



Legislation Details (With Text)

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File created: 3/26/2015 **In control:** Water Sewer Utility

On agenda: 4/15/2015 **Final action:** 4/15/2015

Title: Dept/ Agency: Water & Sewer Utilities
 Action: () Ratifying (X) Authorizing () Amending
 Type of Service: Shared Services Agreement
 Purpose: Licensed Sewer Operator to be in charge of the operation of its CSO sewer system
 Entity Name: County of Essex
 Entity Address: 465 Dr. Martin Luther King, Jr. Boulevard, Newark, New Jersey 07102]
 Contract Amount: \$ 1
 Funding Source: City of Newark
 Contract Period: For a term of one (1) year from the date of adoption by the Newark Municipal Council or until such time as the City of Newark has trained and/or secured a C4 Licensed Sewer Operator
 Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
 () Fair & Open () No Reportable Contributions () RFP () RFQ
 () Private Sale () Grant () Sub-recipient (X) n/a N.J.S.A. 40A:65-1, The Uniform Shared Services and Consolidation Act
 Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
4/15/2015	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, to relieve the City's waste water system during periods of sewage overflow due to heavy storms, rains, and snowfall melt, the City of Newark, Department of Water and Sewer Utilities

installed Combined Sewage Overflows (“CSO”) into its Combined Sewer System to control and divert excess storm and waste water run-off into the waterways; and

WHEREAS, the New Jersey Department of Environmental Protection (“NJDEP”) requires that the City have a licensed Collection System Operator of record (“C4 Licensed Sewer Operator”) to regularly inspect and maintain the CSOs; and,

WHEREAS, the City recently had, but no longer has, a C4 Licensed Sewer Operator to be in charge of the operation of its CSO sewer system as required by the Rules and Regulations Governing the Licensing of Water Supply and Wastewater Treatment System Operators, N.J.A.C. 7:10A, et seq.; and

WHEREAS, the City of Newark, Department of Water and Sewer Utilities is in need of a C4 Licensed Sewer Operator for its CSOs; and

WHEREAS, the County of Essex (“County”) has a C4 Licensed Sewer Operator who is willing and able to provide the inspection and maintenance services required by the NJDEP; and

WHEREAS, the County is capable of providing these services to the City through a Shared Services Agreement, the terms of which have been negotiated and agreed upon and are in conformance with N.J.S.A. 40A:65-1, et seq., otherwise known as “The Uniform Shared Services and Consolidation Act”; and

WHEREAS, the County and the City wish to enter into a Shared Services Agreement for the provision of C4 Licensed Sewer Operator to provide services for the City; and

WHEREAS, the City has determined that it is in its best interests to share these services with the County until such time as the City can secure its own C4 Licensed Sewer Operator; and

WHEREAS, pursuant to N.J.S.A. 40A:65-4(b) a copy of the fully executed Shared Services Agreement will be filed by the Director, Department of Water and Sewer Utilities, with the Division of Local Government Services, Department of Consumer Affairs, 101 South Broad Street, Post Office Box 803, Trenton, New Jersey 08625-0803.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, is hereby authorized and directed, on behalf of the City of Newark, to enter into and execute a Shared Services Agreement with the County of Essex for the provision of C4 Licensed Sewer Operator.
2. The term of this Agreement shall be for a period not to exceed one (1) year from the date of adoption by the Newark Municipal Council or until such time as the City of Newark has trained and/or secured its own C4 Licensed Sewer Operator.
3. No changes or modifications to this Agreement shall be made without the prior approval of the City and the Newark Municipal Council.

4. A copy of the fully executed Shared Services Agreement herein authorized shall be filed in the Office of the City Clerk by the Director, Department of Water and Sewer Utilities.

5. A copy of the fully executed Shared Services Agreement will be filed by the Director, Department of Water and Sewer Utilities, with the Division of Local Government Services, Department of Consumer Affairs, 101 South Broad Street, Post Office Box 803, Trenton, New Jersey 08625-0803.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities to enter into and execute a Shared Services Agreement with the County of Essex to provide a C4 Licensed Sewer Operator, as required by the NJDEP, for the inspection and maintenance of its CSOs for a term not to exceed one (1) year from the date of adoption by the Newark Municipal Council or until such time as the City has trained and/or secured its own C4 Licensed Sewer Operator.