

ORDINANCE NO. 18-2023

**BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH
OF ROSELAND ENTITLED "WATER AND SEWER"**

WHEREAS, the Mayor and Council of the Borough of Roseland wish to amend various sections of Chapter 17 of the Revised General Ordinances of the Borough of Roseland entitled "Water and Sewer";

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Roseland that Chapter 17 of the Revised General Ordinances of the Borough of Roseland entitled "Water and Sewer" shall be amended to read as follows:

SECTION I

That subsection 17-3.1 entitled "Application for Connection" shall be amended by adding the following **thus** and deleting the following **thus**:

17-3.1 Application for Connection.

- a. No change
- b. Where a connection is to be made to a main constructed and installed by the Borough and presently maintained as part of its water distribution system, a Borough service line shall be installed from the main to the curb by the Department after application therefor has been made to the Department, accompanied by the fee for the tapping of the main, the construction of the Borough's service line and the inspection of the connection as follows:
 - 1. One-inch service: ~~\$2,200~~\$2,400.
 - 2. Two-inch service: ~~\$8,800~~\$9,800.
 - 3. Three-inch service: ~~\$19,800~~\$22,050.
 - 4. Four-inch service or larger: ~~\$35,200~~\$39,200.
 - 5. Affordable housing projects, as to the affordable-priced units which are less than the market-rate units: ~~\$1,100~~\$1,225 per service connection.
- c. As to any larger sizes and as prescribed immediately above, the applicant must furnish the material and labor, subject to the approval of the foreman and in conformity with existing practices within the borough, and any other fee or fees as the mayor and council may from time to time determine. Road openings and surface restoration fees are to be paid in accordance with the rules and regulations of the department.

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~~e-d.~~ Anything to the contrary notwithstanding, the fees referred to in paragraphs b1, 2, 3, 4 and 5 above apply as to any connection in a separately identified or titled property including detached dwellings, townhouses, apartments and condominiums, all of which are required to have one meter per unit. Such payment is to be made on or before the issuance of any building permit for such property.

SECTION II

That subsection 17-6.1 entitled "Meter Readings and Charges" shall be amended by adding the following **thus** and deleting the following ~~**thus**~~:

- a. The Borough shall collect all water meter reads quarterly during the first 10 business days of each quarter and bills for water service shall be mailed to the consumer quarterly. They shall bear interest at a rate per annum, with penalties and procedures for delinquent payment to be determined by the Borough Council by adoption of a new resolution from time to time as the Council shall deem necessary and appropriate in accordance with the requirements of sound municipal financial planning.
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. In the case where a residential user notifies the Borough of a suspected water leak and the Borough confirms a leak, and/or the residential owner provides written confirmation of a leak from a licensed plumber or landscaper, and/or where the Borough notifies the user of a suspected leak and the user contacts the Borough to arrange for a Borough inspection within 30 days of the Borough's notification and a leak is detected, then the user's bill for water consumption shall be calculated or recalculated years during the same quarter the leak was confirmed and shall be billed at actual rates and any consumption above the average shall be billed at a Leak Rate. The Leak Rate shall be ~~\$3.50~~\$3.61 per 1,000 gallons.
 - 5. No change
- b. No change
- c. No change
- d. No change
- e. No change

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SECTION III

That subsection 17-8.1 entitled “Rates” shall be amended by adding the following **thus** and deleting the following ~~thus~~:

- a. Commodity rate for water and sewage service charge. There shall be a combined single charge for water consumed and for sewage service which shall be based upon water usage in the Borough at graduated rates per metered thousand gallons per quarter as follows:
 - 1. 0-50,000: ~~\$3.50~~**\$3.61** per metered thousand gallons per quarter.
 - 2. 50,001-75,000: ~~\$6~~**\$6.18** per metered thousand gallons per quarter.
 - 3. 75,001-100,000: ~~\$9~~**\$9.27** per metered thousand gallons per quarter.
 - 4. 100,001-125,000: ~~\$12~~**\$12.36** per metered thousand gallons per quarter.
 - 5. 125,001-150,000: ~~\$15~~**\$15.45** per metered thousand gallons per quarter.
 - 6. 150,001-175,000: ~~\$18~~**\$18.54** per metered thousand gallons per quarter.
 - 7. 175,001-200,000: ~~\$21~~**\$21.63** per metered thousand gallons per quarter.
 - 8. 200,001 and over: ~~\$24~~**\$24.72** per metered thousand gallons per quarter.
- b. Only that portion of the water used in the higher graduated rate shall be charged the higher rate. For example, if the customer uses 60,000 gallons in a single quarter, the first 50,000 will be charged at ~~\$3.50~~**\$3.61**, and the next 10,000 will be charged at ~~\$6~~**\$6.18**.
- c. No change

The provisions of Subsection 17-8.1c.1. and Subsection 17-8.1c.2. above shall take effect as of January 1, 2021.

SECTION IV

That subsection 17-8.3 entitled “Meters” shall be amended by adding the following **thus** and deleting the following ~~thus~~:

For the purposes of calculating usage based on meter readings, the following limitations shall apply:

- a. No change
- b. No change
- c. No change
- d. No change

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- e. For residential condominium associations, homeowners' associations or apartments (as defined in the Roseland Land Development Ordinance) that were built prior to January 2013 that have separate meters servicing the common elements, sprinklers or common swimming pool, the water rate for the separate meter servicing the common elements, sprinklers or common swimming pool shall be ~~\$6.00~~\$6.18 per thousand gallons without regard to quarterly usage.

SECTION V

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION VI

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION VII

This ordinance shall take effect in accordance with applicable law.

DATE OF INTRODUCTION: June 20, 2023

Motion to Introduce by: Councilman Trillo
 Motion Seconded by: Councilman Bardi
 Introduction Approved: 4-0 Voice Vote (Fishman, Freda absent)

DATE OF ADOPTION: July 18, 2023

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi			X				
Councilwoman Fishman	X		X				
Councilman Freda							X
Council President Perrotti		X	X				
Councilwoman Tolli			X				
Councilman Trillo							X
Mayor Spango (In case of tie)							
		VOTE:	4	0			

I hereby certify that the above Ordinance was duly adopted by the Mayor and Council of the Borough of Roseland at a meeting of Borough Council held on the 18th day of July, 2023.

 James R. Spango, Mayor

 Jock H. Watkins, Borough Clerk

Date of Publication: July 27, The Progress