

SALEM COUNTY IMPROVEMENT AUTHORITY

RESOLUTION 2023-97

October 12, 2023

**RESOLUTION OF THE SALEM COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING AN AMENDMENT TO THE HOST COMMUNITY BENEFITS
AGREEMENT WITH ALLOWAY TOWNSHIP AND AUTHORIZING TRANSFER OF
A ROLL OFF TRUCK TO 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, pursuant to Resolution 2023-45 SCIA authorized an amendment to the HCB whereupon a review of the “payment per ton” would take place on a yearly basis. The parties never executed the amendment to the agreement; and

WHEREAS, pursuant to Resolution 2023-46 SCIA authorized the increase in the host community benefit rate to \$2.85 with the resolution referencing Resolution 2023-45 with respect to the yearly review; and

WHEREAS, this resolution voids and replaces Resolution 2023-45 and modifies any reference to a yearly review as contained in Resolution 2023-46 to reflect a review every four (4) years; 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 parties have agreed to an amendment of the HCB so as to provide for a review of the “payment per ton” every four (4) years, in accordance with the Agreement attached hereto as Exhibit A; and

WHEREAS, as additional compensation for the amendment to the HCB, SCIA has agreed to transfer ownership of a 2003 Peterbilt truck, VIN 2NPNL D9X83 M8040 79, which is no longer used or needed by SCIA, to Alloway Township; 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; and

2. The SCIA Executive Director is authorized to take all steps necessary to transfer ownership of the 2003 Peterbilt truck, VIN 2NPNL D9X83 M8040 79, to Alloway Township

Michael Bercute
Michael Bercute, Alt. Treasurer/Secretary

Susan Bestwick
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 October 12, 2023.

Michael Bercute
Michael Bercute, Alt. Treasurer/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 "HBC") 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 four (4) years 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. As additional compensation for the amendment to the HCB and as an additional benefit to the host community, namely Alloway Township, SCIA agrees to transfer ownership of a 2003 Peterbilt truck, VIN 2NPNL D9X83 M8040 79, which is no longer used or needed by SCIA, to Alloway Township and Alloway Township agrees to accept same as further host community benefit compensation; and

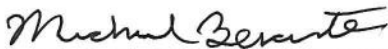
C. **Salem County Board of Commissioners Approval.** Notwithstanding the execution of this amendment to the HBC by the Authority and the Township, this amendment shall not be enforceable by either party until the expiration of the statutory veto period set forth in N.J.S.A. 40:37A-50.

D. **Authorization.** Execution of this amendment to the HBC 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.

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

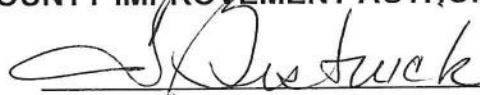
ATTEST:

SALEM COUNTY IMPROVEMENT AUTHORITY



By: Michael Bercute/Alt. Secretary/Treasurer

Dated:



By: Susan Bestwick, Chairperson

Dated:

ATTEST:

ALLOWAY TOWNSHIP

By: Charlet Cheeseman, Clerk

Dated:

By: P. Ed McKelvey, Mayor

Dated: