

**RESOLUTION OF THE ROCKLEIGH SEWERAGE
AUTHORITY APPROVING THE CONSTRUCTION OF A
PUMPING STATION AND CONNECTION TO THE SEWER
SYSTEM BY 22 PARIS AVENUE I, LLC FOR LOT 16 BLOCK
102 AND THE ESTABLISHMENT OF CONNECTION FEES
IN THE PRESENT B-ARH ZONE AND BT ZONE**

DATED: _____, 2006

WHEREAS, 22 Paris Avenue I, LLC, owner of Lot 16 in Block 102 presently in the B-ARH Zone has received preliminary approval from the Borough of Rockleigh Planning Board for the construction and development of 24 townhouse age restricted units; and

WHEREAS, one of the conditions of said Planning Board approval was that 22 Paris Avenue I, LLC obtain the approval for a "sanitary sewer connection to the Orangetown Sewer System as required from the Rockleigh Sewerage Authority," among other agencies; and

WHEREAS, 22 Paris Avenue I, LLC is now seeking said approval and has advised the Rockleigh Sewerage Authority that it will undertake, at its own costs, the construction of a pumping station and installation of the sewer pipes required to connect to the main sewer system on the condition that if and when the other lots in the B-ARH Zone namely Lot 18 Block 102 and Lot 15 in Block 102 in the BT Zone, are developed that said developers of those lots be required to pay a connection fee in the approximate amount of one-third of the costs that 22 Paris Avenue I, LLC has incurred for this construction of the pumping station and installation sewer pipes and that said one-third connection fee be reimbursed to 22 Paris Avenue I, LLC; and

WHEREAS, such a proposal will eliminate the need for the Rockleigh Sewerage Authority to undertake such construction and installation of the required sewer pipes at its own costs; and

WHEREAS, the Rockleigh Sewerage Authority is agreeable to this proposal provided ownership of the pumping station and sewer pipes, upon completion of the construction, by the developer. 22 Paris Avenue I, LLC is transferred to the Rockleigh Sewerage Authority together with certain easements.

NOW THEREFORE, be it resolved:

1. 22 Paris Avenue I, LLC is hereby granted approval to tie in to the Borough sanitary sewer system which is connected to the Orangetown Sewer System on the condition that:

(a) It undertakes the construction of the pumping station and installation of the sewer pipe lines in compliance with all laws and regulations and at its own costs and expense;

(b) Upon completion of the construction of the pumping station and installation of the sewer pipe and the commencement of operation of that sewer system, ownership to the pumping station and pipelines shall be deeded over to the Rockleigh Sewerage Authority;

(c) The continued maintenance of the pumping station and the sewer pipeline shall be the responsibility of 22 Paris Avenue I, LLC or its successors and assigns; and

(d) That the Rockleigh Sewerage Authority shall be granted an easement or easements over lot 16, block 102 for purposes of inspection and maintenance, if necessary due to the failure of 22 Paris Avenue I, LLC or its successors to maintain said pumping station and sewer pipelines.

2. The Rockleigh Sewerage Authority hereby establishes a connection fee for those properties in the B-ARH Zone and the B Zone for the developers of said lots to tie into the pumping station and sewer pipe lines in an amount equivalent to one-third of the costs of said construction installation of the pumping station and sewer pipelines, which costs shall be certified by a certified public accountant for 22 Paris Avenue I, LLC and agreed to by the Auditor for the Rockleigh Sewerage Authority with the approval of the Rockleigh Sewerage Authority.

3. An agreement shall be entered into between 22 Paris Avenue I, LLC and the Rockleigh Sewerage Authority within forty five days of this Resolution setting forth the above.

4. This Resolution shall take effect immediately.

CERTIFICATION

I, William McGuire, Clerk of the Borough and Secretary to the Rockleigh Sewage Authority, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Rockleigh Sewage Authority at a meeting thereof duly called and held on August , 2006.

William McGuire