

## RESOLUTION 59-2018

### RESOLUTION OF THE BOROUGH OF WOODBURY HEIGHTS AUTHORIZING THE EXECUTION OF A WATER SUPPLY INTERCONNECTION AGREEMENT BETWEEN THE TOWNSHIP OF WEST DEPTFORD AND THE BOROUGH OF WOODBURY HEIGHTS (GRISCOM LANE AND ROUTE 45)

**WHEREAS**, the Water Supply Management Act Rules, N.J.A.C. 7:19-6, et seq., promulgated by the New Jersey Department of Environmental Protection (NJDEP) permit the interconnection of adjacent water supply systems; and

**WHEREAS**, the Township of West Deptford (hereinafter referred to as "Township") and the Borough of Woodbury Heights (hereinafter referred to as "Borough") have for many years maintained an interconnection of their water supply systems at Griscom Lane and Route 45 for use in times of emergency; and

**WHEREAS**, the said NJDEP rules, specifically N.J.A.C. 7:19-6.9(g) require that entities maintaining interconnected systems enter into a written agreement setting forth the conditions for use of the interconnection, which agreement must be filed with and approved by NJDEP; and

**WHEREAS**, a Water Supply Interconnection Agreement ("Agreement") between the Township and the Borough has been prepared and attached hereto memorializing the conditions which have been understood and adhered to between the parties for many years pertaining to the pre-existing interconnection at Griscom Lane and Route 45 in order to comply with the said NJDEP requirement for an approved written agreement; and

**WHEREAS**, both the Township and the Borough have reviewed the Agreement and desire to enter into same.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Woodbury Heights, County of Gloucester and State of New Jersey on this 25<sup>th</sup> day of April, 2018 that the Borough of Woodbury Heights does hereby authorize the execution of a Water Supply Interconnection Agreement between the Township of West Deptford and the Borough

of Woodbury Heights regarding the interconnection located at Griscom Lane and Route 45.

**ADOPTED** at the meeting of the Borough Council of the Borough of Woodbury Heights held on April 25, 2018.

**BOROUGH OF WOODBURY HEIGHTS**

BY:   
**ROBBIE J. CONLEY, MAYOR**

**ATTEST:**

  
**JANET PIZZI, BOROUGH CLERK**

The foregoing Resolution was duly adopted by the Borough Council of the Borough of Woodbury Heights at the Meeting held April 25, 2018.

  
**JANET PIZZI, BOROUGH CLERK**

**WATER SUPPLY INTERCONNECTION AGREEMENT BETWEEN THE TOWNSHIP OF WEST DEPTFORD AND THE BOROUGH OF WOODBURY HEIGHTS**

THIS AGREEMENT made this 25<sup>th</sup> day of April,

2018 between the **TOWNSHIP OF WEST DEPTFORD**, with offices located at 400 Crown Point Road, West Deptford, New Jersey 08086 and the **BOROUGH OF WOODBURY HEIGHTS**, with offices located at 500 Elm Avenue, Woodbury Heights, New Jersey 08097.

**WHEREAS**, the Water Supply Management Act Rules, N.J.A.C. 7:19-6, et seq., promulgated by the New Jersey Department of Environmental Protection (NJDEP) permit the interconnection of adjacent water supply systems; and

**WHEREAS**, the Township of West Deptford and the Borough of Woodbury Heights have for many years maintained an interconnection of their water supply systems for use in times of emergency; and

**WHEREAS**, the said NJDEP rules, specifically N.J.A.C. 7:19-6.9(g) require that entities maintaining interconnected systems enter into a written agreement setting forth the conditions for use of the interconnection, which agreement must be filed with and approved by NJDEP; and

**WHEREAS**, it is the intention of the parties to memorialize in this agreement the conditions which have been understood and adhered to between the parties for many years pertaining to the pre-existing interconnection in order to comply with the said NJDEP requirement for an approved written agreement.

**NOW THEREFORE**, the Township of West Deptford and the Borough of Woodbury Heights hereby agree as follows:

1. The water supply systems of the Township of West Deptford and the Borough of Woodbury Heights shall be interconnected. The location of the said interconnection is located on Griscom Lane and Route 45 at or near the municipal



boundary of the Township of West Deptford and the Borough of Woodbury Heights. The interconnection consists of a six (6) inch main interconnect which is not metered and has two valves to control the interconnect.

2. The point of interconnection shall remain closed so that no water from one system flows into the other system, except as provided in this agreement.
3. The interconnection may be opened only in times of emergency and with the express approval of duly authorized officials of both parties to this agreement. Time of emergency, for purposes of this agreement, shall mean an unforeseeable and unanticipated loss or substantial decrease in water supply or pressure caused by the malfunctioning of one or more wells, the need to fight a large fire, or other similar events. When such an emergency occurs, the party in need of additional water shall notify the other and request permission to immediately open the interconnection, which permission shall not be unreasonably withheld. The interconnection shall remain open until the emergency is ended. The party experiencing the emergency shall exercise all due diligence to eliminate the emergency condition as soon as possible.
4. The party supplying the water during such time of emergency shall be entitled to be compensated by the other party at the standard rates provided for in the applicable ordinance of the supplying party. Payment shall be due from the receiving party immediately upon presentation of a bill by the supplying party.
5. The parties shall be jointly responsible for and shall cooperate with each other in maintaining all equipment which constitutes the interconnection.


6. This agreement shall be of indefinite duration and shall continue in full force and effect unless terminated by either party. Either party shall have the right to terminate this agreement upon ninety (90) days written notice to the other party.
7. It is the intention of the parties in entering into this agreement to memorialize the past practices which have existed for many years between the parties with respect to the interconnection of their water systems. Therefore, in interpreting any provisions of this agreement, past practices shall be given great weight.
8. Both parties agree to abide by all provisions of the aforementioned Water Supply Management Act Rules promulgated by the NJDEP, together with any amendments and supplements which may hereafter be adopted, insofar as such rules pertain to interconnection agreements.

**IN WITNESS WHEREOF**, the parties have hereunto set their hand and affixed their seal the day and year first written above.

**WITNESS:**

  
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Lee Ann DeHart, Registered Municipal Clerk

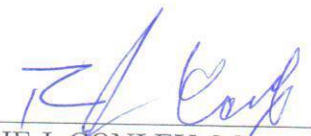
**TOWNSHIP OF WEST DEPTFORD**

  
\_\_\_\_\_  
DENICE DICARLO, Mayor

**WITNESS:**

  
\_\_\_\_\_  
Janet Pizzi, Clerk/Administrator

**BOROUGH OF WOODBURY HEIGHTS**

  
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ROBBIE J. CONLEY, Mayor