

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

ORDINANCE NO. 2021-16

ORDINANCE AUTHORIZING THE TERMINATION OF A CERTAIN SETTLEMENT AGREEMENT DATED AS OF SEPTEMBER 1, 1994, BETWEEN THE TOWNSHIP OF CLARK AND THE RAHWAY VALLEY SEWERAGE AUTHORITY (RVSA,) THE BOROUGHES OF GARWOOD, KENILWORTH AND ROSELLE PARK, THE CITY OF RAHWAY, THE TOWN OF WESTFIELD AND THE TOWNSHIPS OF CRANFORD, SPRINGFIELD AND WOODBRIDGE

WHEREAS, the Township of Cranford, acting in concert with and upon the consideration of the adoption of parallel ordinances by the Boroughs of Garwood, Kenilworth and Roselle Park, the City of Rahway, the Town of Westfield and the Townships of Clark, Springfield and Woodbridge, municipal corporations of the State of New Jersey, all situate in the County of Union, except the Township of Woodbridge, which is situate in the County of Middlesex, shall join with said municipal corporations in the formation of a sewerage authority;

WHEREAS, RVSA and its Member Municipalities in 1994 approved a Settlement Agreement with the Township of Clark relating to excess flows ("1994 Agreement"); and

WHEREAS, the Township of Clark and the RVSA have agreed that there is no longer a need for Clark to be considered in a different manner from the other Member Municipalities as it relates to excess flow rights; and

WHEREAS, the Commissioners of the RVSA have determined to approve the termination of the 1994 Agreement and have determined to recommend to the current eleven (11) Member Municipalities that the 1994 Agreement be terminated; and

WHEREAS, the Board of Commissioners has unanimously approved the termination of the 1994 Agreement; and

WHEREAS, termination of the 1994 Agreement requires approval by all eleven (11) Member Municipalities.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranford, County of Union, State of New Jersey as follows:

SECTION 1. The Mayor and Clerk of the Township of Cranford are hereby authorized to execute a certain amendment ("Amendment") to the Settlement Agreement, dated September 1, 1994, between Clark Township, and the municipalities of Garwood, Kenilworth, Roselle Park, Rahway, Westfield, Cranford, Springfield, Scotch Plains and Woodbridge and the Rahway Valley

Sewerage Authority (“Settlement Agreement”), for the purpose of terminating the Settlement Agreement.

SECTION 2. A copy of the Amendment is attached as Appendix A and the termination of the Settlement Agreement shall become effective upon adoption of this Ordinance or a comparable ordinance adopted by all eleven (11) of the current member municipalities of the Authority, i.e., Clark, Cranford, Garwood, Kenilworth, Mountainside, Rahway, Roselle Park, Scotch Plains, Springfield, Westfield and Woodbridge and the adoption of a resolution by the Authority authorizing execution of the Amendment.

SECTION 3. This Ordinance shall take effect upon second reading and publication in accordance with New Jersey Law.

Introduced: September 14, 2021

Adopted: October 12, 2021

Approved:

Kathleen Miller Prunty
Chairman, Township Committee

Attest:

Patricia Donahue, RMC
Municipal Clerk

Recorded Vote	Introduced	Adopted
Kathleen Miller Prunty	Aye	Aye
Brian Andrews	Aye	Aye
Jason Gareis	Aye	Aye
Thomas H. Hannen, Jr.	Aye	Aye
Mary O’Connor	Aye	Aye