

**AN ORDINANCE OF THE TOWNSHIP OF NORTH BRUNSWICK AUTHORIZING
THE EXECUTION OF A PUBLIC-PRIVATE AGREEMENT WITH VEOLIA WATER
NORTH AMERICA OPERATING SERVICES, LLC FOR THE OPERATION,
MAINTENANCE, MANAGEMENT, AND REPAIR SERVICES FOR THE MUNICIPAL
WATER SYSTEM**

WHEREAS, the Township of North Brunswick (hereinafter referred to as “Township”) is a municipal corporation within the County of Middlesex and is the owner of its water treatment plant, transmission and distribution lines (collectively hereinafter the “Water System”), which services over 11,000 customer accounts, including residential, commercial and business; and

WHEREAS, on February 7, 2022, the Municipal Council authorized the Township to solicit proposals from qualified vendors for a public/private partnership agreement for the operation, maintenance, management, and repair services for the Township’s municipal water system; and

WHEREAS, the Township received a response from Veolia Water North America Operating Services, LLC (hereinafter referred to as “Veolia”); and

WHEREAS, Veolia is a qualified vendor able to provide operation, maintenance, management, and repair services as it has done for hundreds of other municipalities throughout the country; and

WHEREAS, the Township is permitted to enter into a contract with Veolia, pursuant to N.J.S.A. 58:19, et seq., “New Jersey Water Supply/Wastewater Treatment Public-Private Contracting Act;” and

WHEREAS, pursuant to Resolution No. 202-6.22, adopted on June 27, 2022, the Township’s Municipal Council accepted the bid of Veolia Water North America Operating Services, LLC, located at 461 From Road, Suite 400, Paramus, New Jersey 07652, and awarded a contract for the operation, maintenance, management, and repair services for the municipal water system; and

WHEREAS, having accepted the bid and awarded the contract, the Township thereby scheduled and held a public hearing on July 25, 2022 on the proposed Public-Private Partnership Agreement; and

WHEREAS, the New Jersey Water Supply/Wastewater Treatment Public-Private Contracting Act requires the introduction of an ordinance after the public hearing on a proposed public-private agreement for water supply services, approving the public-private agreement and acknowledging that the proposed contract requires the approval of the Board of Public Utilities and the Local Finance Board pursuant to N.J.S.A. 58:26-25.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of North Brunswick, Middlesex County, State of New Jersey:

1. The Municipal Council hereby approves the Public-Private Partnership Agreement for the Operation Maintenance, Management and Repair of the Township of North Brunswick Municipal Water System between the Township and Veolia for execution in substantially the form to the Agreement attached hereto with such changes as shall be approved on advice of the Township Attorney and subject to the review and approval of the Board of Public Utilities and the Local Finance Board pursuant to NJSA 58:26-25.
2. The Mayor and Clerk are hereby authorized to execute the Agreement any and all necessary documents pursuant to said Public-Private Partnership Agreement.
3. The Mayor and Business Administrator are hereby authorized to take any and all actions necessary pursuant to N.J.S.A. 58:26-25 to apply to the Board of Public Utilities and Local Finance Board in order to obtain all necessary approvals of the Public-Private Partnership Agreement.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and in effect; and

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known as may be cited as the Ordinance Authorizing the Execution of a Public-Private Agreement with Veolia Water North America Operating Services, LLC for the Operation, Maintenance, Management, and Repair Services for the Municipal Water System.

Justine Progebin
Business Administrator

Ronald H. Gordon, Township Attorney
(Approved as to legal form)

RECORDED VOTE FIRST READING

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MEHTA				
LOPEZ				
GUADAGNINO				
ANDREWS				
SOCIO				
DAVIS				
MAYOR WOMACK				

RECORDED VOTE SECOND READING

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MEHTA				
LOPEZ				
GUADAGNINO				
ANDREWS				
SOCIO				
DAVIS				
MAYOR WOMACK				

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on _____
_____.

Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect _____, upon passage and publication in accordance with applicable law.

- APPROVED
- REJECTED

Francis M. Womack III, Mayor
Township of North Brunswick

Date Signed: _____, 2022

ATTACHMENT A
(Public-Private Partnership Agreement)