

TOWN OF ABERDEEN

RESOLUTION NO. 2017-117

A RESOLUTION AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT TO CONTRACT-II FOR THE PURCHASE BULK RATE WATER BETWEEN NEW JERSEY – AMERICAN WATER COMPANY, INC. THE SUCCESSOR TO THE SHORELANDS WATER COMPANY, INC. AND THE TOWNSHIP OF ABERDEEN (WATER DEPARTMENT)

WHEREAS, as of April 17, 2009 the Shorelands Water Company, Inc. (“Shorelands”) and Aberdeen entered into a Contract-II for the purchase of bulk water; and

WHEREAS, on April 17, 2009, the Parties entered into Contract-II for the purchase of 15.0 million gallons of water per calendar year (“MGY”); and

WHEREAS, on April 7, 2015, the Parties entered into the First Amendment to Contract-II, which increased the take-or-pay volume to 40 MGY and added an additional available volume of 30 MGY for a total available volume of 70 MGY; and

WHEREAS, on June 26, 2015, the Parties entered into the Second Amendment to Contract-II, which increased the additional available volume of 30 MGY by 2.5 MGY to 32.5 MGY; and

WHEREAS, as of April 3, 2017, Shorelands Water Company, Inc. merged with and into New Jersey American Water (“NJ American”), with New Jersey American Water emerging as the surviving entity; and

WHEREAS, the Township of Aberdeen has the need for additional purchased water due to the redevelopment areas within the municipality; and

WHEREAS, Aberdeen and New Jersey American Water have negotiated the terms of the Third Amendment to Contract-II For The Purchase Of Bulk Rate Water; and

WHEREAS, New Jersey American Water and Aberdeen have agreed that Aberdeen shall purchase and pay for a minimum of 40 MGY beginning January 1, 2016 and further Aberdeen may purchase up to an additional 32.5 MGY (for a total of 72.5 MGY) from New Jersey American Water; and

WHEREAS, Aberdeen and NJ American have agreed to extend the terms of the water supply contract through December 31, 2035 from its original term which was set to expire on December 31, 2030.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Aberdeen that the Mayor is authorized to execute and the Clerk is authorized to

witness the Third Amendment to Contract-II For The Purchase Of Bulk Rate Water between New Jersey – American Water Company, Inc. the successor to the Shorelands Water Co. Inc. and the Township of Aberdeen (Water Department) in substantially similar form to the Third Amendment to the Contract attached hereto and made a part hereof and subject to the review and approval of the Township Attorney.

ATTEST:

ADOPTED:

KAREN A. VENTURA,
TOWN CLERK

FRED TAGLIARINI
MAYOR