

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 11-77

A RESOLUTION OPPOSING NEW JERSEY NATURAL GAS COMPANY'S PROPOSED GAS PRESSURE REGULATOR RELOCATION PROJECT

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

WHEREAS, New Jersey Natural Gas Company has informed the Borough that the utility plans to relocate gas service pressure regulators, currently installed in below ground boxes within the public sidewalk, to above ground locations above the public sidewalk in front of approximately over eighty (80) stores and businesses within the downtown; and

WHEREAS, New Jersey Natural Gas has represented that said regulators have been located within below ground boxes for over twenty years without incident; and

WHEREAS, New Jersey Natural Gas now represents that inspection of these regulators now exhibit signs of corrosion and thus, the utility proposes to relocate said regulators above ground and remove the below ground boxes, and plan to commence said work on or about May 1st of this year; and

WHEREAS, one such regulator was relocated from below ground to above ground at 35 Broad Street without first obtaining permits or easement approvals from the Borough of Red Bank for such work and/or such sidewalk encroachment; and

WHEREAS, the installation of said regulator at 35 Broad Street has resulted in placing said regulator and gas piping assembly in the public way, creating an obstruction and safety hazard to passing pedestrians that projects approximately 15 inches out from the front of the building; and

WHEREAS, such above ground placement of said regulators will subject regulator and natural gas piping to impact damage from carriages, bicycles, snow removal equipment, etc.; and

WHEREAS, the placement of said regulators and associated gas piping shall become an attractive anchoring point for bicycles; and

WHEREAS, such above ground regulator installations are utilitarian in appearance and diminish the aesthetics of the downtown streetscape which was developed through a consensus design process involving both the residential and commercial community and was fully funded through additional property assessments paid for by the downtown merchants most affected by this work; and

WHEREAS, the New Jersey Natural Gas Company has other alternatives at its disposal to address the concerns of regulator corrosion such as more frequent regulator replacement, installation of improved below surface enclosures, or a combination thereof.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that the Borough opposes New Jersey Natural Gas Company's proposed gas pressure regulator relocation project as described above and, in fact, demands that said pressure regulators remain below ground in suitable enclosures, and that said regulators be replaced on a more frequent basis to ensure public safety in accordance with applicable appropriate engineering standards.

BE IT FURTHER RESOLVED that the Borough demands that the gas pressure regulator installed at 35 Broad Street, which presently presents a hazard to pedestrians as outlined above, and which was installed without Borough approval or easement, be removed from the public walkway and relocated to its original location below grade.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded by the Clerk to New Jersey Natural Gas Company, the New Jersey State Board of Public Utilities, The Rivercenter Special Improvement District, Senator Beck, Assemblyman O'Scanlon, Assemblywoman Casagrande, the BPU Regulatory Oversight Committee of Assembly, the New Jersey State Historic Preservation, the New Jersey State League of Municipalities and the Monmouth County Historic Preservation Commission.

Seconded by Mr. Murphy and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Lewis	(x)	()	()	()
Mr. Zipprich	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Horgan	()	()	()	(x)
Ms. Lee	(x)	()	()	()
Mr. Murphy	(x)	()	()	()

Dated: March 30, 2011

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 March 30, 2011

Pamela Borghi, Municipal Clerk