

RESOLUTION

WHEREAS, Forest Creek is a residential development of 41 townhouses located on McManus Court and Waldeck Court off Forest Avenue; and

WHEREAS, the two roads within Forest Creek are private roads maintained by the Forest Creek Condominium Association; and

WHEREAS, the Township entered into a Municipal Services Agreement with the Forest Creek Condominium Association which was authorized by Township Council Resolution No. 9492-01 dated April 24, 2001; and

WHEREAS, Paragraph 3D of the Agreement requires the Township to reimburse the Association for costs charged the Association by the New Jersey American Water Company for the four fire services that provide water to the four fire hydrants located within the Forest Creek Development at a rate that does not exceed the rate the Township of West Orange pays New Jersey American Water Company for public fire hydrant rental; and

WHEREAS, the Township of West Orange will reimburse the Forest Hill Condominium Association for fire hydrants rental until such time as the fire hydrants become public; and

WHEREAS, the annual cost per fire service charged by New Jersey American Company to the Forest Creek Condominium Association is \$2,153.52; and

WHEREAS, the annual fee per public fire hydrant charged the Township by New Jersey American Company which is the basis for the reimbursement to the Forest Creek Condominium

Association is \$523.20; and

WHEREAS, the Forest Creek Condominium Association requested the Township identify these hydrants as public hydrants; and

WHEREAS, it is permissible to identify these fire hydrants as public fire hydrants and for the Township to pay the annual fee of \$523.20 per hydrant directly to the New Jersey American Water Company; and

WHEREAS, the Director of Public Works and the Fire Director have reviewed this arrangement and found it to be consistent with other private communities within the Township; and

WHEREAS, the Township Council concurs with the foregoing.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that the four fire hydrants servicing the private townhouse development of Forest Creek located on McManus Court and Waldeck Court shall be designated as public fire hydrants which shall be rented to the Township and the Township agrees to pay the annual rental or stand by fee of \$523.20 per hydrant.

BE IT FURTHER RESOLVED that the Mayor, Municipal Clerk, Director of Public Works and Fire Director be and are hereby authorized to execute any agreement necessary to effectuate this understanding.

Karen J. Carnevale, R.M.C., Municipal Clerk

Victor Cirilo, Council President

Adopted: June 14, 2016