

Office: (973) 564-7075
Fax: (973) 564-7468



375 Millburn Avenue
Millburn, NJ 07041

TOWNSHIP OF MILLBURN

Announcement of Final Date for Solid Waste Collection Changes

May 22, 2023

To: All Township of Millburn Business Owners, Commercial Property Owners and Multi-Family Dwelling Owners

As currently scheduled, the ordinance to revise Ch. 14 of the Millburn Municipal Code governing solid waste and recycling will become effective on September 18, 2023. All commercial properties and businesses in the Township of Millburn will be responsible for managing their own garbage and recycling collections. The Township's contracted waste hauler (Giordano Co.) will no longer collect waste from commercial properties in the Township. Due to various statutes, there are nuances to this operational change which will be explained herein.

Please note that this letter has been sent to all potentially affected stakeholders. If you are already in compliance, no action is needed and you may disregard this letter.

There are a small number of commercial properties/businesses that currently receive municipal waste collection as opposed to the majority who contract out these services. In order to create parity across the town, the township sent correspondence in December 2022 and January 2023 to the businesses that receive municipal collection from Giordano Co. under the existing municipal contract. These changes may not impact your property or business based on your current operations, but this letter has been sent to all relevant stakeholders to ensure clarity.

This letter has been developed based on discussions with various stakeholders including municipal administrative staff, the municipal attorney, the Special Improvement District (Explore Millburn-Short Hills) and the waste hauler. Additionally, a public listening session was held in February 2023 for affected stakeholders and comments from that meeting were incorporated into the final decision. In order to provide the clearest possible path forward, this letter will provide the following:

- Explanation of the change in operations;
- Explanation of procedural changes at the Township level;
- Detailed examples of building classifications and requirements;
- Matrix of collection examples and requirements by building type

Explanation of the Change in Operations

In 2008, when the township first went out to bid for hauling services, existing businesses collected by the Department of Public Works were exempt from having to contract privately. At the same time, new businesses that opened were required to pay for these services. In order to create more transparency and efficiency, the Township is formally notifying all commercial businesses and property owners that they are required to contract for their own waste and recycling removal and explaining the various requirements in this letter.

Explanation of Procedural Changes at the Township Level

Through a recommendation from the administrative staff, the Township Committee is formally considering amendments to Chapter 14 of the Municipal Code, which addresses solid waste collection; those changes are described herein. All affected property owners must be in compliance with this change no later than September 18, 2023. See item 1.b below for information on how to confirm compliance.

Detailed Examples of Building Classifications and Requirements

1. Commercial Properties
 - a. ALL COMMERCIAL BUSINESSES must contract for the collection of garbage and recycling. This includes but is not limited to institutions such as houses of worship and associated facilities, non-profits and private educational facilities.
 - b. Commercial businesses must identify their garbage and recycling receptacles with a label of the private hauler utilized.
 - c. Businesses must provide the Recycling Coordinator with a document showing the hauler contracted to collect garbage and recycling from the premises such as an invoice or service contract. This must be received by September 18, 2023.
 - d. The existing contracted hauler (Giordano Co.) is prohibited from contracting with businesses privately. The reason this prohibition exists is so that we can adequately track our solid waste tonnage that gets tipped at the waste recovery facility in Essex County. It is common for municipal contracts to include this specification.

2. Multi-Family Dwellings – No Commercial Space
 - a. In the State of New Jersey, municipalities are required by law to provide waste collection from multi-family dwellings with at least five (5) rental or for-sale units.
 - b. Multi-family dwellings that are currently collected via the Township contract will see no change.
 - c. Multi-family dwellings that currently contract with a private hauler have two (2) options:

- i. Option 1 – If the owner elects to maintain their private hauler contract, they may execute an agreement with the Township of Millburn to reimburse for the comparable cost of a typical residential dwelling in the Township, which the municipality calculates. These reimbursements currently take place between the municipality and “qualified private communities” (condominium associations).
- ii. Option 2 – If the owner elects to no longer use their private hauler but wishes to be collected under the municipal contract, they must communicate that directly with the Township Recycling Coordinator.

3. Mixed Use Properties

- a. All commercial waste must be contracted privately by September 18, 2023.
- b. Mixed use properties (i.e. those with BOTH commercial and residential tenants) must clearly identify which waste and recycling receptacles are for residential and commercial waste.
- c. All residential waste, including all waste from residential or multi-family units being collected by the municipality, will continue to have their waste collected regardless of the number of residential units.

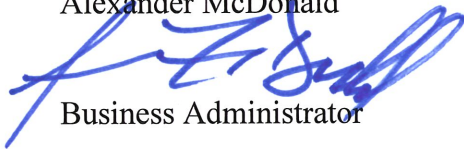
Matrix of Collection Examples and Requirements by Building Type

Collection Example	Requirement as of September 18, 2023
Commercial Business	Must have a contract in place with a private hauler
Multi-Family Dwellings with 1-4 Residential Units (Currently Collected by Town)	No change and no action required
Multi-Family Dwellings with 1-4 Residential Units (Currently Collected by Private Hauler)	See 2.c.i and 2.c.ii above
Multi-Family Dwelling with 5 or more Residential Units (Currently Collected by Town)	No change and no action required
Multi-Family Dwelling with 5 or more Residential Units (Currently Collected by Private Hauler)	See 2.c.i and 2.c.ii above
Mixed Use Properties	See 3.a-c above

The Township appreciates that this letter contains a significant amount of information and may be confusing to property and business owners. We have resources available to assist you through this process including the Township's Recycling Coordinator and the Special Improvement District (Explore Millburn-Short Hills) Executive Director. Their information is included below:

Township Recycling Coordinator – Jesse Moehlman (jmoehlman@millburntwp.org)
SID Executive Director – Steve Grillo (steve@exploremillburnshorthills.org)

Regards,
Alexander McDonald



Business Administrator