

Morris County Solid Waste Management Plan Amendment

September 2020

Inclusion of Contract for:

**The Operation of the Two Morris County Solid Waste Transfer Stations,
Located In Parsippany-Troy Hills Township And Mount Olive Township,
Including Providing Transportation And Disposal Of All Solid Waste
Received At The Transfer Station Facilities**



**Prepared for the:
Morris County Board of Chosen Freeholders
And the
Morris County Solid Waste Advisory Council**



**Prepared by the
Morris County Municipal Utilities Authority
Solid Waste Management Staff**



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Freeholder Director

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Deputy Freeholder Director

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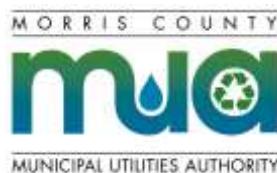
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MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY



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Executive Director

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Solid Waste Coordinator

INTRODUCTION

The New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 *et seq.*) established a comprehensive system for the management of solid waste in New Jersey. The Act designated all twenty-one (21) of the state's counties, and the Hackensack Meadowlands District, as Solid Waste Management Districts, and mandated the respective Boards of Chosen Freeholders and the Hackensack Meadowlands Development Commission develop comprehensive plans for waste management in their respective districts. On January 29, 1981, the New Jersey Department of Environmental Protection (NJDEP) approved, with modifications, the Morris County District Solid Waste Management Plan (Plan).

This document has been prepared as an amendment to the Morris County Solid Waste Management Plan to incorporate a disposal contract executed between the Morris County Municipal Utilities Authority (MCMUA) and Solid Waste Services, Inc. d/b/a J.P. Mascaro and Sons (Mascaro) dated August 5, 2020.

BACKGROUND

Requirement for a Plan Amendment

N.J.A.C. 7:26-6:10(b)3 requires that a solid waste disposal contract entered into by a district or authority is required to be included in the appropriate district's Plan as accomplished through the adoption of a Plan amendment. This document has been prepared as a Plan amendment to meet this requirement.

1997 Waste Flow Control Administrative Action

On January 9, 1998, NJDEP Commissioner Robert G. Shinn approved Morris County's solid waste management system as an administrative action, pursuant to N.J.A.C. 7:26-6.11(f), after finding that the MCMUA had sufficiently demonstrated that the procurement process for the out-of-state landfill capacity and the operation of the two transfer stations and the transportation to the out-of-state landfill were consistent with the criteria set forth in Atlantic Coast Demolition and Recycling, Inc. v. Board of Chose Freeholders of Atlantic County et al. (112F.3d 652 (3rd Cir. 1997), cert. Den., November 10, 1997).

Transfer Stations Operation, Transportation and Disposal Bid

On February 21, 2020, the MCMUA issued a notice to bidders seeking "Sealed Bids For The Operation of the Two Morris County Solid Waste Transfer Stations, Located In Parsippany-Troy Hills Township And Mount Olive Township, Including Providing Transportation And Disposal Of All Solid Waste Received At The Transfer Station Facilities." Notice to bidders was advertised nationally in the Waste360 Daily Wire and locally in the Star Ledger and Daily Record, as well as posting in notice to bidders on our MCMUA website, to provide for a fair, open and competitive bidding process. The MCMUA received two (2) sealed competitive bids on June 11, 2020 from

the following firms:

1. Solid Waste Services, Inc. d/b/a J.P. Mascaro and Sons
2. Waste Management of New Jersey, Inc.

The bid of J.P. Mascaro and Sons, the lowest priced bid submitted, was reviewed by the MCMUA staff, technical and legal counsel to determine compliance with the bid specifications in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. Counsel for the MCMUA concluded the J.P. Mascaro and Sons, did not contain any material defects that prevented the MCMUA from awarding the contract to J.P. Mascaro and Sons as the “lowest responsible bidder.”

In a resolution that was adopted by the MCMUA on July 07, 2020, the MCMUA Executive Director was authorized to enter into the contract with Mascaro for the operation of the two transfer stations and providing transportation of solid waste to final disposal facilities and disposal of solid waste from the MCMUA’s two transfer stations for a period of five (5) years. This contract was executed by both parties and dated August 5, 2020.

PLAN AMENDMENT

Pursuant to N.J.S.A. 13:1E-1 et. seq. Morris County proposes to amend its Solid Waste Management Plan to include the disposal contract of Solid Waste Services, Inc. d/b/a J.P. Mascaro and Sons based on a bid submitted on June 11, 2020 and a contract executed on August 5, 2020. This bid was submitted in accordance with the notice to bidders issued by the MCMUA on February 21, 2020 entitled “Sealed Bids For the Operation of the Two Morris County Solid Waste Transfer Stations, Located In Parsippany-Troy Hills Township And Mount Olive Township, Including Providing Transportation And Disposal Of All Solid Waste Received At The Transfer Station Facilities.”

The bid of Mascaro provides for the operation of the two MCMUA transfer stations located in Parsippany-Troy Hills Township (Block No 768, Lots 2.01; Block 769, Lot 1 (portion of); and Block 770, Lots 17, 18 and 19) and Mount Olive Township (Block 4500; Lot 5) by Mascaro. Location maps of these sites are included in this document.

Mascaro will provide for the disposal of the solid waste accepted at the transfer stations and transported to the following three (3) disposal facilities previously and currently included in the Plan (or such other additional disposal facilities which meet the criteria for approval set forth in the contract, subject to all applicable legal requirements):

- Commonwealth Environmental Systems (CES) Landfill, Hegins, Pennsylvania
- Keystone Landfill, Dunmore, Pennsylvania
- Pioneer Crossing Landfill, Exeter Township, Pennsylvania

The performance of the contract shall commence after the issuance of a notice to proceed by the MCMUA, which shall be issued after satisfaction of all the conditions set forth in the bid documents, and shall continue in force and effect for a minimum period of five (5) years thereafter, unless sooner terminated in accordance with the contract documents.

This proposed Plan amendment is in conformance with the approved Plan by providing for the management of solid wastes generated in Morris County. To insure the broadest possible participation by the general public in this Plan amendment process, the Morris County Board of Chosen Freeholders will conduct a public hearing. All County residents, public officials or organizations interested in this action are encouraged to attend the public meeting and offer testimony.

Inquiries and written comments or questions concerning this proposed plan amendment may be addressed to:

- Morris County Board of Chosen Freeholders
P.O. Box 900
Morristown, New Jersey 07963-0900
- Morris County Municipal Utilities Authority
214A Center Grove Road
Randolph, New Jersey 07869



Custom Map Report

Currently Viewing: MCMUA Mt. Olive Transfer Station/MRF, Block No 4500, Lot No. 5.



Projection: State Plane (FIPS 2900)

Datum: NAD 83

Units: Feet

— — — Transfer Station Site
Limit

COUNTY OF MORRIS, NEW JERSEY

Morris County Board of Taxation and the Dept. of Planning, Development, & Technology

P.O. Box 900, Morristown, NJ 07963-0900

<http://mcweb1.co.morris.nj.us/TaxBoard>

<http://www.morrisGIS.org>



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Custom Map Report

Currently Viewing: MCMUA Passipatty Transfer Station(MRI) Block No.768 Lots 2-01, Block 769 Lot 1 (portion) and Block 770 Lots 17, 18 and 19

A small circular compass rose with three letters: 'H' at the top, 'W' at the bottom-left, and 'I' at the bottom-right.

Projection: State Plane (ETPS 2900)

Datum: NAD 83

Units: Feet

— Transfer Station Site
Limit.

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