

RESOLUTION NUMBER 2009-393

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF OCEAN FOR TOWNSHIP IMPROVEMENT WORK ASSOCIATED WITH THE WEST BAY AVENUE (CR 554) ROAD IMPROVEMENT PROJECT

WHEREAS, the County of Ocean has authorized an investment in excess of sixty (60) million dollars in numerous county roadway improvements including the West Bay Avenue (CR554) Road Improvement Project, and

WHEREAS, the estimated cost of this project is 9.9 million dollars and consist of reconstruction and road widening of West Bay Avenue from Gunning River Road to Fourth Street, and

WHEREAS, specific improvement work includes road widening, enhanced storm water management infrastructure, traffic signal modernization, and construction of curbs and sidewalks, along with improvements to Lighthouse Drive, and

WHEREAS, the Ocean County Engineer's Office is the lead agency for the county on this project and provides oversight and coordination to insure proper and effective construction management of this project, and

WHEREAS, it was deemed in the best interest of the county and the township that certain work that is the responsibility of the township be performed by county contractors, and

WHEREAS, by the Township using county contractors, the work was able to be accomplished in a safe, efficient and cost effective manner by utilizing contractors under the control of the county, and

WHEREAS, it is necessary for the Township to formalize this working relationship by executing an intergovernmental agreement with the County of Ocean in order to recognize the scope of work undertaken by the county on behalf of the Township along with the associated amount of cost reimbursement required for this work, and

WHEREAS, the standard Schedule “C” agreement with the County is not sufficient for this work since a portion of the funding for this improvement project was secured from the federal government which requires a separate resolution and related agreement in order to properly document this relationship, and

WHEREAS, work that was performed by the county contractor on behalf of the Township includes, but is not limited to the following items:

- A) Water and sewer utility conflicts
- B) Relocation of township drainage facilities
- C) Relocation of township fire protection infrastructure
- D) Construction of cul-de-sac at Second Street

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, of the following:

1. The Township authorizes and directs the Mayor, Township Administrator, Chief Financial Officer and Township Clerk to execute any and all documents necessary to implement the intent and purpose of this resolution in a timely manner.
2. Once final cost associated with this work is determined along with the receipt of suitable invoices along with any other needed documentation from the County, the Township authorizes the Township Administrator and Chief Financial Officer to pay in full to the County of Ocean in accordance with applicable laws and regulations.
3. A certified copy of this resolution shall be forwarded by the Township Clerk to the following individuals:

- (a) Honorable Jeffrey Melchiondo, Mayor

- (b) David Breeden, Township Administrator
- (c) Kathleen Janeski, Chief Financial Officer
- (d) Jerry Dasti, Township Attorney
- (e) John Hess, Township Engineer
- (f) Frank Scarantino, Ocean County Engineer

CERTIFICATION

I, Kathleen T. West, 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 of said Township at their regular meeting held on the 15th day of June, 2009, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

**Kathleen T. West, RMC
Municipal Clerk**