

Passaic County Board of Chosen Freeholders

OFFICE OF THE
PASSAIC COUNTY FREEHOLDERS

Director Cassandra "Sandi" Lazzara
Deputy Director Bruce James
Assad R. Akhter
John W. Bartlett
Theodore O. Best, Jr.
Terry Duffy
Pasquale "Pat" Lepore

401 Grand Street
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Anthony J. De Nova III
Administrator
William J. Pascrell, III, Esq.
County Counsel
Louis E. Imhof, III, RMC
Clerk Of The Board



Public Meeting (Board Meeting)

Date: Oct 24, 2017 - 5:30 PM

Location: County Administration Building
220
401 Grand Street
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE COUNTY OF PASSAIC AND BOROUGH OF HAWTHORNE FOR THE PURCHASE OF SALT BRINE BY THE COUNTY FROM THE BOROUGH AND PERMITTING THE BOROUGH OF HAWTHORNE TO APPLY SALT BRINE ON PASSAIC COUNTY OWNED ROADWAYS IN HAWTHORNE DURING STORM EVENTS, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

REVIEWED BY:

Anthony J. De Nova III
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

William J. Pascrell, III, Esq.
COUNTY COUNSEL

Public Works

COMMITTEE NAME

Official Resolution#	R20170892							
Meeting Date	10/24/2017							
Introduced Date	10/24/2017							
Adopted Date	10/24/2017							
Agenda Item	k-28							
CAF #	7-01-26-151-001-238							
Purchase Req. #								
Result	Adopted							
FREEHOLDER	PRES.	ABS.	MOVE	SEC	AYE	NAY	ABST.	RECU
Lazzara	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.		✓						
Duffy	✓		✓		✓			
Lepore	✓			✓	✓			

PRES.= present ABS.= absent
MOVE= moved SEC= seconded
AYE= yes NAY= no ABST.= abstain
RECU.= recuse

Dated: October 25, 2017

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
BY AND BETWEEN THE COUNTY OF PASSAIC AND BOROUGH OF
HAWTHORNE FOR THE PURCHASE OF SALT BRINE BY THE
COUNTY FROM THE BOROUGH AND PERMITTING THE
BOROUGH OF HAWTHORNE TO APPLY SALT BRINE ON PASSAIC
COUNTY OWNED ROADWAYS IN HAWTHORNE DURING STORM
EVENTS**

WHEREAS the Borough of Hawthorne owns a system which produces brine, a substance used on road surfaces in anticipation of storm events that helps prevent icy conditions on roadways in extremely low temperatures; and

WHEREAS the County of Passaic through its Road Department is interested in not only purchasing brine for its use, but also is desirous of having the said Borough of Hawthorne apply brine to County roadways in Hawthorne; and

WHEREAS the parties are interested in accomplishing this goal by entering into a Shared Services Agreement which is authorized pursuant to Shared Services & Consolidation Act (N.J.S.A. 40A:65-1 et seq.); and

WHEREAS the Passaic County Administration and the Supervisor of Passaic County Roads have negotiated an Agreement that spells out the terms and conditions by which this would be accomplished and the Supervisor of Passaic County Roads is recommending same by letter dated October 19, 2017 (copy of letter and proposed Agreement attached hereto and made a part hereof); and

WHEREAS in order to properly prepare for the coming winter season, the Supervisor of Roads has, based on prior years, estimated that the cost to purchase said brine is anticipated to be

approximately \$1,500.00 and an additional \$3,000.00 for the

Borough of Hawthorne to apply the brine as needed on Passaic County Roads in Hawthorne at the rate established on the attached agreement; and

WHEREAS the Freeholder Committee for Public Works and Buildings & Grounds at its October 16, 2017 meeting reviewed this matter and is recommending that it be approved by the full Board; and

WHEREAS a certification is attached hereto indicating the availability of funds for said expenditure.

NOW THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Passaic that it hereby authorizes a Shared Services Agreement by and between the County of Passaic and Borough of Hawthorne authorizing the County to purchase salt brine from the Borough and permitting the said Borough to apply salt brine on Passaic County owned roadways in Hawthorne in anticipation of storm events for the prices and rates set forth in the attached Agreement.

BE IT FURTHER RESOLVED that the term of said Agreement shall be from December 1, 2017 through November 30, 2020 with an option for two (2) one-year renewals; however, the parties have agreed that if a storm event is anticipated the Agreement may take effect sooner.

BE IT FURTHER RESOLVED that the Director and Clerk to the Board as well as the County Counsel are authorized to execute this Agreement on behalf of the County of Passaic.

October 24, 2017

CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$1,500.00

APPROPRIATION: 7-01-26-151-01-238
\$3,000.00* Contingent upon availability of Funds
in the 2018,2019&2020 adopted
budget.

PURPOSE: Resolution authorizing shared services agreement
between County of Passaic and Borough of
Hawthorne for the purchase of Salt Brine and
permitting the Borough of Hawthorne to apply salt
brine on the County owned roadways; December 1,
2017- November 30, 2020.


Richard Cahill, Chief Financial Officer

DATED: October ²⁴~~10~~, 2017



County of Passaic

Administration Building Annex

307 Pennsylvania Avenue • Paterson, New Jersey 07503

ROAD DEPARTMENT

Kenneth A. Simpson, CPWM
Passaic County
Supervisor of Roads

TEL: (973) 881-4500
FAX: (973) 742-2498
kenneths@passaiccountynj.org

October 19, 2017

Mr. Michael Glovin, Esq.
Deputy Passaic County Counsel
Passaic County Counsel's Office
401 Grand Street
Paterson, New Jersey 07505

Re: Shared Service Agreement – County of Passaic and Borough of Hawthorne

Dear Mr. Glovin:

The above referenced matter was brought before the Public Works Buildings and Grounds Committee at their meeting on Monday, October 16, 2017 and approved. They have directed that the matter of a Shared Service Agreement between the Borough of Hawthorne and the County of Passaic for the sale of Brine to the County of Passaic, and application of Brine on County roads within the Borough of Hawthorne by the Borough of Hawthorne during storm events be put before the Board of Chosen Freeholders at their next scheduled meeting for approval.

Attached you will find two resolution request forms, two requisitions and a list of Passaic County Roads within the Borough of Hawthorne which are included in the Shared Service Agreement. The agreement is effective December 1, 2017 thru November 30, 2020 with an option for two one year renewals.

If you should have any questions, or I can be of additional assistance, please feel free to contact me at 973-881-4500.

Very truly yours,

Kenneth A. Simpson
Supervisor Passaic County Roads

esc
Enclosures

Introduced on: October 24, 2017
Adopted on: October 24, 2017
Official Resolution#: R20170892

**COUNTY OF PASSAIC
RESOLUTION REQUEST FORM**

1. NAME OF REQUESTER: Kenneth A. Simpson, CPWM, Supervisor of Roads
 Telephone #: 973-881-4500 Date: 10-19-17

DESCRIPTION OF RESOLUTION: Authorizing the purchase of Brine Solution from the Borough of Hawthorne, 445 Lafayette Avenue, Hawthorne, NJ at the rate of \$0.22 per gallon for contract period 12/01/2017 thru 11/30/2020 as per Shared Service Agreement for Sale and Use of Brine during Storm Events

PROCUREMENT SOLICITATION (if any)#: _____

2. CERTIFICATION INFORMATION:

ATTACH A COPY OF THE REQUISITION FROM EDMUNDS

PLEASE NOTE THAT RESOLUTIONS FOR ALL CONTRACT AWARDS AND OTHER EXPENDITURES REQUIRE A REQUISITION. RESOLUTION REQUESTS FOR EXPENDITURES WILL NOT BE CONSIDERED WITHOUT A REQUISITION NUMBER

3. AMOUNT OF EXPENDITURE: \$ 500.00 (2017) _____

REQUISITION # R7-06328
ACCOUNT # 7-01-26-151-001-238

4. COMMITTEE REVIEW:	<u>DATE</u>
___ Administration & Finance	_____
<u>XX</u> Public Works / Buildings & Grounds	<u>10/16/17</u>
___ Planning & Economic Development	_____
___ Health, Human Services & Community Affairs	_____
___ Law & Public Safety	_____
___ Energy	_____
___ Other Specify: _____	_____

5. DISTRIBUTION LIST:

- ___ Administration
- ___ Finance
- ___ Counsel
- ___ Clerk to the Board
- ___ Procurement

Specify:

Introduced on: October 24, 2017
 Adopted on: October 24, 2017
 Official Resolution#: R20170892

COUNTY OF PASSAIC
 ROADS DEPT, CO OF PASSAIC
 (Q) 973-881-4500
 307 PENNSYLVANIA AVENUE
 PATERSON, NJ 07503

REQUISITION	
NO.	R7-06328

SHIP TO	
VENDOR	VENDOR #: 00113 HAWTHORNE, BORO OF 445 LAFAYETTE AVENUE HAWTHORNE, NJ 07506

ORDER DATE: 10/19/17
 DELIVERY DATE:
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE BOROUGH OF HAWTHORNE FOR THE PURCHASE OF BRINE FOR USE ON PASSAIC COUNTY ROADS FROM DECEMBER 1, 2017 THRU NOVEMBER 30, 2020 AT THE RATE OF \$0.22 PER GALLON PLEASE SET UP FOR PARTIAL PAYMENTS AS PER RESOLUTION NO.	7-01-26-151-001-238	500.0000	500.00
			TOTAL	500.00

Introduced on: October 24, 2017
 Adopted on: October 24, 2017
 Official Resolution#: R20170892

REQUESTING DEPARTMENT

DATE

**COUNTY OF PASSAIC
RESOLUTION REQUEST FORM**

1. NAME OF REQUESTER: Kenneth A. Simpson, CPWM, Supervisor of Roads
 Telephone #: 973-881-4500 Date: 10-19-17

DESCRIPTION OF RESOLUTION: Authorizing payment of fees for the application of Brine Solution to Passaic County Roads and Bridges located within the Borough of Hawthorne by the Borough of Hawthorne, 445 Lafayette Avenue, Hawthorne, NJ at the rate of \$27.00 per lane miles per Shared Service Agreement from 12/01/17 thru 11/30/20.

PROCUREMENT SOLICITATION (if any)#: _____

2. CERTIFICATION INFORMATION:

ATTACH A COPY OF *THE REQUISITION FROM EDMUNDS*

PLEASE NOTE THAT RESOLUTIONS FOR ALL CONTRACT AWARDS AND OTHER EXPENDITURES REQUIRE A REQUISITION. RESOLUTION REQUESTS FOR EXPENDITURES WILL NOT BE CONSIDERED WITHOUT A REQUISITION NUMBER

3. AMOUNT OF EXPENDITURE: \$ 1,000.00 (2017)

REQUISITION # R7-06329

ACCOUNT # 7-01-26-151-001-238

- | | |
|--|-----------------|
| 4. COMMITTEE REVIEW: | <u>DATE</u> |
| <u> </u> Administration & Finance | _____ |
| <u> XX</u> Public Works / Buildings & Grounds | <u>10/16/17</u> |
| <u> </u> Planning & Economic Development | _____ |
| <u> </u> Health, Human Services & Community Affairs | _____ |
| <u> </u> Law & Public Safety | _____ |
| <u> </u> Energy | _____ |
| <u> </u> Other Specify: _____ | _____ |

5. DISTRIBUTION LIST:

- Administration
- Finance
- Counsel
- Clerk to the Board
- Procurement

Specify:

Introduced on: October 24, 2017
 Adopted on: October 24, 2017
 Official Resolution#: R20170892

COUNTY OF PASSAIC
 ROADS DEPT, CO OF PASSAIC
 (O) 973-881-4500
 307 PENNSYLVANIA AVENUE
 PATERSON, NJ 07503

REQUISITION	
NO.	R7-06329

S H I P T O	
V E N D O R	VENDOR #: 00113 HAWTHORNE, BORO OF 445 LAFAYETTE AVENUE HAWTHORNE, NJ 07506

ORDER DATE: 10/19/17
 DELIVERY DATE: 10/19/17
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE BOROUGH OF HAWTHORNE FOR THE APPLICATION OF BRINE ONTO PASSAIC COUNTY ROADS LOCATED IN THE BOROUGH OF HAWTHORNE BY BOROUGH EMPLOYEES USING EQUIPMENT SUPPLIED BY THE BOROUGH OF HAWTHORNE FROM DECEMBER 1, 2017 THRU NOVEMBER 30, 2020 AT THE RATE OF \$27.00 PER LANE MILE PLEASE SET UP FOR PARTIAL PAYMENTS AS PER RESOLUTION NO.	7-01-26-151-001-238	1,000.0000	1,000.00
			TOTAL	1,000.00

Introduced on: October 24, 2017
 Adopted on: October 24, 2017
 Official Resolution#: R20170892

REQUESTING DEPARTMENT

DATE

County Road No	Name of Roadway	Bounds From/To	Miles	Lane Miles
654	Diamond Bride Avenue	Goffle Road to Lincoln Avenue	0.93	1.86
659	Goffle Road	North 6th Street to Rock Road	2.87	5.74
667	Goffle Hill Road	Lafayette Avenue to Sicomac Avenue	1.55	3.1
665	Lafayette Avenue	Wagaraw Road to #1084 Lafayette Avenue	2.37	4.74
653	Lincoln Avenue	Wagaraw Road to Rock Road	1.74	3.48
657	North 8th Street	Prescott Avenue to Goffle Road	0.37	0.74
664	Rae Avenue (Extension)	Old Orchard Drive to Goffle Road	1.69	3.38
664	Rae Avenue	Goffle Road to North Fourth Avenue		
664	Rae Avenue	Fifth Avenue to Corneil Avenue		
664	Rae Avenue	Lincoln Avenue to NJ Highway #208		
504	Wagaraw Road	Goffle Road to Lincoln Avenue	0.97	1.94
	Warburton Avenue	Goffle Road to Lincoln Avenue	0.93	1.86

Total 13.42 26.84

**SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND
BOROUGH OF HAWTHORNE FOR SALE OF BRINE FOR USE IN STORM EVENTS**

THIS AGREEMENT, made this day of , 2017, by and between THE BOROUGH OF HAWTHORNE, 445 Lafayette Avenue, Hawthorne, New Jersey, (Hawthorne); and THE COUNTY OF PASSAIC, 401 Grand Street, Paterson, (Passaic County);

WITNESSETH THAT:

WHEREAS, the Borough of Hawthorne (Hawthorne) is the owner of a brine system which produces brine for spreading on road surfaces in anticipation of storm events; and

WHEREAS, the County of Passaic (Passaic County) has requested that Hawthorne sell brine to Passaic County for spreading on road surfaces in Ridgewood in anticipation of storm events; and

WHEREAS, Passaic County has also requested that Hawthorne apply brine to County Roads in Hawthorne, at the rate of reimbursement and in accordance with the terms of this agreement; and

WHEREAS, the parties wish to enter into an agreement pursuant to the Shared Services and Consolidation Act, NJSA 40A:65-1, et. seq., whereby Passaic County, through its Department of Public Works, would purchase brine through Hawthorne, through its Department of Public Works, and Hawthorne would apply brine to County Roads in Hawthorne, with Passaic County reimbursing Hawthorne for such work, with each party and its residents to gain benefit through the cooperative nature of the relationship; and

NOW, THEREFORE, Hawthorne and Passaic County agree as follows:

1. Hawthorne agrees to supply Passaic County with brine in anticipation of storm events at its DPW facility on Goffle Road, or such other location as may be designated in the

event Hawthorne moves the brine producing equipment it owns. Passaic County shall be responsible for pick-up of the product in vehicles equipped for accepting the same.

2. The term of the agreement shall be for a period of three years, from December 1, 2017 to November 30, 2020. This agreement shall be extended for two successive one year terms unless either party delivers to the other a written notice electing not to continue the agreement by September 30th of the year in which the agreement is to expire.
3. The cost of brine shall be as follows:
 - a. The base price shall be twenty-two (\$.22) cents per gallon in year one of the agreement. In all subsequent years, the cost of brine will remain at \$.22 cents per gallon, provided that the cost Hawthorne pays for salt, currently \$57 per ton, remains at a price less than \$65 per ton. If the price is \$65 per ton or more, but less than \$75 per ton, the cost of brine will increase by \$.01 cent to \$.23 cents per gallon. If the price of salt is \$75 per ton or more, but less than \$85 per ton, the price will increase by \$.02 cents, to \$.24 cents per gallon, and so forth based upon incremental increases in the price of salt.
 - b. In the event Hawthorne is unable to produce brine due to an insufficiency in its salt supply, Passaic County may supply its own salt and receive a credit of six (\$.06) cents per gallon of the base price.
 - c. Hawthorne shall bill Passaic County for brine on a monthly basis or such other manner as the parties may agree. Passaic County shall remit payment to Hawthorne on a thirty day basis.

4. Brine shall be provided as needed with no minimum purchase and a maximum purchase of 3,200 gallons per storm event. Brine may generally be picked-up between the hours of 7:00 a.m. and 3:30 p.m., Monday through Friday excepting holidays, or at such time as Hawthorne may be mobilizing in anticipation of a storm event. Passaic County may request pick-up of brine at times where Hawthorne is not conducting regular business operations or mobilizing for a storm event. In such instance, if Hawthorne is able to accommodate the request, there shall be an additional five (\$.05) cent per gallon charge. Hawthorne shall not be obligated to provide brine in such circumstance but will attempt to accommodate such request.
5. Hawthorne shall not be responsible for the inability to provide brine. This would include a failure of equipment, insufficient supplies or any other reason. Hawthorne nevertheless agrees to use best efforts with the understanding that brine will also be produced for use by Hawthorne in its own storm management operations and by other communities or entities that may similarly be purchasing brine.
6. Hawthorne makes no representation or warranty as to the brine to be delivered. Passaic County shall indemnify and hold Hawthorne harmless against any third party claims resulting from its spreading of the brine or storm management operations. Hawthorne's sole obligation is to make brine available for pick-up to the extent it is able to do so.
7. In addition to the foregoing, Hawthorne agrees to apply brine to County Roads in Hawthorne when Hawthorne determines to apply brine to municipally owned roads in Hawthorne. In addition, Hawthorne agrees to brine County Roads when given specific direction by the County of Passaic in anticipation of a storm event, subject to

CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$1,500.00

APPROPRIATION: 7-01-26-151-01-238
\$3,000.00* Contingent upon availability of Funds
in the 2018,2019&2020 adopted
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PURPOSE: Resolution authorizing shared services agreement
between County of Passaic and Borough of
Hawthorne for the purchase of Salt Brine and
permitting the Borough of Hawthorne to apply salt
brine on the County owned roadways; December 1,
2017- November 30, 2020.


Richard Cahill, Chief Financial Officer

DATED: October 10, 2017