

RESOLUTION No. R-17-187

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
LIVINGSTON AUTHORIZING THE ENTERING INTO A MUNICIPAL WASTE
WATER SERVICE AGREEMENT WITH PULTE HOMES OF NEW JERSEY**

WHEREAS, Pulte Homes of New Jersey (“Pulte Homes”) has obtained site plan approval from the Livingston Township Planning Board for the construction of 51 multi-family rental units and 170 market rate townhouse units to be located at 110 South Orange Avenue (“the project”); and

WHEREAS, following completion of the construction of the authorized improvements for the project, waste water generated by the project will be conveyed to the waste water treatment facility operated by the Township, requiring use of the Passaic Avenue pump station (“pump station”); and

WHEREAS, the Township has authorized preparation of plans for improvements to expand capacity of the pump station and conveyance infrastructure to accommodate the project and other additional developments; and

WHEREAS, each development of improvements to be served by the expanded capacity of the pump station and conveyance infrastructure will be asked to pay its pro rata share of the cost of the infrastructure project; and

WHEREAS, the parties agree to enter into a Municipal Waste Water Service Agreement to set forth the mutual obligations to allow development and construction activities for the project to proceed while necessary improvements are being undertaken to expand the capacity of the pump station and conveyance infrastructure.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Livingston, County of Essex, State of New Jersey that the Mayor is authorized to enter into a Municipal Waste Water Service Agreement with Pulte Homes of New Jersey, on behalf of the Township Council with terms acceptable to the Township Engineer and Township Attorney.

Shawn R. Klein, Mayor

Glenn R. Turtletaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: September 18, 2017