

RESOLUTION 2024-228

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF OCEAN FOR UNIFORM CONSTRUCTION CODE INSPECTIONS, BUILDING SUB CODE OFFICIAL, ELECTRICAL SUB CODE OFFICIAL AND BUILDING INSPECTIONS

WHEREAS, the Township Committee of the Township of Barnegat believes it is in the best interest of the municipality to enter into a Shared Service Agreement with the Township of Ocean, a municipal corporation of the State of New Jersey for the provision of Uniform Construction Code Inspection Services for Building Inspections, Daniel Sharkey, License #009491, Building Sub-Code Official, Ken Triano, License #008875,

WHEREAS, the Shared Service Agreement for Construction Official and Plumbing Sub-Code will be terminated, however Barnegat will remain a back-up if necessary for all UCC services; and

WHEREAS, such Interlocal Agreement is authorizing pursuant to N.J.S.A. 40A:65-1, et seq. the New Jersey Shared Services Act and the proposed agreement is attached hereto; and

WHEREAS, it is the desire of each of the respective municipalities that payment of the salary to the officer or employee shall be the municipality which employs said individual at the time such services are performed; and

BE IT FURTHER RESOLVED that upon approval of this Agreement, by the Township Committees of the Township of Barnegat and the Township of Ocean, this Agreement may be executed by the Mayor and Township Clerk.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

- a. Honorable Joseph Marte, Mayor
- b. NJ Department of Community Affairs, Div. Codes and Standards
- c. Christopher Dasti, Esq., Barnegat Twp. Attorney
- d. Diane B. Ambrosio, RMC, Ocean Township Clerk

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ on the 6th day of June, 2024.

Donna M. Manno, RMC
Municipal Clerk

SHARED SERVICES AGREEMENT BY AND BETWEEN

THE TOWNSHIP OF BARNEGAT

AND

THE TOWNSHIP OF OCEAN

OCEAN COUNTY, NEW JERSEY

WHEREAS, the Township of Barnegat, County of Ocean, State of New Jersey (“Barnegat”), with a business office located at 900 West Bay Avenue, Barnegat Township, New Jersey, and the Township of Ocean, County of Ocean, State of New Jersey (“Ocean”) with a business office located at 50 Railroad Avenue, Waretown, New Jersey, have undertaken discussions in order to determine what services can be exchanged and shared by and between the municipalities in order to best serve the interests of the residents and taxpayers of each municipality; and

WHEREAS, the discussions have led to a determination by Barnegat and Ocean that the best interests of both municipalities will be served if the municipalities take advantage of the provisions of the Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq.; and

WHEREAS, the Township of Ocean now has their own Construction Official; and

WHEREAS, Barnegat Township now employs its own Plumbing Subcode Official; and

WHEREAS, as a result of these changes, the Township of Ocean and Barnegat Township find it necessary and appropriate to adopt a new Shared Services Agreement; and

WHEREAS, each party will provide back up and secondary services, whereby the Township of Ocean will provide secondary construction official services to Barnegat and Barnegat will provide secondary plumbing subcode official inspections to the Township of Ocean; and

WHEREAS, N.J.S.A. 40:65-1, *et seq.* specifically authorizes local government units to enter into agreements for the provision of shared services:

NOW, THEREFORE, in consideration of the mutual promises, agreements and other considerations made by and between the parties, Barnegat and Ocean do hereby agree as follows:

AGREEMENT

1. The Ocean will provide secondary construction official services to Barnegat; and

2. Barnegat will provide secondary plumbing subcode official inspections to the Township of Ocean.

3. This Agreement shall consist of the entire Agreement of the parties, and it is acknowledged that there is no side or oral Agreement relating to the undertakings as set forth. This Agreement and all rights, duties and obligations contained herein may not be assigned without either party's prior written permission.

4. It is understood and agreed by the parties that failure or delay in the enforcement of any of the provisions of this Agreement by either of the parties shall not be construed as a waiver of those provisions.

5. The parties acknowledge that this Agreement was reviewed by their respective Legal Counsel, and therefore, no presumption shall arise against the Drafter of this Agreement.

IN WITNESS WHEREOF, the appropriate elected officials of the Township of Barnegat and the Township of Ocean have placed their signatures and appropriate seals on this ____ day of _____, 2024.

ATTEST:

TOWNSHIP OF BARNEGAT

Donna Manno, Municipal Clerk

Joseph Marte, Mayor

ATTEST:

TOWNSHIP OF OCEAN

Diane B. Ambrosio, Municipal Clerk

Lydia Dodd, Mayor