



Minutes

MEETING OF THE ESSEX COUNTY SOLID WASTE ADVISORY COUNCIL. January 24, 2017 AT THE ESSEX COUNTY ENVIRONMENTAL CENTER, GARIBALDI HALL 621 EAGLE ROCK AVE., ROSELAND NEW JERSEY.

START TIME: 1:00 PM

1. Called to Order at 1:05 P.M. by Chairman Nick Salese, West Orange.
2. Open Public Meetings Statement read by Wayne DeFeo, DeFeo Associates.
3. Roll Call
4. Approval of Minutes for November 22, 2016 meeting.
 - a. Motion by West Caldwell, 2nd by South Orange.
 - i. Approved by Consent
5. Chairperson's Comments – Nick Salese, West Orange
 - a. None
6. Committee Reports
 - a. ECUA – DeFeo Associates
 - i. Limited updates on plan inclusion status and reminder about Spring HHW/EWaste events.
 - b. Flow Control Issues and compliance status Update
 - i. Health Department Enforcement Report –
 1. Fewer recycling facility inspections through February due to Right to Know inspections. These will increase again in February/March.
 - c. Covanta
 - i. Facility Update - Deferred
7. Old Business
 - a. Ordinance Update Status
 - i. Outstanding towns:
 1. Belleville - Pending
 2. Millburn - Pending
 3. Orange - Pending
 - b. SWAC Appointments for 2017 – changes or Modifications
 - i. Being sent in by each town.
 - c. Training for schools in Newark – Update and status report
 - i. Work is commencing with Newark on this item.
8. New Business
 - a. S-981 E Waste legislation – Bill signed into law as PL2016-Chapter 85.
 - i. Implications and effects on your programs.
 1. See attached summary
 - b. Resolution RE: Solid Waste Management Plan Inclusion Application of YES Recycling.
 - i. Application reviewed and a vote was taken. Approval was unanimous. See attached roll call vote.
 - c. Municipal Recycling Coordinators Meeting Scheduled for February 15, 2017.
9. Public Comments:
 - a. None
10. Next Meeting Date: March 21, 2017
11. Adjournment at 2:00 P.M.

**SUMMARY OF THE NEW ELECTRONICS RECYCLING LAW:
P.L. 2016 Chapter 87.**

1. The law adds printers and fax machines to the list of Covered Electronic Devices (CEDs). It also adds broken televisions/monitors to the list of items that are covered. Broken televisions/monitors were NOT required to be taken back under the old law.

IMPACT: Means that these items are prohibited from disposal as garbage along with computers, monitors, and tv's. It also means that the manufacturers may charge for these items.*

2. Changes the definition of manufacturer market share.

IMPACT: This increases the responsibility of manufacturers to take more CEDs back for recycling.

3. Allows the NJDEP to establish a statewide program if the manufacturers fail to complete a system design that meets the State's (i.e., NJDEP's) requirements.

IMPACT: Gives the NJDEP the power to implement a program even if the manufacturers do not like it. This would include allowing the State to establish a network of collection points. The section is meant as a method to insure that the manufacturers don't ignore their obligations. (Note that manufacturers can avoid this by simply doing what the 2008 law required).

4. Allows the NJDEP to establish penalties against manufacturers who do not comply with the law.

IMPACT: Forces compliance.

5. Requires that manufacturers provide for the collection, transportation and recycling of CED's through the provision of free and convenient programs.

IMPACT: This is the most confusing part of the bill and all recycling coordinators around the state are weighing in on this. There are many questions here such as:

- a. How many facilities are required in each county?
- b. Do municipal facilities count?

- c. What do the manufacturers pay for; labor, packing materials, supplies?
- d. What hours of operation are required for a system to be considered convenient?

6. Expands the definition of "consumer" (those required to be provided with free recycling) to include state government entities, schools and local government.

IMPACT: These were previously excluded.

The law has a number of outstanding questions that must be answered, but in the end, it is a strengthening of the previous law and should help towns in Essex County reduce costs on their recycling of electronics.

Among the questions that must be answered includes the definition of monitor...and does that include tablets? We are waiting on DEP.

1. The law does not prevent us from choosing to pay Advanced as we have in the past year. HOWEVER, it is clear, and this has already been told to Advanced, that manufacturers may NOT use the tonnage from our events to meet their tonnage obligations under the law (past or present).

2. The law does reinforce that residents cannot be charged if they bring their electronics under the terms of our contract to Advanced Recovery's facility (Now located in Belleville).

3. The law raises a number of questions about how the towns in Essex County continue with their programs. For example, East Orange is paying over \$53,000 per year to recycle electronics. The recycler that they are using is not a manufacturer supported recycler, thus he has no way to offset the costs. This is raising a number of questions from towns as to whether they should continue with their current company. There is no set answer to this as of yet as the implementation details are in flux.

4. On a going forward basis, is 5 facilities spread out roughly along the four compass points, N,E,S,W of the county and one near the center. This would place a facility within about 15 minutes of most people in the county.

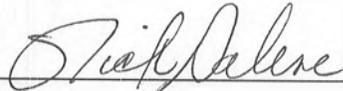
**ESSEX COUNTY
SOLID WASTE ADVISORY COUNCIL
RESOLUTION # 1-17**

WHEREAS, The Essex County Utilities Authority has presented for review an application for Solid Waste Plan Inclusion submitted by YES Recycling, Inc. located at 363 South Street, Newark, New Jersey as a Class A recycling facility to accept source separated dual stream recyclable materials consisting primarily of fiber with ancillary amounts of source separated glass, aluminum, steel cans and plastic containers, and

WHEREAS, the Solid Waste Advisory Council's (SWAC) review is limited to consistency of this proposed plan amendment with the Essex County Solid Waste Management Plan,

NOW THEREFORE be it Resolved, that the Essex County SWAC finds the request of the Essex County Utilities Authority to be consistent with the Essex County District Solid Waste Management Plan; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Essex County Utilities Authority to be approved by the Board of Chosen Freeholders.



Dated: January 24, 2017 Nick Salese, Chairman

**Solid Waste Management Plan Inclusion Application of YES
Recycling January 24, 2017**

Town	Name	Member or Alternate	Vote YES	Vote NO
Belleville				
Bloomfield	Joseph Testa	M	✓	
Caldwell	Mario Bifalco	M	✓	
Caldwell	John Hamer	A		
Cedar Grove	Dan Donovan	M	✓	
Cedar Grove	Karen McCarthy	A		
East Orange	Bryant Cowart	M	✓	
East Orange	Donald Wharton	A		
Essex Fells	Roger Kerr	M	✓	
Essex Fells	John Meletti	A		
Fairfield	Robert Payne	M		
Fairfield	Lawrence Gonnello	A		
Glen Ridge	William Bartlett	M	✓	
Glen Ridge	Michael J. Rohal	A		
Irvington				
Livingston	Russell A. Jones, Jr.	M	✓	
Maplewood	Calvin Bell	M	✓	
Maplewood	Kathleen M. Leventhal	A		
Millburn	Ken Ventre	M	✓	
Montclair				
Newark				
North Caldwell	Frank Zichelli Jr.	M		
Nutley	Salvatore Ferraro	M		
Orange	Marty Mayes	M	✓	
Orange	James Corvino	A		
Roseland	Gary Schall	M	✓	
Roseland	Michael Piltzecker	A		
South Orange	Thomas Michetti	M	✓	
South Orange	Howard Levison	A		
Verona	Joseph A. Martin	M		
Verona	Noreen Jones	A		
Verona	Gerard Shimonaski	A	✓	
West Caldwell	Sandra Barrows	M	✓	
West Orange	Nicola Salese	M	✓	

Rosemary Wanyfeller

15/22