

**SHARED SERVICES AGREEMENT BY AND
BETWEEN THE CITY OF ELIZABETH AND THE CITY OF LINDEN
FOR LICENSE INSPECTORS FOR TAXICABS AND LIMOUSINE ENFORCEMENT
FROM DECEMBER 15, 2010 THROUGH DECEMBER 14, 2011**

THIS SHARED SERVICES AGREEMENT, made this 19th day of January, 2011 (the "Agreement") by and between the City of Elizabeth, in the County of Union, a municipal corporation of the State of New Jersey with offices located at City Hall, 50 Winfield Scott Plaza, Elizabeth, New Jersey 07201 (the "City") and the City of Linden, a municipal corporation of the State of New Jersey with offices located at 301 North Wood Avenue, Linden, New Jersey 07036.

WITNESSETH:

WHEREAS, the City of Linden is in need of license inspectors, on a part time basis, to assist in the enforcement of the City of Linden's taxicab and limousine codes; and

WHEREAS, the City of Elizabeth is able and willing to offer its services to the City of Linden as aforesaid; and

WHEREAS, the City of Linden passed Resolution 2011-23 on January 18, 2011 authorizing the execution of a Shared Services Agreement with the City of Elizabeth, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the City of Linden agrees to pay the City of Elizabeth for said services the amount of \$10,000.00 for the period December 15, 2010 through December 14, 2011;

NOW, THEREFORE, all parties hereto, intending to be legally bound hereby, agree as follows:

**ARTICLE I
SCOPE**

Section 1.01. Duties of the City of Linden. The City of Linden shall utilize the License Inspectors of the City of Elizabeth for its taxicab and limousine licenses, on a part time basis, for the period of December 15, 2010 through December 14, 2011, with the City of Linden paying the City of Elizabeth the amount of \$10,000.00.

Section 1.02. Duties of the City of Elizabeth. The City of Elizabeth shall provide the City of Linden with its License Inspectors as aforesaid, for the term and fee indicated in Section 1.01.

**ARTICLE II
MISCELLANEOUS**

Section 2.01. Modifications. The provisions of this Agreement shall (a) constitute the entire Agreement between the parties for or with respect to the matters described herein, and (b) be modified, unless provided herein to the contrary, only by written agreement duly executed by both parties.

Section 2.02. Headlines. Captions and headings in this Agreement are for ease of reference only and do not constitute a part of this Agreement.

Section 2.03. Governing Law. This Agreement and any questions concerning its validity, construction or performance shall be governed by the laws of the State of New Jersey, irrespective of the place of execution of the Agreement or of the place or places of performance.

Section 2.04. Severability. In the event that any provision of this Agreement shall, for any reason, be determined to be invalid, illegal, or unenforceable in any respect, the parties hereto shall negotiate in good faith and agree to such amendments, modifications, or supplements of or to this Agreement or to such other appropriate actions as shall, to the maximum extent practicable in light of such determination, implement and give effect to the intentions of the parties as reflected herein, and the other provisions of this Agreement shall, as so amended, modified, supplemented, or otherwise affected by such action, remain in full force and effect.

Section 2.05. Execution of Counterparts. This Agreement may be executed in any number of counterparts each of which shall be executed by the City of Linden and City of Elizabeth and all of which shall be regarded for all purposes as one original and shall constitute and be but one and the same.

IN WITNESS WHEREOF, the City of Linden and the City of Elizabeth have caused their respective corporate seals to be hereunto affixed hereto and attested and this Agreement to be signed by their respective officers duly authorized and this Agreement to be dated as of the day and year first above written.

ATTEST:

By

Yolanda Roberts
Yolanda Roberts, City Clerk

DATED

2/10/11

[SEAL]

CITY OF ELIZABETH

By

J. Christian Bollwage
J. Christian Bollwage, Mayor

ATTEST:

By

Joseph C. Bodek
Joseph C. Bodek, City Clerk

DATED

1/21/11

[SEAL]

CITY OF LINDEN

By

Richard J. Gorbounka
Richard J. Gorbounka, Mayor

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|---------------------|
| CITY OF ELIZABETH |
| APPROVED AS TO FORM |
| <i>RS</i> |
| PHYSICAL CONDITIONS |
| TERMS & CONDITIONS |
| <i>RS</i> |
| DESCRIPTION |

RESOLUTION:2011-23

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
WITH THE CITY OF ELIZABETH FOR LICENSE INSPECTORS FOR
TAXICABS AND LIMOUSINE ENFORCEMENT**

WHEREAS, the City of Linden wishes to enter into a Shared Services Agreement with the City of Elizabeth to provide the City of Elizabeth's License Inspectors, on a part time basis, to assist in the enforcement of the City of Linden's taxicab and limousine codes; and

WHEREAS, the City of Linden has no license inspectors and has a need for the expertise of the City of Elizabeth's license inspectors; and

WHEREAS, it is not anticipated that the duties of any license inspectors operating in the City of Linden will interfere with the fulfillment of said inspectors' duties within the City of Elizabeth; and all costs associated with same shall be reimbursed to the City of Elizabeth; and

WHEREAS, based upon the cost savings benefit received by the City of Elizabeth under this Agreement, the Business Administrator recommends that it is in the best interests of the City of Elizabeth to enter into this Shared Services Agreement with the City of Linden; and

WHEREAS, the cost to the City of Linden for said services will be \$10,000.00 for the period of December 15, 2010 through December 14, 2011; and

WHEREAS, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 1-01-103-275;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN as follows:

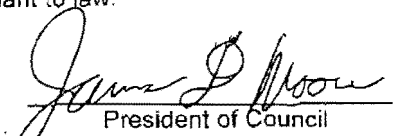
1. The Mayor and City Clerk are hereby authorized and directed to execute any and all necessary documents in order to effectuate the foregoing, as approved by the Law Department.
2. Said Agreement shall be for the period of December 15, 2010 through December 14, 2011, at a fee of \$10,000.00.
3. This Resolution shall take effect pursuant to law.

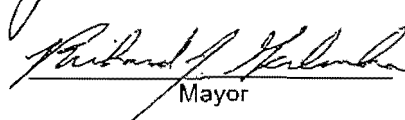
PASSED: January 18, 2011

APPROVED: January 19, 2011

ATTEST:


City Clerk


President of Council


Mayor

relizlicenseinspector

Office of the City Clerk
Elizabeth, New Jersey



Certificate

I, Mary C. Murphy, Deputy City Clerk of the City of Elizabeth, New Jersey, do hereby certify that the attached resolution/ordinance is a true and correct copy taken from and compared with the original in my office, which was adopted by the City Council, City of Elizabeth, New Jersey, at its regular meeting held on February 8, 2011

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the City of Elizabeth, New Jersey, this 14th day of February, 2011

Mary C. Murphy
Deputy City Clerk

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to enter into an Intergovernmental Services Agreement with the City of Linden, 302 North Wood Avenue, Linden, New Jersey 07036, for License Inspectors to be provided by the City of Elizabeth for Taxicab and Limousine Enforcement for the period of December 15, 2010 through December 14, 2011 for a fee of \$10,000.00; and

WHEREAS, the License Inspectors employed by the City of Elizabeth, New Jersey will be providing assistance to the City of Linden for the Inspection Services for Taxicab and Limousine Enforcement; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into an Intergovernmental Services Agreement with the City of Linden, 302 North Wood Avenue, Linden, New Jersey 07036, for License Inspectors to provide assistance for the Taxicab and Limousine Enforcement for the period of December 15, 2010 through December 14, 2011 for a fee of \$10,000.00.