

RESOLUTION NO. 20-72

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT TO
PROVIDE FOR CURBSIDE COLLECTION, TRANSPORTING, AND MARKETING OF
RECYCLABLE MATERIALS BETWEEN THE MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY AND THE BOROUGH OF MORRIS PLAINS
COMMENCING ON OR ABOUT JANUARY 1, 2021**

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 Morris Plains ("Municipality" or "Borough") 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 pursuant to the Act 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, the MCMUA is authorized as a local unit pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., to enter into a contract with any other local unit to provide or receive any service that each local unit participating in the Agreement for the provision of any service which that local unit is empowered to render within its own jurisdiction; and

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

WHEREAS, the MCMUA and the Borough of Morris Plains desires to execute a new five (5) year agreement for curbside collection and marketing of recyclable materials commencing on January 1, 2021 and ending on December 31, 2025, and

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

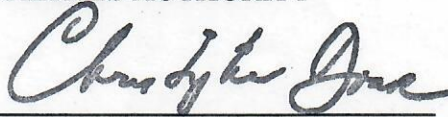
1. The Executive Director of the MCMUA is hereby authorized and directed to execute said Agreement entitled "Agreement to Provide for the Curbside Collection, Transporting, and Marketing of Recyclable Materials Between the Morris County Municipal Utilities Authority and the Borough of Morris Plains commencing on or about January 1, 2021." See attached Exhibit 1.

2. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(2) of the Local Public Contracts Law.
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.

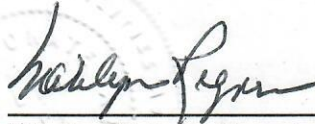
CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County
Municipal Utilities Authority at the Regular Meeting held on Tuesday, October 6, 2020.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: 
Christopher Dour, Chairman

ATTEST:


Marilyn Regner, Secretary

RESOLUTION NO. 2020- 130

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
WITH THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FOR CURBSIDE COLLECTION, TRANSPORTATION
AND MARKETING OF RECYCLABLE MATERIALS**

WHEREAS, the provisions of the New Jersey Statewide Mandatory Source Separation and Recycling Act, N.J.S.A. 13"1E-99.11 et seq. ("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, the Borough of Morris Plains has a need for the curbside collection, transportation and marketing of recyclable materials generated from residential premises in the Borough; and

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") desires to assist municipalities in meeting their recycling goals by providing curbside collection, transportation and marketing services for disposition of recyclable materials; 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:65-3, the parties may, by resolution, authorize the execution of a Shared Services Agreement; and

WHEREAS, Shared Services Agreements between public entities are exempt from public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

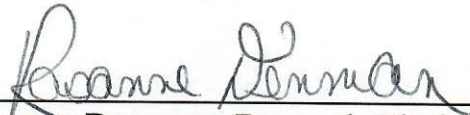
WHEREAS, pursuant to N.J.S.A. 40A:65-4(a)(3)(b), any Shared Services Agreement entered into pursuant to the Act shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, pursuant to rules and regulations promulgated by the director.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Morris Plains on this 1st day of October, 2020, as follows:

1. The Mayor and Clerk are hereby authorized to execute the Shared Services Agreement between the Borough and the MCMUA for Curbside Collection, Transportation and Marketing of Recyclable Materials in the form annexed hereto for a period of five (5) years, commencing on January 1, 2021 and terminating on December 31, 2025, for the prices and on the terms and conditions set forth in the attached Agreement.
2. A copy of the Shared Services Agreement between the Borough and the MCMUA for Curbside Collection, Transportation and Marketing of Recyclable Materials shall be kept on file in the Borough Clerk's Office and available for public inspection.
3. This contract is awarded without competitive bidding pursuant to 40A:11-5(2) of the Local Public Contracts Law.

CLERK'S CERTIFICATION

I, Rosanne Denman, Clerk of the Borough of Morris Plains, County of Morris, State of New Jersey, hereby certify that the foregoing is a true and exact copy of a Resolution adopted at a meeting of said Mayor and Council of the Borough of Morris Plains held on the 1st day of October, 2020.



Rosanne Denman, Borough Clerk

Dated: October 2, 2020

