

DIVISION OF LOCAL GOVERNMENT SERVICES
SHARED SERVICES AGREEMENT
COVER SHEET

PROVIDER: City of Long Branch COUNTY: Monmouth

RECIPIENT: West Long Branch COUNTY: Monmouth

BRIEF DESCRIPTION OF SERVICE:

Purpose of providing Construction Department services

EFFECTIVE DATE: January 1, 2017

EXPIRATION DATE: December 31, 2020

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.

**SHARED SERVICES AGREEMENT FOR CONSTRUCTION DEPARTMENT SERVICES
BETWEEN**

THE CITY OF LONG BRANCH AND THE BOROUGH OF WEST LONG BRANCH

This Shared Services Agreement, made the 10 day of November, 2016
by and between:

The City of Long Branch, a municipal corporation located in the County of Monmouth, State of New Jersey with offices located at 344 Broadway, Long Branch, New Jersey, hereinafter referenced as the "Provider", and

The Borough of West Long Branch, a municipal corporation located in the County of Monmouth, State of New Jersey with offices located at 965 Broadway, West Long Branch, New Jersey 07764, hereinafter referenced as the "Recipient".

Article 1: Authority

The Provider and Recipient enter into this Shared Services Agreement for the purpose of providing Construction Department services in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.

Article 2: Scope of Services

A. Services to be Performed.

The Provider shall furnish to the Recipient the services of licensed personnel in order to perform Construction Official and Code Enforcement duties pursuant to the New Jersey Uniform Construction Code Act within the Recipient's jurisdiction. The personnel to be provided shall include a Construction Official, Technical Assistant to the Construction Official, Building Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, Fire Subcode Official and all necessary Inspectors, who shall serve as the local enforcement agents of the Recipient pursuant to the New Jersey Uniform Construction Code Act.

Elevator Subcode responsibilities shall remain with the New Jersey Department of Community Affairs Elevator Safety Unit.

B. Designation as General Agent.

The Provider is hereby designated the agent for the Recipient for the provision of services under the New Jersey Uniform Construction Act.

C. Hours of Operation

The Provider shall provide the services to the Recipient on a full time basis. The services shall be performed out of the Municipal Offices of the Provider during the Provider's normal business hours which are currently 8:30 am to 4:30 pm, Monday through Friday excluding Holidays.

D. Fees.

In consideration for the services to be rendered, the Provider shall collect and receive all permit and penalty fees. The Recipient agrees to amend its ordinances to reflect the fee schedule outlined in the Provider's municipal ordinance. The Recipient's share of any construction fees may be waived if the applicant is a charitable or public service organization.

E. No Cost to Recipient.

The Recipient shall have no obligation to make any payment to the Provider.

F. Defense of Claims.

Provider shall defend and be responsible for the payment of any claims against the Building Department and shall hold harmless and indemnify the Recipient.

Article 3. Authority Over Personnel

A. Authority.

During the term of the Agreement, the Construction Official, Subcode Officials and all inspectors shall be considered employees of the City of Long Branch Department of Building and Development of the Provider.

B. Complaints.

Any complaints related to the services provided to the Recipient shall be forwarded to the Director of the department of Building and Development of the Provider.

Article 4. Maintenance of Records

All records relating to the services performed on behalf of the Recipient shall be maintained in the Municipal Offices of the Provider.

Article 5. Duration of Contract; Termination

A. Duration

The duration of this Agreement shall be for four (4) years, beginning January 1, 2017. Notwithstanding the foregoing, by Resolutions of Agreement by both parties, this agreement may be extended.

B. Termination

1. This Agreement may be terminated at any time upon mutual Agreement of the Parties; however, unless otherwise agreed to by the parties, such termination shall not become effective for a minimum of six (6) months following the adoption of Resolutions by both governing bodies authorizing the termination.


In Witness whereof, the parties hereto have executed this Agreement on the date written below:

Attest:



Lori Cole, Borough Clerk

Borough of West Long Branch



Janet Tucci, Mayor

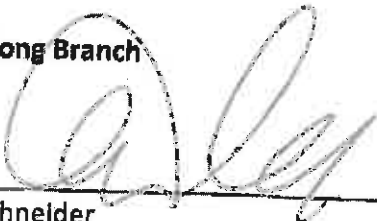
Dated: December 7, 2016

Attest:



Kathy L. Schmelz, City Clerk

City of Long Branch



Adam Schneider

Dated: 3-28-17

12/7/16

Councilmember VILLA offered the following resolution and moved its adoption:

**RESOLUTION APPROVING SHARED SERVICES AGREEMENT WITH
THE CITY OF LONG BRANCH FOR BUILDING DEPARTMENT SERVICES**

WHEREAS, the Borough of West Long Branch and the City of Long Branch are desirous of renewing the existing Shared Services Agreement whereby the City of Long Branch provides Building Department services for the Borough of West Long Branch; and

WHEREAS, as a result, the City of Long Branch submitted the attached SHARED SERVICES AGREEMENT FOR CONSTRUCTION DEPARTMENT SERVICES BETWEEN THE CITY OF LONG BRANCH AND THE BOROUGH OF WEST LONG BRANCH for approval by the West Long Branch Borough Council;

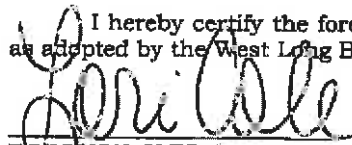
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached SHARED SERVICES AGREEMENT FOR CONSTRUCTION DEPARTMENT SERVICES BETWEEN THE CITY OF LONG BRANCH AND THE BOROUGH OF WEST LONG BRANCH be and the same is hereby approved, and the Mayor and Borough Clerk are hereby authorized to sign the same; and

BE IT FURTHER RESOLVED that, after both municipalities have adopted resolutions approving this contract, a notice shall be sent by the Borough Clerk to the Division of Local Government Services in the Department of Community Affairs, as required by N.J.S.A. 40A:65-4b.

Seconded by Councilmember JULIANO and carried upon the following roll call vote:

AYES:	ARIA, JULIANO, MIGLIACCIO, NEYHART, PENTA, VILLA
NAYS:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

I hereby certify the foregoing to be a true and exact copy of the original resolution as adopted by the West Long Branch Borough Council on December 7, 2016.


BOROUGH CLERK

10, 2.36-16

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SHARED
SERVICES AGREEMENT FOR CONSTRUCTION DEPARTMENT
SERVICES BETWEEN THE CITY OF LONG BRANCH AND THE BOROUGH OF
WEST LONG BRANCH**

WHEREAS, the City of Long Branch and the Borough of West Long Branch are desirous of entering into a Shared Services Agreement; and

WHEREAS, Shared Services Agreement is governed by N.J.S.A. 40A:65-1 et seq; and

WHEREAS, a copy of the Shared Services Agreement is annexed hereto and made a part hereof; and

WHEREAS, the Shared Services Agreement complies with the requirements of N.J.S.A. 40A:65-1 et seq. as opined by the City Attorney for the City of Long Branch; and

WHEREAS, in order for the Shared Services Agreement to become effective, the Borough of West Long Branch must pass an Ordinance that requires all fees charged under the Shared Services Agreement be compatible with the present charges for licenses and fees for Shared Services in the City of Long Branch pursuant to its Ordinances; and

WHEREAS, the Borough of West Long Branch must also pass a Resolution similar to the Resolution herein authorizing the Mayor of the Borough of West Long Branch to execute said Agreement; and

WHEREAS, pursuant to recommendations by Kevin Hayes, Sr., Director of Building and Development and Fire Marshall of the City of Long Branch, the Shared Services Agreement would be beneficial to the residents of the City of Long Branch as additional revenue and fees would be collected pursuant to the Agreement that would be retained by the City of Long Branch; and

WHEREAS, the Borough of West Long Branch requests the Shared Services Agreement for the benefit of providing better services to the residents of the Borough of West Long Branch; and

WHEREAS, duration of this contract shall be for four (4) years commencing January 1, 2017 and expiring on December 31, 2020.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch that the Mayor of the City be and the same is authorized to execute the within Shared Services Agreement upon the following conditions: That the Mayor be satisfied by Kevin Hayes, Sr., Director of Building and Development; that the Borough of West Long Branch has executed the Shared Service Agreement and an appropriate Resolution has been passed and reviewed by the

City of Long Branch; that the Borough of West Long Branch has enacted an Ordinance that makes all fees for the services provided by the City of Long Branch similar to the fees currently charged by the City of Long Branch in its Ordinances for the services to be provided in the Shared Services Agreement.

MOVED: *Simanni*
SECONDED: *Pallone*
AYES: *5*
NAYES: *0*
ABSENT: *0*
ABSTAIN: *0*

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH
I, MARK L. SCHEER, MUNICIPAL CLERK OF THE CITY OF
LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING
TO BE A TRUE, COMPLETE AND CORRECT COPY OF
RESOLUTION ADOPTED BY THE CITY COUNCIL AT A
REGULAR MEETING HELD ON 11-16-10
IN WITNESS WHEREOF, I HAVE HERETO SET
MY HAND AND AFFIXED MY OFFICIAL SEAL OF THE
CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW
JERSEY THIS 16 DAY OF NOV, 2010
[Signature]