**296-26**
**November 10, 2026**

**RESOLUTION AUTHORIZING TEMPORARY EASEMENT AGREEMENT WITH OWNER OF 11 NELSON COURT**

**WHEREAS**, a portion of the Township's sanitary sewer main runs beneath the property located at 11 Nelson Court, West Orange, NJ 07052, known as Block 168, Lot 10.04 (hereinafter the "Property"); and

**WHEREAS**, the Township of West Orange Engineer has determined that there are immediate improvements that need to be initiated for the installation of a pump station with tank and grinder pumps including tank, check valves, electrical work, and site restoration to prevent raw sewage from the sanitary sewer main to discharge into the existing residence; and

**WHEREAS**, the owner of the Property has agreed to a Temporary Easement and Settlement Agreement attached herein as Exhibit **"A;"** and

**WHEREAS**, the owner of the Property has further agreed to maintain and repair the future Pump Station improvements including all its components as necessary to protect and maintain a functional pump station; and

**WHEREAS,** pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, in the case of emergencies that affect the public health, safety and welfare, any contract may be negotiated or awarded for the Township of West Orange without public advertising for bids; and

**WHEREAS**, the Township desires to utilize Rak Plumbing and Heating, LLC, 60 Carlton Avenue, East Rutherford, New Jersey 07073, to execute the installation of a pump station on the Property as they are familiar with the required scope of work and are readily available to perform the same; and

**WHEREAS**, Rak Plumbing and Heating, LLC, provided a quote, attached hereto as Exhibit "B" in the amount of $75,800.00 to complete the work necessary to install the pump station; and

**WHEREAS**, the scope of work shall include the installation of a pump station that includes a tank with pump, check valves, covers, conduit and associated amenities for an operational station. For the work to be completed, excavation will need to be performed, backfill for trenches, installation of electrical connections and conduit, restoration and topsoil and seeding all disturbed areas; and

**WHEREAS**, the Township Engineer has deemed these repairs necessary to protect the health and safety of residents located on Nelson Court; and

**NOW, THEREFORE, BE IT RESOLVED,** by the Township Council of the Township of West Orange, that Township is authorized to enter into the Temporary Easement and Settlement Agreement in a substantially similar form as attached herein as Exhibit **"A" subject** to Township Attorney review; and

**IT IS FURTHER, RESOLVED,** that a copy of this Resolution shall be made available in the Clerk's office in accordance with applicable law.

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

**Susan Scarpa, Council President**

**Adopted: November 10, 2026**

**I hereby certify funds are available from Account No.:** **03-2984-26-0100-020**
**$75,800.00**

**John Ditinyak, Chief Financial Officer**