

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 17-202

**AUTHORIZING SECOND AMENDMENT TO SOLID WASTE  
SERVICE AGREEMENT**

WHEREAS, the Municipal and County Utilities Authorities Law (N.J.S.A. 40:14B et seq.) and the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Bergen County Utilities Authority (the "BCUA") and the Township of Washington (the "Township") to enter into service agreements for the services contemplated below and without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

WHEREAS, in accordance with the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) the County of Bergen, constitutes a Solid Waste Management District in which the BCUA is the agency responsible for implementation of a Solid Waste Management Plan to provide for the collection, processing and disposal of solid waste generated within the County of Bergen; and

WHEREAS, ADS Solid Waste of NJ, Inc. ("ADS") was awarded a contract with the BCUA on April 25, 2013, (the "Contract") for the acceptance, processing and disposal of municipal solid waste at their disposal facility located at 301 Maltese Drive, Totowa, NJ 07512 ("Transfer Station Facility"); and

WHEREAS, the Township of Washington and the BCUA entered into an agreement dated May 31, 2013, pursuant to which the Township delivers municipally-generated solid waste to the Transfer Station Facility for processing, transportation and disposal, and the BCUA provides such solid waste processing, transportation and disposal services to the Township, in a cooperative effort relating to municipal solid waste management; and

WHEREAS, by Resolution 13-2-075 adopted on December 19, 2013 the BCUA consented to the assignment of the Contract from ADS to Covanta 4Recovery, L.L.P. ("Covanta"); and

WHEREAS, on January 28, 2016 the BCUA formally exercised its right to extend the term of the Contract beyond the original expiration date of May 31, 2016 for an initial one (1) year period from June 1, 2016 to May 31, 2017 and the Township adopted Resolution 16-180 authorizing that extension; and

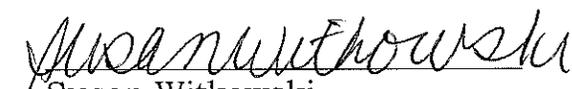
WHEREAS, on December 22, 2016 the BCUA formally exercised its right to extend the term of the Contract for an additional one (1) period from June 1, 2017 to May 31, 2018 pursuant to which the pricing per ton for solid waste delivered to the Transfer Station Facility by the Township for the period June 1, 2017 through May 31, 2018 will be \$68.25 (up from \$68.00 under the expiring Contract); and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township hereby approves the aforesaid Second Amendment to Solid Waste Service Agreement between the Township and the BCUA;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the Second Amendment to Solid Waste Service Agreement with the BCUA for the above-stated purpose.

ATTEST:

APPROVED:  
TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF WASHINGTON

  
Susan Witkowski  
Township Clerk

BY   
Robert Bruno  
Council President

DATED: May 8, 2017

MOTION		SECOND		COUNCIL	AYES	NAYES	ABSTAIN	ABSENT
Bruno		Bruno		Bruno	X			
Calamari		Calamari	X	Calamari	X			
Cascio		Cascio		Cascio	X			
Sears		Sears		Sears	X			
Ullman	X	Ullman		Ullman	X			