

DIVISION OF LOCAL GOVERNMENT SERVICES

SHARED SERVICES AGREEMENT

COVER SHEET

PROVIDER: Sussex Cty Municipal Utilities Authority COUNTY: Sussex

RECIPIENT: Hampton Twp Municipal COUNTY: Sussex

BRIEF DESCRIPTION OF SERVICE:

Certified Professional for Recycling Services

EFFECTIVE DATE: February 23, 2016

EXPIRATION DATE: Dec. 31, 2016

Please submit this cover sheet with shared service agreement either via email to EGG@dea.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.

DLGS@dca.nj.gov

**AGREEMENT BETWEEN HAMPTON TOWNSHIP
AND SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY
FOR CERTIFIED RECYCLING PROFESSIONAL (CRP)
TO CERTIFY THE 2015 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, 2016.

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 2016 (2015 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.

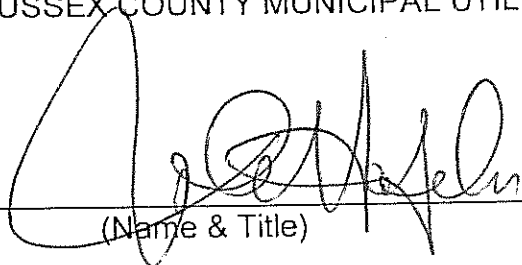
IN WITNESS HERETO the parties hereto have set their hands of the proper public official as of the date and year first above written.

Hampton Township

Eileen Klose, Township Administrator

By: 
Eileen Klose, Township Administrator

SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY


(Name & Title)

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

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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 2015 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 2015 Recycling Tonnage Reports to NJDEP by April 30, 2016; 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 2015 Recycling Tonnage Reports to NJDEP.