

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2015-343

Meeting Date: 09-15-2015 Date Adopted 09-15-2015

TITLE: RESOLUTION AUTHORIZING THE CANCELLATION OF THE AGREEMENT BETWEEN THE BOROUGH OF NEW PROVIDENCE AND ALCATEL-LUCENT RELATING TO THEIR USE OF OUR SANATIRY SEWER SYSTEM AND AUTHORIZATION TO BEGIN NEGOTIATIONS FOR A SUBSEQUENT AGREEMENT.

Councilperson Madden submitted the following resolution, which was duly seconded by Councilperson Muñoz.

WHEREAS, on February 27, 2013, the Borough of New Providence entered into an agreement with Alcatel-Lucent to accept approximately 50,000 gallons per day of their standard facility wastewater, and;

WHEREAS, said agreement renews automatically noting that the agreement may be terminated by either party on 90 days written notification.

WHEREAS, the Lantern Hill project is expected to be completed in March of 2015 when we expect to begin accepting flow from their site, and ;

WHEREAS, limiting the amount of flow from Alcatel-Lucent is critical to assure adequate capacity within our sewer mains, and;

WHEREAS, recording accurate flow data is critical. Alcatel-Lucent shall be required to install a flow meter under our control for comparing flow reported by Lucent versus actual flow, and;

WHEREAS, reconsideration of the charges associated with said services is appropriate at this time.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of New Providence, County of Union and State of New Jersey authorize the Borough Administrator to send notification to Alcatel-Lucent of our intention to terminate the agreement effective December 31, 2015.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Mayor and Council further direct the administrator to engage in negotiations with Alcatel-Lucent for a new

lease agreement that addresses the points contained in this resolution, in addition to other factors he may deem appropriate. Said agreement shall be reviewed by the Mayor and Borough Council and authorization for said agreement shall be via resolution of the governing body.

APPROVED, this 15th day of September, 2015.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO				X
KAPNER	X			
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 15th day of September, 2015.

Wendi B. Barry, Borough Clerk

Borough Of New Providence
County Of Union
State Of New Jersey

Allen Morgan, Mayor

Funds are hereby certified as available.

Finance Dept.