

**AN ORDINANCE AMENDING CHAPTER 77A (“REIMBURSEMENT PROGRAM”) OF THE CODE OF THE TOWNSHIP OF PLAINSBORO**

**WHEREAS**, the Township of Plainsboro currently reimburses homeowners’ associations within the Township for the cost of certain road services; and

**WHEREAS, N.J.S.A. 40:67-23.3** sets forth the services for which the Township shall reimburse homeowners’ associations; and

**WHEREAS**, the Township Committee of the Township of Plainsboro desires to amend Chapter 77A, “Reimbursement Program,” of the Code of the Township of Plainsboro to ensure that the Township’s rules are in line with the State law.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Plainsboro in the County of Middlesex and the State of New Jersey as follows:

**Section 1**

Chapter 77A “Reimbursement Program,” of the Code of the Township of Plainsboro shall be amended as follows (deletions are struck through and additions are underlined):

**§ 77A-1: Application of inclusion into program.**

Once a homeowners’ association is represented by a majority of homeowners or an association board, that board may make application to the Township Committee to be included in the Township Reimbursement Program. Reimbursements for snow removal, collection of leaves and streetlighting are applicable only to ~~loop~~ or residential collector/loop roads. The following criteria shall apply to all homeowners’ associations that wish to participate in the township’s Reimbursement Program.

**§ 77A-2: Definitions.**

**HOMEOWNERS’ ASSOCIATION**

An organization of homeowners in a residential community with the responsibility of ownership and maintenance of common areas within that residential community.

**RESIDENTIAL COLLECTOR/LOOP ROAD**

Conducts and distributes traffic between local residential streets and arterials. Since its function is to promote free traffic flow, access to homes and parking is not encouraged. Examples of “residential collector roads” include Aspen Drive, Sayre Drive and Hampshire Drive and Thoreau Drive.

**RESIDENTIAL COMMUNITY**

A group of homes or housing units for living purposes only.

**§ 77A-3: Applicable conditions; standards.**

**A. Snow removal.**

(1) Reimbursement for snow removal will only be effective if at least three inches of snow fall in a twenty-four-hour period. Thereafter, each additional

increment of 1 1/2 inches of snow in a twenty-four-hour period will constitute an additional reimbursement. (Example: six inches of snow in a twenty-four-hour period shall be three times the designated rate.)

(2) The reimbursement rate is calculated on the amount of time it would take the Township of Plainsboro to plow the snow times Plainsboro's contract rate.

(3) The designated amount of snow will be determined by the official weather reporting service of the Township.

(4) Reimbursement will be made in December of each year.

B. Streetlighting. The township will reimburse the homeowners' association for the cost of streetlighting.

(1) Streetlighting is based on the actual cost of electricity to streetlights (cost will exclude common area facilities, such as pool heating, breezeway lighting, sidewalk illumination by mushroom lights and other nonrelated common area electrical costs), bill, minus those common area costs, if applicable.

(2) Reimbursement will be quarterly and based on actual bills, minus those common area costs, if applicable.

C. Collection of Leaves. The township will reimburse the homeowners' association for the cost of the collection of leaves.

(1) The reimbursement rate is calculated on the amount of time it would take the Township of Plainsboro to collect and remove leaves one time from Residential Collector/Loop roads.

(2) Reimbursement will be paid once, annually.

#### **§ 77A-4: Filing of provisions.**

Immediately upon adoption of this chapter, the Municipal Clerk shall file a copy of this chapter with the Middlesex County Planning Board as required by law.

**Section 2. Repealer.** All ordinances or parts thereof inconsistent herewith are repealed as to such inconsistencies.

**Section 3. Severability.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 4. Effective date.** This ordinance shall take effect upon its final passage and publication.

Introduced at a Meeting of the Township Committee of the Township of Plainsboro on **October 13, 2021** and published on **October 16, 2021**. Adopted at a Meeting held on **November 10, 2021** and published on **November 13, 2021**.