

RESOLUTION NO. 2021-49

A RESOLUTION AUTHORIZING A PAYMENT PLAN FOR SEWER CONNECTION FEES FOR THE OWNER OF PROPERTY LOCATED AT 135 WILLOW AVENUE, BLOCK 131, LOT 20 IN THE WOODFIELD SEWER PROJECT AREA

WHEREAS, the Township of Aberdeen recently completed the Woodfield Sewer Project; and

WHEREAS, the ordinances of the Township of Aberdeen require all properties serviced by the Woodfield sewer system to connect to the system and pay a sewer connection fee of \$5,064.00 to connect to the newly installed Woodfield sewers; and

WHEREAS, as an accommodation to certain residential property owners of the Township of Aberdeen who are required to connect their properties to the Woodfield Sewer System, the Township Council of Aberdeen has agreed to provide a program that authorizes a payment plan for the sewer connection fees; and

WHEREAS, James Baszak, the owner of 135 Willow Avenue in the Woodfield Sewer Project area has requested that a payment plan be approved for the connection fees due based upon hardship.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Aberdeen that based on these circumstances a payment plan for the owners of the property located at 135 Willow Avenue in the Township of Aberdeen who is required to connect to the Woodfield Sewer System is hereby authorized under the following terms:

1. The sewer connection fee is \$5,064.00.
2. An initial payment of \$1,064.00 of the connection fee shall be due and payable upon notice of the approval of this Resolution. The balance of \$4,000.00 will require annual payments of \$1,000.00 on or before March 1 of each year and the balance shall be due and payable on or before March 30, 2025 with interest imposed on the unpaid balance accruing at the rate of 5% per annum through the date of payment in full.
3. The outstanding balance due shall be paid on sale or transfer of the property.

BE IT FURTHER RESOLVED, that the terms of this sewer payment plan agreement and this authorizing Resolution shall be recorded with the Monmouth County Clerk's Office at the property owner's cost and expense. In addition, failure to abide by the terms of the payment plan agreement or failure to make the final payment(s) when due will result in the outstanding amounts due being posted and collectible as a tax lien against the property.

BE IT FURTHER RESOLVED, that this authorization for a payment plan and the terms authorized shall have no precedential effect and the Township Council will review each request for a payment plan on an individual basis based on the facts and circumstances presented.

**AN AGREEMENT FOR A PAYMENT PLAN FOR SEWER CONNECTION FEES FOR
THE OWNER OF PROPERTY LOCATED AT 135 WILLOW AVENUE, BLOCK 131
LOT 20 IN THE WOODFIELD SEWER PROJECT AREA**

The Township of Aberdeen, a municipal corporation of the State of New Jersey, with offices located at One Aberdeen Square, Aberdeen, New Jersey 07747 and James Baszak, 135 Willow Avenue, Aberdeen, NJ 07747, in consideration of One Dollar and other good and valuable consideration, hereby agree as follows:

WHEREAS, the Township of Aberdeen recently completed the Woodfield Sewer Project; and

WHEREAS, the ordinances of the Township of Aberdeen require all properties serviced by the Woodfield sewer system to connect to the system and pay a sewer connection fee of \$5,064.00 to connect to the newly installed Woodfield sewers; and

WHEREAS, as an accommodation to certain residential property owners of the Township of Aberdeen who are required to connect their properties to the Woodfield Sewer System, the Township Council of Aberdeen has agreed to provide a program that authorizes a payment plan for the sewer connection fees; and

WHEREAS, James Baszak, the owner of 135 Willow Avenue in the Woodfield Sewer Project area has requested that a payment plan be approved for the connection fees due based upon hardship; and

WHEREAS, by Resolution dated February 4, 2021 the Township of Aberdeen approved the request for a payment plan by James Baszak.

The Township of Aberdeen and James Baszak hereby agree to a payment plan for the connection fees for the Woodfield Sewer project under the following terms:

1. The sewer connection fee is \$5,064.00.
2. An initial payment of \$1,064.00 of the connection fee shall be due and payable upon notice of the approval of this Resolution. The balance of \$4,000.00 will require annual payments of \$1,000.00 on or before March 1 of each year and the balance shall be due and payable on or before March 30, 2025 with interest imposed on the unpaid balance accruing at the rate of 5% per annum through the date of payment in full.
3. The outstanding balance due shall be paid on sale or transfer of the property.
4. The terms of this sewer payment plan agreement and the authorizing Resolution shall be recorded with the Monmouth County Clerk's Office at James Baszak's cost and expense.

5. Failure to abide by the terms of the payment plan agreement or failure to make the final payment(s) when due will result in the outstanding amounts due being posted and collectible as a tax lien against the property.

In witness whereof, the parties have set their hands and seals this _____ day of _____, 2021.

James Baszak

Bryan A. Russell, Township Manager

ACKNOWLEDGEMENT

STATE OF NEW JERSEY)

COUNTY OF MONMOUTH) ss.:

On the ____ day of _____ in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared James Baszak, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the person upon behalf of which the individual acted, executed the instrument.

Notary Public
State of New Jersey

STATE OF NEW JERSEY)

COUNTY OF MONMOUTH) ss.:

On the ____ day of _____ in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Bryan A. Russell, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the person upon behalf of which the individual acted, executed the instrument.

Notary Public
State of New Jersey