

Resolution 11-085

RESOLUTION OF THE ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY ACCEPTING AND APPROVING APPRAISAL REPORT FOR THE ACQUISITION OF 111 MONROE STREET, BOONTON, NEW JERSEY FOR THE PURPOSE OF CONSTRUCTION OF FACILITIES FOR THE COLLECTION AND DISPOSAL OF WASTE UNDER THE SEWERAGE AUTHORITIES LAW

WHEREAS, following Hurricane Irene on or about August 28, 2011, a portion of a sewage transmission line utilized by the Rockaway Valley Regional Sewerage Authority ("RVRSA") underneath and adjacent to the Rockaway River in Boonton, New Jersey, washed away, resulting in the discharge of raw sewage into the Rockaway River; and

WHEREAS, following the discovery of the damaged sewage transmission line, the RVRSA has undertaken studies to determine the most efficient manner to transmit the sewage that had previously flowed through the damaged line; and

WHEREAS, the RVRSA has determined that the most efficient and cost-effective means to address and correct the problems caused by the damage to the sewage transmission line is to construct a pump station and associated lines on property ("Project") located at 111 and 113 Monroe Street, Boonton, New Jersey; and

WHEREAS, the construction of a pump station and associated lines at this location is for the purpose of transmitting and conveying sewage in order to protect public health and welfare, power given to sewerage authorities under the Sewerage Authorities Law, N.J.S.A. 40:14A-1 et seq.; and

WHEREAS, in order to construct the pump station and associated lines it is necessary for the RVRSA to acquire 111 Monroe Street, Boonton, New Jersey, also known as Block 78, Lot 3.01, on the Tax Map of the Town of Boonton (the "Property"); and

WHEREAS, Integra Realty Resources has been retained by the RVRSA to provide professional appraisal services in connection with the Project; and

WHEREAS, Integra Realty Resources has prepared an appraisal report that provides the fair market value of the Property to be acquired by the RVRSA, reflecting a value of \$330,000.00; and

WHEREAS, the RVRSA desires to accept and approve the aforementioned appraisal report prepared by Integra Realty Resources and authorize the acquisition of the Property and the commencement of eminent domain proceedings for the acquisition of the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY:

1. The appraisal report, dated November 11, 2011, entitled "Appraisal of Real Property,

Two-Family Residence, Block 78 – Lot 3.01, 111 Monroe Street, Town of Boonton, Morris County, New Jersey 07005" in the amount of \$330,000.00, prepared by Integra Realty Resources, 110 S. Jefferson Road, Whippany, New Jersey, 07981-1038 and on file at the office of the RVRSA, is accepted and approved as representing the fair market value of the property necessary for the construction of a pump station and associated lines to be located at Block 78, Lot 3.01, 111 Monroe Street, Boonton, New Jersey.

2. The firm of Maraziti, Falcon & Healey is authorized to engage in *bona fide* negotiations to acquire the property located at Block 78, Lot 3.01, 111 Monroe Street, Boonton, New Jersey and to offer to purchase same for the appraised value of the Property as determined by the approved appraisal.
3. The filing of an action in Superior Court by the firm of Maraziti, Falcon & Healey, L.L.P., to acquire the same through condemnation pursuant to law and in accordance with N.J.S.A. 20:3-1 et seq. upon the failure to acquire the same through *bona fide* negotiations is authorized, together with the expenditure of funds in the amount of \$330,000.00 for the acquisition of the Property.

CERTIFICATION

I do hereby certify that this Resolution was adopted at a regular meeting of the Rockaway Valley Regional Sewerage Authority held on November 17, 2011

on motion of Michael Guadagno

second by Glenn Corbett


ROLL CALL VOTE:

YEAS: (7) Cegelka, Corbett, Guadagno, Lowell, MacNeal, Schorno and Secco

NAYS: (0) None

ABSTAIN: (0) None

ABSENT: (3) Klingener, Schaefer, Schulman



Bruce W. MacNeal
Secretary