**RESOLUTION**
of the
**BOROUGH OF NEW PROVIDENCE**
Resolution No. 2013-104

Council Meeting Date 03-11-2013 Date Adopted: 03-11-2013

TITLE: RESOLUTION AUTHORIZING RETURN OF ESCROW FUNDS TO INDIGO GYMNASTICS CENTER

Councilperson Galluccio submitted the following resolution, which was duly seconded by Councilperson Muñoz.

WHEREAS, Indigo Gymnastics Center has requested return of their escrow funds, for a 2009 Board of Adjustment application for the property known as 705B Central Avenue, in the amount of $168.75; and

WHEREAS, the Board of Adjustment approved the application of Indigo Gymnastics Center, memorialized by resolution 2009-20 on August 3, 2009; and

WHEREAS, the Construction Official and Board Secretary advise that all expert fees associated with the application have been paid for from the escrow account established for this application; and

WHEREAS, the Construction Official and Board Secretary recommend the release of escrow funds for the 2009 Board of Adjustment application for Indigo Gymnastics Center.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of New Providence that escrow funds in the amount of $168.75 posted by Indigo Gymnastics Center be returned to said applicant.

APPROVED, this 11th day of March, 2013.

RECORD OF VOTE

| | AYE | NAY | ABSENT | NOT VOTING |
|---|---|---|---|---|
| GALLUCCIO | X | | | |
| GENNARO | X | | | |
| KAPNER | X | | | |
| LESNEWICH | | | X | |
| MUÑOZ | X | | | |
| ROBINSON | X | | | |
| HERN | | | TO BREAK COUNCIL TIE VOTE | |

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 11th day of March, 2013.

Wendi B. Barry, Borough Clerk

BOROUGH OF
NEW PROVIDENCE
SETTLED IN 1720

J. Brooke Hern, Mayor
BOARD OF ADJUSTMENT
Dr. William Nadelberg, Chairman
Margaret Koontz, Secretary

To: Monica Marino, Finance Department
Wendi Barry, Borough Clerk
Borough Council

From: Keith J. Lynch, Construction Official
Margaret Koontz, Secretary,

Re: Indigo Gymnastics Center
705B Central Avenue
Block 185, Lot 23.02

Date: February 27, 2013

The above application came before the Board of Adjustment on July 6, 2009, for use and bulk variance relief and preliminary and final site plan approval to convert existing warehouse/commercial space for use as a youth recreational and sports center academy for gymnastics training and competitions. The Board of Adjustment granted approval for the application on August 3, 2009 (Board of Adjustment Resolution 2009-20). The applicant paid escrow fees to be used for payment of professional fees and so forth.

All expert fees and expenses have been paid from the escrow account established for this applicant and the Engineer has authorized release of the escrow. The balance of the escrow fees ($168.75) can now be returned to the applicant.

APPROVED:

Keith J. Lynch, Construction Official

Margaret Koontz

Margaret Koontz, Secretary

360 Elkwood Avenue ♦ New Providence ♦ NJ ♦ 07974
908-665-1400 ♦ 908-665-9272 (Fax)
www.newprov.org

70 DEVELOPERS ESCROW

002 APPRN EXCLUDED FROM CAPS
01080 INDIGO GYM-BD ADJ ESCROW- 705 CENTRAL

| Date | Vendor ID | Transaction | Description | Reference | Modified Budget | Encumbrance | Payment | Balance |
|---|---|---|---|---|---|---|---|---|
| 05/27/09 | | Budget Offsets | New BOA esc fees-Indigo Gym | 182 | 2,000.00 | | | 2,000.00 |
| 07/06/09 | SCHUWI | Purchase order | INV#37228, amount due for court reporter attendance at July 6, 2009 public hearing. | 36902 | | 195.00 | | 1,805.00 |
| 07/06/09 | MASERC | Purchase order | Inv#128184 NPZ 236 engineering services Bd of Adj file Indigo Gym 705 B Central Ave May 18 thru June 14 2009 | 36898 | | 1,490.00 | | 315.00 |
| 07/27/09 | SCHUWI | Check | SCHULMAN, WIEGMAN & ASSOC. | 2507 | | | 195.00 | 315.00 |
| 07/27/09 | MASERC | Check | MASER CONSULTING, P.A. | 2502 | | | 1,490.00 | 315.00 |
| 09/01/09 | | Budget Offsets | Add'l BOA esc-Indigo Gym-705 Central | 225 | 4,000.00 | | | 4,315.00 |
| 09/08/09 | BIRDSE | Purchase order | Inv#164555 Borough Planner services July 1, 2009 thru July 31, 2009 Bd of Adj Indigo Gym, 705 B Central Ave | 37330 | | 371.25 | | 3,943.75 |
| 09/08/09 | MASERC | Purchase order | Inv#130445,engineering services Bd of Adj application June 19 2009 thru July 19, 2009 NPZ236 Indigo Gym, 705 B Central Ave | 37329 | | 1,477.50 | | 2,466.25 |
| 09/08/09 | BIRDSE | Purchase order | Inv#164196 Borough Planner services May 15, 2009 thru June 30, 2009 Bd of Adj Indigo Gym, 705 B Central Ave | 37330 | | 1,605.00 | | 861.25 |

| Date | Vendor ID | Transaction | Description | Reference | Modified Budget | Encumbrance | Payment | Balance |
|---|---|---|---|---|---|---|---|---|
| 10/01/09 | MASERC | Purchase order | Inv#133594, NPZ236 engineering services August 17 thru September 13 2009 Bd Of Adj application Indigo Gymnastic 705B Central Avenue | 37506 | | 200.00 | | 661.25 |
| 10/12/09 | BIRDSE | Check | BIRDSALL ENGINEERING, INC. | 2524 | | | 371.25 | 661.25 |
| 10/12/09 | MASERC | Check | MASER CONSULTING, P.A. | 2530 | | | 1,477.50 | 661.25 |
| 10/12/09 | BIRDSE | Check | BIRDSALL ENGINEERING, INC. | 2524 | | | 1,605.00 | 661.25 |
| 10/26/09 | MASERC | Check | MASER CONSULTING, P.A. | 2540 | | | 200.00 | 661.25 |
| 11/06/09 | MASERC | Purchase order | Inv#135144 NPZ236 engineering services Sept 16 2009 thru October 25 2009 Bd of Adj file Indigo Gym 705B Central Ave | 37805 | | 382.50 | | 278.75 |
| 11/30/09 | MASERC | Check | MASER CONSULTING, P.A. | 2555 | | | 382.50 | 278.75 |
| 12/11/09 | MASERC | Purchase order | Inv#136476 NPZ 236 Indigo Gym 705B Central Ave.., Bd of Adj file engineering services October 26 thru November 15 2009. | 38061 | | 232.50 | | 46.25 |
| 12/28/09 | MASERC | Check | MASER CONSULTING, P.A. | 2568 | | | 232.50 | 46.25 |
| 12/31/09 | | Balance transferred | | 70--002-01080-- | (46.25) | | | 0.00 |
| 01/01/10 | | Balance transferred | | 70--002-01080-- | 46.25 | | | 46.25 |
| 02/18/10 | MASERC | Purchase order | Inv#139802 NPZ236 engineering services December 17 2009 thru Jan 17 2010 Indigo Gymnastic Center 705B Central Ave | 38471 | | 45.00 | | 1.25 |
| 03/08/10 | MASERC | Check | MASER CONSULTING, P.A. | 2592 | | | 45.00 | 1.25 |

| Date | Vendor ID | Transaction | Description | Reference | Modified Budget | Encumbrance | Payment | Balance |
|---|---|---|---|---|---|---|---|---|
| 06/08/10 | | Budget Offsets | Add'l BOA Escrow Indigo Gym | 337 | 1,000.00 | | | 1,001.25 |
| 06/10/10 | MASERC | Purchase order | Inv#143867 NPZ236 engineering services - 3/15/10 thru 4/18/10 Bd of Adj Indigo Gymnastic Center 705B Central Ave | 39228 | | 202.50 | | 798.75 |
| 06/10/10 | MASERC | Purchase order | Inv#140635 NPZ236 engineering services - 1/19/10 thru 2/14/10 Bd of Adj Indigo Gymnastic Center 705B Central Ave | 39228 | | 450.00 | | 348.75 |
| 06/28/10 | MASERC | Check | MASER CONSULTING, P.A. | 2651 | | | 652.50 | 348.75 |
| 10/25/10 | MASERC | Purchase order | Inv#151903, NPZ236 engineering services Indigo Gym 705B Central Ave 9/3/10 to 9/19/10 | 40098 | | 112.50 | | 236.25 |
| 11/22/10 | MASERC | Purchase order | Inv#153571 NPZ 236 Bd of Adj file Indigo Gym 705 B Central Ave engineering services 9/22/10 thru 10/24/10 | 40282 | | 67.50 | | 168.75 |
| 11/29/10 | MASERC | Check | MASER CONSULTING, P.A. | 2704 | | | 112.50 | 168.75 |
| 12/06/10 | MASERC | Check | MASER CONSULTING, P.A. | 2719 | | | 67.50 | 168.75 |
| 12/31/10 | | Balance transferred | | 70--002-01080-- | (168.75) | | | 0.00 |
| 01/01/11 | | Balance transferred | | 70--002-01080-- | 168.75 | | | 168.75 |
| 12/31/11 | | Balance transferred | | 70--002-01080-- | (168.75) | | | 0.00 |
| 01/01/12 | | Balance transferred | | 70--002-01080-- | 168.75 | | | 168.75 |
| Total | | | | | 7,000.00 | 6,831.25 | 6,831.25 | 168.75 |
| Total | | | | | 7,000.00 | 6,831.25 | 6,831.25 | 168.75 |
| Total | | INDIGO GYM-BD ADJ ESCROW-705 CENTRAL | | | 7,000.00 | 6,831.25 | 6,831.25 | 168.75 |

| Date | Vendor ID | Transaction | Description | Reference | Modified Budget | Encumbrance | Payment | Balance |
|---|---|---|---|---|---|---|---|---|
| Total | | APPRN EXCLUDED FROM CAPS | | | 7,000.00 | 6,831.25 | 6,831.25 | 168.75 |
| | | | | | | | | |
| Total | | | | | 7,000.00 | 6,831.25 | 6,831.25 | 168.75 |
| | | | | | | | | |
| Total | | DEVELOPERS ESCROW | | | 7,000.00 | 6,831.25 | 6,831.25 | 168.75 |
| | | | | | | | | |
| | | | | | | | | |
| Total | | Report | | | 7,000.00 | 6,831.25 | 6,831.25 | 168.75 |