

**BOROUGH OF PENNINGTON
RESOLUTION 2023 – 7.7**

**RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT
BETWEEN THE BOROUGH OF PENNINGTON AND THE MERCER COUNTY
IMPROVEMENT AUTHORITY FOR CURBSIDE COLLECTION OF RECYCLABLES FOR THE
TERM OF FIVE (5) YEARS COMMENCING ON JANUARY 1, 2024 THROUGH
DECEMBER 31, 2028**

WHEREAS, there exists a need in the Borough of Pennington to provide recycling services to the residents of Mercer County; and

WHEREAS, the Mercer County Improvement Authority (“MCIA”) has been designated by the County of Mercer as the implementing agency for the Solid Waste Management Plan within Mercer County under the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq., for the curbside collection of recyclables; and

WHEREAS, the Borough of Pennington wishes to continue its participation in the Mercer County Solid Waste Management Plan by having MCIA provide for the Curbside Recycling Program throughout the Borough during the term of the agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-4 et seq., permits the Borough to enter into an Agreement with the MCIA to provide for said Curbside Recycling Services during the Term of the Agreement; and

WHEREAS, the Agreement between the MCIA and the Borough for the Curbside Recycling Collection Program is for a period of five (5) years commencing on January 1, 2024 through December 31, 2028; and

WHEREAS, the Agreement between the Borough and the MCIA supersedes all prior shared services agreements for Curbside Recycling Services;

WHEREAS, the Chief Financial Officer has certified that funds for this agreement are available contingent upon a sufficient appropriation being provided in the adopted Municipal Budgets for the years 2024, 2025, 2026, 2027 and 2028;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, in the County of Mercer and State of New Jersey, that the Shared Services Agreement between the Borough and the MCIA for curbside collection of recyclables for the Term of the Agreement be and hereby is authorized and accepted by the Borough of Pennington and the Mayor is authorized to execute said Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Agreement shall take effect according to its terms upon the adoption of an appropriate resolution by the MCIA and the execution of the Agreement by and between the Borough of Pennington and the MCIA in accordance with N.J.S.A. 40:8A-1 et seq.; and

BE IT FURTHER RESOLVED THAT the form of the agreement shall be subject to approval by the Borough Attorney who shall be guided by the offer letter of April 26, 2023 by Daniel G. Napoleon to Donato Nieman, Borough Administrator, of which a copy is annexed.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Marciante				
Chandler					Stern				
Gnat					Valenza				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on July 10, 2023.

Elizabeth Sterling, Borough Clerk