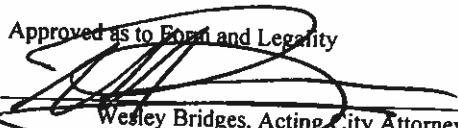


RESOLUTION

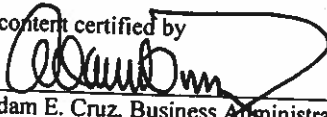
No. 21-394

Approved as to Form and Legality


Wesley Bridges, Acting City Attorney

Date of Adoption _____

Factual content certified by


Adam E. Cruz, Business Administrator

Councilman /woman _____

presents the following Resolution:

**RESOLUTION AUTHORIZING THE EXPENDITURE OF \$ 4,000,000
FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON
UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 FOR
REPAIR AND IMPROVEMENT TO THE WATER SYSTEM
SERVICED BY THE CITY**

WHEREAS, President Biden signed the American Rescue Plan Act of 2021 (ARPA-21) into law on March 11, 2021 and thereby sought to provide immediate and emergent aid to metropolitan cities adversely affected by the COVID-19 pandemic;

WHEREAS, the United States Department of Treasury (DOT) has stated that, "From big cities to small towns, Americans – particularly people of color, immigrants, and low-wage workers – are facing a deep economic crisis";

WHEREAS, ARPA-21 provides \$72,913,998.00 in aid to the City of Trenton over the next two years, with \$36,456,999 having been distributed for the 2021 calendar year and \$36,456,999.00 to be distributed for the 2022 calendar year;

WHEREAS, the DOT has provided guidance on the expenditure of such funds and in its publication, *Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions*, and such guidance provides that "The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)";

WHEREAS, the DOT guidance further provides that, "Under the DWSRF, categories of eligible projects include: treatment, transmission and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation, and new systems development."

RESOLUTION

WHEREAS, the Interim Final Rules promulgated by the DOT specifically provide that “A recipient may use funds to make investments in . . . Projects or activities of the type that would be eligible under section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383 (c)) or section 1452 of the Safe Drinking Water Act (42 U.S.C. 300J-12)(31 C.F.R. 35);

WHEREAS, the DOT has emphasized the money is designed to provide “**immediate** and direct relief” and “substantial flexibility for each government to meet local needs”;

WHEREAS, the Trenton Water Works (“TWW”) provides treatment, transmission and distribution of water to the Trenton residents and certain suburban ratepayers;

WHEREAS, 40% of the TWW system services Trenton residents and 60% of the TWW system services non-Trenton, suburban ratepayers;

WHEREAS, the citizens of Ewing Township are ratepayers for the services of TWW;

WHEREAS, a TWW main runs down Olden Avenue, a main commercial corridor in Ewing Township that directly benefits many Trentonians who shop or work on this street;

WHEREAS, since January 2017, there have been nine (9) major breaks in the water main along the Olden Avenue corridor that have caused road closures at great expense to the businesses along the corridor as well as inconvenience to residents and visitors;

WHEREAS, there have been seven (7) major water breaks since January 2019, in the water main along the Olden Avenue corridor, including a major break occurring on May 20, 2021;

WHEREAS, on June 26, 2021, the water main along the Olden Avenue Corridor suffered a major break in the area between Prospect Parkway and Prospect Street;

WHEREAS, the water main break of June 26, 2021, resulted in flooding that caused portions of Olden Avenue to “buckle” and flooded several businesses, thereby causing the closure of the roadway as well as businesses along the corridor;

RESOLUTION

WHEREAS, based upon the industry standard to replace water pipe measuring sixteen (16) inches in diameter, it is estimated that replacement of the water main pipe along Olden Avenue in Ewing Township will cost approximately \$ 4,000,000;

WHEREAS, the City has identified immediate needs that require investment in the water system that provides treatment, transmission and distribution of water to the Trenton residents and certain suburban ratepayers;

NOW THEREFORE BE IT RESPOLVED by the City Council of the City of Trenton that ARPA funds shall be disbursed to TWW in the following amounts for the following purposes:

\$1,600,000 grant **Repairs and Upgrades to the TWW System**
 Replacement of the water main pipe along Olden Avenue in the Trenton Water Works Service Area serviced by the Water Utility of the City of Trenton

\$2,400,000 loan **Repairs and Upgrades to the TWW System**
 Replacement of the water main pipe along Olden Avenue in the Trenton Water Works Service Area serviced by the Water Utility of the City of Trenton

BE IT FURTHER RESOLVED that the grant amount of \$1,600,000 shall be issued to TWW in a single, lump sum payment;

BE IT FURTHER RESOLVED that the loan amount of \$2,400,000 shall be repaid in full by TWW to the City of Trenton by not later than December 31, 2023, and that the proceeds of such loan repayments or any portion thereof shall be either: (i) used by the City of Trenton for eligible uses as defined in ARPA-21; or (ii) repaid by the City of Trenton to Secretary of the Treasury.

| | Aye | Nay | Abstain | Absent | | Aye | Nay | Abstain | Absent | | Aye | Nay | Abstain | Absent |
|--------------------|-----|-----|---------|--------|-----------|-----|-----|---------|--------|---------|-----|-----|---------|--------|
| BLAKELEY | | | | | MUSCHAL | | | | | MCBRIDE | | | | |
| CALDWELL WILSON | | | | | RODRIGUEZ | | | | | | | | | |
| HARRISON | | | | | VAUGHN | | | | | | | | | |


This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

 President of Council

 City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

MEMORANDUM

DATE: August 25, 2021
TO: Adam Cruz, Business Administrator
FROM: Ron Zilinski, Acting Director of Finance 
Re: Resolution Authorizing the Appropriation for Water Main

This resolution is appropriating money for Water Utility to replace water main along Olden Avenue between Prospect Street and Parkway Avenue

The funding will be from the American Rescue Plan for 1,600,000 and Loan for 2,400,000

Thank you.

TRE-21-544

ATTACHMENT H

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
BOND ORDINANCE OR CONTRACT REQUEST FORM


This form must be filled out in its entirety and is intended to provide the Division with appropriate information to determine whether to approve a new or extended service. Please provide any additional information you believe will help the Division make an informed decision.

| | |
|---|----------------------|
| Professional Service or EUS Type | American Rescue Plan |
| Name of Company | Water Utility |
| Bond/Contract Award Amount (EXCEEDING \$1 MILLION) | \$4,000,000 |
| Term of Bond/Contract | |

Purpose or Need for service: ATTACH WRITTEN JUSTIFICATION AND SPECIFY BUDGET IMPACT REGARDING THIS REQUEST AS AN ATTACHMENT. PROVIDE BOND ORDINANCE OR VENDOR RFP, IF APPLICABLE.

The Water Utility needs money to repair the water main along the Olden Avenue between Parkway and Prospect Street.
The funding source will be from American Rescue Plan for 1,600,000 and Loan for 2,400,000

() If grant funded - use separate sheet to describe grant and duration of grant and copy of grant language specific to the allocation of funds for employees.



Mayor's Signature

Date 8/31/21


Business Administrator/Manager Signature

Date 8/25/21

The Chief Financial Officer affirms that there is adequate funding available for this personnel action. Funding Source for this action


Chief Financial Officer Signature

For LGS use only:
() Approved

() Denied Date 9/1/21

Director or Designee,
Division of Local Government Services

Number Assigned TRE-21-544

**STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
BOND ORDINANCE OR CONTRACT REQUEST FORM**


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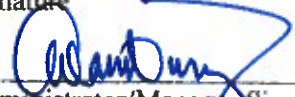
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Mayor's Signature

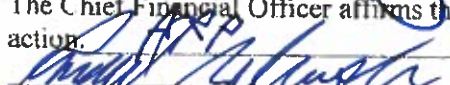
Date 8/31/21



Business Administrator/Manager Signature

Date 8/25/21

The Chief Financial Officer affirms that there is adequate funding available for this personnel action. Funding Source for this action



Chief Financial Officer Signature

For LGS use only: _____

() Approved () Denied
Date _____

Director or Designee,
Division of Local Government Services

Number Assigned _____