

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 08-176

**RESOLUTION AUTHORIZING SETTLEMENT OF DISPUTED SEWER AND WATER BILLS
INCURRED BY THE PILGRIM BAPTIST CHURCH**

Mr. DuPont offered the following resolution and moved its adoption:

WHEREAS, it appears that the Pilgrim Baptist Church, located at 127 Shrewsbury Avenue, experienced an unanticipated substantial increase in water usage following the Borough's installation of water meters and the owner's upgrading of water service at that location; and

WHEREAS, the Pilgrim Baptist Church has disputed the propriety of these increased water and bills; and

WHEREAS, it will be difficult and expensive to prove without expert analysis and possible litigation whether the increased water usage was due to the Borough's installation of new water meters, or the Church's installation of upgraded service; and

WHEREAS, both the Borough and the Church believe that it is in their best interests to settle this dispute amicably and without excessive cost; and

WHEREAS, the parties have agreed to a settlement under which the Church will pay the disputed water charges in exchange for the Borough's waiver of the disputed sewer charges;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the Borough shall waive the outstanding sewer charge of \$1,176.48 and the Pilgrim Baptist Church shall pay the outstanding water charges of \$1,010.40.

Seconded by Ms. Lee and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Cangemi	(x)	()	()	()
Mr. Giannell	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Horgan	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. Murphy	(x)	()	()	()

Dated: August 25, 2008