

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 11 - 138

RESOLUTION AUTHORIZING A PAYMENT TO CINDY AND CHRISTOPHER GALIANI, OWNERS OF THE PROPERTY AT 3 BRIARWOOD DRIVE, FOR REIMBURSEMENT OF OUT-OF-POCKET COSTS INCURRED AS A RESULT OF A SEWER BACKUP

WHEREAS, on November 2, 2011, the residence at 3 Briarwood Drive experienced a sewer backup, which, upon investigation, appears to have been the result of structural problems with the lateral that serves the property; and

WHEREAS, upon investigation, it was determined that the compromised portions of the lateral were located in the street; and

WHEREAS, as a result of the sewer backup, the property owners, the Galianis, incurred out-of-pocket losses in the amount of \$7,946.74. These losses included the following:

Servpro	\$2,062.00
Roto Rooter	\$679.18
New Carpet Worldwide floor coverings	\$4,267.53
Stanley Steemer	\$138.03
new door estimate	\$400.00
sheetrock estimate	\$400.00

; and

WHEREAS, the Galianis' homeowners' insurance covered the losses up to \$5,000, resulting in unreimbursed out-of-pocket expenses in the amount of \$2,946.74; and

WHEREAS, under all of the circumstances, including the fact that the backup was caused by structural compromises in the portion of the sewer lateral within the street, and even though the Authority does not consider itself legally obligated to do so, and without prejudice to the Authority's position that it is not responsible for such costs, the Authority wishes to reimburse the Galianis for these out-of-pocket costs in the amount of \$2,946.74.

NOW, THEREFORE, BE IT RESOLVED by the members of the Warren Township Sewerage Authority, County of Somerset, State of New Jersey as follows:

1. The Authority hereby authorizes a payment in the amount of \$2,946.74 to Cindy and Christopher Galiani, owners of the property at 3 Briarwood Drive, as

reimbursement for out-of-pocket costs incurred as a result of the sewer backup on November 2, 2011.

2. This payment is made without prejudice to the Authority's position that it is not responsible for the costs described herein, or in any similar circumstances.

3. This payment is conditioned upon receipt from the property owners of a signed release acknowledging that payment is made without prejudice to the Authority's position that it is not responsible for the costs described herein, and that the Authority is not obligated to make any further payments associated with the sewer backup that occurred on November 2, 2011.

Moved by Mr. Truglio
Seconded by Mr. Reeder

Roll Call Vote	Yes	No
Mr. Reeder	x _____	_____
Ms. Garafola	_____	_____
Mr. Truglio	x _____	_____
Mr. Vetter (Alternate #1)	x _____	_____
Mr. Kaufman (Alternate #2)	_____	_____

CERTIFICATION

I, Deborah Catapano, Secretary of the Warren Township Sewerage Authority in the County of Somerset, New Jersey, do hereby certify that the above resolution is a true and correct copy of a resolution adopted at a meeting of the Warren Township Sewerage Authority on December 14, 2011.



Deborah Catapano, Authority Secretary