

**BOROUGH OF LONGPORT
RESOLUTION 2023-36**

**RESOLUTION OF THE BOROUGH OF LONGPORT APPROVING THE SECOND
JOINDER AGREEMENT ALLOWING THE CITY OF EGG HARBOR CITY TO
WITHDRAW AS A PARTICIPANT AND INCLUDING NEW JERSEY–AMERICAN
WATER COMPANY, INC. AS A NEW PARTICIPANT**

WHEREAS, a Sewage Conveyance and Treatment Agreement dated as of September 1, 1973 (the “Original Agreement”) was executed among the Atlantic County Utilities Authority (as successor to the Atlantic County Sewerage Authority), and other municipal entities and authorities, including Absecon City, Brigantine City, Linwood, the Borough of Longport, Margate City; the City of Northfield, Pleasantville, Ventnor City, the Egg Harbor Township Municipal Utilities Authority, Galloway Township (as successor to the Galloway Township Municipal Utilities Authority), the City of Somers Point (as successor to the Somers Point City Sewerage Authority), and the Atlantic City Sewerage Company (collectively, the “Original Participants”);

WHEREAS, pursuant to the July 17, 1990 Joinder Agreement, Supplementing Sewage Conveyance and Treatment Agreement Dated as of September 1, 1973, by and between the Atlantic County Utilities Authority, the Original Participants, the Hamilton Township Municipal Utilities Authority, the Weymouth Township Municipal Utilities Authority, and the City of Egg Harbor City, the Hamilton Township Municipal Utilities Authority, the Weymouth Township Municipal Utilities Authority, and the City of Egg Harbor City were included as new participants under the Original Agreement;

WHEREAS, the City of Egg Harbor City has entered into an agreement with New Jersey-American Water Company, Inc. for the sale of its public water and public sewer infrastructure, real property and related improvements; and

WHEREAS, the conveyance of the City of Egg Harbor City’s sewer improvements necessitates the execution of a Second Joinder Agreement which will allow the City of Egg Harbor City to withdraw as a participant and permit New Jersey-American Water Company, Inc. to become a new participant under the Original Agreement, as amended; and

WHEREAS, by New Jersey-American Water Company, Inc. becoming a new participant pursuant to the Second Joinder Agreement, it will assume all of the rights and obligations and stand in place of the City of Egg Harbor City under the Original Agreement, as amended.

NOW, THEREFORE, be it resolved that the Board of Commissioners of the Borough of Longport hereby approves of the Second Joinder Agreement Amending and Supplementing the Sewage Conveyance and Treatment Agreement dated as of September 1, 1973, as amended, a copy of which is annexed hereto as Exhibit "A";

BE IT FURTHER RESOLVED that Mayor Nicholas Russo is hereby authorized to execute the Second Joinder Agreement for and on behalf of the Board of Commissioners of the Borough of Longport.

Dated: _____

By: _____

ATTEST:

RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE:						
COMMISSION	AYE	NAY	N.V.	AB	MOT.	SEC.
RUSSO	X				X	
LEEDS	X					
LAWLER				X		X
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF ADOPTION: 3/15/2023

/s/ MONICA KYLE, RMC, MUNICIPAL CLERK