

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-257**

**A RESOLUTION APPROVING MODIFICATION OF SEWER UTILITY BILLING TO
RIVERSIDE TOWER APARTMENT CORPORATION, BLOCK 7, LOT 15**

Councilman Whelan offered the following resolution and moved its approval:

WHEREAS, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough") operates a public sewer utility that provides sewer service to certain properties within the Borough's municipal boundaries; and

WHEREAS, Riverside Tower Apartment Corporation ("Riverside Tower") is the owner of the property known as Block 7, Lot 15 (the "Property"), which maintains two (2) accounts with the Borough's sewer utility department under Account Nos. 145000-2 and 145000-1; and

WHEREAS, pursuant to Chapter 695 of the Borough's Revised General Ordinances, the amount billed to property owners' sewer utility accounts is determined by the corresponding water consumption at said property, as reported by the Borough's water utility; and

WHEREAS, for the third quarter of 2018, the Borough billed Riverside Tower's two (2) sewer utility accounts, based upon significantly increased water consumption, as follows:

- (A) Account No. 145000-2 – July 27, 2018 – \$28,763.25; and
- (B) Account No. 145000-1 – July 27, 2018 – \$30,953.09; and

WHEREAS, the Borough is aware that Riverside Tower suffered a casualty loss during May 2018; namely, the destruction of the Property's swimming pool – causing substantial water to be lost into the Navesink River; and

WHEREAS, the Borough's sewer utility department has investigated Riverside Tower's casualty loss and determined that the amount billed to Riverside Tower's two (2) accounts for the third quarter of 2018 does not accurately reflect the water entering the Borough's sewer utility during the billed time period under the circumstances; and

WHEREAS, the Borough's sewer utility department recommends that Riverside Tower's two (2) accounts for the third quarter of 2018 be adjusted as follows to reflect the highest period of sewer billing for the Property during the prior two years:

- (A) Account No. 145000-2 – July 27, 2018 – \$10,000; and
- (B) Account No. 145000-1 – July 27, 2018 – \$11,000; and

WHEREAS, the Borough's sewer utility department further recommends that interest and late fees be waived on Riverside Tower's two (2) accounts for the third quarter of 2018 due to Riverside Tower's casualty loss;

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to Chapter 695 of the Borough's Revised General Ordinances, the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey does hereby authorize the Borough CFO and sewer utility department to adjust Riverside Tower's sewer utility billings for the third quarter of 2018 to reflect the property owner's casualty loss as follows:

- (A) Account No. 145000-2 – July 27, 2018 - \$28,763.25 reduced to \$10,000.00; and
- (B) Account No. 145000-1 – July 27, 2018 - \$30,953.09 reduced to \$11,000.00; and

BE IT FURTHER RESOLVED, that the interest and late fees shall be waived on Riverside Tower's Account No. 145000-2 and Account No. 145000-1 for the third quarter of 2018; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Borough CFO, Sewer Utility Department, and Riverside Tower.

Seconded by Councilman Zipprich and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	(X)	()	()	()
Councilman Whelan	(X)	()	()	()
Councilman Yngstrom	(X)	()	()	()
Councilman Ballard	(X)	()	()	()
Councilman Zipprich	(X)	()	()	()
Councilwoman Horgan	(X)	()	()	()

Dated: November 7, 2018

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on November 7, 2018.

Pamela Borghi

Pamela Borghi, Municipal Clerk