

**BOROUGH OF WRIGHTSTOWN  
COUNTY OF BURLINGTON  
STATE OF NEW JERSEY**

**ORDINANCE NO. 2013-04**

**ORDINANCE OF THE BOROUGH OF WRIGHTSTOWN, COUNTY OF  
BURLINGTON, AND STATE OF NEW JERSEY, GRANTING CONSENT AND  
PERMISSION TO AQUA NEW JERSEY, INCORPORATED TO OPERATE AND  
MAINTAIN WATER AND WASTEWATER FACILITIES IN A PORTION OF THE  
BOROUGH OF WRIGHTSTOWN**

**WHEREAS**, Aqua New Jersey, Inc. is in the business of providing water and wastewater service as a public utility pursuant to and in accordance with Title 48 of the Statutes of the State of New Jersey, N.J.S.A. 48:1-1, et seq.; and

**WHEREAS**, pursuant to N.J.S.A. 48:19-20, on April 22, 2013 Aqua New Jersey, Inc. petitioned the Borough of Wrightstown ("Borough") for an applicable franchise and attendant consent to maintain, repair, replace and operate water and wastewater service facilities within a limited portion of the Borough identified on the Tax Maps of the Borough of Wrightstown as Block 501, Lot 1, as further shown and in Exhibit "A" hereto, ("Franchise Area") which Exhibit is incorporated herein and made a part hereof; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey, have deemed it in the best interest of the public health, safety and welfare of the Borough and its residents to establish and grant the requested franchise and consent and permission to Aqua New Jersey, Inc., to maintain, repair, replace and operate water and wastewater facilities for the purpose of furnishing the Franchise Area with water and wastewater services.

**NOW, THEREFORE**, be it ordained by the Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey as follows:

**SECTION 1:** This Ordinance shall have the effect of and shall be construed as acceptance and approval of the aforementioned petition submitted by Aqua New Jersey, Inc.

**SECTION 2:** The Mayor and Clerk are hereby authorized to execute a limited

Franchise Agreement ("Agreement"), with Aqua New Jersey, Inc. ("Grantee") a public utility organized and operating under the laws of the State of New Jersey pursuant to and in accordance with N.J.S.A. 48:19-1 through N.J.S.A. 48:19-28 for the purpose of providing water and wastewater services to residents of the Borough located and situated within the Franchise Area (Block 501, Lot 1) in a form to be reviewed and approved by the Borough Solicitor.

**SECTION 3:** The Mayor and Clerk are hereby authorized to execute any and all other documents that may be required to effectuate the Agreement upon the review and approval of those documents by the Borough Solicitor.

**SECTION 4:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 6:** This Ordinance shall take effect immediately upon final passage and publication in accordance with law, subject to the review and approval of the Board of Public Utilities.

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### **NOTICE**

The ordinance published herewith was introduced and passed upon first reading at a regular meeting of the Borough Council of the Borough of Wrightstown, held on September 25, 2013. It will be further considered for final passage after a Public Hearing at the regular meeting to be held on October 23, 2013, at the Borough Hall, 21 Saylor's Pond Road, Wrightstown, New Jersey at 6:30 P.M. at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard.

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Freda H. Gorman, RMC  
Municipal Clerk

**Introduction/First Reading September 25, 2013**

**Motion:** Mr. Borsavage

**Second:** Mr. Timberman

**Roll Call Vote:**

Ayes: Mr. Bird, Mr. Grove, Mr. Timberman, Mr. Borsavage

Nays: None

Absent: Mr. Lownds, Mrs. Knapp

Abstain: None

**Second Reading/Public Hearing October 23, 2013**

**Motion:** Mr. Borsavage

**Second:** Mr. Bird

**Roll Call Vote:**

Ayes: Mr. Bird, Mr. Grove, Mr. Lownds, Mrs. Knapp, Mr. Timberman, Mr. Borsavage

Nays: None

Absent: None

Abstain: None

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Thomas E. Harper, Mayor

**CERTIFICATION**

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Borough Council of the Borough of Wrightstown held on September 25, 2013 and adopted after a public hearing at a meeting of the Borough Council of the Borough of Wrightstown held on October 23, 2013.

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Freda H. Gorman, RMC  
Municipal Clerk

Dated: October 23, 2013

EXHIBIT A