

**RESOLUTION**  
of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2013-107

Council Meeting Date: 03-11-2013

Date Adopted: 03-11-2013

TITLE: RESOLUTION AUTHORIZING RETURN OF ESCROW FUNDS TO JOHN F. KROEGER AND MAUREEN KROEGER

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

WHEREAS, John F. Kroeger and Maurenn Kroeger have requested return of their escrow funds, for a 2007 Planning Board application for a variance for side-yard setback and amendment to Condition III.5 of Planning Board Resolution 92-7, in the amounts of \$460.25; and

WHEREAS, the Construction Official and Board Secretary have advised that the applicant received Planning Board approval on November 20, 2007, confirmed by Resolution 2007-13; and

WHEREAS, the Construction Official and Board Secretary advise all required fees and expenses have now been paid; and

WHEREAS, the Construction Official and Board Secretary recommend the release of escrow funds for the 2007 Planning Board application for a variance for side-yard setback and amendment to Condition III.5 of Planning Board Resolution 92-7.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of New Providence that escrow funds in the amounts of \$460.25, be returned to said applicant.

APPROVED, this 11<sup>th</sup> 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 11<sup>th</sup> day of March, 2013.

Wendi B. Barry, Borough Clerk

BOROUGH OF  
**NEW PROVIDENCE**

SETTLED IN 1720

J. Brooke Hern, Mayor  
PLANNING BOARD  
Robert Lesnewich, Chairman  
Margaret Koontz, Secretary

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

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

Re: Planning Board Application  
John F. Kroeger and Maureen Kroeger  
3 Baldwin Drive  
Block 374, Lot 6

Date: February 27, 2013

The above application came before the Planning Board on October 9, 2007, for a variance for side-yard setback and amendment to Condition III.5 of Resolution 92-7 which granted conditional use approval, preliminary major subdivision approval and preliminary site plan approval with variances in connection with Murray Hill Farm Development. The Planning Board granted approval for the application on November 20, 2007 (PB Resolution 2007-13). 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 (\$460.25) can now be returned to the applicant.

APPROVED:



Keith J. Lynch, Construction Official



Margaret Koontz, Secretary

70 DEVELOPERS ESCROW

002 APPRN EXCLUDED FROM CAPS  
01052 KROEGER-3 BALDWIN DR

Date	Vendor ID	Transaction	Description	Reference	Modified Budget	Encumbrance	Payment	Balance
10/09/07		Amendment	NEW INITIAL DEPOSIT	D201-2-2007	1,000.00			1,000.00
12/31/07		Balance transferred		70-002-01052-	(1,000.00)			0.00
01/01/08	CHADWI	Purchase order	Inv. 3933 - re Kroeger PB application - review, site inspection, report - October 2007 - per hr.	33202		487.50		(487.50)
01/01/08		Balance transferred		70-002-01052-	1,000.00			512.50
01/18/08	COURIE	Purchase order	Order # 608474 - Notice of Action - approval of Resolution 2007-13 re Kroeger application - published 12/27/07	33463		52.25		460.25
01/28/08	COURIE	Check	COURIER - NEWS	2284			52.25	460.25
01/28/08	CHADWI	Check	JOHN T. CHADWICK, IV	2279			487.50	460.25
12/31/08		Balance transferred		70-002-01052-	(460.25)			0.00
01/01/09		Balance transferred		70-002-01052-	460.25			460.25
12/31/09		Balance transferred		70-002-01052-	(460.25)			0.00
01/01/10		Balance transferred		70-002-01052-	460.25			460.25
12/31/10		Balance transferred		70-002-01052-	(460.25)			0.00
01/01/11		Balance transferred		70-002-01052-	460.25			460.25
12/31/11		Balance transferred		70-002-01052-	(460.25)			0.00
01/01/12		Balance transferred		70-002-01052-	460.25			460.25
12/31/12		Balance transferred		70-002-01052-	(460.25)			0.00

Date	Vendor ID	Transaction	Description	Reference	Modified Budget	Encumbrance	Payment	Balance
01/01/13		Balance transferred		70--002-01052-	460.25			460.25
Total				.	1,000.00	539.75	539.75	460.25
Total					1,000.00	539.75	539.75	460.25
Total		KROEGER-3 BALDWIN DR			1,000.00	539.75	539.75	460.25
Total		APPRN EXCLUDED FROM CAPS			1,000.00	539.75	539.75	460.25
Total					1,000.00	539.75	539.75	460.25
Total		DEVELOPERS ESCROW			1,000.00	539.75	539.75	460.25
Total		Report			1,000.00	539.75	539.75	460.25