

DIVISION OF LOCAL GOVERNMENT SERVICES
SHARED SERVICES AGREEMENT
COVER SHEET

PROVIDER: CITY OF SEA ISLE CITY COUNTY: CAPE MAY

RECIPIENT: COUNTY OF CAPE MAY COUNTY: CAPE MAY

BRIEF DESCRIPTION OF SERVICE:

Resolution of the City of Sea Isle City, County of Cape May and State of New Jersey Authorizing the City to Enter into an Amended Shared Services Agreement with Ocean City for the Addition of Administration Services to Engineering Services

EFFECTIVE DATE: June 14, 2018

EXPIRATION DATE: December 31, 2019

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.

CITY OF SEA ISLE CITY

NEW JERSEY

RESOLUTION NO. 108 (2018)

RESOLUTION OF THE CITY OF SEA ISLE CITY, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY AUTHORIZING THE CITY TO ENTER INTO AN AMENDED SHARED SERVICES AGREEMENT WITH OCEAN CITY FOR THE ADDITION OF ADMINISTRATION SERVICES TO ENGINEERING SERVICES

WHEREAS, the City of Ocean City (hereinafter, "Ocean City") has a vacancy in its Business Administrator and Municipal Engineer services; and

WHEREAS, Ocean City recently lost its Business Administrator by reason of a resignation; and

WHEREAS, Ocean City has a need for Business Administrator services; and,

WHEREAS, the City of Sea Isle City (hereinafter, "Sea Isle City") has a qualified Business Administrator that is also an experienced Municipal Engineer with the ability to provide Business Administrator and Municipal Engineer services for both Sea Isle City and Ocean City; and

WHEREAS, the City already has a Shared Services Agreement to provide to Ocean City Municipal Engineer services and now desires to amend that contract to provide the Business Administrator services to Ocean City; and

WHEREAS, Ocean City and Sea Isle City agree that it is in the mutual interests of the cities of Ocean City and Sea Isle City to maintain a cooperative relationship and assist each other when possible; and


WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq. permits local units to enter into an agreement to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, and Sea Isle City and the City of Ocean City desire to do same; and

WHEREAS, Ocean City and Sea Isle City desire to enter into an agreement for the aforescribed joint services by written agreement between the two municipalities in a form substantially similar to the agreement attached hereto, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sea Isle City, County of Cape May, New Jersey as follows:

1. Sea Isle City accepts and approves the Amended Shared Services Agreement to be entered into with the Ocean City, which shall be in a form substantially similar to the agreement attached hereto.

2. A true copy of the final, executed Amended Shared Services Agreement will be on file at the office of the Clerk of Sea Isle City and will be available for review by the public during normal business hours.
3. The Mayor and City Clerk are hereby authorized to execute any and all necessary documents in order to implement this Resolution.




 Mary Tighe, Council President

Recorded Vote:

Council	Yes	No	Abstain	Absent	Moved	Second
Tighe	X					
Edwardi	X					X
Kehner	X				X	
Feeley	X					
Gibson	X					

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of Sea Isle City, New Jersey, at the regular meeting held on Tuesday, June 12, 2018.



 Shannon D. Romano, Municipal Clerk

CITY OF OCEAN CITY

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

18-54-229

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO SHARED SERVICES AGREEMENT BETWEEN THE CITY OF OCEAN CITY AND THE CITY OF SEA ISLE CITY, CAPE MAY COUNTY, NEW JERSEY FOR MUNICIPAL ENGINEERING SERVICES TO INCLUDE BUSINESS ADMINISTRATION SERVICES

WHEREAS, Sea Isle City is currently providing Municipal Engineering services to Ocean City pursuant to a Shared Services Agreement adopted by the City Council of Ocean City on December 14, 2017 by Resolution No. 17-53-372 which authorizes George Savastano, P.E. to serve as Ocean City's Municipal Engineer; and

WHEREAS, Ocean City now has a need for a Business Administrator; and

WHEREAS, George Savastano, P.E., serves as Sea Isle's Business Administrator; and

WHEREAS, George Savastano, P.E. is a resident of Ocean City and, through his current position as Ocean City's Municipal Engineer as well as through his former employment by Ocean City, is uniquely familiar with Ocean City; and

WHEREAS, both Sea Isle City and Ocean City believe that services such as those being contemplated are in the best interest of both municipalities, their residents and taxpayers; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq. permits local units to enter into an agreement to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, and Sea Isle City and the City of Ocean City desire to do same; and

WHEREAS, Ocean City believes that the execution of an amendment to the existing Shared Services Agreement with Sea Isle City regarding engineering services to include business administration services will provide Ocean City the opportunity to evaluate the most advantageous solution to secure a permanent Business Administrator and provide continuing services to the City; and

WHEREAS, it is anticipated that the governing body of Sea Isle City will have adopted a resolution approving the amendment of the current Shared Services Agreement to authorize George Savastano, P.E. to serve as Ocean City's Municipal Engineer and Business Administrator in accordance with the terms hereof by the time Ocean City's City Council considers this resolution; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, County of Cape May, New Jersey as follows:

- 1. Ocean City accepts approves the Amendment to Shared Services Agreement for Municipal Engineering Services to Include Business Administration Services to be entered into with Sea Isle City, a true copy of which will be on file at the office of the Clerk of Ocean City and can be reviewed by the public during normal business hours.
2. The Mayor and City Clerk are hereby authorized to execute any and all necessary documents in order to implement this Agreement & Resolution.

[Handwritten signature]

Peter V. Madden
Council President

Res: RES Amendment to SSA Sea Isle City 2018.doc

Offered byCOUNCILMAN. BARR..... Seconded byCOUNCILMAN MCCLELLAN.....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the 14TH day of JUNE 2018

Table with columns: NAME, AYE, NAY, ABSENT, ABSTAINED. Rows include Barr, Bergman, DeViteger, Hartzell, Madden, McClellan, Wilson.

[Handwritten signature: Melissa G. Rasner]
Melissa G. Rasner, City Clerk

**AMENDMENT TO SHARED SERVICES AGREEMENT FOR MUNICIPAL
ENGINEERING SERVICES TO INCLUDE BUSINESS ADMINISTRATION SERVICES**

This Amendment to the Agreement for the provision of Municipal Engineer services to include Business Administration Services is made as of this 14th day of June, 2018, by and between the City of Ocean City, a New Jersey Municipal Corporation, the mailing address for which is 861 Asbury Avenue, Ocean City, NJ 08226, (hereinafter "Ocean City") and the City of Sea Isle City, a New Jersey Municipal Corporation, the mailing address for which is 233 John F. Kennedy Boulevard, Sea Isle City, NJ 08243, (hereinafter "Sea Isle City") and the parties state:

WHEREAS, Sea Isle City is currently providing Municipal Engineering services to Ocean City pursuant to a Shared Services Agreement adopted by Resolution No. 17-53-372 dated December 14-2017 which authorizes George Savastano, P.E. to serve as Ocean City's Municipal Engineer for the calendar year 2018; and

WHEREAS, Ocean City now has a need for a Business Administrator; and,

WHEREAS, George Savastano, P.E., serves as Sea Isle's Business Administrator; and,

WHEREAS, George Savastano, P.E. is a resident of Ocean City and, through his current position as Ocean City's Municipal Engineer as well as through his former employment by Ocean City, is uniquely familiar with Ocean City; and

WHEREAS, the governing body of Sea Isle City has adopted a resolution approving the amendment of the current Shared Services Agreement to authorize George Savastano, P.E. to serve as Ocean City's Municipal Engineer and Business Administrator in accordance with the terms hereof; and

WHEREAS, the governing body of Ocean City has adopted a resolution approving the amendment of the current Shared Services Agreement to authorize George Savastano, P.E. to serve as Ocean City's Municipal Engineer and Business Administrator in accordance with the terms hereof; and

WHEREAS, it is in the mutual interests of the cities of Ocean City and Sea Isle City to maintain a cooperative relationship and assist each other when possible; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq. permits local units to enter into an agreement to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, and the City of Sea Isle City and the City of Ocean City desire to do same; and

WHEREAS, Municipal Engineer and Business Administration services are services which both Ocean City and Sea Isle City are empowered to provide or receive within their own respective jurisdictions;

NOW, THEREFORE, the City of City of Sea Isle City and the City of Ocean City hereby agree as follows:

SECTION 1.

The above recitals are incorporated herein and made a part hereof.

SECTION 2.

Sea Isle City will permit George Savastano, P.E. to serve as Ocean City's Municipal Engineer and Business Administrator. The scope of his duties hereunder is as follows:

As Municipal Engineer:

- a. Review general engineering issues and project matters as requested by the Ocean City Business Administrator.
- b. Coordinate with Ocean City staff and contracted professionals as required to provide appropriate administration of Ocean City engineering issues and project matters.
- c. This scope of duties does not include work associated with Planning and Zoning Board applications.

As Business Administrator:

- a. As set forth in the Revised General Ordinances of the City of Ocean City 1985, as amended at Chapter II, Article 4, Section 2-1.23(a).

Ocean City will compensate Sea Isle City in the amount of \$13,000 per month for the above services.

SECTION 3. EFFECTIVE DATE, DURATION OF CONTRACT, AMENDMENT AND TERMINATION

A. Effective Date

This Agreement shall become effective and binding upon passage of a resolution by the governing body of each of the municipalities party to this agreement accepting and the agreement and authorizing its execution.

B. Duration

This Agreement shall remain in effect through August 31, 2018 and may be extended through the mutual agreement of the governing bodies of Ocean City and Sea Isle City, evidenced by a resolution passed by the governing body of each of the municipalities to this agreement.

C. Termination

Ocean City may terminate this Agreement upon written notice to Sea Isle City, which termination shall be effective immediately. Sea Isle City may terminate this Agreement upon thirty (30) days written notice to Ocean City's City Clerk.

Upon an early termination of this Agreement by Ocean City, Ocean City shall pay to Sea Isle an unpaid balance of \$39,000, it being the intention of the parties that Ocean City shall compensate Sea Isle City \$39,000 notwithstanding an early termination by Ocean City.

Upon an early termination of this Agreement by Sea Isle City, the \$39,000 compensation shall be pro rated for the time actually served, at the rate of \$13,000 per month.

Upon an early termination by either party hereto, the provision of Municipal Engineer services to Ocean City by Sea Isle shall continue through the end of December, 2019, however, the compensation for these stand-alone services shall be \$5,000 from the date of termination of the Business Administration services through December 31, 2019.

D. Amendment

This Agreement may be amended at any time by mutual agreement of the parties, provided that such amendment is reduced to writing, executed by the Business Administrator of each party and specifies the date the provisions of such amendment shall be effective.

SECTION 4. CONSTRUCTION OF THIS AGREEMENT; VENUE

The parties acknowledge that this Agreement was prepared under New Jersey Law and shall therefore be interpreted under the Laws of the State of New Jersey. The Parties agree that any litigation which may ensue shall be instituted in the Superior Court of the State of New Jersey venued in Cape May County.

SECTION 5. DISPUTE RESOLUTION

The parties agree to work as partners in effecting the purposes of this agreement and to attempt to resolve any dispute that may arise during the course of this joint undertaking by way of mediation with the use of a mutually agreeable mediator, with each party being responsible for its own costs and fees and equally sharing the cost and fees of the mediator.

SECTION 6. SEVERABILITY

If any clause, sentence, paragraph, section or part of this Agreement shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have rendered.

SECTION 7. NOTICES

Any notices issued under or pursuant to this agreement shall be effective upon receipt by the party's respective City Clerks, with copy to the party's respective City Solicitors, at the following addresses:

City of Ocean City:

Clerk, City of Ocean City
861 Asbury Ave.
Ocean City, NJ 08226

Dorothy McCrosson, Esq.
Solicitor, City of Ocean City
200 Asbury Ave.
Ocean City, NJ 08226

City of Sea Isle City:

Clerk, City of Sea Isle City
233 John F. Kennedy Boulevard
City of Sea Isle City, NJ 08243

Paul J. Baldini, Esq.
Solicitor, City of Sea Isle City
8405 E. Landis Ave.
Sea Isle City NJ 08243

SIGNATURES:

The City of Ocean City



Melissa G. Rasner
City Clerk


Jay A. Gillian
Mayor

The City of Sea Isle City



Shannon Romano
City Clerk


Leonard C. Desiderio
Mayor