

MINUTES OF REGULAR MEETING

MARCH 9, 2021

The Regular Meeting of the Morris County Municipal Utilities Authority was held on March 9, 2021 at 7:00 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey. Due to the Covid-19 Virus State of Emergency, this meeting was held remotely using conference call software.

Chairman Dour called the meeting to order and then was disconnected from the call.

Ms. Regner read the following on behalf of Chairman Dour: In accordance with Section 5 of the Open Meetings Act, notice of this meeting was made by posting on the MCMUA website, the Morris County Clerk's bulletin board and the officially designated newspapers for the MCMUA stating that this meeting would take place at 7:00 PM on Tuesday, March 9, 2021. Additional notice regarding remote public access due to the Covid19 emergency is provided at the MCMUA entrance, on its website and in the Daily Record.

Chairman Dour resumed conducting the meeting and requested a roll call.

PRESENT: Mr. James Barry, Mr. Frank Druetzler, Mr. Gene Feyl,
Mr. Michael Guadagno, Dr. Dorothea Kominos,
Dr. Arthur Nusbaum, Ms. Laura Szwak, and Mr. Christopher Dour.

(Mr. Hudzik entered the meeting at 7:04 p.m.)

ABSENT: NONE.

Also present were Larry Gindoff, Executive Director; Michael McAloon, Suburban Consulting Engineers; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brad Carney, Esq., Maraziti Falcon LLP; James Deacon, Solid Waste Coordinator; Liz Sweedy, District Recycling Coordinator; and Tom Lemanowicz, Alaimo Group.

(Chairman Dour was disconnected from the call, so Vice Chairwoman Kominos stepped in.)

Chairwoman Kominos asked for the Board's approval of the Minutes of the Reorganization and Regular Meetings dated February 9, 2021.

MOTION: Mr. Hudzik made a Motion to approve the Minutes of the Reorganization and Regular Meetings of February 9, 2021 and Mr. Guadagno seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

(Chairman Dour resumed conducting the meeting.)

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating and Water Operating for the month of February 2021. Also included are the Comparative Balance Reports for both Solid Waste and Water through the month of February 2021. An Investment Report for February shows funds that reached maturity from late January were moved to a Money Market

Account in early February earning .91 percent. Over the next three months, this investment will earn approximately \$10,986.00. That is with Malvern Bank, who is on our Cash Management Plan list. These reports have been incorporated in these Minutes.

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

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

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

(Chairman Dour was disconnected from the call, so Vice Chairwoman Kominos stepped in.)

Vice Chairwoman Kominos asked for the Board's approval of the vouchers:

BILL RESOLUTION NO. 21-25

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. 21-25 containing 7 pages for a total of **\$2,444,408.56** dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

WATER OPERATING FUNDS	5392-5426	\$ 110,580.78
SOLID WASTE OPERATING	11884-11975	\$ <u>2,333,827.78</u>
		\$ 2,444,408.56

CERTIFICATION

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

DATE: March 9, 2021

BOARD CHAIRMAN APPROVAL

Christopher Dour, Chairman

SIGNED: _____
Marilyn Regner, Secretary

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds in the appropriations charged, or accounts listed to cover the expenditures included in the SCHEDULE OF WARRANTS dated: March 9, 2021.

DATE: March 9, 2021

Larry Kaletcher, Treasurer

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

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Mr. Kaletcher informed the Board that at the end of this week, Nisivoccia LLP will be conducting their Audit of the 2020 Fiscal Year and that should be going on for the next two and a-half weeks.

CORRESPONDENCE:

Mr. Gindoff mentioned that the Correspondence report was sent out with the packet and there were only two items in the Correspondence report. The first piece of Correspondence was a letter we received from a bidder who was responding to one of the bids we are going to be addressing tonight. In essence, withdrawing their bid. The second piece of Correspondence is the forwarding of our Solid Waste Management Plan, with the Transfer Station Operations Contract built into it, to the NJDEP for their certification of that Plan Amendment. He also mentioned that there is no additional correspondence.

ENGINEER'S REPORT:

Mr. McAloon reported on the following: (1) Need to amend the Engineer's Report through February 2021, we sold 241,810,000 gallons. Through comments from the Board, we realized that there was a reconciliation in that number and we finally found that error in the formula. Moving forward, we will be correcting that number. This has not impacted the operation, only the monthly Board report. Messrs. Gindoff and McAloon thanked Frank Druetzler for picking up on this.; (2) We did see increase from Wharton and they advised that they had some issues with their primary well for the month of February. They received necessary parts and advised that it is up and running and we should expect normal usage moving forward. We will keep our eyes on that system usage and make sure everything is going well.; (3) Additionally, we are updating our Risk and Resiliency Assessment, otherwise known as the America's Infrastructure Act. This includes updates for Emergency Response Plan and some other documents on file. Certification to these Plans are due prior to June 30, 2021.; (4) Additionally, DEP has sent out a Water System Questionnaire with regard to some upcoming infrastructure projects. MCMUA was selected to help the State to get the necessary grant funding from the Federal Government through the New Jersey Infrastructure Bank, so we are going to be participating in that survey.

Mr. Druetzler asked how much money will we get? Mr. McAloon explained that The New Jersey Infrastructure (NJI) Bank is a loan program, and it is really designed for water systems that have critical needs. That money is dedicated for the worst of the worst kind. The funding is available for the MUA to possibly fund these projects, but you need to fill out a Letter of Intent, where you outline your project and the need, and the State will see that and rank it against other projects that are also looking for this funding. A lot of things come into play, such as demographics of your rate customers, medium household income and numerous other factors, which will assign you a project priority number that gets outlined on the NJI Bank Use Plan. As you can see for the projects slated in 2021, it is a very large list and it is mostly the urban areas with population served with low to moderate income. It is a process that could be navigated by the MUA, but it is very unlikely that we will have a project that will rank high enough in the priority to receive that funding. It is certainly something that we could explore in the future.

Mr. Gindoff mentioned that he thought it was just mostly their low interest loans, but it is for funding also? Mr. McAloon replied that a portion of that is principal forgiveness, but a majority of that is market rate.

Mr. Carney questioned that I Bank that you are talking about is grant money, not the 75%, 25% zero to market interest rate that is usually used for a loan for infrastructure projects? Mr. McAloon replied yes, the NJI Bank is 75/25. Mr. Carney mentioned that he is very familiar with it and that McCarter & English represents the I Bank.

(5) We have been working for a while with the Contractor on the Maintenance Garage again with favorable temperatures. We are hopeful to see some more action out there.; (6) At the Mt. Arlington Booster Station, the interim improvements necessary for our Tank Rehabilitation Project, we are awaiting the final installation and testing of the VFD for Pump No. 1.; (7) We did open bids for the Mt. Arlington Tank Interconnection Project on Wednesday. The lowest bidder was Gray Supply, but they formally withdraw their bid due to material defect in their pricing, so therefore, John Garcia Construction from Clifton, New Jersey is the lowest responsive bidder in the amount of \$217,850.00. Mr. McAloon mentioned that there is a corresponding Resolution for that and asked for the Board's approval of same:

RESOLUTION NO. 21-30
RESOLUTION AWARDED CONTRACT NO. 2021-W01 TO
JOHN GARCIA CONSTRUCTION COMPANY, INC. INC. FOR
“MT. ARLINGTON TANK INTERCONNECTION”

WHEREAS, the Morris County Municipal Utilities Authority (the “Authority”) advertised for the receipt of public bids for Contract No. 2021-W01 “Mt. Arlington Tank Interconnection” and received four (4) valid bids on February 24, 2021 from the companies listed below at the bid price shown:

John Garcia Construction Co., Inc. Clifton, NJ	\$217,850.00
VNL, Inc. Califon, New Jersey	\$257,100.00
Fred Devens Construction Ringwood, New Jersey	\$272,810.00
J. M. Sanzari Construction Neptune City, New Jersey	\$386,540.00

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

1. The Authority waives all immaterial defects in the bid submitted by John Garcia Construction Company, Inc., if any, and awards Contract No. 2021-W01 “Mt. Arlington Tank Interconnection” to John Garcia Construction Company, Inc., having a business addresses of 183 Friar Lane, Clifton, New Jersey 07013, as the lowest responsible bidder, in the amount not to exceed the bid price of \$217,850.00.
2. The Executive Director is authorized to execute Contract No. 2021-W01 “Mt. Arlington Tank Interconnection” with John Garcia Construction Company, Inc., having a business addresses of 183 Friar Lane, Clifton, New Jersey 07013, in the amount not to exceed the bid price of \$217,850.00.
3. The Contract awarded herein to John Garcia Construction Company, Inc., shall commence after the execution of the Contract, the submission of all required documents, including insurance certificates required by the Contract, said insurance shall be in a form acceptable to the Risk Manager of Morris County.
4. The Executive Director is hereby authorized and directed to execute any other necessary documentation and to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.

5. All bid security, except the security of the three apparent lowest responsible bidders shall be returned within 10 days after the opening of the bids, Sundays and holidays excepted, and the bids of such bidders shall be considered withdrawn. After the award and full execution of the contract and the approval of the contractor's performance bond, the bid security of the remaining unsuccessful bidders shall be returned to them within three days thereafter, Sundays and holidays excepted.
6. Funds are available for this Contract from Budget Line Item 02-6-300-800-015 and a copy of this Resolution shall be submitted to the Authority's Treasurer and kept on file in the offices of the Authority.
7. 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 March 9, 2021.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion To Award Contract No. 2021-W01 To John Garcia Construction Company, Inc. For "Mt. Arlington Tank Interconnection and Mr. Guadagno seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

(8) Additionally, bids were opened for "Paving Improvements At Various Locations" on the same day. Ten bids were received for the project ranging from \$210,934.00 to \$415,301.00. We had that separated into three separate contracts in hopes to get better pricing. Therefore, we recommend awarding Contract A, B and C to different contractors. Mr. McAloon asked for the Board's approval of the following Resolution:

**RESOLUTION NO. 21-29
RESOLUTION AWARDING CONTRACTS NO. 2021 – MCMUA01
TO
CONTRACT A - REIVAX CONTRACTING,
CONTRACT B – D&L PAVING CONTRACTORS
CONTRACT C - BLACK ROCK ENTERPRISES
FOR
"PAVING IMPROVEMENTS AT VARIOUS LOCATIONS"**

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority")

advertised for the receipt of public bids for Contract No. 2021 – MCMUA01 “Paving Improvements at Various Locations” and received ten (10) bids on February 24, 2021 from the companies listed below at the bid prices shown. Highlighted amounts indicate lowest bids for each Contract.

FIRM NAME	CONTRACT A BID	CONTRACT B BID	CONTRACT C BID	TOTAL OF ALL CONTRACTS
D&L Paving Contractors, Inc.	\$56,826.00	\$28,332.00	\$125,776.00	\$210,934.00
Reivax Contracting	\$51,850.00	\$40,937.00	\$123,550.00	\$216,337.00
Black Rock Enterprises, LLC	\$62,000.00	\$34,500.00	\$123,500.00	\$220,000.00
Jag Paving Corp.	\$72,000.00	\$45,765.00	\$132,975.00	\$250,740.00
Paving Materials and Contracting, LLC	\$75,400.00	\$40,239.75	\$139,675.00	\$255,314.75
United Terrain Group	\$75,860.00	\$37,841.30	\$148,915.00	\$262,616.30
American Asphalt & Milling Services, LLC	\$71,379.50	\$43,145.30	\$212,263.50	\$326,788.30
4 Clean Up, Inc.	\$102,450.00	\$50,563.80	\$251,440.00	\$404,453.80
Crossroads Pavement Maintenance	\$82,775.00	\$46,597.80	\$279,195.00	\$408,567.80
DLS Contracting, Inc.	\$114,358.00	\$77,735.00	\$223,208.00	\$415,301.00

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

1. The Authority waives all immaterial defects as to the bids submitted by Reivax Contracting, D&L Paving Contractors, Inc., and Black Rock Enterprises, Inc., if any, and awards Contract No. 2021-MCMUA01 as follows:
 - Contract A – Markewicz Pump Station to Reivax Contracting having a business addresses of 68 Finderne Ave., Bridgewater, NJ 08807 as the lowest responsible bidder, in the amount not to exceed the bid price of \$51,850.00.
 - Contact B – Household Hazardous Waste Facility to D&L Paving Contractors having business addresses of 675 Franklin Ave., Nutley, NJ 07110 as the lowest responsible bidder, in the amount not to exceed the bid price of \$28,332.00.
 - Contract C – Parsippany Compost Facility to Black Rock Enterprises having a business addresses of 1316 Englishtown Road, Old Bridge, NJ 08857 as the lowest responsible bidder, in the amount not to exceed the bid price of \$123,500.00.

2. The Executive Director is authorized to execute Contract No. 2021-MCMUA01 “Paving Improvements at Various Locations” with the following:
 - Contract A – Markewicz Pump Station to Reivax Contracting having a business addresses of 68 Finderne Ave., Bridgewater, NJ 08807 as the lowest responsible bidder, in the amount not to exceed the bid price of \$51,850.00.
 - Contact B – Household Hazardous Waste Facility to D&L Paving Contractors having business addresses of 675 Franklin Ave., Nutley, NJ 07110 as the lowest responsible bidder, in the amount not to exceed the bid price of \$28,332.00.
 - Contract C – Parsippany Compost Facility to Black Rock Enterprises having a business addresses of 1316 Englishtown Road, Old Bridge, NJ 08857 as the lowest responsible bidder, in the amount not to exceed the bid price of \$123,500.00.
3. The Contracts awarded herein to Reivax Contracting, D&L Paving Contractors, and Black Rock Enterprises, shall commence after the execution of the Contracts, the submission of all required documents, including insurance certificates required by the Contract, said insurance shall be in a form acceptable to the Risk Manager of Morris County.
4. The Executive Director is hereby authorized and directed to execute any other necessary documentation and to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
5. All bid security, except the security of the three apparent lowest responsible bidders shall be returned within 10 days after the opening of the bids, Sundays and holidays excepted, and the bids of such bidders shall be considered withdrawn. After the award and full execution of the contract and approval of the contractor’s performance bond, the bid security of the remaining unsuccessful bidders shall be returned to them within three days thereafter, Sundays and holidays excepted.
6. Funds are available for this Contract from Budget Line Items 01-1-600-800-726, 01-4-900-958-151 and 02-6-300-800-015 and a copy of this Resolution shall be submitted to the Authority’s Treasurer and kept on file in the offices of the Authority.

7. 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 March 9, 2021.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Hudzik made a Motion to Award Contract No. 2021- MCMUA-01 To Contract A – Reivax Contracting, Contract B – D&L Paving Contractors, Contract C – Black Rock Enterprises For “Paving Improvements At Various Locations” and Dr. Kominos seconded the Motion.

Mr. Feyl asked if we have done business with these vendors before, and have we checked their references? Mr. McAloon replied yes; we verified references for the Contractor and they have completed similar projects of size and scope. Mr. Feyl asked what Engineer will be overseeing their work? Mr. Gindoff replied that Mike McAloon provided a proposal from Suburban to oversee this work that is still be evaluated with Staff. He mentioned that if anyone is going to oversee the work, it will be Suburban. Mr. Feyl commented that it is important that someone is there to inspect the work as it is being done. Mr. Gindoff expressed his appreciation of Mr. Feyl’s input.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Mr. Gindoff introduced Resolution No. 21-28. He mentioned that this is a large engineering project to design and perform the bidding work related to the Mt. Arlington Pump Station Electrical Improvements. We asked for a Request For Proposal for Professional Engineering Services for the Mt. Arlington Pump Station Improvement Project and received two proposals. One being from Suburban Consulting Engineers and the other from Boswell Engineering. Our team scored and rated those proposals. Regarding pricing, Suburban was more expensive than Boswell. They came in at \$149,900 compared to Boswell at \$136,630. He explained that are scoring matrix put the pricing component at 25% component score with technical expertise and their managing abilities at higher rates and after scoring them, our team was recommending that we award this Contract to Suburban Consulting Engineers in accordance with the Resolution presented to the Board.

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

**RESOLUTION NO. 21-28
RESOLUTION AUTHORIZING THE AWARD OF A ONE YEAR CONTRACT FOR
THE PROFESSIONAL ENGINEERING SERVICES FOR MOUNT ARLINGTON PUMP
STATION IMPROVEMENT PROJECT TO
SUBURBAN CONSULTING ENGINEERS, INC.**

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) has a need for Professional Engineering Services for Mount Arlington Pump Station Improvement Project; and

WHEREAS, the Local Public Contracts Law exempts the procurement of Professional Services from public bidding, pursuant to N.J.S.A. 40A:11-5(a); and

WHEREAS, a Fair and Open Solicitation Process for Request for Proposals for the provision of Professional Engineering Services for Mount Arlington Pump Station Improvement Project was held pursuant to N.J.S.A. 40A:11- et seq.; and

WHEREAS, the MCMUA duly advertised for Proposals on February 18, 2021; and

WHEREAS, on March 3, 2021, the following two (2) proposals were received for the Professional Engineering Services for Mount Arlington Pump Station Improvement Project:

Suburban Consulting Engineers, Inc.
96 U.S. Highway 206
Suite 101
Flanders, NJ 07836

TASK 1. Existing Conditions

Lump Sum \$15,200

TASK 2. Engineering Design Services

LumpSum \$119,700

Allowance. Unanticipated & Unexpected Work

 \$15,000.00

Total \$149,900

Boswell Engineering
330 Phillips Ave.
South Hackensack, NJ 07606

TASK 1. Existing Conditions

 \$27,195.00 LumpSum

TASK 2. Engineering Design Services

 \$94,435.00 LumpSum

Allowance. Unanticipated & Unexpected Work

 \$15,000.00

Total \$136,630.00

WHEREAS, the basis for award is most advantageous for the MCMUA based on a scored weighted criteria of: Cost, Technical and Managerial; and

WHEREAS, such proposals were reviewed and evaluated by the MCMUA Project Team including: Executive Director, Larry Gindoff; Water Operations Manager, Tony Milonas and Qualified Purchasing Agent, Shana O'Mara; and

WHEREAS, following the scored weighted criteria in accordance with the Request for Proposals the Project Team recommends the designation of Suburban Consulting Engineers, LLC for the Professional Engineering Services for the Mount Arlington Pump Station Improvement Project contract; and

WHEREAS, the proposal of Suburban Consulting Engineers, LLC was reviewed and evaluated by the Authority staff to determine compliance with the Professional Engineering Services for Mount Arlington Pump Station Improvement Project requirements; and

WHEREAS, the MCMUA desires to award a contract through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq. for the Professional Engineering Services for Mount Arlington Pump Station Improvement Project to Suburban Consulting Engineers, LLC having a business address of 96 U.S. Highway 206, Suite 101 Flanders, NJ 07836; and

WHEREAS, in lieu of a separate certification of funds, the maximum dollar value of this contract is \$149,900.00 as set forth in this resolution per N.J.A.C. 5:30-5.4 (a) 3.

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

1. Suburban Consulting Engineers, Inc. having a business address of 96 U.S. Highway 206, Suite 101 Flanders, NJ 07836 is determined to have submitted a proposal most advantageous, price and other factors considered to the MCMUA for a non-exclusive contract for the Professional Engineering Services for Mount Arlington Pump Station Improvement Project.

Vendor Name: Suburban Consulting Engineers, Inc.
96 U.S. Highway 206, Suite 101
Flanders, NJ 07836

Term: One (1) Year

Account Number: The Treasurer certifies that funds are available from
02-6-900-925-930

2. The Executive Director is authorized and directed to execute the contract with Suburban Consulting Engineers, Inc. for the Professional Engineering Services for Mount Arlington Pump Station Improvement Project in a form approved by the Authority, based on the 2021 proposals received by the Authority on March 3, 2021, available in the offices of the Authority, and incorporated by reference and made part hereof, for a term of one (1) year.
3. The Contract awarded is 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. 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 Tuesday, March 9, 2021.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Hudzik made a Motion to A One Year Contract For The Professional Engineering Services For Mount Arlington Pump Station Improvement Project To Suburban Consulting Engineers, Inc. and Mr. Guadagno seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Mr. Gindoff asked for the Board's approval of the following Resolution. He explained that we discussed this at last month's meeting.

Mr. Druetzler asked that this means that Southeast won't be taking water from Clyde Potts and Mr. McAloon replied that is correct. This terminates the purchase of Clyde Potts water, as well as extends the reduction period for the West Hanover Avenue water for another year. Mr. Gindoff added that we may be addressing something like this in a year from now, but at least it gets rid of the Clyde Potts Water and gives us another year of continued talking with Southeast. Mr. McAloon mentioned that is certainly a big win for us extending the reduction period, as well as terminating a portion of the Agreement at Clyde Potts. This will result in significant operational improvements. We will no longer have to maintain that Clyde Potts Pump Station, which has been a liability and ranked critically on our Asset Management Plan for the past several years.

Mr. Carney mentioned that Sid Weiss contacted him and this is on their meeting agenda for next meeting in a few days.

RESOLUTION NO. 21-26
RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A
SECOND AMENDMENT TO THE WATER SUPPLY AGREEMENT WITH
SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") and Southeast Morris County Municipal Utilities Authority ("SMCMUA") are parties to a Water Supply Agreement dated September 10, 2002 for the wholesale supply of potable water (the "Agreement"); and

WHEREAS, the Agreement was first amended by an Amendment to Water Supply Agreement dated June 1, 2012 (the "First Amendment"); and

WHEREAS, the parties desire to further amend the Agreement pursuant to the Second Amendment to Water Supply Agreement, attached hereto (the "Second Amendment").

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

1. The Second Amendment to the Water Supply Agreement as between MCMUA and SMCMUA, in the form attached hereto, is approved and the Executive Director is authorized to Execute said Second Amendment.
2. Said Second Amendment shall be effective after adoption of this Resolution of approval and adoption of a Resolution of approval by the SMCMUA, and full execution thereof.
3. The Authority's staff and consultants are authorized to take all actions necessary to effectuate this Resolution.
4. 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 March 9, 2021.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to authorize Execution Of A Second Amendment To The Water Supply Agreement With Southeast Morris County Municipal Utilities Authority and Dr. Kominos seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Regarding the following Resolution No. 21-27, Mr. Gindoff mentioned that he received comments from several Board Members suggesting that we table this resolution at this point and discuss it at the Subcommittee level before presenting it for adoption by the Board. Mr. Druetzler expressed support to Table the Resolution.

Mr. Carney asked if the Board wants to Table the Resolution. Chairman Dour asked for a Motion:

MOTION: Mr. Druetzler made a Motion to Table Resolution No. 21-27 and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Mr. Gindoff mentioned that we will be contacting the Water Committee members and Brad Carney to schedule a meeting to further discuss this matter.

ENGINEER’S REPORT:

PROJECT STATUS

1. General System

A. Through February 2021, MCMUA diverted approximately 242.499 MG to date. This total volume of water diverted to date is below the total diverted for the same period in 2020 (247.359 MG), however above the volume diverted in 2019 (219.189 MG) respectively.

- Wharton’s usage increased to 14.179 MG, compared to 9.8 MGM average last year, however, still under their contract amount of 15 MGM. Through discussions with Wharton, they advised on an issue at their primary well for most of February, but confirmed the well is back up and running and they expect usage to be more inline with normal use.

B. SCE is in the process of updating the Risk and Resiliency Assessment, otherwise known as America’s Water Infrastructure Act (AWIA) which includes certification on the Emergency Response Plan. The certification to the update on these plans are due prior to June 30, 2021.

2. Maintenance Garage Updates

The Contractor is in the process of preparing submittals, material purchase and delivery and scheduling of the project.

3. Mt. Arlington Water Storage Tank Rehabilitation

Contract A – Tank Isolation

The Contractor has complete the mechanical improvements at the station, and is awaiting the final fabrication on the Variable Frequency Drive (VFD) for pump #1.

The bid opening for the Mt. Arlington Tank Interconnection project was held on Wednesday February 24 at 2:30pm. A total of five (5) bids were received for this project ranging from \$166,750.00 to \$386,540.00 with the apparent lowest responsible bid submitted by John Garcia Construction Company, from Clifton, NJ in the amount of \$217,850.00. A formal request to withdraw their bid from Gray Supply, from Randolph NJ was submitted due to an error on the cost of materials. The bid documents are currently being reviewed by SCE as well as MCMUA Legal Counsel. A formal recommendation of award will be presented via Resolution at the board meeting.

We are hopeful this work will commence in April as detailed in our capital improvement schedule.

4. MCMUA Paving Improvement Project

The bid opening for the Paving Improvements at Various Locations project was held on Wednesday February 24 at 2:00pm. A total of ten (10) bids were received for this project, with base bid totals ranging from \$210,934.00 to \$415,301.00. SCE recommends awarding Contract A to Reviac Contracting in the amount of \$51,850.00; Contract B to D&L Paving Contractors in the amount of \$28,332.00; and Contract C to Black Rock Enterprises in the amount of \$123,500.00. The bid documents are currently being reviewed by SCE as well as MCMUA Legal Counsel. A formal recommendation of award will be presented via Resolution at the board meeting.

We are hopeful this work will commence in April/May as detailed in our capital improvement schedule.

5. Amendment to Water Supply Agreement Between Morris County Municipal Utilities Authority (MCMUA) and Southeast Morris County Municipal Utilities Authority (SMCMUA)

We are prepared to present the Resolution to the Board, adopting the Second Amendment to the existing Water Supply Agreement between MCMUA and SMCMUA. This agreement extends the “Reduction Period” for one (1) year and will now expire on December 31, 2022. Additionally, this agreement also terminates Article III and Article IV, related to the MCMUA purchase of water at the Clyde Potts Reservoir

6. Amendment to Water Supply Agreement Between Morris County Municipal Utilities Authority (MCMUA) and New Jersey American Water (NJAW)

We are prepared to present the Resolution to the board, adopting amendment to the existing water supply agreement between MCMUA and NJAW for the overall reduction in the volume of water sold on a daily, monthly, and annual basis to the terms outlined in the agreement.

7. Professional Services for Mount Arlington Pump Station Improvement Project

The MCMUA has received proposals for the Professional Services for the above project. It is anticipated an award will be recommended by staff at the upcoming Board Meeting.

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Deacon provided the following highlights: (1) All the improvements continue at all our MCMUA facilities. The Scale project actually started today. They started with the in-bound scale at our Parsippany Transfer Station and hopefully if everything goes right, that will be replaced

tomorrow by Atlantic Scale and up and running. The out-bound scale will be done in another two weeks and then they will work up in Mt. Olive.; (2) Thanked Mike and Suburban again for the paving projects which include HHW and Parsippany Compost. This will be a huge improvement for us.; (3) Updates on tonnage – Parsippany had 412 more tons than last week and 158 more customers. Mt. Olive had 173 more tons compared to last week and 76 more customers.; (4) We had two medical waste red bag sharp dumpings down in Parsippany. The first was on March 1 and the other was yesterday, Monday. We are actively working with DEP to get these things resolved. Mr. Gindoff mentioned that these were on a much smaller scale than the previous ones. These were probably from individual homeowners or a small medical facility. We meet with Mascaro every other Monday on our operations and we are going to discuss with them as far as the Plan goes when these things do come in.; and (5) Lastly, Tom Lemanowicz will report on the close-out of the Persistent project and Resolution No. 21-31. Mr. Lemanowicz mentioned that we prepared a resolution for the final close-out. There are couple of documents that need to be collected and the resolution has a condition in there that it not be effective until the documents are presented, which includes a Maintenance Bond and an Affidavit of Liens. The last Change Order was a reduction from quantities that were not utilized during the Construction, so we ended up being 18 1/2 % over the bid.

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

RESOLUTION NO. 21-31
RESOLUTION ACCEPTING THE WORK PERFORMED FOR
MCMUA PARSIPPANY-TROY HILLS TRANSFER STATION
TIPPING FLOOR AND TRENCH DRAIN REPLACEMENT PROJECT

WHEREAS, pursuant to Resolution No. 19-68, the Morris County Municipal Utilities Authority (hereinafter the "Authority") authorized the award of the Authority's "Par/Troy Transfer Station Reconstruction Contract No. 2019-1" (the "Contract") to Persistent Construction, Inc., having a business address of 58 Industrial Avenue, Fairview, NJ 07022 (hereinafter "Persistent Construction") in the bid amount of \$1,649,199.00; and

WHEREAS, after the full execution of the Contract and the issuance of the Performance Bond and certificates of insurance, the Notice to Proceed was issued to Persistent Construction on September 30, 2019; and

WHEREAS, by letter dated March 3, 2021 to the Authority's Executive Director, the Authority's Project Engineer, the Alaimo Group recommends that a final payment be made to Persistent Construction, Inc. in the amount of \$47,930.06; and

WHEREAS, On August 11, 2020, the Authority authorized Change Order No. 4 which provided a non-compensable two-hundred and thirty-three (233) day time extension for the completion of the Contract, thereby requiring final completion by October 12, 2020; and

WHEREAS, On March 9, 2021, the Authority was presented with Change Order No. 6 which provided a non-compensable seventy (70) day time extension for the completion of the Contract, thereby requiring final completion by December 21, 2020; and

WHEREAS, all work was completed by December 18, 2020 (the commencement of the

Maintenance Bond period) and demobilization followed; and

WHEREAS, the final contract value is \$1,954,033.35 based on an original contract value of \$1,649,199.00 as well as contract adjustments resulting in a net increase of \$304,834.35 including both supplemental work items and as-built quantity adjustments; and

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority in the Counties of Morris and the State of New Jersey on the 9th day of March, 2021 as follows:

1. The Authority hereby determines that the work performed by Persistent Construction pursuant to Contract No. 2019-1 has reached final completion and is accepted. This Resolution shall be deemed the Notice of Completion required by Contract No. 2019-1 and shall remain on file at the offices of the Authority.
2. The Authority approves and authorizes execution of Change Order No. 6 which provides a time extension in the amount of seventy (70) days, extending the final completion date to December 18, 2020 and authorizes payment in the amount of \$47,930.00 to Persistent Construction for the completion of Contract No. 2019-1.
3. Funds are certified to be available from Budget Line Item 01-1-900-000-128 in the amount of \$47,930.00 as final payment to Persistent Construction for Contract No. 2019-1.
 1. Delivery of payment shall be conditioned upon the receipt of, and approval by the Executive Director of the MCMUA, a suitable Maintenance Bond and Contractor's Affidavit and Final Release of Liens.
4. The Authority's staff and consultants are authorized to take all actions necessary to effectuate this Resolution.
5. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on Tuesday, March 9, 2021.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Ms. Szwak made a Motion to Accept The Work Performed For MCMUA Parsippany-Troy Hills Transfer Station Tipping Floor And Trench Drain Replacement Project and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

SOLID, HAZARDOUS AND VEGETATIVE WASTE REPORT:

TRANSFER STATIONS

Tonnage- For the month of February 2021, the quantity of solid waste accepted at the two (2) MCMUA transfer stations was 25,263 tons. This represented a 13.52% decrease compared to February 2020 totals of 29,212 tons. These numbers are the pre-COVID-19 pandemic of February 2020 when we had nice weather compared to the multiple snow and weather events that the County of Morris had throughout the month of February in 2021. These are all understandable reasons for this percentage drop, and tonnage has started to increase again in the start of March. Based on the first two (2) months of 2021 transfer station activity, for the year 2021 the annual total tonnage is currently projected to be 408,919 tons. If this projection holds true, the tonnage for 2021 will be 1.95% less than the 415,100 total tons of 2020. Please refer to the attached Transfer Station Disposal Report by Month for additional information.

Mount Olive Transfer Station- NJDEP Solid Waste Facility General Permit Renewal- The MCMUA received a Notice of Administrative Completeness letter from the NJDEP on January 12. The Bureau of Planning and Licensing will not be able to issue a final decision regarding the Permit application until the Plan Amendment for the new Contract has been submitted, reviewed, and certified. Alaimo Engineering is also starting the process of generating a proposal for the MCMUA Parsippany-Troy Hills transfer station general Permit renewal application, which is set to expire on October 17, 2022.

Site Improvements- Emulating the actions of our Curbside facility, the interior of the Mount Olive transfer station scale house is getting a much needed refurbishing. New overhead LED lights have replaced old fluorescents and new outlets have been installed. Walls, windows, countertops, and floors are planned for the upcoming months. The MCMUA Operations Managers also hired a contractor to install R-13 borate loose fill cellulose insulation in all the exterior walls of the main office area in Mount Olive. This will assist in keeping the offices warm in the winter months and help keep vermin and pests from entering off the tipping floor. J.P. Mascaro and Sons continue to repair the tipping floor doors and air curtains at the Parsippany facility. The only thing now pending is total replacement of Door #5, which is on order. All other doors and their tracks have been completed. Some man doors have also been replaced, three (3) in Mount Olive which include the shop bathroom, pump room, and shop door, and two (2) in Parsippany. All these man doors look good and are now awaiting paint.

Upcoming Major Repair Projects- Above Ground Storage Tanks (AGST) Diesel Fuel- replacement of the 4000 gallon tanks and the pumps; Truck Scales- replacement of both the inbound and outbound scales at both MCMUA transfer stations. Both T.R. Weniger, Inc. and Atlantic Scale Company, Inc. were issued a Notice to Proceed letter by the MCMUA staff with a start date of March 31. This Notice gives both companies 120 calendar days to complete their respective projects, with a final date of July 19. Atlantic Scale contacted the MCMUA and said they will be out to start one (1) scale (Inbound) at Parsippany-Troy Hills on Tuesday, March 9th. They will then complete that same scale by March 10 or 11, pending any major issues. The second scale (Outbound) will be completed in the same manner a week or two (2) later, starting on a Tuesday, finishing by Wednesday/ Thursday. The Mount Olive transfer station scales will start sometime in the last week of March or first week in April. T.R. Weniger told the MCMUA that the fuel tank project should be about three (3) days total to complete for each station. The replacement schedule has not been set yet. J.P. Mascaro and Sons will need to transfer the diesel fuel for their equipment into drums during the change out process. MCMUA Operations Manager Bobby Ross provided J.P. Mascaro and Sons an update/ timing on these projects during our regularly scheduled Operations meetings via video conference that continue every other Monday morning. As the MCMUA staff receives information on these projects, updates will continue working with Mascaro so to not to hinder transfer station operations.

MORRIS COUNTY SOLID WASTE MANAGEMENT PLAN

Morris County Transfer Station Contract- The Morris County Board of Commissioners meeting and Public Hearing concerning the Morris County Solid Waste Management Plan (Plan) Amendment occurred on Wednesday, January 13 at 7:00PM via video conference. As a result of that Public Hearing, County Counsel submitted a letter to the NJDEP Bureau of Solid Waste Planning and Licensing on February 24. The letter included all the attachments and exhibits

needed for the Plan Amendment and NJDEP's for final approval. A copy of the cover letter from Mr. John Napolitano has been included as correspondence for the March 9 Board meeting.

HOUSEHOLD HAZARDOUS WASTE (HHW) MANAGEMENT

Program Participation- The permanent household hazardous waste facility (HHWF) located at the MCMUA Mount Olive transfer station had a total of 121 serviced appointments. The facility was only closed on one (1) day during February due to the large snow events. Although slower than January of 2021, 114 Morris County residents and 7 out-of-County residents still used the HHW facility in the month of February 2021. This brings the MCMUA's 2021 totals to 399

serviced appointments. Scheduled appointments are still made available on Tuesday, Friday, and Saturday mornings.

The MCMUA 2021 HHW Event Flyers have been printed for distribution to our Morris County Municipalities. Information on these events is posted on the MCMUA website. HHW staff has also provided the County with a formal press release. As a reminder, the four (4) 2021 HHW one-day drop-off events are:

- Saturday, May 22, 2021 at the Morris County Public Safety Academy (MCPSTA), 500 West Hanover Avenue in Parsippany;
- Saturday, June 26, 2021 at the MCPSTA;
- Saturday, September 25, 2021 at the MCPSTA;
- Saturday, October 23, 2021 at Chatham High School, 255 Lafayette Avenue in Chatham Township.

Site Improvements- As mentioned at the February 9 Board meeting, the MCMUA received a Bluetooth credit card reader for mobile phones to process credit cards at the HHW facility. The MCMUA Accounting Department is finalizing all the associated paperwork so that they can get started training the HHW staff on how to use it correctly. Currently, the HHW facility only accepts cash or check(s) as forms of payment. Morris County IT has since installed a Wi-Fi modem in the HHW office trailer with signal that reaches to the working areas of the facility.

Suburban Consulting Engineers, Inc. (Suburban) assisted the MCMUA staff in Bid #2021-MCMUA01 "Paving Improvements at Various Locations". The Bid opening occurred on February 24 at 2:00PM. Ten (10) total firms submitted Bids for paving the Markewicz Pump Station for the MCMUA Water Division, milling, paving, and proper line striping of our Household Hazardous Waste facility in Mount Olive, and milling and paving the existing entrance road from behind the Public Safety Training Academy all the way into the Parsippany compost site. The three (3) paving projects were broken down into separate Contract Bid submissions. Additional information and the Bid results will be presented in the Water Engineer's Report for the March 9 Board meeting.

Due to recent events relating to lithium-ion batteries and the issues that can occur when improperly disposed of in the recycling stream or regular trash, the MCMUA staff has generated informational flyers for distribution and continues to post associated information on the MCMUA website. MCMUA staff also purchased single use over-pack boxes and metal pails for proper/ safe U.S. D.O.T. approved shipping, handling, and recycling of high watt hour, large damaged, defective, and/ or recalled lithium-ion batteries. These batteries cannot be shipped in the normal Call-2-Recycle boxes located at the facility. The over-pack containers are now staged in the HHW office trailer in the event that a customer brings something in. Additionally, MCMUA staff purchased bags of "Cell Block EX" which is used as an extinguishing media in the event of a fire involving a lithium battery. Bags of these materials are now present at the HHW facility, along with the two (2) emergency spill kits at our MCMUA transfer stations.

VEGETATIVE WASTE MANAGEMENT

The MCMUA staff is looking to replace the two (2) older wheel loaders at our Parsippany Vegetative Waste facility. The Sourcewell Co-Op pricing was received on the two (2) 2021 Volvo L110H Wheel Loaders, comparable to the construction equipment purchased for the Mount Olive/Camp Pulaski in 2019. Having four (4) identical Volvo L110H loaders will assist the MCMUA staff with preventative maintenance, ordering parts and attachments, and dealing with warranty issues. A Resolution authorizing the purchase of these two (2) loaders will be presented to the Board for its consideration at the March 9 meeting.

Starting March 2021, the MCMUA staff started the implementation of weekly safety conferences every Wednesday morning with the Vegetative Waste staff via Microsoft Teams. Microsoft Teams allows for these brief weekly trainings sessions to be recorded, notes to be taken and saved, and documents to be uploaded which can be accessed at any time in the future if needed. Besides health and safety topics, these brief conferences will also help to improve communication, operational issues or concerns, staffing concerns and/ or adequate coverage between the two (2) compost sites, purchasing, physical improvements, clerical procedures and recordkeeping, environmental compliance, lessons learned, and becoming familiar with all the heavy equipment at both locations. The Vegetative Waste Site Supervisors become more involved in the process by presenting topics to discuss each week. All of this is accompanied by the weekly status reports (WAR) submitted to the Operational Managers, similar to the current practice of what the MCMUA Transfer Station Managers generate.

For additional information, a copy of the Vegetative Waste Report has been provided as part of the MCMUA Board packet for the March 9 meeting.

RECYCLING REPORT:

Ms. Sweedy reported the following: (1) The January ReCommunity/Republic statement was finalized and the per ton rate for single stream was -\$23.76. The preliminary rate for single stream for the month of February is -\$39.56 per ton. Commodities remain strong in February. With the commencement of the new contract with ReCommunity/Republic, we were due for a processing increase after the five-year contract ended. We are still enjoying the strongest market conditions that have been seen over the last few years and we hope that they continue.; (2) February was a very busy month. We hosted a Municipal Recycling Coordinators' Meeting with guest speaker, Erin Jensen of NJDEP. The meeting was very well-attended with representation from 34 of our 39 municipalities.; (3) During February, our Curbside Recycling Department experienced a lot of challenges due to the amount of snow and freezing temperatures.

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

RESOLUTION NO. 21-32
RESOLUTION AUTHORIZING THE FILING OF A SPENDING PLAN
FOR A 2020 RECYCLING ENHANCEMENT ACT TAX FUND ENTITLEMENT

WHEREAS, P.L. 2007, c. 311 et seq. provides for the awarding of Recycling Enhancement Tax Fund entitlements by the Department of Environmental Protection to designated solid waste management districts to assist them in the preparation, revision and implementation of comprehensive solid waste management and recycling plans; and

WHEREAS, the Morris County Municipal Utilities Authority desires such financial assistance to fulfill its responsibilities under the Solid Waste Management Act and the Recycling Enhancement Act.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That a Spending Plan be submitted to the Solid and Hazardous Waste Management Program for a 2020 Recycling Enhancement Act Tax Fund Entitlement in the amount of \$340,200.00.
2. That the Executive Director of the Morris County Municipal Utilities Authority is hereby authorized and directed to execute and file such spending plan with the Department of Environmental Protection; to provide additional information and furnish such documents as may be required; to execute such contracts as are required; and to act as the authorized correspondent of the Morris County Solid Waste Management District.
3. The Morris County Municipal Utilities Authority was designated by the Morris County Board of Chosen Freeholders as the implementing agency to perform the Recycling Enhancement Tax Entitlements on March 25, 2009.
4. The Morris County Municipal Utilities Authority does hereby hold the State of New Jersey and its departments and agencies harmless from any dangers, losses, and claims which may arise directly or indirectly from the execution of the Entitlement.
5. The Morris County Municipal Utilities Authority hereby accepts the terms and conditions set forth in the Act and the guidelines promulgated under it.
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 March 9, 2021.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Hudzik made a Motion to Authorize The Filing Of A Spending Plan For A 2020 Recycling Enhancement Act Tax Fund Entitlement and Dr. Kominos seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Ms. Sweedy asked for the Board's approval of the Consent Agenda, which includes Resolution Nos. 21-33 through 21-36 for Vehicle Purchases:

RESOLUTION NO. 21-33
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE PURCHASE OF TWO (2) WHEEL LOADERS THROUGH THE
SOURCEWELL COOPERATIVE PRICING SYSTEM #032119VCE PURCHASING
CONTRACT FOR 2021

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 Hoffman Equipment Inc., in the total amount of \$524,278.00. The purchase would be made through Allegiance Trucks; 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 \$7,827.72 by obtaining the Wheel Loaders from the Sourcewell Cooperative Purchasing Program; and

WHEREAS, on February 10, 2021, 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 February 23, 2021 and no comments were received; and

WHEREAS, in lieu of a separate certification of funds, the maximum dollar value of this contract is \$524,278.00 as per N.J.A.C. 5:30-5.4(a) 3; and

WHEREAS, the funding for this purchase shall come from account #01-4-300-800-152

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 two (2) Wheel Loaders in the amount of \$524,278.00.

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 the Regular Meeting held on Tuesday, March 9, 2021.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

**RESOLUTION NO. 21-34
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE PURCHASE OF ONE (1) 2021 FORD F-250 PICK UP TRUCK
THROUGH THE STATE OF NEW JERSEY COOPERATIVE PURCHASING
PROGRAM CONTRACT #A88727/T2100 FOR 2021**

WHEREAS, the Morris County Municipal Utilities Authority, pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the State of New Jersey Cooperative Purchasing program which has been approved by the Director of the Division of Local Government Services; and

WHEREAS, the MCMUA, desires to purchase one (1) 2021 Ford F-250 Pick Up Truck utilizing the State of New Jersey Cooperative Purchasing Program, Contract# A88727/T2100; and

WHEREAS, Beyer Ford, having a business address of 170 Ridgedale Ave. Morristown, NJ 07960, has been awarded the contract for Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option; and

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

WHEREAS, in lieu of a separate certification of funds, the maximum dollar value of this contract is \$33,453.00 as per N.J.A.C. 5:30-5.4(a) 3; and

WHEREAS, the funding for this purchase shall come from account #01-3-300-800-151.

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 one (1) 2021 Ford F-250 Pick Up Truck utilizing State Contract# A88727/T2100
2. The total fee authorized for this contract shall not exceed \$33,453.00 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

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 Tuesday, March 9, 2021.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

**RESOLUTION NO. 21-35
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE PURCHASE OF ONE (1) NEW LEACH MODEL 2RIII 29 CUBIC
YARD REARLOAD REFUSE BODY THROUGH THE ESCNJ COOPERATIVE
PRICING SYSTEM #65MCESCCPS – ESCNJ 17/18-30
PURCHASING CONTRACT FOR 2021**

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, desires to purchase one (1) New Leach Model 2RIII 29 Cubic Yard Rearload Refuse Body from the ESCNJ Cooperative Pricing System #65MCMESCCPS – ESCNJ 17/18-30; and

WHEREAS, Wittke Sanitation Equipment Corp., has been awarded the contract for Trucks – 26,000 lbs. GVW and greater; and

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

WHEREAS, in lieu of a separate certification of funds, the maximum dollar value of this contract is \$106,075.00 as per N.J.A.C. 5:30-5.4(a) 3; and

WHEREAS, the funding for this purchase shall come from account #01-3-300-800-151.

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 one (1) New Leach Model 2RIII 29 Cubic Yard Rearload Refuse from the ESCNJ Cooperative Pricing System #65MCMESCCPS – ESCNJ 17/18-30.
2. The total fee authorized for this contract shall not exceed \$106,075.00 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.

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 Tuesday, March 9, 2021

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

RESOLUTION NO. 21-36

**RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE PURCHASE OF ONE (1) PACKER-REAR LOADER THROUGH
THE SOURCEWELL COOPERATIVE PRICING SYSTEM #060920NVS
PURCHASING CONTRACT FOR 2021**

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 Loaders; and

WHEREAS, through the Sourcewell Cooperative Purchasing Program, one (1) Packer-Rear Loader are available through Navistar, dba International Truck, Allegiance Trucks in the total amount of \$137,440.00. The purchase would be made through Allegiance Trucks; 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 \$10,314.00 by obtaining the Packer-Rear Loader from the Sourcewell Cooperative Purchasing Program; and

WHEREAS, on February 23, 2021, 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 through the Sourcewell Cooperative Purchasing Program under a National Cooperative Purchasing Agreement. The associated public comment period ended on March 8, 2021 and no comments were received; and

WHEREAS, in lieu of a separate certification of funds, the maximum dollar value of this contract is \$137,440.00 as per N.J.A.C. 5:30-5.4(a) 3; and

WHEREAS, the funding for this purchase shall come from account #01-3-300-800-151.

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 in the amount of \$137,440.00.

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 the Regular Meeting held on Tuesday, March 9, 2021.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to adopt the Consent Agenda
For Resolution Nos. 21-33 through 21-36 for Vehicle Purchases
and Mr. Guadagno seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Mr. Gindoff mentioned that it is good that we are able to implement these purchases early in the calendar year due to these State Contracts and Co-ops, which in the past probably would have taken us months and months to go through the bid process to purchase this equipment. It is great to be doing this more efficiently than we had been doing in the past.

RECYCLING REPORT:

Tonnage and Value – The January 2021 ReCommunity/Republic statement was finalized in the amount of **(\$36,085.15)**. The per ton rate for single-stream was **(\$23.76)**, a difference of \$16.73 below the rate **(\$40.49)** paid in December 2020. The first month of the new index-based marketing contract with ReCommunity began in February. Staff calculated the cost for marketing recyclables with single-stream costing \$27.91/ton and dual stream coming it at \$20.55/ton for the fiber mix and \$23.01/ton for the container mix. The index-based pricing contract utilizes pricing provided by a recycling market index for the components of the recycling mix and allocates those component costs based on the composition of our recycling mix, which was derived from previous facility audits and included as a “given” in the contract. The final price is calculated based off of this material allocation and the percent of each material’s index price that was bid by ReCommunity. While it all sounds confusing, the bottom line is we can now calculate pricing at the end of the month instead of waiting for ReCommunity to calculate prices based on their actual costs and as such, they prices were are provided above.

Please understand that while single-stream costs for February were higher than January, they are based on different contracts and methods of calculating costs. The recycling market index showed that February experienced improvements in pricing of corrugated as well as plastics dues to increasing energy costs. These market improvements would most likely have shown up as improved pricing under the old contract so while our cost went up due to the new contract, the recycling market in general trended positively in February as it had been for the past several months.

Curbside Contract Proposals & Resolutions

On 2/23/21, staff contacted Victory Gardens Borough for a copy of the waste collection bid, which includes recycling collection services, for a five-year agreement commencing on 4/1/21 and ending on 3/31/26. Staff is currently working to compile information in order to provide a cost proposal.

Curbside Equipment Purchases

Resolutions for the following vehicles, procured through state contract and/or coops we belong to, will be presented at the March 9 Board meeting for Board consideration and approval:

2021 Ford F-250 Truck
NJ State Contract A88727/T2100 – Beyer Ford

Packer-Rear Loader
NAVISTAR, Sourcewell Contract 060920 NVS

2020 Recycling Enhancement Act (REA) Grant Resolution Authorizing The Filing Of A Spending Plan.

On January 14, the NJDEP released the 2020 REA Grant Allotment for Morris County, in the amount of, \$340,200.00. The amount of the 2019 REA Grant for Morris County was \$300,972.00 of which, \$250,709.67 was allocated for Solid Waste Activities (HHW) and \$50,262.33 was allocated for public information and education. The projects that fall under this category include personnel, consumable supplies such as signs for recycling depots and transfer stations, recycling decals and training, reimbursements to schools towards the purchase recycling receptacles/collection carts. The 2020 REA Grant is being proposed to be utilized in a similar manner. We are proposing that \$283,386.60, will be used for the HHW program and \$56,813.40 will be allocated to public information and education. The projects that are planned for this portion of the spending include personnel, consumable supplies such as printed educational materials including the MCMUA Environmental Guide, educational flyers, signs for recycling depots and MCMUA facilities. Also, training for MCMUA staff and municipal recycling coordinators, as well as other educational initiatives. A resolution authorizing the filing of the 2020 REA spending plan is expected to be put forth for the Board's consideration at the March 9 meeting.

Recycling Education and Inspections:

On 2/2/21, staff contacted Joshua Alzona of Recycle Coach regarding the danger of Lithium batteries. This was prompted by the massive fire on 1/30/21, at the Atlantic Coast Fibers MRF (materials recovery facility) in Passaic. There is speculation that this fire was caused by a Lithium battery. Republic Services/ReCommunity has experienced several fires started by Lithium batteries in 2020. Employees noticed the fires before any damage occurred. The Recycle Coach app is an excellent platform for educating residents about the danger Lithium batteries cause at recycling facilities and for providing the proper disposal methods.

On 2/3/21, staff attended a webinar that was hosted by the Northeast Recycling Council (NERC) guest speakers included Amy Donovan, Franklin County Massachusetts Solid Waste Program Director, Bob Spencer, Executive Director of Windham Solid Waste Management District in Brattleboro Vermont; and Connor Miller, Founder and CEO, Black Earth Compost Company, LLC. The topics that were discussed included:

- The Franklin County food waste composting program in Massachusetts that involves 25 schools and 21 municipalities.

- The Brattleboro (Vermont) district’s curbside food scrap collection and composting program is for residents in single-family and multi-family homes and condominiums.
- Black Earth Compost Company is a full services compost company, which includes their own trucks to haul the food waste. Their motto is, “Compost, Grow, Eat & Repeat.” This company collects food scraps from residents, schools and businesses.
- The importance of sustainable food waste/composting markets. Due to permitting and other challenges, it takes years to establish solid markets for food waste recycling.

On 2/10/2021, staff joined Joelle Serritella, East Hanover’s Recycling Coordinator, Joseph Schmidt and Casey Brady, Morris County Office of Heath Management, on an inspection of Zina Salads in East Hanover. This business is a gourmet food manufacturer with approximately 25 employees. Joe conducted a solid waste inspection of this generator’s Accurate Removal container on 8/10/2020. Joe found a large percentage of OCC mixed with trash in the container. The manager/chief operating officer, Mr. Zoran Illic, told Joe that the cardboard would be removed by the end of the day. Mr. Illic failed to provide Joe with proof that the cardboard was removed from the trash during a follow up on 9/29/20. Mr. Illic told Joe that according to the MCMUA’s waste flow regulations, provided by his haler Accurate Removal, they could mix all material together and the container would be taken to a materials recovery facility, Cavalier Environmental Compliance Services, Inc., in Sparta. Staff explained waste flow control, source separation, recycling requirements and tonnage reporting to Mr. Illic. Mr. Illic stated that their hauler is now Instate Waste Services. On 2/12/2021, Mr. Illic emailed a 2020 tonnage report to Joelle Serritella.

On 2/11/2021, at the request of Mendham Township Environmental Chair Martin Slayne and Councilwoman Amalia Duarte, staff provided an educational webinar (Lunch & Learn) for Mendham Township residents. The presentation focused on acceptable recyclables, proper preparation of recyclables, and unacceptable materials in the recycling stream. Staff also spoke briefly about household hazardous waste and proper disposal of batteries. Staff answered questions and received a lot of positive feedback.

On 2/11/21, staff attended a WRWAC (Whippany River Watershed Action Committee) Bio Blitz virtual planning meeting. Committee members discussed the schedule for the day of the event, data collection and activities. Members also discussed possible COVID attendance restrictions and the iNaturalist app used to record information on the day of the event.

2/16/21, staff along with Larry Gindoff, attended the County Recycling Coordinators virtual meeting, via Zoom. The meeting was hosted by ANJR. The agenda included:

- 2020 REA Grants (for Counties) – speaker, Erin Jensen, NJDEP
- Status of Municipal Recycling tonnage grants – speaker, Erin Jensen , NJDEP
- USEPA’s national recycling goal
- Battery Fires – education and Extended Producer Responsibility

On 2/17/21, the MCMUA hosted a Municipal Recycling Coordinators meeting. The speakers were: Erin Jensen, NJDEP; Robin Ghebreal, Wharton MRC Alternate; Anthony Marrone, MCMUA Household Hazardous Waste & Vegetative Waste Specialist and Chris Vidal, MCMUA Recycling Customer Service and Curbside Support.

Erin Jensen provided an overview of the 2020 Municipal Tonnage Reporting process. Robin Ghebreal spoke about the strategies she uses to gather tonnage information from municipal departments, businesses and vendors generating tonnage in her municipality. This was an overview to encourage all municipal recycling coordinators to reach out to all generators and claim the tonnage generated in their municipalities. Anthony Marrone provided information about the MCMUA’s 2021 HHW Event days, the Electronic Waste Program’s semi-annual reports and the MCMUA’s vegetative waste programs. Chris Vidal spoke about the importance for municipalities to cover their recycling roll-offs in the winter weather in order to avoid frozen loads, which have been rejected at the MRF (materials recovery facility) and end up as trash at the transfer station. The meeting, via WebEx, was very well attended, with representation from 34 of the 39 Morris County municipalities and was approved for 1.5 classroom recertification credits for Certified Recycling Professionals by Rutgers.

On 2/17/21, staff attended the ANJR (Association of NJ Recyclers) Swap & Share, via Zoom. The discussion included more about the proper management of Lithium batteries. Most

consumers are uneducated about fire hazards related to Lithium batteries and manufactures are vague about possible danger and proper disposal. Extended Producer Responsibility (EPR) laws must be implemented in order for manufacturers to have appropriate disposal programs in place. Maine is the only state in the USA with Extended Producer Responsibility (EPR) laws in place for batteries. Recycling professionals are at the forefront of making positive changes and educating the public. ANJR and the NJDEP will be looking closely at the issues with Lithium batteries. In addition, coordinators discussed the delay by NJDEP in releasing the 2018 Municipal Tonnage Grant money to municipalities.

On 2/25/21, staff attended a WRWAC Bio Blitz virtual planning meeting. Members provided updates, regarding the event and discussed options for tents to be used on the day of the event. Social distancing practices will be taken into consideration since the status of the pandemic is unknown. The event will take place outdoors at Lewis Morris Park on June 12. There is lots of open space to spread out and distance the activities at this beautiful location.

On 2/26/21, staff inspected Hanover Hills and Eden Lane multifamily complexes in Hanover Township. The Hanover Hills complex is consistently having recycling issues. Staff found lot of plastic bags, plastic cups/straws and dirty pizza boxes in the recycling dumpsters. Some recyclables found in the trash dumpsters. In addition, there were recyclables on the ground blocking the recycling dumpsters in disposal areas, and lots of bulk furniture placed outside the disposal areas. The Eden Lane complex was in better order. Only a few minor infractions found. The MCMUA single-stream posters on the recycling sheds seem to be helpful, as residents are doing a better job with proper recycling practices! Both property managers were provided with a detailed report and photos of the inspections.

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

On 2/16/21, staff attended and took the minutes for the ANJR Board Meeting. Notable information from the meeting was the market report, which shows improvement in recycling markets.

On 2/18/21, staff attend a virtual ANJR planning meeting for upcoming webinars and the Annual Meeting.

On 2/18/21, staff had a phone meeting with Cynthia Korman, Mountain Lakes Borough Town Council, regarding municipal tonnage reports, contamination commonly found in the recycling stream and municipal recycling depot best practices. Ms. Korman attended the MRC meeting the day before and had several questions. Staff also mailed Ms. Korman a variety of flyers, and information on NJDEP municipal tonnage grant reporting. Mountain Lakes Borough has a new municipal recycling coordinator who is just getting familiar with the world of recycling.

Clean Communities Litter Abatement Programs

There were no road cleanups conducted during February and no litter abatement programs during February.

OLD BUSINESS:

Mr. Gindoff informed the Board that we closed on the Vallevue Open Space Project in late February and appreciated everyone's support on that one.

Ms. Szwak gave a report from the Morris County Open Space Committee, of which she is the MUA representative. She mentioned that there was a meeting last week. The purpose of the meeting was to look at three extensions for three projects. They are all saying that COVID is slowing things down, which is understandable. The other topic of discussion were the diversions and they are going forward. She mentioned that the Open Space Program is anxious to see our Open Space Plan. She really appreciated that Anthony Marrone stayed on the phone with her to show her the mapping database that Morris County is developing. It is interesting but a little awkward to use, but it is going to be a place where the records of land preserved will be protected and housed. Ms. Szwak mentioned that she hopes that the Board could see a draft of this Open Space Plan very soon. It may not have all of the maps that are needed, but you can see the words and at least get some familiarity about it. Mr. Gindoff suggested that we schedule and Open Space

meeting after this meeting and we'll coordinate with Anthony, you, Gene and me and we will go over the Open Space Plan so it could be presented in draft form in April and maybe for adoption in May.

Mr. Druetzler congratulated Laura on being elected Vice President of the Open Space Committee and the Board congratulated her.

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

NEW BUSINESS:

Ms. Regner advised the Board that it is once again time for the filing of Financial Disclosure Statements. Laura Roberts from the County Clerk's Office has not heard anything from the State as of yet, however, as soon as she hears, she will be sending out an email, so keep checking your emails in the next couple weeks. Upon receipt, please complete your Financial Disclosure Statement, as the filing deadline is April 30, 2021 and there could be a fine if you don't have it in by that date.

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

PUBLIC PORTION:

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

CLOSED SESSION:

There being no Closed Session, this portion of the meeting was closed.

There being no further business, Chairman Dour asked for a Motion to adjourn the meeting at 7:48 p.m.

MOTION: Mr. Hudzik made a Motion to adjourn the meeting at 7:48 p.m., seconded by Dr. Kominos and carried unanimously.

Marilyn Regner
Secretary

/mr