

BOROUGH OF HILLSDALE
RESOLUTION 12110

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**RESOLUTION OPPOSING FREEHOLDERS RESOLUTION 27-2012**  
**REGARDING BRIDGE CULVERTS**

**WHEREAS**, Bergen County Freeholder Resolution 27-2012, dated January 18, 2012, clarifies and defines the Bergen County policy on the ownership, maintenance and repairs of bridge culverts in Bergen County; and

**WHEREAS**, Bergen County Resolution 27-2012 states that Bergen County's culvert bridge maintenance responsibilities are limited to bridge culverts on Bergen County roads regardless of any past practice of providing assistance; and

**WHEREAS**, NJSA 39:5-41 et seq. requires municipalities to pay one-half of all fines, penalties and forfeitures imposed and collected under the authority of law by the municipal police department for any violations of R.S. 39:4-63 and R.S. 39:4-64 to the proper financial officer of the county to be used by the county as a fund for the construction, reconstruction, maintenance and repair of roads and bridges; and

**WHEREAS**, although Bergen County has limited their responsibility for culvert bridge construction, repair and maintenance via Resolution 27-2012, Bergen County has not given up the payments municipalities are required to pay counties via NJSA 39:5-41; and

**WHEREAS**, in compliance with NJSA 39:5-41, the Borough of Hillsdale has paid to Bergen County in 2010 \$17,761.00 and \$19,803.00 in 2011.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey opposes Resolution 27-2012 and urges the Bergen County Freeholders to rescind said resolution or relieve the Borough of Hillsdale from its responsibility under NJSA 39:5-41 to pay Bergen County one-half of all fines, penalties and forfeitures imposed by the Hillsdale Municipal Court for violations of R.S. 39:4-63 and R.S. 39:4-64.

**BE IT FURTHER RESOLVED** that the Municipal Clerk forward a copy of this resolution to Bergen County's sixty-nine other Municipal Clerks for distribution to their Mayor and governing bodies.

| <b>Council member</b> | <b>Motion</b> | <b>Second</b> | <b>Yes</b> | <b>No</b> | <b>Absent</b> | <b>Abstain</b> |
|-----------------------|---------------|---------------|------------|-----------|---------------|----------------|
| Becker, Leslie        |               |               |            |           |               |                |
| DeRosa, Anthony       |               |               |            |           |               |                |
| Frank, Douglas        |               |               |            |           |               |                |
| Giancarlo, Michael    |               |               |            |           |               |                |
| Hanlon, Marie         |               |               |            |           |               |                |
|                       |               |               |            |           |               |                |

Adopted: \_\_\_\_\_, 2012

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Susan Witkowski  
Municipal Clerk

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Max Arnowitz  
Mayor

