



## Legislation Details (With Text)

**File #:** 16-1355      **Version:** 1      **Name:** Waste Disposal MOU  
**Type:** Resolution      **Status:** Adopted  
**File created:** 8/17/2016      **In control:** Administration  
**On agenda:** 9/21/2016      **Final action:** 9/21/2016

**Title:** Dept/ Agency: Administration/Office of the Business Administrator  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Provision of Waste Haulage Services  
Purpose: Services contracted  
Entity Name: Newark Downtown District Management Corporation  
Entity Address: 60 Park Place, Suite 2100, Newark, New Jersey 07102  
Contract Amount: \$0.00  
Funding Source: \$0.00  
Contract Period: Shall take effect immediately upon passage of this authorizing resolution, and shall continue indefinitely unless and until it is terminated by either party.  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient (X) n/a  
Additional Information:  
Resolution would authorize an MOU with the Newark Downtown District Management Corporation, whereby said Corporation would, on behalf of the City, transport and dispose of waste from the Downtown Newark Special Improvement District to DEP-licensed waste disposal facilities; said arrangement would be at no cost to the City, although the City will remain responsible for the payment of disposal fees.

**Sponsors:** Gayle Chaneyfield Jenkins, Augusto Amador

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/21/2016	1	Municipal Council	Adopt	Pass

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**Additional Information:**  
Resolution would authorize an MOU with the Newark Downtown District Management Corporation, whereby said Corporation would, on behalf of the City, transport and dispose of waste from the

Downtown Newark Special Improvement District to DEP-licensed waste disposal facilities; said arrangement would be at no cost to the City, although the City will remain responsible for the payment of disposal fees.

**WHEREAS**, the City of Newark previously created a special improvement district pursuant to N.J.S.A. 40:56-65, et seq., known as the Downtown Newark Special Improvement District (“SID”) and designated the Newark Downtown District Management Corporation, 60 Park Place, Suite 2100, Newark, New Jersey, 07102 (“NDDMC”), as the district management corporation for the SID; and

**WHEREAS**, as the designated district management corporation for the SID, NDDMC is dedicated to revitalizing the SID by improving the economic viability of the SID and enhancing the quality of life for residents, workers, students and visitors; and

**WHEREAS**, one such quality of life enhancement project undertaken by NDDMC consists of improving the cleanliness of the SID in order to make it more “business friendly” and “family friendly” by cleaning waste from the streets, sidewalks and litter baskets located in the SID (“Waste”); and

**WHEREAS**, historically, NDDMC has transported the Waste to a City Division of Sanitation facility, the City Division of Sanitation would transport the Waste to a waste disposal facility licensed by the New Jersey Department of Environmental Protection (“DEP”) for disposal, and the City would pay the disposal fees charged by the DEP; and

**WHEREAS**, in order to enable NDDMC to further supplement the City’s services, the City’s Director of the Department of Neighborhood and Recreational Facilities desires that NDDMC instead be able to transport the Waste directly to an appropriate DEP-licensed waste disposal facility for disposal; and

**WHEREAS**, NDDMC is willing to transport the Waste it collects directly to an appropriate DEP-licensed waste disposal facility for disposal at no cost to the City of Newark; and

**WHEREAS**, although NDDMC would be transporting the Waste it collects directly to an appropriate DEP-licensed waste disposal facility for disposal, payment of the DEP disposal fees associated with disposal of the Waste remains the City of Newark’s responsibility; and

**WHEREAS**, the City’s Director of the Department of Neighborhood and Recreational Facilities therefore desires that the City of Newark enter into a Memorandum of Understanding with NDDMC, providing that NDDMC would transport the waste it collects from the streets, sidewalks and litter baskets located in the SID directly to an appropriate DEP-licensed waste disposal facility for disposal on the City of Newark’s behalf, and memorializing that the City of Newark will remain responsible for the payment of the DEP disposal fees related to same.

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

1. The Mayor and/or his designee, the Director of the Department of Neighborhood and Recreational Facilities, are hereby authorized to enter into and execute a Memorandum of Understanding (in the form attached hereto and made a part hereof) with Newark Downtown District Management Corporation, 60 Park Place, Suite 2100, Newark, New Jersey 07102, which: [i] provides that Newark Downtown District Management Corporation will, on the City of

Newark's behalf, transport the waste it collects from the streets, sidewalks and litter baskets located in the Downtown Newark Special Improvement District directly to an appropriate waste disposal facility licensed by the New Jersey Department of Environmental Protection for disposal of the waste; and [ii] memorializes that the City of Newark will remain responsible for the payment of the disposal fees imposed by the New Jersey Department of Environmental Protection related to the disposal of said waste.

2. The Memorandum of Understanding shall specifically provide that there shall be no compensation paid by the City of Newark to Newark Downtown District Management Corporation for the latter's collection, transportation and disposal of waste.
3. The Memorandum of Understanding shall specifically provide that Newark Downtown District Management Corporation shall only transport and dispose of waste that is collected from the streets, sidewalks and litter baskets located in the Downtown Newark Special Improvement District.
4. The Memorandum of Understanding shall take effect immediately upon passage of this authorizing resolution, and shall continue indefinitely unless and until it is terminated by either party.
5. The Director of the Department of Neighborhood and Recreational Facilities shall file a fully executed copy of the Memorandum of Understanding with the Office of the City Clerk.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Neighborhood and Recreational Facilities, to enter into and execute a Memorandum of Understanding with Newark Downtown District Management Corporation, 60 Park Place, Suite 2100, Newark, New Jersey 07102, which provides that Newark Downtown District Management Corporation will transport waste it collects from the Downtown Newark Special Improvement District to a waste disposal facility on the City of Newark's behalf, and which memorializes that the City will remain responsible for the payment of the disposal fees related to the disposal of such waste.