

MINUTES OF REGULAR MEETING

SEPTEMBER 10, 2019

The Regular Meeting of the Morris County Municipal Utilities Authority was held on September 10, 2019 at 7:05 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey. The necessary notice of this meeting was published according to the law.

Vice Chairman Dour requested a roll call.

PRESENT: Ms. Laura Szwak, Mr. James Barry, Dr. Arthur Nusbaum, Mr. Christopher Dour, Mr. Frank Druetzler, Mr. Fletcher Platt and Mr. Gene Feyl.

ABSENT: Dr. Dorothea Kominos and Mr. William Hudzik.

Also present were Larry Gindoff, Executive Director; Michael McAloon, P.E., and Andrew Holt, 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; Chris Warren, P.P. and Piotr Grodek, P.E. of Alaimo Group; and Jacqueline Klapp, Court Stenographer.

Vice Chairman Dour asked for the Board's approval of the Minutes of the Regular Meeting dated August 6, 2019.

MOTION: Mr. Barry made a Motion to approve the Minutes of the Regular Meeting of August 6, 2019 and Ms. Szwak seconded the Motion.

ROLL CALL: AYES: 5 NAYES: NONE ABSTENTIONS: Dr. Arthur Nusbaum & Mr. Druetzler

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating and Water Operating for the month of August 2019. Also included are the Comparative Balance Reports for both the Water and Solid Waste Divisions year-to-date through August 2019. The investment report for August shows a five month CD with Connect One Bank. The CD will continue to earn 2.5% annual rate and will earn approximately \$48,770. Connect One is part of the governmental unit deposit protection act and is listed in the MCMUA Cash Management Plan. These reports have been incorporated in these Minutes.

Vice Chairman Dour 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 Mr. Barry seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Mr. Kaletcher mentioned that he had three budget amendments to present to the Board. The first one is for the full year estimated disposal tonnage will be coming in higher compared to our original budget. The increase will result in additional contractual costs for J.P. Mascaro. The first budget amendment states that any additional contractual costs will be offset by additional tipping revenue.

Vice Chairman asked the Board for a Motion to adopt Resolution No. 19-62.

RESOLUTION NO. 19-62

RESOLUTION TO AMEND THE SOLID WASTE DIVISION 2019 FISCAL BUDGET FOR THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.A.C. 5:31-2.8

WHEREAS, the Morris County M.U.A. on September 10, 2019 is amending the Solid Waste Division budget to include additional revenue and appropriations due to 2019 additional disposal tonnage activity in the amount of \$2,870,000, and

WHEREAS, N.J.A.C. 5:31-2.8 provides that the Director, Division of Local Government Services may approve the amendment of the budget of any Authority or District when there are increases in budgeted revenue with corresponding increases in budgeted appropriations, and

WHEREAS, said Director may approve the amendment of the authority’s budgeted revenue and appropriations in equal amounts.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County M.U.A. hereby request the Director of Local Government Services to approve the amendment to the 2019 budget as follows:

<u>Increase Amended Revenue:</u>	<u>From:</u>	<u>To:</u>
Tipping Fees	\$39,140,000.00	\$42,010,000.00
<u>Increase Amended Appropriations:</u>	<u>From:</u>	<u>To:</u>
Transport & Disposal	\$21,468,000.00	\$23,614,800.00
Transfer Station Oper.	\$ 4,004,000.00	\$ 4,404,400.00
NJ Recycling Tax	\$ 1,200,000.00	\$ 1,320,000.00
Host Benefit Fees	\$ 2,028,000.00	\$ 2,230,800.00

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the regular meeting held on Tuesday, September 10, 2019.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to adopt Resolution No. 19-62 and Dr. Nusbaum seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Mr. Kaletcher explained that the next two budget amendments are for moving budgetary funds from line items that are over budget to line items that are under budget. All budget amendments are a net zero impact to 2019 budget. Mr. Kaletcher asked for the Board’s approval of the following resolutions:

**RESOLUTION NO. 19-63
RESOLUTION TO AMEND THE 2019 FISCAL BUDGET FOR THE MORRIS
COUNTY MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.A.C. 5:31-2.8
SOLID WASTE DIVISION**

WHEREAS, N.J.A.C. 5:31-2.8 provides that the Division of Local Government Services may approve the amendment of the budget of any Authority or District when there are decreases in budgeted appropriations with corresponding increases in budgeted appropriations, and

WHEREAS, said Director may approve the amendment of the authority’s budgeted appropriations in equal amounts.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County M.U.A. hereby request the Director of Local Government Services to approve the amendment to the 2019 budget as follows:

<u>Decrease Appropriations:</u>	<u>From:</u>	<u>To:</u>
Liability Insurance	\$ 80,331.00	\$ 69,566.00
Veg. Waste O & M (Facility Mtce.)	\$ 394,050.00	\$ 354,050.00
 <u>Increase Appropriations:</u>	 <u>From:</u>	 <u>To:</u>
Admin. – Salary & Wages	\$ 744,503.00	\$ 754,503.00
Fringe Benefits – Admin. (FICA)	\$ 249,482.00	\$ 250,247.00
Miscellaneous COPS (Veg. Waste Eq. Purch.)	\$ 476,000.00	\$ 516,000.00

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the regular meeting held on Tuesday, September 10, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to adopt Resolution No. 19-63 and Ms. Szwak seconded the Motion.

Mr. Druetzler asked what does “COPS” stand for and Mr. Kaletcher replied Cost of Providing Services. That is the DCA’s terminology. It is more recognizable to the MUA in parantheses. When this is sent to DCA, they can identify it in the budget that was sent to them.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

**RESOLUTION NO. 19-64
RESOLUTION TO AMEND THE 2019 FISCAL BUDGET FOR THE MORRIS
COUNTY MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.A.C. 5:31-2.8
WATER DIVISION**

WHEREAS, N.J.A.C. 5:31-2.8 provides that the Division of Local Government Services may approve the amendment of the budget of any Authority or District when there are decreases

in budgeted appropriations with corresponding increases in budgeted appropriations, and

WHEREAS, said Director may approve the amendment of the authority’s budgeted appropriations in equal amounts.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County M.U.A. hereby request the Director of Local Government Services to approve the amendment to the 2019 budget as follows:

<u>Decrease Appropriations:</u>	<u>From:</u>	<u>To:</u>
Operations & Maintenance Reserve	\$ 410,162.00	\$ 23,162.00

<u>Increase Appropriations:</u>	<u>From:</u>	<u>To:</u>
Engineering & Prof. Svcs.	\$ 290,000.00	\$ 675,000.00
Miscellaneous Admin. (Fees & Permits)	\$ 30,000.00	\$ 32,000.00

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the regular meeting held on Tuesday, September 10, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to adopt Resolution No. 19-64 and Mr. Platt seconded the Motion.

Mr. Platt asked for an explanation regarding the decrease in appropriation. Mr. Kaletcher replied that early on when our budget was adopted, the plan was to apply the Mott McDonald bid award to 2018 and because of the timing, the award was delayed a month and we were not able to get in 2018’s budget and it was applied to 2019’s budget.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

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

BILL RESOLUTION NO. 19-65

BE IT HEREBY RESOLVED that the bills as shown on the SCHEDULE OF WARRANTS all having been approved by the Board of officials where legally required, be and the same are hereby paid. The SCHEDULE OF WARRANTS designated as Bill Resolution No. 19-65 containing 7 pages for a total of \$3,593,833.08 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

WATER OPERATING FUNDS	4744-4784	\$ 450,131.06
SOLID WASTE OPERATING	10295-10405	\$ 3,143,735.02
		<u>\$ 3,593,833.08</u>

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: September 10, 2019

BOARD CHAIRMAN APPROVAL

Christopher Dour, Vice Chairman

SIGNED: _____
Marilyn Regner, Secretary

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds in the appropriations charged, or accounts listed to cover the expenditures included in the SCHEDULE OF WARRANTS dated: September 10, 2019.

DATE: September 10, 2019

Larry Kaletcher, Treasurer

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

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Mr. Kaletcher mentioned that the MCMUA 2020 budget process has started. Assuming that he is able to obtain all pertinent detail, he intends to introduce the 2020 budget at the October meeting. Prior to that he would like to schedule a Budget Committee meeting on September 30, October 1, or October 2. He will reach to the members to determine availability. Assuming that we introduce in October, a proposed budget will be mailed to Board members with their October Board packet.

CORRESPONDENCE:

Mr. Gindoff mentioned that the Correspondence report was sent out with the packet. He mentioned that there are a few additional pieces of correspondence in tonight's packet, one is the monthly recycling values chart that is provided every month, and secondly is a bid evaluation provided by Richard A. Alaimo Engineering Company, which we can discuss during the Solid Waste Report, as we address the tipping floor repair. With respect to Item No. 5 of the Correspondence regarding the proposal for engineering services provided by Suburban Consulting Engineers, this was discussed during the Water Committee meeting and we have asked them to revise their proposal and re-submit it to us to take action next month.

CORRESPONDENCE

Water

County of Morris Six Year Capital Program - 2020 to 2025 for Morris County M.U.A.

Water Division – Mount Arlington Tank Rehabilitation (built in 1998) for \$1,000,000.00.

Letter dated August 7, 2019 to Mr. Savas C. Tsivicos, CEO, Cypreco Industries, Inc., from Mark A. Tompeck, P.E., Mott MacDonald, denying time extension request for Contract No. 7R-18, Markewicz Pump Station Electrical Upgrades Project.

Letter dated August 8, 2019 to Larry Gindoff from Ralph Coppola, Senior Industrial Specialist, Pennoni, regarding Limited Asbestos Sampling, 95 Pleasant Hill Road, Randolph, NJ.

Letter dated August 14, 2019 to Mark Tompeck, P.E., Mott MacDonald, from Savas C. Tsivicos, CEO, Cypreco Industries, Inc. regarding Morris County M.U.A. Markewicz Pump Station Electrical/Pumping Stations Upgrades, Contract No. 7R-18, regarding time extension request.

Proposal of Engineering Services dated August 15, 2019 to Larry Gindoff from Andrew S. Holt, P.E. Suburban Consulting Engineers, Inc. for Mt. Arlington Tank Rehabilitation.

Public Notice Of Hearing dated August 20, 2019 Regarding Mandatory Minimum Bidder Qualifications (Prequalification Regulations) For Prospective Bidders For The Morris County M.U.A. Emergency Repair Contractor – Water Division published in the Daily Record and the Star Ledger, as well as copy of Mandatory Minimum Qualifications Of Bidder To Be Performed In Accordance With The Contract Documents.

Solid Waste

Letter dated August 1, 2019 to James E. Deacon, Solid Waste Coordinator, from Edward Nielwocki, Contract Administrator 3, NJDEP Bureau of Planning & Licensing, regarding Notice of Completeness for deletion of the Novartis Pharmaceutical's Corporation's Small-Scale Thermal Destruction Facility – Energy Recovery System/Incinerator.

Letter dated August 13, 2019 to James Deacon from Douglas E. Ruhlin, Principal Environmental Consultant, NJDEP, regarding Request for Class B Approval Modification for County Concrete Corp., Kenvil, Township of Roxbury.

Letter dated August 30, 2019 to Scott Brubaker, Deputy Director, NJDEP Bureau of Solid Waste Planning and Licensing, from James E. Deacon regarding Morris County Plan Modification, Administrative Action Request for Northeast Products, LLC, Class B Recycling Facility, Township of Roxbury.

Survey – Comprehensive County Solid Waste Management System dated August 6, 2019 to James Deacon from Seth Hackman, Acting Section Chief, NJDEP Bureau of Planning & Licensing.

Recycling

Notes from the 8/15/19 Joint Hearing of the Assembly Environment and Solid Waste Committee and the Senate Environment and Energy Committee.

WasteDive.com Article dated August 27, 2019 by Author @ Cole Rosengren entitled

“Republic Services sued by New Jersey county over recycling contamination standards”.

Letter dated September 9, 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 August 2019.

ADMINISTRATIVE REPORT:

Mr. Gindoff mentioned that he had no report.

ENGINEER'S REPORT:

Mr. McAloon reported the following: (1) Through August 2019 we sold approximately 1.018 MG to date. The total volume of water sold to date is less than the total sold for the same period in 2017 and 2018. We are on pace to divert approximately 1.460 MG per year. Notable usage this month included Southeast since they implemented modifications to system operations which have resulted in a consistent consumption on a daily and monthly basis.

Mr. Druetzler asked for an explanation about what Southeast is doing differently. Mr. McAloon replied that they modified the set points in which the control valve from MCMUA opens to fill their system. Typically, they would only do that in the event of emergencies or very infrequent periods to maintain water quality. Through discussions we have had with them throughout the summer, we requested that they increase the frequency that they open that control to maintain water quality in the lines in the system. They were amicable and implemented these modifications.

(2) Regarding discussions with Mt. Arlington, they requested a change on the water main break emergency bill from August 2018. They requested the cost be reduced for the unaccounted water that they were charged and was not consumed. Therefore, the bill was revised and reduced by approximately \$631.00. We are confident that this payment will be processed and finalized prior to the next meeting.; (3) We completed the capital request from the County for the Mt. Arlington Water Storage Tank Rehabilitation project as previously discussed. This capital request was for \$500,000 in 2020 and \$500,000 in 2021. We are hopeful that we receive this funding.; (4) We prepared the Minimum Qualification document for the Water Division Emergency Contractor bid solicitation. As part of this process, we have the Public Hearing tonight, as well as an informal review performed by the Division of Local Government Services, which indicated no issues with qualifications. Following the Public Hearing, a resolution will be presented to the Board for its consideration approving such qualifications. These qualifications will be incorporated into the bid for the Emergency Water Contractor and will serve as a basis for comparing contractors. We are targeting advertising award by the end of the year.; (5) We presented to the Water Committee our updated status on MCMUA Future Demand evaluation.; (6) We have a lengthy update on the Markewicz Pump Station. Work has continued on the exterior with replacement of the asphalt shingles, trim and carpentry siding work. Conduit installation and duct bank has been installed in the yard. We are currently waiting on JCP&L to set the exterior pole and complete their installation of the transformer and metering equipment. We are hopeful that will occur prior to the next meeting. The Contractor continues with electrical rough-in inside the building. MCMUA engaged Pennoni to provide asbestos testing on the some plumbing suspected to contain asbestos. Samples were analyzed and it was non-detect. The Contractor submitted Payment Application No. 3 in the amount of \$251,614.21 bringing total percentage of work complete from a financial standpoint with the days elapsed being 37%. He has caught up to the project finances to the days elapsed.

Mr. Platt commented that the Water Committee reviewed the status of the project and we recommend a meeting with Mott MacDonald to discuss that construction period services.

(7) New Jersey American Water has provided an initial draft of their Water Supply Agreement and it is currently in review with legal counsel.; (8) Additionally, we have discussed the Jersey City/ MUA Water Contract with the Water Committee and have discussed the plans moving forward on how we are going to approach the next steps for that contract.

(9) There was a resolution consenting to the request of the Township of Parsippany Troy Hills for Water Service from the Southeast Morris County Municipal Utilities Authority to be provided Outside of the District of the Southeast Morris County Municipal Utilities Authority which was discussed with the Water Committee. Mr. Druetzler commented that we decided to table that to the next meeting. The reason for that is there is a letter from Morris Plains outlining a number of things and would like to see that response and none of the other towns have consented to it at this point.

PROJECT STATUS

1. General System

- A. Through August 2019, MCMUA sold approximately 1,018 MG to date. This total volume of water sold to date is below the total sold for the same time period in 2017 (1,054 MG) and 2018 (1,053 MG). MCMUA is on pace to divert 1,460.120 MG this year if the usage from previous years. Notable data: SMC MUA used significantly more in August 2019 (1,519,000 gallons) compared to June 2019 (759,000 gallons). The implemented modifications to system operations have resulted in a consistent consumption on a monthly basis.
- B. Through discussions with Mt. Arlington with regard to the status of the outstanding invoice for the water main break from August 2018, it was agreed the total amount be reduced for the un-used water which had been previously billed to Mt. Arlington. The previous amount of \$5,829.22 was reduced by \$631.00 for an amount of 250,000 gallons at the rate of \$2,523 per MG which results in a final invoice amount of \$5,198.22 requested from Mt. Arlington. We are confident this will be processed and finalized prior to the October meeting.
- C. We have completed the request for capital from the County for the Mt. Arlington Water Storage Tank Rehabilitation project. This capital request was for \$500,000 in 2020 and \$500,000 in 2021.

2. Water Division Emergency Contractor

We have prepared the mandatory minimum qualifications document which will be incorporated into the bid documents for the Water Division Emergency Contractor bid solicitation. As part of this process, an informal review was performed by Division of Local Government Services in which they saw no issues with the qualifications. A public hearing was advertised and will be conducted at the monthly board meeting for the adoption of these mandatory minimum qualifications. A resolution will be presented to the board for its consideration approving such qualifications. The mandatory minimum qualifications will be incorporated into the bid documents for this project, which we are targeting to be advertised and awarded by the end of the year.

3. MCMUA Customer Future Demand

We are prepared to present to the Water Committee an updated status with regard to the MCMUA Customer Future Demand evaluation.

4. Markewicz Pump Station Electrical Upgrades Construction

Cypreco (Contractor) is continuing to prepare submittals on material and equipment. The Contractor has provided an updated construction schedule on 8/14/2019 which reflects the work completed as well as the outstanding efforts. The latest schedule depicts substantial completion on Wednesday May 20, 2020. This date is dependent on the lead-time for the pumps, electrical equipment, and emergency generator. Once delivery dates are confirmed, the schedule will be updated accordingly.

The Contractor has completed the replacement of the asphalt shingles as well as exterior trim and siding work. Excavation, conduit installation, steel reinforcing, and concrete placement for the electrical duct bank from the proposed utility pad mounted transformer and metering equipment to the proposed electrical room has been completed. Electrical duct bank installation from the location of the new JCP&L utility pole to the metering equipment will be completed following JCP&L pole installation. The Contractor has continued the

installation of the exterior site lighting and expects to set the poles prior to the October meeting. The Contractor has continued with the interior improvements such as installation of electrical hangers, electrical rough-in, setting of HVAC units, continued demolition of bathroom fixtures, and installation of interior lighting.

Jersey Central Power & Light is currently scheduling the installation of the electrical metering equipment, setting of the new pole, and electrical drop work.

Additionally, MCMUA engaged Pennoni to provide limited bulk sampling for asbestos on existing plumbing which was suspected as containing asbestos. Samples were analyzed by an American Industrial Hygiene Association accredited laboratory using Polarized Light Microscopy (PLM), PLM Non-Organically Bound (PLM NOB) and Transmission Electron Microscopy (TEM) analysis for the determination of asbestos in bulk samples as necessary. Sampling was performed on August 6, 2019 with the sample results as none detected.

Project Completion Summary

Contract Start Date		May 1, 2019
Original Contract Completion Time		360 Calendar Days
Days Elapsed:	133	37%
Days Remaining:	227	63%
Original Contract Completion Date		April 25, 2020

Project Financial Summary

Original Contract Amount	\$1,932,963.00
Total Value of Work Complete:	\$588,111.80
Percent of Work Complete:	30.4%
Payment Application #1	\$108,909.90
Payment Application #2	\$215,825.89
Payment Application #3	\$251,614.21
Total Retainage to Date	\$11,762.24

Construction Administration Financial Summary

Original Contract Amount	\$289,500.00
Total Invoiced:	\$0.00*
Percent Invoiced:	0%

MCMUA and SCE have been requesting Mott MacDonald stay current regarding its engineering invoicing but due to recently implemented a new accounting system by Mott MacDonald they are not prepared to have an engineering invoice for payment this month but informed us they will be ready and up-to-date with their bill for the October board meeting..

Included in the correspondence is a series of letters between MM and the Contractor with regard to Proposed Change Order (PCO) #2 for a no cost time extension for 62 days. This was further discussed at Progress Meeting No 3 with the understanding the permit issuance and shop drawing review did not impact the long lead items. All parties expressed their willingness to be fair in regard to the extension. The Contractor understands it is required to document the impacts as necessary to depict the effects the long lead items have on the completion date of the project upon which an extension may be considered in the future.

Progress Meeting No. 3 for this project was held on Wednesday August 21. Progress Meeting #4 is scheduled for Wednesday September 25, at 9:00AM at the Markewicz Pump Station.

5. New Jersey American Water (NJAW) Coordination

NJAW has provided an initial draft water supply agreement for MCMUA review and comment. We are prepared to discuss with the Water Committee the terms, conditions, and other items for discussion. Additionally, a copy has been forwarded to legal counsel to begin its review of the proposal.

6. Jersey City Municipal Utilities Authority Contract

We reached out to JCMUA to let them know we are actively evaluating our options related to this existing water supply agreement and should be in a position to further discuss it with them in the near future. Additionally, we have been in communication with Parsippany Troy-Hills Water Department Superintendent with regard to the potential to utilize the existing terms and conditions of the MCMUA water supply agreement. We are prepared to present these findings to the Water Committee.

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Deacon provided the following highlights: (1) Arco has completed the paving project impacting Camp Pulaski; the entrance project off of Waterloo Valley Road. It happened on September 6 and 7. That should complete everything so our main entrance to the Mt. Olive Compost should be reopened to customers.; (2) Regarding County Concrete, received phone message from RMA, who represents County Concrete, letting us know that County Concrete may look to shrink their non-processed Class B material pile where it is located now and not split it and move it to a different lot and block as originally considered, which would require a full Plan Amendment. We are waiting to hear whether DEP allows that to happen.; (3) Como and Sons in Towaco is in our Plan now as an exempt facility and they are looking to become a Class B and Class C Multi-Class Facility, so we are going to communicate with someone representing them. A DEP inspector came out and said they should get a Class B/Class C approval for the amount of material they currently have. Mr. Gindoff commented that this most likely will result in a Plan Amendment.; (4) Reminder that the HHW Event is this Saturday at the Morris County Public Safety Training Academy.; (5) 2019 Vegetative Waste year-to-date revenues are about \$45,000 more than this time last year. This is all before significant movement with respect to our contract with Naturcycle.; (6) Last, we will be discussing the Shared Services Agreement with the Morris County Office of Health Management in closed session due to it being contract negotiation.; (7) As part of the package tonight, Alaimo has included their recommendation of award letter for the Parsippany Transfer Station Tipping Floor and Related Improvements Project.

Mr. Gindoff welcomed Chris Warren and Piotr Grodek from Alaimo to the MUA Office. After the Public Hearing, we will hear from them and start discussing the tipping floor.

Vice Chairman Dour asked if there is anything else as far as the Transfer Station that we are looking to be doing that needs to be done. Mr. Deacon mentioned that the Parsippany Transfer Station roof repairs are being pushed off probably until the following year, 2021. Mr. Gindoff mentioned that we partially refurbished the roof getting prepared to put the final membrane on top of it when we did the roof for the Mt. Olive Facility and did some of the other roofs at Parsippany. We are looking to potentially push that off for another year as we are looking at some of the costs that are involved with the tipping floor. We will resume this discussion after the Public Hearing.

PUBLIC HEARING

Vice Chairman Dour interrupted the regular meeting at 7:32 p.m. and asked the Board for a Motion to Open the Public Hearing Regarding Mandatory Minimum Qualifications As Pre-Qualification Regulations For The Procurement Of The Water Division's Emergency Repair Contractor.

MOTION: Mr. Platt made a Motion to open the public hearing at 7:32 p.m. and Mr. Druetzler seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Vice Chairman Dour turned the hearing over to Diane Alexander, Esq., who mentioned that a Court Stenographer was present transcribing everything that is said at the public hearing. Ms. Alexander read into the record exhibits that have been pre-marked. Ms. Alexander asked that Michael McAloon, MCMUA Water Consulting Engineer, be sworn in. Members of the Board were asked if there were any questions. There were no questions from the Board. Seeing no comments, Ms. Alexander opened the hearing to questions from the Public. There were no

members from the Public present to ask questions or make comment. The public hearing was concluded at 7:40 p.m.

Vice Chairman asked for a Motion to close the public hearing at 7:40 p.m.

MOTION: Mr. Barry made a Motion to close the public hearing at 7:40 p.m. and Mr. Platt seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Court Stenographer, Jacqueline Klapp, took transcript of the Public Hearing for the Authority. TRANSCRIPT OF THE PUBLIC HEARING ON THE MANDATORY MINIMUM QUALIFICATIONS AS PRE-QUALIFICATION REGULATIONS FOR THE PROCUREMENT OF THE WATER DIVISION'S EMERGENCY REPAIR CONTRACT WILL BE PROVIDED TO THE AUTHORITY AND MADE A PART OF THE RECORD.

Ms. Alexander mentioned that in the Board packets tonight is proposed resolution adopting Mandatory Minimum Qualifications As Pre-Qualification Regulations For The Procurement Of The Water Division's Emergency Repair Contract and asked if there is a Motion to adopt this Resolution:

RESOLUTION NO. 19-67
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
ADOPTING MANDATORY MINIMUM BIDDER QUALIFICATIONS AS
PREQUALIFICATION REGULATIONS FOR THE PROCUREMENT OF THE
CONTRACT FOR THE EMERGENCY REPAIR CONTRACTOR – WATER DIVISION

WHEREAS, N.J.S.A. 40A:11-25 permits a governing body to establish regulations appropriate for controlling the qualifications of prospective bidders upon contracts to be awarded on behalf of the governing body; and

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) desires to establish specific mandatory minimum bidder qualifications as prequalification regulations for the procurement of the contract for the Emergency Repair Contractor – Water Division; and

WHEREAS, in accordance with N.J.S.A. 40A11-25, on August 20, 2019 notice was published in The Daily Record and The Star Ledger regarding the public hearing scheduled for September 10, 2019 before the MCMUA Board on the proposed mandatory minimum bidder qualifications; and

WHEREAS, prior to scheduling the public hearing, the Authority's staff and consultant, Suburban Consulting Engineers, Inc., submitted the proposed prequalification regulations, in the form of mandatory minimum qualifications, to the Department of Community Affairs, Division of Local Government Services, for informal review; and

WHEREAS, as a result of the informal review by the Department of Community Affairs, Division of Local Government Services of the proposed prequalification regulations, in the form of mandatory minimum qualifications, the Municipal Technical Advisor and Procurement Specialist from that Department advised on August 7, 2019 to proceed to the public hearing on the same and that the informal review does not bind the Director's final decision; and

WHEREAS, in accordance with N.J.S.A. 40A:11-25, on Tuesday, September 10, 2019 the MCMUA held a public hearing on the mandatory minimum bidder qualifications as prequalification regulations for the procurement of the contract for the Emergency Repair Contractor- Water Division.

NOW, THEREFORE, BE IT RESOLVED, by the Board of the Morris County Municipal Utilities Authority, County of Morris, State of New Jersey, they being the governing body thereof as follows:

- 1) Pursuant to N.J.S.A. 40A:11-25, the MCMUA hereby adopts “Section 00250 Mandatory Minimum Qualifications of Bidder to be Performed in Accordance with the Contract Documents” attached hereto as the prequalification requirements for the future procurement of the contract for The Emergency Repair Contractor – Water Division.
- 2) The MCMUA Qualified Purchasing Agent is hereby authorized and directed to forward a certified copy of this resolution, the adopted prequalification regulations, copies of proof of publication of the public hearing, certified and sealed copy of the transcript of the public hearing, and completed, certified and sealed Standard Certification form to the Director of the Division of Local Government Services within 10 days from the adoption of this resolution for approval pursuant to the N.J.S.A. 40A:11-25.
- 3) “Section 00250 Mandatory Minimum Qualifications of Bidder to be Performed in Accordance with the Contract Documents” adopted as the prequalification regulations for the future procurement of the contract for The Emergency Repair Contractor – Water Division, shall not be utilized unless the same is either approved in writing by or on behalf of the Director for the Division of Local Government Services, Department of Community Affairs or be taking effect in accordance with N.J.S.A. 40A:11-25.
- 4) The MCMUA Board, Director and Qualified Purchasing Agent, together with all other appropriate employees and professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purpose of this resolution.
- 5) This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the meeting held on Tuesday, September 10, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to adopt the Mandatory Minimum Bidder Qualifications As Pre-Qualification Regulations For Procurement Of The Water Division’s Emergency Repair Contract and Mr. Platt seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Ms. Alexander read into the record that copies of the Resolution, adopted mandatory minimum qualification as the pre-qualification regulations, transcript of tonight’s hearing, proof of publication, the standard certification form, together with all other documents required by the Local Public Contracts law and LFN Notice 2016-12 will be provided to the Director for the Division of Local Government Services within 10 days as part of the application and request for approval.

Mr. Gindoff asked James Deacon to give a summary of the tipping floor project and ask Chris Warren and Piotr Grodek to provide additional questions. Mr. Deacon mentioned that the

recommendation letter listed three major things: Tipping floor done in two phases so that we can stay open. This includes the methane barrier under the floor. It also includes the shrouds in the loading bays, which are going to be removed and some things repaired. Some steel beams need to be repaired. The last part would be the trench drain. Mr. Gindoff mentioned that we received bids on August 29. We received seven bids and they were pretty competitive. Pricing ranged from \$1,649,000.00 to \$2,484,000.00. Some of the issues to consider, which are the Alaimo recommendation, the original engineer's estimate was \$938,000, but that was preliminary and after revising some work and requiring additional work in the project, that engineer's estimate should have been \$1,360,000.00. That was an oversight for the lower Engineer's estimate but the work estimate should be at \$1,360,000.00 for what we specified. The low bid came in at \$1,649,000.00, about \$290,000 above the Engineer's revised estimate. This is our dilemma, if we want to approve that award or not. Mr. Gindoff commented that the facility needs the work. The tipping floor has had tremendous degradation over the last couple years and we are working day-by-day to just put band aids on it as a way to keep the facility operating. In addition, all the steel work provides structural integrity to the facility that we keep chasing, as the facility is now 31 years old and gets a lot of stress day in and day out. We do need these repairs. Mr. Gindoff would like to see us award this project and work with our budgets to push off the roof work that we were discussing before so that we can get this floor work done. Mr. Gindoff opened discussion to the Board.

Mr. Druetzler asked if you have done research on the lowest bidder as to his qualifications and his work record. Chris Warren replied that the lowest bidder is Persistent Construction in Fairview and we don't have direct experience with them, but they have done a lot of work in this size project. They have done a lot of bridge work, roadways and concrete work. We are satisfied with their qualifications for this project. Mr. Gindoff added that we have never used them before. Mr. Druetzler asked have you spoken to any companies that have used them and Mr. Warren replied that he has only spoken to someone on their staff. Mr. Druetzler asked if you called on any prior work and Mr. Warren replied no; we didn't think it was an issue. Dr. Nusbaum asked if any government entities used them for similar work? Mr. Warren replied not for transfer stations, but for bridge work and roadways. Vice Chairman Dour asked if someone checked out the references and Mr. Warren replied yes.

Mr. Warren recommended that the operator be required to use the rubber tracks on the equipment, as non-use of these guards has caused for the rate of deterioration and Mr. Gindoff added that this matter has been addressed and the rubber guards will be used on the equipment. Vice Chairman Dour asked when was the last time the floor was done and Mr. Warren replied 2005. Mr. Gindoff mentioned that we are significantly improving the trench drains system with this repair, which is something that we have been chasing since the life of the facility. These are the drains at the front of the facility that take all of the weight off of the heavy solid waste vehicles. This should keep the facility from deteriorating as quickly as it did in the past, as the trench drains fell apart. Mr. Platt asked if a legal review has been done on the bids and Ms. Alexander replied yes it has. Mr. Platt asked what were your findings? Ms. Alexander replied everything was in order with respect to the lowest bidder, they are not on the debarred list and we did not find any material defects in the bid submitted. Dr. Nusbaum asked if the drainage at the front was of standards when it was originally built and is this just age that is catching up with the facility? Mr. Warren replied that we determined there is so much activity and vibration at that station that caused it to deteriorate faster than it should have.

Mr. Druetzler commented that he is going to support this but had three comments: (1) For \$1.6M, I would think you would do more research on the company than seems to be done; (2) Concerned about \$300,00 more than the estimate even after you revised the estimate; and (3) Has Concerns and wants it changed in the future, with contracts being let out in the Fall that go through the Winter. He doesn't think you get a good job when you go through the Winter. These contracts should be let out in the Spring to be done in the Summer and Fall. Especially here where you are suppose to cure the concrete. It can be very difficult to cure concrete in the Winter.

Mr. Platt would like to ask the Attorney a question in closed session before we take action.

Vice Chairman Dour asked the Board for a Motion for the meeting to go into closed session at 7:57 p.m. for a matter regarding attorney-client privilege for award of contract.

MOTION: Mr. Druetzler made a Motion for the meeting to go into closed session at 7:57 p.m. and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Vice Chairman Dour asked the Board for a Motion for the meeting to go into open session at 7:58 p.m.

MOTION: Mr. Druetzler made a Motion for the meeting to go into open session at 7:58 p.m. and Ms. Szwak seconded the Motion.

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

**RESOLUTION NO. 19-68
RESOLUTION AWARDED PAR/TROY TRANSFER STATION
RECONSTRUCTION CONTRACT NO. 2019-1 TO
PERSISTENT CONSTRUCTION, INC.**

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) advertised for the receipt of sealed bids for “Par/Troy Transfer Station Reconstruction Contract No. 2019-1”; and

WHEREAS, the MCMUA received seven (7) bids on August 29, 2019 from the companies listed below at the bid price shown for the Par/Troy Transfer Station Reconstruction Contract No. 2019-1:

<u>Bidder</u>	<u>Bid Amount</u>
Persistent Construction, Inc. 58 Industrial Avenue Fairview, NJ 07022	\$1,649,199.00
A-Tech Concrete Co., Inc. 11 Taylor Road Edison, NJ 08817	\$1,691,800.00
APS Contracting, Inc. 155-161 Pennsylvania Ave. Paterson, NJ 07503	\$1,729,100.00
MBT Contracting, LLC 63 Beaver Brook Road, Suite 104C Lincoln Park, NJ 07035	\$1,784,000.00
Bismark Construction Corp. 207-209 Berkley Ave. Newark, NJ 07107	\$2,239,100.00
Grove Contracting, LLC 70 Durrell Street Verona, NJ 07044	\$2,309,095.00
Reliable NYC, LLC 1286 Waterloo Road Stanhope, NJ 07874	\$2,484,000.00

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

WHEREAS, the MCMUA's Treasurer certifies that funds are available from the MCMUA Budget in account 01-1-900-000-128 in order to award the Par/Troy Transfer Station Reconstruction Contract No. 2019-1 to the lowest responsible bidder in the bid amount of \$1,649,199.00.

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

1. The Authority exercises its discretion to waive all immaterial defects, if any, with respect to the bid of Persistent Construction, Inc., received on August 29, 2019.
2. The Authority awards the Par/Troy Transfer Station Reconstruction Contract No. 2019-1 to Persistent Construction, Inc. having a business address at 58 Industrial Avenue, Fairview, New Jersey 07022 as the lowest responsible bidder, in the amount not to exceed the bid price of \$1,649,199.00 and the Executive Director is authorized to execute said contract.
3. The contract awarded herein to Persistent Construction, 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 security of the three apparent lowest bidders, shall be returned. Within three days, Sundays and holidays excepted, after the full execution of Par/Troy Transfer Station Reconstruction Contract No. 2019-1 by and between the MCMUA and Persistent Construction, Inc. and approval of the contractor's performance bond, the bid security of the remaining unsuccessful bidders shall be returned to them.
5. 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.
6. 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
7. 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 September 10, 2019.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Platt made a Motion to award the Par/Troy Transfer Station Reconstruction Contract No. 2019-1 To Persistent Construction, Inc. and Mr. Druetzler seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

TRANSFER STATIONS

Tonnage- For the month of August 2019, the quantity of solid waste accepted at the two transfer stations was 38,962 tons. This represented at 0.95% decrease compared to August 2018 totals of 39,335 tons. The annual tonnage projection based on the first eight (8) months of 2019 is now 433,918 tons. This would represent a 4.06% increase over the 2018 annual tonnage of 417,004. Please refer to the attached Transfer Station Disposal Report by Month for additional information.

Transfer Station(s) Improvements- The 2019 priority infrastructure issues at the Parsippany-Troy Hills transfer station that require repair and/ or replacement are the main tipping floor, the problematic/ damaged trench drains, the “knuckleboom” base and steel loading shroud areas, and areas that contained concrete safety blocks and posts. Alaimo Group completed the engineering design work and associated bid specifications in accordance with their assessment. The bid was then advertised on July 30, with the on-site pre-bid meeting taking place in Parsippany on August 16. There was strong interest in this project evident at the pre-bid meeting.

The following is a list of the seven (7) proposals that were submitted during the August 29, 2019 bid opening:

1. **Persistent Construction Inc., Fairview, NJ- \$1,649,199.00**
2. A-Tech Concrete Company, Edison, NJ- \$1,691,800.00
3. APS Contracting, Inc., Paterson, NJ- \$1,729,100.00
4. MBT Contracting, LLC, Lincoln Park, NJ- \$1,784,000.00
5. Bismark Construction Corp., Newark, NJ- \$2,239,100.00
6. Grove Contracting, LLC, Verona, NJ- \$2,309,095.00
7. Reliable NYC, Stanhope, NJ- \$2,484,000.00

Persistent Construction, Inc. was the apparent lowest bidder. The three (3) lowest total bid packets were sent to Alaimo Group and MCMUA counsel for evaluation. It is anticipated that the full engineering and legal review of the submittals will be ready for the September 10 meeting and a resolution will be presented to the Board for its consideration regarding the project. If adopted, the work calls for the following schedule of activities concerning this project:

- Award of Contract/ MCMUA Board meeting September 10, 2019
- Pre-Construction Meeting September 23, 2019
- Notice to Proceed September 30, 2019

Construction Phasing- Taking only one (1) area of the transfer station out of service at a time.

Phase 1:

- Eastern most bays (2) and modifications to loading bays #1 and #2
- Cure new floor for not less than 28 calendar days
- The contract time allotted for Phase 1 is 88 calendar days and includes making all submittals required by the contract documents. The transfer station tipping floor and loading bays shall not be out of service for longer than 53 calendar days including curing time.

Phase 2:

- Western most bays (2) and modifications to loading bays #3 and #4
- Cure new floor for not less than 28 calendar days
- The contract time allotted for Phase 2 is 57 calendar days and includes making all submittals required by the contract documents. The transfer station tipping floor and loading bays shall not be out of service for longer than 53 calendar days including curing time.
- Remove temporary barriers and cleanup site.
- Contract Completion February 17, 2020 (125 days)

SOLID WASTE MANAGEMENT PLAN

Northeast Products, LLC- Plan Modification- The MCMUA received a copy of Roxbury Township Resolution Number 2019-269 adopted on August 13, 2019, providing consensus by Roxbury Township to the requested modifications to the Morris County Solid Waste Management Plan for Northeast Products, LLC's class "B" Recycling Facility. The modification requested was to amend the Plan to change the hours of operations for Northeast, specifically 7:00AM to 4:00PM, Monday through Friday, and Saturdays 7:00AM to 12:00PM, closed Sundays. Based on the Township's consent, the MCMUA submitted an Administrative Action Request to the NJDEP Bureau of Solid Waste Planning and Licensing. A copy of this Administrative Action Request and Roxbury Township Resolution Number 2019-269 have been included as correspondence for the Board.

Novartis Pharmaceuticals Corporation- The April 2019 Plan Amendment for 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) provides for the elimination of the previous inclusion of the ERS from the Morris County Solid Waste Management Plan. This Plan Amendment was approved by the Morris County Board of Chosen Freeholders at their public hearing on June 26, with a copy of their original transcript, associated resolutions, and related paperwork sent to the NJDEP, Bureau of Solid Waste Planning and Licensing. The MCMUA received and reviewed a draft deletion certification from the NJDEP which looked acceptable and which will now be sent for signature by the NJDEP Assistant Commissioner.

County Concrete Corp.- The MCMUA received a letter from Resource Management Associates (RMA) concerning a possible modification request to County Concrete Corp. located in the Kenvil section of Roxbury Township, as it relates to its class B approval in the Morris County Solid Waste Management Plan. RMA, on behalf of County Concrete Corp., is requesting a modification to their site plan on the locations of the unprocessed stockpiles of class B materials, which include concrete, brick, and block. MCMUA staff discussed the details with RMA, then forwarded the letter to the Roxbury Township Clerk. The MCMUA has also spoken with Township Officials for their input on the relocation and possible reduction of unprocessed recycled materials. A copy of this letter has been attached as correspondence for the Board. It is anticipated, but not yet finalized, that this request by County Concrete Corp. to adjust its on-site stockpiling plan will be considered consistent with the existing Plan amendment. If considered consistent by the NJDEP, County Concrete Corp. will not require any additional approvals on behalf of the County.

HOUSEHOLD HAZARDOUS WASTE (HHW) MANAGEMENT

Program Participation- Residents and very small quantity generators (VSQG's) continue to schedule household hazardous waste (HHW) appointments at the MCMUA permanent HHW

facility in Mount Olive. The MCMUA had a total of 287 completed appointments at the HHW facility making for consistent month of August 2019. This total is down from one (1) year ago when 300 participants used the facility in August 2018. Total completed HHW appointments for 2019 now total 1,642.

The next MCMUA HHW one-day drop-off event of 2019 will be held at the Morris County Public Safety Training Academy (MCPSTA) in Parsippany this Saturday, September 14, from 9:00AM to 2:00PM. The final event is still scheduled for Saturday, October 19 at Pequannock Valley Park in Pompton Plains.

Hazardous Waste Shed Replacement- The resolution presented at the June 11 MCMUA Board meeting awarded William Kohl Construction from Lincroft, New Jersey the project of furnishing, delivering, and installing one (1) new small prefabricated hazardous materials storage shed up at the permanent HHW facility in Mount Olive. This project also includes the removal of the current small Haz Shed. The plans were reviewed, approved, and finalized by the MCMUA with the Haz Shed currently being fabricated by Safety Storage of Charleston, Illinois.

VEGETATIVE WASTE MANAGEMENT

The MCMUA 2019 season has started to slow down during the month of August with residential deliveries of screened compost and mulch products. There were 29 completed deliveries during the month of August 2019. A copy of the Vegetative Waste Report will be provided to the MCMUA Board for September 10 meeting as reference.

Backup Trucking Services for Residential Vegetative Waste Deliveries- A resolution authorizing Kirk Allen Trucking to provide backup trucking delivery services to be utilized on an as needed basis for help with the MCMUA 's deliveries of vegetative waste products (compost and mulch) to Morris County residents was approved at the July 9 Board meeting. The MCMUA currently has two (2) trucks and drivers to perform most deliveries, with Kirk Allen Trucking providing backup capabilities for the MCMUA program for times when either a driver and/or a delivery truck is not available. Additionally, these services could be used during the busiest of times when more than two (2) simultaneous deliveries are required. The MCMUA plans on dedicating specific days to use Kirk Allen Trucking for deliveries during the busy season. Door hangers and vehicle magnets indicating "Morris County Delivery Contractor" for both sides of the truck have already been ordered for our own use, or use by the contractor, following any and/or all successful deliveries.

Outbound Materials Marketing- The contract between Naturcycle and the MCMUA has been signed and all outbound commercial sales will now be directed to go through our marketing contractor. While all inbound, as well as government and residential outbound sales, belong to the MCMUA, it will be the responsibility of the contractor to ensure all materials are sold and to assist with day to day operations of the site for improvement. The contractor is working on increasing sales and submitting both sites into separate testing and accreditation programs to increase marketability. The Parsippany Facility is being accepted into the U.S. Composting Council's Seal of Testing Assurance Program (STA) and will require monthly testing for increased marketability of material. As of this date, the Parsippany Facility application has been submitted and is currently awaiting approval into the program. The Mount Olive/ Camp Pulaski Facility has been submitted for acceptance into the OMRI Certification. This program also requires testing but focuses on marketing to organic farmers. The facility is currently undergoing a review process for acceptance into the program.

Lake Hopatcong- Lake Weed Materials- During the Lake Hopatcong lake weed removal process, after accepting close to 200 cubic yards (CY) of material, it was reported to MCMUA by the NJDEP that AG. Choice who was accepting lake weed in the Byram Cove area of the lake, that methyl ethyl ketone (MEK) was discovered in sample results from materials being brought to their site. It is important to note that MEK is a volatile organic compound (VOC) which is commonly used to strip paint from surfaces. After this discovery, the MCMUA immediately suspended all delivery operations of lake weed to Camp Pulaski and required the NJDEP to sample all locations where harvesting locations were taking place, and would take place moving forward. Sampling from water runoff were tested for VOC's, metals, and a long list of other persistent chemicals. All results came back with results not detected (ND) or far below the threshold limit for composting operations. Also, a check of the material inbound tickets

confirmed that no material was brought from the Byram Cove area. The MCMUA had all tickets marked at the start of operations with the location of harvest.

In addition, the MCMUA was contacted by both the Lake Hopatcong Commission and Lake Musconetcong Planning Board concerning the Mount Olive facility taking in additional lake weed for disposal over the 800 CY MCMUA allowable inbound capacity. MCMUA had to deny this request due to site availability and issues which arise out of handling the material. The MCMUA contractor, Naturcycle, suggested that mixing the material in the windrow with single grind wood chips would help to keep the material drier, hotter, and break down faster allowing it to be easier to handle. In the past, the MCMUA received special permission to receive lake weed and the MCMUA had a special recycling rate of \$3.00/CY. Now that NJDEP has incorporated lake weed as grass into our general approval, it is suggested that for 2020 the MCMUA consider increasing the price of lake weed from \$3.00/ CY to the same price as grass, which is currently \$9.50/ CY. It should be noted the MCMUA Mount Olive facility is the only facility in this area we know of able to accept any quantity of this material for composting and it has its own challenges with respect to acceptance and processing. AG Choice is no longer willing to accept lake weed and their alternative dumping location, the SCMUA (Sussex County), is accepting it as type 23 waste for \$96.00/ ton.

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 and MCOHM are looking to modify the current mutual aid agreement to reflect the current situation. MCMUA counsel has generated a proposed draft agreement. This agreement and its associated terms and conditions will be discussed with the MCMUA Board at the September 10 meeting during a closed session due to contract negotiations.

RECYCLING REPORT:

Ms. Sweedy reported the following: (1) The preliminary rate for single stream for the month of August is -\$78.10. The July rate was -\$76.78 per ton, which is a difference of \$1.32 per ton.; (2) She extended an invitation to everyone to attend The 2019 Environmental Excellence Awards Luncheon on Friday, October 11, 2019. The invitation is in your packet. The event will start noon at the Freylinghusen Arboretum. The presentation of awards will begin at 1:00 p.m. We have a very nice list of award recipients this year. We have the Lake Hopatcong Foundation who did an amazing clean-up of Lake Hopatcong in 2018 removing over 800 tires and various debris and litter. We are also presenting an award to Girl Scout Junior Troop 96407 of the John Hills School in the Town of Boonton for their waste reduction project with regard to the benefits of a water bottle filling station for the school. In addition, we are going to present an apartment complex in the Township of Roxbury, the Willows, with an award for instituting a comprehensive recycling program for their residents. One our her favorite awards will be going to Ena Braun. Ena takes old t-shirts and she creates re-usable shopping bags with t-shirts and hopes to reduce the use of single use plastic bags. We also have a bright young man, Jack, who is three years old, who will be telling us what is acceptable and what is not acceptable in the recycling stream to prove that even a three-year old can recycle right!

Anyone that is available, we would like you to come and join us. We are really looking forward to the event. It has been a difficult year overall with recycling rates and market challenges but the MCMUA still wants to recognize and honor those who are doing a great job. There are really a lot of wonderful people that respect the environment and want to do good work here in Morris County.

Dr. Nusbaum asked do you foresee if Jack and that future generation is going to have the practical tools available to really go through with recycling, because the industry has to develop around of the U.S. and other countries and start picking up the value of recycling because right

now the business model of recycling is not consistent with the goal. Ms. Sweedy replied that it is really hard to say, but we can hope that things will turn around. Also some mills are opening up domestically and some other changes on the horizon with the technology in robotics that are new to this industry may add up to a positive outcome. She also believes that there is going to be some changes with the manufacturing of different types of packaging. Residents and the public in general are getting a little bit more involved/invested in the things they purchase and how the items are packaged and whether the packaging can be recycled. So all of these different components together will hopefully result in a positive turnaround.

Mr. Platt mentioned that we talked last month about the “Tag-It and Leave-It” program and he thought about it and still has some concerns. You mentioned that we are leaders in recycling percentage wise. He suggests that you proceed slowly and cautiously, which you have already planned to do, and make sure we don’t drive recycling the wrong way. He would certainly focus on obvious and continual violators and not to knit pick. Ms. Sweedy commented that we are certainly going to try to do our best not to discourage people but to encourage them to do a better job.

Ms. Szwak asked if you are going to warning period? Ms. Sweedy replied that we have been encouraging all of our curbside towns to get this information out on their website, get it out in direct mailings along with either a sewer bill or tax bill, and we have been going to a lot of municipal fairs and events. We are also asking the municipalities to use digital signs to get the word out before we begin the tag-it and leave-it inspections.

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

RESOLUTION NO. 19-69
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE PURCHASE OF (1) 2020 CHEVROLET COLORADO (12N43)
4WD CREW CAB 128” LT THROUGH THE ESCNJ COOPERATIVE PRICING
SYSTEM #65MCESSCCPS – ESCNJ 17/18-44
PURCHASING CONTRACT FOR 2019

WHEREAS, MCMUA is a party to a cooperative purchasing agreement with the Educational Services Commission of New Jersey Cooperative Pricing System, a cooperative purchasing program organized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-10; and

WHEREAS, the MCMUA, pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.1 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the Educational Services Commission of New Jersey Cooperative Pricing System, which has been approved by the Director of the Division of Local Government Services; and

WHEREAS, the MCMUA, desireto purchase (1) 2020 Chevrolet Colorado (12N43) 4WD Crew Cab 128” LT from the ESCNJ Cooperative Pricing System #65MCMESCCPS – ESCNJ 17/18-44; and

WHEREAS, Mall Chevrolet, has been awarded the contract for Cars, Crossovers/SUVS and Trucks; and

WHEREAS, the QPA recommends the utilization of this contract on the grounds as the best means available to obtain the vehicle; and

WHEREAS, the contract shall not exceed the amount of \$40,000.00; and

WHEREAS, funding for this resolution is available by appropriation in the budget of the MCMUA, as evidenced by the Certification of Funds, by the Treasurer, from the following accounts, 01-1-900-500-002 and 01-1-00-500-003; and

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

1. The MCMUA hereby authorizes the purchase of (1) 2020 Chevrolet Colorado (12N43) 4WD Crew Cab 128" LT Box from the ESCNJ Cooperative Pricing System #65MCMESCCPS – ESCNJ 17/18-44.

2. The total fee authorized for this contract shall not exceed \$40,000.00 without the prior written approval of the MCMUA.

3. The MCMUA, Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this Resolution.

4. A copy of this resolution shall be provided to the Treasurer and Mall Chevrolet of Cherry Hill, NJ for their information and guidance.

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 meeting held on Tuesday, September 10, 2019.

MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

By: _____
Christopher Dour, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Platt made a Motion to authorize purchase of (1) 2020 Chevrolet Colorado (12N43) 4WD Crew Cab 128" LT Through The ESNJ Cooperative Pricing System #65MCESSCCPS ESNJ 17/18-44 Purchasing Contract For 2019 and Ms. Szwak seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Recycling Operations

Tonnage and Value – The July 2019 ReCommunity/Republic statement was finalized in the amount of **(\$129,200.58)**. The per ton rate for single-stream was **(\$76.78)**. The August 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

The MCMUA desires to purchase a 2020 Chevrolet Colorado, pickup truck through the Educational Services Commission of New Jersey Cooperative Pricing System (ESCNJ), which official joined and has been approved by the Director of the Division of Local Government Services. This truck will replace the MCMUA's small 2003 GMC S-10- Sonoma pick up. The truck is being purchased through the Morris County Clean Communities Grant. A resolution will be presented to the Board for its consideration at the September 10 meeting.

On 8/21/19, staff contacted Al Gallo, supervisor of Department of Public Works, of Long Hill Township to set up a meeting to discuss the MCMUA's proposal for curbside recycling collection. A meeting has been scheduled for 9/20/19 with Township Administrator Nancy Malool, and MCMUA staff. Al said that because of time constraints, they will continue with their current hauler, Republic Service, in 2020. They will be looking for quotes for curbside recycling collection service to begin in 2021.

Curbside recycling proposals previously submitted to Madison and Mountain Lakes are still under review by both towns.

MCMUA Environmental Excellence Awards Luncheon

The 2019 MCMUA Environmental Excellence Awards Luncheon will be held on October 11, at Noon, at the Frelinghuysen Arboretum. The MUA will recognize a variety of environmental heroes for their efforts in recycling, waste reduction, and litter abatement. The Board is cordially invited to attend (a formal invitation will be distributed at the September Board meeting). Please reply to Liz Sweedy, lsweedy@co.morris.nj.us, or 973-285-8393.

Recycling Inspections and Education

On 8/7/19, a recycling presentation was provided to the Harding Township Environmental Committee. Committee members are concerned about the cost to recycle and getting residents to do a better job recycling only acceptable materials. The group asked many questions and were grateful for the information that was provided.

On 8/12/19, Stephen Richards, Recycle Coach Product Manager, sent an email introducing the updated Web App plug-ins that residents now see on the new user interface. One new feature is called “3 things you need to know.” It explains the problems contamination causes in the recycling industry. They call aspirational recycling “wish-cycling,” and that unacceptable items cause municipal governments millions of dollars annually.

On 8/27/19, staff provided a recycling education training to Morris County Buildings and Grounds employees, both cleaning staff and grounds staff. This was a follow up to the July inspections at county building locations (outdoor disposal dumpsters) on Hanover Avenue and Central Park. Buildings and Grounds employees were provided with single-stream flyers and the unacceptable materials flyers. Photos of the inspections (infractions) were shown and discussed. The training was well received and Buildings and Grounds staff appreciated the flyers and educational materials that were distributed at the training.

On 8/30/19, staff began replacing decals on dumpsters at the Morris County Youth Shelter, Juvenile Detention Center and Office of Health Management. Decals and signage are periodically replaced due to weather-related deterioration. Staff will continue this project on dumpsters located at all County building disposal areas. Properly labeled dumpsters are important in order to help keep mandated recyclables source separated from trash.

Clean Communities

Educational Programs: The MCMUA funded three educational programs at libraries in Mount Olive Township, Lake Hiawatha/Parsippany Troy-Hills Township, and Florham Park Borough.

Road Clean-ups: The MCMUA did not sponsor any road cleanups during the month of August.

Recycling Customer Support & Curbside Support

On 8/6/19, staff met with Willy Garcia, Property Superintendent, Park Avenue at Florham Park/Woodfield Estates, and Florham Park’s recycling coordinator, Michael Smith. There are 155 apartments at this complex. During collections, the MUA curbside crew found and photographed the unacceptable conditions in all seven disposal areas. Recyclables and contaminants are mixed together and spill out of their 50-gallon recycling cans. Staff suggested four-cubic yard dumpsters would be more appropriate because of the amount of recyclables generated. Mr. Garcia plans to speak to the management company about purchasing the dumpsters. Staff provided decals and signs for the disposal areas and single-stream recycling flyers, unacceptable flyers and environmental guides for residents.

On 8/19/19, staff inspected a dumpster designated for recyclables in Pequannock Township. The dumpster was located at the American Legion on Newark-Pompton Turnpike. It contained unacceptable materials (contaminants), such as oil filters, oil cans, and automotive fluids. After speaking to Tracy Clarke in town hall and Tim Zachok, Health Department Inspector, it was determined that the unacceptable materials were put into the dumpster by employees from Campbell’s Auto Repair. Staff spoke directly with the owner of the auto repair shop and explained that they can no longer put the unacceptable items into the recycling dumpsters. In addition, a lock will be put on the dumpster so that only the American Legion will have access to

that dumpster. Staff also provided recycling/trash decals, the sharps poster, a set of single-stream signs, and single-stream flyers to the Pequannock Township recycling coordinator.

On 8/21/19, staff met with Denean Probasco, Chester Borough Municipal Clerk, and provided decals and the sharps posters. Staff also mapped out streets for the “Tag-it and Leave-it” program.

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

On 8/14/19, staff, along with Kellie Ann Keyes, Roxbury Township Municipal Recycling Coordinator, gave a PowerPoint presentation to 38 school maintenance employees from Aramark. The presentation focused on unacceptable items (contaminants), showed proper labeling and placement of recycling containers. Staff answered questions and discussed issues. All employees were provided with contact information and asked to contact staff whenever they had questions or encountered problems.

On 8/15/19, staff listed the MCMUA’s 2007 Ford F250 on the new auction site, Municbid. As of 8/21/19, there were three bids and the willing bid is \$1,601.00. The Auction ended on 8/29/19.

On 8/15/19, Larry Gindoff and Chris Vidal attended the NJ State Legislature Senate Environment and Energy Committee meeting in the Toms River municipal building. Speakers from the NJDEP, ANJR, League of Municipalities, Princeton Univ., Surf Rider Foundation, Clean Water Action, the Chemistry Council, Paint Care, Food Council, Organic Diversion, NJ State Chamber of Commerce, ANJEC, Sierra Club, National Waste & Recycling Association testified about market problems (Chinese Sword, contamination, expenses for towns and counties, possible solutions), as well as plastics pollution. A summary of the topics discussed during this legislative session has been included with the correspondence.

On 8/19/19, staff released information regarding a pilot program for schools with regard to providing assistance with the cost of purchasing a water refilling station (water fountain system) through the MCMUA’s REA grant. Funding is limited, and will be provided to schools on a first come, first served basis. Schools must provide appropriate documentation in order to be considered for a reimbursement. The purchase of the unit must be during the period from January 1, 2019 through November 15, 2019. Schools that have purchased and installed (or plans to do so) a retrofit filling station (on an existing water fountain) or installed a new filling station (to fill water bottles) during 2019, may be eligible to obtain a reimbursement towards the purchase price of the unit. There has been favorable feedback with eight schools that are interested thus far. The MCMUA is excited about this program as it touches upon many issues associated with MCMUA activities from potable water provision, to waste reduction, to litter prevention.

On 8/20/19, staff represented the MCMUA at the ANJR Board Meeting. There are serious concerns about funding for ANJR as there is currently a shortfall of \$10,000 from large sponsors and ANJR members were asked to try to seek out new sponsors. The next meeting will be on September 18. The ANJR Run/Walk for Recycling fundraiser will be on 11/2/19 at Duke Island Park, Bridgewater, NJ.

On 8/22/19, staff met with Joe Mondanaro, Roxbury Township, Board Of Education Business Administrator, and Kellie Ann Keyes, Roxbury Township Municipal Recycling Coordinator. Staff provided decals and signs. He was very excited about the MCMUA’s water bottle refilling station program.

Wellfield/Open Space Project

On 8/7/19 staff worked with Morgan Brown, MCMUA intern from the Academy of Environmental Science, Morris County School of Technology. Staff provided a worked out performing visual, biological, and chemical assessments of the stream that bisects the MCMUA’s Alamatong Wellfield. The visual assessment focuses on the habitat in and around the stream that make the stream suitable or not suitable for life. A biological assessment will sample the macroinvertebrates found in the waterway. By taking into account the amount and diversity of the macroinvertebrates, determination can be made with regard to the health of the stream. In addition, staff considered different chemical tests to be performed to get a better idea of the

components that make up the stream on the Alamatong wellfield property and the surrounding open space.

The stream on the Alamatong wellfield property along Righter Road is the Succasunna Brook and it is a tributary of the Black-Lamington River, which is a major tributary to the Raritan River. Staff MCMUA staff with Morgan Brown will perform these tests throughout the fall months to get a baseline of the health of the river on the wellfield property.

ATTORNEY REPORT:

Ms. Alexander mentioned that she had no report.

PUBLIC PORTION:

There being no comment from the Public, this portion of the meeting was closed.

OLD BUSINESS:

Mr. Gindoff mentioned that Gene, Laura and I had an Open Space Committee meeting to continue going over the Open Space Plan. He thinks they got through quite a bit of stuff and we introduced quite a bit of the work we started doing on assessing Wellfield, as well as the open space surrounding the site, to evaluate current condition, establishing a baseline to begin some of our stewardship activities. They gave us a whole of good advice and recommendations on things to update and improve. He intends to have a new draft for the Board at the October meeting.

Mr. Druetzler has concerns about using the Alamatong Wellfield as a place to bring people in. You risk the possibility of contamination by bringing people into our bread and butter water spot. We own many other properties that you could probably do the same thing. He also expressed his concerns on page 33 of the Plan getting rid of invasive species with the use of biological and chemical processes. Dr. Nusbaum and Gene Feyl concurred with Frank Druetzler.

Ms. Szwak mentioned that the County Open Space Trust Fund Committee had a meeting and she is the representative from MUA. There is six applicants for grant awards to purchase land for open space at \$1.9 million dollars. The site visits are scheduled for Saturday. It is 200 acres. There is one big one in Jefferson.

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.

CLOSED SESSION:

Vice Chairman Dour asked the Board for a Motion for the meeting to go into closed session at 8:18 p.m. for contract negotiations of Shared Services Agreement for solid waste enforcement with Morris County Office of Health Management.

MOTION: Mr. Barry made a Motion for the meeting to go into closed session at 8:18 p.m. and Mr. Druetzler seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Vice Chairman Dour asked the Board for a Motion for the meeting to go into open session at 8:23 p.m.

MOTION: Ms. Szwak made a Motion for the meeting to go into open session at 8:23 p.m. and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

There being no further business, Vice Chairman Dour asked for a Motion to adjourn the meeting at 8:24 p.m.

MOTION: Ms. Szwak made a Motion to adjourn the meeting at 8:24 p.m., seconded by Mr. Platt and carried unanimously.

Marilyn Regner
Secretary

/mr