

RESOLUTION NO. 2022-83

**RESOLUTION OF THE BORDENTOWN SEWERAGE
AUTHORITY, IN THE COUNTY OF BURLINGTON, NEW
JERSEY AUTHORIZING THE AUTHORITY'S EXECUTIVE
DIRECTOR TO EXECUTE A DEVELOPER AGREEMENT
WITH OLD YORK ROAD INDUSTRIAL PROPERTIES, LLC**

WHEREAS, Old York Road Industrial Properties, LLC (the "Developer") is intending to develop land identified on the official tax map of Bordentown Township as Block 131, Lot 2.01 (Formerly Lots 1, 2, and 4.02) having an address of 2015 Route 206 (the "Property"); and

WHEREAS, the Developer is desirous of constructing certain sanitary sewerage improvements which will require permitting from both New Jersey Department of Transportation ("NJDOT") and New Jersey Turnpike Authority ("NJTPA") which when constructed, will direct wastewater from the Property to the Bordentown Sewerage Authority ("Authority") for treatment; and

WHEREAS, in order for the Developer to construct the proposed sanitary sewerage improvements, it must first obtain from both NJDOT and NJTPA certain approvals and permits; and

WHEREAS, in order to obtain the approvals and permits, the Developer must have the Authority apply for the same in the name of Developer; and

WHEREAS, the Developer has presented the Authority with a form of Developer Agreement (the "Agreement"); and

WHEREAS, the Authority's Solicitor and Consulting Engineer are in receipt of the drafted agreement, and are in the process of finalizing the agreement; and

WHEREAS, the Authority wishes with this resolution to memorialize its acceptance of the Agreement, in concept, with the final form to be approved and executed consistent with the recommendations of staff and Authority professionals; and

WHEREAS, the Authority's Executive Director shall sign the Agreement when recommended by both staff and the Authority professional and sign the required applications when recommended by both staff and Authority professionals for submittal by the Developer's engineer.

NOW, THEREFORE, BE IT RESOLVED BY THE BORDENTOWN SEWERAGE AUTHORITY, IN THE COUNTY OF BURLINGTON, NEW JERSEY, THAT:

1. The Developer Agreement submitted to the Authority by Old York Road Industrial Properties, LLC is hereby approved and accepted based on the conditions noted above.

2. The Authority hereby authorizes its Executive Director to sign the Agreement when recommended by both staff and Authority professionals and sign the required applications for the New Jersey Department of Transportation and New Jersey Turnpike Authority when recommended by both and Authority professionals for submittal by the Developer's engineer.

Adopted this 17th day of October, 2022

BORDENTOWN SEWERAGE AUTHORITY

By: M. Ellen Gulbinsky
M. Ellen Gulbinsky, Vice-Chairwoman

Attest:

A Miller
Aneka Miller, Secretary