

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2018-131

Council Meeting Date: 05-07-2018

Date Adopted: 05-07-2018

TITLE: RESOLUTION AUTHORIZING RETURN OF ESCROW FUNDS TO
ENTERPRISE HOME BUILDERS, LLC

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

WHEREAS, Enterprise Home Builders. LLC has requested return of their escrow funds, for a 2017 Board of Adjustment application, in the amount of \$4,836.93, which include interest; and

WHEREAS, the Board of Adjustment approved the application of Enterprise Home Builders, LLC, memorialized by a resolution 2017-31 on November 11, 2017; and

WHEREAS, the Construction Official advises 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 recommends the release of escrow funds for Enterprise Home Builders, LLC.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of New Providence that escrow funds in the amount of \$4,836.93, which includes interest, be returned to said applicant.

APPROVED, this 7th day of May, 2018.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GENNARO	X			
GEOFFROY	X			
KAPNER	X			
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 7th day of May, 2018.

Wendi B. Barry, Borough Clerk

BOROUGH OF
NEW PROVIDENCE

SETTLED IN 1720

Al Morgan, Mayor
BOARD OF ADJUSTMENT
William Nadelberg, Chairman
Margaret Koontz, Secretary

To: Wendi Barry, Borough Clerk
Borough Council

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

Re: Enterprise home Builders LLC for
15 Crescent Drive
Block 72, Lot 14
ZBA #2017-28

Date: May 3, 2018

The above applicant came before the Board of Adjustment on October 16, 2017, and deposited escrow fees to be used for professional services for its application to raze the existing house and construct a new house. The application was approved by the Board on October 16, 2017, and memorialized in Resolution #2017-31 on November 11, 2017.

The application was sent to the Borough Planner for review on September 9, 2017, but was never received by the Planner. No planning review was done and no charges for the planner were made against the escrow account. The attorney's fee for preparation of the resolution has been paid. No further funds are due and the balance in the account, including interest, in the amount of \$4,836.93 can be refunded.

APPROVED:


Keith J. Lynch, Construction Official


Margaret Koontz, Secretary



investors Bank

Escrow Disbursement Transfer Request

Fax Request to 732.321.8140

Date of Request: 1/29/18 Phone Number: 908-665-1400 X8233
 Escrow Manager: Kathy Herrigel Fax Number: 908-665-9272

Customer Information:

Company Name: Borough of New Providence

Transfer funds to the Master Disbursement Account: [Redacted]

Authorization Code: PROV

Sub Account Title: Enterprise Home Builders LLC

Sub Account Address: 228 Evergreen CT Mountainside NJ 09092

Sub Account Number: [Redacted]

Check one of the following Options:

Close Out Amount \$ 5001.93

Partial Withdrawal Amount \$ _____

Special Instructions:

Please provide closeout balance.

Investors Bank Employee Signature for Confirmation

CC, 1/29

(FAX FORM BACK TO CUSTOMER)

908-665-9272
1815
19

\$5001.93
105.00 Phil's bill
\$4836.93

Account closed
prior to receipt of
attorney's notice.

FLORIO PERRUCCI STEINHARDT & CAPPELLI, L.L.C.

235 Broubalow Way
Phillipsburg, NJ 08865

Telephone: (908) 454-8300
Facsimile: (908) 454-5827

7-20-86-850-902-000000

New Providence Zoning Board of Adjustment
360 Elkwood Avenue
New Providence, NJ 07974

Statement Date: April 24, 2018
Statement No. 148242
Account No. 52306.0037

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Attn: Margaret Koontz

RE: Enterprise Homes Builders LLC-Land Use Application

For Professional Services

			Rate	Hours	
10/16/2017	PJM	Review application for meeting	165.00	0.50	82.50
11/06/2017	PJM	Prepare resolution of memorialization	165.00	0.50	82.50
		For Current Services Rendered		1.00	165.00

		Recapitulation			
<u>Timekeeper</u>		Hours	<u>Rate</u>	<u>Total</u>	
Philip J. Morin, III		1.00	\$165.00	\$165.00	

Total Current Work 165.00

BALANCE DUE (Pay This Amount) \$165.00

4/25/18
CJR