

BOROUGH OF RED BANK
COUNTY OF MONMOUTH

RESOLUTION NO. 24-135

**AUTHORIZING THE WAIVER OF MUNICIPAL CONSTRUCTION FEES FOR THE
MUNICIPAL PROJECT KNOWN AS LEAD SERVICE LINE REPLACEMENT AND TEST PIT
PROGRAM**

WHEREAS, the Borough of Red Bank, in the County of Monmouth, State of New Jersey (the "Borough") desires to replace all or a portion of its lead service lines in the Borough's public water distribution system with copper service lines (the "Project"); and

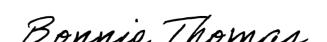
WHEREAS, the Borough believes that the provision of clean, lead free drinking water to its residents is a public purpose beneficial to the Borough as a whole and any benefit to any private land owner in accomplishing this purpose is incidental and subordinate to this primary public and governmental purpose; and

WHEREAS, as Chapter 114 of the Public Laws of 2018, authorizing, among other things, municipalities, including the Borough, to construct, reconstruct and finance the replacement of service connections to a publicly-owned water system, from the distribution main onto privately-owned real property and into a privately-owned structure, in connection with a project undertaken for the purpose of replacing lead-contaminated service connections, regardless of possible private service connection ownership, so long as the project is (1) an environmental infrastructure project, as defined under section 3 of P.L.1985, c.334 (C.58:11B-3), and (2) funded either by loans from the I-Bank or by loans issued through the NJDEP (the "I-Bank Loan"); and

WHEREAS, the Borough has filed an application seeking financial assistance with the New Jersey Infrastructure Bank ("I-Bank") and the New Jersey Department of Environmental Protection ("NJDEP") under the New Jersey Water Bank Financing Program for the financing of the Project and was approved for same; and

THEREFORE, BE IT RESOLVED, without establishing precedent beyond the specific facts surrounding this particular municipal project, that the Borough Council of the Borough of Red Bank hereby grants the waiver of the imposition of the municipal building permit fees related to all phases of this municipal project.

BE IT FURTHER RESOLVED, that the State of New Jersey DCA's Fees cannot be and are hereby not waived.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Councilmember Bonatakis		X	X				I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Red Bank, In the County of Monmouth at a Meeting held on May 23, 2024.
Councilmember Cassidy			X				 Bonnie K. Thomas Deputy, Borough Clerk
Councilmember Facey-Blackwood			X				
Councilmember Forest	X		X				
Councilmember Jannone			X				
Councilmember Triggiano			X				
Mayor Portman			X				
ON CONSENT AGENDA	Yes <u>x</u>		No				