

**TOWNSHIP OF NORTH BRUNSWICK
RESOLUTION 142-3.26**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF NORTH BRUNSWICK
AUTHORIZING THE FORGIVENESS OF WATER-SEWER UTILITY CHARGES
BILLED TO FRANKLIN TOWNSHIP RELATED TO INTERCONNECTION FLOW**

WHEREAS, the Township of North Brunswick owns and operates a municipal water utility system that provides potable water service to customers within the Township; and

WHEREAS, the Township of North Brunswick and the Township of Franklin maintain three (3) physical water system interconnections equipped with metering devices intended for emergency or supplemental water supply between the two systems; and

WHEREAS, it was determined that certain valves associated with these interconnections had an issue operability preventing full closure, which, combined with the higher system pressure in the North Brunswick water system, resulted in water flowing from North Brunswick into the Franklin Township system without a formal request for supply; and

WHEREAS, the water flow through these interconnections was recorded by the respective meters and subsequently billed by the Township of North Brunswick Water Utility to Franklin Township under three separate utility accounts; and

WHEREAS, following review of the circumstances surrounding the flow conditions and recognizing that the supply occurred due to system pressure and valve conditions rather than a requested purchase of water, the Township has determined it appropriate to forgive the billed consumption amounts, including any associated interest charges; and

WHEREAS, the Township of North Brunswick and the Township of Franklin are currently working collaboratively to formalize an Interconnection Agreement that will govern future use of the system interconnections, including terms related to water supply, metering, operational controls, and billing; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey, as follows:

1. The Township Council hereby authorizes the forgiveness and adjustment of all water utility charges, including interest, and meter fees billed to the Township of Franklin under the three (3) interconnection accounts associated with the unintended water flow between the systems.

17873-0	\$ 853.39
17874-0	\$ 8,325.87
17875-0	\$25,916.41

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2. The Water Utility and Finance Department are authorized to process the necessary billing adjustments to reflect the forgiveness of these charges.
3. The Township and appropriate professionals shall continue working with representatives of the Township of Franklin to finalize an Interconnection Agreement governing the future use and operation of the interconnections between the two municipal water systems.
4. Upon completion, the agreement shall be presented for consideration and submitted and filed with the New Jersey Department of Environmental Protection (NJDEP) in accordance with applicable regulations governing public water system interconnections.

BE IT FURTHER RESOLVED that this action is taken in recognition of the operational circumstances that resulted in the unintended flow and in the interest of maintaining cooperative intergovernmental relations while a formal interconnection framework is established.

Ronald Gordon, Esq. Township Attorney
Approved as to legal form