

LEGAL NOTICE – TO BE ADVERTISED IN THE MOST COST EFFECTIVE MANNER AS POSSIBLE

NOTICE OF INTRODUCTION

This Ordinance #1995 published herewith was introduced and passed upon first reading at the regular meeting of the Borough Council of the Borough of South Plainfield held on December 2, 2013. It will be further considered for final passage after a public hearing to be held on December 16, 2013, at the Municipal Building, 2480 Plainfield Avenue, South Plainfield, NJ at 7:00 p.m. or as soon thereafter as the matter may be heard, at which time and place any persons desire to be heard upon the same will be given an opportunity to be heard. Copies are available free of charge at the Municipal Clerk's Office prior to the public hearing. This ordinance shall take effect immediately after final passage and publication according to law.

Amy Antonides, RMC/CMC
Municipal Clerk

**ORDINANCE NO.1995
AN ORDINANCE AMENDING ORDINANCE 409-36 OF THE
BOROUGH OF SOUTH PLAINFIELD TITLED "BONDS; CASH DEPOSIT".**

WHEREAS, the Borough Code provides a permit process for public utilities desiring to make excavations or openings in streets, but does not provide for the payment of costs associated with engineering inspections necessary when such excavations or openings occur; and

WHEREAS, the Mayor and Council deem it appropriate that any public utility desiring to make excavations or openings in streets should pay all associated costs of same;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Section 409-36 of the Code of the Borough of South Plainfield titled "Bonds; Cash Deposit" shall be amended to be titled "Bonds; Cash Deposit; Inspection Fee Escrow", and a paragraph D. shall be added to such Section of the Code to read as follows:

Inspection Fee Escrow. The applicant shall post an escrow fee with the Borough Clerk to defray the cost of inspection of the excavation or opening in the street and paving restoration, such inspection to be conducted by the Borough Engineer. The Borough Engineer shall estimate the construction cost and the public utility shall post an escrow fee to cover such cost in an amount that shall be equal to 12% of the estimated construction cost as determined by the Borough Engineer; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that wherever Ordinance 409-36 references "the South Plainfield Sewerage Authority", such wording shall be replaced with the phrase "the South Plainfield Sewer Utility".

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.