

R-16-041

RESOLUTION APPROVING TEMPORARY PURCHASE AND SALE AGREEMENT
BETWEEN THE TOWNSHIP AND NORTH JERSEY DISTRICT WATER SUPPLY
COMMISSION

February 16, 2016

WHEREAS, the New Jersey Department of Environmental Protection determined that according to the revised NJDEP criteria, the Township water supply has a negative firm capacity; and

WHEREAS, this technical insufficiency restricts the Township's ability to issue new water main extension permits; and

WHEREAS, the Township Councils finds that it is in the best interests of the residents and taxpayers of the Township of Montclair to assure that the Township will have an adequate water supply in the future; and

WHEREAS, the Township presently is a member of and receives water from the Wanaque North Project, which is owned by the North Jersey District Water Supply Commission (the "Commission"); and

WHEREAS, the Commission has water available from the Wanaque South Project, to which Montclair is not a member; and

WHEREAS, the Township and the Commission have negotiated a temporary water purchase agreement (the "Agreement"), the form of which is attached hereto; and

WHEREAS, the Agreement provides that the Commission will sell one million gallons per day of potable water to the Township, for a period of 10 years with three options to renew for additional five-year terms; now, therefore, be it

RESOLVED, by the Township Council of the Township of Montclair, that the Agreement between the Township and the North Jersey District Water Supply Commission is approved in substantially the form and according to the terms attached hereto; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the Agreement, attested by the Township Clerk, in substantially the form attached hereto.

RECORD OF COUNCIL VOTE											
	YES	NO	ABS	N.V.	AB		YES	NO	ABS	N.V.	AB
Councilor Baskerville						Councilor Schlager					
Councilor Hurlock						Councilor Spiller					
Councilor McMahon						Mayor Jackson					
Deputy Mayor Russo											
X - Indicate Vote ABS - Abstain N.V. - Not Voting AB - Absent											

I HEREBY CERTIFY the foregoing to be a true copy of a Resolution adopted by the Council of the Township of Montclair, in the County of Essex, at its meeting held on January 16, 2016.

Linda S. Wanat
Clerk of the Township of Montclair, N.J.