

RESOLUTION 2016-031

**RESOLUTION OF THE BORDENTOWN SEWERAGE AUTHORITY,
IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY
AUTHORIZING THE CANCELLATION OF \$9,452.59 OF PAST DUE
SEWER CHARGES INCURRED FOR SERVICES PROVIDED AT 315
BORDEN STREET IN BORDENTOWN CITY**

WHEREAS, the Bordentown Sewerage Authority (the “Authority”) previously provided sewer collection and treatment services for wastewater generated at 315 Borden Street in the City of Bordentown as further identified on the official tax map of the City of Bordentown as Block 503, Lot 2 (the “Property”);

WHEREAS, the Property was assessed to Larry J. Carthan;

WHEREAS, Mr. Carthan from 2001 up to and including the date of January of 2016 regularly neglected to pay Authority bills in a timely manner;

WHEREAS, the Authority throughout the period of time from 2001 to 2016 was fortunate enough on several occasions in years 2003, 2005, 2006, and 2007 to have a portion of its sewer bills paid through the City’s sale of liens at a City run tax sale;

WHEREAS, despite the Authority’s receipt of periodic payments from the City run tax sales, Mr. Carthan incurred in principal and penalty interest \$9,452.59 in past due sewer bills;

WHEREAS, recently, the City of Bordentown recovered the Property through an in rem tax sale foreclosure order which provided the City with fee simple title to the Property;

WHEREAS, as a result of the City's recovery of the Property, the Authority's outstanding sewer charges were discharged and released from the Property as the Authority did not maintain any recordable lien for the same; and

WHEREAS, the Authority's Board Members wish through this resolution to cancel of record the sum of \$9,452.59 due and owing to the Authority for services provided at 315 Borden Street in the City of Bordentown.

NOW, THEREFORE, BE IT RESOLVED by The Board Members of the Bordentown Sewerage Authority, in the County of Burlington, State of New Jersey that:

1. The sum of \$9,452.59 due and owing for sewer charges generated at 315 Borden Street further identified on the official tax map in the City of Bordentown as Block 503, Lot 2 is hereby charged on the official account ledgers of the Bordentown Sewerage Authority.
2. The cancelation of the amount due from the Property is contingent upon the understanding that if the Property now owned in fee by the City of Bordentown is sold or conveyed to a third party in the future, the Authority will be permitted to collect a new connection fee at that time.

3. This cancellation of amounts due is further contingent upon the understanding that at the time building is demolished, the sewer line must be capped and inspected by Bordentown Sewerage Authority. The sewer capping in no way relieves the obligation of present or future property owners from completing and filing a sewer connection permit application and paying a new connection fee.

4. Any and all resolutions inconsistent with this resolution are hereby repealed to the extent of such inconsistencies.

RECORDED VOTE:

	Yay	Nay	Abstain	Absent
James E. Lynch, Jr., Chairman	✗			
M. Ellen Gulbinsky	✗			
Stephen Monson	✗			
Leonard DeGroot	✗			
Joseph R. Malone, III	✗			
Zigmont F. Targonski	✗			

Date of adoption: April 18, 2016

THE BORDENTOWN SEWERAGE AUTHORITY

By: _____

James E. Lynch, Jr., Chairman

ATTEST:

 Stephen Monson, Secretary