

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LIVINGSTON AUTHORIZING AN AGREEMENT WITH NEW JERSEY AMERICAN WATER**

**WHEREAS**, the Township of Livingston entered into its current agreement with New Jersey American Water Company (NJAWC) on January 16, 2012; and

**WHEREAS**, this initial agreement is a General Metered Service (GMS) contract under which the Township is obligated to purchase 300 million gallons of water per year at a cost of approximately \$6,343 per million gallons;

**WHEREAS**, the Township has the ability to switch to a Commodity Demand (CD) type contract under which the Township will establish a daily contracted amount of purchase water from NJAW at a cost of approximately \$3,043 per million gallons;

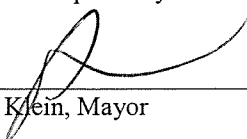
**WHEREAS**, the Township must provide notification to NJAW of its intent to switch to a CD type contract by December 31, 2017 with the new agreement going into effect two years following notification; and

**WHEREAS**, the Township must establish the final Nominated Demand within six (6) months of this notification, and as per the current contract with NJAW on the conversion date, pay NJAW \$288,628 to settle past disputes over purchased water; and

**WHEREAS**, this renegotiated purchase agreement has been recommended by Jeannette Harduby, Township Engineer and Russell Jones, Acting Township Manager; and

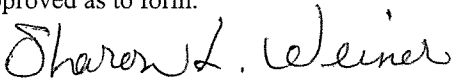
**NOW, THEREFORE, BE IT RESOLVED**, the Township Council of the Township of Livingston, County of Essex, State of New Jersey that the Township Council authorizes entering into a CD type contract with NJAW.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be published in the West Essex Tribune as required by law.

  
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Shawn Klein, Mayor

  
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Glenn R. Turteltaub, Township Clerk

Approved as to form:

  
Sharon L. Weiner, Township Attorney

Adopted: December 18, 2017