

MINUTES OF REGULAR MEETING

DECEMBER 12, 2023

The Regular Meeting of the Morris County Municipal Utilities Authority was held on December 12, 2023 at 5:33 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey as well as remotely using conference call software.

Vice Chairman Guadagno called the meeting to order and read the following:

In accordance with the Open Public Meetings Act, notice of the location, date and time 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. The meeting may be attended in person or through remote communication in conformance with the directives of the State of New Jersey. Additional notice regarding remote public access is provided at the MCMUA entrance, on its website and in the Daily Record.

Vice Chairman Guadagno requested a roll call.

PRESENT: Mr. James Barry, Mr. Christopher Dour, Ms. Maria Farris, Mr. Michael Guadagno, and Dr. Arthur Nusbaum.

Mr. Frank Druetzler entered the meeting at 5:36 p.m.
Mr. Michael Kobylarz entered the meeting at 5:37 p.m.

ABSENT: Dr. Dorothea Kominos, Ms. Laura Szwak and Mr. William Hudzik.

Also present were Larry Gindoff, Executive Director; Marilyn Regner, Secretary; Diane Alexander, Esq., Maraziti Falcon LLP; Alyse Landano Hubbard, Esq., Maraziti Falcon LLP; Alexandra Knoth, Esq., Maraziti Falcon LLP; Michael McAloon, P.E., Suburban Consulting Engineers; Marlene Lindhardt, P.E., Suburban Consulting Engineers; Michael Kobylarz, P.E., Alaimo Engineering; Larry Kaletcher, Treasurer; James Deacon, Solid Waste Coordinator; and Anthony Marrone, District Recycling Coordinator.

Vice Chairman Guadagno asked for the Board's approval of the Minutes and Closed Session Minutes of the Regular Meeting of November 14, 2023.

MOTION: Mr. Dour made a Motion to approve the Minutes and Closed Session Minutes of the Regular Meeting of November 14, 2023 and Mr. Barry seconded the Motion.

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

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Division for the month of November 2023. He then presented the Treasurer's Report for the Water Division for the month of November 2023. Also included are the Comparative Balance Reports year-to-date November 2023 and an Investment Report showing no new investments were purchased during the month of November 2023. These reports have been incorporated in these Minutes.

Vice Chairman Guadagno asked the Board for a Motion to accept the Treasurer's Report.

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

ROLL CALL: AYES: 5 NAYES: NONE ABSTENTIONS: Mr. Druetzler

Mr. Kaletcher mentioned that he has one last budget amendment for 2023. The 2022 REA Grant was received in the amount of \$348,300. He explained that Three Hundred Thousand dollars was originally budgeted for 2023. This Resolution amends the 2023 budget for the \$48,300 difference compared to the original budget amount and asked for the Board's approval of same:

**RESOLUTION 2023-091
RESOLUTION TO AMEND THE SOLID WASTE DIVISION 2023 FISCAL BUDGET
FOR THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY PURSUANT TO
N.J.A.C. 5:31-2.8**

RECYCLING ENHANCEMENT ACT TAX ENTITLEMENT GRANT

WHEREAS, the Morris County M.U.A. on December 6, 2022 adopted the 2023 Solid Waste Division budget to include the 2022 Recycling Enhancement Act Tax Entitlement Grant in the amount of \$300,000.00, and

WHEREAS, the Morris County M.U.A. received a grant award in the amount of \$348,300.00, the Solid Waste Division 2023 budget is hereby amended to increase the budgeted revenue and appropriation by \$48,300.00, 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 2023 budget as follows:

Increase Amended Revenue:

RECYCLING ENHANCEMENT ACT TAX ENTITLEMENT GRANT \$ 48,300.00

Increase Amended Appropriations:

RECYCLING ENHANCEMENT ACT TAX ENTITLEMENT GRANT \$ 48,300.00

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to amend the 2023 Solid Waste Fiscal Budget in the amount of \$48,300.00 and Mr. Barry seconded the Motion.

(Mr. Druetzler entered the meeting at 5:36 p.m.)

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

(Mr. Michael Kobylarz entered the meeting at 5:37 p.m.)

Mr. Kaletcher asked for the Board’s approval of the vouchers:

BILL RESOLUTION NO. 2023-092

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. 2023-092 containing 7 pages for a total of **\$3,496,505.16** dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

WATER OPERATING FUNDS	6442-6466	\$	67,429.55
SOLID WASTE OPERATING	14565-14645	\$	<u>3,429,075.61</u>
		\$	3,496,505.16

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: December 12, 2023

BOARD VICE CHAIRMAN APPROVAL

Michael Guadagno, Vice Chairman

SIGNED: _____
Marilyn Regner, Secretary

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds in the appropriations charged, or accounts listed to cover the expenditures included in the SCHEDULE OF WARRANTS dated: November 14, 2023.

DATE: December 12, 2023

Larry Kaletcher, Treasurer

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

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

CORRESPONDENCE:

Mr. Gindoff mentioned correspondence from Suburban regarding Status Review of Hercules Site located at 100 Howard Boulevard in Roxbury Township and their potential for water and called on Mike McAloon and his associate, Marlene Lindhardt to explain. Mr. McAloon mentioned that the last two meetings there were some discussions regarding the

efforts that were going on over at Hercules, so Marlene did a desktop evaluation of public documentation that is available for review through DEP data miner. Mr. McAloon mentioned that there are several reports. The big one is the Receptor Evaluation Report that was done in 2016 and DEP requires a well search within a ½ mile radius of the site for potential impact to groundwater. They identified several wells within that area, but those locations aren't known from our public review. They are required to do door-to-door service of any wells within that ½ mile that are public wells to sample for and notify residents of potential groundwater contamination. From the southern tip of the Hercules property to the very northern tip of our Alamatong wellfield is around two miles of separation, so while some of these contaminants include PFOS travel very easily, our wellfield does not fall within the classification exception area. The State says that we are not an area of interest for our wells at this point. There is some additional information that could be provided as part of our recommendation. Our recommendation is that we could call the LSRP of record and the point of contact for the Hercules site and have them come in and do a presentation on the status and what is going on at the site and they are obligated to do this. Mr. McAloon mentioned that they are remediating parts of the Hercules site so it could be developed for a warehouse. Mr. Gindoff asked the Board if they want a presentation by the LSRP or have a presentation made only to Suburban, MUA Staff and Water Committee and we can report back to the Board. The Board decided that an internal meeting be set up with Suburban, MUA Staff and the Water Committee if they want to participate.

CORRESPONDENCE:

WATER

1. Memorandum dated December 7, 2023 to Larry Gindoff, Executive Director, MCMUA, from Michael K. McAloon, P.E., Suburban Consulting Engineer's, Inc. regarding Status Review of Hercules Site located at 100 Howard Boulevard, Roxbury Township, New Jersey.

RECYCLING

2. Recycling Report Supplement – November 2023.

ENGINEER'S REPORT:

Mr. McAloon reported the following: (1) We are still on pace with selling our 1,450 million gallons, so as long as we get a normal December, we should be right on track.

Mr. Druetzler mentioned that Mt. Arlington wanted more water and looking at their water numbers, they are taking less water. Mr. McAloon replied that is a good point and perhaps they did their AWWA 36 Water Audit or some other leak detection out there.

(2) Regarding the Hercules Site memorandum, we will set up a meeting with the LSRP and open it up to any Water Subcommittee members.; (3) Regarding 100 Stierli Court Water Connection, the developer has advised that they are in a position to begin the watermain extension work, and they anticipate to begin early next year. The meter that the MUA purchased and the developer will install will arrive in mid-January.; (4) At the Parsippany Transfer Station, Astro Electrical Contractors mobilized to the site and began installation of the conduit. They are making good progress out there. The Motor Control Center was delivered to the site on last Friday and they are working on getting it installed. They did submit Payment Application No. 2, which we recommend processing in the amount of \$21,560.00, which includes withholding 2% retainage.; (5) Regarding the PFOS Treatment Evaluation, we received one response from Uhl & Associates to the RFP for the drilling of test wells at Alamatong Well 1 and Alamatong Well 2. Based on their experience and knowledge of the MUA., we recommend awarding this contract in the amount of \$140,260.00 to Uhl & Associates, Inc. from Lambertville, New Jersey.

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

Resolution No. 2023-093
Resolution To Award RFP #2023-W02
For Professional Services For Hydrogeologists
To Direct and Oversee Drilling, Testing And Sampling Test Wells
In The Alamatong Well Field Proximate To Existing Wells A-1 And A-2

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") issued an Request for Proposals ("RFP") to provide professional hydrogeologist services to direct and oversee drilling, testing and sampling test wells in the Alamatong well field from December 1, 2023 to December 31, 2024; and

WHEREAS, the Authority received one proposal from UHL and Associates, Inc.; and

WHEREAS, the proposal from UHL and Associates, Inc. was reviewed and evaluated by the MCMUA staff and was determined to be in compliance with the RFP requirements; and

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

WHEREAS, following the scored weighted criteria, the MCMUA find UHL and Associates Inc.; as most advantageous; and

WHEREAS, the MCMUA desires to award the contract through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.7, et seq. for the hydrogeologist services to direct and oversee drilling, testing and sampling test wells in the Alamatong well field to UHL and Associates, Inc. having a business address of 278 N. Union St. Suite 106 Lambertville, NJ 08530

WHEREAS, the MCMUA Treasurer has certified that funds are available in the MCMUA Budget line item 02-6-900-925-230; and

NOW, THEREFORE, BE IT RESOLVED, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 12th day of December, 2023 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with UHL and Associates, Inc. for hydrogeologist services to direct and oversee drilling, testing and sampling test wells in the Alamatong well field in accordance with their proposal dated November 30, 2023.
2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budget of the Authority.
3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.
4. A copy of this resolution shall be published once in the official newspaper of the Authority.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to Award RFP #2023-W02 To UHL and Associates, Inc. and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 5 NAYES: NONE ABSTENTIONS: Mr. Druetzler

(6) Regarding Flanders Valley #1 and #2 Generator Replacement, we are working on finalizing a design for the generator replacements for Flanders Valley #1 and #2. We anticipate that this project will be bid in December/January and will be awarded at the February 2024 Meeting.; and (7) With regard to Mt. Arlington Electrical Improvements, we are looking to finalize that project as well. This includes the upgrade of the existing Motor Control Center, installation of a new VFD and Swing pump to provide redundancy and resiliency to both the Mt. Arlington and Mine Hill pressure gradients, as well as ancillary improvements to the building. We anticipate this project to be bid in December/January and awarded at the February 2024 Meeting.

Mr. Gindoff mentioned that we have had a busy year with water projects and they are trying to finalize these last projects to get them in before the end of this budget year which were budgeted for.

PROJECT STATUS

1. General System:

A. Through the month of November 2023, MCMUA sold approximately 1,372.233 MG. This amount is still on pace to slightly exceed the budgeted volume of 1,450 MG.

B. SCE has performed a desktop review of the public documentation for the Hercules Site, with a focus into the review of the groundwater remediation and overall environmental efforts. This review has been included with the Correspondence. Based upon the available information, there appears to be some data gaps. If the Board would like to pursue this further, information could be requested in either a summary report or presentation.

2. 100 Stierli Court Water Connection

The developer has advised they are in a position to begin the watermain extension work started. The proposed water meter has been purchased, and anticipated delivery is mid-January, well before installation is needed.

3. Parsippany Transfer Station Motor Control Center Improvements

Astro Electrical Contractors, LLC, has mobilized to the site on and began the excavation for the conduits, core drilling of the existing concrete to accommodate the conduit penetrations, and conduit installation between the existing facility and the electrical building. The MCC equipment delivery is still scheduled to occur on Friday December 8. The Contractor is working to have all necessary provisions completed so this equipment can be installed.

The Contractor has submitted payment application #2 in the amount of **\$21,560** which reflects withholding 2% retainage. SCE has reviewed the payment application and finds this is reflective of the work completed.

Project Completion Summary Through December 12, 2023

Contract Start Date		August 22, 2023
Original Contract Completion Time		180 Calendar Days
Days Elapsed:	112	62%
Days Remaining:	68	38%
Original Contract Completion Date		February 19, 2024

Project Financial Summary Through December 12, 2023

Original Contract Amount	\$89,500.00
Current Contract Amount	\$89,500.00
Total Value of Work Complete	\$27,440.00
Percent of Work Complete	30.1%
Total Retainage to Date	\$560.00

4. PFOS Treatment Evaluations

One proposal was received in response to the Professional Services RFP associated with the hydro-geology work and the drilling of the test wells at Alamatong Well #1 and #2. **Uhl & Associates, Inc.** submitted a complete proposal package. Based on the submitted proposal,

past working experience, and knowledge of the MCMUA, SCE recommends awarding this Contract, in the amount of **\$140,260** to **Uhl & Associates, Inc.** from *Lambertville, NJ*. The proposed work is anticipated to commence in the start of the new year.

5. Flanders Valley #1 and #2 Generator Replacements

SCE is working to finalize the design for the Flanders Valley #1 and #2 generator replacements. It is anticipated this project will be bid in December/January and awarded at the February 2024 Meeting.

6. Mt. Arlington Electrical Improvements

SCE is working to finalize the design for the Mt. Arlington Electrical Improvement project. This project includes the upgrade of the existing Motor Control Center (MCC), installation of a new VFD and Swing pump to provide redundancy and resiliency to both the Mt. Arlington and Mine Hill pressure gradients, and well as ancillary improvements to the building. It is anticipated this project will be bid in December/January and awarded at the February 2024 Meeting.

SOLID, HAZARDOUS AND VEGETATIVE WASTE REPORT:

Mr. Deacon gave the following highlights: (1) New Manager, Lincoln Esteves, started with J.P. Mascaro at Parsippany in mid-November.; (2) A new flagpole was installed at Mt. Olive; thanks to Justin Doyle and Mike Nunn for getting this done.; (3) Planted new arborvitae near the North tipping floor at Parsippany along the Route 280 ramp; thanks to Mike Nunn.; (4) The 2024 HHW One-Day Events have been scheduled with MXI and we are still working on a location for the October event.; (5) Regarding update on the Compost Office Trailer project, the Mt. Olive trailer was delivered on November 28 and the trailer was set in place on December 5. Hopefully, we move Harry and Jeff in next week. Parsippany's trailer is three months out and is being constructed.; (6) As for HHW trailer replacement, Staff is currently reviewing a proposal from Mobilease. The plan, if approved, would be a similar office trailer that fits the same footprint.; and (7) Regarding Vegetative Waste, December 2023 is huge, but less than November 2022 and due to that, revenue is slightly behind 2022 figures year-to-date. Finally, based on in-bound materials, commercial sales for 2023 are up compared to 2022.

Mr. Deacon mentioned that the following Resolution is for Kirk Allen Trucking for our Vegetative Waste program. Kirk Allen did a great job for us that last two years and they came in at the same price as 2023. Mr. Deacon asked for the approval of the following Resolution:

Resolution No. 2023-094

Resolution of the Morris County Municipal Utilities Authority Approving a Vendor Service Contract with Kirk Allen Trucking, LLC for the Delivery of Mulch and Compost of a ‘Non-Fair and Open’ Basis Pursuant to the Local Public Contracts Law and the ‘Pay-to-Play’ Law

WHEREAS, the MCMUA has a need to acquire a Vegetative Waste Hauler –to provide delivery services of mulch and compost on behalf of the MCMUA pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-6.1 on a ‘non-fair and open’ contract pursuant to the provisions of the “New Jersey Local Unit Pay-To-Play” Law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, competitive quotations were solicited in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-6.1; and

WHEREAS, on November 13, 2023, in response to the solicitation of competitive quotations, Kirk Allen Trucking, LLC, having a business address of 20 Continental Drive, Stanhope, NJ 07874 submitted a proposal for the work to be performed at rates as set forth below:

- Deliveries within Morris County \$12.95/Cubic Yard
- Deliveries outside of Morris County \$14.95/Cubic Yard
- Deliveries under 5 yards within Morris County \$60.00
- Deliveries under 5 yard outside of Morris County \$70.00

WHEREAS, Kirk Allen’s quote was most advantageous to the MCMUA Vegetative Waste Hauler needs, price and other factors considered; and

WHEREAS, the term of the contract shall be for one year, commencing on January 1, 2024; and

WHEREAS,

1. The known or estimated cost of the goods or service to be provided will exceed \$17,500.00;
2. The required Business Entity Disclosure Certification form has been submitted and will be placed on file.
3. The required Political Contribution Disclosure form has been submitted and will be placed on file.
4. The contract will prohibit the vendor from making any reportable contributions through the term of the contract.
5. In lieu of a separate certification of funds, the maximum dollar value of this contract is as set forth in this resolution per N.J.A.C 5:30-5.4 (a) 3.

WHEREAS, the MCMUA Treasurer certifies that sufficient funds are available from Budget account number 01-4-4742 for the work to be performed.

WHEREAS, all responses to the MCMUA solicitation of competitive quotes are on file at the Authority and available for review upon request; and

NOW THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority, in the County of Morris, State of New Jersey, that it authorizes the execution of a vender service contract with Kirk Allen Trucking, LLC, as set forth below as most advantageous, price and other factors considered in accordance with N.J.S.A. 40A:11-6.1 under a ‘non-fair and open’ basis:

- Vendor Name: Kirk Allen Trucking, LLC
- Account Number: 01-4-4742
- Estimated Cost of Services: \$44,000.00 (not to exceed)

BE IT FURTHER RESOLVED as follows:

The Executive Director is authorized and directed to execute a contract with Kirk Allen Trucking, LLC for Vegetative Waste Trucking Services in a form approved by the Authority's attorney, based on the 2023 Proposal received by the Authority on November 13, 2023, available in the offices of the Authority, and incorporated by reference and made part hereof, for a term of one (1) year.

The Contract is awarded subject to the submission of all insurance certificates required by the Contract, in a form acceptable to the Risk Manager of Morris County, and all other documentation required by the Contract, and shall commence upon the execution of a written Contract by both parties.

The MCMUA's staff and consultants are hereby authorized and directed to take all other actions necessary or desirable to fully effectuate the terms and conditions of this Resolution.

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 December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to Approve Vendor Service Contract With Kirk Allen Trucking, LLC For Delivery Of Mulch And Compost and Ms. Farris seconded the Motion.

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

Mr. Deacon mentioned that the following Resolution is for one additional Packetalk Camera at the Mt. Olive Transfer Station and five new cameras with install at Parsippany. A good thing is these cameras are able to record. We will still be using the Morris County Department of Law and Public Safety platform for these cameras. Mr. Deacon asked for the approval of the following Resolution:

**Resolution No. 2023-095
Resolution of the Morris County Municipal Utilities Authority Authorizing
the Use of New Jersey Cooperative Purchasing Alliance - #CK04 Purchasing Contract
with Shi International Corp.**

WHEREAS, MCMUA is a party to a cooperative purchasing agreement with the New Jersey Cooperative Purchasing Alliance, 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 New Jersey Cooperative Purchasing Alliance "NJCPA", which has been approved by the Director of the Division of Local Government Services; and

WHEREAS, the MCMUA has a need to purchase, on a timely basis, goods or services utilizing the NJCPA Cooperative Pricing System contract; and

WHEREAS, the MCMUA intends to enter into a contract with the following Referenced NJCPA Cooperative Pricing System Vendor through this resolution and properly executed contract, which shall be subject to all conditions applicable to the current NJCPA Cooperative Pricing System contract;

Shi Industrial Corp.: Packetalk Software, Cameras, Install and Setup \$52,900.00
Line Item # 01-1-900-000-128
Contract #22-24

NOW, THEREFORE, BE IT RESOLVED, that the MCMUA authorizes the Qualified Purchasing Agent to purchase certain goods or services from those approved NJCPA Cooperative Pricing System Vendor on the afore mentioned list, pursuant to all conditions of the individual NJCPA Cooperative Pricing System contract; and

BE IT FURTHERED RESOLVED; that the governing body of the MCMUA pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Treasurer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the MCMUA and the Referenced State Contract Vendors shall be from **December 12, 2023 to December 31, 2024**

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to Authorize The Use Of New Jersey Cooperative Purchasing Alliance for Purchasing Contract With Shi International Corp. and Mr. Dour seconded the Motion.

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

Mr. Deacon mentioned that the following Resolution is for the purchase of a new digital sign at Parsippany Transfer Station. It is identical to the one at Mt. Olive, but it will be dual-sided.

Mr. Druetzler asked where the location is going to be? Mr. Deacon replied next to the AJACO sign and Mr. Druetzler replied, he could not support that. Discussion took place and Mr. Gindoff suggested that the sign be closer to the road. Mr. Deacon asked for the approval of the following Resolution:

Resolution No. 2023-096
Resolution of the Morris County Municipal Utilities Authority
Authorizing the Purchase of an Electronic Sign Through the
Sourcewell Cooperative Pricing System 030223-WCH Purchasing Contract for 2023

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, as it 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 Electronic Signs; and

WHEREAS, on November 22, 2023, the Morris County Municipal Utilities Authority publicly advertised a Notice of Intent to Award a Contract for the purchase of (1) Electronic Sign through the Sourcewell Cooperative Purchasing Program under a National Cooperative Purchasing Agreement. The associated public comment period ended on December 8, 2023 and no comments were received; and

WHEREAS, through the Sourcewell Cooperative Purchasing Program, the purchase of (1) Electronic Sign is available for purchase through Watchfire/Effective Signs in the total amount of \$69,969.00.; and

WHEREAS, a cost savings analysis was done by the MCMUA QPA and it was determined that the MCMUA would save \$10,495.00 by obtaining the Electronic Sign via the Sourcewell Cooperative Purchasing Program; 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, in lieu of a separate certification of funds, the maximum dollar value of this contract is \$69,969.00 as per N.J.A.C. 5:30-5.4(a) 3; and

WHEREAS, the funding for this purchase shall come from account #01-1-900-000-128.

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 (1) Electronic Sign in the amount of \$69,969.00.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to Authorize The Purchase Of An Electronic Sign Through The Sourcewell Cooperative Pricing System 030223 – WCH Purchasing Contract For 2023 and Mr. Druetzler seconded the Motion.

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

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

Resolution No. 2023-097

Resolution to Encumber Funds for the Second Year(s) of the Operation of the Morris County Municipal Utilities Authority’s Permanent Household Hazardous Facility Contract & the Operation of the Morris County Municipal Utilities Authority’s Household Hazardous Waste Drop-Off Event Days

WHEREAS, on November 6, 2022 the Morris County Municipal Utilities Authority (“MCMUA”) adopted resolutions to award the contract(s) for the Operation of the Morris County Municipal Utilities Authority’s Permanent Household Hazardous Facility (Res. 2022-097) and the Operation of the Morris County Municipal Utilities Authority’s Household Hazardous Waste Drop-Off Event Days (Res. 2022-098) for a term of two (2) years commencing January 1, 2023, and

WHEREAS, the second year of the contract is to commence January 1, 2024, and

WHEREAS, the MCMUA Treasurer has certified that funds are available in the following line item – Household Hazardous Waste 01-1-600-800-726 to pay the Operation of the Morris County Municipal Utilities Authority’s Household Hazardous Waste Drop-Off Event Days contract amount not to exceed the budgeted amount of \$130,000.00.

WHEREAS, the MCMUA Treasurer has certified that funds are available in the following line item – Household Hazardous Waste 01-1-600-800-726 to pay the Morris County Municipal Utilities Authority’s Permanent Household Hazardous Facility contract amount not to exceed the budgeted amount of \$300,000.00.

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

1. The Executive Director of the MCMUA is authorized and directed to encumber funds for the second year of the contract in an amount not to exceed \$130,000.00 for one (1) year for the Operation of the Morris County Municipal Utilities Authority’s Household Hazardous Waste Drop-Off Event Days.
2. The Executive Director of the MCMUA is authorized and directed to encumber funds for the second year of the contract in an amount not to exceed \$300,000.00 for one (1) year for the Morris County Municipal Utilities Authority’s Permanent Household Hazardous Facility.

3. A copy of this Resolution and applicable contracts shall be available for public inspection at the offices of the MCMUA, 214A Center Grove Road, Randolph, New Jersey 07869.
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 December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to Encumber Funds for the Second Year(s) of the Operation of the Morris County Municipal Utilities Authority’s Permanent Household Hazardous Facility Contract & The Operation of the MCMUA’s Household Hazardous Waste Drop Off Event Days and Mr. Barry seconded the Motion.

Mr. Druetzler asked what funds are we encumbering and Mr. Kaletcher replied that we are encumbering the funds for an additional year. Mr. Gindoff explained that the MUA had a multi-year contract and we only encumbered funds for one year.

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

Mr. Kobylarz reported on the following: (1) We had a productive meeting yesterday at Parsippany regarding the trench drain project. Tom Cook of J.P, Mascaro met with myself, MUA Staff and the Contractor that they would like to use to do the full replacement of the project. They are proposing the use of Infrastructure Repair Service. A portion of the project includes adding a I-strength material, Euclid material on the surface, which is company is the only certified company from Euclid that can install it according to their regulations. They would like to hire them to do the entire project. We went over the project, we have some details to review and confirm to come up with a final price for the project. Based on temperature constraints, as far as when the material can be installed, has to be warmer weather, so we are looking at having the trench drain replaced in the Spring of 2024. We are proceeding with getting shop drawings from the manufacturer of the trench drain for our review and approval prior to manufacture, so everything will be set for Spring construction. We will be doing two doors at a time to allow operations to continue with the least amount of impact.; and (2) We are waiting for feedback from DEP regarding the water service with Highlands to get a Pre-Con meeting scheduled. Will report on that when it transpires.

Mr. Druetzler asked why is DEP in this; thought it was the Highlands? Mr. Kobylarz replied that it is the Highlands, There is a number of agencies on the application and they are involved in the coordination. The issue is the water main extension to get to the facility. We have made progress. The application has been received and we are coordinating the next step which is meeting with all the agencies.

SOLID, HAZARDOUS AND VEGETATIVE WASTE REPORT:

TRANSFER STATIONS

Tonnage- The 39,483 tons accepted in November 2023 was 2.23% less than the 40,383 tons accepted a year ago in November 2022. Construction and demolition (C&D) debris material continues to constitute about 35% of the material accepted, which is historically high. Based on the first eleven (11) months of the year, the annual transfer station tonnage amount is projected to be 472,076 tons which would be about 0.1% more than the 471,643 accepted in 2022. Please refer to the attached Transfer Station Disposal Report by Month and the comparison statistics below for additional information.

November Comparison Statistics (2022 to 2023):

Mount Olive Transfer Station:

Inbound Tonnage- *About* 15,514- 876 more than 2022

Total Customers- 4,000- 281 more than 2022

Self-Generated/Residential Customers- 797- 43 more than 2022

Parsippany-Troy Hills Transfer Station:

Inbound Tonnage- *About* 23,986- 1,776 less than 2022

Total Customers- 5,515- 128 less than 2022

Self-Generated/ Residential Customers- 463- 83 more than 2022

Transfer Station Site Improvements- Station improvements continued during the month of November in both Mount Olive and Parsippany-Troy Hills Townships. A new nautical style flagpole was installed in Mount Olive on November 21. The facility is now proudly flying the United States flag at the very top of the mast; the New Jersey State and Morris County flags flown from halyards leading up to the yardarm. Both J.P. Mascaro and Sons and MCMUA staff continue to work inside the new 12' by 36' equipment shed that was delivered to Mount Olive in October. The shop area(s) are being cleaned out with supplies being placed neatly inside the shed on shelves. The maintenance garage cement floor was cleaned and painted. A wall was installed in-house within the equipment shed to share equal space with Mascaro. Over time, MCMUA staff will begin bringing supplies and tools from the HHW facility office trailer over to this shed. All of Mount Olive's tunnel lighting was repaired by a certified electrician on November 28. With seven (7) total County phones being installed down in Parsippany, both inside the main transfer building and throughout the scale house, County IT came back out to install new additional Verizon Wi-Fi units. The MCMUA has been in communication with the Morris County Fire Marshal's Office to now get the fire panel switched over to the County network. On Wednesday, December 6, Cerbo's Parsippany Garden Center installed twenty (20) green giant arborvitaes, all planted along the fence line near the North tipping floor/ Route 280 East exit ramp to New Road.

Two (2) resolutions will be presented to the Board for consideration at the December 12 meeting related to transfer station improvements. The first is for the purchase of a new digital sign, identical to the current display at Mount Olive, for our Parsippany transfer station through Effective Sign Works. The 57' square foot sign will be placed where the existing MCMUA sign now is, which is the corner of New Road and New Edwards Road directly across from the WAWA. Purchase of this electronic sign is through the Sourcewell Cooperative Pricing system for \$69,969.00. The second resolution is for the purchase of an additional Packetalk PTZ-3160-HD30 PTZ camera with an RF PT-420 radio at Mount Olive and five (5) total cameras with installation for the Parsippany station. Installation and setup include EMT conduit and cat6 shielded cables. The cameras will be center top mounted over the tipping floor(s) and run over a dedicated internet to the Morris County Department of Law and Public Safety servers. The purchasing contact under the **New Jersey Cooperative Purchasing Alliance** will be through Shi International Corp. not to exceed \$52,900. Further details on both resolutions mentioned above will be provided to the Board at the December 12 meeting.

Parsippany-Troy Hills Transfer Station Motor Control Center (MCC) Improvement

Project- The MCC includes the removal of all the outdated/inoperable electrical panels and components. Astro Electrical Contractor, LLC. (Astro) mobilized equipment to Parsippany on Tuesday, November 14, starting excavation, drilling holes, and running new conduit from the facility's main electrical shed into the station's basement area the week of November 20. The Township provided their approval for this work during an inspection on November 29. The MCC equipment is still scheduled to be delivered by Astro on Friday, December 8. Astro intends on pouring concrete for the floor and pad on December 8 to let the concrete cure over the weekend in preparation for installing the MCC the following week. This improvement project continues to move forward with oversight by Suburban Engineering and their Senior Project Manager, Micheal McAloon.

Solid Waste Professional Engineering Services- As a result of site visits to both transfer stations on November 6 and 7 by Alaimo Structural Engineer Piotr Grodek and Architect Colin McLain, proposals for the Parsippany-Troy Hills main roof replacement/structural improvements, the Parsippany-Troy Hills tarp rack system replacement, and the Mount Olive tarp rack system replacement will all be provided to the MCMUA for review. These projects are all slated and budgeted for 2024.

Additional updates and current project status on the following will be provided to the MCMUA Board at the December 12 meeting by Alaimo Project Manager Michael A. Kobylarz:

- MCMUA Mount Olive Transfer Station- Water Connection Assessment Project- The application for a Highlands Preservation Area Approval with Waiver for Safety has been submitted to the NJ Highlands Commission. Alaimo has received acknowledgement that the application has been received and are now coordinating a meeting to review the application.
- MCMUA Parsippany-Troy Hills NJDEP Solid Waste Permit- As mentioned at past Board meetings as part of the Permit renewal, the MCMUA staff had provided Alaimo with supporting documentation to approach the NJDEP about discontinuing the use of the current Methane Detection System at the Parsippany-Troy Hills transfer station. Since this time, Alaimo received guidance from New Jersey Division of Community Affairs (DCA) in response to the request to discontinue the system in the facility. Alaimo Engineering now plans to follow up with the agencies as suggested by the DCA.
- Mount Olive Transfer Station- Tipping Floor and Trench Drain Improvement Project- As mentioned at the November 14 Board meeting, to determine if the Euclid material had delaminated from the original concrete base causing cracks throughout the apron area of the tipping floor, members of the MCMUA Operations staff, Alaimo Project Manager Michael Kobylarz, and representatives from Infrastructure Repair Services, LLC. (IRS) had met on November 2 at 5:30AM before start of business to perform some core sampling. The core samples (5 total at approximately 4" down) were taken that morning, two (2) out of the five (5) delaminated. Since this time, Alaimo received a request from Mr. Otto De Jager of IRS who stated that the manufacturer of the Euclid surface material is requesting that deeper cores be obtained in an effort to help determine the cause of failure in the apron area. This work is to be scheduled. All this core sampling work and anticipated corrections to these issues are to be covered by the contractor as part of its warranty coverage. This project is anticipated for Spring of 2024.
- Parsippany-Troy Hills Transfer Station- Damaged Trench Drain Repairs/Replacement- J.P. Mascaro and Sons Director of Purchasing Mr. Tom Cook had recently contacted Alaimo and requested a site inspection to review the scope of work. Alaimo now has a site meeting scheduled for Monday, December 11. Mr. Cook is proposing to use Infrastructure Repair Services, LLC. (IRS) for the project. Mr. Cook stated that IRS is the exclusive certified installer of the Euclid material in New Jersey. He has discussed the demolition and trench drain installation with IRS and they can perform these tasks as well. Alaimo plans on confirming the project scope, details, materials, and timing. This project is anticipated for Spring of 2024, as the Euclid material cannot be installed with temperatures below 50 degrees F.

HOUSEHOLD HAZARDOUS WASTE (HHW) MANAGEMENT

Program Manager and ANJHHWC (the Association of New Jersey Household Hazardous Waste Coordinators) President Stephen Adams hosted a virtual meeting on November 9 discussing plans for 2024, including a successful vote to sponsor the 2024 Sustainability in Motion Conference in March down in Atlantic City. As sponsors, ANJHHWC received several free registrations for the conference, which the group is looking to donate back to the conference for use by student attendees. MCMUA Adams has also been working with Mobilease Modular Space, Inc. on the replacement of the HHW facility office trailer using ESCNJ pricing. Similar to our Vegetative Waste facilities, this 10' by 44' mobile office will replace the current original office trailer from 1997. All utilities, septic, water supply, and electric, would remain the same. A resolution was prepared for the Board's consideration at the December 12 meeting to encumber funds for the 2024 contracts with MXI Environmental Services to operate our HHW permanent facility as well as our HHW one-day drop-off events.

Program Participation- In November of 2023, the permanent HHWF had a total of 189 serviced appointments, which included 173 Morris County residents, 1 VSQG/small businesses, and 15 out-of-County residents. The lower participation totals are attributed to the few different County holidays the MCMUA was closed to the public. The MCMUA's 2023 totals now equal 2,540 serviced appointments, 2,339 of those appointments being Morris County residents, 38 VSQG's, and 163 non-Morris County residents.

HHWF November Comparison Statistics (2022 to 2023)- In November of 2022, the permanent HHWF had a total of 182 serviced appointments, which included 170 Morris County residents, 10 out-of-County residents, and 2 VSQG/small businesses. MCMUA's total serviced appointments at the end of November last year was 2,403. 2023 now exceeds 2022 totals by 137 serviced appointments.

The 2023 MCMUA Household Hazardous Waste Drop-Off Events came to a close in Pequannock on October 21, with 2,112 total participants/vehicles taking advantage of the program throughout the year. Program Manager Stephen Adams worked with environmental contractor MXI confirming the following dates and locations for 2024, two (2) in the spring and two (2) in early fall:

- Saturday, May 11, 2024- Morris County Public Safety Academy (MCPSTA), 500 West Hanover Avenue, Parsippany, New Jersey 07054
- Saturday, June 22, 2024- MCPSTA
- Saturday, September 14, 2024- MCPSTA
- Saturday, October 26, 2024- **TBD**

Once the final October location is finalized, staff will generate the HHW One-Day Event flyer to distribute to our municipal partners and customers.

VEGETATIVE WASTE MANAGEMENT

A resolution has been prepared for the Board's consideration for a vendor service contract with Kirk Allen Trucking, LLC of Stanhope, New Jersey for supplemental delivery services of our double-ground wood mulch and screened compost materials. The MCMUA has worked well with Kirk Allen over the last few years in keeping our delivery program successful. The MCMUA solicited quotes for the delivery program with Kirk Allen coming in at the same price as current 2023 pricing. If approved by the Board, the contract will be for one (1) year commencing on January 1, 2024, not to exceed \$44,000 in service costs. Leaf season extended hours has since ended on Saturday, December 2. Subsequently on Tuesday, December 5, the MCMUA staff had to advise our municipal partners that the Parsippany Vegetative Waste facility would be temporarily considered "at capacity" for inbound leaves, due to the influx of leaves over the past few weeks. At this point the Vegetative Waste staff will need several days to get caught up on what we have already received. Once the staff have had a chance to process the leaves on site at Parsippany, we will be able to make a more formal determination as to whether we can take more. In the interim, customers and municipalities were offered to divert their leaves to the Mount Olive Compost Facility which still has room for materials.

MCMUA Vegetative Waste Manager Stephen Adams continues working with MCMUA QPA Shana O'Mara to establish a Bid contract covering scheduled and emergency equipment services for both Vegetative Waste facilities. The Operations staff had a formal meeting on November 16 with Hoffman Equipment Company to set up a scheduled service agreement specifically for the Volvo loaders. Additional vegetative waste flow information can be found in the Vegetative Waste Report, which will be provided to the MCMUA Board for the December 12 meeting.

RECYCLING REPORT:

Mr. Marrone reported the following:

Before I start, I would like to say that it is a true pleasure to work alongside you and the rest of my colleagues here at the MUA. The holiday season is a special time of the year – a time to come together, reflect on the achievements of the past months and share in the joy of the present. Today, we are not just colleagues but an MUA family, and the celebration we will share later tonight is an opportunity to express our collective gratitude for the hard work, dedication, and collaboration that has defined the MUA throughout the year. So, I wish everyone a happy holiday to you and your families.

The finalized November 2023 rate for Single-Stream Recycling at Republic Services was calculated at (Negative) -\$67.35/ton on 1,205.99 tons delivered. For a positive increase in pricing of \$5.82 per ton from the October rate.

- Market experts forecast rising trends across all commodities to slow down into January following the holiday season.

Regarding Projects for the Solid Waste Planning Division, I would like to highlight a few items of note:

Regarding Recycling Team Employee Announcements

- As covered in this month's report, I would like to highlight the achievements of Curbside Sanitation Driver, Jordan McDaniel.
- McDaniel, a former Curbside Sanitation Worker for over six years, was the MCMUA's first candidate to sit for and pass its employee-on-the-job Commercial Driver's License (CDL) training program to obtain the endorsement on his driver's license, opting to take the manual course over the automatic one which is not only more challenging but more time intensive to complete.
- With McDaniels's completion of the MCMUA's *Curbside Recycling Division Incumbent Worker Training and Employee Retention Program*, in conjunction with the Morris County Department of Labor Relations, McDaniel has been promoted to Curbside Sanitation Driver.
- Please join me in welcoming him to his new position and celebrating his achievement.

MCMUA Welcomes its New Assistant District Recycling Coordinator:

- Also, on Monday, November 27, 2023, the Solid Waste Planning Team welcomed Maura Toomey to the MCMUA as our new Assistant District Recycling Coordinator.
- Toomey is a master's student at Montclair State University, completing her work in sustainability science in the Spring of next year. She is an avid gardener who enjoys volunteering at the Montclair Community Farms in her free time and shares a passion for the environment.
- Already assisting with various waste reduction projects, she is eager to learn about the MCMUA's existing efforts and provide suggestions on where to improve them during her onboarding process.
- We look forward to working with her and the new direction she will bring to reduce waste further and improve Morris County's recycling rate.
- We wish her well in her new position and welcome her to the team; we can expect great things from her.

Shared Service Agreements:

- I am happy to report that our dangling outstanding Shared Services Agreements and resolutions are on track for execution at tonight's meeting.

- These include the Chatham Borough Recycling Collection, the County of Morris Trash Collection for Morris View and Morris County Jail, and the County of Morris Recycling Collection for Morris View, all for another five years.
- Following tonight, contracts for our existing curbside municipalities are not up for renewal again until the end of the 2025 calendar year.
- In light of this, the Solid Waste Planning Team will begin looking at our contracts at the start of next year before their expiration and begin planning for their renewal in addition to looking at new prospects.

MCMUA Employee Thank you:

- Lastly, in November, the MCMUA Solid Waste Planning team worked on designing Morris County Clean Communities Winter hats for employees of the MCMUA.
- They are made from 100% recycled materials and embroidered with the Morris County Clean Communities Logo. So, please enjoy.

Mr. Marrone asked for the Board’s approval of the following Resolutions:

**RESOLUTION NO. 2023-098
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
PROVIDING FOR CURBSIDE COLLECTION OF RECYCLABLE MATERIALS
BETWEEN THE MCMUA AND THE BOROUGH OF CHATHAM**

WHEREAS, the provisions of the "New Jersey Statewide Mandatory Source Separation and Recycling Act," (N.J.S.A. 13:1E-99.11 et al.) (the "Act"), require every municipality in this State to provide for the source separation and recycling of marketable materials generated from residential premises within its jurisdiction; and

WHEREAS, pursuant to the Act, the Borough of Chatham has adopted and enforces a mandatory source separation ordinance for Recyclable Materials; and

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) desires to assist municipalities in meeting their recycling goals by providing curbside pick-up and a convenient outlet for disposal of recyclables; and

WHEREAS, pursuant to the Municipal and County Utilities Authority Law N.J.S.A. 40:14B-1 et seq., the MCMUA may enter into contracts with municipalities for the provision of recycling services; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, (L.2007, c.63, s.2.), a Municipal Corporation and a County Utility Authority in the State of New Jersey are considered “Local Units” and Local Units are encouraged and authorized to enter into agreements which promote the sharing and/or consolidation of services; and

WHEREAS, pursuant to N.J.S.A. 40A:65-4(a)(3)(b), any agreement entered into pursuant to this section shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, by the Municipality, pursuant to rules and regulations promulgated by the director; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5, local units entering into shared services agreements must adopt a resolution authorizing and clearly identifying the agreement and ensure

that a copy of the agreement shall be open to public inspection at the offices of the local unit immediately after passage of a resolution to become a party to the agreement; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5(c), the agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement; and

WHEREAS, uniform shared services agreements are exempt from the bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the marketing of recyclable materials recovered through a recycling program is exempt from public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(s); and

WHEREAS, the MCMUA and the Borough of Chatham desire to enter into a new agreement to provide for the curbside collection and marketing of recyclable materials commencing January 1, 2024 for five (5) years until December 31, 2028; and

WHEREAS, the agreements shall supersede previous agreements entered into by the MCMUA and the Borough of Chatham providing for curbside collection of recyclable materials.

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

1. The Executive Director is authorized to execute said Agreement in substantially similar form as attached as Exhibit A to this Resolution.
2. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(2) and N.J.S.A. 40A:11-5(1)(s) of the Local Public Contracts Law.
3. 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.
4. This Resolution shall take effect as provided by law

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion Authorizing Execution Of An Agreement Providing For Curbside Collection Of Recyclable Materials Between The MCMUA And The Borough Of Chatham Commencing On Or About January 1, 2024 and Ms. Farris seconded the Motion.

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

**RESOLUTION NO. 2023-099
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
PROVIDING FOR THE COLLECTION AND TRANSPORTATION OF RECYCLABLE
MATERIALS BETWEEN THE MORRIS COUNTY MUNICIPAL UTILITIES
AUTHORITY AND THE COUNTY OF
MORRIS FOR THE MORRIS VIEW HEALTHCARE CENTER**

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA" or "Authority") desires to assist the County of Morris ("County") in waste reduction and increase

recycling by providing collection and transportation services for recyclable materials at the Morris View Healthcare Center (“MVHC”); and

WHEREAS, pursuant to the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq., the MCMUA may enter into a contract with a local unit for the provision of recycling services; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, (L.2007, c.63, s.2.), a County as a “Contracting Unit,” according to the terms of

N.J.S.A. 40A:11-2, and a County Utility Authority, according to the terms of N.J.S.A. 40A:5A-1 et seq., are considered “local units.” Local units are encouraged and authorized to enter into agreements which promote the sharing and/or consolidation of services; and

WHEREAS, pursuant to N.J.S.A. 40A:65-4(a)(3)(b), any agreement entered into pursuant to this section shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, by the County, pursuant to rules and regulations promulgated by the director; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5, local units entering into shared services agreements must adopt a resolution authorizing and clearly identifying the agreement and ensure that a copy of the agreement shall be open to public inspection at the offices of the local unit immediately after passage of a resolution to become a party to the agreement; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5(c), the agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement; and

WHEREAS, the parties wish to enter into this agreement to provide for the collection and transportation of recyclable materials at Morris View Healthcare Center from January 1, 2024 to December 31, 2028.

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

- 1) The Executive Director is authorized to execute said Agreement with the County in substantially similar form as that attached hereto as Exhibit I.
- 2) This contract is awarded without competitive bidding pursuant to 40A:11-5(2) of the Local Public Contracts Law.
- 3) 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.
- 4) This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion Authorizing Execution Of An Agreement Providing For Collection And Disposal Of Waste Between The MCMUA And The MCMUA and The County Of Morris For The Morris View Healthcare Center and Mr. Barry seconded the Motion.

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

RESOLUTION NO. 2023-100
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
PROVIDING FOR COLLECTION AND DISPOSAL OF WASTE
BETWEEN THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY AND
THE COUNTY OF MORRIS FOR THE MORRIS VIEW HEALTHCARE CENTER
AND THE MORRIS COUNTY CORRECTIONAL FACILITY

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) desires to assist the County of Morris (County) in reducing the amount of waste it generates, increase recycling and reduce costs for waste collection and disposal by providing the County with those collection and disposal services; and

WHEREAS, pursuant to the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq., the MCMUA may enter into a contract with a local unit for the provision of recycling services; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, (L.2007, c.63, s.2.), a County as a “Contracting Unit,” according to the terms of N.J.S.A. 40A:11-2, and a County Utility Authority, according to the terms of N.J.S.A. 40A:5A-1 et seq., are considered “local units.” Local units are encouraged and authorized to enter into agreements which promote the sharing and/or consolidation of services; and

WHEREAS, pursuant to N.J.S.A. 40A:65-4(a)(3)(b), any agreement entered into pursuant to this section shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, by the County, pursuant to rules and regulations promulgated by the director; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5, local units entering into shared services agreements must adopt a resolution authorizing and clearly identifying the agreement and ensure that a copy of the agreement shall be open to public inspection at the offices of the local unit immediately after passage of a resolution to become a party to the agreement; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5(c), the agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement; and

WHEREAS, the parties wish to enter into this agreement to provide for the collection and disposal of waste at Morris View Healthcare Center and the Morris County Correctional Facility from January 1, 2024 to December 31, 2028.

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

1. The Executive Director is authorized to execute said Agreement with the County in substantially similar form as that attached hereto as Exhibit I.
2. This contract is awarded without competitive bidding pursuant to 40A:11-5(2) of the Local Public Contracts Law.
3. 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.
4. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Ms. Farris made a Motion Authorizing Execution Of An Agreement Providing For Collection And Disposal Of Waste Between The MCMUA And The MCMUA and The County Of Morris For The Morris View Healthcare Center And The Morris County Correctional Facility and Mr. Dour seconded the Motion.

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

RECYCLING REPORT:

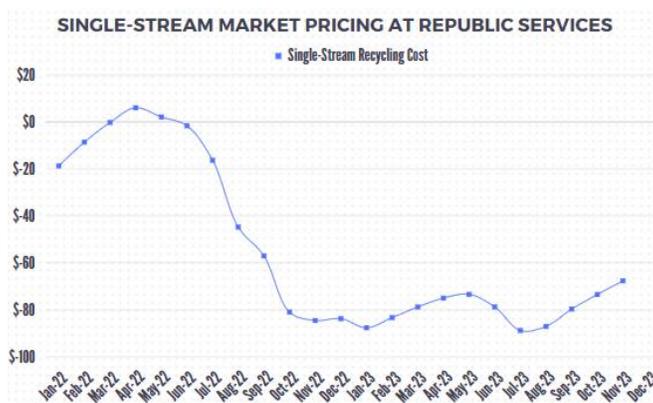
Recycling Tonnage and Value

November Recycling Update:

The preliminary rate for single-stream recycling in November 2023 has been calculated at a negative -\$67.66. This shows a positive increase of \$5.51 per ton from the previous month. These pricing levels were last seen in mid-September of 2022 when recycled content traded favorably after the war in Ukraine broke out in the winter of 2022. In November, favorable pricing increases were observed for recovered fiber and plastics, with metals still holding their pricing steady for several months.

Looking back at 2022 and early 2023, paper and packaging producers faced challenging times as the cost to produce materials went up while pressure from buyers of recycled content kept the prices grounded. However, in the last few months, the market price for fiber used to make paper and cardboard products has caught up with the rise in production costs, resulting in gradual price increases. This has been followed by increased consumer purchasing in anticipation of the holiday season.

As for curbside plastics, feedstock resin pricing for PET and HDPE has been slowly rebounding and gaining momentum since early summer due to increased demand and higher costs for virgin-made products. Market experts forecast these rising trends will continue into December and January following the holiday season for all commodity types.



A line graph of single-stream pricing costs attributed to the MCMUA under its contract is pictured above.

Recycling Shared Service Agreements

Chatham Borough Municipal Recycling Collection Proposal 2024 - 2028:

On November 8, 2023, the Borough of Chatham informed the MCMUA that they intended to reject all submitted bids and continue their shared services agreement with the MCMUA. After the Borough's decision, both parties agreed to meet and finalize the agreement's details, including specifics defining collection for the next five-year term. The Borough expressed a desire to lower the annual cost of service for year one and backfill that cost into year two to assist with their 2024 budget. A resolution authorizing this new contract to replace the terminating agreement is being presented to the Board for consideration at the December meeting.

County of Morris Trash and Recycling Collection for Morris View and Morris County Jail 2024 - 2028:

During November 2023, Marrone followed up on shared service agreements for recycling collection and trash disposal for the Morris View and Morris County Jail locations, ending on December 31, 2023, with the Clerk of the Board. Two resolutions authoring new contracts to replace these terminating agreements will be presented to the Board for consideration at the December meeting.

Recycling Team Employee Announcements

MCMUA Congratulates its New Curbside Sanitation Driver to its Team:

On Friday, November 17, 2023, Curbside Sanitation Worker Jordan McDaniel was the MCMUA's first candidate to sit for and pass its employee-on-the-job Commercial Driver's License (CDL) training program and obtained the endorsement on his driver's license. Since completing the MCMUA's *Curbside Recycling Division Incumbent Worker Training and Employee Retention Program*, in conjunction with the Morris County Department of Labor Relations, McDaniel has been promoted to Curbside Sanitation Driver. A devoted and passionate employee for over six years, McDaniels's promotion further assists the division in alleviating driver shortages and allows for a dedicated employee to become trained in the role for career advancement while improving collective morale. The MCMUA team welcomes him to his new position and wishes him all the best, knowing he will continue to excel and bring great success to the team. Look out for him in the driver's seat in a collection town near you!



Jordan McDaniel, MCMUA's new Curbside Sanitation Driver, is pictured above.

MCMUA Welcomes its New Assistant District Recycling Coordinator to its Team:

On Monday, November 27, 2023, the Solid Waste Planning Team welcomed Maura Toomey to the MCMUA as its new Assistant District Recycling Coordinator, filling the vacancy following the retirement of Chris Vidal in August of 2023. Toomey brings experience in program management, policy research, environmental outreach and education, curriculum development, lobbying, grant writing, and community organizing, focusing on zero waste systems and

composting. Already working on various projects, she is eager to learn about the MCMUA's existing efforts and where to improve them. We look forward to working with her and the new direction she will bring to reduce waste further and improve Morris County's recycling program. We are confident in her ability to do well and can expect great things from her soon!



Maura Toomey, MCMUA's new Assistant District Recycling Coordinator, is pictured above.

Recycling Contract Customer Service Efforts and Education

Borough of Wharton Recycling Customer Service and Collaborations:

In late October 2023, the Borough's DPW Director and MRC Scott Hutchins contacted Marrone to discuss an upcoming change to the trash collection utilizing a cart-based system in the Spring of 2024. Hutchins pointed out that after their switch to carts for trash collection, the Borough Administration and DPW requested to incorporate cart-based collection into our new Shared Services Agreement beginning at the end of 2025. It should be noted that the Borough is pleased with the service provided by the MCMUA under its current curbside collection agreement, and this discussion between both parties to find a working arrangement acceptable to both parties speaks to this effect. Following these initial discussions, Marrone and Hutchins planned an operational meeting to incorporate the MCMUA further into these discussions and understand how the request can be worked out into a new agreement.

On November 30, 2023, Marrone, Toomey, and Assistant Operations Manager Mike Nunn met with Hutchins and other DPW supervisors to learn about their existing and future solid waste initiatives planned for Spring 2024. Aside from retrofitting each of their current rear-loading collection vehicles with two sets of automated cart tippers, they have budgeted for and are set to purchase and maintain ownership of over 2,500 96-gallon carts for trash collection throughout the municipality, along with another 300 64-gallon carts for its multifamily units at the start of the New Year. In preparation for this switch, the DPW staff also conducted a series of ride-alongs with municipalities currently using the cart-based collection and heavily researched other municipalities' ordinances and rollout efforts. It was explained that their move towards this different collection mode follows an administration change and an effort to manage disposal costs in the municipality and improve safety during collection. As for discussions surrounding recycling, both parties discussed the collection operations, changes to the recycling depot, and the Boroughs' willingness to purchase the residential recycling carts for the MCMUA to service. Marrone also educated Hutchins on grant funding opportunities to help offset the recycling cart cost should they continue their push in that direction. Marrone and Hutchins agreed to meet again to continue discussions at the beginning of the new year.

After the meeting, Marrone and Toomey traveled to the Borough's recycling center, which was scheduled to be moved in mid-2024, to provide the depot staff with educational materials for distribution and inspect materials onsite for transportation to Republic Services. The materials observed for the collection were acceptable and of good quality, with the depot staff onsite taking pride in their jobs, educating the public, and maintaining the site.

Recycling/Clean Communities Education, Inspections, and Customer Service Support

Below are summaries of Recycling and Clean Communities' projects, public outreach, and education programs during November 2023. In addition, this month's correspondence provides details regarding these activities as a separate report.

Recycling and Clean Communities Projects, Public Outreach, Education, and Inspections:

- MCMUA Recycling Administrative Staff Training, NJDEP Waste Wise Meeting
- Township of Mount Olive, Kings Village Apartments Onsite Education.
- Hanover Hills Condominium Complex Recycling Education, Hanover Township.
- MCMUA Public Outreach/Partnership, NJ League of Municipalities Conference.
- Township of Mendham School District Recycling Inspections.
- Borough of Mendham School District Recycling Inspections.
- Southeast Morris County Municipal Utilities Authority Recycling Education.
- MCMUA Sponsored Internship with Morris County Vocational School District.
- MCMUA Recycling Public Outreach Educational Materials and Efforts.

Solid Waste Planning Activities and Special Projects

MCMUA, the New Jersey County Recycling Coordinators, and the ANJR Joint Efforts:

On November 21, 2023, Marrone attended and presented at the Association of New Jersey Recyclers (ANJR) Special Board Member Planning Meeting when reports from all committees over the past year and discussed their plans for 2024. As a member of the projects planning and education committees for ANJR, Marrone supported specific areas related to these teams. The meeting discussed plans for the new Sustainability in Motion Conference for 2024, upcoming winter and spring educational webinars, and the Spring Swap-and-Share Educational meetings for the first half of the new year. Other topics discussed included market updates, legislative pushes, a statewide recycling list, and other educational initiatives.

Solid Waste Planning and Operations Collaborations:

On November 1, 2023, the supervisors of the two departments met to kick off the MCMUA's first Project Dependence Meeting. These meetings will continue bi-weekly to work collaboratively on internal projects, shared service agreement matters, curbside operations improvements, waste reduction efforts, and recycling enhancements. The discussions from the three November meetings covered a range of topics, including improving operations and automated capabilities for collection in Chatham Borough, Wharton Borough's move to solid waste collection utilizing a cart-based system in Spring of 2024, and their desire to incorporate cart-based collection for the MCMUA in the new Shared Services Agreement. They also discussed research into vehicle routing-based software, additional cameras for the recycling operations of vehicles, and various other operations-based matters. These discussions aim to improve processes in existing service areas and maintain a competitive edge and viable outlet for recycling collection and service with competitors and our Morris County Municipalities. Overall, both departments are confident that these efforts meeting in such a manner will lead to significant improvements not only internally but also for the public we serve.

In November, the MCMUA Solid Waste Planning Staff worked on designing and purchasing a gift for the hardworking and dedicated employees of the MCMUA, reminding them that their efforts throughout the year are appreciated while being practical in their everyday work. As a result, a beanie cap made from 100% recycled materials was embroidered with the Morris County Clean Communities Logo to remind everyone to keep Morris County litter-free. A small note was also placed on the brim of each hat, reminding them of an appreciation for their efforts. The hats not only served to warm our employee's heads but also their hearts this holiday season.



MCMUA and MCOC Collaborations:

In November 2023, Anthony Marrone worked with the Morris County Office of Communications (MCOC) and Digital Media representatives to plan future topics and create a schedule for media releases. Examples of these releases can be found below.



Understanding Water Sources in Morris County

The [Water Division of the MCMUA](#) has been wholesaling high-quality potable water to portions of the county since 1958.

- [SMCMUA](#) serves Morristown and surrounding towns.
- **Water quality reports** are posted on the website listed on your water bill. Visit NJ Department of Environmental Protection for more info on water quality:
- [New NJDEP program to track down and reduce PFAS chemicals in water](#)
- [NJDEP Division of Water Quality](#)
- [NJDEP Water Quality Assessment](#)



Commissioners Approve \$5 Million Grant for Drew Forest Tract

The Morris County Commissioners approved the \$5 million recommended by the Morris County Open Space Trust Fund Committee to assist Madison Borough in acquiring and preserving a [51-acre forest section of Drew University](#) known as Drew Forest. It was the only Open Space application received and presented in 2023.



Register to Reduce Sales Calls, Junk Mail, Spam Email

The [National Do Not Call Registry](#) was created to stop unwanted sales calls. Register landlines or cell phones for free. Calls from political entities, charities, debt collectors and surveys are allowed. After registration, any sales calls are likely from scammers.

- [Add your phone to the Do Not Call list](#)
- [Get less junk mail from marketers](#)
- [Stop credit card and insurance offers](#)
- [Get fewer spam emails, texts](#)



Thanks for Recycling

[Recycling cheat sheet](#) for your kitchen.

- **CLEAN** is the keyword: Dirty or greasy recyclables turn the whole lot into trash.
- [MCMUA](#) only accepts plastics labeled #1, #2 and #5. Throw out the others.
- Recycle **clean** aluminum food trays.
- **Don't bag** your recyclables!
- **Don't tie** your newspapers.
- **Pizza boxes** are trash.
- Take-out **coffee** and soda cups are trash, even if they have the right number.
- **Shredded paper** is trash.
- Items like **hoses, wire and hangers** break recycling machinery. Toss 'em.
- [Drop off](#) used **cooking oil** in Mt. Olive.
- Recycle **plastic bags** at supermarkets.
- **When in doubt, throw it out!**

Donate Unwanted Items for Reuse



Check out Morris County MUA's updated list of [charities that accept second hand items](#). Donating your unwanted stuff for reuse is better for the environment than recycling -- and far better than the landfill.

- [NJ DEP's 4-page list of reuse organizations \(pdf\)](#)
- [Morris County's head of recycling garners state-wide accolades for waste reduction.](#)

Pictured above are the posts featured in the November 2023 Newsletters and the press release provided to the Morris County Office of Communications for distribution.

Morris County Clean Communities Program

Morris County Clean Communities Participation in the Lake Hopatcong Lake-Wide Community Cleanup:

On November 4, 2023, Marrone District Clean Communities Coordinator Cheryl Birmingham, alongside Roxbury Township Clean Communities Coordinator Kellie-Ann Keys, took charge of the Lake Hopatcong Lake-Wide Community Cleanup. The event occurs every five years when the NJDEP conducts a five-foot drawdown of Lake Hopatcong. In conjunction, the Lake Hopatcong Foundation (LHF) organizes a lake-wide community cleanup.

Marrone and Keys led two separate groups of cleanup volunteers to support the efforts at the event. With approximately six hundred volunteers performing cleanups at over fifty different locations, the cleanup resulted in the removal of over 28,000 pounds of debris and 1,306 tires, which were properly disposed of. The cleanup involved the removal of various materials, including appliances, sports equipment, and even the hull of a sunken steamboat from 1907 that had never been found.

Morris County Clean Communities supported the cleanup by providing significant funding to assist with associated disposal costs for litter collected from the event and recycling costs for all the tires removed during cleanup efforts in Morris County. Following the event, the LHF sent a thank-you letter to the MCMUA, acknowledging their crucial support and volunteer participation, ensuring its success.



Pictured above are the photos posted to the LHF's Social Media Accounts from the volunteer groups led by Marrone and Birmingham.

Morris County Clean Communities Offers Grant Funding Program for Field Trips:

Starting in 2024, Morris County Clean Communities will begin to provide reimbursements of up to \$400 per school for field trips to preapproved vendors on the New Jersey Clean Communities educational field trip listing, also offered on the Morris County Clean Communities webpage. In preparation for this, Birmingham and Marrone began work on the preliminary details, paperwork required, and specifics of the program to be defined. Funding for this type would allow all suggested programs to have coverage of up to twenty-five students and teachers/ chaperones, with most sites allowing well over that in attendance. These sites meet the State program standards while providing program-specific educational content for litter reduction, recycling, and stormwater protection. Other appropriate field trip options not included on the listing may also be utilized but must provide information on how they relate to program standards.

OLD BUSINESS:

Mr. Gindoff advised the Board that the County of Morris was recommended to contribute an aggregate county total of \$5 million to the Open Space Project for Drew Forest, of which \$2.5 million will be contributed by the Morris County MUA and asked for the Board's approval of the following Resolution:

Resolution No. 2023-101
Resolution Authorizing Participation In An Open Space Acquisition Project
Borough of Madison – Drew Forest

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

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

WHEREAS, the MCMUA's appointed designee to the Morris County Open Space Trust Fund Committee (hereinafter "Committee") participated in the Committee's 2023 deliberations; and

WHEREAS, the 2023 deliberation included in-person and virtual presentations by the Borough of Madison regarding the requested Drew Forest acquisition with the provision of additional information and answers to questions from the Committee as well as consideration of written and oral comments by the public; and

WHEREAS, the Committee recommended a \$5,000,000 total contribution from Morris County Open Space and Farmland Preservation Trust Fund to the Commissioners for final approval; and

WHEREAS, the MCMUA desires to participate in the acquisition of the Drew Forest acquisition as part of the Commissioner's grant award to foster the conservation and preservation of water resources; and

WHEREAS, the MCMUA desires to contribute \$2,500,000.00 of the proposed total \$5,000,000.00 contribution from the a Morris County Open Space Preservation and Farmland Preservation Trust Fund toward the Drew Forest open space acquisition, and

WHEREAS, the Treasurer of the MCMUA has determined that there are sufficient funds available from the MCMUA's share of the Morris County Open Space and Farmland Preservation Trust Fund in the amount of \$2,500,000.00 in line item # 13-290-56-580555-888, to participate in the acquisition of said lands.

NOW THEREFORE BE IT RESOLVED, by the MCMUA on this 12th day of December 2023, as follows:

1. The use of the MCMUA's \$2,500,000.00 portion of the total \$5,000,000.00 Morris County Open Space and Farmland Preservation Trust Fund grant toward the Borough of Madison – Drew Forest, which includes 51 acres of Block 3001, Lot 1, in the Borough of Madison, County of Morris, New Jersey is hereby authorized and approved.
2. This payment is funded through monies from the Morris County Open Space and Farmland Preservation Trust in the amount of \$2,500,000.00.
3. The Executive Director is authorized to take all other actions necessary or desirable to effectuate the terms and conditions of 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 a Regular Meeting held on December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion Authorizing Participation In An Open Space Acquisition Project – Borough of Madison – Drew Forest and Ms. Farris seconded the Motion.

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

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

NEW BUSINESS:

Mr. Gindoff updated the Board on the MUA’s new office space and asked for the Board’s approval of the following Resolution:

Resolution No. 2023-102

Resolution Authorizing The Execution Of A Lease Agreement With Technology Innovation Center, LLC For 370 Richard Mine Road, Wharton, New Jersey

WHEREAS, in accordance with the “New Jersey Local Lands and Buildings Law,” N.J.S.A. 40A:12-5(a) (the “Act”), “any county, by resolution...may provide for the acquisition of any real property, capital improvement, or personal property: (1) by purchase, gift, devise, lease, exchange, condemnation or installment purchase agreement;” and

WHEREAS, pursuant to the provisions the Act, the Morris County Municipal Utilities Authority (the “MCMUA”) desires to lease commercial property for the performance of its function to conduct public business; and

WHEREAS, the MCMUA currently conducts its business operations at 214A Center Grove Road, in Randolph, NJ, via a lease agreement, which term will expire as of February 28, 2024; and

WHEREAS, Technology Innovation Center (“TIC”), is the owner of certain real property located at 370 Richard Mine Road, Wharton, NJ, (the “Property”) consisting of approximately 5,800 square feet, comprising the entire building and the property; and

WHEREAS, the MCMUA determined that the Property would adequately serve its needs to conduct its public business operations; and

WHEREAS, with the assistance of Century 21, Commercial Christel Realty, the MCMUA prepared a Letter of Intent, dated October 10, 2023, which was submitted to and accepted by TIC, that set forth the basic terms of a lease agreement; and

WHEREAS, the MCMUA has conducted its due diligence and negotiated the terms of a lease agreement with TIC to relocate its office to the Property; and

WHEREAS, the MCMUA and TIC have resolved all of the terms of the lease, which will be set forth in an agreement that shall commence on January 1, 2024, with a five (5) year term, and three (3) 5-year tenant options (the “Lease Agreement”); and

WHEREAS, the Lease Agreement provides for the rental amount of \$16.50 per square foot, with a 3% annual increase; and

WHEREAS, it is in the best interest of the MCMUA to enter into the Lease Agreement with Technology Innovation Center for 370 Richard Mine Road.

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

1. The Executive Director of the MCMUA is hereby authorized and directed to execute the Lease Agreement with Technology Innovation Center, subject to revisions that are satisfactory to the Executive Director and the Authority’s Legal Counsel.

2. The Lease agreement shall take effect on January 1, 2024, for a 5-year term, with three (3) 5-year tenant options, at a rate of \$16.50 per square foot, and a 3% annual increase.
3. 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.
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 December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Ms. Farris made a Motion Authorizing Execution Of Lease Agreement with Technology Innovation Center and Mr. Dour seconded the Motion.

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

**RESOLUTION NO. 2023-103
RESOLUTION AUTHORIZING EXECUTION OF CONTRACT FOR EXECUTIVE
DIRECTOR**

WHEREAS, the MCMUA Board has reviewed the matter, and has determined that it is in the public interest to reappoint Larry Gindoff as Executive Director.

BE IT RESOLVED by the Morris County Municipal Utilities Authority that:

1. The Chairman is authorized and directed to execute the Contract marked Schedule A, attached hereto to retain Larry Gindoff to serve as Executive Director for a period of three (3) years, commencing on January 1, 2024 at an initial annual salary of \$165,945.00.
2. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the MCMUA, 214A Center Grove Road, Randolph, New Jersey, 07869.
3. A copy of this resolution shall be published once in the official newspaper of the MCMUA.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on December 12, 2023.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Michael Guadagno, Vice Chairman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion Authorizing Execution Of Contract For Executive Director and Mr. Barry seconded the Motion.

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

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:

Executive Director Gindoff asked the Board for a Motion for the meeting to go into closed session at 6:25 p.m. regarding contract negotiations related to PFOS litigation and litigation regarding Mine Hill.

MOTION: Mr. Dour made a Motion for the meeting to go into closed session at 6:25 p.m. and the Motion was seconded by Ms. Farris.

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

Vice Chairman Guadagno asked the Board for a Motion for the meeting to into open session at 6:30 p.m.

MOTION: Mr. Dour made a Motion for the meeting to go into open session at 6:30 p.m. and the Motion was seconded by Mr. Barry.

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

There being no further business, Vice Chairman Guadagno asked for a Motion to adjourn the meeting at 6:30 p.m.

MOTION: Mr. Barry made a Motion to adjourn the meeting at 6:30 p.m., seconded by Mr. Dour and carried unanimously.

Marilyn Regner
Secretary

/mr