

SALEM COUNTY IMPROVEMENT AUTHORITY

RESOLUTION 2023-45

March 9, 2023

**RESOLUTION OF THE SALEM COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING AN AMENDMENT TO THE HOST COMMUNITY BENEFITS
AGREEMENT WITH ALLOWAY TOWNSHIP**

WHEREAS, the Salem County Improvement Authority (“SCIA”) entered into a Host Community Benefits Agreement (“HCB”) with Alloway Township (“Township”) on January 9, 2015; and

WHEREAS, the HCB provides that SCIA will pay a fee to the Township for every ton of Type 10 solid waste received by the landfill until same is designated as a closed site, as set forth in Paragraph 6 of the HCB; and

WHEREAS, the HCB currently provides for the “payment per ton” which is paid to the Township, as calculated and set forth in Paragraph 5(a) of the HCB, to be increased every three years, if there has been an increase in the previous year for Type 10 Municipal Waste; however, the Township has requested the agreement provide for a review of the “payment per ton” every year; and

WHEREAS, the parties wish to enter into an amendment of Paragraph 5(b) of the HCB to provide for a yearly review of the “payment per ton” provision; and

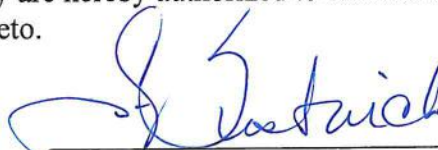
WHEREAS, the proposed amendment to the HCB is attached hereto as Exhibit A and made a part of this Resolution; and

NOW THEREFORE, BE IT RESOLVED by SCIA as follows:

1. The SCIA Chairman and Secretary are hereby authorized to execute the amendment to the HCB as set forth in Exhibit A, attached hereto.



Barry Davis, Secretary



Susan Bestwick, Chairperson

CERTIFICATION

I hereby certify the above to be a true copy of a resolution adopted by the SCIA at a regular meeting held on March 9, 2023.



Barry Davis, Secretary

**AMENDMENT TO THE HOST COMMUNITY BENEFITS AGREEMENT
BETWEEN THE SALEM COUNTY IMPROVEMENT AUTHORITY
AND ALLOWAY TOWNSHIP**

THIS AGREEMENT made this ____ day of _____ 2023, by and between the **Salem County Improvement Authority**, (hereinafter the "Authority") and **Alloway Township**, (hereinafter the "Township"), amends a Host Community Benefits Agreement, (the "HCB") entered into by the parties on or about January 9, 2015, as follows:

A. The last sentence of Paragraph 5(b) is deleted in its entirety and replaced with the following sentence: "Thereafter, the economic benefit rate per ton shall be recalculated every year in the same manner, giving the Township an increase in the same amount of the increase in the Authority's Type 10 Municipal Waste Rate over the previous year's time period, if any".

B. **Salem County Board of Commissioners Approval.** Notwithstanding the execution of this amendment to the HCB by the Authority and the Township, this amendment shall not be enforceable by either party until the expiration of the statutory veto period set forth in N.J.S.A. 40:37A-50.

C. **Authorization.** Execution of this amendment to the HCB by the officials set forth below has been duly authorized by the appropriate resolutions of the Authority and the Township at a properly noticed public meeting of each of the respective governing bodies.

D. In all other respects, the provisions of the HCB shall remain as in original executed form.

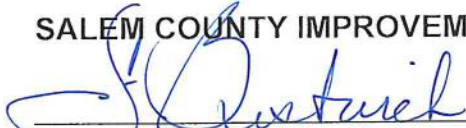
ATTEST:



By: Barry Davis, Secretary

Dated:

SALEM COUNTY IMPROVEMENT AUTHORITY



By: Susan Bestwick, Chairperson

Dated:

ATTEST:

ALLOWAY TOWNSHIP

By: Charlet Cheeseman, Clerk

Dated:

By: P. Ed McKelvey, Mayor

Dated: