

**RESOLUTION NO. 145-2015**  
**AUTHORIZING SETTLEMENT WITH THE**  
**TWO RIVERS WATER RECLAMATION AUTHORITY**

Councilmember Leckstein offered the following resolution and moved for its adoption; seconded by Councilmember Kelly:

**WHEREAS**, the Two Rivers Water Reclamation Authority ("the Authority"), formerly known as the Northeast Monmouth County Regional Sewerage Authority, provides sewage transportation and treatment services to the Borough of Sea Bright pursuant to an Agreement the parties entered into in 1968 ("Customer Agreement"); and

**WHEREAS**, Authority's service area is made up of both member towns and customer towns, the Borough of Sea Bright being one of the Customer Towns; and

**WHEREAS**, in 2012 questions were raised regarding the annual charges assessed to the Customer Towns by the Authority; and

**WHEREAS**, in 2012, in the best interests of its residents, the Borough of Sea Bright Resolved to engage in litigation with the Authority as respects its billing practices and the annual charges assessed by the Authority; and

**WHEREAS**, following extensive litigation and intense negotiations, the parties have come to an agreement to resolve all outstanding claims and have set the terms and conditions of the resolution down in the attached Agreement and Mutual Release, which is incorporated herein by reference; and

**WHEREAS**, the Governing Body is of the opinion that it is in the best interests of the residents of the Borough of Sea Bright to authorize and enter into the attached Agreement and Mutual Release with the Authority;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright that the statements contained in the foregoing preamble be and are hereby incorporated into this Resolution as if more fully set forth herein at length and that the attached Agreement and Mutual Release is approved; and

**BE IT FURTHER RESOLVED** that the Mayor be and is hereby authorized and directed to enter into the attached Agreement and Mutual Release thereby resolving any and all claims with the Two Rivers Water Reclamation Authority according to the terms and conditions set forth in the Agreement and Mutual Release; and

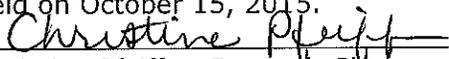
**BE IT FURTHER RESOLVED**, that upon receipt of the fully executed Agreement and Mutual Release from all parties, the Governing Body does hereby instruct its counsel to file a Stipulation of Dismissal, with prejudice, of all claims against the Authority, in the form attached to and referenced in the Agreement and Mutual Release.

**Roll Call:** Bills, Keeler, Kelly, Lamia, Leckstein, Rooney  
Yes Yes Yes Yes Yes Yes

October 15, 2015

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on October 15, 2015.

  
Christine Pfeiffer, Borough Clerk