

County of Passaic

Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

Director Bruce James
Deputy Director Cassandra "Sandi" Lazzara
John W. Bartlett
Theodore O. Best, Jr.
Terry Duffy
Nicolino Gallo
Pasquale "Pat" Lepore

401 Grand Street
Paterson, New Jersey 07505
Tel: 973-881-4402
Fax: 973-742-3746

Anthony J. De Nova III
Administrator
Matthew P. Jordan, Esq.
County Counsel
Louis E. Imhof, III, RMC
Clerk Of The Board

Date: Dec 27, 2022 - 10:00 AM

Agenda: RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE CITY OF CLIFTON TO LEASE A POLYSTYRENE (A.K.A. STYROFOAM) RECYCLING SYSTEM TO THE CITY OF CLIFTON, PURSUANT TO N.J.S.A. 40A:65-1, ET SEQ.

THIS RESOLUTION WAS REQUESTED BY:
HEALTH

REVIEWED BY:

Anthony J. De Nova III

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

| Official Resolution# | |
|----------------------|------------|
| Meeting Date | 12/27/2022 |
| Introduced Date | 12/21/2022 |
| Adopted Date | |
| Agenda Item | 18. |
| CAF# | |
| Purchase Req. # | |
| Result | |

Health and Human Services

COMMITTEE NAME

RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE CITY OF CLIFTON TO LEASE A POLYSTYRENE (A.K.A. STYROFOAM) RECYCLING SYSTEM TO THE CITY OF CLIFTON, PURSUANT TO N.J.S.A. 40A:65-1, ET SEQ.

WHEREAS, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners of the County of Passaic (hereafter “Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, the Department of Health Services (hereafter “Department”) is responsible for protecting and promoting the health of the approximately 510,000 residents of the County; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., authorizes the County to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, on November 20, 2018, the Board passed Resolution R20180894, authorizing an award of contract to Foam Cycle, LLC for the purchase of a polystyrene recycling system to remove polystyrene (a.k.a. Styrofoam) from the County’s waste stream; and

WHEREAS, the County currently lacks a suitable location to use such polystyrene recycling system to the benefit of the public; and

WHEREAS, the City of Clifton approached the County, seeking to enter into a shared services agreement with the County for the use of the polystyrene recycling system on the property of the City of Clifton, to the benefit of the City of Clifton and the entire County; and

WHEREAS, the Department is requesting that the County enter into a shared service agreement with the City of Clifton, for the County to lease the polystyrene recycling system to the City of Clifton for one dollar (\$1.00) per year for a five (5) year term commencing on January 1, 2023, through December 31, 2027; and

WHEREAS, the City of Clifton shall allow all residents of the County to deposit eligible polystyrene materials with the City of Clifton for proper recycling, and the City of Clifton shall be responsible for all maintenance and labor costs associated with the operation of the polystyrene recycling system, but will also be entitled to retain all revenue collected from selling processed recycled polystyrene; and

WHEREAS, this matter was discussed at the December 21, 2022 meeting of the Health and Human Services Committee and is being recommended to the Board for approval; and

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 40A:65-1, et seq., that the Board of County Commissioners of the County of Passaic hereby authorize the shared services agreement between the County of Passaic and the City of Clifton, for the lease the polystyrene recycling system to the City of Clifton for one dollar (\$1.00) per year for a five (5) year term commencing on January 1, 2023, through December 31, 2027.

LET IT BE FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:65-(b) a copy of the Shared Services Agreement shall be filed, for informational purposes, with the Division of Local Government Services.

LET IT BE FURTHER RESOLVED, that the Clerk to the Board, County Counsel, and Director of the Board are authorized to take any other action necessary to carry out the purposes of this resolution.

PROPOSAL:

PASSAIC COUNTY POLYSTYRENE RECYCLING PROGRAM –
SHARED SERVICES WITH THE CITY OF CLIFTON

The Passaic County Department of Health Services division of Solid Waste & Recycling Programs has been committed to removing and recycling discarded polystyrene (foam) packaging from the waste stream for several years. When housed at the NIKE Base in Wayne, the division accepted loose foam from residents where it was stored and eventually transported to a recycling market. Foam packaging is extremely voluminous but has little weight (the measure by which the dollar value of materials is calculated). As a result, best practices call for foam packaging waste to be recycled by condensing it so that it can be compacted and fill a truck for transport; this is accomplished by removing the air and processing it into material which is used to manufacture a variety of consumer goods.

The division of Solid Waste & Recycling Programs determined that such a system would remove an unwanted material from Passaic County's waste stream, and as a result purchased the equipment to recycle this material. The division investigated several potential sites (both public and private) in order to house the equipment and to become a hub for the recycling program but was presented with a variety of obstacles to installing it at each location. The Covid pandemic then shifted the focus for the placement of the equipment, staffing needs, maintenance, and other issues related to the program, however the desired goal of implementing a foam recycling program for Passaic County residents continued.

The division of Solid Waste & Recycling Programs has since determined that the City of Clifton is interested in providing a foam recycling program for its residents and is also willing to eventually accept this material from all 16 Passaic County municipalities via residential drop-off programs in each town, which is the goal of the division. This would be facilitated by Passaic County placing one or more foam collection bins in each municipality, and when full, the material would be removed and then transported by each town to Clifton for processing. In order to implement the program, Passaic County would enter into a Shared Services Agreement, with the County leasing its foam recycling equipment to Clifton for \$1 per year for an initial term of 5 years, and whereby Clifton would be responsible for staffing, labor, maintenance, and marketing of the end product. In return, Passaic County would allow Clifton the use of its foam recycling equipment and to retain the revenue earned from the recycling of the material collected from its residents and from the foam collected and transported by other Passaic County municipalities to Clifton. In this way, the division of Solid Waste & Recycling Programs hopes to achieve its eventual goal of providing a foam recycling program for all residents of the county without their having to leave their own communities to do so.

The division of Solid Waste & Recycling Programs has received affirmations of interest in conducting the above outlined program from Clifton's City Manager, DPW Superintendent, and Municipal Recycling Coordinator and is eager to proceed with this Shared Services Agreement as soon as possible so that program implementation with Passaic County's municipalities may begin in the near future.