Gindoff mentioned that the Correspondence report that was sent out with the packet. He mentioned that there are two additional pieces of correspondence in this evening's packet: (1) Letter dated May 7, 2019 from Patricia Stelmaszczyk, NJDEP Bureau of Water System Engineering, to Morris County MUA regarding firm capacity for the Borough of Mt. Arlington Water System; and (2) Email from Kelli Kovacevic, Morris County Park Commission, to Larry Gindoff regarding Alamatong Wellfield Deer Management Program.

He mentioned that we received the DEP letter this morning in response to a request for a change regarding the Mt. Arlington firm capacity. Mr. Gindoff called on Mike McAloon to address this matter. Mr. McAloon mentioned that we were working with Mt. Arlington, they have a few projects on the horizon. In the water supply contract, there is .34 MG as the peak month daily average. The firm capacity of the pumps, tanks and pipes to move the water is actually higher than the .34 MG. Due to that figure being in the water supply contract, that has impacting Mt. Arlington's ability for the DEP to authorize a water main extension permit to supply water to this proposed project. In reviewing water supply contracts with Jefferson, Roxbury and Mt. Arlington, it appears we do have the necessary firm capacity to supply .5 MGD to Mt. Arlington on a peak day. We are going to work through that, but it will require a contract amendment form to be submitted to the State. We will confirm our numbers and proceed in that direction.

Messrs. Druetzler and Platt asked what did the State say? Mr. Gindoff replied that they cannot approve it without us going through the contract amendment process.

Mr. Gindoff mentioned that the second piece of correspondence was from the Kelli Kovacevic of the Park Commission asking if the MUA would like to continue the deer culling program that they have been running for the MUA at the Alamatong Wellfield and the trails that go through it. She is asking for authorization from the MUA Board to continue the deer program under the same conditions and with the same restrictions that have been approved in previous years. Mr. Platt asked if Staff recommends this and Mr. Gindoff replied yes.

Mr. Gindoff asked the Board to make a Motion to approve the Morris County Park Commission to continue administering the deer program under the same conditions and with the same restrictions as in past years.

MOTION: Mr. Platt made a Motion to approve the Morris County Park Commission to continue administering the deer program under the same conditions and with the same restrictions as in past years and Dr. Kominos seconded the Motion.

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

### General

Letter dated April 11, 2019 to Department Director/Division Head from Freeholder Doug Cabana regarding "Get Together" for volunteers being held at Frelinghuysen Arboretum on May 20 from 5:30 p.m. to 7:30 p.m.

Freeholder Resolution No. 56 adopted April 10, 2019 appointing Larry Gindoff and Chris Vidal to the Whippany River Watershed Action Committee, without salary.

### Water

Letter dated April 18, 2019 to Larry Gindoff, Executive Director, from Laura Cummings, P.E., Executive Director, Southeast Morris County M.U.A. regarding Water Supply Agreement.

Letter dated April 26, 2019 to Patricia Stelmaszczyk, Morris County Manager, NJDEP, from Andrew S. Holt, P.E., MCMUA Consulting Engineer, regarding firm capacity for the

Borough of Mt. Arlington.

Solid Waste

Letter dated April 8, 2019 to Nora Jolie, Secretary, Township of Parsippany-Troy Hills Planning Board from Christine G. Marion, Planning Director, Morris County Planning Board regarding HMAT.

Letter dated April 9, 2019 to Jim Bestys, Northeast Products, LLC, from Karen Kloo, Chief, NJDEP Bureau of Recycling and Hazardous Waste Management, advising of General Approval Modification for Class B Recycling Center.

Letter dated April 12, 2019 to James Deacon from Edward A. Nieliwocki, Contract Administrator3, NJDEP Bureau of Planning and Licensing, regarding approval of additional recyclable material as an administrative action.

Letter dated April 23, 2019 to Solid Waste Implementing Agency, from Scott Brubaker, Deputy Director, NJDEP Division of Solid Waste and Hazardous Waste, regarding Solid Waste and Recycling Facility Solid Waste Management Plan Amendment Guidance.

Solid Waste Advisory Council Resolution No. 01-2019 adopted April 23, 2019 approving request for elimination of inclusion in the Morris County Solid Waste Management Plan for a Small-Scale Thermal Destruction Facility-Energy Recovery System (ERS)/Incinerator.

Solid Waste Management Plan Amendment – April 2019, entitled “Request For Elimination of Inclusion of a Small-Scale Thermal Destruction Facility-Energy Recovery System (ERS)/Incinerator located at the Novartis Pharmaceuticals Corporation in the Township of East Hanover, New Jersey.

Letter dated April 30, 2019 to Freeholder John Krickus from James E. Deacon regarding Solid Waste Management Plan: Request For Elimination of Inclusion of a Small-Scale Thermal Destruction Facility-Energy Recovery System (ERS)/Incinerator located at the Novartis Pharmaceuticals Corporation in the Township of East Hanover, New Jersey.

Recycling

Letter dated April 17, 2019 to Larry Gindoff, Executive Director from Ralph Blakeslee, Borough Administrator/Zoning Officer, Borough of Netcong, regarding curbside recycling service provided by the MCMUA; and Response Letter dated April 23, 2019 to Ralph Blakeslee, Administrator/Zoning Officer, Borough of Netcong, from Larry Gindoff, Executive Director.

Email dated April 16, 2019 to Cheryl Birmingham from Michael Soriano of Parsippany thanking Cheryl, Liz and all volunteers for a job well done in the litter clean-up in Parsippany on April 12, 2019.

Letter of Appreciation dated April 25, 2019 to Liz Sweedy, District Recycling Coordinator, from Regina Albohn, former Assemblyman Art Albohn's wife, for presentation at Oaks at Denville.

#### Miscellaneous

Email dated April 22, 2019 to Larry Gindoff regarding Bethel AME Church Erosion.

New Jersey Solid Waste Disposal Fees & Host Community Benefit Fees - 2019.

Riker Danzig Environmental Law Blog dated April 23, 2019 entitled "Environmental Justice Initiatives Soon May Impact Permitting And Other Regulatory Actions".

Resource Recycling A-rticle dated March 25, 2019 entitled "A steady path forward".

Letter dated May 1, 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 April 2019.

#### **ENGINEER'S REPORT:**

Mr. McAloon reported the following: (1) We had a positive meeting with Parsippany.; (2) We touched base for the Borough of Mt. Arlington.; (3) Things are progressing with N.J. American Water.; (4) We performed an inspection of the Markewicz Tank by using our ROV and drone. The video was shown prior to the meeting.; (5) Regarding the Markewicz Pump Station, we had our Pre-Construction Meeting and Notice To Proceed was issued on May 1, so the Contractor is in the process of submitting shop drawings, progress schedule, among other material and equipment. As we get their anticipated schedule, we will share that.

Mr. Platt had a couple questions. He saw that the construction management was awarded to Mott MacDonald and Mr. McAloon replied solely to Mott MacDonald. Mr. Platt asked what role will Suburban have. Mr. McAloon replied as Water Consulting Engineer, we are going to oversee the project to make sure it stays on track, adherent to the schedule as outlined, confirming the material selections and serving as the Water Consulting Engineer attending the meetings and participating. Mr. Platt asked if Suburban will be reviewing pay estimates and Mr. McAloon replied yes. He mentioned that initially Mott MacDonald is responsible to confirm the quantities and then we will confirm that nothing is out of the ordinary. Mr. Platt asked if Suburban is going to sign the Payment as well and Mr. McAloon replied that Larry Gindoff will be signing the Final Pay applications, but Suburban would recommend to process the payment application. Mr. Platt requested in the monthly Engineer's Report to include percent of construction complete, percent of payments to contractor and percent of contracts to Mott MacDonald so that we can track it.

(6) With regard to Southeast Morris County M.U.A., the positive news is we were able to reduce the invoice as discussed for the Clyde Pott shortage. We also received a positive response with regard to our letter from last year not objecting to the expiration part of Article III as we had discussed, but they did respectfully request to engage in negotiations for a mutually agreeable amendment to the water supply agreement. They are going to put something together for our review and input.

Mr. Druetzler asked what is Article III and Mr. McAloon replied that Article III is the purchase of water at the Clyde Potts Reservoir. Southeast provides .6 MGD take or pay. Mr. Gindoff mentioned that Laura Cummings also requested as part of that to try to clean up the contracts as we get rid of the Clyde Potts part and to look at all contracts. She has asked Sid Weiss, her counsel, to start addressing it at this point. Mr. Druetzler asked if we still have that million obligation to them and Mr. McAloon replied right now it is .5, as we are in the reduction process. That will be part of our negotiations with them.

Mr. Platt asked if Suburban has developed a budget for your work on the Markewicz Pump Station project and Mr. McAloon replied yes, it is \$40,000. Mr. Platt asked if we need separate authorization for that? Mr. McAloon replied that we could separate out a line item in our billing so we can keep track of it. Mr. Platt concurred and the scope of services should be defined.

## **PROJECT STATUS**

### *1. General System*

- A. Through April 2019, MCMUA sold approximately 449MG to date. This total volume of water sold to date is below the total sold for the same time period in 2017 (455MG) and 2018 (472MG) Notable data: SMCMUA purchased only 0.392 MG in April, compared to 0.948 MG in March.
- B. A meeting between the Township of Parsippany – Troy Hills (Parsippany) and MCMUA was held on April 12 at the Parsippany – Troy Hills Municipal Building. Attendees included Larry Gindoff, Tony Milonas, and Mike McAloon representing MCMUA and John Wieworka, Susan Favate, Ed Snieckus, James Cloah, Keith Kazmark, and Ann Cucci representing Parsippany. A general discussion with regard to current water system operation between MCMUA and Parsippany was conducted. Currently MCMUA supplies the Puddingstone pressure gradient at elevation 1125’ of the Parsippany system from the Dover-Chester pressure gradient at elevation 1129’ with contractual limits of 0.060 MGD, 1.86 MGM and 21.9 MGY. Parsippany does not anticipate any future growth or development within the Puddingstone pressure gradient which would require additional capacity.

Currently Parsippany pumps water from Brooklawn pressure gradient at elevation 600’ into the Hector pressure gradient at elevation 820’, then pumps from Hector pressure gradient into the Powder Mill pressure gradient at elevation 1125’ which requires significant energy to move this water. Parsippany anticipates future development and additional capacity needs within other pressure gradients of their distribution system estimated at 0.5 MGD of additional demand. The potential for MCMUA to supply additional water to the Powder Mill gradient by gravity was considered. This would significantly reduce energy costs for Parsippany and provide additional capacity for the proposed developments.

Parsippany is also in the preliminary process of preparing for rehabilitation of their Route 10 tank, and discussed the potential to perform a hydraulic test in the fall of 2019 as a temporary means to provide water supply during tank isolation. This test will be coordinated in conjunction with the Markewicz Pump Station rehabilitation project so as to avoid any system operation challenges.

- C. SCE prepared and submitted to the NJDEP an updated firm capacity evaluation for the Mt. Arlington Booster Station, and specifically for the Borough of Mt. Arlington. The NJDEP incorrectly had the firm capacity for Mt. Arlington as 0.34 MGD, which was based on the Allocation limits. However, through our evaluation of pump station design, current performance, and current Water Supply Agreements, it was determined the firm capacity for Mt. Arlington should be corrected to 0.5 MGD. This will allow the NJDEP to certify the upcoming water main extension permit for upcoming Windermere projects in the Borough.
- D. We have initiated preliminary discussions with New Jersey American Water (NJAW) with regard to an emergency interconnection between the recently acquired Roxbury Water Company water system and the MCMUA. As part of this preliminary discussion

and information sharing, it is anticipated the hydraulic grade lines between the NJAW tanks is comparable to the MCMUA Markewicz tank overflow elevation. This is positive in the ability to move water in the event of an emergency from either system. NJAW is currently gaining additional experience and comfort in the ability to operate this system prior to engaging in more formal discussions.

- E. We had a very preliminary and high level discussion with Mitchell Stern, Borough Manager from Mountain Lakes. In discussion he advised his board directed him to reach out to MCMUA to discuss a very long term, hypothetical, emergency concern in which their wells are no longer able to produce due to aquifer issues. We discussed the current situation with regard to the MCMUA contracting 100% of available allocation and as a result there is no immediate ability for the MCMUA to provide water supply. Mitchell indicated the average water consumption of Mountain Lakes water system is approximately 375,000 gpd (March) and he could not provide the HGL of the system. We discussed due to a lack of current direct infrastructure from MCMUA to Mountain Lakes, any future plans this water would be require wheeling through either Denville or Parsippany-Troy Hills.
- F. SCE performed a complimentary Remote Operated Vehicle (ROV) Inspection on the interior, as well as an exterior inspection of the Markewicz Tank #1 at the Markewicz Booster Station to confirm current condition of the interior tank coating.

2. Markewicz Pump Station Electrical Upgrades Construction

The pre-construction meeting for this project was scheduled and held on May 1, 2019 with the appropriate parties:

Owner: Morris County Municipal Utilities Authority  
Contractor: Cypreco Industries, Inc.  
Construction Administrator and Inspector: Mott MacDonald  
MCMUA Consulting Engineer: Suburban Consulting Engineers

Additional discussion items, such as anticipated schedule etc. will be reported at the meeting.

3. New Jersey American Water (NJAW) Coordination

NJAW is currently drafting preliminary water supply contract to be furnished to MCMUA for review and comment by the May/June timeframe.

4. Southeast Morris County Municipal Utilities Authority (SMCMUA) Coordination

SMCMUA revised their minimum take or pay shortage invoice with regard to Clyde Potts Booster Station to reflect fourteen (14) out of service days. This was amicably reached with both Executive Directors. The resulting agreement results in a shortage invoice of \$36,925.57 compared to the previous invoice of \$45,900.43.

Additionally, SMCMUA has provided formal response with regard to our letter dated May 11, 2018 providing notice of MCMUA's intent to have the provisions of Article III (of the Water Supply Agreement dated September 20, 2002 as amended on June 1, 2012 and all amendments to Article III), expire on January 6, 2022. The SMCMUA does not object to the expiration of Article III on the referenced date. They respectfully requested to engage in negotiations for a mutually acceptable amendment of the Water Supply Agreement. The SMCMUA will begin drafting an amended agreement and circulate preliminary drafts for MCMUA review and input prior to August 2019.

5. Mt. Arlington Water Storage Tank Inspection

SCE is scheduled to perform the interior ROV and exterior drone inspection at the Mt. Arlington Water Storage tank to evaluate the current condition of the interior coating to determine the necessary scope of improvements for the tank rehabilitation project.

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

Mr. Deacon provided the following highlights: (1) With regard to the Air Pollution Control System (APC), the piping was completed in-house for the eight gauges and valves as of yesterday. There was a draining problem on the side of the APC. Bobby Ross did that himself. Everything has been piped and it is now at ground level.; (2) Mr. Gindoff gave an update on the HMAT property. He mentioned that Brent Carney and he had a conference call with the HMAT people last week and the minor subdivision is approved already and they need to close on that within 180 days of that approval, so that means that we have to close before mid-July. At this point, the HMAT people are preparing the closing documents. We anticipate at the June meeting having a resolution authorizing the release of the \$45,000 for that property so we could finalize the acquisition.; (3) With regard to the Novartis incinerator, if the resolution is adopted by the Board, the MCMUA is scheduled to be present at the June 26 Freeholder meeting. Before that meeting, the MUA is going to reach out to the DEP to make sure that we are meeting the new environmental justice guidelines.

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

**RESOLUTION NO. 19-38  
RESOLUTION RECOMMENDING THE MODIFICATION OF THE MORRIS  
COUNTY SOLID WASTE MANAGEMENT PLAN TO ELIMINATE A SMALL-SCALE  
THERMAL DESTRUCTION FACILITY- ENERGY RECOVERY SYSTEM (ERS)/  
INCINERATOR AT THE NOVARTIS PHARMACEUTICALS CORPORATION  
IN THE TOWNSHIP OF EAST HANOVER**

**WHEREAS**, the Morris County Municipal Utilities Authority has considered an application submitted by Novartis Pharmaceuticals Corporation (Novartis) for the modification of the Morris County Solid Waste Management Plan (Plan) to eliminate Novartis' Small-Scale Thermal Destruction Facility- Energy Recovery System (ERS)/ Incinerator, located in the Township of East Hanover; and

**WHEREAS**, a proposed Plan amendment to eliminate the Novartis ERS dated April 2019 has been prepared and reviewed by the Morris County Municipal Utilities Authority (MCMUA); and,

**WHEREAS**, after reviewing the Novartis application and conducting a public hearing on April 23, 2019, the Morris County Solid Waste Advisory Council, the entity required to provide input to the Board of Chosen Freeholders prior to modifying the Plan, adopted resolution #01-2019 recommending the Board of Chosen Freeholders amend the Plan for the elimination of inclusion of the Novartis ERS based on the proposed April 2019 Plan amendment; and

**WHEREAS**, the MCMUA, has concluded, that the elimination of the Novartis ERS in the Plan would be in the public interest and would advance the Morris County Solid Waste Management Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Morris County Municipal Utilities Authority recommends to the Board of Chosen Freeholders of Morris County that said board **adopt** an amendment to the Morris County Solid Waste Management Plan which eliminates said Novartis Pharmaceuticals Corporation Small-Scale Thermal Destruction Facility- Energy Recovery System (ERS)/ Incinerator in the Township of East Hanover, from the Morris County Solid Waste Management Plan, as described in the application, which is on file at the offices of the Morris County Municipal Utilities Authority and incorporated herein by reference.

**CERTIFICATION**

I hereby certify the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at a Regular Meeting held on Tuesday, May 7, 2019.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James J. Barry, Jr., Temporary Chairman

ATTEST:

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

**MOTION:** Mr. Platt made a Motion to modify the Solid Waste Management Plan to eliminate ERS Incinerator at Novartis Pharmaceutical Corp. in East Hanover and Dr. Kominos seconded the Motion.

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

(4) Mr. Deacon mentioned that our first HHW One-Day Drop Off Event is this Saturday, May 11, at the Police and Fire Academy.; (5) We had three firms to date pick up the bid for the Small Hazardous Waste Shed project; (6) As far as compost goes, the new front-end loaders will be addressed in Liz’ recycling report with other co-op items.; (7) As far as the outbound material marketing, the MUA received one proposal from Naturcycle. This proposal was reviewed by Staff and Counsel and we are recommending that the Board award the contract to Naturcycle. It is important to remember that the set-aside materials that we provide, our free piles at both locations, and the services that we do with municipalities that provide us with in-bound materials. That is still going to happen. Basically, Naturcycle will provide the bulk sale of materials to our customers through their marketing. Mr. Druetzler commented that means we will get a better deal. Mr. Gindoff replied yes and surprisingly, on a very good note, we had a tremendous month in compost and mulch for the first time in years.

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

**RESOLUTION NO. 19-39  
RESOLUTION AUTHORIZING MARKETING OF RECYCLABLE MATERIALS  
CONTRACT BY AND BETWEEN THE MORRIS COUNTY MUNICIPAL UTILITIES  
AUTHORITY AND NATURCYCLE, LLC**

**WHEREAS**, the Morris County Municipal Utilities Authority (the “MCMUA” or “Authority”) operates a vegetative waste recycling program where it accepts vegetative waste at its two recycling facilities and generates recycled compost and mulch products; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(1)(s), the marketing of recyclable materials recovered through a recycling program, may be negotiated and awarded by the MCMUA without public advertising for bids, and the MCMUA is authorized to instead procure a Marketing of Vegetative Waste Recyclables (Compost and Mulch) contract pursuant to a Request for Proposals (RFP); and

**WHEREAS**, the Authority issued an RFP for the Marketing of Vegetative Waste Recyclables (Compost and Mulch) on April 5, 2019. The Authority received one proposal from Naturcycle, LLC, dated April 15, 2019, in response to its RFP; and

**WHEREAS**, the Naturcycle, LLC proposal was reviewed and evaluated by MCMUA Staff and Counsel; and

**WHEREAS**, following the evaluation, the Staff and Counsel recommend the awarding of a contract to Naturcycle, LLC, having a business address of PO Box 97, Plainville, NY, 13137, based upon the Terms and Conditions for an Alternate Price Proposal submitted in Naturcycle, LLP's April 15, 2019 response to MCMUA's RFP and clarifications to the same dated May 7, 2019.

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

1. Naturcycle, LLC, having a business address of PO Box 97, Plainville, NY 13137, is determined to have submitted the proposal most advantageous to the MCMUA.
2. The Executive Director of the Authority is authorized and directed to sign an agreement with Naturcycle, LLC for the Marketing of Vegetative Waste Recyclables (Compost and Mulch), in a form approved by the Authority's attorney, based on their proposal dated April 15, 2019 and clarifications to the same dated May 7, 2019, available in the offices of the MCMUA, and incorporated herein by reference and made a part hereof, for a term of one (1) year. Such term may be extended not to exceed two (2) one-year extensions, at the sole discretion of the MCMUA, provided sufficient funds are available therefore.
3. The Contract is awarded subject to the submission of all insurance certificates required by the Contract, in a form acceptable to the Risk Manager of Morris County, and all other documentation required by the Contract, and shall commence upon the execution of a written Contract by both parties.
4. The Authority's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
5. A copy of this Resolution shall be forwarded to the MCMUA Treasurer.
6. 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 May 7, 2019

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James Barry, Chairman (Temp.)

ATTEST:

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

**MOTION:** Ms. Szwak made a Motion to authorize marketing of Recyclable Materials Contract by and between the MCMUA and Naturcycle, LLC and Mr. Platt seconded the Motion.

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

## **TRANSFER STATIONS**

**Tonnage-** For the month of April 2019, the quantity of solid waste accepted at the two transfer stations was 37,472 tons. This monthly tonnage for April 2019 was 12.15% greater than the 33,411 tons accepted a year ago in April 2018. Based on the four (4) months of 2019 transfer station activity, for the year 2019 the annual total tonnage is currently projected to be 431,160 tons. If this projection holds true, the tonnage for 2019 will exceed tonnage for 2018 by 8.84%. Please refer to the attached Transfer Station Disposal Report by Month for additional information.

**MCMUA Transfer Stations Contract-** MCMUA solid waste operational staff met on Wednesday, May 1 to discuss and review the current Operations and Maintenance (O&M) Manuals for both transfer station locations to make sure all the documents are consistent with each other. Staff is preparing to meet on the current transfer station contract with J.P. Mascaro and Sons to begin the process of considering what to change in the next round of bidding with respect to the two (2) MCMUA transfer stations. The current five (5) year contract with J.P. Mascaro runs through the end of May 2020. Staff already performed a detailed review of the requirements listed in our current NJDEP Solid Waste Permits to compare them to what is required as part of the current contract.

**HMAT Property-** HMAT's request for Morris County minor subdivision approval was approved by the Morris County Planning Board in a letter dated April 8, 2019 while still requesting additional information regarding HMAT's storm water issues prior to approving HMAT's site plan. HMAT's Attorney is preparing the minor subdivision paperwork to be executed between HMAT and MCMUA for the purchase of this property as agreed to between the MCMUA and HMAT.

**Improvements- Parsippany-Troy Hills Transfer Station-** Alaimo Engineering is in the process of preparing bid specifications in accordance with the engineering assessment 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. It is anticipated that an RFP will be issued for this work later this summer.

MCMUA Operational Supervisor, Bobby Ross, met with J.P. Mascaro management on April 25 to review the ongoing site maintenance requirements for both transfer stations. MCMUA is also working on updating or replacing signage in and around both facilities.

**Transfer Station Site Tours-** MCMUA operational staff, led by Transfer Stations Operational Manager Michael Rathbun, provided two (2) tours of the Mount Olive transfer station on April 17 and April 19. The first involved an Environmental Health class from William Paterson College with over 25 students participating. The second was 45 students from SEWA including 8 chaperons (see Recycling Operation report for details).

Included with the Correspondence Report for the Board is an annual survey on New Jersey's Solid Waste Disposal Fees and Host Community Benefit Fees which is prepared every year by the Atlantic County Utilities Authority (ACUA). The survey responses are on the variety of disposal systems, tipping fees, and host benefits paid by each county in the State of New Jersey. This data is based on the available information as of April 2019.

## **SOLID WASTE MANAGEMENT PLAN**

**Northeast Products, LLC- Plan Modification Request-** The MCMUA received a formal Resolution Number 2019-083 dated March 12 from the Township of Roxbury Municipal Clerk approving the inclusion to accept wood pallets and other clean dimensional lumber in addition to other natural wood materials (stumps and logs). These new materials would be processed as part of Northeast's existing recycling processes to handle stumps and other large natural wood waste. The MCMUA submitted an administrative action request letter to the NJDEP Solid Waste Planning Division to add these materials to those already included as acceptable for this facility. The MCMUA received an approval letter back from the NJDEP for the submitted administrative action and proposed amendment on April 12, which has been attached as correspondence for the Board.

Also attached as correspondence for the Board is Northeast Products, LLC's Recycling Center General Approval for class "B" Recycling Center- Modification from the NJDEP, which permits the acceptance of 125 tons per day of leaves for transfer during the months of October to May. Northeast's "exempt" leave transfer operation located at Block 8901; Lot 2 has ceased operations as an "exempt" operation since this activity has been incorporated under their class "B" Recycling Center General Approval as of April 9, 2019.

Northeast Products, LLC is currently looking to update their hours of operations and also include some self-generated aggregate recycling at their facility. MCMUA staff has arranged to meet with Northeast Products and their engineering consultant onsite at their Roxbury facility on May 2.

**Solid Waste Advisory Council (SWAC)-** The Morris County SWAC held its 2019 reorganization meeting on April 23, which included new SWAC member Kevin Scollans. New business included a Plan Amendment request by Novartis Pharmaceuticals Corporation (Novartis), located at One Health Plaza in East Hanover Township, for the termination/ removal of the small-scale Solid Waste Energy System (ERS) (Incinerator). The Plan amendment provides for the elimination of the previous inclusion of the ERS from the Morris County Solid Waste Management Plan. MCMUA originally attempted to complete this removal by submitting an administrative action request letter to the NJDEP, requesting Novartis's incinerator be removed from the Plan. The NJDEP rejected the proposed administrative action request and required a full Plan Amendment in order to complete to removal from the Plan of the ERS. Once reviewed and discussed in detail, the SWAC members considered the April 2019 Solid Waste Management Plan Amendment provided to them prior to the meeting, requesting the elimination of the Novartis ERS. SWAC Resolution Number 01-2019 was then considered and approved by the SWAC recommending that the Morris County Board of Chosen Freeholders adopt the April 2019 Plan Amendment with respect to the Novartis ERS matter. SWAC Resolution Number 01-2019, communication with the Freeholders, and the associated Plan amendment are all included in Correspondence Report for the Board. A similar resolution recommending that the Freeholder adopt this Plan amendment has been prepared for MCMUA's Board consideration at its May 7 meeting.

Included in correspondence for the Board, the NJDEP Bureau of Planning and Licensing sent all the solid waste implementing agencies and Solid Waste Advisory Councils (SWAC) a self-explanatory important letter from the NJDEP Division of Solid and Hazardous Waste regarding guidance for submitting plan amendments. The guidance is imposing new Environmental Justice requirements with respect to all new facilities being included in the plan. The letter mentions public notice requirements when considering changes to County Solid Waste Management Plans. The MCMUA forwarded this information to the Morris County Board of Chosen Freeholders. Also attached is a April 23, 2019, Riker Danzig Environmental Law Blog article on this matter to provide the Board with some background.

## **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. The MCMUA had a total of 147 completed appointments at the HHW facility during the month of April 2019. 2019 participation was lower when compared to last year, when in April 2018, the MCMUA served 209 HHW participants.

As a reminder, the first two (2) scheduled 2019 MCMUA HHW one-day drop-off events will be held will be coming up with the first being held at the Morris County Public Safety Training Academy in Parsippany on Saturday, May 11 and the second being held on Saturday, June 8 at the County College of Morris in Randolph. Both of these events run from 9:00 AM till 2:00 PM, rain or shine.

**Hazardous Waste Shed Replacement-** A Request for Proposal (RFP) was issued on May 1 for the replacement of the smaller HHW facility hazardous waste shed with a receive by date of May 21. This project has been identified and budgeted for as a priority for 2019. Staff expects the bid results to be presented for consideration and award at the June 11 MCMUA Board meeting.

## **VEGETATIVE WASTE MANAGEMENT**

The MCMUA started the 2019 delivery season earlier than usual and continues to schedule for the residential deliveries of compost and mulch. Current deliveries are booked well into the middle of June, especially out of our Parsippany location. MCMUA staff anticipates these deliveries to start to slow down during the late spring months. There seems to be increased interest in purchasing screened compost in bulk quantities which is a nice turnaround from the past few years. A copy of the Vegetative Waste Report will be provided to the MCMUA Board at the upcoming meeting for reference.

MCMUA prepared and submitted its two (2) NJDEP Annual Recycling Facility reports on April 11 for the Mount Olive and Parsippany vegetative waste locations. These new comprehensive excel reports consisted of separate tabbed forms for required information from the class "B" and class "C" operations at both facilities. Submission of these revised reports is a new requirement by NJDEP and results in additional administrative work to complete.

**Related Heavy Equipment-** Legal notices announcing the MCMUA intent to award a contract for the purchase of two (2) new loaders using this co-op was published on April 8 and it is anticipated that resolutions authorizing the participation in the co-op as well as approving the purchase of these two (2) loaders will be presented to the Board for its consideration at the May 7 meeting.

**Mount Olive Compost Entrance Road Project-** MCMUA costumers and county municipalities continue to use the other entrance off Old Waterloo Road and Lozier Road to access our Mount Olive facility. MCMUA Vegetative Waste Supervisors continue to work with ARCO National Construction (ARCO) and the Mount Olive Township Police Department due to the road closure of Waterloo Valley Road (near the Givaudan Fragrances Corporation and UPS facility in the International Trade Zone). The free piles of compost and mulch are temporally closed to residents due to this road improvement and utility project. ARCO anticipates the construction to be completed within the beginning of the second week in May. The roadway will then be closed again for another three (3) days at the end of the month of May for final paving and line painting.

**Outbound Materials Marketing-** MCMUA issued a formal Request for Proposal (RFP) inviting firms to provide marketing and sales of final vegetative waste products, including compost and double ground wood mulch, from each of our vegetative waste sites in Parsippany and Mount Olive. These proposals were received back to the office on April 30. MCMUA staff and counsel will review for the anticipated consideration and award during the May 7 Board meeting.

## **RECYCLING REPORT:**

Ms. Sweedy reported the following: (1) The preliminary rate for single-stream for the month of April is -\$78.43. There is a significant drop in paper fiber, as well as a drop in other commodities. She reached out to Steve Hastings of Republic Services and according to him, due to the export market changes, primarily because we are no longer sending recyclables to China, there are some unforeseen challenges with the countries accepting recyclables. In April, the major impact was the Ramaden holiday, which resulted in no shipments of paper fiber making for a drop of over \$20 per ton. Domestic markets were flooded caused by downtime and excessive volume of material. Natural HDPE dropped in values as well, which caused a flood of virgin materials on the market. Steve feels that the outlook for May is hopeful. These are very challenging times.

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

**RESOLUTION NO. 19-40**  
**RESOLUTION AUTHORIZING THE**  
**AUCTION/SALE/DISPOSITION OF EQUIPMENT**

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) owns Equipment, which has been used primarily at the Curbside Department, as further described below:

- 2007 Ford F250 Super Duty Truck; and

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

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

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

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

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on May 7, 2019.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James J. Barry, Jr., Chairman (Temp.)

ATTEST:

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

**MOTION:** Mr. Platt made a Motion to authorize auction/sale/disposition of equipment and Ms. Szwak seconded the Motion.

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

**RESOLUTION NO. 19-41**  
**AUTHORIZING THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY TO**  
**ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE**  
**SOURCEWELL COOPERATIVE PRICING SYSTEM**

**WHEREAS**, the Morris County Municipal Utilities Authority (MCMUA) is authorized by N.J.S.A. 52:34-6.2 to make purchases and contracts for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, and further provided that the contracting unit has made a determination that the use of a cooperative purchasing agreement will result in cost savings after all factors have been considered; and

**WHEREAS**, the Qualified Purchasing Agent (QPA) for the MCMUA has determined that the SourceWell Cooperative Purchasing Program (Sourcewell) is a nationally-recognized and accepted cooperative purchasing system and agreement that has been developed utilizing a competitive bidding process by another contracting unit. Sourcewell is a service cooperative created by the Minnesota legislature as a local unit of government. Minn. Const. art. XII, sec. 3. As a public corporation and agency, Sourcewell is governed by local elected municipal officials and school board members. Minn. Stat. § 123A.21 Subd. 4 (2017); and

**WHEREAS**, the MCMUA QPA has further determined that Sourcewell utilizes a cooperative purchasing system and agreement that complies with the competitive bidding process set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq., and meets the criteria of the New Jersey pay-to-play law at N.J.S.A. 19:44A-20.7; and

**WHEREAS**, Sourcewell membership is available to government, education and non-profit agencies at no cost, liability or obligation to the member; and

**WHEREAS**, the MCMUA is desirous of participating in a Cooperative Pricing Agreement with the Sourcewell Cooperative Pricing System; and

**WHEREAS**, the Sourcewell Cooperative Pricing System will make the procurement process efficient and provide a cost savings to the MCMUA.

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Morris County Municipal Utilities Authority, County of Morris, State of New Jersey, hereby authorizes the MCMUA to enter into the attached agreement with the Sourcewell Cooperative Pricing System; and

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the QPA is hereby authorized to sign the attached Agreement with Sourcewell Cooperative Pricing System on behalf of the MCMUA.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at a Regular Meeting held on Tuesday, May 7, 2019.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James J. Barry, Jr., Chairman (Temp.)

ATTEST:

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

**MOTION:** Mr. Druetzler made a Motion to authorize MCMUA to enter into a Cooperative Pricing Agreement with the Sourcewell Cooperative Pricing System and Mr. Platt seconded the Motion.

Mr. Platt asked who is Sourcewell? Ms. Sweedy explained that they are a cooperative pricing agency. We are getting in an agreement with them so that we could take advantage of making purchases. Is it a national organization? Ms. Alexander replied that it is a national organization run out of the State of Minnesota acceptable to the State of New Jersey. Mr. Gindoff mentioned that we have to first join the co-op, which we are doing with this resolution, and then we can purchase through it.

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

Chairman Barry mentioned that we are going to combine the next three resolutions, as they are all for purchase of equipment. Ms. Sweedy asked for the Board's approval of following three resolutions (Resolution No. 19-42, Resolution No. 19-43 and Resolution No. 19-44):

**RESOLUTION NO. 19-42**

**RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE PURCHASE OF ONE (1) ROLL-OFF TRUCK THROUGH THE SOURCEWELL COOPERATIVE PRICING SYSTEM #081716NVS PURCHASING CONTRACT FOR 2019**

**WHEREAS**, the Morris County Municipal Utilities Authority (MCMUA) is authorized by N.J.S.A. 52:34-6.2 to make purchases and contracts for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, and further provided that the contracting unit has made a determination that the use of a cooperative purchasing agreement will result in cost savings after all factors have been considered; and

**WHEREAS**, the Qualified Purchasing Agent (QPA) for the MCMUA has determined that the Sourcewell Cooperative Purchasing Program (Sourcewell) is a nationally-recognized and accepted cooperative purchasing system and agreement that has been developed utilizing a competitive bidding process by another contracting unit. Sourcewell is a service cooperative created by the Minnesota legislature as a local unit of government. Minn. Const. art. XII, sec. 3. As a public corporation and agency, Sourcewell is governed by local elected municipal officials and school board members. Minn. Stat. § 123A.21 Subd. 4 (2017); and

**WHEREAS**, the MCMUA QPA has further determined that Sourcewell utilizes a cooperative purchasing system and agreement that complies with the competitive bidding process set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq., and meets the criteria of the New Jersey pay-to-play law at N.J.S.A. 19:44A-20.7; and

**WHEREAS**, Sourcewell has advertised and awarded cooperative purchasing agreements for a variety of goods and equipment, including Roll-off Trucks; and

**WHEREAS**, through the Sourcewell Cooperative Purchasing Program, one (1) Roll-off Truck is available through Navistar Authorized Dealer, Deluxe International Trucks, Inc. in the amount of \$189,742.00; and

**WHEREAS**, all required documentation, including, New Jersey Business Registration Certificate; Statement of Corporate Ownership; Public Contract EEO Compliance Form (Affirmative Action) and Non-collusion Affidavit has been obtained from the vendor in accordance with New Jersey Local Public Contracts Law; and

**WHEREAS**, a cost savings analysis was done by the MCMUA QPA and it was determined that the MCMUA would save \$10,774.45 by obtaining the vehicle from the Sourcewell Cooperative Purchasing Program; and

**WHEREAS**, on April 12, 2019, the Morris County Municipal Utilities Authority publicly advertised a Notice of Intent to Award a Contract for the purchase of one (1) Roll-off Truck through the Sourcewell Cooperative Purchasing Program under a National Cooperative

Purchasing Agreement. The associated public comment period ended on April 23, 2019 and no comments were received; and

**WHEREAS**, in lieu of a separate certification of funds, the maximum dollar value of this contract is \$189,742.00 as per N.J.A.C. 5:30-5.4(a) 3; and

**WHEREAS**, there are sufficient funds available for this purchase from account #01-3-300-800-151.

**NOW THEREFORE BE IT RESOLVED** by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey, that it does hereby authorize the award of contract through the SourceWell Cooperative Purchasing Program for the purchase of one (1) Roll-off Truck in the amount of \$189,742.00.

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 Tuesday, May 7, 2019.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James J. Barry, Jr., Chairman (Temp.)

ATTEST:

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

### **RESOLUTION 19-43**

#### **RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE PURCHASE OF ONE (1) PACKER REAR LOADER TRUCK THROUGH THE SOURCEWELL COOPERATIVE PRICING SYSTEM #081716NVS PURCHASING CONTRACT FOR 2019**

**WHEREAS**, the Morris County Municipal Utilities Authority (MCMUA) is authorized by N.J.S.A. 52:34-6.2 to make purchases and contracts for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, and further provided that the contracting unit has made a determination that the use of a cooperative purchasing agreement will result in cost savings after all factors have been considered; and

**WHEREAS**, the Qualified Purchasing Agent (QPA) for the MCMUA has determined that the Sourcewell Cooperative Purchasing Program (Sourcewell) is a nationally-recognized and accepted cooperative purchasing system and agreement that has been developed utilizing a competitive bidding process by another contracting unit. Sourcewell is a service cooperative created by the Minnesota legislature as a local unit of government. Minn. Const. art. XII, sec. 3. As a public corporation and agency, Sourcewell is governed by local elected municipal officials and school board members. Minn. Stat. § 123A.21 Subd. 4 (2017); and

**WHEREAS**, the MCMUA QPA has further determined that Sourcewell utilizes a cooperative purchasing system and agreement that complies with the competitive bidding process set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq., and meets the criteria of the New Jersey pay-to-play law at N.J.S.A. 19:44A-20.7; and

**WHEREAS**, Sourcewell has advertised and awarded cooperative purchasing agreements for a variety of goods and equipment, including Packer Rear Loader Trucks; and

**WHEREAS**, through the Sourcewell Cooperative Purchasing Program, one (1) Packer Rear Loader Truck is available through Navistar Authorized Dealer, Deluxe International Trucks, Inc. in the amount of \$128,778.00; and

**WHEREAS**, all required documentation, including, New Jersey Business Registration Certificate; Statement of Corporate Ownership; Public Contract EEO Compliance Form (Affirmative Action) and Non-collusion Affidavit has been obtained from the vendor in accordance with New Jersey Local Public Contracts Law; and

**WHEREAS**, a cost savings analysis was done by the MCMUA QPA and it was determined that the MCMUA would save \$12,634.38 by obtaining the vehicle from the Sourcewell Cooperative Purchasing Program; and

**WHEREAS**, on April 12, 2019, the Morris County Municipal Utilities Authority publicly advertised a Notice of Intent to Award a Contract for the purchase of one (1) Packer Rear Loader Truck through the Sourcewell Cooperative Purchasing Program under a National Cooperative Purchasing Agreement. The associated public comment period ended on April 23, 2019 and no comments were received; and

**WHEREAS**, in lieu of a separate certification of funds, the maximum dollar value of this contract is \$128,778.00 as per N.J.A.C. 5:30-5.4(a) 3; and

**WHEREAS**, there are sufficient funds available for this purchase from account #01-3-300-800-151.

**NOW THEREFORE BE IT RESOLVED** by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey, that it does hereby authorize the award of contract through the Sourcewell Cooperative Purchasing Program for the purchase of one (1) Packer Rear Loader Truck in the amount of \$128,778.00.

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 Tuesday, May 7, 2019.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James J. Barry, Jr., Chairman (Temp.)

ATTEST:

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

**RESOLUTION NO. 19-44  
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY AUTHORIZING  
THE PURCHASE OF (2) WHEEL LOADERS THROUGH THE SOURCEWELL COOPERATIVE  
PRICING SYSTEM #081716NVS PURCHASING CONTRACT FOR 2019**

**WHEREAS**, the Morris County Municipal Utilities Authority (MCMUA) is authorized by N.J.S.A. 52:34-6.2 to make purchases and contracts for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, and further provided that the contracting unit has made a determination that the use of a cooperative purchasing agreement will result in cost savings after all factors have been considered; and

**WHEREAS**, the Qualified Purchasing Agent (QPA) for the MCMUA has determined that the Sourcewell Cooperative Purchasing Program (Sourcewell) is a nationally-recognized and accepted cooperative purchasing system and agreement that has been developed utilizing a competitive bidding process by another contracting unit. Sourcewell is a service cooperative created by the Minnesota legislature as a local unit of government. Minn. Const. art. XII, sec. 3.

As a public corporation and agency, Sourcewell is governed by local elected municipal officials and school board members. Minn. Stat. § 123A.21 Subd. 4 (2017); and

**WHEREAS**, the MCMUA QPA has further determined that Sourcewell utilizes a cooperative purchasing system and agreement that complies with the competitive bidding process set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq., and meets the criteria of the New Jersey pay-to-play law at N.J.S.A. 19:44A-20.7; and

**WHEREAS**, Sourcewell has advertised and awarded cooperative purchasing agreements for a variety of goods and equipment, including Wheel Loaders; and

**WHEREAS**, through the Sourcewell Cooperative Purchasing Program, two (2) Wheel Loaders are available through Volvo Construction Equipment North America LLC., in the total amount of \$469,482.00. The purchase would be made through the Volvo Authorized Dealer, Hoffman Equipment Company; and

**WHEREAS**, all required documentation, including, New Jersey Business Registration Certificate; Statement of Corporate Ownership; Public Contract EEO Compliance Form (Affirmative Action) and Non-collusion Affidavit has been obtained from the vendor in accordance with New Jersey Local Public Contracts Law; and

**WHEREAS**, a cost savings analysis was done by the MCMUA QPA and it was determined that the MCMUA would save \$49,461.62 by obtaining the vehicles from the Sourcewell Cooperative Purchasing Program; and

**WHEREAS**, on April 12, 2019, the Morris County Municipal Utilities Authority publicly advertised a Notice of Intent to Award a Contract for the purchase of two (2) Wheel Loaders through the Sourcewell Cooperative Purchasing Program under a National Cooperative Purchasing Agreement. The associated public comment period ended on April 23, 2019 and no comments were received; and

**WHEREAS**, in lieu of a separate certification of funds, the maximum dollar value of this contract is \$469,482.00 as per N.J.A.C. 5:30-5.4(a) 3; and

**WHEREAS**, the funding for this purchase shall come from account #01-4-300-400-152.

**NOW THEREFORE BE IT RESOLVED** by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey, that it does hereby authorize the award of contract through the Sourcewell Cooperative Purchasing Program for the purchase of (2) Wheel Loaders in the amount of \$469,482.00.

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 Tuesday May 7, 2019.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
James J. Barry, Jr., Chairman (Temp.)

ATTEST:

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

**MOTION:** Dr. Kominos made a Motion adopt Resolution No. 19-42, Resolution No. 19-43 and Resolution No. 19-44 to authorize the MCMUA to purchase (1) Roll-Off Truck, (1) Packer Rear Loader Truck and (2) Wheel Loaders Through The Sourcewell Cooperative Pricing System #081716NVS Purchasing Contract for 2019 and Mr. Druetzler seconded the Motion.

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

Mr. Platt asked what is the approximate cost of this equipment. Ms. Alexander replied that it is \$128,000 for the rear loader, \$189,742 for the roll-off truck and for the two wheel-loaders, the total is \$469,482. Mr. Gindoff mentioned that according to our resolution we are saving over \$10,000 per item.

### **Recycling Operations**

**Tonnage and Value** – The March 2019 ReCommunity/Republic statement was finalized in the amount of **(\$89,386.46)**. The per ton rate for single-stream was **(\$62.99)**. Much of the decline experienced in this past month was due to continued declines in most commodities including fibers, plastics and metals. The April 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.

### **Municipal Recycling Tonnage Grant Reports & Requirements**

The NJDEP requires an annual recycling tonnage report from all municipalities to be submitted by April 30. During the month of April, staff has been assisting municipal recycling coordinators with information and preparations of the reports. The NJDEP has implemented new requirements for those holding the title of municipal recycling coordinator. During calendar year 2019, each municipal recycling coordinator must attend one county-run recycling meeting and must tour a Class A recycling facility. Staff planned three recycling meetings during 2019, and has arranged for tours on a monthly basis (going forward) at ReCommunity/Republic Services in order to accommodate all coordinators. The first tour of ReCommunity took place on April 30.

**Staff Changes** – Interviews were conducted for the position to replace Mary Stanchina who recently retired from the MUA Curbside department. Alexandra Cavagrotti was the determined to be best-qualified candidate for the position and accepted the job. She is expected to begin during the month of May.

**Netcong Borough** – Ralph Blakeslee, Municipal Administrator, contacted the MCMUA regarding complaints from residents about recycling containers not being placed back on the curb (sidewalk or driveway). Residents claimed that empty recycling containers were placed on the roadway. MUA curbside supervisors monitored Netcong Borough streets before and after recycling collection and took before and after photos in order to get a better understanding of the complaints. On April 30, MUA curbside supervisors, along with Municipal Recycling Coordinator Tom Mendel, who was invited to drive along, drove through the Borough to see if there were any containers on roadways. Tom agreed with MUA supervisors that he did not see any issues and the MUA crew conducted collection of recyclables in an acceptable and appropriate manner. Curbside supervisors will continue to monitor collections in the Borough. Letters regarding this matter have been included in the Correspondence Report.

**Mine Hill Township** – On 4/16/19, Larry Gindoff, Larry Kaletcher, and Chris Vidal met with Mayor Sam Morris and Town Clerk Amanda Macchia of Mine Hill. Mine Hill had been delinquent with the payment for the processing of single-stream materials.. The Mayor needed additional information about the quarterly bills for the Township's Council before agreeing to pay the bills as Council members were questioning why there was a charge. Larry Gindoff explained the market conditions, the cost of processing material at ReCommunity, commodity pricing, and Morris County's composition of single-stream mix. The Mayor asked for a breakdown of the tonnage processed each month and that information was emailed to Ms. Macchia for approval at their next Council meeting.

### **Earth Day Display at the Morris County Library**

Staff created and set up a display at the Morris County Library on April 1, 2019. The display was in place for the entire month of April. The three display cases offered information and samples of acceptable recyclables, unacceptable materials and litter abatement and prevention information. Outreach materials were also made available next to the display.

### **Resolutions & Proposals**

#### **Lease Renewal of Armory (479 West Clinton Street, Dover, NJ 07801)**

Staff is preparing for the renewal of the lease at the Armory which is scheduled to renew in July with a resolution to be considered by the MUA Board for consideration at the June meeting authorizing a one-year renewal of this lease. The MUA curbside department is based at this location which is well suited for parking compactor trucks, roll-off containers, dumpsters, etc.

### **Recycling Inspections and Education**

Six recycling programs were sponsored in April, at schools and libraries, through the education portion of the Recycling Enhancement Act Grant (REA grant), in Mine Hill, Hanover Township, East Hanover Township and Montville Township. Bill Kerwood, the presenter, designed a magical, fun, and interactive recycling program to teach the students about recycling right!

**Boat Shrink Wrap (BSW) Collection Program:** The boat shrink-wrap collection program began on April 1 and will continue through June 16 at Lee's County Park Marina. Residents and marinas take advantage of this opportunity. ReCommunity/Republic Services will bale and market the material, the same as last year. A total of 6.14 tons of BSW was collected during the month of April.

On 4/11/19, staff provided an educational recycling presentation at the Whippanong Library in Hanover Township for fourth and fifth grade students. The program was well received. Students asked many interesting questions and were surprised to find out exactly what is acceptable in the recycling stream. Parents appreciated the handouts and asked questions following the presentation.

On 4/12/19, staff provided an educational recycling and HHW presentation at the request of Richard Nyquist, for representatives from 15 senior citizens groups/clubs in Morris County. Outreach materials were provided. The representatives will bring the information and outreach materials back to their own meetings for senior groups in a variety of municipalities. The presentation was extremely well received!

On 4/16/19, staff conducted recycling inspections at the Parsippany transfer station. Pinto of Montville brought a 30-yard roll-off of trash container that was mixed with corrugated cardboard. The generator was a commercial business in Lincoln Park. Staff forwarded the write-up to John LaPointe, Municipal Recycling Enforcement Coordinator.

On 4/17/19, staff conducted inspection of school recycling and trash dumpsters at the following schools:

- Netcong Elementary School, Netcong Borough
- Canfield Avenue School, Mine Hill Township
- Marie V. Duffy School & MacKinnon Middle School, Wharton Borough

The inspections provided critical information with regard to unacceptable materials that were in the recycling dumpsters. Plastic bags, fluorescent light bulbs, Styrofoam, food waste and hard cover books were found. All of these items are not acceptable. Some dumpster lids were found in the open position, allowing rain to create higher levels of moisture, especially in cardboard and paper. Photos were taken during the inspections. Letters with detailed information and recommendations will be mailed to each school.

On 4/19/19, staff provided an educational recycling presentation at the Randolph Library for students in an organization called SEWA (NJ northwest chapter). The group of 45 high school students attend a variety of local high schools. The students were attentive and asked great questions. Following the presentation, the students participated in a tour of the Mt. Olive transfer station. The New Jersey SEWA Chapter is dedicated to serve humanity on the principles of Nar

Sewa Narayan Sewa (serving humanity is serving God). The group of organizers and volunteers are mostly students and working parents.

On 4/23/19, staff provided an educational recycling presentation at The Oaks, a senior living facility in Denville Township. The residents were very interested in the current challenges with recycling markets and offered suggestions and remarks. Mrs. Art Albohn, wife of former Assemblyman Albohn, who was a sponsor of the Source Separation and Recycling Act, attended and expressed her appreciation for the recycling programs and education offered by the MCMUA.

On 4/24/19, staff provided an educational overview of best school recycling practices for custodians at the Denville Township School District. The informative presentation is offered to all school districts. Following inspections at schools that are serviced by the MCMUA, staff reaches out to facilities directors to offer this service in order to educate the custodial staff and to point out some of the problem areas that need attention, that are specific to the inspections. The custodians can make a concerted effort to improve the recycling stream by keeping unacceptable items out of recycling dumpsters.

On 4/25/19, after receiving a complaint from a Randolph resident who resides at the Arrowgate Apartments, staff went to investigate and took photos of the disposal areas, and trash dumpsters at Arrowgate Apartments on Route 10, Randolph. The complaint was valid. There were no separate containers/dumpsters designated for recyclables at this apartment complex. Mark Caputo, Randolph's Municipal Recycling Enforcement Coordinator, was provided with the information and photos showing mandated materials in the trash dumpster during the inspection. Staff confirmed that there were no recycling containers/dumpsters present and residents are unable to keep mandated recyclables separate from trash.

## **Clean Communities**

**Educational Programs:** The MCMUA funded three educational programs in April at the Morris Museum, and two schools, one in the Town of Boonton and one in Madison Borough.

**Road Clean-ups:** The MCMUA hired Adopt-a-Highway Litter Removal Service of America to perform two cleanups in April. The first on April 11, on Howard Blvd., Berkshire Valley Rd., Minisink Rd. and Espanong Rd. in Jefferson Township and Mt. Arlington Borough. The second was on April 12, on Edwards Rd., New Rd., Troy Meadows Access Rd., ramps on/off Route 280, Ridgedale Ave., in Parsippany Troy Hills Township and East Hanover Township (near Parsippany transfer station). The cleanups totaled 10.2 linear miles cleaned, both sides of the road. There were 68 bags of trash and 45 bags of recyclables collected from the two cleanups, plus other objects such as a table, chairs, PVC pipe, and wood waste. Parsippany's Clean Communities Coordinator, Greg Schneider and the Mayor of Parsippany, Michael Soriano, both sent emails to the MCMUA thanking them for doing the cleanup. They had seen the crew working and were impressed the results.

**Keep Morris County Litter Free, Grants for Public Schools:** The "Keep Morris County Litter Free" grant program for school litter cleanups began in April. Twenty schools have signed up for the litter cleanups. Signed paperwork, photos and summary reports must be submitted following the litter cleanups in order to receive the grant. The grant money must be used to purchase indoor recycling containers or outside recycling or trash containers for the schools.

**Clean Communities Environmental Awards:** Staff nominated the Morris County Environmental Academy for Science, for an Environmental Education Award. The nomination was accepted and the award will be presented at the annual NJ Clean Communities Awards Dinner, at the 2019 Clean Communities conference on May 23, 2019, in Princeton.

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

On 4/2/19 staff, assisted with a presentation, at the request of Kelly Ann Keyes, Roxbury Township Municipal Recycling Coordinator, for teachers from the Jefferson and Kennedy Schools. The presentation included information about recycling right and the common misconceptions about what materials are acceptable in recycling stream at schools. Teachers were given outreach materials and staff answered questions.

On 4/3/19, staff attended the ANJR Annual Membership Meeting at the Rutgers EcoCenter.

On 4/5/19, staff met with Daniel Correa, AmeriCorps Watershed Ambassador, to look at the area at the MUA wellfield property and walking trail along the Lamington Brook. Daniel is setting up a litter cleanup and invasive plant species removal on May 28. This will be the first project to take place at the designated location. Staff plans to meet with Tony Milonas in May to discuss plans for the section of land at the beginning of the trail that would best be suited for the placement of educational signage.

On 4/11/19, staff met with Mark Prusina, Municipal Recycling Coordinator, regarding the curbside proposal for Mt. Lakes. He was able to answer questions about residential collection, school recycling and the municipal recycling depot. This information is important when putting together a proposal for curbside recycling collection.

On 4/22/19, staff exhibited at GAF corporate headquarter's Earth Day Event in Parsippany. Outreach materials were provided and staff distributed 100+ Environmental Guides, decals, and answered many questions about recycling, HHW, and compost.

On 4/24/19, staff met with Richard Gaudette, Project Coordinator, Pennsylvania Construction Assoc., Harrisburg, PA. Mr. Gaudette and his crews are building the Chick-fil-A in Morris Plains. Their 30-yard roll-off container had construction debris mixed with mandated recyclable materials. Mr. Gaudette said that he had not been told about mandated requirements by the town's Building Department, and if he had, he would have source separated his materials. He called his hauler, Dave of Bull N Bear, and told him about my visit. Dave called me and said that he did not have to separate the waste because he was bringing the roll-off to Cavalier where it would all be recycled. After discussing mandated recycling, source separating, and waste flow requirements with him, he told me that he would be bringing another container for mandated recycling to the job site

On 4/27/19, staff exhibited at Madison's Green Fair at the Madison Public Library. Recycling decals, Environmental Guides, and HHW brochures were distributed. Fairgoers had great questions and appreciated the outreach materials that were available.

On 4/30/19, staff met Morgan Brown, an intern the MUA will use this summer, who is a student at the Morris County Academy for Environmental Science, through the Morris County School of Technology. Morgan will be instrumental in working on the projects associated with the walking trail along the wellfield property. Staff looks forward to working with her.

#### **ATTORNEY REPORT:**

Ms. Alexander mentioned that she 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 informed the Board that on Thursday, Gene Feyl, Laura and he are getting for an initial kick-off on the Open Space Committee.

He also mentioned that he has been participating in the Whippany Watershed Action Committee on behalf of the County. He informed Freeholder-liaison Krickus that he forwarded them some information he spoke with Chris Vietz about on the AME Bethel Church Whippany River bank erosion matter. In addition, he participated in a tree planting ceremony at Central Park with them run by the Park Commission, and it worked out well, as he met up with people from Southeast there and had some good bonding time with Laura Cummings as we planted trees together.

Mr. Gindoff commended Diane Alexander for a great job that she did at the AEA Meeting at her office that Gene Feyl attended last week. This year there was a great discussion on the rain tax that is about to hit us and we also discussed quite a bit of recycling. It was an excellent session.

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 Barry asked for a Motion to adjourn the meeting at 7:35 p.m.

**MOTION:** Dr. Kominos made a Motion to adjourn the meeting at 7:35 p.m., seconded by Mr. Platt and carried unanimously.

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Marilyn Regner  
Secretary

/mr