

**DIVISION OF LOCAL GOVERNMENT SERVICES**

**SHARED SERVICES AGREEMENT**

**COVER SHEET**

PROVIDER: Township of Lower COUNTY: Cape May

RECIPIENT: Borough of West Cape May COUNTY: Cape May

BRIEF DESCRIPTION OF SERVICE:

Uniform Construction Code Services

EFFECTIVE DATE: Aug. 1, 2014

EXPIRATION DATE: July 24, 2018

ESTIMATED COST SAVINGS  
TO BE ACHIEVED OVER THE TERM OF THE AGREEMENT —

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.

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2013-196

**TITLE: Resolution Authorizing a Shared Services Agreement Between the Township of Lower and the Borough of West Cape May to Provide Uniform Construction Code Services**

**WHEREAS**, N.J.S.A. 40A:65-1, et seq., authorizes a municipality to enter into a contract with any other local municipality for shared and consolidated services; and

**WHEREAS**, the Township of Lower's original contract with the Borough of West Cape May to provide Uniform Construction Code Services reflects a termination date of July 24, 2013; and

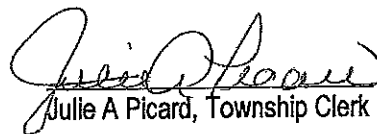
**WHEREAS**, the Township of Lower is required to add an additional year to comply with the four (4) year minimum requirement of the Uniform Construction Code 5:23-4.6(b)(2); and

**WHEREAS**, the Township of Lower is requesting an an additional four (4) year Shared Service Agreement with the Borough of West Cape May to provide Uniform Construction Code Services with the final expiration date of July 24, 2018; and

**WHEREAS**, the Township of Lower has determined it would be in the best interest of the public to enter into an shared services agreement (a copy of which is attached hereto as exhibit 1) with the Borough of West Cape May to provide Uniform Construction Code Services;

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the Township of Lower, County of Cape May, State of New Jersey, that the Mayor and the Clerk are hereby authorized and directed to execute a shared services agreement with the Borough of West Cape May to provide Uniform Construction Code Services in conformance with the Uniform Construction Code Act and which shall remain on file and open to public inspection in the Office of the Township Clerk.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on July 1, 2013.

  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
NEVILLE		X	X			
DOUGLASS			X			
CLARK			X			
BECK			X			

SHARED SERVICES AGREEMENT TO PROVIDE  
UNIFORM COSTRUCTION CODE SERVICES

THIS SHARED SERVICES AGREEMENT ("Agreement") made this 13 day of August, <sup>2014</sup>~~2013~~, by and between the TOWNSHIP OF LOWER, a municipal corporation of the State of New Jersey, with a principal place of business of 2600 Bayshore Road, Villas, NJ 08251 (hereinafter referred to as "LOWER"), and the BOROUGH OF WEST CAPE MAY, a municipal corporation in the State of New Jersey with a principal place of business located at 732 Broadway, West Cape May, New Jersey 08204 (herein referred to as "WCM").

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., authorizes agreements between municipalities for the provision of service by one municipality for another; and

WHEREAS, the enforcement of the Uniform Construction Code requires WCM to review applications for construction or development to insure compliance with the codes and to review and inspect ongoing construction projects to insure compliance with the Code; and

WHEREAS, the Commissioners of WCM, having considered the matter, believe that these Uniform Construction Code services may be more efficiently and economically provided by entering into a Shared Services Agreement with the neighboring municipality for these services; and

WHEREAS, LOWER has agreed to provide these services.

NOW, THEREFORE, it is hereby agreed as follows:

1. Nature and Extent of Services. LOWER agrees to provide to WCM Uniform Construction Code Services, including administration and enforcement, under the following terms:

A. yearly Maintenance Fee of \$1,200 required by Mitchell Humphrey will be the responsibility of WCM as set forth in Exhibit A.

B. WCM will provide funds in an amount to be determined based on the percentage of work left open, on a pro rate basis of the total permit fee for any previously issued open permits to cover future inspections.

C. LOWER will retain 100% of the permit fees and be responsible for remitting payments and repots to DCA for all new permits issued.

D. Lower Township is a Class 1 Agency and will be responsible for all plan review. Current Fee Schedule is attached as Exhibit B.

## 2. Administration.

A. Licensed Personnel on Staff. Lower presently maintains and following in its Construction Office which will also be utilized to administer this Agreement:

- (1) One (1) full-time Construction Code Official/Building Sub-Code Official;
- (2) One (1) full-time Building Inspector;
- (3) One (1) part-time Electrical Sub-Code Official Inspector.
- (4) One (1) part-time Plumbing Sub-Code Official/Inspector Fire Sub-Code Official.
- (5) Part-time Fire Inspector.

A list of current inspectors is attached hereto as Exhibit C.

### B. Hours of Operation.

- (1) The Construction Office shall be open 8:30 A.M. to 4:30 P.M. during the normal business week; and
- (2) Lower will determine the staffing levels and days and hours of operation based on its budgetary constraints, subject to the same level of services being provided to WCM as currently provided to Lower.

### C. Excluded Activities.

- (1) Zoning Officer: Each municipality shall make provisions for the employment of an individual to handle the duties and responsibilities of Zoning Officer for their respective jurisdictions.\*
- (2) Code Enforcement: Each municipality shall make provisions for the employment of an individual to handle the duties and responsibilities of Code Enforcement in their respective jurisdictions.\*

\*Already in place in both municipalities.

### 3. Fees.

All fees for administration and enforcement shall be in accordance with those fees as set forth in Lower's Municipal Construction Fee Ordinance and by standards established by the New Jersey Department of Community Affairs. Fees shall be collected and retained by Lower; and may be modified by Lower in its discretion, provided that the same fees apply to WCM as apply to Lower. Costs are those defined in the Uniform Construction Code 5:23-4.17 to 4.19. A schedule of current fees is attached hereto as Exhibit B.

Lower shall submit annual, bi-annual, or monthly reports as required to be made by statute or regulation by the Construction Official. WCM will be provided with any reports prepared by the Construction Official simultaneous with the submission of any such reports. Lower agrees to provide ad hoc reports as requested by WCM.

### 4. Construction Permit Applications.

An application for a construction permit shall follow the procedures set forth in subchapter 2 of the Uniform Construction Code regulations N.J.A.C. 5:23-2.15 "Construction Permits," and shall be submitted at the Lower Township Construction office located at 2600 Bayshore Road, Villas, NJ 08251. The current hours of operation are 7:30 A.M. to 4:30 P.M., Monday to Friday.

A statement that all required State, County, and Local prior approvals have been given as required by N.J.A.C. 5:23-2.15(a)5 shall be submitted with the permit application, including such certification as the Construction Official may require.

When required, Local Approval shall mean:

- (a) Zoning permit from WCM's Zoning Official;
- (b) Construction permit from Lower Construction Official
- (c) Water and Sewer.

### 5. Location of Records.

All active files, records and supporting documentation shall be maintained on file in the offices of the Enforcing Agency (Lower).

### 6. Reporting Requirements

Lower shall provide WCM with a copy of its annual income/expense report for the Construction Office by January 30 of the following calendar year for which the report is prepared.

7. Duration of Agreement.

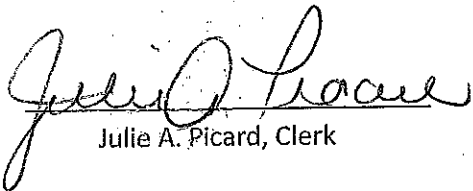
This Agreement shall continue for a term of four (4) years pursuant to N.J.S.A. 40A:65-7(4). It shall commence effective July 25, 2014 and terminate July 24, 2018.

8. Termination.


Lower shall have the right to terminate this Agreement in its sole discretion with or without cause by providing one hundred twenty (120) days written notice to WCM. WCM shall have the right to terminate this Agreement in its sole discretion with or without cause providing one hundred twenty (120) days written notice to Lower.

IN WHITNESS WHEREOF, the parties have hereunto caused their proper offers to sign and their respective corporate seals to be affixed hereto, the day and year first above written.

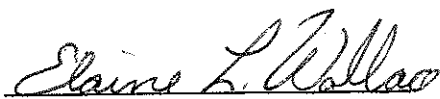
ATTEST:

  
Julie A. Picard, Clerk

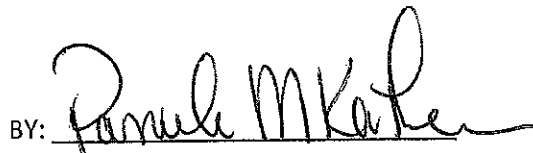
TOWNSHIP OF LOWER, a municipal  
corporation of the State of New Jersey

BY:   
Michael E. Beck, Mayor

ATTEST:

  
Elaine L. Wallace, Clerk

BOROUGH OF WEST CAPE MAY, a municipal  
corporation of the State of New Jersey

BY:   
Pamela Kaithern, Mayor

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2013-196

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CONRAD	X		X			
NEVILLE		X	X			
DOUGLASS			X			
CLARK			X			
BECK			X			



# Borough of West Cape May

732 BROADWAY, WEST CAPE MAY, NEW JERSEY 08204  
609-884-1005  
CLERK'S FAX 609-898-0888 FINANCE FAX 609-884-9197  
WWW.WESTCAPEMAY.US

**PAMELA M. KAITHERN**  
MAYOR  
**PETER C. BURKE**  
DEPUTY MAYOR  
**CAROL E. SABO**  
COMMISSIONER

August 14, 2014

Julie Picard, Township Clerk  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

RE: Shared Services Agreement – Uniform Construction Code

Dear Ms. <sup>Julie</sup>Picard :

Enclosed please find two signed copies of the above referenced agreement as well as a copy of West Cape May's authorizing Resolution #120-14. As you are aware, Lower Township passed a resolution last year extending the original contract by 1 year, plus a second 4 year term. Now that the initial term is over, we have adopted a resolution for the second 4 year term as well.

Please have the agreements signed on behalf of Lower Township and return one fully executed copy to me for my files.

Sincerely,

BOROUGH OF WEST CAPE MAY

*Elaine L. Wallace*

Elaine L. Wallace, RMC, CMR  
Municipal Clerk/Municipal Registrar

/elw



BOROUGH OF WEST CAPE MAY  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION #120-14

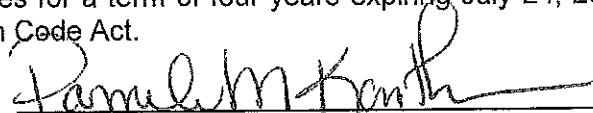
Resolution Authorizing a Shared Services Agreement Between  
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Provide Uniform Construction Code Services

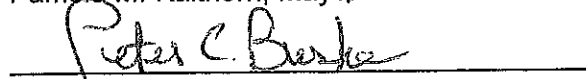
**Whereas**, the Borough of West Cape May is required by law to provide for the enactment and enforcement of the Uniform Construction within the jurisdiction of West Cape May; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-1, et seq., the Borough has previously entered into a contract with the Township of Lower for this shared service; and

**WHEREAS**, the Borough Commission of West Cape May has determined it would be in the Borough's best interest to enter into a four year shared services agreement with Township of Lower to provide Uniform Construction Code Services.

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the Borough of West Cape May, County of Cape May, State of New Jersey, that the Mayor and the Clerk are hereby authorized and directed to execute a shared services agreement with the Township of Lower to provide Uniform Construction Code Services for a term of four years expiring July 24, 2018, in conformance with the Uniform Construction Code Act.

  
Pamela M. Kaithern, Mayor

  
Peter C. Burke, Deputy Mayor

  
Carol E. Sabo, Commissioner

  
Elaine L. Wallace, RMC, Municipal Clerk

Adopted: August 13, 2014

cc: CFO  
Township of Lower ✓  
DCA  
File

	Aye	Nay	Abstain	Absent
Kaithern	✓			
Burke	✓			
Sabo	✓			

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of West Cape May, County of Cape May, New Jersey, at a meeting held on August 13, 2014.

\_\_\_\_\_  
Municipal Clerk