

INTERLOCAL SERVICE AGREEMENT

This Agreement, made on the ___ day of _____, 2026 by and between the Township of Montgomery, (hereinafter “**Montgomery Township**” or “**Montgomery**”), a municipal corporation of the State of New Jersey with offices at 100 Community Drive, Skillman, New Jersey, 08558, acting as Lead Agency for the Lower Millstone River Watershed Work Group, and the following other municipal corporations of the State of New Jersey: **Franklin Township**, with offices at 475 DeMott Lane, Somerset, NJ 08873; **South Brunswick Township**, with offices at 540 Ridge Road Monmouth Junction, NJ 08852; **Manville Borough**, with offices at 325 N Main Street, Manville, NJ 08835; **Princeton**, with offices at 400 Witherspoon Street, Princeton, NJ 08540; **Hopewell Township**, with offices at 201 Washington Crossing, Pennington Road, Titusville, NJ 08560; **Hopewell Borough**, with offices at 88 East Broad Street, Hopewell, NJ 08525; and **Rocky Hill Borough**, with offices at 15 Montgomery Avenue, Rocky Hill, NJ 08553; hereinafter, collectively referred to as the “**Participants**”.

WHEREAS, municipalities are required by the 2023 Municipal Separate Storm Sewer System (**MS4**) permit to develop a Watershed Improvement Plan (**WIP**) to reduce flooding, reduce water pollution, meet the pollution reduction goals in Total Maximum Daily Loads and achieve designated uses for waterways within each municipality; and

WHEREAS, the Department of Environmental Protection encourages municipalities to interact with their neighboring municipalities and to develop the Watershed Improvement plans on a regional basis; and

WHEREAS, the proposed WIP would study the current status of water quality in the Lower Millstone River Watershed and its tributaries; develop a matrix of best management practices (stormwater management systems) to address the water pollution impairments and flooding; and identify potential locations, projects and costs within the watershed to reduce water pollution and reduce flooding; and

WHEREAS, this agreement allows the municipalities participation in the Lower Millstone River Watershed Work Group to work collaboratively to assist the member municipalities to meet many of the obligations of the MS4 permit to develop the WIP; and

WHEREAS, this regional approach for the Lower Millstone River Watershed will reduce costs in development and implementation of the Watershed Improvement Plan by using a watershed based approach, rather than each municipality performing independent studies and project development; and

WHEREAS, Montgomery Township, pursuant to Resolution #25-5-179, which was later amended by Resolution #25-12-418, awarded a professional services contract to One Water Consulting, LLC, with offices at 101 Poor Farm Road, 2nd Floor, Princeton, New Jersey 08540 (hereinafter “**Contractor**”) to create a single regional Watershed Management Plan, a critical component of the Watershed Improvement Plan; and

WHEREAS, each Participant unit shall certify the funds available only for its own needs ordered; adopt a resolution authorizing execution of this agreement; issue purchase orders in its own name; and make payments directly to Montgomery Township as the Lead Agency. This agreement shall be governed by the Interlocal Services Act, N.J.S.A. 40A:65-1, et seq.

WITNESSETH, that the Contractor and Montgomery, for the considerations hereinafter named, agree as follows:

Section 1. Scope of Work

The Contractor hereby agrees to furnish and deliver all materials, and all of the equipment and labor necessary to do and perform all of the work required in accordance with the plans, specifications, and general conditions prepared by the Montgomery on behalf of the Participants, including of Franklin Township, South Brunswick Township, Manville Borough, Princeton, Hopewell Township, Hopewell Borough, Rocky Hill Borough and Montgomery, the Lead Agency.

Base Bid

Professional services to create the Watershed Management Plan Report include the following:

1. Evaluation of the Raritan River TMDL
2. Watershed Monitoring
3. Stormwater BMP Alternatives Matrix
4. Sub Watershed Assessment
5. Identify Improvement Project
6. Prepare Watershed Management Plan Report
7. Meetings and Presentations

The estimate of quantities covering the total work to be done and the material to be furnished is approximate and given as a basis upon which the award of this contract was made at an amount not to exceed \$254,300. The Contractor's professional services proposal is attached hereto as **Schedule A**.

Section 2. Time of Completion

The term of this agreement shall continue until December 31, 2027, which coincides with the expiration of the MS4 municipal permit, or until the work to be performed under the Contractor's professional services contract has been completed, whichever occurs first.

This agreement may be extended for an additional term with mutual written consent of the Participants.

Section 3. Compensation

The Contractor shall be paid for the work performed for each Participant in accordance with the percentage of work attributable to each municipality based on its pro rata share as set forth within.

Each of the Participants shall deposit its proportional share with Montgomery Township, within fourteen (14) calendar days of adoption of the municipal resolution authorizing this agreement, so Montgomery can certify availability of funds for award.

Monthly payments will be made to the contractor by Montgomery for the work performed on behalf of each of the Participants. Upon receipt of an invoice from the Contractor with supporting documentation as required, Montgomery Township’s Engineer, or their authorized agent, shall prepare an approved monthly estimate payment to the contractor.

The participating municipalities shall contribute the following:

A. Montgomery Township	35.27%	\$89,683
B. Franklin Township	30.56%	\$77,725
C. South Brunswick Township	19.12%	\$48,628
D. Manville Borough	5.49%	\$13,951
E. Princeton	3.29%	\$8,370
F. Hopewell Township	3.13%	\$7,972
G. Hopewell Borough	2.04%	\$5,182
H. Rocky Hill Borough	1.10%	\$2,790
I. TOTAL	100.00%	\$254,300

The parties acknowledge that, as of the date of this Agreement, Montgomery Township has applied for a grant from the New Jersey Department of Environmental Protection (“NJDEP”) for an amount of up to **\$254,300** for the WIP, and **\$34,000** to the Watershed Institute (“WI”) to support public engagement, interlocal coordination, and other public education components of the WIP.

In the event that Montgomery or any of the Participants receives grant funding for the WIP or any portion of the Project, such funding shall be allocated among the parties in proportion to the percentages set forth in this Agreement and shall therefore incrementally reduce the proportionate cost to each Participant.

With respect to the NJDEP grant described above, disbursement of grant funds by Montgomery to other Participants other than WI shall occur only after:

1. Montgomery has received the grant funds in full; and
2. WI has received its proportional share.

If Montgomery does not receive the NJDEP grant or receives a lesser amount than applied for, no obligation shall arise to distribute funds to any Participant beyond the proportionate share of the amount actually received by Montgomery.

Montgomery shall not authorize any change orders increasing the cost of the project without the prior written approval of each Participant, which approval shall not be unreasonably withheld. Should any change orders increasing the cost of the contract be authorized during the course of the project, each Participant shall promptly, after authorizing the change order, deposit with Montgomery, their proportional sum of such change order.

Within thirty (30) days after completion of the project, the parties shall conduct a final accounting to determine the final full cost of the project. Any sums due and payable by one party to the other shall be paid within fourteen (14) days of the final accounting.

Section 4. Laws and Ordinances

The Contractor further agrees to obey the ordinances of Montgomery and each of the Participants and law of the State of New Jersey, and all other governmental agencies, Federal and State, in the doing of the work herein provided for and also agrees to insure against liability for injury or death by accident to its employees upon the work herein provided for as required by the laws of the State of New Jersey.

Section 5. Claims

The Contractor agrees to make payment of all proper charges for labor and materials required in the performance of the work and indemnify and hold harmless Montgomery, its officers, agents and servants and each and every one of them, against and from all suits and costs of every name and description, and from all damages to which Montgomery or any of its officers, agents, or servants may be put by reason of injury to the person or property of others, resulting through the performance of said work, or through the negligence of the Contractor, in the aforesaid work, or through any act or omission on the part of Montgomery or its agent or agents. Montgomery retains all privileges and immunities pursuant to the New Jersey Torts Claims Act, N.J.S.A. 59:1-1, et seq.

IN WITNESS WHEREOF, Montgomery has caused this agreement to be executed by their duly authorized officials as of the day and year first written above.

Witness

Township of Montgomery

Lisa Fania, Clerk

Neena Singh, Mayor

IN WITNESS WHEREOF, each Participant has caused this agreement to be executed by their duly authorized officials as of the day and year first written above.

Witness

Franklin Township

Name/Title:

Name/Title:

Witness

South Brunswick Township

Name/Title:

Name/Title:

Witness

Manville Borough

Name/Title:

Name/Title:

Witness

Princeton

Name/Title:

Name/Title:

Witness

Hopewell Township

Name/Title:

Name/Title:

Witness

Hopewell Borough

Name/Title:

Name/Title:

Schedule A

SCHEDULE A



May 28, 2025

Mark Herrmann, PE, CME, CFM
Township Engineer
Township of Montgomery
100 Community Drive
Skillman, NJ 08558

RE: PROPOSAL FOR LOWER MILLSTONE RIVER WATERSHED MANAGEMENT PLAN

Dear Mark:

As you requested, I have prepared this proposal for One Water Consulting LLC (“One Water”) to complete a Watershed Management Plan for the Lower Millstone River Watershed. This plan will provide a meaningful step towards achieving the Township’s vision of a cleaner watershed.

QUALIFICATIONS

One Water provides state-of-the-art environmental consulting services to a variety of clients in both the private and public sectors. The experience and expertise of the professional staff at One Water allow us to identify client needs, provide advice and guidance to navigate through a complex web of laws and regulations, and craft intelligent solutions to difficult problems. Our services go beyond strict scientific and engineering analysis of environmental problems. We help clients with planning, strategy, and technical counsel.

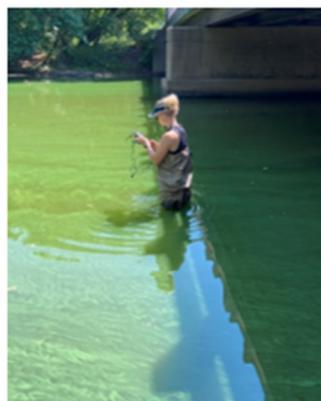
I am One Water’s Founder and President and am very well known for my work in the watershed management arena. Our firm is in continuous communication with the New Jersey Department of Environmental Protection (NJDEP) on such issues, working in watersheds throughout the state. In addition, according to NJDEP, our staff has completed more watershed monitoring and modeling studies to understand the impact of point and non-point source discharges than any other firm in New Jersey. In fact, I served as Principal-In-Charge of the Passaic River, Raritan River (including the Lower Millstone River), and Rancocas Creek Basin Total Maximum Daily Load (TMDL) Studies under a contract with the New Jersey EcoComplex with funding from NJDEP, which were the largest watershed studies to establish required point and non-point source reductions ever completed in New Jersey. The Lower Millstone River is a sub-watershed of the Raritan River Basin, which I first began monitoring and modeling over 35 years ago. Complementing my background at One Water is a staff of water resources engineers with a combined experience of many decades in water quality monitoring and modeling, stormwater management, and watershed management. For additional information on our firm, please visit our website at www.OneWaterNJ.com.

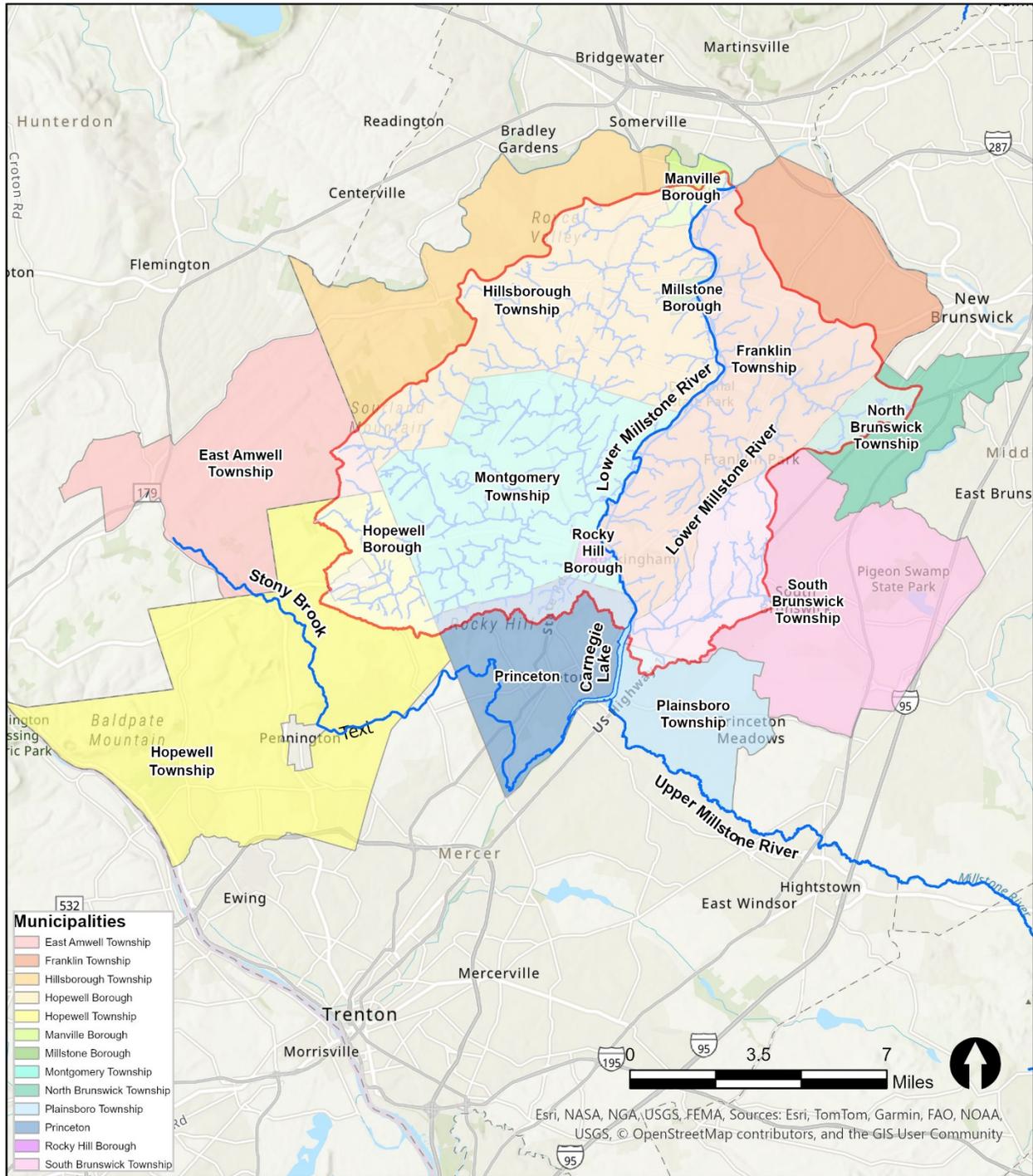
OVERVIEW OF THE LOWER MILLSTONE RIVER

The Lower Millstone River begins at the dam of Carnegie Lake in Princeton and flows to the Raritan River in Bridgewater (a tributary to the Raritan River). Its watershed includes portions of 13 municipalities (Princeton, Plainsboro, South Brunswick, Montgomery, Rocky Hill, Hopewell Borough and Township, Franklin, Millstone, Hillsborough, Manville, North Brunswick and East Amwell), which are within four counties (Mercer, Somerset, Middlesex, and Hunterdon). The river is approximately 14 miles long, with a watershed drainage area of approximately 310 square miles at its mouth. The flow from the Lower Millstone River provides the water supply for New Jersey American Water at the confluence of the Lower Millstone and Raritan Rivers. See Figure 1 for an overview of the watershed, which is outlined using a red line.

The Lower Millstone River is classified as a freshwater, non-trout stream (FW2-NT) along its entire length. The watershed contains a mix of urban, agricultural, and forested land, with an impervious cover of approximately 6%. Unfortunately, portions of the Lower Millstone River are listed in New Jersey's Integrated Water Quality Monitoring and Assessment Report as being impaired for pH, Arsenic (a natural condition due to rock formations underlying the stream), E. Coli, Dissolved Oxygen, Phosphorus, and Biology. In addition, in many places within the watershed, streambank erosion has led to sediment deposition within the river.

During the summer of 2022, for the first time known to me or NJDEP, there was a Harmful Algal Bloom (HAB) in Lake Carnegie and the Lower Millstone River (see photo below of the Lower Millstone River downstream of Lake Carnegie on July 22, 2022). This HAB was not only aesthetically displeasing with its florescent green color, but it significantly impacted local water quality, aquatic life, and New Jersey American Water's downstream water supply intake at the confluence of the Millstone and Raritan Rivers. HABs can emit cyanotoxins that are dangerous to people, pets, and wildlife that come into direct contact with affected water bodies. Boaters and other recreational users can be exposed to these toxins through oral ingestion (swallowing), skin absorption, and inhalation, which has prompted NJDEP to recommend that some waterbodies be closed to recreation. It is critical that the dynamics in the Lower Millstone be investigated so that future HABs can be prevented.





**Figure 1:
Lower Millstone Watershed**

ONE WATER
CONSULTING LLC
101 Poor Farm Rd., 2nd Floor
Princeton, New Jersey 08540

DRAWN: 01/08/2025
DRAWN BY: CMG
CHECKED BY: JFC
FILE NAME: LowerMillstoneWshed

IMPROVING WATERSHED IMPAIRMENTS

Stormwater runoff is considered a key source causing the impairments of the Lower Millstone River and its tributaries. Stormwater carries pollutants into the waterbodies and dramatically increases the volume of water flowing through them, which erodes streambanks and releases sediment to downstream locations (where it is deposited in slower moving areas). Addressing stormwater runoff is therefore critical to improving water quality in the lake and addressing the conditions that make formation of HABs more likely.

The goal of this study is to:

- Improve water quality in water bodies that have TMDLs;
- Improve water quality in water bodies listed as impaired; and
- Reduce or eliminate flooding.

The Raritan Basin Nutrient TMDL set stringent stormwater load reductions in the Lower Millstone for total phosphorus and total suspended solids and numerous pollutants are listed as being impaired within the watershed. The watershed management plan will determine how stormwater load reductions could be accomplished in the watershed.

As we discussed with the Township and the other municipalities within the watershed, rather than each municipality in the Lower Millstone River Watershed having to complete separate analyses of the watershed, a single Watershed Management Plan could be completed that would integrate improvements in each municipality in a single study.

SCOPE OF WORK

This study will include the nine minimum elements often referenced by EPA for watershed-based plans, including:

1. Identify the causes and sources of pollution
2. Estimate pollutant loading into the watershed and the expected load reductions
3. Describe management measures that will achieve load reductions and targeted critical areas
4. Estimate the amounts of technical and financial assistance and the relevant authorities needed to implement the plan
5. Develop an information/education component
6. Develop a project schedule
7. Develop the interim, measurable milestones

8. Identify indicators to measure progress and make adjustments
9. Develop a monitoring component

In order to address these nine elements, we are proposing to complete the following tasks:

Task 1 - Evaluate Raritan TMDL for Valuable Information

There is a wealth of information from the Raritan River TMDL study, which is summarized in a report I prepared in 2013 and was utilized by NJDEP to establish the point and non-point source load reductions for the entire Basin (a portion of which is the Lower Millstone River Watershed). The following list provides a summary of the information that would be valuable to extract for this large study:

- Required Total Phosphorus (TP) and Total Suspended Solids (TSS) percent removal reductions from residential, other urban, and agricultural land uses within the Lower Millstone River watershed.
- Land area and fraction of impervious coverage for each land use (residential, commercial, agricultural, forested, and wetland) in each HUC14 sub-watershed.
- Non-point source watershed model results for pollutant loads and water volumes for each HUC14 sub-watershed (to target sub-watersheds with disproportionately high loads or runoff volumes).
- Stream concentrations of TP and TSS within the Lower Millstone River measured in 2003 at various locations.

Task 2 - Watershed Monitoring

The Lower Millstone River Watershed has undergone changes in point and non-point source loads since the data were collected for the Raritan TMDL over 20 years ago, so I believe it is imperative to evaluate current conditions. If significant reductions in pollutants have already occurred, we want to take credit for those reductions when completing the Watershed Improvement Plan.

For budget estimating purposes, I have assumed that One Water will prepare a Quality Assurance Sampling Plan (QASP) that will detail the specifics of the monitoring program and submit it to NJDEP for approval. We will negotiate the terms of the monitoring with NJDEP and obtain approval. Once approved, we will complete ten (10) monitoring events that will occur in the summer and fall of 2025 at ten (10) stream locations under varying stream flow conditions (dry conditions to evaluate conditions when non-point sources would be minor and wet conditions when non-point sources would dominate). Instream monitoring for Dissolved Oxygen, pH, and Temperature will be completed with a hand-

held meter, and grab samples would be obtained and tested at a certified commercial laboratory for the following parameters: Phosphorus series (Total Phosphorus and Dissolved Ortho-phosphate), Nitrogen series (Ammonia, Total Kjeldahl Nitrogen, and Nitrate), Total Suspended Solids, and Chlorophyll-a). The reason for recommending Nitrogen and Chlorophyll-a analysis (even though they are not listed as being impaired in the Lower Millstone) is to provide each of the key constituents that impact Dissolved Oxygen (which is impaired at some Lower Millstone locations and further downstream in the Raritan River).

Since critical stream flows and temperatures typically occur during the summer months of July, August, and September and winter in the months of November and December, it is critical that sampling be initiated by July to obtain the proper conditions.

For budgeting purposes, we have assumed that One Water will complete all sampling and an NJDEP certified laboratory will be subcontracted by One Water for the analytical analyses.

Task 3 - Stormwater BMP Alternatives Matrix

Using available literature from prior studies, we will estimate the expected pollutant removal efficiency for various best management practices (including green infrastructure, manufactured treatment devices, and operational changes such as leaf disposal at the curb and street sweeping). Based on the listed and known impairments in the Lower Millstone Watershed, we will limit the pollutants studied to Total Suspended Solids and Total Phosphorus. In addition, we will also evaluate each identified BMP for its ability to reduce stormwater volume, which has a secondary benefit toward reducing stream erosion.

To further address stream erosion issues that lead to Total Suspended Solids impairments, we will evaluate the impact that streambank restoration would have on downstream TSS concentrations.

Using the results obtained from the analysis described below, we will develop a matrix specific to the Lower Millstone Watershed that can be used to assess the relative benefit of one BMP versus another to use as a tool to select an appropriate BMP for a given sub-watershed and a given pollutant.

Task 4 – Sub-Watershed Assessment

Within each HUC14 sub-watershed of the Lower Millstone, we will complete a geographic information system (GIS) evaluation to determine the stormwater infiltration potential based on available soil characteristics. Color coded maps will be generated that can be utilized by each municipality to identify locations most beneficial for infiltrating BMPs.

In addition, an impervious cover layer for each municipality within the Lower Millstone Watershed will be generated from the recent Watershed Institute evaluation.

Finally, from the watershed model previously completed for the TMDL study, we will create a municipal summary of phosphorus and TSS loads, annual stormwater volume, and infiltration potential for each sub-watershed area. This will enable us to determine which sub-watersheds may prove to be the best “bang for the buck” for future watershed improvement projects.

Task 5 - Identify Improvement Projects

With the information obtained in Tasks 1 through 4, we will identify specific improvement projects aimed at reducing phosphorus and TSS within the Lower Millstone. Our goal is to identify at least three potential projects within each municipality that has at least 5% of the watershed area (Franklin, Hillsborough, Montgomery, North Brunswick, and South Brunswick). Our budget has assumed we will meet with each municipality to review possible projects and conduct a site visit to view possible locations. Once project locations are identified, we will develop appropriate conceptual BMP designs and estimate approximate costs to complete the projects.

Task 6 - Prepare Watershed Management Plan Report

Once Tasks 1 through 5 are completed, we will prepare a Watershed Management Plan Report to summarize the existing conditions within the Lower Millstone and identify watershed improvement projects that will comply with the MS4 permit requirements. We expect the report will include the following chapters:

- Overview of the Watershed, TMDL, and Impairments
- Existing Watershed Conditions
- Watershed Assessment
- Stormwater Management Alternatives
- Identification of Improvement Projects
- Expected Improvements from Improvement Projects

A key aspect of our work will be the development of a GIS Web map for the entire Lower Millstone Watershed. We expect the following layers will be made available to the Watershed Institute and the watershed’s municipalities (with maps provided within the report where illustrative):

- Watershed boundary with HUC14 sub-watershed boundaries
- Municipal boundaries
- Streams/Lakes
- NJ surface water classifications

- Impairments
- Land Use/Cover
- Impervious Area
- Soils
- Infiltration potential
- Stream monitoring locations and water quality data from Task 2
- TMDL non-point source required reductions
- Annual phosphorus and TSS loads from each sub-watershed (from TMDL study)
- Annual water volumes predicted from each sub-watershed (from TMDL study)
- Locations of identified improvement projects
- Locations of preserved open space and public trails

This Watershed Management Plan will be the first step in improving water quality and reducing flooding in the Lower Millstone. We are very excited to be a part of this project.

Task 7 – Meetings and Presentations

Once we have preliminarily completed the watershed assessment and identified watershed restoration projects, we will meet with the municipalities to review our findings and solicit input. We have budgeted for four meetings, which depending on the desires of each municipality could be four meetings with all the municipalities (our preference) or one meeting with four groups of municipalities.

It is important to note that we are aware of the significant work that has been completed in this watershed by Dr. Christopher Obropta and his team at Rutgers University. Opportunities for stormwater BMP retrofits in existing older developments to reduce flooding from large storms have been studied in the Royce Brook (Hillsborough and Manville) and potential watershed improvement projects have been identified in Hillsborough, Manville, South Brunswick, and Franklin. This work will be reviewed and incorporated into the tasks described above where appropriate.

SCHEDULE AND BUDGET

Our work on this project can begin within two weeks of your authorization. Assuming we receive your authorization by June 15, 2025, we have prepared the schedule below, which will allow completion of the study and a final report to the municipalities by September 2026.

Task	Start Date	End Date
1: Evaluate Raritan TMDL	Sept 2025	Oct 2025
2: QASP and Watershed Monitoring	July 2025	December 2025
3: Stormwater BMP Alternatives Matrix	Nov 2025	Dec 2025
4: Sub-Watershed Assessment	January 2026	April 2026
5: Identify Watershed Projects	May 2026	June 2026
6: Watershed Management Plan Report	July 2026	September 2026
7: Meetings/Presentations	April 2026	September 2026

We recommend establishing a budget for each task as follows:

Task	Labor Hours	Labor Costs	Laboratory and Field Costs	TOTAL COST
1: Evaluate Raritan TMDL	90	\$17,600		\$17,600
2: Watershed Monitoring	300	\$50,500	\$40,000	\$90,500
3: Stormwater BMP Alternatives Matrix	100	\$18,600		\$18,600
4: Sub-Watershed Assessment	170	\$29,700		\$29,700
5: Identify Watershed Projects	200	\$38,800		\$38,800
6: Watershed Management Plan Report	180	\$34,500		\$34,500
7: Meetings/Presentations	110	\$24,600		\$24,600
TOTAL	1150	\$214,300	\$40,000	\$254,300

All work would be billed on a time-plus-expenses basis according to our attached hourly rates and Professional Services Agreement. The total budget of \$254,300 would not be exceeded without prior written authorization from each municipality.

I am assuming that you will be requesting that each municipality be responsible for its pro-rata share based on impervious area draining to the Lower Millstone (as determined by The Watershed Institute). The following is a breakdown of costs for each municipality:

Municipality	Percentage of Impervious Area	Share of Budget
Hillsborough Township	28.5%	\$72,410
Montgomery Township	22.5%	\$57,264
Franklin Township	19.5%	\$49,712
South Brunswick Township	12.2%	\$30,985
North Brunswick Township	6.9%	\$17,630
Manville Borough	3.5%	\$8,820
Princeton	2.1%	\$5,416
Hopewell Township	2.0%	\$4,960
Hopewell Borough	1.3%	\$3,360
Rocky Hill Borough	0.7%	\$1,660
Millstone Borough	0.4%	\$1,128
East Amwell Township	0.2%	\$550
Plainsboro Township	0.2%	\$406
Total	100%	\$254,300

The contracting terms for this study need to be resolved. My recommendation is a shared services agreement between Montgomery Township and the other municipalities in the watershed, but other arrangements can be considered.

We look forward to working on this exciting project. Please do not hesitate to contact me with any questions or to let me know how you wish to proceed via telephone at 609-808-2010 or via email at JCosgrove@OneWaterNJ.com.

Sincerely,



James F. Cosgrove, Jr., P.E.
President