

**DIVISION OF LOCAL GOVERNMENT SERVICES**  
**SHARED SERVICES AGREEMENT**  
**COVER SHEET**

PROVIDER: Sussex County Municipal Utilities Authority COUNTY: Sussex

RECIPIENT: Montague Township COUNTY: Sussex

BRIEF DESCRIPTION OF SERVICE:

Certified Recycling Professional
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EFFECTIVE DATE: January 1, 2018

EXPIRATION DATE: December 31, 2018

Please submit this cover sheet with shared service agreement either via email to [EGG@dca.state.nj.us](mailto:EGG@dca.state.nj.us) or hard copies may be mailed to the Division of Local Government Services at PO Box 803, Trenton, NJ 08625-0803. Mailed correspondence should be sent to the attention of Shared Services.

**AGREEMENT BETWEEN MONTAGUE TOWNSHIP  
AND SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY  
FOR CERTIFIED RECYCLING PROFESSIONAL (CRP)  
TO CERTIFY THE 2017 ANNUAL RECYCLING TONNAGE REPORT**

Beginning 2013, each New Jersey municipality is required by the Recycling Enhancement Act (REA) to have mandatory Annual Recycling Tonnage Reports approved and "executed" by a Certified Recycling Professional (hereinafter "CRP"). Recycling Tonnage Reports will be submitted by the SCMUA via email to the New Jersey Department of Environmental Protection (NJDEP) utilizing a spreadsheet compatible with the Microsoft Excel structure provided by the Department.

**THIS AGREEMENT** by and between Montague Township, a municipal body politic having its offices at 277 Clove Road, Montague, New Jersey, 07827, and the Sussex County Municipal Utilities Authority (SCMUA), Sussex County, New Jersey, a body corporate and body politic organized and operating pursuant to NJSA 40:14B-1 et seq. having its offices located at 34 South Route 94, New Jersey, 07848 (hereinafter SCMUA), is dated this 13<sup>th</sup> day of February, 2018.

**WHEREAS**, Montague Township, by ordinance, has duly enacted a recycling plan for all recyclable materials as designated by the Sussex County District Solid Waste Management Plan and amendments thereto and:

**WHEREAS**, Montague Township is desirous of retaining CRP services of the SCMUA for certification of said Annual Recycling Tonnage Report; and:

**WHEREAS**, the award of this contract between the SCMUA and Montague Township pursuant to N.J.S.A. Section 13:1E-99.14 and pursuant to N.J.S.A. Section 40A:11-5(2). is an exception to the bidding requirements as set forth in the "Local Public Contracts Law";

**NOW, THEREFORE**, in consideration of the terms, conditions, mutual benefits and covenants hereinafter set forth, Montague Township and the SCMUA make this agreement.

1. Montague Township shall retain the services of the SCMUA for a CRP that will be responsible for executing the mandatory annual municipal recycling tonnage report, as provided in the Sussex County District Solid Waste Management Plan, and with the State NJDEP.
2. It is understood that the responsibility for the accuracy of all tonnage and materials reported lies with the municipal representative as the designated preparer of the Recycling Tonnage Report. Montague Township designates Dana Dix and/or the Montague Township Clerk as the preparer of the report. The Municipal report preparer is responsible for report verification should the NJDEP audit the report submittal.
3. Montague Township shall be responsible to retain the appropriate documentation for five years in the event of a NJDEP field review/audit.
4. Montague Township reserves the right to reasonably amend the terms of this Agreement by giving thirty (30) day written notification to the SCMUA of any changes thereto. The SCMUA reserves the right to terminate this Agreement if the amendment is unacceptable to the SCMUA.
5. Montague Township shall pay an annual fee of \$250.00 to the SCMUA for the CRP's services. Montague Township agrees to pay

all invoices within thirty (30) days upon finalization of the report and submittal of voucher. Notwithstanding any other provision herein. The SCMUA's liability arising out of this agreement for any reason whatsoever, whether known or unknown shall never be greater than the annual fee.

6. This agreement is effective for calendar year 2018 (2017 Recycling Tonnage Report), and may be extended for future years, in yearly increments, upon the mutual consent of both parties.
7. This agreement is the entire agreement between Montague Township and the SCMUA and supersedes all previous agreements and discussions. Any amendments hereto must be in writing and must be duly executed by both Montague Township and the SCMUA to become effective.
8. This Agreement will be entirely performed within the State of New Jersey and it shall be construed in accordance with the laws thereof.
9. If any provision of this Agreement is determined by a court of competent jurisdiction to be illegal, void, ultravires, or unconstitutional, the remainder of this Agreement shall continue in full force and effect.

**IN WITNESS HERETO** the parties hereto have set their hands of the proper public official as of the date and year first above written.



## **MONTAGUE TOWNSHIP**

### **RESOLUTION 2018-16**

#### **AUTHORIZE EXECUTION OF A SHARED SERVICES AGREEMENT WITH SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2017 RECYCLING TONNAGE REPORT TO NJDEP**

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "SCMUA"), among other things, employs a District Recycling Coordinator as the designated operating agency within Sussex County as provided in the Sussex County District Solid Waste Management Plan; and

WHEREAS the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1, et. seq.) (hereinafter, "the Act") provides that local units of government may enter into a contract to provide or receive any service that either local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A. 40A:65-4); and

WHEREAS, the Township of Montague will prepare the 2017 Township of Montague Recycling Tonnage Report; and

WHEREAS, the Montague Township Committee has requested the services of the SCMUA in the form of the District Recycling Coordinator as a Certified Recycling Professional to certify and submit the required 2017 Township of Montague Recycling Tonnage Report to NJDEP by April 30, 2018; and

WHEREAS, SCMUA has the qualified staff to certify the Recycling Tonnage Report prepared by the Township of Montague and electronically submit it to NJDEP on behalf of the Township of Montague under the terms and conditions set forth in the Shared Services Agreement.

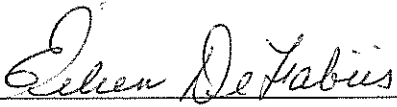
NOW THEREFORE, BE IT RESOLVED, by the Montague Township Committee, in the County of Sussex, and State of New Jersey as follows:

1. The Montague Township Mayor and Township Clerk are hereby authorized and directed to execute a Shared Services Agreement, a copy of which is attached hereto, with Sussex County Municipal Utilities Authority Board of Commissioners for the provision of a Certified Recycling Professional services to certify and submit the 2017 Recycling Tonnage Report to NJDEP.

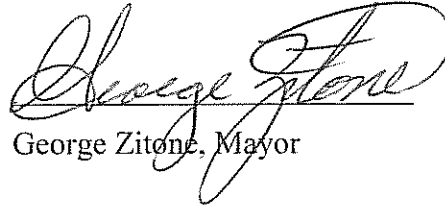
2. This Resolution shall take effect immediately.
3. All SCMUA Staff and Professionals are authorized to take any and all necessary actions to see to the implementation of this Resolution.

Approved: February 13, 2018

ATTEST:



Eileen DeFabiis, RMC



George Zitone, Mayor

On a roll call, the vote was recorded as follows:

Committeeman Brislin:	aye
Committeewoman Crawford:	aye
Committeeman Innella:	absent
Committeeman Merusi:	aye
Mayor Zitone:	aye

RESOLUTION RE: SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT(S) WITH VARIOUS SUSSEX COUNTY MUNICIPALITIES FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2017 RECYCLING TONNAGE REPORT TO NJDEP

WHEREAS, the Sussex County Municipal Utilities Authority (hereinafter "SCMUA"), among other things, employs a District Recycling Coordinator as the designated operating agency within Sussex County as provided in the Sussex County District Solid Waste Management Plan; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1, et. seq.) (hereinafter, "the Act") provides that local units of government may enter into a contract to provide or receive any service that either local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A. 40A:65-4); and

WHEREAS, all Sussex County Municipalities are required by the NJDEP to annually prepare a Municipal Recycling Tonnage Report; and

WHEREAS, the NJDEP requires that each Municipal Recycling Tonnage Report be certified by a NJ Certified Recycling Professional; and

WHEREAS, various Sussex County Municipalities have requested the services of the SCMUA in the form of the District Recycling Coordinator as a Certified Recycling Professional to certify and submit the required 2017 Recycling Tonnage Reports to NJDEP by April 30, 2018; and

WHEREAS, the SCMUA has previously performed this service for a number of Sussex County Municipalities through a Shared Services Agreement; and

WHEREAS, the SCMUA Board of Commissioners has set a rate of \$250 per municipality wishing to utilize this shared service opportunity.

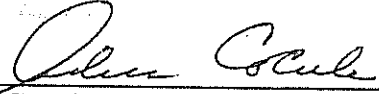
NOW THEREFORE, BE IT RESOLVED, by the Sussex County Municipal Utilities Authority, in the County of Sussex, and State of New Jersey as follows:

1. The Chairman and Secretary are hereby authorized and directed to execute Shared Services Agreements, copies of which this resolution will be attached hereto, with participating Sussex County municipalities for the provision of a Certified Recycling Professional Services to certify and submit their 2017 Recycling Tonnage Reports to NJDEP.



2. This Resolution shall take effect immediately.
3. All SCMUA Staff and Professionals are authorized to take any and all necessary actions to see to the implementation of this Resolution.

Certified as a true copy of the  
Resolution adopted by the Authority  
At their Regular Authority Meeting  
Held on Wednesday, February 21, 2018

  
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Andrea Cocula, Secretary