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 MERITAS LAW FIRMS WORLDWIDE

February 26, 2009

Jennifer March-Wackers
Municipal Services Coordinator
Capitol Region Council of Governments
241 Main Street
Hartford, CT 06106

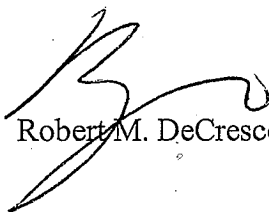
Re: Agreement for Joint Performance of Mutual Function

Dear Jennifer:

Enclosed please find a revised draft of a standard form agreement for the Joint Performance of a Municipal Function based on General Statutes §7-148cc.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Robert M. DeCrescenzo, Esq.

RMDe/psm
Enclosure

**AGREEMENT FOR THE JOINT PERFORMANCE
OF A MUNICIPAL FUNCTION BETWEEN**

[INSERT PURPOSE OF THE AGREEMENT]

WHEREAS [Town] and [Town] have [insert purpose of the agreement]; and

WHEREAS, General Statutes §148cc authorizes agreements for the purpose of jointly performing a municipal function; and

WHEREAS, [Town] and [Town] wish to participate in an agreement authorized by General Statutes §7-148cc; and

WHEREAS, such an agreement would provide benefits to [Town] residents.

NOW, THEREFORE, to accomplish the goal of [insert purpose] that [Town] and [Town] adopt an agreement in the form of a Memorandum of Understanding according to the following terms:

1. That the Town of _____ agrees to offer
2. That the Town of _____ agrees to offer
3. That [Town] and [Town] agree to follow the procedure for adoption of this Agreement set forth in General Statutes §7-148cc.
4. This agreement shall remain in effect for _____ () years, with the first year beginning on [date], and the last year expiring on [date]. The Agreement shall automatically renew for successive terms of _____ () additional assessment years unless either [Town] or [Town] provides a written notice to the other of its election not to renew the Agreement for another _____ () assessment years. Such notice must be provided at least thirty (30) days prior to the scheduled expiration of the original or any renewal term of the Agreement. In no event shall the Agreement extend beyond 40 years from [date].
5. The purpose of this Agreement is to provide [describe services]

6. Provisions for payment of the benefits afforded by [Town] to [Town] residents and by [Town] to [Town] residents shall be according to procedures mutually agreed upon by [Town CEO] and the [Town CEO].

7. Disputes arising from the operation or interpretation of this Agreement that cannot be resolved by [Town] and [Town] shall be submitted to mediation and arbitration to the American Arbitration Association (AAA) according to its rules and procedures.

8. This Agreement shall be governed by the laws of the State of Connecticut. Any changes to the Agreement shall be in writing in a document duly executed by both [Town] and [Town]. The parties may separately execute counterpart originals of this Agreement (and any amendments thereto,) which together shall be deemed to constitute one and the same agreement.

WHEREFORE, [Town] and [Town] have duly executed this Agreement on the dates set forth below to be effective for the year commencing on _____.

TOWN OF _____

Its

Date

TOWN OF _____

Its

Date

Westlaw

C.G.S.A. § 7-148cc

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Connecticut General Statutes Annotated Currentness

Title 7. Municipalities

Chapter 98. Municipal Powers (Refs & Annos)

→ § 7-148cc. Joint performance of municipal functions

Two or more municipalities may jointly perform any function that each municipality may perform separately under any provisions of the general statutes or of any special act, charter or home rule ordinance. Each participating municipality shall approve any agreement entered into pursuant to this section in the same manner as an ordinance is approved in such participating municipality or, if no ordinances are approved by such participating municipality, in the same manner as the budget is approved. The terms of each agreement shall establish a process for withdrawal from such agreement and shall require that the agreement be reviewed at least once every five years by the body that approved the agreement to assess the effectiveness of such agreement in enhancing the performance of the function that is the subject of the agreement. As used in this section, "municipality" means any municipality, as defined in section 7-187, or any district, as defined in section 7-324, located within the state of Connecticut.

CREDIT(S)

(2001, P.A. 01-117, § 1, eff. July 1, 2001.)

HISTORICAL AND STATUTORY NOTES

2008 Electronic Pocket Part Update

Codification

Gen.St., Rev. to 2003, codified 2001, P.A. 01-117, § 1, as C.G.S.A. § 7-148cc.

LIBRARY REFERENCES

2008 Electronic Pocket Part Update

Municipal Corporations ↪ 57.

Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 104, 106 to 108, 110 to 115, 117 to 118, 122, 137 to 138, 143, 145 to 146.

C. G. S. A. § 7-148cc, CT ST § 7-148cc

Current through the 2008 Feb. Reg. Sess., June 11 Sp. Sess., June Veto Sess., and Aug. Sp. Sess.

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