

RESOLUTION 2019 - 88

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE "APPLICATION AND AGREEMENT FOR PUBLIC FIRE HYDRANT SERVICE" WITH SUEZ WATER NEW JERSEY

WHEREAS, Suez Water New Jersey requested that an "Application and Agreement for Public Fire Hydrant Service" be established with the Borough of Mount Arlington for payment of services for four (4) Suez Water New Jersey-owned water hydrants located within Borough's public Right-of-Way. The water hydrants were installed as part of the Shadow Woods development project, which project was approved by the Borough Planning Board on January 11, 2006, memorialized on February 8, 2006, a copy of which Resolution is incorporated herein as if set forth at length and is attached hereto as **Exhibit A**; and

WHEREAS, the Borough Engineers recently confirmed that all four (4) water hydrants were installed within Borough's public Right-of-Way in accordance with the plan sheet from the approved plan set depicting the location of the various hydrants, a copy of which is incorporated herein as if set forth at length and is attached hereto as **Exhibit B**; and

WHEREAS, the water system, and accordingly the water hydrants, were placed into service on September 23, 2016 pursuant to the Construction Completion Certification (CCC) form, a copy of which is incorporated herein as if set forth at length and is attached hereto as **Exhibit C**; and

WHEREAS, Suez Water New Jersey added all of the water system assets from the Shadow Woods development to their registry on June 19, 2017. The rate schedule for the four (4) water hydrants are set forth on the Rate Schedule No. 6 on page 60 (PDF page 61) of the Tariff for Water and Wastewater service document, a copy of which is incorporated herein as if set forth at length and is attached hereto as **Exhibit D**; and

WHEREAS, Suez Water New Jersey desires to enter into its standard formal agreement with the Borough for the four (4) water hydrants and provided the attached "Application and Agreement for Public Fire Hydrant Service", which agreement is written as if the agreement is for a prospective project rather than as it is here with this project which is already complete. Suez Water New Jersey explained that this agreement, in its current form, is preferred to be executed, rather than any amended version; and

WHEREAS, the Mayor and Council of the Borough of Mount Arlington reviewed Exhibits A through D; the "Application and Agreement for Public Fire Hydrant Service"; discussed the status of the project with the Borough Engineer; and determined that the current version of the agreement is acceptable in its current form and should be executed.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF MOUNT ARLINGTON, THAT the Borough hereby approves and authorizes the "Application and Agreement for Public Fire Hydrant Service" and directs the Borough Administrator to execute a same.

This is to certify that the above is a true and correct copy of a resolution adopted by the Borough of Mount Arlington at a meeting held on May 7, 2019.


Linda DeSantis, R.M.C.
Borough Clerk

SUEZ WATER NEW JERSEY

Application and Agreement for Public Fire Hydrant Service

Borough of Mount Arlington (hereinafter referred to as the "Applicant") hereby requests the Suez Water New Jersey to erect four (4) Fire Hydrant(s) to be used for fire purposes only at the following designated locations identified in the attached sketches.

Applicant agrees to pay the rates and comply with the Standard Terms and Conditions of Suez Water New Jersey, as set forth in the Tariff for Water Service on file with the Board of Public Utility Commissioners of the State of New Jersey, as the same may be amended, revised or supplemented from time to time. Copies of the Tariff are available for inspection at any Company office.

It is understood and agreed that Applicant's responsibility to pay for Public Fire Hydrant(s) Service will continue from the date service is commenced, pursuant to this Application, until written notice is received by the Company of a change of ownership or occupancy of the premises or written notice is received by the Company to discontinue such service.

It is understood and agreed that all fire hydrant(s) installed by the Company pursuant to this Agreement shall be connected only to Company owned water mains installed in public streets or in easements provided to the Company, and that such fire hydrant(s) shall only be installed adjacent to and in close proximity to such water mains.

Ownership of the fire hydrant(s) shall at all times remain with the Company.

Applicant understands and agrees that the Company assumes no obligation to render any special service or to maintain any fixed or definite quantity of water or pressure and that the Company shall be free and exempt from any and all claims for damages or injury to persons or property by reason of failure to supply water or pressure, or due to any other cause whatsoever.

It is further understood and agreed that the Company shall not in any way, or under any circumstances, be liable or responsible to any party for any loss or damage resulting from fire or water, or other agency, which may occur due to the installation or presence of the water mains or fire hydrant(s), or any pipe or fixture or appurtenance connected therewith; or for any loss or damage resulting from any leakage or other flow of water from said mains of fire hydrants, or any of the pipes, fixtures or appurtenances connected therewith; or for any loss or damage resulting from any excess or deficiency in pressure or supply of water, due to any cause whatsoever.

ORDER FOR HYDRANTS

SUEZ WATER NEW JERSEY INC.

Project ID: C15D307_100

Initial and Future owner will be:

Borough of Mount Arlington
419 Howard Boulevard
Mount Arlington, NJ 07856

Board Members:

I hereby certify that the following is a copy of a resolution duly passed by the Mayor and Council of the Borough of Mount Arlington, NJ, at a meeting duly called and held on the

7 day of May ~~2018~~ 2019.

"RESOLVED, that Suez Water New Jersey, Inc. is hereby requested to erect four (4) fire hydrants at the following designated locations, to be used for fire purposes only, in accordance with the Rules and Regulations of the Company, and its rates as set forth in its Schedule of Rates filed with the New Jersey Board of Public Utilities in Newark, NJ."

LOCATION OF HYDRANTS

- SEE ATTACHED SKETCH

ATTEST:

BOROUGH OF MOUNT ARLINGTON

Name:

[Signature]

Name:

[Signature]

Title:

Linda De Santis, RMC
Borough Clerk

Title:

Michael Stanzulis, Mayor

Application Accepted:

SUEZ WATER NEW JERSEY

By

[Signature]
James P. Schneider

Again, upon installation and declaration of the water main and hydrants "in-service", the applicant of record is responsible for the immediate recurring costs of the public hydrants until such time SUEZ Water is contacted by the new owner and the responsible billing party is updated.

SUEZ WATER NEW JERSEY

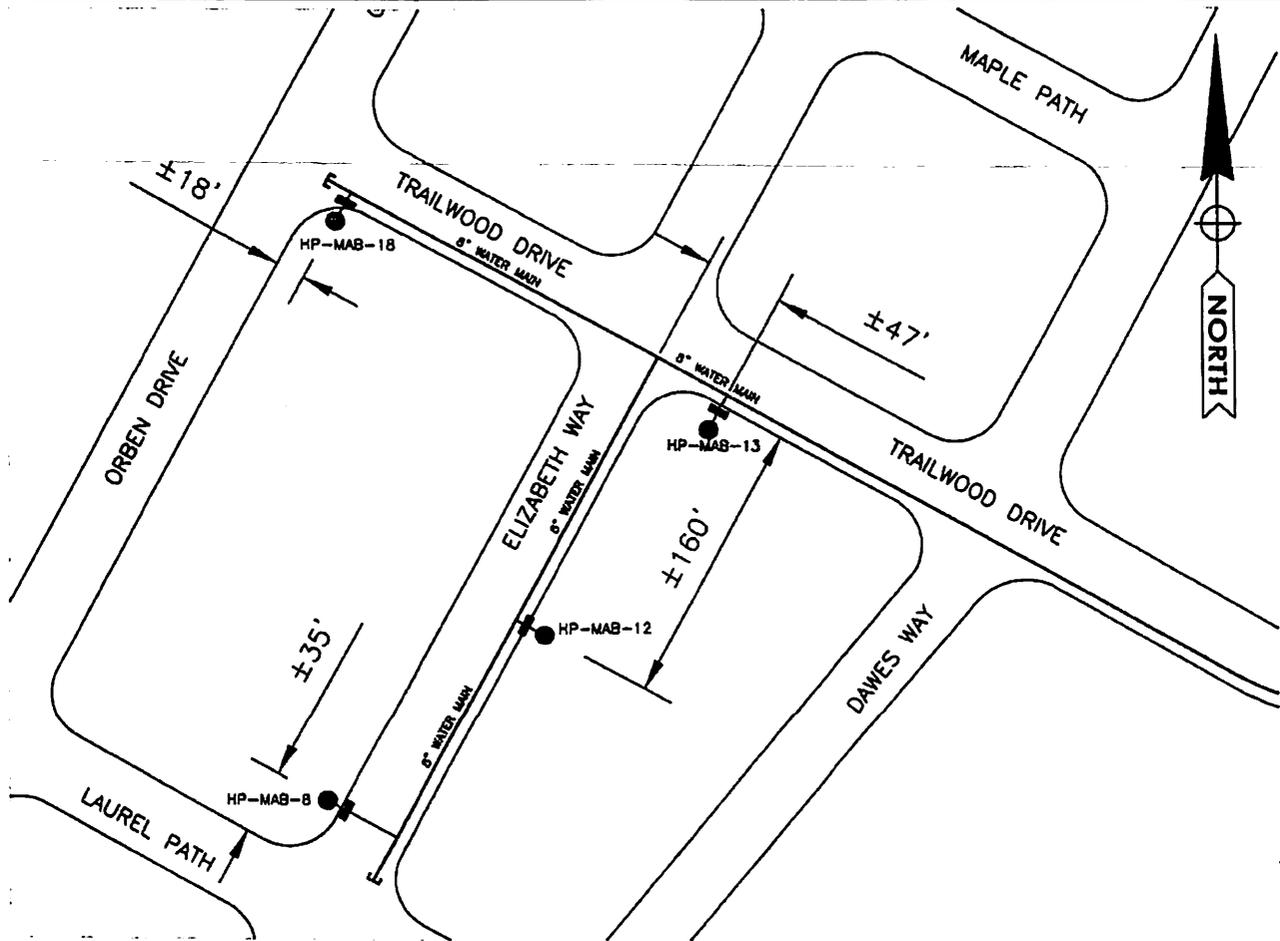
PROPOSED LOCATION OF FIRE HYDRANTS

SHADOW WOODS DEVELOPMENT - SINGLE FAMILY HOMES
MOUNT ARLINGTON, NEW JERSEY

PROJECT ID: C15D307_100
DATE: 5/30/18

Date: May 30, 2018 - 4:31 pm

File: I:\136.01.2015.27 C15D307_100 Fieldstone and Shadow Woods UWMA\TRAILWOOD-DRIVE.dwg



LEGEND

- PROPOSED HYDRANT
- ⊗ EXISTING HYDRANT
- ② LOT NUMBER
- — — CENTER LINE
- — — PROPERTY LINE
- — — CURB LINE



THE LOCATION OF THE FIRE HYDRANT AS SHOWN ON THE ABOVE SKETCH IS HEREBY APPROVED

BY: _____
PUBLIC

DATE _____