

CITY OF EGG HARBOR

RESOLUTION# _____

RESOLUTION TO ENTER INTO AN AGREEMENT OF SALE WITH NEW JERSEY-AMERICAN WATER COMPANY, INC. FOR THE SALE OF THE WATER AND WASTEWATER ASSETS PURSUANT TO THE WATER INFRASTRUCTURE PROTECTION ACT N.J.S.A. 58:30-1 ET SEQ AND AUTHORIZING THE CITY ENGINEER TO SUBMIT THE PROPOSED USE OF THE PURCHASE PRICE TO THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROVAL AND AUTHORIZING NEW JERSEY-AMERICAN WATER COMPANY, INC. TO SUBMIT THE AGREEMENT TO THE BPU FOR APPROVAL

WHEREAS, the City of Egg Harbor, New Jersey (the "City") has entered into negotiations with New Jersey-American Water Company, Inc. ("New Jersey American Water") for the sale of its water and wastewater assets pursuant to the New Jersey Water Infrastructure Protection Act N.J.S.A. 58:30-1 *et seq.*; and

Commented [A1]: We added a reference to WIPA, but consider outlining the steps, RFP, receipt of proposals etc.

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WHEREAS, the City and New Jersey American Water have agreed to the terms of the Agreement between Egg Harbor City, Atlantic County, New Jersey and New Jersey-American Water Company, Inc. for Sale of Systems" (hereinafter the "Agreement") of sale, attached and marked as Exhibit A herein; and

Commented [A2]: Instead of attaching the agreement to the resolution, can you say a something like "... a copy of which is on file in the office of the city clerk"? This ties in to the comment below since the schedules will need to be finalized.

WHEREAS, a public hearing was held on January 27, 2021, at which time the Agreement agreement of sale was made available to the public and public comment was invited; and

WHEREAS, the Mayor and Council of the City have concluded that the sale is in the best interests of the citizens of the City; and

WHEREAS, the Mayor and Council have further concluded that the sale shall enhance the health, safety and welfare of the citizens of the City; and

WHEREAS, New Jersey American Water is a regulated public utility corporation of the State of New Jersey and therefore will need to submit the Agreement agreement of sale to purchase to the BPU for approval on behalf of the City; and

WHEREAS, the City will need to submit the proposed use of the purchase price to the Director of the Department of Community Affairs for approval; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the City has authority to execute resolutions and ordinances for the general health, welfare and public safety of its residents.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Egg Harbor, that the City Clerk and the Mayor shall be authorized to execute ~~the Agreement of sale~~ substantially in the form on file with the City Clerk with such other changes, insertions and amendments as deemed necessary by the City Solicitor in consultation with City staff and professionals with New Jersey-American Water Company Inc. for the sale of its water and wastewater assets, and that the City engineer shall be authorized to submit the proposed use of the purchase price to the Director of the Department of Community Affairs for approval, and that the City authorizes New Jersey American Water ~~company~~ to submit the Agreement of sale to the BPU for approval on its behalf.

CITY OF EGG HARBOR

Ordinance No. _____ 2021

**AN ORDINANCE
GRANTING CONSENT AND PERMISSION TO NEW JERSEY-AMERICAN
WATER COMPANY TO FURNISH POTABLE WATER AND WASTEWATER
CONVEYANCE IN THE CITY OF EGG HARBOR CITY, NEW JERSEY**

WHEREAS, the City of Egg Harbor City, County of Atlantic and State of New Jersey (the “City”), hereby grants consent and permission to New Jersey-American Water Company (“New Jersey-American”), a New Jersey Corporation to furnish potable water and wastewater conveyance within the City; and

WHEREAS, New Jersey-American is in the process of acquiring the water and wastewater systems (the “Systems”) currently owned and operated by the City, subject to regulatory approvals; and

WHEREAS, The City is desirous of having New Jersey-American acquire the Systems; and

WHEREAS, New Jersey-American is a regulated public utility corporation of the State of New Jersey presently seeking the municipal consent of the City to permit New Jersey-American to provide potable water and wastewater conveyance service through the Systems; and

WHEREAS, New Jersey-American has requested the consent of the City as required by N.J.S.A. 48:19-17 and 48:19-20, as amended, to lay its pipes beneath and restore such public roads, streets and places as it may deem necessary for its corporate purposes, free from all charges to be made for said privilege (except that fees for road opening permits shall be paid), provided that all said pipes installed after the date of this ordinance shall be laid at least three feet (3’) below the surface and shall not in any way unnecessarily obstruct or interfere with the public travel or cause or permit other than temporary damage to public or private property; and

WHEREAS, it is deemed to be in the best interests of the citizens of the City to provide this consent;

WHEREAS, the Mayor and Council of the City have concluded that granting of said consent shall enhance the health, safety and welfare of the citizens of the City.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY AS FOLLOWS:

Section 1. That exclusive and perpetual consent and permission to furnish water and wastewater conveyance to the City and all residents, businesses and government buildings therein is hereby given and granted to New Jersey-American, its successors and assigns, subject

to approval of such consent and permission by the Board of Public Utilities of the State of New Jersey.

Section 2. That exclusive consent and permission is given to New Jersey-American , its successors and assigns, under the provisions of N.J.S.A. 48:19-17 and N.J.S.A. 48:19-20, as amended, without charge therefore, (except fees for road opening permits which shall be paid) as the same may be required in order to permit New Jersey American-Water to own and operate the Systems add to, extend, replace, operate and maintain said Systems in the public property described herein in order to provide said potable water and wastewater conveyance service. This shall include permission to lay pipes beneath the public roads, streets, public property and public places. The public property shall include roads, streets and public places. The privilege granted herein shall include the construction, installation and maintenance of hydrants on and along the roads of the City, as well as streets, parks and public places at locations within the City;

Section 3. That a certified copy of this Ordinance, upon final passage, shall be sent to the New Jersey-American, the New Jersey Department of Environmental Protection and the Board of Public Utilities of the State of New Jersey.

Section 4. That the consent granted herein shall be subject to the New Jersey-American complying with all applicable laws of the City and/or the State of New Jersey including, but not limited to, any and all applicable statutes and administrative agency rules and/or regulations.

Section 5. The Mayor and the Clerk of the City are authorized to execute the documents and agreements necessary to effectuate this municipal consent.

Section 5. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section 6. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that if any portion of this Ordinance shall be declared invalid as a matter of law, such declaration shall not affect the remainder of said Ordinance; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication.

Meg Steeb, City Clerk

Lisa Jiampetti, Mayor

Resolution Supporting the Exploration of Feasibility for a Shared Municipal Court

RESOLUTION NO. XXX

Resolution Supporting the Exploration of Feasibility for a Shared Municipal Court

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et seq., any local unit of the State may enter into a contract with any other local unit or units for the joint provision within their jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Governor of the State of New Jersey is committed to supporting and advancing local government shared service solutions to enhance the provision of local services and alleviate the property tax burden on the State's residents and businesses; and

WHEREAS, the Governor of the State of New Jersey, with the support of the State Legislature, has authorized State funding to support Shared Services initiatives; and

WHEREAS, the governing body of the _____ name of municipality ("_____") recognizes that shared services may result in property tax relief and enhanced services for its constituents; and,

WHEREAS, the _____ wishes to explore the possibility of sharing services in the area of a shared municipal court; and

WHEREAS, _____; wishes to join in the exploration of a feasibility study of the potential for a successful shared services to be conducted by the County of Atlantic, New Jersey for a county-wide shared municipal court system; and

WHEREAS, the _____ seeks assistance from the County of Atlantic to conduct a financial and operational review identifying source of revenues and the potential for a successful shared county-wide court operation.

NOW THEREFORE BE IT RESOLVED that _____ Name of Governing Body hereby endorses undertaking a shared services study; and

BE IT FURTHER RESOLVED that the (*chief administrator, etc.*) is hereby authorized to take all necessary actions to allow for and support Name of municipality's participation in this assessment.

CITY OF EGG HARBOR
RESOLUTION #-2021

WHEREAS, N.J.S.A.40A:4-59 provides that appropriation transfers may be made during the first three months of the succeeding fiscal year,

NOW, THEREFORE, BE IT RESOLVED, the following appropriation reserve transfers are made:

<u>CURRENT FUND</u>	<u>TO</u>	<u>FROM</u>
Clerk S&W		
Clerk OE		
Finance S&W		
Finance OE		
Tax Collection OE		
Legal OE		
Land Use OE		
Group Insurance		3,500.00
Animal Control OE	500.00	
Unemployment Insurance		
Court OE	3,000.00	
Emergency Mgt OE		750.00
Fire Dept Contribution	750.00	
Electric		
Streetlighting	500.00	
Telephone	500.00	
Natural Gas		1,000.00
DPW S&W		2,500.00
DPW Other Expenses	2,500.00	
Hauling Fee		
Solid Waste Disposal		
Buildings & Grounds		
Natural Gas		
 Total	 \$ 7,750.00	 \$ 7,750.00

<u>UTILITY FUND</u>	<u>TO</u>	<u>FROM</u>
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Salaries & Wages

Meg Steeb, City Clerk

Dated: January 21, 2021



RESOLUTION

Account(s): City of Egg Harbor, Current Fund, General Capital, Utility Capital, Utility Checking, Payroll, Unemployment, Dog Acct, Accumulated Absences, Trust Other, Fire Prev Penalty Trust-Fire Dpt, Fire Prevention Penalty, Landfill Trust, Developer Escrow Disbursement

Municipality of City of Egg Harbor
County of Atlantic
State of New Jersey

WHEREAS the Municipality City of Egg Harbor has determined at a legal meeting of the governing body of the Municipality, to designate OceanFirst Bank N.A. as an approved depository for the Municipality's funds for the performance of banking transactions.

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Municipality, as follows:

1. OPENING THE ACCOUNT: That an account or accounts be opened (or continued and maintained) with OceanFirst Bank, titled: City of Egg Harbor, Current Fund, General Capital, Utility Capital, Utility Checking, Payroll, Unemployment, Dog Acct, Accumulated Absences, Trust Other, Fire Prev Penalty Trust-Fire Dpt, Fire Prevention Penalty, Landfill Trust, Developer Escrow Disbursement under the Taxpayer Identification Number

(TIN) 216000546 and there may be deposited to its credit in one or more accounts with the Bank any monies, checks and other instruments which may come into possession of this Municipality. It is agreed that said account or accounts shall be subject to the Bank's rules and regulations as may be in effect from time to time. Any other property may be deposited with the Bank for safekeeping, custody, or other purposes. Items for deposit, collection or discount may be endorsed by any person authorized to sign checks, or the endorsement thereof may be made in writing or by a facsimile signature stamp without designation of the person so endorsing.

2. AUTHORIZED SIGNERS: Any (specify 2 number) of the following Council/Committee Members, officers, employees, or agents (use titles, not names): Chief Financial Officer, Mayor, City Clerk, Council President

of this Municipality is/are authorized, on behalf of this Municipality and in its name, (a) to sign checks, savings withdrawals, drafts, notes, wire transfer requests, acceptances and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank and to receive any thereof, and to issue instructions for the conduct of any account of this Municipality with the Bank; (b) to accept drafts, checks, any other instruments or orders, including any payable to the Bank, and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Municipality; and (c) to endorse, negotiate, and receive, or authorize the payment of or the proceeds of any negotiable or other instruments or orders for the payment of money payable to or belonging to this Municipality; and (d) to open and have access to a safe deposit box or boxes subject to the terms and conditions specified in the applicable lease.



RESOLUTION

Account(s): TTL Redemption

Municipality of City of Egg Harbor
County of Atlantic
State of New Jersey

WHEREAS the Municipality City of Egg Harbor has determined at a legal meeting of the governing body of the Municipality, to designate OceanFirst Bank N.A. as an approved depository for the Municipality's funds for the performance of banking transactions.

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Municipality, as follows:

1. OPENING THE ACCOUNT: That an account or accounts be opened (or continued and maintained) with OceanFirst Bank, titled: TTL Redemption under the Taxpayer Identification Number (TIN) 216000546 and there may be deposited to its credit in one or more accounts with the Bank any monies, checks and other instruments which may come into possession of this Municipality. It is agreed that said account or accounts shall be subject to the Bank's rules and regulations as may be in effect from time to time. Any other property may be deposited with the Bank for safekeeping, custody, or other purposes. Items for deposit, collection or discount may be endorsed by any person authorized to sign checks, or the endorsement thereof may be made in writing or by a facsimile signature stamp without designation of the person so endorsing.

2. AUTHORIZED SIGNERS: Any (specify 1 number) of the following Council/Committee Members, officers, employees, or agents (use titles, not names): Tax Collector

of this Municipality is/are authorized, on behalf of this Municipality and in its name, (a) to sign checks, savings withdrawals, drafts, notes, wire transfer requests, acceptances and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank and to receive any thereof, and to issue instructions for the conduct of any account of this Municipality with the Bank; (b) to accept drafts, checks, any other instruments or orders, including any payable to the Bank, and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Municipality; and (c) to endorse, negotiate, and receive, or authorize the payment of or the proceeds of any negotiable or other instruments or orders for the payment of money payable to or belonging to this Municipality; and (d) to open and have access to a safe deposit box or boxes subject to the terms and conditions specified in the applicable lease.

Proof of Publication


STATE OF NEW JERSEY } SS.
COUNTY OF ATLANTIC

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his
duly sworn according to law on oath
deposes and says thatis the P ? ! i !

of THE HAMMONTON GAZETTE, a weekly newspaper published in
Hammonton, county and state aforesaid, and that a notice, of which the annexed
is a true correct copy, was published in THE HAMMONTON GAZETTE
on the following dates.

.....E8.C...: 0J-1.Dft.}C... .!Q...£'...!R.....
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Sworn to and subscribed before me thisdt.:2.....

day of: 11||A.D. 2016.....


GINA DONIO
ID# 2301609
NOTARY PUBLIC
STATE OF 1-1EW JERSEY
My Commission Expires June 17, 2018

NOTICE
The following is a true and correct copy of the notice published in the
Atlantic City Free Press, a weekly newspaper published in Atlantic City,
New Jersey, on July 14, 2016.

Ordinance 10-2016

BE IT ORDERED BY THE COMMON COUNCIL OF THE CITY OF ATLANTIC CITY, NEW JERSEY, that the following resolution be adopted, to-wit: That the amount authorized pursuant to this resolution be used for the purpose of financing the purchase of a parcel of land located at the intersection of Atlantic City and Philadelphia Avenues, Atlantic City, New Jersey, for the purpose of constructing a parking garage for the use of the Atlantic City Convention Center.

Pub. Oate: Jul20, 2016
Pr.: ee:\$9 92.

CITY OF EGG HARBOR
RESOLUTION #-2021

A RESOLUTION TO RELEASE MAINTENANCE GUARANTEE

WHEREAS, SJ Hauck had previously established a maintenance guarantee for in the amount of \$1,555.50; and

WHEREAS, it is now necessary to formally release the maintenance guarantee,

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Egg Harbor, County of Atlantic, State of New Jersey, that the maintenance guarantee of \$1,555.50 (current balance \$1,560.34 from interest earned) be released:

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Egg Harbor City Council at a meeting held February 11, 2021.

Meg Steeb
Municipal Clerk

RESOLUTION

SEWER CREDIT REFUND FOR 215 BOSTON AVENUE

WHEREAS, MR. THORNTON HOLE OWNS THE PROPERTY LOCATED AT BLOCK 524, LOT 27, KNOWN AS 215 BOSTON AVENUE, AND

WHEREAS, MR. HOLE RECEIVED 2 HIGH UTILITY BILLS FOR HIS ACCOUNT 1218-0 DUE TO BROKEN WATER PIPE, AND

WHEREAS, MR HOLE PRESENTED A COPY OF A CANCELLED CHECK TO A PLUMBER IN THE AMOUNT OF 3500.00, ALONG WITH A LETTER REQUESTING A CREDIT FOR SEWER, BECAUSE 162,000 GALLONS OF LEAKING WATER FLOWED INTO THE GROUND, NOT OUR SEWER LINE,

NOW, THEREFORE, BE IT RESOLVED by Mayor and Common Council of Egg Harbor City, New Jersey, that a credit be issued in the amount of 162,000 Gallons of sewer usage at \$7.50 per gallon, for a total credit of \$1255.00

NOW, THEREFORE, BE IT FURTHER RESOLVED by Mayor and Common Council of Egg Harbor City, New Jersey that a credit will be applied to account 1218-0 for the 1ST quarter 2021 sewer bill for in the amount of \$1255.00 for the property located at 215 BOSTON AVE and assessed to THORNTON HOLE.

EGG HARBOR CITY

RESOLUTION

SEWER CREDIT REFUND FOR 400 PHILADELPHIA AVENUE

WHEREAS, WILLIAM AND ANNMARIE HOWARD OWN THE PROPERTY LOCATED AT BLOCK 315, LOT 1.01, KNOWN AS 400 PHILADELPHIA AVENUE, AND

WHEREAS, MR. HOWARD RECEIVED 2 HIGH UTILITY BILLS FOR HIS ACCOUNT 1629-0 DUE TO BROKEN WATER PIPE IN THE BASEMENT, AND

WHEREAS, MR HOWARD PRESENTED A LETTER REQUESTING A CREDIT FOR SEWER, BECAUSE, BASED ON HIS AVERAGE WATER USE OVER THE LAST THREE YEARS, IT IS ESTIMATED THAT 56,000 GALLONS OF LEAKING WATER FLOWED INTO THE GROUND, NOT OUR SEWER LINE, AND SUBSEQUENT METER READS SHOW THAT THIS PROBLEM HAS BEEN CORRECTED.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Common Council of Egg Harbor City, New Jersey, that a credit be issued in the amount of 56,000 Gallons of sewer usage at \$7.50 per gallon, for a total credit of \$434.00

NOW, THEREFORE, BE IT FURTHER RESOLVED by Mayor and Common Council of Egg Harbor City, New Jersey that a credit will be applied for the 1ST quarter 2021 sewer bill for account number 629-0 in the amount of \$434.00 for the property located at 400 PHILADELPHIA AVE and assessed to WILLIAM AND ANNMARIE HOWARD.

EGG HARBOR CITY

RESOLUTION

SEWER CREDIT REFUND FOR 1706 LONDON AVENUE

WHEREAS, MR. MICHAEL SHUTTER PURCHASED THE PROPERTY LOCATED AT BLOCK 187 LOT 1.04, KNOWN AS 1706 LONDON AVENUE ON 6/25/20, AND

WHEREAS, MR. SHUTTER RECEIVED AN EXCESSIVE UTILITY BILL FOR HIS ACCOUNT 1712-0 DUE TO USAGE PRIOR TO HIS OWNERSHIP OF THE PROPERTY, AND

WHEREAS, MR SHUTTER'S WATER USAGE HIS BEEN APPROXIMATELY 1000 GALLONS OF WATER A MONTH, BASED ON ACTUAL METER READINGS, HOWEVER A BILL ISSUED TO MR SHUTTER IN THE AMOUNT OF 732.50 WAS BASED ON 41,000 GALLONS OF WATER USE. MR SHUTTER IS REQUESTING A REFUND FOR 35,000 GALLONS OF SEWER USAGE, BASED ON HIS ACTUAL MONTHLY USAGE

NOW, THEREFORE, BE IT RESOLVED by Mayor and Common Council of Egg Harbor City, New Jersey, that a credit be issued in the amount of 35,000 Gallons of sewer usage at \$7.50 per gallon, for a total credit of \$262.50

NOW, THEREFORE, BE IT FURTHER RESOLVED by Mayor and Common Council of Egg Harbor City, New Jersey that a credit will be applied to account 1712-0 for the 1ST quarter 2021 sewer bill in the amount of \$262.50 for the property located at 1706 LONDON and assessed to MICHAEL SHUTTER.

EGG HARBOR CITY

Ordinance #-2021

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF EGG HARBOR, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that pursuant to NJSA 40A:4-53 the sum of \$50,000 is hereby appropriated for the preparation of the City's Master Plan and shall be deemed a special emergency appropriation as defined and provided for in NJSA 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (NJSA 40A:4-55).

Meg Steeb, City Clerk

Lisa Jampetti, Mayor

Introduced:
Published:
Public Hearing:
Adopted:

CITY OF EGG HARBOR
COUNTY OF ATLANTIC, STATE OF NEW JERSEY

ORDINANCE #1 - 2021

ORDINANCE AMENDING THE GENERAL CODE OF THE CITY OF EGG HARBOR PART II GENERAL LEGISLATION, CHAPTER 259, VEHICLES AND TRAFFIC, ARTICLE II, TRAFFIC REGULATIONS

WHEREAS, N.J.S.A. 39:5A-1 provides that a municipality may make, amend repeal and enforce ordinances to regulate vehicular and pedestrian traffic and the parking of vehicles in parking yards and parking places, which are open to the public or to which the public is invited in conjunction with any business enterprise;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Egg Harbor, County of Atlantic, State of New Jersey, that Chapter 259 of the General Code of City of Egg Harbor, more particularly Article II, Traffic Regulations , § 259-12-B, Stop Intersections be amended, to include, as follows:.

SECTION I

§ 259-12-B shall be amended to include the following:

(7) The intersection of Arago Street and the easterly side of New York Avenue shall be designated a four way stop sign intersection.

(8) The intersection of Buerger Street and Washington Avenue shall be designated a four way stop sign intersection.

SECTION II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This ordinance shall take effect immediately upon final publication as provided by law.

ENACTED AND ADOPTED by the Council of the City of Egg Harbor on this _____ day
of _____ 2021.

January 21, 2021

Publication: January 27, 2021

Public Hearing: February 11, 2021

Adoption:

Publication:

ATTEST:

By: _____

By: _____

City of Egg Harbor- Clerk
MEG STEEB

Mayor
LISA JIAMPETTI

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