

RESOLUTION NO. 2019-002

APPROVE AMENDMENT TO INTERMUNICIPAL AGREEMENT WITH VILLAGE OF ASHWAUBENON REGARDING PROVISION OF WATER/SEWER UTILITY EXTENSION ON GRANT STREET / CTH EE

WHEREAS by agreement entitled INTERMUNICIPAL AGREEMENTS BETWEEN THE VILLAGE OF ASHWAUBENON, THE TOWN OF LAWRENCE AND THE TOWN OF LAWRENCE UTILITY DISTRICT dated May 13, 2010 (hereinafter "Prior Agreement"), the parties agreed to determine their respective boundaries and to guide and accomplish a coordinated, adjusted and harmonious development of the territory referenced in the Prior Agreement; and

WHEREAS under the Prior Agreement, the Village is to provide sewer and water service to Village and Town parcels fronting County Trunk EE including 2 parcels located within the Town identified as Parcels A-2 and A-3, as illustrated in Exhibit A attached and incorporated herein by reference, with the Village specifically reserving discretion to refuse service to those parcels unless they annexed to the Village; and

WHEREAS the Town wishes to extend sewer and water services to Parcel A-2 although the owner of that parcel does not wish to annex to the Village, and the Village does not desire to extend the services at this time, but intends to extend service in the future to Parcel A-2 and surrounding areas in a manner so as to facilitate the utility service contemplated by the Prior Agreement; and

WHEREAS the Parties have reached agreement under which the Town will extend sewer and water services to Parcel A-2 at this time in a manner that addresses the requirements of future service to the surrounding area as contemplated by the Prior Agreement; and

WHEREAS the Parties have reached agreement to hire McMahon Associates to engineer the project and calculate the total project costs of extending sanitary sewer and water service to Parcel A-2 as contemplated in this Agreement, including without limitation all necessary raw materials, excavation, construction of the sewer and water main, the laterals to Parcel A-2, necessary street and right of way restoration, and administrative costs and contingencies. The Parties shall apportion the costs by taking the total project costs, subtracting the cost of the laterals to Parcel A-2 and splitting the remainder evenly. The cost of the laterals to Parcel A-2 shall then be added to the Town's cost,

NOW THEREFORE BE IT RESOLVED THAT in consideration of the terms and conditions contained in this Agreement, the Town Board of Supervisors hereby approves the Amendment to the Intermunicipal Agreement between the Town of Lawrence and Town of Lawrence Utility District and the Village of Ashwaubenon.

BE IT FURTHER RESOLVED that all Town officials, officers, and employees are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

PASSED AND ADOPTED THIS 11TH DAY OF February, 2019.

APPROVED:



Lanny Tibaldo, Town Chairman

ATTEST:



Cindy Kocken, Clerk-Treasurer

Ayes: 3
Nays: 0