

RESOLUTION # 201-7.11

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT  
BETWEEN THE TOWNSHIP OF NORTH BRUNSWICK AND THE TOWNSHIP  
OF SOUTH BRUNSWICK FOR THE OPERATION, REPAIR AND  
MAINTENANCE OF THE WASHINGTON PLACE SANITARY SEWER  
DIVERSION CHAMBER**

**WHEREAS**, pursuant to the Shared Services Act, N.J.S.A. 40A:65-1 et seq., municipalities may enter into a Shared Services Agreement with other governmental units by adoption of a resolution therefor; and

**WHEREAS**, the Township of South Brunswick ("South Brunswick") owns a sanitary sewer diversion chamber located at Washington Place, North Brunswick (the "Diversion Chamber"); and

**WHEREAS**, the Township of North Brunswick ("North Brunswick") shares capacity for the Diversion Chamber's sewage flow whereby North Brunswick's sewage flows to Edly's Lane via the Diversion Chamber; and

**WHEREAS**, North Brunswick uses the Diversion Chamber and its residents benefit from the use therefrom; and

**WHEREAS**, North Brunswick and South Brunswick desire to enter into a Shared Services Agreement for the operation and maintenance of the Diversion Chamber, deeming such agreement to be economically beneficial to each of the municipalities, for a term of ten (10) years, with two (2) renewal terms of five (5) years each; and

**WHEREAS**, the Diversion Chamber is in need of replacement in order to function properly and efficiently for both municipalities and South Brunswick has contracted with Montana Construction Corp. Inc., authorized by a Resolution dated November 23, 2010 and a change order approved by South Brunswick on April 12, 2011, (the "Project") for a total Project cost of \$195,620.80; and

**WHEREAS**, in addition to sharing the cost of operation and maintenance of the Diversion Chamber, both parties desire to enter into an agreement to replace the Diversion Chamber, wherein South Brunswick shall be the contracting authority and shall provide Project oversight and each party shall pay fifty percent (50%) of the construction and related engineering costs for the Project; and

**WHEREAS**, North Brunswick's fifty percent (50%) share of the construction and related engineering costs shall be \$97,810.40, set forth as follows: \$75,810.40 shall be North Brunswick's share for construction costs and \$22,000.00 shall be North Brunswick's share for engineering costs, which amounts may be adjusted at the conclusion of the improvements if there are any additional costs related to any change orders that may be necessary to complete the improvements; and

**WHEREAS**, the costs of the future maintenance and operation of the Diversion Chamber shall be shared as follows: North Brunswick shall pay twenty-five percent (25%) of such costs and South Brunswick shall pay seventy-five percent (75%) of such costs, all such shared charges to be submitted quarterly, with payments due in sixty (60) days; and

**WHEREAS**, North Brunswick's Engineer, CME Associates and North Brunswick's Water/Wastewater Consultant, Public Works Management, and the North Brunswick Department of Public Works, and North Brunswick's Business Administrator all recommend the approval of the proposed Shared Services Agreement setting forth the terms for the operation and maintenance of the Diversion Chamber and the Project replacing the Diversion Chamber, being in the best economic, health and safety interests of the Township of North Brunswick.