



Legislation Details (With Text)

File #: 18-0941 **Version:** 1 **Name:** Refund monies for construction permit fee-Sterling
Type: Resolution **Status:** Adopted
File created: 6/13/2018 **In control:** Engineering
On agenda: 9/19/2018 **Final action:** 9/19/2018

Title: Dept/ Agency: Engineering
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Refund
Purpose: Refund monies for construction permit fees.
Entity Name: Sterling Environmental Services, LLC
Entity Address: 25 Walden Place, West Caldwell, New Jersey 07006
Amount: \$115.00
List of Property:
(Address/Block/Lot/Ward)
116-118 Vassar Avenue/Block 3691.01/Lot 54/South Ward
Additional Information:
Certification of Funds in the amount of \$115.00
(Permit Number 18-CP-001218; 116-118 Vassar Avenue; \$115.00)

Sponsors: John Sharpe James, Mildred C. Crump

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/19/2018	1	Municipal Council	Adopt	Pass

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WHEREAS, Sterling Environmental Services, LLC, 25 Walden Place, West Caldwell, New Jersey 07006, submitted an application to the Uniform Construction Code Office (the "UCC Office") dated April 2, 2018, for a Construction Permit to perform a 550 gallon Underground Storage Tank (UST) removal for the property located at 116-118 Vassar Avenue, Newark, New Jersey 07112; and

WHEREAS, Sterling Environmental Services, LLC, paid a relevant fee in the amount of One-Hundred and Forty-Four Dollars and Zero Cents (\$144.00) (which consists of Plan Review Fees and

Construction Permit Fees) as per the attached Construction Permit Document relating to Permit Number 18-CP-001218; and

WHEREAS, the permit for the construction, specifically, Permit Number 18-CP-001218, for 116-118 Vassar Avenue, Newark, New Jersey 07112, Block 3691.01, Lot 54, was voided by the Construction Official because the UST tank removal has been cancelled by the homeowner, therefore Sterling Environmental Services, LLC, has not and will not be conducting any work associated with this project. Environmental Services, LLC, made a timely application to the UCC Office for a refund of the fees paid; and

WHEREAS, it is the determination of the Construction Official of the City of Newark, that the permit issued to and paid for by Sterling Environmental Services, LLC, is voidable and a refund in the amount of One-Hundred Fifteen Dollars and Zero Cents (\$115.00) (20% of the total Construction Permit Fee, \$29.00, is withheld for Plan Review Services), against Permit Number 18-CP-001218, dated April 2, 2018 may be issued.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Director of Finance is hereby authorized to issue a refund check in the amount of One-Hundred Fifteen Dollars and Zero Cents (\$115.00) to Sterling Environmental Services, LLC, 25 Walden Place, West Caldwell, New Jersey 07006, against fees paid towards Permit Number 18-CP-001218, dated April 2, 2018.

2. The Construction Official of the Uniform Construction Code Office, Department of Engineering, is hereby authorized to make appropriate entries to reflect the refund made.

3. City Ordinance 7:5-1 (R.O.1966 C.S. 7A:5-1) states, "No refunds of the fees shall be made by the City". But, State of New Jersey Uniform Construction Code regulations N.J.A.C. 5:23-4.18(a), governing the refund of application fees states, the Construction Permit Fees of which Plan Review Fees forms a part, shall be returned back to the applicant, less 20% withheld to cover the Plan Review Services, which fee is non-refundable.

4. Attached is a Certification of Funds from the Director of Finance, which states: (1) that there are sufficient funds in the amount of One-Hundred Fifteen Dollars and Zero Cents (\$115.00) for the purpose set forth herein above and (2) that the line appropriation which shall be charged is as follows:

<u>Business Unit</u>	<u>Department</u>	<u>Division/Proj.</u>	<u>Account #</u>	<u>Bud. Ref.</u>
NW026			38750	B2018

5. A fully executed copy of this resolution, shall be filed in the Office of the City Clerk by the Construction Official, Department of Engineering.

STATEMENT

This resolution hereby authorizes the Director of Finance to issue a check made payable to

Sterling Environmental Services, LLC, 25 Walden Place, West Caldwell, New Jersey 07006, in the amount of One-Hundred Fifteen Dollars and Zero Cents (\$115.00) against fees paid towards Permit Number 18-CP-001218.