

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 11 - 109

RESOLUTION AUTHORIZING A REFUND TO LOK KUAN NG, OWNER OF THE PROPERTY AT BLOCK 26, LOT 16, 1 SKYLINE DRIVE, FOR STUB CONSTRUCTION PAYMENT IN THE AMOUNT OF \$2,200.00

WHEREAS, pursuant to Resolution 07-96, the Authority granted preliminary approval to applicant David Behnken for construction of a sewer extension to serve a proposed subdivision that would become the properties located at 2 and 4 Skyline Drive, and for approval to connect those two properties to the sewer system; and

WHEREAS, pursuant to Resolution 09-122, the Authority granted final approval of the sewer extension to applicant CRC Communities, Inc. ("CRC"), Behnken's successor in interest; and

WHEREAS, the approval granted by Resolution 07-96 allowed the sewer extension to be constructed at the centerline of Skyline Drive, and required the applicant to construct two lateral stubs to serve the properties located at Block 26, Lots 15 and 16, 1 and 3 Skyline Drive, for which the Authority would reimburse the applicant in the amount of \$2,200.00 per lateral stub; and

WHEREAS, following the receipt of the approval, CRC requested that the sewer extension be allowed to be moved from the centerline of Skyline Drive to an easement located upon the properties at 2 and 4 Skyline Drive, because the Township of Warren had recently paved Skyline Drive; and

WHEREAS, CRC was granted permission to place the sewer extension within the easement, and constructed the lateral stubs intended to serve 1 and 3 Skyline Drive, as set forth in the original approval; and

WHEREAS, CRC constructed the sewer extension and the lateral stubs within the easement, and was reimbursed by the Authority in the amount of \$2,200.00 for each lateral stub, for a total of \$4,400; and

WHEREAS, the Authority subsequently sought and obtained payment of \$2,200.00 from the owner of 1 Skyline Drive in reimbursement of the amount paid to CRC for construction of the lateral stub; and

WHEREAS, after payment by the owner of 1 Skyline Drive, the Township of Warren's Plumbing Subcode Official determined that a sanitary sewer connection from the residence at 1 Skyline Drive to the lateral stub that had been provided by CRC could not be constructed in conformance with the National Standard Plumbing Code and the New Jersey Uniform Commercial Code because of the location and depth of an existing

city water main and storm sewer, which determination was contained in the Plumbing Subcode Official's September 16, 2011 letter to the Authority; and

WHEREAS, by memorandum dated October 10, 2011, the Authority's Engineer indicated that he has reviewed the Plumbing Subcode Official's determination and agrees with same, and has further determined that the property at 1 Skyline Drive can not connect to any point on the sewer extension within 200 feet of the residence in a manner that would comply with the Authority's requirements for minimum slope of a sewer lateral; and

WHEREAS, in light of the circumstances, the owner of 1 Skyline Drive can not use the lateral stub for which the property owner has already paid the Authority \$2,200.00, and should therefore receive a refund in that amount.

NOW, THEREFORE, BE IT RESOLVED by the members of the Warren Township Sewerage Authority, County of Somerset, State of New Jersey that the Authority hereby authorizes a refund to Lok Kuan Ng, owner of the property at Block 26, Lot 16, 1 Skyline Drive, of the reimbursement for the lateral stub in the amount of \$2,200.00.

Moved by Mr. Truglio
Seconded by Mr. Kaufman

Roll Call Vote	Yes	No
Mr. Reeder	x _____	_____
Mr. Florey	_____	_____
Ms. Garafola	_____	_____
Mr. Truglio	x _____	_____
Mr. George Vetter (Alternate #1)	x _____	_____
Mr. Alan Kaufman (Alternate #2)	x _____	_____

CERTIFICATION

I, Deborah Catapano, Secretary of the Warren Township Sewerage Authority in the County of Somerset, New Jersey, do hereby certify that the above resolution is a true and correct copy of a resolution adopted at a meeting of the Warren Township Sewerage Authority on October 19, 2011.



Deborah Catapano, Authority Secretary