

DIVISION OF LOCAL GOVERNMENT SERVICES
SHARED SERVICES AGREEMENT
COVER SHEET

PROVIDER: Sussex County Mun. Utilities Auth. COUNTY: Sussex

RECIPIENT: Hampton Twp. COUNTY: Sussex

BRIEF DESCRIPTION OF SERVICE:

Certified Recycling Professional

EFFECTIVE DATE: 2/24/15

EXPIRATION DATE: 12/31/15

Please submit this cover sheet with shared service agreement either via email to 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 HAMPTON TOWNSHIP
AND SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY
FOR CERTIFIED RECYCLING PROFESSIONAL (CRP)
TO CERTIFY THE 2014 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 Hampton Township, a municipal body politic having its offices at 1 Rumsey Way, Newton, New Jersey 07860, 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 24th day of February, 2015.

WHEREAS, Hampton 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, Hampton 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 Hampton

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, Hampton Township and the SCMUA make this agreement.

1. Hampton 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. Hampton Township designates: Karen Hansen as the preparer of the report. The Municipal report preparer is responsible for report verification should the NJDEP audit the report submittal.
3. Hampton Township shall be responsible to retain the appropriate documentation for five years in the event of a NJDEP field review/audit.


4. Hampton 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. Hampton Township shall pay an annual fee of \$250.00 to the SCMUA for the CRP's services. Hampton 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 2015 (2014 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 Hampton 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 Hampton 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.

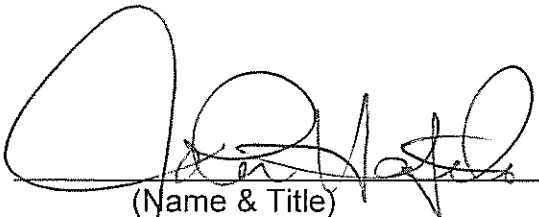
IN WITNESS HERETO the parties hereto have set their hands of the proper public official as of the date and year first above written.

Hampton Township

Eileen Klose, Township Administrator

By: 
Eileen Klose, Township Adminsitrator

SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY


(Name & Title) SCMUA ADMINISTRATOR

By: _____

(Name & Title)

A copy of this executed agreement shall be forwarded to the NJDEP, either electronically to REATAx@dep.state.nj.us or by mail to:

NJDEP-Solid & Hazardous Waste Management Program
401 E. State Street
Mail Code 401-02C
P.O. Box 420
Trenton, NJ 08625-0420
Attn: Mr. Joe Davis

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 2014 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

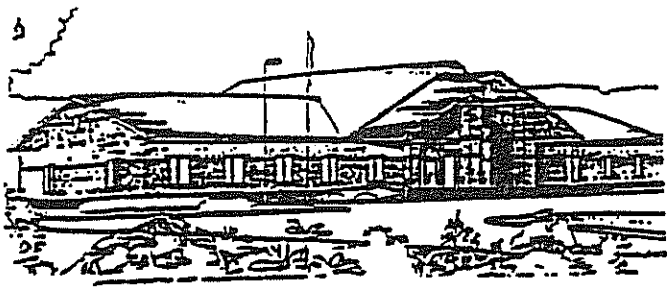
WHEREAS, various Sussex County Municipalities have requested the services of the SCMUA in the form of the District Recycling Coordinator as a Certified Recycling Professional to certify and submit the required 2014 Recycling Tonnage Reports to NJDEP by April 30, 2015; and

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 2014 Recycling Tonnage Reports to NJDEP.



TOWNSHIP OF HAMPTON

1 Rumsey Way
Newton, NJ 07860

P: 973-383-5570 • F: 973-383-8969

Eileen Klose
Township Administrator

Kathleen Armstrong, RMC
Township Clerk

HAMPTON TOWNSHIP 2015 RESOLUTION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs, and

WHEREAS, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A Resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of Hampton Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a Resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hampton that Hampton Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Karen Hansen to ensure that the application is properly filed, and


BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be solely for the purpose of recycling.

CERTIFICATION

I hereby certify that the above resolution was adopted by the Township Committee at their regular meeting of February 24, 2015 at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date

2/24/15


Kathleen Armstrong, RMC
Township Clerk